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March 21, 1975

**MEMORANDUM FOR: DON RUMSFELD**

**FROM: JACK MARSH**

Following up on the discussion at the senior staff meeting this morning concerning the appearance by Administration officials before the Joint Budget Committee, Jim Schlesinger called to report on his meeting with the Committee this morning.

Although he told them he would not appear jointly with some other witness, when he arrived to testify, he found as a co-witness Charles Shultz, former Budget Director. Jim refused to testify and is rescheduled for 2 p. m. today with the Committee's assurance it will be a solo performance.

He called to urge that we establish an Administration position and to caution other Cabinet officers from establishing a precedent which could cause future difficulties.

It is my view that we should look at this on a much broader basis insofar as Administration witnesses are concerned because we could find that a sub-Cabinet officer, because of lack of experience and knowledge could find himself in very deep trouble if he permitted a co-witness arrangement.

Because of his interest in this matter, I am sending a copy of this memo to Jim Connor for his consideration.

cc: Jim Connor

dt/3/21-75



MAR 24 1975

THE WHITE HOUSE

WASHINGTON

March 24, 1975

*M*

MEMORANDUM FOR: JACK MARSH  
DON RUMSFELD

FROM: MAX FRIEDERSDORF *M.F.*

SUBJECT: Round Table Format at the Senate Budget  
Committee Hearings

We monitored the Jim Schlesinger appearance before the Senate Budget Committee hearings on Friday where the round table format was used with opposing witnesses confronting the Administration witness.

It apparently went alright because despite Cranston's insistence, Senator Muskie prohibited the opposition witness, Charles Shultz, from engaging in debate with Secretary Schlesinger.

This could set a dangerous precedent and Senatorial restraint cannot be counted upon in future hearings. Perhaps we should develop a policy on this and it could be an agenda item on a future Cabinet meeting and/or Jim Connor may want to check with the Cabinet members individually to ascertain their views.

Our observation is that it does not put any restraint on Senators from posturing, and could add considerably to the disadvantages of Administration witnesses.

cc: Jim Cannon  
Jim Lynn  
Jim Connor



March 21, 1975

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FROM: JACK MARSH

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cc: Jim Connor

dk/3/21-75



THE WHITE HOUSE

WASHINGTON

March 25, 1975

MEMORANDUM FOR: THE PRESIDENT

FROM: JACK MARSH

SUBJECT: Cabinet Discussion -- Senate Budget  
Committee

Attached is an excellent summary of the hearings procedures before the Senate Budget Committee which was prepared by Pat O'Donnell. This is a matter that will be discussed in the Cabinet meeting.

I particularly direct your attention to Items 6 and 9 on page 2.

There are two issues involved. First, the use of informal seminar-type forum. And secondly, a joint appearance by an Administration official with an outside expert.

My recommendation would be that we go along with the seminar format, but resist joint appearances with outside witnesses. If the seminar format should become troublesome, then I think we should try to negotiate some changes. However, there does not seem to be too much objection to this.

As a practical matter, the hearings for this year have been concluded, but we should develop a policy for the future.

I suggest a policy against joint appearances with outside witnesses on an Administration-wide basis for all witnesses. A Sub-Cabinet officer has less stature to resist this arrangement than a Cabinet officer. The chance of his testimony being damaged by an adverse expert witness is probably greater than a Cabinet officer.

I recommend the following:

1. Advise the Cabinet officers of this practice.



2. Establish a policy against joint appearance with outside witnesses.

I suggest inputs from the following persons in the Cabinet meeting:

1. Jim Schlesinger
2. Jim Lynn
3. Jack Marsh



NEW PRACTICE

Technique

informal  
give & take  
non partisan

J+ Appearance

- 1. Rep. caution
- 2.

THE WHITE HOUSE  
 WASHINGTON  
 March 25, 1975

MEMORANDUM TO: JOHN O. MARSH, JR.  
 THROUGH: MAX FRIEDERSDORF *M.F.*  
 FROM: PATRICK E. O'DONNELL *P.O.*  
 SUBJECT: Senate Budget Committee Hearing Format

Following discussions with Staff Director Doug Bennett, Minority Director Bob Boyd, and other interested parties, I offer the following observations on the new seminar hearing format utilized by the Senate Budget Committee.

1. The round table, give-and-take session approach evolved as a result of the budget committee's mandate to broadly review general economic and fiscal policy.
2. The seminar format reflects the committee staff's belief in innovation. According to Bennett, the format is designed to avoid the adversary atmosphere that usually takes over at formal hearings. It is everyone's hope that the seminars promote non-partisanship.
3. The committee unanimously decided that informal seminars between committee members and groups of experts on various policy matters will also be more worthwhile from a substantive standpoint than the traditionally formal hearings of the past.
4. The committee held five days of hearings in December on general policy. Further seminars were conducted throughout February and March.



S. DOD/J+

- 6. Rep. Ldas - suggest guidelines.
- 7. HEARINGS OVER 1000 YEARS.

5. Although Jim Lynn and Alan Greenspan have appeared before the committee under the seminar format, they were not confronted with independent experts who were likely to challenge their positions or rationale.
6. The first potential confrontation took place last Friday (March 21) when Secretary Schlesinger was to appear with Charles Schultz. The Secretary objected and the committee in turn agreed to hold an informal session without Schultz' simultaneous participation.

Incidentally, I am told that Schlesinger's main objection was based on a fear that he would be setting a dangerous precedent for the Executive branch. Some Republican committee members have remarked, however, that Schlesinger's objectives would have been well-served by an appearance with Schultz, who is considered by most to be responsible in the articulation of his views.

7. Although the media (TV) people were unhappy with the new format, they have come around to agreeing that the potential for grandstanding is much decreased and that they can achieve much better footage substance by lack of procedural formalities.
8. Media and membership are also in agreement that the potential exchange of information is greater than when individual senators were propounding questions from the dais during formal proceedings. Incidentally, the committee members no longer sit by political party. Proponents feel the chemistry for such an arrangement is very good.
9. The Republicans, however, are keenly aware of the potential problem this presents the Executive branch and suggest that we demand carefully defined guidelines before agreeing to testify. They stress the importance of adequate prenotification and painstaking care to allow participation only of well-qualified and responsible experts who will avoid the temptation to "showboat" or degrade the committee's integrity by shallow theatrics.





In short, the general consensus is that the format is not intended as a potential embarrassment for Administration witnesses and that it can be used to our advantage if we demand firm ground rules.

The committee has pretty much finished its hearings for this year; they are aiming for mark-up on April 8 and 9 and introduction of the concurrent resolution on April 14.



MAR 26 1975

THE WHITE HOUSE

WASHINGTON

Date

3/26

TO: *Jack Marsh*

FROM: PATRICK E. O'DONNELL

*POD*

*Mail on the  
Budget Committee  
hearings*



*send by TO Gen  
Connor*

*3/28/*

*4:00*

*hand carried*

*al*

EDMUND S. MUSKIE, MAINE, CHAIRMAN  
WARREN G. MAGNUSON, WASH.  
FRANK E. MOSS, UTAH  
WALTER F. MONDALE, MINN.  
ERNEST F. HOLLINGS, S.C.  
ALAN CRANSTON, CALIF.  
LAWTON CHILES, FLA.  
JAMES ABDOREZK, S. DAK.  
JOSEPH R. BIDEN, JR., DEL.  
SAM NUNN, GA.

HENRY BELLMON, OKLA.  
ROBERT DOLE, KANS.  
J. GLENN BEALL, JR., MD.  
JAMES L. BUCKLEY, N.Y.  
JAMES A. MCCLURE, IDAHO  
PETE V. DOMENICI, N. MEX.

DOUGLAS J. BENNET, JR., STAFF DIRECTOR  
JOHN T. MC EVOY, CHIEF COUNSEL  
ROBERT S. BOYD, MINORITY STAFF DIRECTOR

## United States Senate

COMMITTEE ON THE BUDGET  
WASHINGTON, D.C. 20510

March 25, 1975

Patrick O'Donnell, Esquire  
Special Assistant to the President  
The White House  
Washington, D. C. 20500

Dear Mr. O'Donnell,

Doug Bennet asked me to send you a transcript of the Mutual broadcasts on the new Budget Committee format.

As you can see the pieces are fairly short, but I hope you find them useful.

