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1975

JUDGES/TAB A

TOTAL SEATS CURRENTLY VACANT (16)

ARKANSAS, E. & W. (vice Henley)
CALIFORNIA, C. (E.A. Crary to retire A & Q or 6/30/75)
CALIFORNIA, N. (vice Wollenberg)
CANAL ZONE (Guthrie Crow exp. 8/14/69)
ILLINOIS, N. (vice E.A. Robson)
INDIANA, N. (vice Beamer, deceased)
KANSAS (vice Templar)
KENTUCKY, E. & W. (vice Swinford, deceased 2/3/75)
NEW YORK, S. (vice Bauman)
NEW YORK, S. (vice Gurfein)
NEW YORK, S. (vice Tyler)
NEW YORK, E. (vice Travia)
OKLAHOMA, W. (Stephen S. Chandler to retire A & Q)
WYOMING (Ewing K. Kerr to retire A & Q)
D. C. COURT OF APPEALS (vice Pair)
D. C. SUPERIOR COURT (vice Beard)

A. POTENTIAL VACANCIES (1)

FIFTH CIRCUIT (Fla. /B. Simpson to retire A & Q or 6/30/75)



NOTE: A & Q - upon appointment and qualification of a successor.
Exp. - expires/expired.

Possible Issues for Discussion

Foreign Investment in the United States - Nino Scalia
Handgun Control - Jon Rose
FBI Guidelines
Illegal Aliens - Jon Rose
Voting Rights - Jim Hutchison
Deregulation of Surface and Air Transportation - Jon Rose
Grants of Immunity - Mark Wolf
Energy and the Environment - Nino Scalia
Indian Rights - Jon Rose
Fair Trade Laws - Nino Scalia
Improved Drug Enforcement - Jim Hutchison
LEAA - Jim Hutchison
Career Criminal Program - Bill Hoiles
The Right of Privacy as Applied to Criminal
Justice Information Systems - Jon Rose
Retroactive Seniority - Jim Hutchison



Possible Issues for Discussion

Foreign Investment in the United States

Scalia

Handgun Control Jonathan Rosa

FBI Guidelines

W. H. Gode

Illegal Aliens

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Voting Rights

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Deregulation of Surface and Air Transportation

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Grants of Immunity

Mark Walf

Energy and the Environment

Scalia

Indian Rights

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Fair Trade Laws

Location

Improved Drug Enforcement

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LEAA

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Career Criminal Program

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The Right of Privacy as Applied to Criminal

Justice Information Systems

Rasa

Retroactive Seniority

Deitchinson

Why New York?

3/3/15

① *

Fairm Investment

Investment as such - basically, how does
a free ^{our own} economy deal w/ a closed
society.

Major problem - use of nominees.

Real estate not a Federal matter at all

Support Can we agree any
absence of self-interest in the program

*
②

Handgun

35 lbs in US -
grows 2 lbs yearly

③

Wilde grade ?
FBI Guidelines →

relationship to intelligence



④

Legal Affairs

4-14 yr people

He is a dept. of Justice
just to

②

Looking Right

He should take
a picture of it
showed in
extended nationwide

The President & Supreme Court

Oct - Pres order for
a Commission to study it
with. But that there were
followed road & economic
development



Immunity

with a few system facts
conspiracy.

③ ③

Energy & The Environment

Just as more be
involved at an
earlier stage

Indian Rights

Four Trade Laws

36 states have them now



Drug Enforcement

govt. agencies still fighting
on: customers (black)
vs. suppliers (white)

(4)

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Who in Savato for Dombi Conat

~~LEAA~~ Calves to B

Cover Annual Program

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determine from the Courts



(3)

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Unhappy Drafted

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St. Norway

Retraction Security



ISSUES AFFECTING THE DEPARTMENT OF JUSTICE

A memorandum prepared for a discussion March 3, 1975
between the Vice President and the Attorney General



The following are fact sheets prepared on a number of issues of current importance to the Department of Justice. They are designed to facilitate discussion should any of the issues arise in the discussion between the Vice President and the Attorney General.



Foreign Investment in the United States

Background

Recently, Arab investment in the United States has come under increasing attention because of its potential threat to U.S. domestic economic stability and to our national security. There are also indications that such foreign investment could lead to patterns of discrimination and the President has asked the Department of Justice, as well as other Departments, to investigate this possibility.

The Department of Justice of course has a general responsibility to enforce the civil rights laws. In addition, under its duty to enforce the antitrust laws, it has specific responsibilities concerning foreign investment within this country. The Department has sufficient authority to enforce traditional competitive principles regardless of the origin of private investment. However, existing law may not be sufficient to:

- (a) reach possible anti-competitive conduct of U.S. firms owned by foreign governments because of the principles of sovereign immunity.
- (b) force disclosure of foreign ownership and possible horizontal collusion by U.S. competitors controlled by foreign nationals whose governments have similar foreign policy interests.
- (c) screen foreign investment motivated by racially discriminatory rather than economic considerations.

Issues

Are existing safeguards (present disclosure and reporting requirements as well as antitrust laws) sufficient to ensure that investment by the OPEC will not have an adverse impact on the American economy? Are current civil rights statutes adequate to prevent the use of foreign investment to promote racial discrimination?

