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June 9, 1975

MEMORANDUM FOR: SECRETARY KISSINGER
BILL BAROODY
MAX FRIEDERSDORF
TED MARRS
BRENT SCOWCROFT

FROM: JACK MARSH

I would appreciate your evaluation of the attached proposal concerning internationalism which was forwarded to me by Senator Hugh Scott who received it from some students at Swarthmore.

Many thanks.

dl



June 6, 1975

Dear Hugh:

As I mentioned to you at the Leadership Meeting this morning, I found the Internationalist Affairs proposal most interesting. I would like to have this evaluated by some of the people here and would be happy to meet with you at a time that is convenient.

With kindest personal regards, I am

Sincerely,

**John O. Marsh, Jr.
Counsellor to the President**

**The Honorable Hugh Scott
Minority Leader
United States Senate
Washington, D. C. 20510**

JOM/dl



HUGH SCOTT
PENNSYLVANIA

JUN 4 1975

United States Senate

OFFICE OF THE MINORITY LEADER

WASHINGTON, D.C. 20510

May 27, 1975

John O. Marsh, Jr.
Counsellor to the President
The White House
Washington, D.C. 20500

Dear Jack:

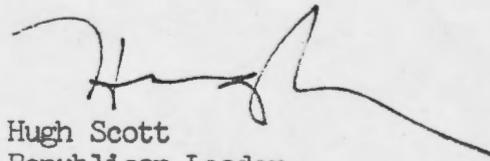
I am enclosing a letter and a memorandum from two thoughtful students on the subject of an internationalist foreign policy. Since there has not been much news media coverage devoted to anything of this nature, I thought you would like to see it.

More than this, however, I believe that this presents an excellent opportunity to spread the word that the United States does not intend to become "Fortress America." Please review this material and give me your thoughts.

I plan to invite the two students to Washington to have lunch with me, and I would like you to join us. Details will follow at a later date.

I look forward to any early response.

Sincerely,



Hugh Scott
Republican Leader

HS:cl

Enclosures





Swarthmore College
Swarthmore, Pa. 19081

April 23, 1975

The Honorable
Hugh Scott
United States Senate
The Capitol
Washington D.C.

My dear Senator Scott:

A number of us at Swarthmore College and at nearby schools are very concerned about the sudden isolationist swing which is sweeping the college community. More and more faculty lectures, student papers and class discussions conclude that the United States no longer has a role to play in world leadership. The military, the C.I.A. and the multinational corporation, as might be expected, have long been discredited. But in recent weeks the State Department and even our humanitarian A.I.D. programs have been under attack.

This is a relatively new sentiment, qualitatively different from the anti-Viet Nam movement of four years ago. Our friends are not of the Viet Nam generation. Isolationist feelings extend far beyond South East Asia, to U.S. policy towards the Third World African states, our alliances in NATO, our corporate presence in Latin America and our armaments policies vis-a-vis the Soviet Union.

It is somewhat alarming that there is no voice for internationalism on campus. If there are, as we believe, rational and compelling arguments to be made for continued U.S. presence around the world, students should be exposed to them. I am enclosing a proposal that a few of us have designed to bring this case for internationalism to a large portion of the student community this summer. We would be especially interested in your help, both developing the idea, and presenting it to the proper people in the National Security Council, the White House and the State Department. Though we believe the idea is sound and very needed, it in turn needs the



the active support of someone like yourself to help it work its way around Washington.

We hope that you will find the proposal content educational rather than defensive. It is designed to cover those international activities of obvious benefit, upon which most reasonable men can agree.

Thank you very much for your interest, counsel and support. We appreciate the help your staff has so willingly given the college now and in the past.

With all best wishes.

Sincerely,

David Bradley

David G. Bradley

enclosure

Youth Team on U.S. Internationalism

The Need: The United States student community is shifting dramatically towards a foreign policy stance of total isolationism. Every major institution of American internationalism, the State Department, AID, CIA, the military and the multinational corporation, is discredited. With recent international setbacks and CIA revelations this should not be surprising. No single voice on the college campus, faculty popular media or student leadership, presents the case for continued U.S. world involvement.

The need is for this case to be made and for students to have the opportunity to hear the rational and compelling arguments which can be made in support of active internationalism. Isolationism has no corner on intellectual respectability in discussions of foreign policy, and it should not be presented as if it did.