Sincerely,

*Chris Matthews*  
*jce*

Chris Matthews  
Counsel



Broadcast over Mutual; Saturday, March 15, 1975

Budget Committee in Senate --- Different Setting

Chairman Muskie of the Budget Committee has literally turned the tables around in his committee room.

Instead of having members sit at the bench looking down at the witness and the news media in the back, he has the news media sit up at the bench where they can see everything and the witness sits at a table not unlike theatre in the round with Senators on all sides.

Budget Committee is a Relaxed Place These Days

Chairman Arthur Burns of the Federal Reserve Board told the Senate Budget Committee last week that the Fed's role to influence the economy is vastly overrated. Other economic experts are saying things to the Senate Budget panel that they were careful not to say before. Staff aides think it is because the committee room set-up is relaxed. Instead of putting the witness in a chair for grilling, he sits around a table with the Senators and they chat.



THE WHITE HOUSE

WASHINGTON

March 25, 1975

CABINET MEETING

Wednesday, March 26, 1975

2:00 p.m. (90 minutes)

The Cabinet Room

From: James E. Connor



I. BACKGROUND, PARTICIPANTS & PRESS PLAN

1. Background:

You last met with the Cabinet on March 12th when the agenda covered a review of the Clemency Board's personnel needs, a report from the Vice President on the Rule 22 situation, a report from Secretary Butz on food prices, and discussion of the catalytic converter.

2. Participants: Attached at Tab A

3. Press Plan: Press Photo at Beginning of Meeting and David Kennerly Photo.

II. TALKING POINTS

1. Our agenda this afternoon covers several different items. Before we begin I want to welcome John Dunlop to his first Cabinet meeting.
2. John Tabor is sitting in as Acting Secretary of Commerce and we welcome him.
3. John Whitaker is sitting in for Rog Morton. We're glad to see you back at work, John.
4. Henry Kissinger returned over the weekend from the Middle East. I've asked him to brief you on his mission.



5. I'm sure all of you are aware of the growing interest in representing consumer interests in the government. I'd like Jim Cannon to brief us on the status of the legislation. Jim...

I think that we must examine our responses to this legislation carefully. Jim Cannon will be talking with each of you during the next two weeks to get your suggestions. I want us to be ready to discuss responses at the next Cabinet meeting.

6. I saw an article in Saturday's newspaper indicating that not much progress has been made on inflation impact statements which I directed be prepared last year. I've asked Jim Lynn to give us a report on what is happening. Jim...

I'm concerned by what appears to be a weak response to our Executive Order.

Congress is rumbling about writing some legislation to mandate economic impact statements. This could result in a much more cumbersome and centralized system than is desirable or necessary.

The importance of understanding the indirect economic costs of government is something that came up at our last Cabinet meeting when we discussed truck brake regulations and the catalytic converter. I expect OMB to be on top of this program, and I expect all Cabinet departments to be in compliance by April 1st with the procedures which OMB and the Council on Wage and Price Stability have established.

Are there any comments?

7. I understand from Jack Marsh that some problems have arisen with the approach used by the Senate Budget Committee in calling witnesses. Jack, would you explain the situation? (Jack Marsh's memo to you is attached at TAB B.)

Jim Schlesinger and Jim Lynn have had some experience with the Committee. What's your impression Jim Schlesinger? Jim Lynn?

I think it's important that we discourage the move to mingle Administration and outside witnesses. If asked to testify before the Senate Budget Committee you should inquire about the witness arrangements. If you have any doubts about whether you should appear, I want you to check with Jack Marsh or Max Friedersdorf.



8. I want to make a few comments before we close on the ways in which I'd like to use my Cabinet officers.

It goes without saying that I expect each of you to manage your departments effectively and to advise me in your particular areas of responsibility.

But I'm also looking for more than that. Each of you is more than a narrow specialist. Ed Levi, for example, is as experienced in higher education as any man in the country. Carla Hills has a broad and deep legal background. I want to be able to use all of you in ways that cut across your departmental lines. That includes discussions within the Cabinet as well as on an individual basis on policy task forces and meetings within the White House.

During the next several weeks I want each of you to think about how we might more effectively use the Cabinet. I've asked Jim Connor to talk with each of you about it, and I'd like to raise the issue for discussion at a Cabinet meeting in the near future.



CABINET MEETING  
Wednesday, March 26, 1975  
Attendees

The President

(Note: The Vice President will be attending King Faisal's funeral in Saudia Arabia)

Secretary of State Henry Kissinger

Secretary of the Treasury William Simon

Secretary of Defense James Schlesinger

The Attorney General Edward Levi

Secretary of Agriculture Earl Butz

Secretary of Labor John Dunlop

Secretary of Health, Education and Welfare Caspar Weinberger

Secretary of Housing and Urban Development Carla Hills

Secretary of Transportation William Coleman

The Acting Secretary of the Interior John Whitaker (for Secretary Morton who is out of the city this week)

The Acting Secretary of Commerce John Tabor (Secretary Dent will have been sworn in as Special Trade Representative this morning, March 26th)

The Counsel to the President Philip Buchen

The Counsellor to the President John Marsh

The Counsellor to the President Robert Hartmann

The Assistant to the President Donald Rumsfeld

The Director of the Office of Management and Budget James Lynn

The Ambassador to the United Nations John Scali

White House/Executive Office:

Mr. William Baroody

Mr. James Cannon

Mr. Richard Cheney

Dr. James Connor

Mr. Max Friedersdorf

Mr. Alan Greenspan

Mrs. Virginia Knauer

Mr. Ronald Nessen

Gen. Brent Scowcroft

Mr. William Seidman

Agencies:

Mr. Russell Train, EPA

Mr. Frank Zarb, FEA

Other:

Mrs. Mary Louise Smith, Republican National Committee





THE WHITE HOUSE

WASHINGTON

March 25, 1975

MEMORANDUM FOR: THE PRESIDENT

FROM: JACK MARSH

SUBJECT: Cabinet Discussion -- Senate Budget  
Committee

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I particularly direct your attention to Items 6 and 9 on page 2.

There are two issues involved. First, the use of informal seminar-type forum. And secondly, a joint appearance by an Administration official with an outside expert.

My recommendation would be that we go along with the seminar format, but resist joint appearances with outside witnesses. If the seminar format should become troublesome, then I think we should try to negotiate some changes. However, there does not seem to be too much objection to this.

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I suggest a policy against joint appearances with outside witnesses on an Administration-wide basis for all witnesses. A Sub-Cabinet officer has less stature to resist this arrangement than a Cabinet officer. The chance of his testimony being damaged by an adverse expert witness is probably greater than a Cabinet officer.

I recommend the following:

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2. Establish a policy against joint appearance with outside witnesses.

I suggest inputs from the following persons in the Cabinet meeting:

1. Jim Schlesinger
2. Jim Lynn
3. Jack Marsh



THE WHITE HOUSE

WASHINGTON

March 25, 1975

MEMORANDUM TO: JOHN O. MARSH, JR.  
THROUGH: MAX FRIEDERSDORF *M.F.*  
FROM: PATRICK E. O'DONNELL *P.O.*  
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3. The committee unanimously decided that informal seminars between committee members and groups of experts on various policy matters will also be more worthwhile from a substantive standpoint than the traditionally formal hearings of the past.
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Incidentally, I am told that Schlesinger's main objection was based on a fear that he would be setting a dangerous precedent for the Executive branch. Some Republican committee members have remarked, however, that Schlesinger's objectives would have been well-served by an appearance with Schultz, who is considered by most to be responsible in the articulation of his views.

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9. The Republicans, however, are keenly aware of the potential problem this presents the Executive branch and suggest that we demand carefully defined guidelines before agreeing to testify. They stress the importance of adequate prenotification and painstaking care to allow participation only of well-qualified and responsible experts who will avoid the temptation to "showboat" or degrade the committee's integrity by shallow theatrics.



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THE WHITE HOUSE

WASHINGTON

March 26, 1975

Dear Mr. Secretary:

You will recall at the last Cabinet meeting there was a discussion of the procedures whereby Administration witnesses appear before the Senate Budget Committee.

As it was pointed out, the Committee appears to be developing new methods of hearing a witness for the purpose of soliciting information. One such technique is the seminar approach whereby the Administration witness engages in a dialogue with the Committee in a somewhat more informal approach. This format is one which appears to enjoy the support of the Members of the Committee.

However, there is a variation of this approach which raises serious questions insofar as witnesses on behalf of the Administration are concerned. This technique involves either a joint appearance by an Administration witness with an outside expert, or the use of a panel of experts, not Members of the Committee. The panel would also participate in the give-and-take between the witness and the Committee. It is these types of appearances that cause concern.