Alternatives

(1) Maintain existing policies with respect to disclosure requirements and treatment of the inflow of foreign investment on the assumption that its magnitude is not sufficient to justify altering present practices.



(2) Tighten disclosure requirements to screen foreign investment flows and to prevent potential competitive and other abuses.

(3) Implement controls to limit the degree of foreign ownership in particular or perhaps all industries.

(4) Examine the current civil rights laws to determine whether they are adequate to prohibit discrimination stemming from foreign investment.

*Legally can move on any problem, if the
facts are known or can be discovered
as to who is involved in what.*



Handgun Control

Background

About 35 million privately owned handguns circulate throughout the nation, and the number is growing at the rate of almost two million per year. About 54% of all homicides, 25% of all aggravated assaults, and 30% of all robberies are committed with handguns. The pressure of violent crime in some urban areas has led to local laws controlling the possession and sale of handguns, but those laws do not reach beyond municipal boundaries and hence are often ineffective at best.

Issue

What position should the Administration adopt with respect to additional federal controls concerning handguns?

Alternatives

1. Introduce no new federal legislation and thus avoid the political controversy that accompanies gun control proposals.
2. Review various bills being considered in Congress and, perhaps, give some measure of support to appropriate legislation.
3. Recommend to Congress a specific proposal from among the following or other options:
 - a. Prohibit private possession of handguns.
 - b. Prohibit transfer of handguns and require that handguns be turned in upon the owner's death.
 - c. Impose a high tax on handguns.
 - d. Devise a scheme by which federal handgun regulation takes effect in areas where violent crime reaches a pre-determined level.
 - e. Ban or tax the sale of cheap handguns -- the so-called "Saturday Night Specials."
 - f. License handguns only to those who demonstrate their need to possess them.
 - g. Require licensing or registration of handguns.



Jonathon Rosa
Hearings Scheduled - Kennedy

FBI Guidelines

The information gathering and storing practices of practices of the Federal Bureau of Investigation have lately come under close review, both within the Department of Justice and in several Congressional committees. The Attorney General has promised that the Department of Justice will draw up a set of guidelines covering FBI practices. In that regard, the Department may call in for consultation a number of persons -- legal scholars and persons acquainted with the practices of the FBI. The guidelines will undoubtedly reflect serious review of the basic jurisdiction of the FBI as an intelligence gathering agency.

Hoag's scheduled Kennedy.



Illegal Aliens

Background

The Immigration and Naturalization Service (INS) estimates that the number of illegal aliens is approximately 4-12 million. The inflow of illegal aliens causes three major problems: (1) The illegals take jobs that could employ out-of-work citizens or legal aliens; (2) Many illegals send a great part of their wages to their families in the home country, thereby contributing to the United States' balance of trade deficit; and (3) Some illegal aliens through one means or another receive welfare payments from federal, state and local governments.

Issue

Should further measures be taken to curtail the inflow of illegal aliens?

Alternatives

Illegal immigration into the United States will undoubtedly continue so long as illegal aliens can reasonably expect to find jobs. Accordingly, to curtail the inflow of illegal aliens, employment of illegals must be discouraged. Proposed measures include:

- (1) Making unlawful the knowing employment of illegals.
- (2) Requiring job applicants to present documentation proving citizenship or lawful entitlement to work. This proposal is particularly difficult to implement and also poses the potential civil liberties threat of an internal passport system. However, without some form of citizenship identification the possibility of discrimination against foreign-speaking or foreign-surnamed citizens is markedly increased.
- (3) Imposing a substantial civil penalty against illegal aliens who accept employment.
- (4) Prohibiting payments of Federal funds to illegals.
- (5) Urging employers not to hire illegals and taking educational steps to inform the public of the nature of the problem.



*Labor & State Dept involves
organized Labor must be willing to make tradeoffs.
Review Committee of D.C. work in progress.*

*Sanchez
Rosa*

Voting Rights

Background:

The Voting Rights Act of 1965 will expire this August unless extended. The Department of Justice has recommended, and President Ford has sent to the Congress a bill that extends the Voting Rights Act for five years. The bill would continue for five years: (1) the nationwide ban on literacy tests as a condition for voting in federal elections; (2) the authority of the Attorney General to send federal examiners to register voters; (3) the authority of the Attorney General to send federal observers to monitor elections; and (4) a ban preventing certain states from changing their voting laws without proof that the change would not have a racially discriminatory effect.

Issue:

As the President's bill is considered in Congress, the most likely dispute will concern whether to amend the Act to extend greater coverage to Spanish-speaking voters. The Department of Justice considered such a provision but rejected it since the Department felt that no need for such extraordinary remedy had been shown. The Department also rejected a permanent extension of the literacy test ban in favor of a simple five-year extension of all provisions of the Act.



Dutchman

Deregulation of Surface and Air Transportation

Background:

The wisdom of economic regulation of surface and air transportation has come under increasing attack. Since December an interagency group has been meeting to draft legislation reducing federal regulation of pricing and market entry and exit in various sectors of the transportation industry. Participants in the group have agreed that legislation should be introduced in Congress making some reduction in existing regulation. But they do not agree on how much or how soon. The majority of participants, including the Department of Justice, has favored legislation aimed at phased economic deregulation, with complete economic deregulation within a number of years. The Department of Transportation has favored a less sweeping approach that would merely reduce existing regulation and would require subsequent legislation to reduce it further.