Proposal: The White House, The National Security Council and The State Department together could offer this "voice" against wholesale isolationism through a small team of students speaking on behalf of our 35 year international tradition. During the important three month summer vacation, with young people off campus or with students taking reduced course loads, a well researched team could present the case for internationalism to several hundred thousand students. The mediums used should be:

- (1) addressing the major youth conferences which are held during the summer months (DECA, Future Farmers of America, National Student Congress)
- (2) meeting with the hundreds of youth groups visiting Washington (Procedural Classroom, Interns, Senior Boy Scout-Girl Scout troops...)
- (3) some writing for the major youth magazines and newspapers.
- (4) interview sessions on the popular youth radio and T.V. programs.
- (5) dialogues with students attending summer class sessions.

Content: To maintain any credibility, the program should not become a debate on South East Asia. Nor need it be. (Today's college student is not of the Viet Nam generation. The depth of isolationist sentiment extends far beyond SEATO, to U.S. policy towards the Third World African states, our alliance in NATO, our corporate presence in Latin America and our armaments policies vis-a-vis the Soviet Union.)

Content should be educational:

- a candid briefing on current U.S. foreign policy.
- a description of the very legitimate activities of the government's major international agencies, with an eye towards correcting some of the popular misunderstandings.
- case examples of the successful role played by American foreign policy in humanitarian causes and efforts towards world peace.
- a well integrated, pragmatic and historical argument explaining the United States' (and the world's) long range interest in continued internationalism.

If well researched, intellectually responsible and presented in an informal entertaining style, such a program might well provide that other "voice" which students, too, have a right to hear.

1000 Belmont Road
Bethesda Md. 20015
301-229-6056

Age: 22 (3/6/'53)

Education

Harvard Business School (Boston Mass.): Admitted for Fall, 1975 enrollment.

Swarthmore College: (Swarthmore Pa.): Currently enrolled as a senior;
Honors - 3.5 (A-) average.
Political Science and Economics.

Work Experience

Summer, 1974: International Management and Development Institute. Worked as a Program Assistant, with organizational responsibility for a corporate-government conference on Worldwide Inflation held at Johns Hopkins University. Researched issues, interviewed corporate and government economists, planned conference agenda and selected speakers.

Summer, 1973: The White House. Chosen in national competition to serve as one of 25 interns. Addressed youth groups and conferences visiting the White House. Proposed, planned and organized White House conference on youth employment for several hundred Congressional and Executive Branch interns.

Summer, 1972: Citizen's Committee of the Committee for the Re-election of the President. Worked as an Assistant Field Director with working responsibility for Citizen's campaign work in 13 states and the District of Columbia.

Student Leadership

- Vice President of the Student Council/student body, Swarthmore College.
- Chairman of the Race Relations Committee, Swarthmore College.

***** David Louis Cohen
44 No. 8th Avenue
Highland Park, New Jersey 08904
201-572-0363

Age 20 (4/11/'55)

Education

Swarthmore College (Swarthmore Pa.): Currently enrolled as a sophomore;
3.7 (A) average.

Public Speaking

- US National Debate Champion. (16,000 in national competition).
- Six year debate record: 336 wins, 45 losses; Pa. State Debate Champion; New Jersey State Debate Champion; 61 tournament championships; 57 Most Outstanding Debater Awards.

Editing/Writing/Publishing

- Editor-in-Chief: Swarthmore College Paper (1975).
- Editor-in-Chief: High School Paper (1973).
- Periodic lecturer, Columbia University, (scholastic press association).
- Published in the New York Times.

Student Leadership

- High School President: Student Body, Student Council, Senior Class.
- Swarthmore Student Council Research Advisor.

DEPARTMENT OF STATE

August 11, 1975

No. 408

As Prepared for Delivery

EMBARGOED UNTIL DELIVERY, SCHEDULED FOR 10:00 A.M. E.D.T. MONDAY, AUGUST 11, 1975.
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ADDRESS BY
THE HONORABLE HENRY A. KISSINGER
SECRETARY OF STATE
BEFORE THE
AMERICAN BAR ASSOCIATION ANNUAL CONVENTION
MONTREAL, CANADA
August 11, 1975



INTERNATIONAL LAW, WORLD ORDER AND HUMAN PROGRESS

My friends in the legal profession like to remind me of a comment by a British Judge on the difference between lawyers and professors. "It's very simple," said Lord Denning. "The function of lawyers is to find a solution to every difficulty presented to them; whereas the function of professors is to find a difficulty with every solution." Today, the number of difficulties seems to be outpacing the number of solutions -- either because my lawyer friends are not working hard enough, or because there are too many professors in government.

