

The original documents are located in Box 43, folder “Policy Issues (3)” of the Philip Buchen Files at the Gerald R. Ford Presidential Library.

Copyright Notice

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Gerald R. Ford donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

Policy

*To Ken
12/10/74*

December 6, 1974

Dear Chuck:

This will acknowledge and thank you for your December 4 letter to the President suggesting that he take steps to encourage a post-season football game between the University of Michigan and the University of Oklahoma, the proceeds from which to go to the American Cancer Society.

You may be assured your letter will be called to the President's attention at the earliest opportunity.

With kindest regards,

Sincerely,

Max

Max L. Friedersdorf
Deputy Assistant
to the President

The Honorable Charles W. Whalen, Jr.
House of Representatives
Washington, D. C. 20515

~~bcc:~~ w/incoming to Philip Buchen for further handling and appropriate reply. Please furnish this office with cc of response.

MLF:EF:VO:vo



CHARLES W. WHALEN, JR.
THIRD DISTRICT, OHIO

COMMITTEE:
FOREIGN AFFAIRS
SUBCOMMITTEE ON FOREIGN
ECONOMIC POLICY
SUBCOMMITTEE ON
INTER-AMERICAN AFFAIRS
SUBCOMMITTEE ON AFRICA

1035 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-6465

DISTRICT OFFICE:
315 POST OFFICE BUILDING
DAYTON, OHIO 45402
(513) 461-4830, EXT. 5286

Congress of the United States
House of Representatives
Washington, D.C. 20515

December 4, 1974

The President
The White House
Washington, D. C.

My dear Mr. President:

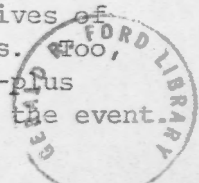
BT
Last week a very attractive athletic proposal was advanced by one of my constituents, Mr. Tom Hamlin, Sports Director of Station WHIO-TV and radio voice of the Ohio State Buckeyes. Mr. Hamlin suggests that two of our nation's top football teams - the University of Michigan and the University of Oklahoma - meet in a "once only" post-season contest.

Obviously, this game would generate widespread interest among the country's sports "fans" (Of which I am one). But more important, the proceeds from television and ticket sales (probably several million dollars) would go to charity, specifically the American Cancer Society.

There is precedent, by the way, for a major post-season charity game. In 1930 and 1931, after several years of fractured relations, Army and Navy clashed in Yankee Stadium in charity contests.

I bring Mr. Hamlin's idea to your attention for two reasons, Mr. President. First, your interest in athletics (especially Wolverine football fortunes) and cancer research are well known by all Americans. Second, the game will materialize only if appropriate officials are prevailed upon to remove the obstacles which prohibit both institutions from participating in post-season football events. As you know, the University of Oklahoma is under suspension by the National Collegiate Athletic Association for recruiting irregularities. The Big Ten Conference allows only one school to engage in post-season football games.

Neither of these roadblocks is insurmountable in my opinion. And, with your support, I am certain that they would be overcome. Therefore, Mr. President, if you believe, as I do, that this plan has great merit, I am taking the liberty of asking you to urge those with decision-making authority to lift the aforementioned bans. Incidentally, the time and location of the game could be determined easily by representatives of both schools so as not to conflict with existing Bowl schedules. Plus there are several communities in which stadiums with an 80,000-plus capacity are located, which undoubtedly would be eager to host the event.

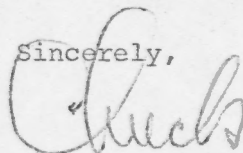


The President
Page 2
December 4, 1974

I believe that the potential for support is very broad. To test it, I intend to canvass my House and Senate colleagues asking them to join me in a resolution (to be introduced next Tuesday) in behalf of this undertaking. I will keep you advised of the resolution's progress, Mr. President.

Best wishes.

Sincerely,

A handwritten signature in cursive script that reads "Chuck".

Charles W. Whalen, Jr.,
Member of Congress

CWW:wlw



THE WHITE HOUSE
WASHINGTON

December 16, 1974

*Policy
stationery*

MEMORANDUM FOR: PHIL BUCHEN
FROM: RUSS ROURKE *R*

Judy Bagwell, of Detroit, Michigan, called with a request that she receive permission to use the President's name on the letterhead for the Paul D. Bagwell and Edith H. Bagwell scholarship fund stationery (at Michigan University). The President would be an honorary member of the Executive Committee.

Ms. Bagwell advises us that the President contributed to the scholarship fund in November, 1973. She can be reached after 5:00 p.m. at 313 882-0273. An early decision is requested.

To: Russ Rourke

From: Phil Buchen *P*

Have called Miss Bagwell to advise it would be inappropriate to use name of President.



THE WHITE HOUSE
WASHINGTON

December 16, 1974

*Policy
handprint*

MEMORANDUM FOR: Mildred Leonard

FROM: Phil Buchen *Phil*

My own feeling is that we respectfully decline the request made in the attached letter from Kathleen Robinson, Associate Director of Kaleidoscope. However, I suggest you talk with Sanford Fox, Extension 2510, to see if he has any overriding reason why this request should be honored. If he does feel strongly in favor of this project, please let me know.

Attachment



MEMORANDUM

THE WHITE HOUSE

WASHINGTON

TO: Mr. Buchen

FROM: Miss Leonard

The attached letter from Kathleen Robinson, Associate Director, Kaleidoscope, is forwarded for your consideration and advice.

The writer states that Kaleidoscope is offered as a public service and is sponsored by Hallmark Cards, Inc. She also guarantees that no commercial use will be made of President Ford's handprint.

Please let me know if you think this is something that the President might want to do.

Thank you.





Kaleidoscope

Hallmark Square at Crown Center, P.O. Box 437, Kansas City, Missouri 64141

(816) 274-8300

November 27, 1974

Mrs. Mildred Leonard
White House
Washington, D.C. 20500

Dear Mrs. Leonard:

On October 16, 1974, I spoke with Terry O'Donnell in Kansas City about the possibility of obtaining the clay impression of President Ford's handprint. This handprint would be displayed in the Hallmark Kaleidoscope exhibit at Crown Center, Kansas City, Missouri. Mr. O'Donnell suggested that we write directly to the White House explaining our request. Since talking to Mr. O'Donnell, we have been in contact with Sanford Fox who has dealt closely with Hallmark Cards, Inc., for the past twelve to fifteen years. It is at his suggestion that I am writing to you with our request.

Kaleidoscope is a creative art experience for children offered as a public service and sponsored by Hallmark Cards, Inc. Organized school groups will be admitted to Kaleidoscope free of charge. We are sending you a brochure which will further explain the entire exhibit. As the children enter the exhibit, one of their first encounters will be the "Touch and See Wall." Here the children will explore a variety of textures ranging from samples of Braille, seashells and animal skins. It is for this wall that we wish to have the handprint of the President. The child who will probably never have the thrill of shaking the hand of the President of the United States will be able to place his hand into the impression and compare the size and shape of the President's hand to his own.