Issues:

The main issue, of course, is whether the economic regulation of transportation serves or hampers economic efficiency. The consensus in the interagency group is that, on balance, the extent of existing regulation impedes the efficient allocation of economic resources. The DOT's main argument against a legislative package aimed at complete deregulation is that it would be less likely to get congressional approval than legislation proposing more limited deregulation for selected segments of the industry.

Alternatives:

If the basic policy issue is resolved in favor of extensive deregulation, the President and Domestic Council must decide how strongly to support the appropriate legislation.

EPB.
OMB.

✓ Figures in Economic
Report of the
Pres.

Rosa.



Grants of Immunity

Under a recent statute, the Department of Justice as well as other agencies and congressional committees can grant immunity to a witness in order to compel his testimony. Once immunity is granted, the witness cannot claim the Fifth Amendment right against self-incrimination and, upon refusal to testify, can be imprisoned for contempt. Under departmental order, immunity can be granted only by the Assistant Attorney General of the litigating division involved and only if the Criminal Division does not object to the proposed grant.

The immunity statute has proved to be an indispensable instrument in some cases, particularly in those cases involving organized crime, public corruption and antitrust violations. On the other hand, immunity has been criticized as breeding unreliable or perjured testimony. In an effort to be immunized from prosecution, the witness can testify as to non-existent matters in order to implicate others.

Mark W. [unclear]



Energy and the Environment

Background

To increase production of oil and natural gas, the President has announced an aggressive policy of leasing off-shore seabeds. Legislation currently authorizes the states to control seabeds within a three-mile limit, but the original 13 states claim ownership of lands beyond that limit. In the pending Supreme Court case of United States v. Maine, the states are pressing that claim. The Department of Justice believes a 1947 Supreme Court decision (United States v. California) controls the situation and bars the states' claim.

Issues

(1) The imminent Supreme Court decision as to whether the United States Government has the right to lease the outer continental shelf beyond the three-mile limit.

(2) Whether the Federal government should consider attempting to extend its jurisdiction over the 0 to 3 mile limit under jurisdiction of the states. Such an attempt at present would require amending existing federal statutes discussed above.

Options

(1) Enter into a negotiated settlement with the States, thereby mooting a decision in United States v. Maine. Even though the Federal government has a strong case and will likely receive a favorable ruling, the cost of losing the suit is a significant delay in the President's energy program. The President may wish to avoid this contingency.

(2) Pursue United States v. Maine to its probable decision in favor of federal control of the outer continental shelf beyond the three-mile limit.

(3) Sponsor legislation returning seabed rights within the three-mile limit to federal control in order to expedite oil and gas exploration in that area.

Scalia



Rosa

Indian Rights

Background:

For the past several years, there has developed a growing militancy among large numbers of the American Indian population. The Wounded Knee episode of 1973 in South Dakota has been perhaps the most dramatic illustration to date of this trend. Concern of the Indian advocates has centered upon three major issues:

1. The basic conflict in land use and water rights cases between the Justice Department's representation as trustee of Indian rights and its representation in the same cases of the interests of other government agencies.
2. Inadequate law enforcement on Indian reservations where reported violent crime is ten times the average for rural America.
3. The extent of tribal jurisdiction on Indian reservations, particularly over non-Indians.

The Justice Department has established a Departmental task force and has also had several meetings with the Department of Interior to deal with the above issues.

Issue:

Solutions to the matters discussed above will require substantial high-level attention and the probable allocation of additional federal resources. Thus, a central question is whether the problem of Indian rights can be addressed as a high-priority issue of national domestic policy.

Options:

1. Continue the work of the Department of Justice task force on Indian rights. Continue to press for passage of a bill to establish an Indian Trust Council with authority separate from the Department of Justice to represent in court Indian trust interests.
2. Give significant visibility to Indian rights matters by the establishment of a Domestic Council Committee on Indian Rights with a mandate to propose solutions to the issues discussed above.



Fair Trade Laws

Dealia

Background:

Thirty-six states have statutes that, in effect, exempt retail price maintenance arrangements from the federal anti-trust laws. Under a retail price maintenance arrangement, a manufacturer can set a price at which retailer must sell his product. The federal antitrust laws would prohibit retail price maintenance ordinarily, but allow it in states that have passed authorizing statutes, the so-called Fair Trade Laws. In recent years, the Fair Trade Laws have served in the judgment of most economists only to limit competition and maintain higher prices. The Council of Economic Advisors in 1969 estimated the annual cost to consumers of Fair Trade Laws at \$1.5 billion.

Issue:

The issue is whether the federal laws enabling states to exempt retail price maintenance from federal antitrust coverage have outlived their usefulness.

Options:

There are only two options: to do nothing at all or to seek the repeal of the federal statutes that enable the states to authorize retail price maintenance. However, the President already publicly announced his strong support for legislation in Congress to repeal the exemption.



Bulcherson

Improved Drug Enforcement

Background:

The Drug Enforcement Administration (DEA) reports that the supply of heroin in the United States is increasing. At the same time, the demand for heroin seems also to be increasing and spreading into geographic areas previously free of narcotics addiction. During the Fiscal Year 1975, the total federal drug budget is about \$750 million -- \$300 million of which is spent on reducing drug supply by law enforcement and \$450 million of which is spent on reducing drug demand through drug abuse prevention and treatment. Treaties with a number of foreign government--including The Netherlands, Peru, Chile, Japan, Bolivia, Panama, and the Phillipines--do not provide for extradition in drug trafficking cases.