Law and lawyers have played a seminal role in American public life since the founding of the Republic. In this century lawyers have been consistently at the center of our diplomacy, providing many of our ablest Secretaries of State and diplomats, and often decisively influencing American thinking about foreign policy.

This is no accident. The aspiration to harness the conflict of nations by standards of order and justice runs deep in the American tradition. In pioneering techniques of arbitration, conciliation, and adjudication; in developing international institutions and international economic practices; and in creating a body of scholarship sketching visions of world order -- American legal thinking has reflected both American idealism and American pragmatic genius.

The problems of the contemporary world structure summon these skills and go beyond them. The rigid international structure of the Cold War has disintegrated; we have entered an era of diffused economic power, proliferating nuclear weaponry, and multiple ideologies and centers of initiative. The challenge of our predecessors was to fashion stability from chaos. The challenge of our generation is to go from the building of national and regional institutions and the management of crises to

For further information contact:

the building of a new international order which offers a hope of peace, progress, well-being, and justice for the generations to come.

Justice Holmes said of the common law that it "is not a brooding omnipresence in the sky, but the articulate voice of some sovereign or quasi-sovereign power which can be identified." But international politics recognizes no sovereign or even quasi-sovereign power beyond the nation-state.

Thus in international affairs the age-old struggle between order and anarchy has a political as well as a legal dimension. When competing national political aims are pressed to the point of unrestrained competition, the precept of laws proves fragile. The unrestrained quest for predominance brooks no legal restraints. In a democratic society law flourishes best amidst pluralistic institutions. Similarly in the international arena stability requires a certain equilibrium of power. Our basic foreign policy objective inevitably must be to shape a stable and cooperative global order out of diverse and contending interests.

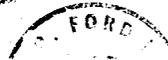
But this is not enough. Preoccupation with interests and power is at best sterile and at worst an invitation to a constant test of strength. The true task of statesmanship is to draw from the balance of power a more positive capacity to better the human condition -- to turn stability into creativity, to transform the relaxation of tensions into a strengthening of freedoms, to turn man's preoccupations from self-defense to human progress.

An international order can be neither stable nor just without accepted norms of conduct. International law both provides a means and embodies our ends. It is a repository of our experience and our idealism -- a body of principles drawn from the practice of states and an instrument for fashioning new patterns of relations between states. Law is an expression of our own culture and yet a symbol of universal goals. It is the heritage of our past and a means of shaping our future.

The challenge of international order takes on unprecedented urgency in the contemporary world of interdependence. In an increasing number of areas of central political relevance, the legal process has become of major concern. Technology has driven us into vast new areas of human activity and opened up new prospects of either human progress or international contention. The use of the oceans and of outer space; the new excesses of hijacking, terrorism, and warfare; the expansion of multinational corporations -- will surely become areas of growing dispute if they are not regulated by a legal order.

The United States will not seek to impose a parochial or self-serving view of the law on others. But neither will we carry the quest for accommodation to the point of prejudicing our own values and rights. The new corpus of the law of nations must benefit all peoples equally; it cannot be the preserve of any one nation or group of nations.

The United States is convinced in its own interest that the extension of legal order is a boon to humanity and a necessity. The traditional aspiration of Americans takes on a new relevance and urgency in contemporary conditions. On a planet marked by interdependence, unilateral



action, and unrestrained pursuit of the national advantage inevitably provoke counter-action and therefore spell futility and anarchy. In an age of awesome weapons of war, there must be accommodation or there will be disaster.

Therefore, there must be an expansion of the legal consensus, in terms both of subject matter and participation. Many new and important areas of international activity, such as new departures in technology and communication, cry out for agreed international rules. In other areas, juridical concepts have advanced faster than the political will that is indispensable to assure their observance -- such as the UN Charter provisions governing the use of force in international relations. The pace of legal evolution cannot be allowed to lag behind the headlong pace of change in the world at large. In a world of 150 nations and competing ideologies, we cannot afford to wait upon the growth of customary international law. Nor can we be content with the snail's pace of treaty-making as we have known it in recent years in international forums.

We are at a pivotal moment in history. If the world is in flux, we have the capacity and hence the obligation to help shape it. If our goal is a new standard of international restraint and cooperation, then let us fashion the institutions and practices that will bring it about.

This morning, I would like to set forth the American view on some of those issues of law and diplomacy whose solution can move us toward a more orderly and lawful world. These issues emphasize the contemporary international challenge -- in the oceans where traditional law has been made obsolete by modern technology; in outer space where endeavors undreamed of a generation ago impinge upon traditional concerns for security and for sovereignty; in the laws of war where new practices of barbarism challenge us to develop new social and international restraint; and in international economics where transnational enterprises conduct their activities beyond the frontier of traditional political and legal regulation.