The technical process involved in obtaining the handprint is simple. A wooden frame of water soluble clay which is sealed in plastic will be sent to the White House. The President would simply need to moisten his hand and press his palm and fingers firmly into the clay leaving a deep, clear impression of his hand. The wooden frame would then be mailed back to Kaleidoscope.

A plastic casting of the handprint will be made of this clay impression and the handprint would be displayed with a photograph of President Ford. The original clay will be destroyed after the casting is made and will not be preserved.





kaleidoscope

Hallmark Square at Crown Center, P.O. Box 437, Kansas City, Missouri 64141

(816) 274-8300

Mrs. Mildred Leonard
November 27, 1974
page 2

Hallmark Cards, Inc., guarantees that no commercial use will be made of President Ford's handprint. The sole purpose in obtaining the handprint is for display in the Kaleidoscope children's exhibit.

We look forward to hearing from you. If our proposal meets with your approval, we will send you the material necessary for making the impression.

Sincerely,

Kathleen Robinson
Associate Director

enclosures



*Policy
Issues*

December 18, 1974

MEMORANDUM FOR: John O. Marsh, Jr.
FROM: Phil Buchen
SUBJECT: Rockefeller Resignations

See attached memo from Dudley Chapman.

The Critical Choices Commission is nongovernmental and does not receive Federal funds, but I would think, as a matter of policy, the Vice President would not want to retain such a position.

PWBuchen:red



MEMORANDUM

THE WHITE HOUSE
WASHINGTON

December 14, 1974

TO: PHIL BUCHEN

FROM: JOHN O. MARSH, JR. *jom*

Governor Rockefeller currently serves in some capacity in the following three committees -

1. Chairman of the Water Quality Commission.
2. Member, Foreign Intelligence Board.
3. Chairman, Critical Choices Commission (I am uncertain as to the Federal status of this.)

In all events guidance is requested as to resignations, etc. from the above three. If resignation is necessary I would suggest it be tendered and effective the date of confirmation.

Thanks, Phil.
jom



THE WHITE HOUSE

WASHINGTON

December 18, 1974

Rockefeller

MEMORANDUM FOR: PHILIP W. BUCHEN
FROM: DUDLEY CHAPMAN *DC*
SUBJECT: Rockefeller Resignations

The memberships on the National Commission on Water Quality and the Foreign Intelligence Board should be resigned because he will no longer meet the standards for appointment to those bodies when he is Vice President. The Water Quality Commission includes five members "of the public"; and the executive order creating the Foreign Intelligence Board calls for all members to be appointed "from among persons outside the Government." Copies are attached.

There is no constitutional bar to his holding another office. I confirmed this with Justice.



Executive Order 11460

ESTABLISHING THE PRESIDENT'S FOREIGN INTELLIGENCE ADVISORY BOARD

By virtue of the authority vested in me as President of the United States, it is ordered as follows:

SECTION 1. There is hereby established the President's Foreign Intelligence Advisory Board, hereinafter referred to as "the Board". The Board shall:

(1) advise the President concerning the objectives, conduct, management and coordination of the various activities making up the overall national intelligence effort;

(2) conduct a continuing review and assessment of foreign intelligence and related activities in which the Central Intelligence Agency and other Government departments and agencies are engaged;

(3) receive, consider and take appropriate action with respect to matters identified to the Board, by the Central Intelligence Agency and other Government departments and agencies of the intelligence community, in which the support of the Board will further the effectiveness of the national intelligence effort; and

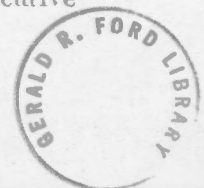
(4) report to the President concerning the Board's findings and appraisals, and make appropriate recommendations for actions to achieve increased effectiveness of the Government's foreign intelligence effort in meeting national intelligence needs.

SEC. 2. In order to facilitate performance of the Board's functions, the Director of Central Intelligence and the heads of all other departments and agencies shall make available to the Board all information with respect to foreign intelligence and related matters which the Board may require for the purpose of carrying out its responsibilities to the President in accordance with the terms of this Order. Such information made available to the Board shall be given all necessary security protection in accordance with the terms and provisions of applicable laws and regulations.

SEC. 3. Members of the Board shall be appointed by the President from among persons outside the Government, qualified on the basis of knowledge and experience in matters relating to the national defense and security, or possessing other knowledge and abilities which may be expected to contribute to the effective performance of the Board's duties. The members of the Board shall receive such compensation and allowances, consonant with law, as may be prescribed hereafter.

SEC. 4. The Board shall have a staff headed by an Executive Secretary, who shall be appointed by the President and shall receive such compensation and allowances, consonant with law, as may be prescribed by the Board. The Executive Secretary shall be authorized, subject to the approval of the Board and consonant with law, to appoint and fix the compensation of such personnel as may be necessary for performance of the Board's duties.

SEC. 5. Compensation and allowances of the Board, the Executive



"FEDERAL FACILITIES POLLUTION CONTROL

"SEC. 313. Each department, agency, or instrumentality of the executive, legislative, and judicial branches of the Federal Government (1) having jurisdiction over any property or facility, or (2) engaged in any activity resulting, or which may result, in the discharge or runoff of pollutants shall comply with Federal, State, interstate, and local requirements respecting control and abatement of pollution to the same extent that any person is subject to such requirements, including the payment of reasonable service charges. The President may exempt any effluent source of any department, agency, or instrumentality in the executive branch from compliance with any such a requirement if he determines it to be in the paramount interest of the United States to do so; except that no exemption may be granted from the requirements of section 306 or 307 of this Act. No such exemptions shall be granted due to lack of appropriation unless the President shall have specifically requested such appropriation as a part of the budgetary process and the Congress shall have failed to make available such requested appropriation. Any exemption shall be for a period not in excess of one year, but additional exemptions may be granted for periods of not to exceed one year upon the President's making a new determination. The President shall report each January to the Congress all exemptions from the requirements of this section granted during the preceding calendar year, together with his reason for granting such exemption.

Exemption.

Report to Congress.

"CLEAN LAKES

"SEC. 314. (a) Each State shall prepare or establish, and submit to the Administrator for his approval—

- "(1) an identification and classification according to eutrophic condition of all publicly owned fresh water lakes in such State;
- "(2) procedures, processes, and methods (including land use requirements), to control sources of pollution of such lakes; and
- "(3) methods and procedures, in conjunction with appropriate Federal agencies, to restore the quality of such lakes.

"(b) The Administrator shall provide financial assistance to States in order to carry out methods and procedures approved by him under this section.

"(c) (1) The amount granted to any State for any fiscal year under this section shall not exceed 70 per centum of the funds expended by such State in such year for carrying out approved methods and procedures under this section.

"(2) There is authorized to be appropriated \$50,000,000 for the fiscal year ending June 30, 1973; \$100,000,000 for the fiscal year 1974; and \$150,000,000 for the fiscal year 1975 for grants to States under this section which such sums shall remain available until expended. The Administrator shall provide for an equitable distribution of such sums to the States with approved methods and procedures under this section.