The President, although he does not object to the seminar-type of hearing, nevertheless desires we follow a policy in the Administration that Administration witnesses will not appear jointly with outside witnesses. Of course, this does not apply to joint appearances with other witnesses from the Administration where, prior to the hearings, there was an agreement for such an appearance. This policy against joint appearances would also apply to formal Committee hearings that depart from the traditional pattern between an official of the Administration and seated Members of the Committee. Of course, it is recognized that from time to time senior staff of the Committee might in the future, as they have in the past, propound questions to an Administration witness.



It would be helpful if you would advise your sub-Cabinet members and others from your Department who have occasion to testify on the Hill, of these policy guidelines. If a question occurs in the future as to an appearance, you should direct your inquiry to the under-signed.

Please remember that prior consultations and cooperation with the Committee and staff before a hearing will frequently resolve matters of the type I have raised in this letter thereby leading to an arrangement for appearances which is satisfactory and complies with these guidelines.

Sincerely,

James Connor



THE WHITE HOUSE

WASHINGTON

March 26, 1975

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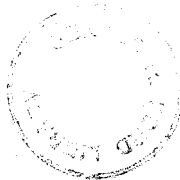


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Sincerely,

James Connor



REDRAFT

JEC

3/26

Dear Mr. Secretary  
[Dear Mr. Attorney General]  
[Dear Madam Secretary]

[You will recall] at the last Cabinet meeting there was a discussion of the procedures whereby Administration witnesses appear before the Senate Budget Committee.

As it was pointed out, the Committee appears to be developing new methods of hearing a witness for the purpose of soliciting information. One such technique is the seminar approach whereby the Administration witness engages in a dialogue with the Committee in a relatively informal approach. This format is one which appears to enjoy the support of the Members of the Committee.

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The President, although he does not object to the seminar-type of hearing, nevertheless desires we follow a policy that Administration witnesses will not appear jointly with outside witnesses. Of course, this does not apply to joint appearances with other witnesses from the Administration where, prior to the hearings, there was an agreement for such an appearance. [This policy against joint appearances would also apply to formal Committee hearings that depart from the traditional pattern between an official of the Administration and seated Members of the Committee]

[Of course, it is recognized that from time to time senior staff of the Committee might in the future, as they have in the past, propound questions to an Administration witness]

I would appreciate it if you would advise your sub-Cabinet members and others from your Department who have occasion to testify on the Hill of these policy guidelines. If a question occurs in the future as to an appearance, you should direct your inquiry to me.

We would, of course, expect that in most cases prior consultations and cooperation with the Committee and staff before a hearing will resolve matters of the type raised in this letter thereby leading to an arrangement for appearances which is satisfactory and which complies with these guidelines.



Sincerely,

James E. Connor  
Secretary to the Cabinet

THE WHITE HOUSE

WASHINGTON

March 26, 1975

*Mr. AG*

Dear Mr. Secretary:

You will recall at the last Cabinet meeting there was a discussion of the procedures whereby Administration witnesses appear before the Senate Budget Committee.

As it was pointed out, the Committee appears to be developing new methods of hearing a witness for the purpose of soliciting information. One such technique is the seminar approach whereby the Administration witness engages in a dialogue with the Committee. in a ~~rather~~ <sup>relatively</sup> ~~more~~ informal approach. This format is one which appears to enjoy the support of the Members of the Committee.

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The President, although he does not object to the seminar-type of hearing, nevertheless desires we follow a policy ~~in the Administration~~ that Administration witnesses will not appear jointly with outside witnesses. Of course, this does not apply to joint appearances with other witnesses from the Administration where, prior to the hearings, there was an agreement for such an appearance. This policy against joint appearances would also apply to formal Committee hearings that depart from the traditional pattern between an official of the Administration and seated Members of the Committee. Of course, it is recognized that from time to time senior staff of the Committee might in the future, as they have in the past, propound questions to an Administration witness.



*I would appreciate it*

~~It would be helpful~~ if you would advise your sub-Cabinet members and others from your Department who have occasion to testify on the Hill, of these policy guidelines. If a question occurs in the future as to an appearance, you should direct your inquiry to ~~the~~ *me* ~~under signed.~~

*We would of course expect that in most cases*  
~~Please remember that~~ prior consultations and cooperation with the Committee and staff before a hearing will ~~frequently~~ resolve matters of the type ~~have~~ raised in this letter thereby leading to an arrangement for appearances which is satisfactory and ~~complies~~ *with* these guidelines.

Sincerely,

James Connor

*Sec 40 to the Cabinet*



March 26, 1975

**MEMORANDUM FOR: PAT O'DONNELL**  
**THRU: MAX FRIEDERSDORF**  
**FROM: JACK MARSH**

**Thanks for your excellent summary on the  
procedures of the Senate Budget Committee  
which I have referred to the President.**

JOM/dl



Cy for Mr. Marsh

March 28, 1975

M

Dear Mr. Secretary:

You will recall at the last Cabinet meeting there was a discussion of the procedures whereby Executive Branch witnesses appear before the Senate Budget Committee.

It was pointed out that the Committee appears to be developing new formats for soliciting information. One such technique is the seminar approach whereby the Executive Branch witness engages in a dialogue with the Committee in a relatively informal setting. This format is one which seems to enjoy the support of the Members of the Committee.

There is a variation of this approach, however, which raises serious questions. The format involves a joint appearance by an Executive Branch witness with one or more non-governmental witnesses. In some cases a panel of non-governmental witnesses would also participate in the conversations between the Executive Branch witness and the Committee. The President is concerned that such a procedure profoundly alters the traditional testimony relationship between the executive and legislative branches of the government.

The President has no objection to the seminar-type of hearings as they have been conducted so far, but he does not wish Executive Branch witnesses to appear jointly with non-governmental witnesses. Of course, this restriction does not apply to joint appearances with other witnesses from the Executive Branch where, prior to the hearings, there has been an agreement for such joint appearances.

I would appreciate it if you would advise your sub-Cabinet members and others from your Department who have occasion to testify on the Hill of this policy. If a question occurs, you should direct your inquiry to me or to the Office of Congressional Relations.



We would expect that in most cases prior consultation and cooperation with the Committee and staff before a hearing will resolve matters of the type raised in this letter, thereby leading to a mutually satisfactory arrangement for appearances which complies with these guidelines.

Sincerely,

James E. Connor  
Secretary to the Cabinet

The Honorable Caspar Weinberger  
The Secretary of Health, Education,  
and Welfare  
Washington, D. C.

JEC:ckb

Identical letters to all Cabinet Members



April 22

THE WHITE HOUSE  
WASHINGTON

Mr. Marsh --

Jim Connors would still like to talk with you re: the attached letter. Also, he would like to discuss the French President's participation in the Bicentennial events (per a request he received from Rumsfeld).

Thanks.

donna





April 17

THE WHITE HOUSE  
WASHINGTON

Mr. Marsh --

Jim Connors would really like to get this out and would appreciate talking with you before you leave for New England.

Thanks.

donna



THE WHITE HOUSE  
WASHINGTON

April 15

Mr. Marsh --

Jim Connor would like to know  
if you have any objections to  
his sending out the attached.

*Handwritten notes:*  
Tell Jim  
want to look  
to  
donna  
Kevin  
JM

THE WHITE HOUSE  
WASHINGTON

TO: JACK MARSH

JACK , this is what I would plan to send to selected agency heads as shown by the check marks on the attached list. It is identical in substance to the one which went to the Cabinet officers. Would you let me know if you concur.

JIM CONNOR



4/11/75

THE WHITE HOUSE

WASHINGTON

April 11, 1975

Dear Mr. Balzano:

At the last Cabinet meeting there was a discussion of the procedures whereby Executive Branch witnesses appear before the Senate Budget Committee.

It was pointed out that the Committee appears to be developing new formats for soliciting information. One such technique is the seminar approach whereby the Executive Branch witness engages in a dialogue with the Committee in a relatively informal setting. This format is one which seems to enjoy the support of the Members of the Committee.

There is a variation of this approach, however, which raises serious questions. The format involves a joint appearance by an Executive Branch witness with one or more non-governmental witnesses. In some cases a panel of non-governmental witnesses would also participate in the conversations between the Executive Branch witness and the Committee. The President is concerned that such a procedure profoundly alters the traditional testimony relationship between the executive and legislative branches of the government.