Issue:

With both the supply and the demand in the illegal drug market estimated to surpass the levels that prompted the Nixon Administration drug initiatives in the early 1970's, the current Administration may wish to consider a renewed attack on the drug abuse problem.

Options:

1. A new drug abuse initiative could include additional resources for federal drug programs, additional aid to states and municipalities, legislation with higher penalties for drug trafficking, and increased funding of federal drug treatment programs.

2. The Vice President may wish to reactivate the Domestic Council Committee on Drug Abuse which has--along with the Cabinet Committee on International Narcotics Control--been dormant since 1973. The Committee could help coordinate the efforts of various agencies with drug enforcement functions, as well as try to improve the relationship between drug enforcement and drug abuse prevention and treatment programs.

3. The Departments of State and Justice may undertake priority efforts to secure extradition treaties with nations with which the United States currently has no treaty covering drug trafficking.

*Congressman
of Street
of friend of Customs*

*Conflict between
different Depts
DEA & Treasury*

*Want a committee
of D.C. members*



Hutchinson

LEAA

Background:

By May 15, the Administration must forward to the Congress its recommendation concerning the extension of the Law Enforcement Assistance Administration beyond June 30, 1976. Eighty-five percent of LEAA funds support a complex set of block grant programs apportioned to the states on the basis of population. Fifteen percent of its funds are discretionary and are allocated by the national headquarters to support such activities as academic research in the field of criminal justice, law enforcement training activities, and special demonstration programs by local law enforcement agencies. LEAA has expended nearly \$5 billion since its inception in 1968 and has recently come under increasing Congressional attack for an alleged failure to evaluate fully the effectiveness of the programs it supports. However, there is concurrent state and local pressure for even less LEAA national control based upon a "no-strings" revenue-sharing philosophy. An internal Justice Department study of LEAA is due by April 1 at the Office of Management and Budget.

Last fall, the President signed the Juvenile Justice and Delinquency Prevention Act which gave LEAA total responsibility for federal grant and research programs in the field of juvenile justice. The prior HEW juvenile justice program is funded for the current fiscal year at a \$10 million level and is discontinued thereafter. No funding was requested by the Administration in the budget for Fiscal Year 1976 for the LEAA juvenile programs. Congressional Democrats will undoubtedly criticize us both for bad faith in signing the new law but requesting no money to fund it.

Issue:

1. For how long and in what form should the LEAA authorization be extended beyond Fiscal Year 1976?
2. Should the Administration revise its stand on funding for LEAA juvenile justice programs for the Fiscal Year 1976?

Alternatives:

1. To request extension of LEAA in its current form for five years as LEAA desires, or to request an extension in modified form for a shorter period of time.



2. To maintain the current administration opposition to any funding for LEAA juvenile justice programs in the budget for Fiscal Year 1976, or to modify our opposition and indicate a willingness to accept limited funding. This latter approach might result in less funding being forced upon the Administration by the Congress.



Dalli.

Career Criminal Program

Background:

Almost 62 percent of the defendants convicted in United States District Courts during 1970 had prior criminal records. A full one-third of the prisoners in federal institutions had been committed three or more times previously. Studies have shown that an alarming proportion of total crime is committed by offenders who have been convicted of crimes before. Particularly at the local level, a defendant's recidivism does not come to the attention of the decision-makers in the criminal justice system. The anonymity of large-scale, assembly-line case processing often buries the offender's criminal history. Also, the recidivist has experience with the tactics of delay in the burdened criminal justice system. He typically exploits the system's weaknesses to his own advantage.

Program:

Last September, President Ford directed the Department of Justice to undertake, in cooperation with state and local governments, a Career Criminal Impact Program to keep track of recidivists, assign priority to their cases, and expedite the process by which they are brought to justice. On the federal level, an interdepartmental task force will be established to coordinate the effort. Major violators units staffed with experienced Assistant United States Attorneys will be established in selected districts to identify recidivist defendants and insure their cases are handled expeditiously.

On the state and local levels, LEAA discretionary grants will be used to encourage programs to identify and expedite cases involving career criminals.

34 murders per prosecutor

\$ 3,000,000



Rose

The Right of Privacy as Applied to
Criminal Justice Information Systems

Background:

The right of privacy as it applies to information held by criminal justice agencies is a growing national issue. Last year the Koch-Goldwater bill was enacted limiting access to records of individual citizens maintained by federal agencies and state and local agencies receiving federal funds. The legislative history of the act indicated an effort to exempt most criminal justice records from its purview. However, the current OMB draft guidelines appear to extend the application of the act further into the field of criminal justice records than our reading of the act and its legislative history would support.

In 1973, the Department was requested by OMB to submit its own bill governing criminal justice information systems without formal administration support. That bill was resubmitted this year. Some of the issues of controversy between the Department's bill and more stringent congressional proposals include:

1. What limitations should there be on access to criminal justice information? Should such information be available to private parties, non-criminal justice government agencies, and the press?
2. What limitations should be placed upon dissemination of non-conviction records? At issue here are the questions of sealing and purging of criminal records.