Appropriations.

"NATIONAL STUDY COMMISSION

"SEC. 315. (a) There is established a National Study Commission, which shall make a full and complete investigation and study of all of the technological aspects of achieving, and all aspects of the total economic, social, and environmental effects of achieving or not achieving, the effluent limitations and goals set forth for 1933 in section 301(b) (2) of this Act.

Establishment.

"(b) Such Commission shall be composed of fifteen members, including five members of the Senate, who are members of the Public Works committee, appointed by the President of the Senate, five mem-

Membership.

Cont'd



bers of the House, who are members of the Public Works committee, appointed by the Speaker of the House, and five members of the public appointed by the President. The Chairman of such Commission shall be elected from among its members.

Contract
authority.

“(c) In the conduct of such study, the Commission is authorized to contract with the National Academy of Sciences and the National Academy of Engineering (acting through the National Research Council), the National Institute of Ecology, Brookings Institution, and other nongovernmental entities, for the investigation of matters within their competence.

“(d) The heads of the departments, agencies and instrumentalities of the executive branch of the Federal Government shall cooperate with the Commission in carrying out the requirements of this section, and shall furnish to the Commission such information as the Commission deems necessary to carry out this section.

Report to Con-
gress.

“(e) A report shall be submitted to the Congress of the results of such investigation and study, together with recommendations, not later than three years after the date of enactment of this title.

“(f) The members of the Commission who are not officers or employees of the United States, while attending conferences or meetings of the Commission or while otherwise serving at the request of the Chairman shall be entitled to receive compensation at a rate not in excess of the maximum rate of pay for grade GS-18, as provided in the General Schedule under section 5332 of title V of the United States Code, including traveltime and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence as authorized by law (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

5 USC 5332
note.

80 Stat. 499;
83 Stat. 190.
5 USC 5703,
5707 and notes.
Appropriation.

“(g) There is authorized to be appropriated, for use in carrying out this section, not to exceed \$15,000,000.

“THERMAL DISCHARGES

“SEC. 316. (a) With respect to any point source otherwise subject to the provisions of section 301 or section 306 of this Act, whenever the owner or operator of any such source, after opportunity for public hearing, can demonstrate to the satisfaction of the Administrator (or, if appropriate, the State) that any effluent limitation proposed for the control of the thermal component of any discharge from such source will require effluent limitations more stringent than necessary to assure the protection and propagation of a balanced, indigenous population of shellfish, fish, and wildlife in and on the body of water into which the discharge is to be made, the Administrator (or, if appropriate, the State) may impose an effluent limitation under such sections for such plant, with respect to the thermal component of such discharge (taking into account the interaction of such thermal component with other pollutants), that will assure the protection and propagation of a balanced, indigenous population of shellfish, fish, and wildlife in and on that body of water.

“(b) Any standard established pursuant to section 301 or section 306 of this Act and applicable to a point source shall require that the location, design, construction, and capacity of cooling water intake structures reflect the best technology available for minimizing adverse environmental impact.

“(c) Notwithstanding any other provision of this Act, any point source of a discharge having a thermal component, the modification of which point source is commenced after the date of enactment of the Federal Water Pollution Control Act Amendments of 1972 and which, as modified, meets effluent limitations established under section 301 or, if more stringent, effluent limitations established under

Ante, p. 816.



THE WHITE HOUSE
WASHINGTON

December 21, 1974

TO: Don Rumsfeld

FROM: Phil Areeda P.A.

I attach some very sketchy thoughts on the State of the Union. Some points are developed in relevant detail; others are merely mentioned.

This was prepared without knowing the concrete substantive proposals being advanced by the departments.

Attachment

cc: Phil Buchen w/attachment
Jack Marsh w/attachment



Areeda
12/21/74

Fragmentary Thoughts on the State of the Union

The tone should be "philosophical" with details as illustrations, rather than a laundry list of proposals. A possible organization follows, with a few thoughts.

I. Prologue: A year (or a year and a half) of political and economic trauma at home and abroad.

A. Economic

- .. Oil producing countries have multiplied (quadrupled?) the price of oil, which is both a vital source of energy and a vital raw material for the world's industry.
- .. Nature was less bountiful than necessary to supply the world's food needs at the modest prices we had become accustomed to.
- .. The resulting inflation in food and fuel has required everyone everywhere to devote more of his income to basic needs and has created:
 - ... a sense of oppressive inflation
 - ... a universal desire to compensate for it by obtaining more money income. This in turn ^{led} to pressure for higher prices by producers, higher wages and salaries, higher governmental expenditures, and higher inflation.
- .. In addition, the slow-down in economic activity has impaired public confidence throughout the industrialized world.

B. Political: Nor has it been a stable year politically.

- .. Continued threat of conflict in the Middle-East.
- .. Changes of government in many countries, some drastic and even violent.
- .. And, of course, our own change of government that, uniquely in America's history, gives the people a President and a Vice President that they did not elect.



C. But the recognition of such changes, indeed unsettling changes, should not impair our confidence. The future is what we make of it: there are tremendous opportunities for improving the quality of life. In this Message a few words about:

- .. Our Constitution
- .. Gerald Ford's beliefs about the role of citizen, Congress and President
- .. And some of the imperatives for achieving peace, social justice, and a stable prosperity.

II. State of the Constitution

A. Stability: Americans have every right to be pleased that their basic governmental institutions can accommodate change without sacrificing stability.

- .. Except for the War Between the States 100 years ago, we have been blessed with nearly 200 years of stable government, with evolutionary rather than avulsive change.
- .. Since the last Presidential election, we have had two new Vice Presidents and a new President. Some may think that those particular changes came too soon or too late, but they did come without any doubt as to the legitimacy of today's government.

B. Relationships Within the Federal Government: We have heard much during the past year or so of the separation of powers, of the decline or resurgence of Congress or the Presidency. We doubtless will hear more this year. And, although this is not the time or place for extended discussion, a few points deserve mention.

- 1) GF will cooperate fully with Congress and hopes that Congress will cooperate fully with him in the service of the American people.
- 2) GF will act responsibly and hopes that Congress will do the same. It is, for example, not responsible or fair to criticize the President's budget or a budget deficit as too high, to proclaim a cut by appropriating less than Congress knows is needed to implement the program it has enacted, and simultaneously to require yet larger expenditures. Regardless of whether you think the budget should be expansionary or otherwise, Congress must recognize its responsibility to look at Government programs and expenditures as a whole, or it must allow the President to do so.



3) In this and other matters, Congress should consider re-organizing itself to devote more of its energies to important government business, with less duplication between committees, and perhaps even with less duplication between its two Houses.

4) On one matter, a word of clarification is appropriate: the veto power. I sometimes hear a veto described as a confrontation, and I read scorecards about the number of vetos sustained or overridden. But a veto is less of a confrontation than a prescribed part of the legislative process. It reflects the fact that the Congress and the President will sometimes disagree. And of course Congress can have the last word when the requisite votes can be mustered. But an override does not imply that the veto in question was unwise. Even though overridden, a veto serves an important Constitutional role: it is meant to induce sober second thought by Congress and to make clear to the American people where responsibility lies for the resulting legislation.