The President has no objection to the seminar-type of hearings as they have been conducted so far, but he does not wish Executive Branch witnesses to appear jointly with non-governmental witnesses. Of course, this restriction does not apply to joint appearances with other witnesses from the Executive Branch where, prior to the hearings, there has been an agreement for such joint appearances.

I would appreciate it if you would advise those individuals from your Agency who have occasion to testify on the Hill of this policy. If a question occurs, you should direct your inquiry to me or to the Office of Congressional Relations.

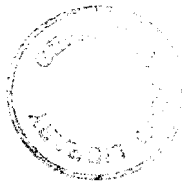


We would expect that in most cases prior consultation and cooperation with the Committee and staff before a hearing will resolve matters of the type raised in this letter, thereby leading to a mutually satisfactory arrangement for appearances which complies with these guidelines.

Sincerely,

James E. Connor  
Secretary to the Cabinet

The Honorable Michael P. Balzano, Jr.  
Director of the ACTION Agency  
Washington, D.C. 20525



HEADS OF DEPARTMENTS, ESTABLISHMENTS  
AND AGENCIES OF THE GOVERNMENT (with names)

MARCH 26, 1975

The Honorable Henry A. Kissinger  
Secretary of State  
Washington, D.C. 20520

The Honorable Rogers C.B. Morton  
Secretary of the Interior  
Washington, D.C. 20240

The Honorable William E. Simon  
Secretary of the Treasury  
Washington, D.C. 20220

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

The Honorable James R. Schlesinger  
Secretary of Defense  
Washington, D.C. 20301

The Honorable  
Secretary of Commerce  
Washington, D.C. 20230

The Honorable Howard H. Callaway  
Secretary of the Army  
Washington, D.C. 20310

The Honorable John T. Dunlop  
Secretary of Labor  
Washington, D.C. 20210

The Honorable J. William Middendorf II  
Secretary of the Navy  
Washington, D.C. 20350

The Honorable Caspar W. Weinberger  
Secretary of Health, Education,  
and Welfare  
Washington, D.C. 20201

The Honorable John L. McLucas  
Secretary of the Air Force  
Washington, D.C. 20330

The Honorable Carla A. Hills  
Secretary of Housing and  
Urban Development  
Washington, D.C. 20410

The Honorable Edward H. Levi  
The Attorney General  
Washington, D.C. 20530

The Honorable William T. Coleman, Jr.  
Secretary of Transportation  
Washington, D.C. 20590

\*\*\*\*\*

✓ The Honorable Michael P. Balzano, Jr.  
Director of the ACTION Agency  
Washington, D.C. 20525

General Mark Wayne Clark, USA, Ret.  
Chairman  
American Battle Monuments Commission  
Washington, D.C. 20390

The Honorable Robert Armstrong Anthony  
Chairman  
Administrative Conference of  
the United States  
Suite 500  
2120 L Street, NW.  
Washington, D.C. 20037

The Honorable Frank Stanton  
Chairman of the Board of Governors  
American National Red Cross  
Washington, D.C. 20006

✓ The Honorable Daniel Parker  
Administrator  
Agency for International Development  
Washington, D.C. 20523

✓ The Honorable John W. Warner  
Administrator  
American Revolution Bicentennial  
Administration  
Washington, D.C. 20276

The Honorable Donald W. Whitehead ✓  
Federal Co-Chairman  
Appalachian Regional Commission  
Room 716  
1666 Connecticut Avenue, NW.  
Washington, D.C. 20009

The Honorable William Egan Colby ✓  
Director of Central Intelligence  
Washington, D.C. 20505

The Honorable Richard Joseph O'Melia  
Vice Chairman  
Civil Aeronautics Board  
Washington, D.C. 20428

The Honorable Robert E. Hampton  
Chairman  
Civil Service Commission  
Washington, D.C. 20415

The Honorable Arthur S. Flemming  
Chairman  
Commission on Civil Rights  
Washington, D.C. 20425

The Honorable J. Carter Brown  
Chairman  
Commission of Fine Arts  
Washington, D.C. 20240

The Honorable Bert A. Gallegos  
Director  
Community Services Administration  
Washington, D.C. 20506

The Honorable Elmer B. Staats  
The Comptroller General  
of the United States  
Washington, D.C. 20548

The Honorable Richard O. Simpson  
Chairman  
Consumer Product Safety Commission  
Washington, D.C. 20016

✓ The Honorable Robert C. Seamans  
Administrator  
Energy Research and  
Development Administration  
Washington, D.C. 20545

✓ The Honorable Russell E. Train  
Administrator  
Environmental Protection Agency  
Washington, D.C. 20024

The Honorable William J. Casey  
President of the Export-Import  
Bank of the United States  
Washington, D.C. 20571

The Honorable Ethel Bent Walsh  
Acting Chairman  
Equal Employment Opportunity  
Commission  
Washington, D.C. 20506

The Honorable E. A. Jaenke  
Governor of the Farm Credit  
Administration  
Washington, D.C. 20578

The Honorable Richard E. Wiley  
Chairman  
Federal Communications Commission  
Washington, D.C. 20554

The Honorable Frank Wille  
Chairman  
Federal Deposit Insurance  
Corporation  
Washington, D.C. 20429

✓ The Honorable Frank G. Zarb  
Administrator  
Federal Energy Administration  
Washington, D.C. 20461

The Honorable Thomas R. Bomar  
Chairman  
Federal Home Loan Bank Board  
Washington, D.C. 20552

The Honorable Helen Delich Bentley  
Chairman (Mrs.)  
Federal Maritime Commission  
Washington, D.C. 20573

The Honorable Willie J. Usery, Jr.  
Director  
Federal Mediation and  
Conciliation Service  
Washington, D.C. 20427

The Honorable John N. Nassikas  
Chairman  
Federal Power Commission  
Washington, D.C. 20426



The Honorable Arthur F. Burns  
Chairman  
Board of Governors of the  
Federal Reserve System  
Washington, D.C. 20551

The Honorable Lewis A. Engman  
Chairman  
Federal Trade Commission  
Washington, D.C. 20580

The Honorable J. Raymond Bell  
Chairman  
Foreign Claims Settlement Commission  
Washington, D.C. 20579

The Honorable Arthur F. Sampson  
Administrator of General Services ✓  
Washington, D.C. 20405

The Honorable Jerome K. Kuykendall  
Chairman  
Indian Claims Commission  
1730 K Street, NW.  
Washington, D.C. 20006

The Honorable George M. Stafford  
Chairman  
Interstate Commerce Commission  
Washington, D.C. 20423

The Honorable  
The Acting Librarian of Congress  
Washington, D.C. 20540

The Honorable Philip Handler  
President  
National Academy of Sciences  
Washington, D.C. 20418

The Honorable James C. Fletcher ✓  
Administrator  
National Aeronautics and  
Space Administration  
Washington, D.C. 20546

The Honorable William H. Press  
Chairman  
National Capital Planning  
Commission  
Washington, D.C. 20576

The Honorable Herman Nickerson, Jr.  
Administrator  
National Credit Union Administration  
1325 K Street, NW.  
Washington, D.C. 20456

The Honorable Nancy Hanks (Miss)  
Chairman  
National Endowment for the Arts  
806 15th Street, NW. (Shoreham Bldg)  
Washington, D.C. 20506

The Honorable Ronald S. Berman  
Chairman  
National Endowment for the  
Humanities  
806 15th Street, NW. (Shoreham Bldg)  
Washington, D.C. 20506

The Honorable Betty Southard Murphy  
Chairman  
National Labor Relations Board  
Washington, D.C. 20570

The Honorable George S. Ives  
Chairman  
National Mediation Board  
1230 16th Street, NW.  
Washington, D.C. 20036

The Honorable H. Guyford Stever ✓  
Director  
National Science Foundation  
Washington, D.C. 20550

The Honorable William A. Anders  
Chairman  
Nuclear Regulatory Commission  
Washington, D.C.