Issues:

1. Resolution of criminal justice agency difficulties with the OMB draft guidelines for the Koch-Goldwater Act.
2. Development of an administration legislative strategy for passage of a satisfactory bill governing criminal justice information systems.

D. C. - Privacy



Retroactive Seniority

Dutchman

Background:

Many employers have signed a union contract with a seniority clause under which the least senior employees must be laid off first. This last-hired, first-fired principle can operate to deprive jobs to those minority employees who were hired under affirmative action or other equal opportunity programs. In Franks v. Bowman, a case before the Supreme Court, the United States has taken the position that a court, under the Civil Rights Act, may grant seniority credit to minority employees to eliminate the effects of past hiring discrimination if the victims of this discrimination can be identified. In Jersey Central Power & Light v. Local Unions, EEOC has argued that even though no individuals could be identified as victims of discrimination, a court should grant seniority credit to minority employees when the company is operating under an affirmative action program to eradicate the effects of past discrimination. In Jersey Central the Third Circuit denied the use of seniority credit. EEOC has petitioned for a rehearing.

Alternatives:

(1) File an amicus curiae brief in Jersey Central arguing that seniority credit is appropriate only when the persons discriminated against have been specifically identified.

(2) File an amicus brief supporting the EEOC contention that a seniority credit is appropriate where the company has engaged in discriminatory practices in the past even though no individual employee can be identified as a victim of those practices.

(3) Do not file an amicus brief and defer until the case reaches the Supreme Court, if it ever does.



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FOR

April 1976

Civil Rights
Special Bicentennial Issue
THE AMERICAN SYSTEM

REPRESENTATIVE BOOK
PLEASE RETURN TO
ROOM 12, 101

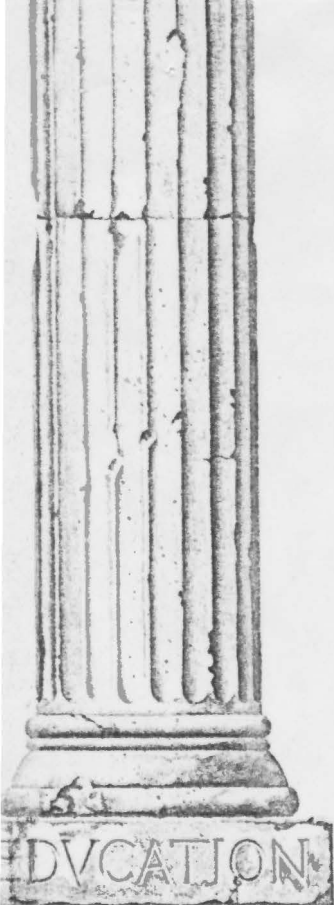
*a great promise to
government of the
people, by the people,
for the people*

**men may be trusted
to govern themselves
without a master**



*Life, liberty and the
Morality cannot be legislated,
but behavior can be regulated*

See pp
143 & 145
of this
article.



British observer once wrote that the public school in America's "formally established national myth." But in the Fifties and Sixties, Americansaped too much faith in education, and the result was disillusionment and unrest. Now we may be entering upon a quieter period of reexamination.

Joseph Adelson

Just ten years ago, American education could look back upon a period of prodigious achievement. With some strain but with remarkable vigor, the nation had been able to educate the children born in the postwar baby boom. Even more impressively, it had democratized higher education, more so than any other nation, recruiting to the campus an ever growing proportion of the college-age young. These were achievements of scale; but the most admirable accomplishment of all, though the least widely remarked, was the development in the elite universities of a superb system of graduate education and scholarship.

Each of these triumphs, it would ultimately appear, carried some hidden costs; in particular, there was a growing tension between the mass and class directions that higher education was taking, between egalitarian aims and meritocratic claims. But given the euphoric mood of the moment, these problems, even when recognized, were held to be either minor or manageable.

Then came a precipitous tumble, from those high spirits to our current malaise, that peculiar mixture of cynicism, fatigue, and sadness with which we now view education. Why the fall, and why so very rapid?

The proximate cause, and certainly the most dramatic, was the debacle in the universities. A much-celebrated, much-publicized generation of the college young—the brightest, the best educated, the most idealistic, etc.—suddenly gave itself over to riot, fanaticism, and occasional thuggery. What was worse was that the university authorities were revealed as unable to govern, indeed unable to cope. By and large, administrations were simply too paralyzed to act, and when they did, they found themselves abandoned by confused and often cowardly faculties. Worse still was the recognition, when the disorders were past, that the universities were no longer able to defend or inculcate certain values central to their purpose: academic freedom, rationality, and merit.

As to freedom, the university has now become the most unpleasant and at times the most dangerous place in America to venture unfashionable opinions. As to

rationality, an astonishing number of students now believe, or profess to believe, in the occult, witchcraft, astrology, and the more simple-minded forms of mysticism, and an even larger number cling to magical or conspiratorial ideas about economics, politics, psychology, and sex. As to merit, many institutions have felt compelled to adopt what amount to racial and sexual quota systems in the hiring and promotion of faculty. The erosion of these central values is far more advanced than most nonacademics recognize, since the situation has been poorly reported by the press, which seems to imagine that the campuses are returning to "normal."