5) But I emphasize that what the country needs is close, continued and intensive cooperation between the Executive and Legislative branches at every step of the law making process.

C. Relationships With State Governments and With the People

1) Every political scientist and even every President has recognized a drift toward greater Federal involvement in the work of the States and the life of the citizen.

2) The fact is that the Federal Government is, in many respects, too big, too expensive, too often captured by special interests, too inefficient, too ready to force others to be inefficient, and too insensitive to the citizen.

3) It would be unreal to expect a fast or fundamental change in those conditions. But the people and the Congress should think twice about further movements in that direction and should even consider some modest steps the other way. Perhaps it is time to do less but to do it better. Before telling you my affirmative programs, let me talk a little about what Government shouldn't do.



III. What the Federal Government Should Not Do : [Incomplete - capable of further development]

A. Should Not Promise Or Expect Too Much

- 1) When running for office or even when in it, we politicians tend either to promise too much or to criticize some other politicians for not solving all the problems of mankind. The consequences are socially destructive.
- .. Without knowing what to do, legislators or executive officials feel obliged to "do something" which may be ineffective, unnecessary, expensive and often impossible to discontinue once someone develops a vested interest in it.
- .. Or nothing at all is done, which leads some to become frustrated because they believe that "no one cares."
- .. And in the course of doing nothing, or the wrong thing, the limited resources of Congressional or executive time, concentration, or concern are exhausted in vain.
- 2) We all need to become more realistic about what government can accomplish.

B. Should Not Try to Change the Economy Too Fast Or In the Wrong Way

- .. (for example, to make all rivers perfectly pure in five years; to eliminate all sulfur from fuel before adequate supplies or controls are available; to make automobile commuting too expensive before alternative transport is arranged, etc.)

C. Should Not Try to Control Too Many Details of What Other Institutions Do

- 1) There is simply too much detailed regulation of the behavior of the States through, for example, categorical grants. Revenue sharing preferable.
- 2) Too much regulation of firms and citizens by detailed requirements when new taxes or laws would do the job while leaving individuals freer to adjust in the manner they choose.
- 3) That is, it is better to influence others' behavior through taxes (for example effluent taxes on noxious emissions) than through a giant bureaucracy telling others in detail what they can or cannot do.



D. Should Not Subsidize the Fortunate or Well-organized Interest Groups Seeking Relief from Competition in the Marketplace

.. In particular governments should not insulate business from competition in the guise of regulating them. Repeat concern for regulatory reform.

.. Mention particular subsidies?

E. Should Not Tax Unfairly

.. Urge tax reform with some particular suggestions. (This is an issue separate from, although related to, the aggregate level of taxation designed to stimulate or retard demand.)

F. Should Not Try to Do What the Citizens Can Better Do for Themselves as Individuals or Through Other Institutions [This is a bridge to the next section.]

IV. Affirmative Programs:

A. National Defense and International Relations.

B. Strengthening the Economy: monetary and fiscal policy charting the perilous course through recession and inflation.

C. Energy.

D. Food?

E. Framework of Laws for Domestic Tranquility (the crime problem) and Competitive Markets (antitrust, etc.)

F. Social Justice; Helping the Unfortunate [In addition to whatever specific programs are being developed, further thought should be given to defining principles, if any, that help to determine the appropriate limits of action. It may be possible to do no more than state the dilemma]

V. Epilogue



THE WHITE HOUSE

WASHINGTON

December 16, 1974

MEETING FOR
DOMESTIC COUNCIL ISSUE REVIEW
(CRIME PROPOSAL)

Friday, December 20, 1974
10:30 a.m. (one hour)
The Cabinet Room

From: Ken Cole *C*

I. PURPOSE

This meeting is being held for Attorney General Saxbe to review the career criminal proposal being prepared for your consideration as a possible part of the State of the Union package. No decisions will be expected at this meeting; its sole purpose is for the Attorney General to present his proposal as developed to date.

II. BACKGROUND, PARTICIPANTS, & PRESS PLAN

A. Background:

Attorney General Saxbe's memorandum on a proposed Career Criminal Action Program is summarized at Tab A, and included in full at Tab B. You may wish to pay special attention to the tone and possible political effect of these proposals in light of the new Congress.

B. Participants:

Justice:

Attorney General William B. Saxbe
Deputy Attorney General Laurence Silberman

White House:

Robert Hartmann
Jack Marsh
Ken Cole
Max Friedersdorf
Walter Scott
Geoff Shepard



C. Press Plan:

Announced event.

III. TALKING POINTS

1. Mr. Attorney General, would you please start off by explaining your proposals.
2. In a recent discussion, James Q. Wilson indicated a weak point in the criminal justice system in that judges are not putting people in jail after conviction. What do you think of Wilson's thesis?
3. I think Max Friedersdorf might have some feel on how these proposals will sit with the new Congress.
4. How do you perceive these proposals will be received by State and local law enforcement authorities?



SUMMARY OF THE CAREER CRIMINAL ACTION PROGRAM

Purpose

This program is directed at halting the activities of the career criminal against society. The program is designed to be implemented at the Federal and State law enforcement level and in the Federal District Courts:

Federal Law Enforcement

The prosecutive and investigative resources will be reallocated to focus on the career criminal and not on statistical achievements. Information sharing concerning the career criminal will be improved between Federal and State law enforcement authorities. Improved techniques will be developed to refine the identification of the career criminal and maintain a complete record on him, which will be computerized and disseminated to U.S. Attorneys. U.S. Attorneys will establish a major violators unit and concentrate on the prosecution and sentencing of career criminals. Other Federal law enforcement agencies would be instructed to emphasize apprehension of career criminals.

Federal Legislative Proposals

Legislation supporting the attack on the career criminal includes bail reform, revision of the Federal Youth Corrections Act to prevent repeat, dangerous offenders from receiving light sentences, reform of legislative sentencing to further protect public safety, revision of the exclusionary rule, and the establishment of a single post-conviction appeal to cover all jurisdictions.

The Judiciary

In cooperation with the Supreme Court the following reforms will be pursued: the establishment of sentencing panels of judges in Federal District Courts to consider sentences, the employment of the Federal Judicial Center as a research institution and clearinghouse on sentencing initiatives, and the establishment of sentencing institutes for government prosecutors, judges and probation officers.





Office of the Attorney General
Washington, D. C. 20530

MEMORANDUM TO THE PRESIDENT

FROM: William B. Saxbe
Attorney General *WBS*

SUBJECT: Career Criminal Action Program

You have asked the Department of Justice for an action program to deal with the career criminal following up your speech to the annual conference of the International Association of the Chiefs of Police in late September.

For purposes of this memorandum, the career criminal is defined as that person who engages in repeated violent criminal conduct as a means of earning his livelihood. The degree of his professionalism is frequently manifested by his detailed planning, skillful execution of the offense, his knowledge of the criminal justice system and his ability to abuse its processes and exploit its weaknesses.