The Honorable Robert D. Moran  
Chairman  
Occupational Safety & Health  
Review Commission  
1825 K Street, NW.  
Washington, D.C. 20006

Secretary  
Panama Canal Company  
312 Pennsylvania Building  
425 13th Street, NW.  
Washington, D.C. 20004



The Honorable Andy Leroy Borg  
Chairman  
United States Section  
Permanent Joint Board of Defense  
United States and Canada  
Office of Canadian Affairs  
Room 5227  
New State Building  
Washington, D.C. 20520

The Honorable Clyde S. DuPont  
Chairman  
Postal Rate Commission  
Washington, D.C. 20268

The Honorable Thomas F. McCormick  
The Public Printer  
Washington, D.C. 20401

The Honorable James L. Cowen  
Chairman  
Railroad Retirement Board  
844 Rush Street  
Chicago, Illinois 60611

The Honorable Rex M. Mattingly  
Acting Chairman  
Renegotiation Board  
Washington, D.C. 20446

The Honorable Ray Garrett, Jr.  
Chairman  
Securities and Exchange Commission  
Washington, D.C. 20549

The Honorable Byron V. Pepitone  
Director of Selective Service  
Washington, D.C. 20435

The Honorable Thomas S. Kleppe  
Administrator  
Small Business Administration  
Washington, D.C. 20416

Secretary  
Smithsonian Institution  
Washington, D.C. 20560

The Honorable Aubrey J. Wagner  
Chairman  
Board of Directors  
Tennessee Valley Authority  
Washington, D.C. 20444

The Honorable James Keogh  
Director  
United States Information Agency  
Washington, D.C. 20547

Governor  
United States Soldiers'  
and Airmen's Home  
Washington, D.C. 20315

The Honorable Fred Charles Ikle  
Director  
United States Arms Control and  
Disarmament Agency  
Washington, D.C. 20451

The Honorable Catherine Bedell (Mrs.)  
Chairman  
United States International  
Trade Commission  
Washington, D.C. 20436

The Honorable Richard L. Roudebush  
Administrator of Veterans' Affairs  
Washington, D.C. 20420

Administrator  
Washington Metropolitan  
Area Transit Authority  
950 South L'Enfant Plaza, SW.  
Washington, D.C. 20024

Director  
Water Resources Council  
Suite 800  
2120 L Street, NW.  
Washington, D.C. 20037



EXECUTIVE OFFICE OF THE PRESIDENT

The Honorable Alan Greenspan  
Chairman  
Council of Economic Advisers  
Washington, D.C. 20506

The Honorable Russell W. Peterson  
Chairman  
Council on Environmental Quality  
Washington, D.C. 20006

The Honorable  
Acting Executive Director  
Council on International Economic  
Policy  
Washington, D.C. 20500

The Honorable Albert Rees  
Director  
Council on Wage and Price Stability  
Washington, D.C.

The Honorable James Cannon  
Executive Director  
Domestic Council  
Washington, D.C. 20500

Executive Secretary  
National Security Council  
Washington, D.C. 20500

The Honorable James T. Lynn  
Director  
Office of Management and Budget  
Washington, D.C. 20503

Personnel Officer  
Office of Management and Budget  
Washington, D.C. 20503

The Honorable  
Acting Director  
Office of Telecommunications Policy  
Washington, D.C. 20504

The Honorable Robert L. DuPont  
Director  
Special Action Office for  
Drug Abuse Prevention  
Washington, D.C. 20506

The Honorable Virginia H. Knauer  
Special Assistant to the President  
Washington, D.C. 20506

The Honorable Frederick B. Dent  
Special Representative for  
Trade Negotiations  
1800 G Street, NW.  
Washington, D.C. 20506

Mr. Wilbur H. Jenkins  
White House Office  
Washington, D.C. 20500

---

MISCELLANEOUS

Interagency Advisory Group  
U.S. Civil Service Commission  
Washington, D.C. 20415

President  
International Bank for  
Reconstruction and Development  
Washington, D.C. 20433

Administrator  
National Gallery of Art  
Washington, D.C. 20565

####



*crossed  
Buchen ~~body~~*

September 4, 1975

MEMORANDUM FOR: PHIL BUCHEN

FROM: JACK MARSH

SUBJECT: Joint Appearances of Government  
and Outside Panel Members Before  
Congressional Committees

I think we should still make an effort to try and enforce the rule we have in reference to appearances before the Committees of Congress by Administration witnesses together with outside witnesses..

Let me refer this to Max and let me have Charlie Leppert go up and talk with the Ranking Minority Member on this Subcommittee to see what we can do about this.

cc: Max Friedersdorf

JOM/d1



September 4, 1975

MEMORANDUM FOR:           MAX FRIEDERSDORF  
FROM:                        JACK MARSH

Could you have Charlie Leppert go up to the Hill and talk with our people on the full Committee and Subcommittee to see what they can do about changing that request.

You might also have Charlie talk with Bill Barrett. This will have to be done as promptly as possible because of the date of the forthcoming hearing.

JOM/dl



Wednesday 9/3/75

11:30 Dudley is quite anxious to get an answer on this. The hearing is tomorrow.

He said he was called by Mr. Kamm, who said that they had put the same question to our Congressional Relations people who said they didn't think demographers fell within the policy -- so apparently Congressional Relations people have acted on their own and indicated a "go-ahead" on this.

*Mr. Buchan  
asked that  
this be expedited  
please!*



THE WHITE HOUSE

WASHINGTON

September 2, 1975

MEMORANDUM FOR: JACK MARSH

FROM:

PHIL BUCHEN *P.W.B.*

Attached is a copy of the memorandum to me from Dudley Chapman concerning a possible exception to our policy against joint appearances of government witnesses with nongovernment witnesses before Congressional committees.

Please advise on how you would like me to handle the reply.



THE WHITE HOUSE

WASHINGTON

August 29, 1975

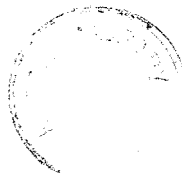
MEMORANDUM FOR: PHIL BUCHEN

FROM: DUDLEY CHAPMAN *DC*

SUBJECT: Request for Exception to Policy  
Against Joint Appearances of  
Government and Outside Panel  
Members before Congressional  
Committees

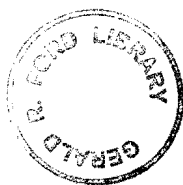
In March of this year, the President adopted a policy that members of the Executive Branch should not appear jointly with persons outside the Government in panels before Congressional Committees. This was in response to a growing Congressional practice to invite outside experts to appear jointly with Government witnesses and engage them in debates. This put Government officials in the awkward position of having to confront outside specialists in free wheeling confrontations. In rejecting Congressional requests for further appearances of this kind, our letters have premised the policy on comity and the President's preference for the traditional method of exchange between the Executive Branch and the Congress.

The attached letter at Tab A from Representative William A. Barrett, Chairman of the Subcommittee on Housing and Community Development of the House Committee on Banking, Currency and Housing requests an exception to that policy for a hearing to be held next week. This request can be distinguished from the situation that gave rise to the above policy. The panel consists only of technicians, both governmental and nongovernmental. Since only relatively low-level technical specialists are involved, there should be no risk of embarrassment by confronting high-level executive officials with outside specialists.



I believe this distinction has merit and that it would strengthen the viability of the President's policy. That policy is obviously unpopular on the Hill and lacks a firm legal basis. By allowing an exception in cases in which only government technicians of low rank are involved, the Congressional interest in having sessions of this kind might be realized in a meaningful way, while saving senior officials from the embarrassment of such confrontations. I have attached a response for your signature that would adopt this distinction.

Attached at Tab B is the other letter from Chairman Barrett that Tod Hullin forwarded to me. It makes no express reference to the policy, though we may have to raise the objection. If so, the contrast between permitting the appearance of technicians while simultaneously refusing as to senior officials should clarify our position.





THE WHITE HOUSE

WASHINGTON

August 29, 1975

Dear Mr. Chairman:

Thank you for your letter of August 28, 1975, in which you request an exception to the President's policy that Federal officials not appear on panels before Congressional committees at the same time as nongovernmental witnesses.

The basis on which you request this exception which Mr. Kamm of the Subcommittee staff elaborated to Mr. Chapman of my staff by telephone, is that the Federal officials involved are technical specialists rather than senior policy-making officials. I understand from this that the individuals involved will be speaking basically as technicians rather than a spokesman for the Executive Branch. In these circumstances, principles of comity governing exchanges between executive and legislative branches do not apply.

On the basis of this understanding, your request for a joint appearance is granted for the purpose of permitting Mr. Forstall and Mr. Beals to participate in a panel of demographers dealing with the interpretation of current population trends. This permission is not truly an exception to the President's policy, but a clarification of its intended scope. It does not in any way detract from the principle that Federal officials who appear as spokesman for the Executive Branch should not appear jointly in panels including nongovernment personnel.