One can go on and on about the troubles of the universities. The difficulties of higher education are so compelling, indeed, that when we ponder the state and fate of education, we often think only of the colleges, at the cost of a wider view of the topic. It is instructive to take a wider view, to look away from higher education as such and examine a curious pattern in American attitudes toward the schools as a whole, a pattern that emerged in the later 1950's.

The American faith in education was apparent at the very inception of the republic. Thomas Jefferson, expressing a view shared by other Founding Fathers, wrote that the new nation "requires the education of her people as the safeguard of order and liberty." In later years, the schools were seen as the essential vehicle of Americanization and economic mobility for the immigrant poor.

Thus the overweening confidence in education so evident during the 1950's drew upon a long tradition in American thought and feeling. Yet looking back, one can discern that there was something not altogether wholesome, not altogether balanced in our attitude toward education. We were too intense; we demanded too much and were disappointed too easily. One can now see that our panicky response to the Soviet success in orbiting Sputnik in 1957 prefigured what was to be a recurring pattern. Education had failed us, so it was said, and yet education was to save us. There

There is a meeting folder on:

Swearing in Ceremony for Members
of the Federal Election Commission

Monday, April 14, 1975

12:30 PM - Oval Office



THE WHITE HOUSE
WASHINGTON

Justice

May 3, 1975

MEMORANDUM FOR : DICK DUNHAM
FROM : JIM CANNON *Jm*
SUBJECT : Detroit

I talked today with Jim Lynn and Paul O'Neill about how we should handle the Detroit situation. We agreed that I would be available when and as appropriate to talk in person and by phone with Governor Milliken, Mayor Young, Max Fisher and others.

Their requests for grants will go directly to Departments, but we should keep informed about them. I would like you to assume responsibility for coordinating their requests and ~~advise~~ *ing* me as to what I say to Milliken and the others.

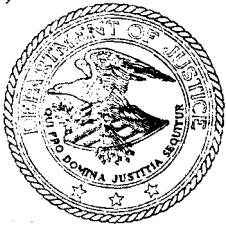
Lynn and O'Neill said they would prefer not to assign someone to the project, but the proper budget staff member will be available to you as you see fit.

Attached is a rundown on Detroit's request to the Attorney General.

Attachment

cc: Jim Cavanaugh
Tod Hullin
Jim Falk





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

Arh
Drubner

May 1, 1975

Mr. James M. Cannon
Executive Director
The Domestic Council
Executive Office of the President
The White House
Washington, D.C. 20500

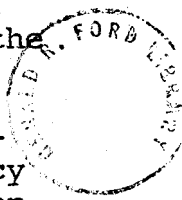
Dear Mr. Cannon:

This is in response to your request for an outline of the steps the Department will be taking in response to the presentation on Wednesday, April 30, of "The Detroit Plan."

1. Under the Law Enforcement Assistance Administration Act, Detroit receives a block grant of approximately \$7 or \$8 million. Just recently the Administrator of LEAA traveled to Detroit to meet the Chief of the Detroit Police Department to discuss the possibility of making certain discretionary grants to Detroit. As a result of this meeting, the Detroit Police Department developed several proposals. LEAA has agreed to finance a minority recruitment program at a cost of \$200,000. LEAA also expects to grant \$1 million for the reorganization of the Detroit Police Department.

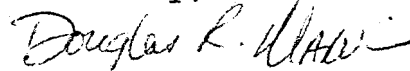
2. The U.S. Attorney in Detroit will call the Mayor and Governor to discuss the narcotics problem in Detroit. He will inform these officials that the U.S. Attorney's Office will be hiring more Assistant U.S. Attorneys in the next 30 to 45 days. These Assistant U.S. Attorneys will be assigned to drug cases. Further a number of agents of the Drug Enforcement Administration will be assigned to the Detroit region. DEA has just completed a study which demonstrates that Detroit manifests a greater need for a more concentrated law enforcement effort than any other region. In response to this study, more agents will be placed in the Detroit offices.

3. The Bureau of Prisons realizes that the prison facilities in Detroit are inadequate. Because of this inadequacy the Bureau has been required to take the unprecedented step of moving unsentenced prisoners to federal institutions



pending the completion of the sentencing hearings. The Bureau has been instructed to develop a paper setting forth the options for dealing with this problem, including, if funds are available, the possible construction of a federal detention center. The Director of the Bureau of Prisons, Mr. Carlson, will be calling Senator Griffin to discuss this problem with him.

Sincerely,



Douglas R. Marvin
Assistant to the
Attorney General



THE WHITE HOUSE

WASHINGTON

May 24, 1975

Millicent

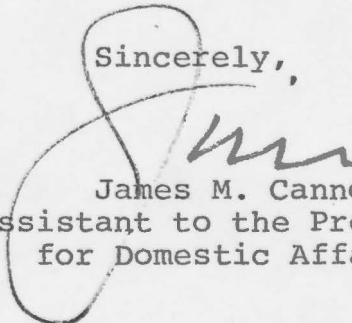
Dear Congresswoman Fenwick:

The President asked me to look into the matter you raised with respect to the social and economic integration of Indo-Chinese refugees into our country.

I am advised that adjustment from parolee status to that of lawful permanent resident status may not be accomplished by Executive Order. Rather, any such adjustment would require legislation.