We have found that the record of the repeat offender is often buried in the anonymity of large-scale, assembly-line case processing. Such an offender often seeks one delay and postponement after another until the government's witnesses are so exasperated and worn out, or their memories of the crime so obscured, that the charges against him are either dropped or dismissed. If his case does go to trial, the court is too often oblivious of the fact that there are other cases pending against him, or that he is a fugitive from other cases before the court.

If the career criminal is identified at the outset, quickly and vigorously prosecuted, appropriately sentenced, and if finality is restored to the appellate process, recidivism will be reduced and others will be deterred. The suggestions set forth below are designed to achieve that result.



I. Pursuit of the Career Criminal at the Federal Level

An enhanced emphasis on the career criminal can be achieved in the federal criminal justice system simply by directing shifts in policy and priorities of the Department of Justice, particularly in the FBI, Drug Enforcement Administration (DEA), and offices of the United States Attorneys. Examples of such shifts are listed below:

1. Prosecutive and investigative resources will be re-allocated to focus on the career criminal. Emphasis will be placed on the seriousness of the criminal and his conduct, rather than the number of "fines, convictions, and recoveries" which can be counted by departmental units for budgetary purposes each fiscal year.

If we combine our interest in the vigorous pursuit and prosecution of the career criminal with the imaginative use of diversion concepts, we will establish a program that is designed to: (a) reduce public expense by providing rehabilitative services at a lower cost through diversion by reducing the number of prosecutions and trials; (b) enhance the prosecutor's effectiveness by concentrating his resources on significant cases and reducing the number of cases which result in litigation; (c) enhance the deterrent effect of criminal law by accelerating the disposition of serious cases; and (d) increase public safety by reducing recidivism.

2. Information concerning the career criminal should be shared between federal and state law enforcement agencies. Further development of presently existing federal-state law enforcement committees will assist that cooperative effort.

3. Identification of the career criminal is required at the moment he enters the system. Until we know who he is and can recognize him, we cannot deal with him effectively. Once we do identify him and can support that identification with facts, we will have little trouble convincing others that the career criminal ought to be dealt with differently. Objective criteria in making that determination include (a) number of prior arrests and convictions; (b) prior probations, parole and incarcerations; (c) age at first offense; (d) age at first commitment; (e) history of drug usage; and (f) seriousness of the crime. In addition, a subjective evaluation must also be made by the United States Attorney charged with the responsibility of prosecuting that individual as to whether he should be treated as a career criminal.



Identification of a defendant as a career criminal must be defensible. It will do no good to select and segregate him if we cannot tell others (e.g., probation officers, judges and parole boards) why. We must be able to justify our identification.

4. Computerization of criminal information. Every reasonable attempt must be made to obtain relevant data concerning the career criminal's life in relationship to the law. We must determine how many times he has been arrested and/or convicted, what the crimes were, and where and when they occurred. We must know the criminal's prior method or methods of operation, his associates, his residences, the vehicles he drives, the institutions (state and federal) where he has been incarcerated, his behavior while institutionalized, prior experiences in parole or probation settings.

Once the above information is obtained, it must be computerized so as to be available immediately to all United States Attorneys. Each time the career criminal is arrested and charged, the prosecuting official will know immediately as much as it is possible for him to know about the criminal. Accordingly, he will be able to make more effective arguments concerning bail. He will also be able to make more intelligent judgments concerning selection of the charge, seeking enhanced penalties, and plea negotiations. Assuming a conviction, he has the facts at hand to pass along to the probation officer and sentencing judge which support his claim that the defendant is indeed a career criminal.

All too frequently, a career criminal passes through a criminal justice system unnoticed because the prosecutor is not aware of recent significant criminal events and prosecutions. Computerizing our information and making it available to U. S. Attorneys' offices throughout the country will do much to remedy that defect.

5. A major violator unit will be established within each U. S. Attorney's office and staffed by experienced personnel where possible to handle cases involving the career criminal.

6. Priority in the prosecution of the career criminal will be emphasized. U. S. Attorneys will be advised that their offices and Assistants are to give priority in time to the prosecution of any individual identified as "career criminal". Furthermore, such prosecutions will be handled only by the most experienced and qualified Assistant U. S. Attorneys; i.e., the major violator units. An acquittal which comes about as the result of a mistake founded on inexperience or incompetence must not occur when the career criminal is being prosecuted.



7. Plea Bargaining will be used sparingly. When dealing with the career criminal, charges must not be reduced or dismissed simply to avoid the time and expense of trial.

8. Allocution. We will make it clear to the U.S. Attorneys and state and local prosecutors that we believe the role of the prosecutor in representing the people does not end with a conviction. It terminates only when the convicted criminal has successfully completed an appropriate sentence including any period of probation or parole. Therefore, career criminal programs will emphasize the need for the prosecutor to exercise his right of allocution in career criminal cases at time of sentencing and at every other critical stage of the proceedings. This means we will encourage prosecutorial participation at every stage which may result in a criminal's release or detention including bail hearings, arraignment, release pending sentence, sentencing, and probation and parole hearings.

9. Renewed Emphasis on the Special Dangerous Offender Provisions. These have been infrequently used because the procedures are somewhat complicated and time-consuming. However, the U.S. Attorneys will be instructed to employ these provisions as a part of the attack on the career criminal.

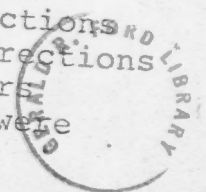
10. Emphasis on Apprehension of Career Criminal by Other Federal Agencies. In order to ensure total Federal adoption of the priority we have assigned to the investigation and prosecution of the career criminal, we would recommend that you instruct other law enforcement agencies located outside the Department of Justice, i.e., the Customs Service, Alcohol, Tobacco & Firearms Unit, the Secret Service and the Postal Inspectors, to assign a similar high priority to their efforts.

II. Federal Legislative Proposals

Some of the legislative proposals advanced below (i.e., bail reform, sentencing of habitual criminals, a modification or elimination of the exclusionary rule), are controversial and likely to encounter considerable opposition. Nevertheless, I recommend this remedial legislation to you in order to accomplish the goals of the career criminal program.

(1) Bail Reform. The Bail Reform Act of 1966 has ignored the danger posed to the community by the violent career criminal. That Act states as its basic premise that "release is to be based upon the defendant's likelihood to appear for scheduled court proceedings". We suggest that the Bail Reform Act should be modified to permit detention of offenders dangerous to the community both prior to trial as well as after trial pending sentence.

(2) Federal Youth Corrections Act. Judicial constructions of the sentencing provisions of the Federal Youth Corrections Act have resulted in masses of repeat violent offenders being sentenced to short terms in youth centers that were



intended by Congress to be used for first offenders and non-violent criminals. We recommend that the Act be amended to spell out clearly that offenders with previous arrest and/or conviction records for dangerous crimes should be ineligible to receive sentences under the Youth Act. These sentences have little or no rehabilitative effect on the dangerous offender, and also mix hardened criminals with relatively innocent first offenders.