I shall deal in special detail with the law of the sea in an effort to promote significant and rapid progress in this vitally important negotiation.

The Law of the Sea

The United States is now engaged with some 140 nations in one of the most comprehensive and critical negotiations in history -- an international effort to devise rules to govern the domain of the oceans. No current international negotiation is more vital for the long-term stability and prosperity of our globe.

One need not be a legal scholar to understand what is at stake. The oceans cover seventy percent of the earth's surface. They both unite and divide mankind. The importance of free navigation for the security of nations -- including our country -- is traditional; the economic significance of ocean resources is becoming enormous.



From the Seventeenth Century, until now, the law of the seas has been founded on a relatively simple precept: freedom of the seas, limited only by a narrow belt of territorial waters generally extending three miles offshore. Today, the explosion of technology requires new and more sophisticated solutions.

-- In a world desperate for new sources of energy and minerals, vast and largely untapped reserves exist in the oceans.

-- In a world that faces widespread famine and malnutrition, fish have become an increasingly vital source of protein.

-- In a world clouded by pollution, the environmental integrity of the oceans turns into a critical international problem.

-- In a world where ninety-five percent of international trade is carried on the seas, freedom of navigation is essential.

Unless competitive practices and claims are soon harmonized, the world faces the prospect of mounting conflict. Shipping tonnage is expected to increase fourfold in the next thirty years. Large, self-contained factory vessels already circle the globe and dominate fishing areas that were once the province of small coastal boats. The world-wide fish harvest is increasing dramatically, but without due regard to sound management or the legitimate concerns of coastal states. Shifting population patterns will soon place new strains on the ecology of the world's coastlines.

The current negotiation may thus be the world's last chance. Unilateral national claims to fishing zones and territorial seas extending from fifty to two hundred miles have already resulted in seizures of fishing vessels and constant disputes over rights to ocean space. The breakdown of the current negotiation, a failure to reach a legal consensus, will lead to unrestrained military and commercial rivalry and mounting political turmoil.

The United States strongly believes that law must govern the oceans. In this spirit, we welcomed the United Nations mandate in 1970 for a multilateral conference to write a comprehensive treaty governing the use of the oceans and their resources. We contributed substantially to the progress that was made at Caracas last summer and at Geneva this past spring which produced a "single negotiating text" of a draft treaty. This will focus the work of the next session, scheduled for March 1976 in New York. The United States intends to intensify its efforts.

The issues in the Law of the Sea negotiation stretch from the shoreline to the farthest deep seabed. They include:

-- The extent of the territorial sea and the related issues of guarantees of free transit through straits;

-- The degree of control that a coastal state can exercise in an offshore economic zone beyond its territorial waters; and



-- The international system for the exploitation of the resources of the deep seabeds.

If we move outward from the coastline, the first issue is the extent of the territorial sea -- the belt of ocean over which the coastal state exercises sovereignty. Historically, it has been recognized as three miles; that has been the long-established United States position. Increasingly, other states have claimed twelve miles or even two hundred.

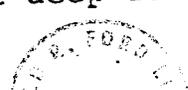
After years of dispute and contradictory international practice, the Law of the Sea Conference is approaching a consensus on a twelve-mile territorial limit. We are prepared to accept this solution, provided that the unimpeded transit rights through and over straits used for international navigation are guaranteed. For without such guarantees, a twelve-mile territorial sea would place over 100 straits -- including the Straits of Gibraltar, Malacca, and Bab-el-Mandeb -- now free for international sea and air travel under the jurisdictional control of coastal states. This the United States cannot accept. Freedom of international transit through these and other straits is for the benefit of all nations, for trade and for security. We will not join in an agreement which leaves any uncertainty about the right to use world communication routes without interference.

Within 200 miles of the shore are some of the world's most important fishing grounds as well as substantial deposits of petroleum, natural gas and minerals. This has led some coastal states to seek full sovereignty over this zone. These claims, too, are unacceptable to the United States. To accept them would bring thirty percent of the oceans under national territorial control -- in the very areas through which most of the world's shipping travels.