Enactment of such legislation would enhance the employment opportunities of refugees and enable them to enlist in the United States Armed Forces.

Sincerely,


James M. Cannon
Assistant to the President
for Domestic Affairs

The Honorable Millicent Fenwick
United States House of Representatives
Washington, D. C. 20515



UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
WASHINGTON, D.C. 20536

PLEASE ADDRESS REPLY TO

OFFICE OF THE COMMISSIONER

AND REFER TO THIS FILE NO.

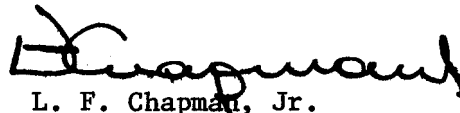
CO 703.615

MAY 14 1976

MEMORANDUM FOR

Richard D. Parsons
Associate Director and Counsel
Domestic Council
The White House

There is attached a proposed response to the letter from Millicent Fenwick, Member of Congress, dated April 5, 1976, concerning her recommendation that two adjustments be made, by Executive Order, in the status of Indo-Chinese refugees in the United States.



L. F. Chapman, Jr.
Commissioner

Attachment



THE WHITE HOUSE OFFICE

REFERRAL

To: The Honorable Leonard B. Chagnon, Jr.
Commissioner
Immigration and Naturalization Service
Department of Justice
Washington, D. C. 20536

Date: April 27, 1976

ACTION REQUESTED

- ☒ Draft reply for:
____ President's signature.
____ Undersigned's signature.
☒ James M. Cannon's signature.
____ Memorandum for use as enclosure to reply.
____ Direct reply.
____ Furnish information copy.
____ Suitable acknowledgment or other appropriate handling.
____ Furnish copy of reply, if any.
____ For your information.
____ For comment.

NOTE

Prompt action is essential.

If more than 72 hours' delay is encountered, please telephone the undersigned immediately, Code 1450.

Basic correspondence should be returned when draft reply, memorandum, or comment is requested.

REMARKS:

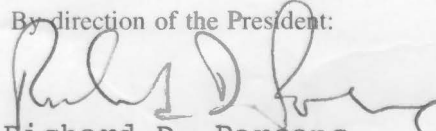
Asks President to make two adjustments (by Executive Order) in status of Indo-Chinese refugees in our country, in order to ease the cultural transition and economic integration of the group into our society.

Description:

☒ Letter: _____ Telegram: Other: _____

To: The President
From: Congresswoman Millicent Fenwick, United States House of
Date: 4-5-76 Representatives, Washington, D. C. 20515
Subject:

By direction of the President:


Richard D. Parsons
Associate Director and Counsel
Domestic Council



(Copy to remain with correspondence)

Dear Mrs. Fenwick:

Reference is made to your letter of April 5, 1976 in which you recommend that two adjustments be made, by Executive Order, in the status of Indo-Chinese refugees in the United States.

We appreciate your concern for the future success of the social and economic integration of the Indo-Chinese refugees into our country. However, their adjustment from parolee status to that of lawful permanent resident status may not be accomplished by Executive Order. Such adjustment would require legislation.

Enactment of such legislation would enhance the refugees' employment opportunities and enable them to enlist in the United States Armed Forces.

Sincerely,

Honorable Millicent Fenwick
U. S. House of Representatives
Washington, D. C. 20515



14 MILLICENT FENWICK
5TH DISTRICT, NEW JERSEY

COMMITTEES

BANKING, CURRENCY AND
HOUSING

SMALL BUSINESS

*Re Indo-Chinese
Refugees*

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

4-7
WASHINGTON OFFICE:
1610 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
TELEPHONE: (202) 225-7300

DISTRICT OFFICES:
41 NORTH BRIDGE STREET
SOMERVILLE, NEW JERSEY 08876
TELEPHONE: (201) 225-8200

POST OFFICE BUILDING
1 MORRIS STREET
MORRISTOWN, NEW JERSEY 07960
TELEPHONE: (201) 538-7267

April 5, 1976

The President
The White House
Washington, D.C.

Dear Mr. President:

MF
I have a deep concern for the future success of the social and economic integration of the Indo-Chinese refugees into our country. In their first year, these new immigrants have done well. Over 80 percent of the household heads are now working and the average income of refugee families has steadily increased. In addition, many refugees are now attending schools that will lead to better jobs and faster cultural integration.

As a group, they seem to embody the spirit of hope and the desire to work. Many refugees, however, are confronting difficulties that merit special consideration and action. Two of these problems, in my opinion, could be easily remedied. The disadvantages suffered under the current "parolee" status of the Indo-Chinese refugee are numerous. Many former civil servants cannot apply for federal or state jobs. Former military personnel are unable to work in any capacity for our armed forces. And, perhaps most importantly for younger refugees, State tuition benefits are denied to students regardless of whether they meet the otherwise applicable criteria.

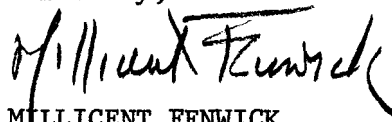
The special and tragic circumstances that brought these 132,000 refugees to our shores places a moral imperative on us to do all we can for them. Any step the federal government can take to ease the cultural transition and economic integration of this group should be implemented.