(3) Legislative Sentencing Reform. Uncertainty of punishment is a factor which has contributed greatly to the increasing number of career criminals. Reforms should be considered which assure a certainty of punishment to repeat violent offenders. Sentencing should be based upon risk. When risk is substantial to public safety, the sentencing policies should be resolved in favor of public safety. We recommend the following legislative proposals for sentencing reform:

(a) Habitual criminal legislation which would provide a mandatory life sentence without parole for any person convicted of certain capital offenses or convicted three times for any crime involving threats, force, violence, weapons, kidnapping, arson, mayhem, or bombing.

(b) Minimum mandatory sentences for certain categories of offenses such as trafficking in narcotics, use of firearms, etc. In addition to its deterrent effect, adoption of this proposal would preclude judicial circumvention of congressional intent as to the length of sentences.

(c) Provision for maximum fines of twice the amount gained by the offender or the amount of damage done the victim in the offense (already included in Department's proposed reform of the Federal Criminal Code).

(d) Impressing a constructive trust in favor of the United States on the fruits of crime in order to reach all the profits from an offense rather than just reaching property used in the commission of the offense.

(e) Provision requiring restitution as a condition of probation (already included in the Department's proposed reform of the Federal Criminal Code).

(4) Reform of the Exclusionary Rule

(a) Legislation to permit the introduction of evidence obtained in violation of the fourth amendment unless the court finds, as a matter of law, that such violation was substantial and to provide a civil remedy against the United States for persons damaged by an illegal search or seizure.



(b) A legislative mandate that the exclusionary rule shall not apply to the investigative and dispositional states, i.e., grand jury proceedings, sentencing, parole, and probation revocation hearings.

(5) Post-Conviction Reform. Modification of appellate and post-conviction remedies to restore finality by narrowing the overly broad right to collaterally attack state criminal convictions. There should be one appeal that has finality in all jurisdictions federal as well as state.

(6) Other Reforms

(a) As you recently stated, "To reduce the crime rate we need the cooperation of one other party, namely, the public." The Law Enforcement Assistance Administration (LEAA) is experimenting with programs which will increase the assistance given the system by both victims and witnesses. In addition we specifically recommend legislation which would provide:

(1) That compensation of victims of violent crime be through both fines collected from offenders and by civil suit against offenders brought by the government on behalf of the victim. Such compensation would be conditioned on early reporting of offenses and cooperation with law enforcement officials.

(2) For an increase in witness fees to provide more equitable compensation for the sacrifices witnesses frequently make to appear at trials.

II. Career Criminal Program at the State Level

The career criminal program will be carried out at the state and local level through the use of LEAA model programs and discretionary grants. LEAA has set aside \$3 million in federal discretionary funds for several model programs. Other funds to complement the program are also being set aside by LEAA.

Houston, Kansas City, New Orleans, Salt Lake City, and several other potential sites have requested inclusion in the program. Additional jurisdictions have indicated their intention to implement this program with or without federal assistance.

The results of the existing career criminal project in Bronx County, New York, indicate the program's potential effectiveness. In 1973, with funds from an LEAA grant, the Bronx County District Attorney's Office launched a career criminal project of the type we are recommending to you.



The first year's experience showed a 97% felony conviction rate and a reduction of time in trying cases from an average of 24 months to an average of three months. In addition, Bronx County has been able to secure jail sentences in 95% of the cases prosecuted by this unit. The defendant prosecuted by the Major Offense Bureau received an average sentence of 9.6 years, or an increase of more than four years over the previous average for the same types of crimes.

In addition, LEAA is soliciting grant applications for programs which prioritize for speedy prosecution those persons whose criminal histories indicate repeated commission of dangerous criminal acts. Federal funds ranging to \$400,000 per site are available to local prosecutors for this program.

III. The Judiciary

All our efforts, however innovative, will come to nothing without a responsive judiciary. Through communication by me with the Chief Justice which emphasizes our desire to make greater and more qualitative information available to the judiciary for use in its sentencing decisions, I believe we can make progress in obtaining the good will of the courts. We have the following specific recommendations:

1. Sentencing panels. Most observers agree that the widely divergent judicial views regarding sentencing are primarily the product of the personality of the individual judge and his background. The U. S. District Court in Oregon has attempted to stabilize those personality factors and reduce the wide degree of variance between judges by instituting a sentencing panel. Every defendant's sentence is considered individually by the judge who is to impose sentence as well as by his colleagues meeting as a group. The chief probation officer and the officer writing the presentence investigative report are also present at panel meetings.

The Oregon experience has established that the background and personality factors which surface in group discussion reveal not only ignorance, but expertise. The



positions that are unsupportable are generally abandoned. The result is a far more intelligent sentencing decision and a sharp reduction in the degree of sentence variations between judges. We shall try to promote the adoption of sentencing panels by District Courts throughout the country.

2. The Federal Judicial Center as an institution designed for judicial training and research is a natural body to receive communications from us concerning sentencing initiatives. Our communications to the Chairman of the Board of the center will emphasize the importance of sentencing and the development of valid statistical devices to assist the courts in the identification and appropriate sentencing of the career criminal.

3. Sentencing Institutes have been found to be productive by judges and probation officers. The attendance of government prosecutors at these institutes will continue to be encouraged.

IV. Conclusion

In advancing these recommendations, we are not unmindful of the fact that there is a class of federal offenders which will respond to rehabilitative efforts and which will be able to return to society to lead productive and lawful lives. For these individuals, there are now as there should be, fewer prosecutions, shorter sentences, and intensified rehabilitative efforts with emphasis on job placement.

However, those who have demonstrated their incorrigibility must be dealt with swiftly and severely. For them we must be willing to prescribe lengthy periods of incarceration for the protection of society.

For the career criminal program to be adopted by all jurisdictions in the nation will require your continuing participation and support. It is for this reason that we have recommended inclusion of this program in your State of the Union address as well as in a special crime message to the Congress.



THE WHITE HOUSE

WASHINGTON

December 13, 1974

MEMORANDUM FOR:

PHIL AREEDA
ROY ASH
BILL BAROODY
PHIL BUCHEN ✓
RED CAVANEY
DICK CHENEY
KEN COLE
BILL EBERLE
MAX FRIEDERSDORF
ROBERT HARTMANN

JERRY JONES
JOHN MARSH
RON NESSEN
TERRY O'DONNELL
SUSAN PORTER
GENERAL SCOWCROFT
BILL SEIDMAN
PAUL THEIS
BILL TIMMONS

FROM:

WARREN RUSTAND *WR*

SUBJECT:

State of the Union Address

The 94th Congress convenes at noon on Tuesday, January 14.

The President has tentatively decided to deliver the State of the Union Address on Thursday, January 16 in the evening.

Will you please notify me of any conflicts or potential problems with the above stated date. We will appreciate your comments as soon as possible.



HARVARD UNIVERSITY

JOHN FITZGERALD KENNEDY SCHOOL OF GOVERNMENT

INSTITUTE OF POLITICS
78 Mount Auburn Street
Cambridge, Massachusetts 02138
617-495-5792

December 9th, 1974

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

Dear Phil:

As promised, here are some names. More than raw material, however, we need someone running a high-level search process to pair up names and jobs from a substantive point of view.