Sincerely,

Philip W. Buchen  
Counsel to the President

The Honorable William A. Barrett  
House of Representatives  
Washington, D.C. 20515



WILLIAM A. BARRETT, PA., CHAIRMAN  
LEONOR K. (MRS. JOHN B.) SULLIVAN,  
MO.  
THOMAS L. ASHLEY, OHIO  
WILLIAM S. MOORHEAD, PA.  
ROBERT G. STEPHENS, JR., GA.  
FERNAND J. ST GERMAIN, R.I.  
HENRY B. GONZALEZ, TEX.  
PARREN J. MITCHELL, MD.  
JAMES M. HANLEY, N.Y.  
WALTER E. FAUNTROY, D.C.  
LINDY (MRS. HALE) BOGGS, LA.  
JERRY M. PATTERSON, CALIF.  
HAROLD E. FORD, TENN.  
JOHN J. LAFALCE, N.Y.  
LES AUCCOIN, OREG.  
THOMAS M. REES, CALIF.  
GLADYS NOON SPELLMAN, MD.

## U.S. HOUSE OF REPRESENTATIVES

SUBCOMMITTEE ON HOUSING AND COMMUNITY  
DEVELOPMENT

OF THE

COMMITTEE ON BANKING, CURRENCY AND HOUSING

NINETY-FOURTH CONGRESS

WASHINGTON, D.C. 20515

August 28, 1975

GARRY BROWN, MICH.  
J. WILLIAM STANTON, OHIO  
JOHN H. ROUSSELOT, CALIF.  
CHALMERS P. WYLIE, OHIO  
STEWART B. MCKINNEY, CONN.  
JOHN B. CONLAN, ARIZ.  
RICHARD KELLY, FLA.  
CHARLES E. GRASSLEY, IOWA  
GERALD R. MCMURRAY,  
STAFF DIRECTOR  
225-7034

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

Dear Mr. Buchen:

The Subcommittee on Housing and Community Development of the Committee on Banking, Currency and Housing has scheduled a series of hearings on the President's 1974 Report on National Growth and Development. The preliminary schedule for these hearings is enclosed.

As you will note, the first session of that hearing is planned as a panel of demographers dealing with the interpretation of current population trends. Two of those involved, Mr. Forstall and Mr. Beals, are officials in the Executive Branch, and two, Mr. Morrison and Mr. Pushkarev, are associated with non-Federal quasi-public organizations. We are now informed that a recent White House policy forbids Federal officials to appear on panels before Congressional committees in conjunction with non-Federal witnesses.

Without questioning the merits of the overall policy, we would like to seek an exception to permit Mr. Forstall and Mr. Beals to appear on our panel together with their non-Federal colleagues. The subject matter involved is quite technical with few immediate implications for Federal policy. However, I do feel that the interaction among the panel members is essential to help the Subcommittee members understand the range of choices in public policy matters resulting from differing demographic assumptions.

Mr. Philip W. Buchen

2

Mr. Sylvan Kamm of the Subcommittee staff has discussed this matter with Mr. Dudley H. Chapman of your staff.

Sincerely,

A handwritten signature in cursive script, appearing to read "William A. Barrett".

William A. Barrett  
Chairman

Enc.



PRELIMINARY SCHEDULE  
OF THE  
HEARINGS ON THE PRESIDENT'S 1974 REPORT  
ON NATIONAL GROWTH AND DEVELOPMENT  
September 4, 5 and 8

First day - September 4 - Thursday

9:30 to 11:00

Interpretation of Current Demographic Trends

witnesses:

Mr. Calvin Beals 447-8717  
Economic Development Division  
Economic Research Service  
U.S. Department of Agriculture  
Room 496  
500 12th Street, S.W.  
Washington, D.C. 20250 (confirmed)

Mr. Peter Morrison 213 393-0411  
The Rand Corporation  
1700 Main Street  
Santa Monica, California 90406 (confirmed)

Mr. Richard Forstall 763-5161  
Chief, Demographic Statistics Branch  
Population Division  
Bureau of the Census  
Room 2324, Building 3  
Washington, D.C. 20233 (confirmed)

Mr. Boris Pushkarev  
Vice President for Research & Planning  
Regional Plan Association of New York  
235 East 45th Street  
New York, N.Y. 10017 (confirmed)

11:00 to 12:30

MultiState Organizations

witnesses:

Dr. William Bowden 919 549-8167  
Executive Director  
Southern Growth Policies Board  
Box 12293  
Research Triangle Park, N.C. 27709 (confirmed)

Mr. Arthur Ristow 617 223-6381  
 New England Regional Commission  
 53 State Street  
 Boston, Massachusetts 02109 (confirmed)

Mr. George Thiss 612 373-3724  
 Executive Director, Upper Midwest Council  
 Federal Reserve Bank Building  
 Minneapolis, Minn. 55480 (confirmed)

Representative of Western | 505 827-2221  
 Governors' Regional Energy |  
 Policy Office being invited

2:00 to 3:30

States

witnesses: Honorable Thomas Salmon 802 828-3333  
 Governor  
 State Capitol Building  
 Montpelier, Vermont 05602 (confirmed)

Mr. John W. Abbott 415 391-7544  
 Executive Secretary  
 California Tomorrow  
 681 Market Street  
 San Francisco, Cal. 94105 (confirmed)

Mr. William H. Wilcox 717 787-7160  
 Secretary  
 Department of Community Affairs  
 215 South Office Building  
 Harrisburg, Pennsylvania 17120 (confirmed)

Delegate Robert E. Washington 804 625-7829  
 Chairman, Community Affairs  
 Task Force  
 National Conference of State Legislatures  
 300 Boush Street  
 Suite 400  
 Norfolk, Virginia 23510 (invited)



9:30 to 11:00

Councils of Government and Other  
Metropolitan Organizations

witnesses: Mr. Dale Bertsch 513 223-6323  
Executive Director  
Miami Valley Regional Planning Commission  
Suite 500, DACO Building  
333 West 1st Street  
Dayton, Ohio 45402 (confirmed)

Mr. Milton Miller 301 383-5830  
Chairman, Regional Planning Council  
701 St. Paul Street  
Baltimore, Maryland 21202 (confirmed)

Mr. Jack Simmers 813 533-5611  
Chairman, Central Florida  
Regional Planning Council  
Post Office Box 60  
Bartow, Florida 33830 (confirmed)

11:00 to 12:30

Cities - Center Cities which have lost population  
  
(invitations being issued)

2:00 to 3:30

Counties with Growth Management Programs

Mr. Ralph McClure 801 328-7541  
Chairman  
Salt Lake County Board of Commissioners  
City/County Building  
Sale Lake City, Utah 84101 (confirmed)

Mr. Rufus Phillips 703 691-2321  
Fairfax County Supervisor  
1437 Balls Hill Road  
McLean, Virginia 22102 (confirmed)

Dr. Royce Hanson 589-1480  
Chairman, Maryland-National  
Capital Park and Planning Commission  
Room 212  
8787 Georgia Avenue  
Silver Spring, Maryland 20910 (invited)

Mr. John Lynch 206 344-4100  
Director  
Department of Budget and Program Planning  
King County Courthouse  
Seattle, Washington 98104 (invited)

Third day - September 8 - Monday

9:30 to

Commentators

Mr. Ralph Widner 614 421-7700 ext.  
 Director, Academy for  
 Contemporary Problems  
 Battelle Memorial Institute  
 Columbus, Ohio 43201 (confirmed)

Mr. James L. Sundquist 797-6057  
 Brookings Institution  
 1775 Mass. Ave., N. W.  
 Washington, D. C. 20036 (confirmed)

Herbert M. Franklin, Esq. 452-9309  
 Potomac Institute, Inc.  
 Metropolitan Housing Project  
 1025 Connecticut Ave., N. W.  
 Suite 707  
 Washington, D. C. 20036 (confirmed)

David B. Walker 382-3221  
 Assistant Director  
 The Advisory Commission  
 on Intergovernmental Relations  
 726 Jackson Place, N. W.  
 Washington, D. C. 20575 (confirmed)

11:00 and remainder  
 of the day

The Administration

(invitation issued to the Vice President as Chairman  
 of the Domestic Council to designate witnesses to  
 represent the Administration)

LEONOR Y. (MRS. JOHN B.) SULLIVAN, MD.  
THOMAS L. WHLEY, OHIO  
WILLIAM S. NOORHEAD, PA.  
ROBERT C. STEPHENS, JR., GA.  
FERNAND J. ST GERMAIN, R.I.  
HENRY B. GONZALEZ, TEX.  
PARREN J. MITCHELL, MD.  
JAMES M. HANLEY, N.Y.  
WALTER E. FAUNTROY, D.C.  
LINDY (MRS. HALE) BOGGS, LA.  
JERRY M. PATTERSON, CALIF.  
HAROLD E. FORD, TENN.  
JOHN J. LAFALCE, N.Y.  
LES AUCCOIN, OREG.  
THOMAS M. REES, CALIF.  
GLADYS NOON SPELLMAN, MD.