Therefore, I recommend two adjustments that could be brought about through an Executive order. First, the status of "resident alien" should be granted immediately for the purpose of eligibility for benefits which would enhance their employment opportunities over the next few years. Secondly, the exclusion of former members of the military of South Vietnam and Cambodia from the U.S. Armed Forces should be lifted. The enlistment of former military personnel into the U.S. Armed Forces under certain circumstances, legal declaration of intention to become a citizen of the U.S. after their status in the U.S. has been adjusted to that of a permanent resident alien, would allow these refugees to return to the job they know best.

The above mentioned propositions are changes that can be implemented at practically no cost and without adversely affecting the activities of any United States citizen. On the other hand, the advantages to be gained, both by the refugees and by our nation as a whole, are substantial. I hope you will give these recommendations the careful and serious consideration they deserve.

With all good wishes,

Sincerely,



MILlicent FENWICK
Member of Congress

MF/1c



May 24, 1975

Dear Congresswoman Fenwick:

The President asked me to look into the matter you raised with respect to the social and economic integration of Indo-Chinese refugees into our country.

I am advised that adjustment from parolee status to that of lawful permanent resident status may not be accomplished by Executive Order. Rather, any such adjustment would require legislation.

Enactment of such legislation would enhance the employment opportunities of refugees and enable them to enlist in the United States Armed Forces.

Sincerely,

James M. Cannon
Assistant to the President
for Domestic Affairs

The Honorable Millicent Fenwick
United States House of Representatives
Washington, D. C. 20515

JMC:RDP:med



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James M. Cannon
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for Domestic Affairs

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

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Sincerely,

James M. Cannon
Assistant to the President
for Domestic Affairs

The Honorable Millicent Fenwick
United States House of Representatives
Washington, D. C. 20515

JMC:RDP:med



There is a meeting folder on:

PRESIDENTIAL MEETING WITH ATTORNEY GENERAL
Monday, May 26, 1975
5:00 p.m. (1 hour)
The Cabinet Room



THE WHITE HOUSE

WASHINGTON

July 17, 1975

MEMORANDUM FOR: MAX FRIEDERSDORF
FROM: JIM CAVANAUGH
SUBJECT: Postcard Registration

Jim Cannon says you're interested in our current position on postcard registration. Attached is a briefing paper prepared for a meeting last April which will give you the highlights of our current position.

You may recall that the meeting was never held, but we did cover this with the President at that time to make sure he was still holding this position.



THE WHITE HOUSE

WASHINGTON

April 15, 1975

MEETING WITH
THREE GOP MEMBERS OF THE HOUSE ADMINISTRATION COMMITTEE

Wednesday, April 16, 1975

5:00 p.m. (20 minutes)

The Oval Office

From: Jim Cannon

I. PURPOSE

Representatives Dickinson, Wiggins and Frenzel have requested this meeting to give you their views on the various postcard registration bills before the House Administration Subcommittee on Elections (H. R. 1688 by Chairman Dent and similar bills) and, presumably, to request a strong statement from the Administration in opposition to such legislation.

II. BACKGROUND, PARTICIPANTS AND PRESS PLAN

A. Background

1. H. R. 1686 would establish within the General Accounting Office a Voter Registration Administration for the purpose of administering a postcard voter registration program through the Postal Service. Under the bill, persons would be permitted to register by mail for eligibility to vote in Federal elections. The Voter Registration Administration would be generally empowered to assist the States in carrying out this program and would be required to reimburse the States for expenditures incurred on account of the program. The bill establishes a budgetary limit of \$50 million.
2. The Administration fought hard against similar legislation last year and successfully defeated the rule in the House.
3. Although postcard registration has been a key objective of organized labor, it is strongly opposed by the National Association of Secretaries of State, who regard it as an administrative nightmare, and the American Civil Liberties Union, which believes that postcard registration will increase the opportunities and possibilities for fraud.



4. Two days of Subcommittee hearings have been held on the bill. Chairman Dent has declined to schedule another hearing, indicating he wants the bill to move fast. The votes appear to be there to get the bill out of House Administration and probably to pass it in both Houses. Senator McGee has more than 50 cosponsors for a similar Senate bill.

- B. Participants: The President
 The Attorney General
 Rep. William Dickinson (R-Ala.)
 Rep. Charles E. Wiggins (R-Calif.)
 Rep. Bill Frenzel (R-Minn.)
 Counsellor Robert Hartmann
 Jim Cannon (Domestic Council)
 Vern Loen (Staff)
 Dick Parsons (Staff)
- C. Press Plan: Announce to press as a meeting to discuss
 pending legislation -- White House photo-
 graphers only.

III. TALKING POINTS

1. We are here today to discuss the various postcard registration bills currently before the House Administration Subcommittee on Elections.
2. Last year, the Administration opposed the enactment of such legislation for a number of reasons.
3. I remain unalterably opposed to the Voter Registration Act because, in my judgment, it will not significantly increase either voter registration or voter turn-out for Federal elections, it will be an administrative nightmare for State and local officials, and it will increase significantly the potential of and opportunity for fraud.
4. Moreover, at a time when all levels of government are attempting to restrain levels of spending, the establishment of a new Federal bureaucracy, with almost unlimited authority to spend huge sums of taxpayers' money, would be most imprudent.
5. Finally, I am concerned that this proposal, if enacted, could drastically change the structure of political parties and allow the Federal government to dictate internal party regulations.