Will get you the paper on OTP shortly. Hope you can work out some effort on the State of the Union; the more I hear the less sanguine I am.

Best to you and Bunny.

Sincerely,



Clay T. Whitehead

amg:

Encl.



Robert Charpie, President, Cabot Corporation, Boston
(See Commerce; Under Sec. Defense)

Houston Flournay
(HUD; HEW; Commerce;)

Robert Bartley, Editorial Page Editor, Wall Street Journal
(USIA, Domestic Council)

Richard Lugar, Mayor of Indianapolis
(HUD, Domestic Council)

C. Jackson Grayson, Dean of Business School, SMU.
(Commerce; OMB; Domestic Council)

Kenneth Dam, Professor of Law, University of Chicago
(CIEP; Deputy OMB;)

Arnold Weber, Carnegie-Mellon
(Commerce, Labor, OMB, Transportation)

Marina Whitman
(Treasury, Commerce)

Ronald Reagan
(Commerce, HUD)

David Packard
(Commerce, Transportation)

Joseph Califano
(HUD)

Elliott Richardson
(HEW)

William Banowsky, President, Peperdine University
(Domestic Council, Under Sec. of several departments.)

William Pounds, Dean of Business School, M.I.T.
(Commerce)

Bill Moyers.



THE WHITE HOUSE
WASHINGTON

December 4, 1974

MEMORANDUM FOR: Phil Buchen
FROM: Dudley Chapman *DC*
SUBJECT: State of the Union Suggestions:
Tax Reform

Tax policy has traditionally been viewed in terms of revenue policy, which is the concern of the Treasury Department; but long neglected questions of fairness and justice are also involved, and these are the proper concern of lawyers. The Justice Department tends to abstain from tax policy, which contributes to the void in this area.

This subject provides a unique opportunity for Presidential leadership. The structure of our tax system is seriously unfair as the public and Congress are acutely aware. And the unfairness lies mainly in the disproportionate tax burden imposed on the working middle class -- the natural constituency of the Republican Party. This inequity can be corrected by phased reforms, without loss or gain of revenue. Congress is going to act in this area whether or not there is a Presidential initiative; but only the President has the perspective to call for truly fundamental reform. He, not Congress, would then have the initiative on this key issue.

The unfairness in the system stems from the New Deal politics of "soaking the rich." It didn't work because the steeply progressive rate structure led to ever-growing deductions, exemptions and other legal means of tax avoidance. The result has been that our



most affluent citizens pay proportionately less taxes than the middle class working population; and inflation has aggravated this by pushing the latter into relatively steep rate brackets. The obvious solution is to phase out the exclusions, thereby broadening the tax base, and modify the progressivity of the rates so that no rate is excessive.

The essentials of such a proposal could be broadly stated along the following lines:

Tax reform is an idea whose time has come. Whether taxes be raised, lowered or left unchanged, it is essential that they be apportioned fairly. At present they are not. In form our progressive system of taxes falls most heavily on the very wealthy, and on large corporations. In fact, the wealthy have found legal ways to avoid high tax rates, and the corporate income tax works to subsidize inefficiency at the expense of the ordinary taxpayer. In particular --

(1) It is wrong that a complicated system of deductions, exemptions, and tax shelters removes vast revenues from the tax base, and enables the affluent to pay proportionately less taxes than wage and salary earners of moderate income. We should begin by gradually phasing out virtually all deductions, income tax exemptions and other tax shelters. It is incompatible with a fair tax system, for example, that wealthy persons can avoid taxes through the purchase of tax exempt securities. There are other and better ways of aiding municipal governments, through revenue sharing, for example. The system of deductions, too, is unfair and inconsistent with a progressive rate structure, since the same dollar of deduction is worth more to the affluent than to the average citizen. It is not enough that the very wealthy should pay a minimum tax; they should pay a full, fair share of taxes on all of their income. Nor should we continue to exclude vast sums from our revenue base through deductions and exemptions for private charitable foundations. While their purposes are desirable and



should be encouraged, so too are the many other forms of economic activity that we do tax. Only by making a wholesale attack on the system of tax exclusions, however worthy the reasons for them, can we relieve the disproportionate burden that now falls on the ordinary taxpayer.

(2) While the principle of progressive taxation is sound, it is wrong for rates to rise so high that they make a system of exclusion inevitable. It is also wrong that with inflation the steepness of the present rate structure taxes persons of moderate incomes at rates originally intended for the wealthy. Experience has shown that overly steep rates on higher levels of income do less to extract taxes from the wealthy than they contribute to pressures for exclusions that are the essence of unfairness. Only by reducing all tax rates to moderate levels can we ever hope to eliminate the exclusions we now have. Moderate rates applied to a broadened tax base can distribute the tax burden more evenly and more fairly, with neither gain nor loss of net revenue.

(3) It is wrong that income earned from increases in the value of property is taxed at a lower rate than wages and salaries. The liquidity of our capital markets can be protected without resort to preferential rates for capital gains through other and fairer means, such as income averaging, indexing, reinvestment credits, and the overall moderation of rates. No source or kind of income should be favored over others.

(4) It is wrong that our system of business taxation subsidizes inefficiency, creates artificial incentives to mergers and diverts resources into socially useless tax manipulations. Corporate taxes based on net income rather than gross revenues permit less efficient firms to escape taxes they would otherwise have to pay, and it is the ordinary taxpayer who picks up the slack. It also lends itself to all sorts of special tax gimmicks and privileges -- such as the oil depletion allowance -- which exclude large revenues from the tax base at the expense of the ordinary taxpayer. A tax on gross revenues, or value added, would apportion



the burden evenly among all firms. It would also provide an incentive to reduce costs rather than pass them along to consumers, and eliminate many artificial incentives to mergers. And it would improve our international trading position by making our system of business taxes consistent with those of our major trading partners.

These reforms are a change in the direction we have long followed. They cannot -- and should not -- be accomplished overnight. The only fair way to make such basic changes is gradually; but we can and should make the commitment now.

cc: Mr. Areeda
Mr. Lazarus



December 30, 1974

Policy Issues

Dear Mr. Armstrong:

This is in response to your recent letter to me regarding your desire for the President to subscribe the foreword for your forthcoming book on the American flag.

While the President does appreciate your efforts in honoring our flag and our Nation's heritage, it is not possible for him to comply with your request. Due to the large number of similar requests for his assistance, it is not possible to single out a particular request no matter how meritorious it might be. I trust that you can understand the basis for this policy.

Sincerely,

Philip W. Buchen
Counsel to the President

Mr. Thomas E. Armstrong
99 Moran Road
Grosse Pointe Farms, Michigan 48236

PWB:BNR:mlu



114B
1125

THOS. E. ARMSTRONG
99 MORAN ROAD
GROSSE POINTE FARMS, MICHIGAN 48236

The Hon. Philip W. Buchen
The White House
1600 Pennsylvania Avenue N.W.
Washington, D.C. 20006

Dear Mr. Buchen,

I have written a patriotic book about the American Flag, which I expect to have published shortly before the commencement of the Bicentennial Year.