# U.S. HOUSE OF REPRESENTATIVES

SUBCOMMITTEE ON HOUSING AND COMMUNITY  
DEVELOPMENT

OF THE

COMMITTEE ON BANKING, CURRENCY AND HOUSING

NINETY-FOURTH CONGRESS

WASHINGTON, D.C. 20515

JOHN H. ROUSSELOT, CALIF.  
CHALMERS P. WYLIE, OHIO  
STEWART B. MCKINNEY, CONN.  
JOHN B. CONLAN, ARIZ.  
RICHARD KELLY, FLA.  
CHARLES E. GRASSLEY, IOWA

GERALD R. MCMURRAY,  
STAFF DIRECTOR

225-7054

August 21, 1975

The Vice President of the United States  
Washington, D. C. 20510

Dear Mr. Vice President:

Under the provisions of part A of the Urban Growth and New Community Development Act of 1970, the President is directed to file a biennial Report on Urban Growth with the Congress starting in February, 1972. Since the legislation requiring the preparation of the Report was initiated by our Subcommittee, we have felt it appropriate to hold oversight hearings on the Report in order to determine how interested public and private groups view its substance as an expression of Administration policy. Two days of hearings were held on the President's first Report on June 6 and 7, 1972. The President's second Report was submitted to the Congress in December, 1974. We have scheduled the hearings for September 4, 5 and 8, 1975.

Since by statute the preparation of the Report is the responsibility of the Domestic Council, we felt it appropriate to request you, as Chairman, to designate the Administration's witnesses. We respectfully request that the Administration be prepared to have its representatives appear on September 8 at 11:00 a.m. Since I understand HUD was assigned the role of lead agency, it may be appropriate for someone familiar with its work on the Report be a part of the group of witnesses to appear on behalf of the Administration.





Also, we have taken note of the recent publication Costs of Sprawl which was jointly sponsored by HUD, CEQ and EPA. Since the findings of this study do appear to have some significant relation to urban growth issues we would also appreciate having the opportunity of discussing the study with appropriate representatives of the three sponsoring agencies.

The staff of the Subcommittee has already discussed the hearings with Mr. Richard L. Dunham and we will be sending him a schedule of the Subcommittee agenda.

Sincerely,



William A. Barrett  
Chairman

- 1 - Honorable Thomas L. Ashley
  
- 1 - Mr. Richard L. Dunham - Enc.  
Deputy Director  
Domestic Council  
The White House  
Washington, D. C. 20500

SEP 5 1975

THE WHITE HOUSE  
WASHINGTON

M

September 5, 1975

MEMORANDUM FOR: JACK MARSH

THROUGH: MAX FRIEDERSDORF M-G.  
VERN LOEN VL

FROM: CHARLES LEPPERT, JR. CLJ

SUBJECT: Joint Appearances of Government and  
Outside (Public) Panel Members Before  
Congressional Committees

The attached was not received in time to take action prior to the hearings scheduled for September 4. On September 5 I did speak with Sylvan Kamm, who is Rep. Barrett's staff member about this.

Kamm stated that the question was moot now because the Government witnesses from Agriculture and Commerce did appear jointly with the public witnesses on September 4. Kamm stated that he had spoken with Dudley Chapman and had received clearance for the joint appearance. Apparently, the clearance was granted by the letter of August 29 from Phil Buchen to Rep. Barrett.

Attachments



THE WHITE HOUSE

WASHINGTON

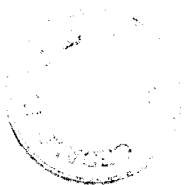
September 4, 1975

MEMORANDUM FOR: MAX FRIEDERSDORF

FROM: JACK MARSH 

Could you have Charlie Leppert go up to the Hill and talk with our people on the full Committee and Subcommittee to see what they can do about changing that request.

You might also have Charlie talk with Bill Barrett. This will have to be done as promptly as possible because of the date of the forthcoming hearing.



THE WHITE HOUSE

WASHINGTON

September 4, 1975

MEMORANDUM FOR: PHIL BUCHEN

FROM: JACK MARSH

SUBJECT: Joint Appearances of Government  
and Outside Panel Members Before  
Congressional Committees

I think we should still make an effort to try and enforce the rule we have in reference to appearances before the Committees of Congress by Administration witnesses together with outside witnesses.

Let me refer this to Max and let me have Charlie Leppert go up and talk with the Ranking Minority Member on this Subcommittee to see what we can do about this.

cc: Max Friedersdorf

Wednesday 9/3/75

11:30 Dudley is quite anxious to get an answer on this. The hearing is tomorrow.

He said he was called by Mr. Kamm, who said that they had put the same question to our Congressional Relations people who said they didn't think demographers fell within the policy -- so apparently Congressional Relations people have acted on their own and indicated a 'go-ahead' on this.

*Mr. Bucher  
asked that  
this be expedited  
please!*



THE WHITE HOUSE

WASHINGTON

August 29, 1975

MEMORANDUM FOR: PHIL BUCHEN

FROM: DUDLEY CHAPMAN *DC*

SUBJECT: Request for Exception to Policy  
Against Joint Appearances of  
Government and Outside Panel  
Members before Congressional  
Committees

In March of this year, the President adopted a policy that members of the Executive Branch should not appear jointly with persons outside the Government in panels before Congressional Committees. This was in response to a growing Congressional practice to invite outside experts to appear jointly with Government witnesses and engage them in debates. This put Government officials in the awkward position of having to confront outside specialists in free wheeling confrontations. In rejecting Congressional requests for further appearances of this kind, our letters have premised the policy on comity and the President's preference for the traditional method of exchange between the Executive Branch and the Congress.

The attached letter at Tab A from Representative William A. Barrett, Chairman of the Subcommittee on Housing and Community Development of the House Committee on Banking, Currency and Housing requests an exception to that policy for a hearing to be held next week. This request can be distinguished from the situation that gave rise to the above policy. The panel consists only of technicians, both governmental and nongovernmental. Since only relatively low-level technical specialists are involved, there should be no risk of embarrassment by confronting high-level executive officials with outside specialists.

I believe this distinction has merit and that it would strengthen the viability of the President's policy. That policy is obviously unpopular on the Hill and lacks a firm legal basis. By allowing an exception in cases in which only government technicians of low rank are involved, the Congressional interest in having sessions of this kind might be realized in a meaningful way, while saving senior officials from the embarrassment of such confrontations. I have attached a response for your signature that would adopt this distinction.

Attached at Tab B is the other letter from Chairman Barrett that Tod Hullin forwarded to me. It makes no express reference to the policy, though we may have to raise the objection. If so, the contrast between permitting the appearance of technicians while simultaneously refusing as to senior officials should clarify our position.



THE WHITE HOUSE

WASHINGTON

August 29, 1975

Dear Mr. Chairman:

Thank you for your letter of August 28, 1975, in which you request an exception to the President's policy that Federal officials not appear on panels before Congressional committees at the same time as nongovernmental witnesses.

The basis on which you request this exception which Mr. Kamm of the Subcommittee staff elaborated to Mr. Chapman of my staff by telephone, is that the Federal officials involved are technical specialists rather than senior policy-making officials. I understand from this that the individuals involved will be speaking basically as technicians rather than a spokesman for the Executive Branch. In these circumstances, principles of comity governing exchanges between executive and legislative branches do not apply.

On the basis of this understanding, your request for a joint appearance is granted for the purpose of permitting Mr. Forstall and Mr. Beals to participate in a panel of demographers dealing with the interpretation of current population trends. This permission is not truly an exception to the President's policy, but a clarification of its intended scope. It does not in any way detract from the principle that Federal officials who appear as spokesman for the Executive Branch should not appear jointly in panels including nongovernment personnel.