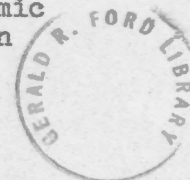
The purpose of this letter is to ask you to make a judgement and, hopefully, recommend that the President honor the book and its purpose by subscribing its Foreword. I believe that his intense patriotism would incline him to give it his complete endorsement.

The book is entitled "Show Your Colors!" and is subtitled "1776 Good Reasons You Can be Proud to Fly the Flag Every Day of the Year" (which, incidentally, I believe an appropriate thing for all of us to do during 1976, by Presidential Proclamation).

The content of the book consists of the Foreword, an Introduction which dwells briefly on some of the lore of the Flag and its history, followed by full color illustrations and captions of 100 Flags of America, from colonial times to the present. The main thrust of the book is a day-by-day, date-by-date chronology of all of the events in America's history which relate to the Flag, arranged by the days of the year, from January 1 to December 31.

Each day of the year has its memorable events in our history. For example, let's take (not too arbitrarily) August 9th.

On August 9, 1814 in the War of 1812 the British fleet bombarded Stonington, Connecticut; in 1815 Steven Decatur signed the peace treaty ending the Barbary Wars with Tripoli; in 1862 the North and the South fought the Battle of Cedar Mountain in Georgia; in 1898 the Americans defeated the Spaniards in the Battle of Coamo in Puerto Rico; in 1942 the Japanese attacked American positions on Guadalcanal in the Battle of Savo Sound; in 1944 the U.S. recaptured Guam; in 1945 the second atomic bomb effectively ended World War II over Nagasaki, and on



August 9th of 1974 Gerald M. Ford was sworn in as the 38th President of the United States.

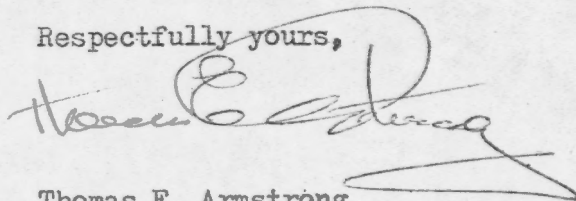
There is, literally, an excellent reason to fly the Flag every day of the year.

Naturally, Mr. Buchen, I wouldn't expect you to recommend nor President Ford to subscribe to anything, regardless of its apparent content, without first examining it in detail. Therefore, I would be privileged to submit it, either in manuscript or later in press proofs.

A copy of the proposed Foreword to the book is attached. While in its present wording it sets the tone for the book which follows, it could and certainly should be modified to truly reflect the President's personal feelings.

Thank you for taking the time to consider this somewhat unusual request. I look forward, expectantly, to your answer.

Respectfully yours,



Thomas E. Armstrong



FOREWORD

If you grudgingly unfurl Old Glory only on Memorial Day and the Fourth of July - or worse, look on flying the Flag as blatant chauvinism, this book is probably not for you. But if, on the other hand you, like I, take a certain fierce pride in your Country for its virtues and in spite of its faults, you may well come to use this book as a journal of sorts.

It is not intended to be a history of the American Flag, but you will find much of the Flag's history herein. Nor is it a book about Flag lore, but much of the story of our Flag is too interesting to have been left out.

This is a book about flying the Flag - not so much the rules and regulations thereof as the many reasons you might want to. It is a capsulized, chronologically arranged history of the events in our Country's past which are worthy of commemoration by flying the Flag. Or, to put it in another perspective, it's a diary of the days of glory and despair in the life of the United States of America.

To those of my fellow citizens who already fly the Flag of our Country every day, whatever your reasons, bravo! And to those of you who think that it is a good idea, but never had a specific reason, now you have!

Gerald M. Ford



THE WHITE HOUSE
WASHINGTON

December 30, 1974

*Policy
Case
WH Books*

MEMORANDUM FOR: TOM DECAIR
FROM: PHILIP W. BUCHEN *P.W.B.*
SUBJECT: Proposed Photo Book of
White House

This proposal appears acceptable, so long as we are prepared to grant similar favors to others.

Your letter of acceptance should include the following:

"This permission is granted subject to your agreement that no representation or suggestion will be made in the book that it is an "official" White House book or project, or that it has been endorsed in any way by any one in the White House. For this purpose, please sign in the place indicated below and return one signed copy to me.

"It is agreed that any publication resulting from the permission to take photographs in the White House will conform to the above stated terms, and that any publication violating them will be recalled and be subject to legal processes to prevent its marketing or distribution.

Signature _____

Title & Authority _____



WH - Books

THE WHITE HOUSE
WASHINGTON

December 30, 1974

MEMORANDUM FOR: TOM DECAIR
FROM: PHILIP W. BUCHEN *P.W.B.*
SUBJECT: Proposed Photo Book of
White House

This proposal appears acceptable, so long as we are prepared to grant similar favors to others.

Your letter of acceptance should include the following:

"This permission is granted subject to your agreement that no representation or suggestion will be made in the book that it is an "official" White House book or project, or that it has been endorsed in any way by any one in the White House. For this purpose, please sign in the place indicated below and return one signed copy to me.

"It is agreed that any publication resulting from the permission to take photographs in the White House will conform to the above stated terms, and that any publication violating them will be recalled and be subject to legal processes to prevent its marketing or distribution.

Signature _____

Title & Authority _____



18B
11/6

THE WHITE HOUSE
WASHINGTON
November 5, 1974

NOTE FOR: Phil Buchen

FROM: TOM DECAIR

In view of the White House Historical Association's occasional production of books on the White House, we seek your guidance on this request before even considering giving them any help. Obviously, they intend to make some money from this venture

Thank you for your counsel.



THE WHITE HOUSE
WASHINGTON

TO: Ron Nessen

FROM: PAUL THEIS

I think the attached which came
to Ann Morgan on my staff more
logically falls under your
responsibility, Ron. What
think?

Paul



LEO GREENLAND, CHIEF EXECUTIVE OFFICER

October 14, 1974

Ms. Ann Morgan
The White House
Washington, D. C. 20500

Dear Ms. Morgan:

We would want to publish a non-political book about the White House in celebration of the Bicentennial.

Working title: "The White House, Inside In."
pages: 250-300.
Illustrations: Half color, mostly photographs,
400-500 pix.
Text: 30,000-40,000 words descriptive narrative.
Trim size: 11 X 14 inches.
Bulk: 1.25 inches.
Binding cloth and paper to be determined, but
obviously of high quality.

The American public would be brought into the inner functionings of the White House. Of course there will be many areas of interest that would be developed as we get into the project. We would look forward to discussing these areas with people from your Archive Section.

The retail price of the book will probably be in the area of \$29.95 to \$49.95, depending on production costs.

I request permission to proceed with this project and have authorization to schedule photographers to take the necessary photographs in the White House.

Cordially,

Leo Greenland

/hh