Sincerely,

Philip W. Buchen  
Counsel to the President

The Honorable William A. Barrett  
House of Representatives  
Washington, D.C. 20515





WILLIAM A. BARRETT, PA., CHAIRMAN  
LEONOR K. (MRS. JOHN B.) SULLIVAN,  
MO.  
THOMAS L. ASHLEY, OHIO  
WILLIAM S. MOORHEAD, PA.  
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LES AUCOIN, OREG.  
THOMAS M. REES, CALIF.  
GLADYS NOON SPELLMAN, MD.

## U.S. HOUSE OF REPRESENTATIVES

SUBCOMMITTEE ON HOUSING AND COMMUNITY  
DEVELOPMENT  
OF THE

COMMITTEE ON BANKING, CURRENCY AND HOUSING  
NINETY-FOURTH CONGRESS

WASHINGTON, D.C. 20515

August 28, 1975

GARRY BROWN, MICH.  
J. WILLIAM STANTON, OHIO  
JOHN H. ROUSSELOT, CALIF.  
CHALMERS P. WYLIE, OHIO  
STEWART B. MCKINNEY, CONN.  
JOHN B. CONLAN, ARIZ.  
RICHARD KELLY, FLA.  
CHARLES E. GRASSLEY, IOWA  
GERALD R. McMURRAY,  
STAFF DIRECTOR  
225-7054

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

Dear Mr. Buchen:

The Subcommittee on Housing and Community Development of the Committee on Banking, Currency and Housing has scheduled a series of hearings on the President's 1974 Report on National Growth and Development. The preliminary schedule for these hearings is enclosed.

As you will note, the first session of that hearing is planned as a panel of demographers dealing with the interpretation of current population trends. Two of those involved, Mr. Forstall and Mr. Beals, are officials in the Executive Branch, and two, Mr. Morrison and Mr. Pushkarev, are associated with non-Federal quasi-public organizations. We are now informed that a recent White House policy forbids Federal officials to appear on panels before Congressional committees in conjunction with non-Federal witnesses.

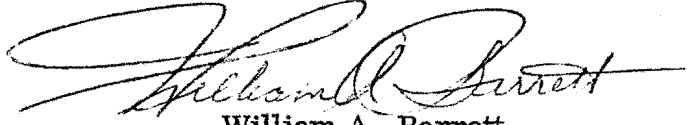
Without questioning the merits of the overall policy, we would like to seek an exception to permit Mr. Forstall and Mr. Beals to appear on our panel together with their non-Federal colleagues. The subject matter involved is quite technical with few immediate implications for Federal policy. However, I do feel that the interaction among the panel members is essential to help the Subcommittee members understand the range of choices in public policy matters resulting from differing demographic assumptions.

Mr. Philip W. Buchen

2

Mr. Sylvan Kamm of the Subcommittee staff has discussed this matter with Mr. Dudley H. Chapman of your staff.

Sincerely,

A handwritten signature in cursive script, appearing to read "William A. Barrett". The signature is fluid and spans across the width of the typed name below it.

William A. Barrett  
Chairman

Enc.





Mr. Arthur Ristow 617 223-6381  
 New England Regional Commission  
 53 State Street  
 Boston, Massachusetts 02109 (confirmed)

Mr. George Thiss 612 373-3724  
 Executive Director, Upper Midwest Council  
 Federal Reserve Bank Building  
 Minneapolis, Minn. 55480 (confirmed)

Representative of Western | 505 827-2221  
 Governors' Regional Energy |  
 Policy Office being invited

2:00 to 3:30

States

witnesses: Honorable Thomas Salmon 802 828-3333  
 Governor  
 State Capitol Building  
 Montpelier, Vermont 05602 (confirmed)

Mr. John W. Abbott 415 391-7544  
 Executive Secretary  
 California Tomorrow  
 681 Market Street  
 San Francisco, Cal. 94105 (confirmed)

Mr. William H. Wilcox 717 787-7160  
 Secretary  
 Department of Community Affairs  
 215 South Office Building  
 Harrisburg, Pennsylvania 17120 (confirmed)

Delegate Robert E. Washington 804 625-7829  
 Chairman, Community Affairs  
 Task Force  
 National Conference of State Legislatures  
 300 Boush Street  
 Suite 400  
 Norfolk, Virginia 23510 (invited)



9:30 to 11:00

Councils of Government and Other  
Metropolitan Organizations

witnesses: Mr. Dale Bertsch 513 223-6323  
Executive Director  
Miami Valley Regional Planning Commission  
Suite 500, DACO Building  
333 West 1st Street  
Dayton, Ohio 45402 (confirmed)

Mr. Milton Miller 301 383-5830  
Chairman, Regional Planning Council  
701 St. Paul Street  
Baltimore, Maryland 21202 (confirmed)

Mr. Jack Simmers 813 533-5611  
Chairman, Central Florida  
Regional Planning Council  
Post Office Box 60  
Bartow, Florida 33830 (confirmed)

11:00 to 12:30

Cities - Center Cities which have lost population  
  
(invitations being issued)

2:00 to 3:30

Counties with Growth Management Programs

Mr. Ralph McClure 801 328-7541  
Chairman  
Salt Lake County Board of Commissioners  
City/County Building  
Sale Lake City, Utah 84101 (confirmed)

Mr. Rufus Phillips 703 691-2321  
Fairfax County Supervisor  
1437 Bails Hill Road  
McLean, Virginia 22102 (confirmed)

Dr. Royce Hanson 589-1480  
Chairman, Maryland-National  
Capital Park and Planning Commission  
Room 212  
8787 Georgia Avenue  
Silver Spring, Maryland 20910 (invited)

Mr. John Lynch 206 344-4100  
Director  
Department of Budget and Program Planning  
King County Courthouse  
Seattle, Washington 98104 (invited)



Third day - September 8 - Monday

9:30 to

Commentators

Mr. Ralph Widner 614 421-7700 ext.  
 Director, Academy for  
 Contemporary Problems  
 Battelle Memorial Institute  
 Columbus, Ohio 43201 (confirmed)

Mr. James L. Sundquist 797-6057  
 Brookings Institution  
 1775 Mass. Ave., N.W.  
 Washington, D.C. 20036 (confirmed)

Herbert M. Franklin, Esq. 452-9309  
 Potomac Institute, Inc.  
 Metropolitan Housing Project  
 1025 Connecticut Ave., N.W.  
 Suite 707  
 Washington, D.C. 20036 (confirmed)

David B. Walker 382-3221  
 Assistant Director  
 The Advisory Commission  
 on Intergovernmental Relations  
 726 Jackson Place, N.W.  
 Washington, D.C. 20575 (confirmed)

11:00 and remainder  
 of the day

The Administration

(invitation issued to the Vice President as Chairman  
 of the Domestic Council to designate witnesses to  
 represent the Administration)



JOHN F. (MRS. JOHN B.) SULLIVAN, D.

MAS L. WHELEY, OHIO  
LIAM S. MOORHEAD, PA.  
BERT C. STEPHENS, JR., GA.  
NAND I. ST GERMAIN, R.I.  
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RICHARD KELLY, FLA.  
CHARLES E. GRASSLEY, IOWA  
GERALD R. McMURRAY,  
STAFF DIRECTOR  
223-7094

August 21, 1975

The Vice President of the United States  
Washington, D.C. 20510

Dear Mr. Vice President:

Under the provisions of part A of the Urban Growth and New Community Development Act of 1970, the President is directed to file a biennial Report on Urban Growth with the Congress starting in February, 1972. Since the legislation requiring the preparation of the Report was initiated by our Subcommittee, we have felt it appropriate to hold oversight hearings on the Report in order to determine how interested public and private groups view its substance as an expression of Administration policy. Two days of hearings were held on the President's first Report on June 6 and 7, 1972. The President's second Report was submitted to the Congress in December, 1974. We have scheduled the hearings for September 4, 5 and 8, 1975.

Since by statute the preparation of the Report is the responsibility of the Domestic Council, we felt it appropriate to request you, as Chairman, to designate the Administration's witnesses. We respectfully request that the Administration be prepared to have its representatives appear on September 8 at 11:00 a.m. Since I understand HUD was assigned the role of lead agency, it may be appropriate for someone familiar with its work on the Report be a part of the group of witnesses to appear on behalf of the Administration.

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Sincerely,



William A. Barrett  
Chairman

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1 - Mr. Richard L. Dunham - Enc.  
Deputy Director  
Domestic Council  
The White House  
Washington, D. C. 20500