The United States joins many other countries in urging international agreement on a 200-mile offshore economic zone. Under this proposal, coastal states would be permitted to control fisheries and mineral resources in the economic zone, but freedom of navigation and other rights of the international community would be preserved. Fishing within the zone would be managed by the coastal state, which would have an international duty to apply agreed standards of conservation. If the coastal state could not harvest all the allowed yearly fishing catch, other countries would be permitted to do so. Special arrangements for tuna and salmon, and other fish which migrate over large distances, would be required. We favor also provisions to protect the fishing interests of land-locked and other geographically disadvantaged countries.

In some areas the continental margin extends beyond 200 miles. To resolve disagreements over the use of this area, the United States proposes that the coastal states be given jurisdiction over continental margin resources beyond 200 miles, to a precisely defined limit, and that they share a percentage of financial benefit from mineral exploitation in that area with the international community.

Beyond the territorial sea, the offshore economic zone, and the continental margin lie the deep seabeds. They are our planet's last great unexplored frontier. For more than a century we have known that the deep seabeds



hold vast deposits of manganese, nickel, cobalt, copper, and other minerals, but we did not know how to extract them. New modern technology is rapidly advancing the time when their exploration and commercial exploitation will become a reality.

The United Nations has declared the deep seabed to be the "common heritage of mankind." But this only states the problem. How will the world community manage the clash of national and regional interests, or the inequality of technological capability? Will we reconcile unbridled competition with the imperative of political order?

The United States has nothing to fear from competition. Our technology is the most advanced, and our Navy is adequate to protect our interests. Ultimately, unless basic rules regulate exploitation, rivalry will lead to tests of power. A race to carve out exclusive domains of exploration on the deep seabed, even without claims of sovereignty, will menace freedom of navigation, and invite a competition like that of the colonial powers in Africa and Asia in the last century.

This is not the kind of world we want to see. Law has an opportunity to civilize us in the early stages of a new competitive activity.

We believe that the Law of the Sea Treaty must preserve the right of access presently enjoyed by states and their citizens under international law. Restrictions on free access will retard the development of seabed resources. Nor is it feasible, as some developing countries have proposed, to reserve to a new international seabed organization the sole right to exploit the seabeds.

Nevertheless, the United States believes strongly that law must regulate international activity in this area. The world community has an historical opportunity to manage this new wealth cooperatively and to dedicate resources from the exploitation of the deep seabeds to the development of the poorer countries. A cooperative and equitable solution can lead to new patterns of accommodation between the developing and industrial countries. It could give a fresh and conciliatory cast to the dialogue between the industrialized and so-called Third World. The legal regime we establish for the deep seabeds can be a milestone in the legal and political development of the world community.

The United States has devoted much thought and consideration to this issue. We offer the following proposals:

-- An international organization should be created to set rules for deep seabed mining.

-- This international organization must preserve the rights of all countries, and their citizens, directly to exploit deep seabed resources.

-- It should also ensure fair adjudication of conflicting interests and security of investment.

-- Countries and their enterprises mining deep seabed resources

should pay an agreed portion of their revenues to the international organization, to be used for the benefit of developing countries.

-- The management of the organization and its voting procedures must reflect and balance the interests of the participating states. The organization should not have the power to control prices or production rates.

-- If these essential United States interests are guaranteed, we can agree that this organization will also have the right to conduct mining operations on behalf of the international community primarily for the benefit of developing countries.

-- The new organization should serve as a vehicle for cooperation between the technologically advanced and the developing countries. The United States is prepared to explore ways of sharing deep seabed technology with other nations.

-- A balanced commission of consumers, seabed producers, and land-based producers could monitor the possible adverse effects of deep seabed mining on the economies of those developing countries which are substantially dependent on the export of minerals also produced from the deep seabed.

The United States believes that the world community has before it an extraordinary opportunity. The regime for the deep seabeds can turn interdependence from a slogan into reality. The sense of community which mankind has failed to achieve on land could be realized through a regime for the ocean.

The United States will continue to make determined efforts to bring about final progress when the Law of the Sea Conference reconvenes in New York next year. But we must be clear on one point: The United States cannot indefinitely sacrifice its own interest in developing an assured supply of critical resources to an indefinitely prolonged negotiation. We prefer a generally acceptable international agreement that provides a stable legal environment before deep seabed mining actually begins. The responsibility for achieving an agreement before actual exploitation begins is shared by all nations. We cannot defer our own deep seabed mining for too much longer. In this spirit, we and other potential seabed producers can consider appropriate steps to protect current investment, and to ensure that this investment is also protected in the treaty.

The Conference is faced with other important issues:

-- Ways must be found to encourage marine scientific research for the benefit of all mankind while safeguarding the legitimate interests of coastal states in their economic zones.

-- Steps must be taken to protect the oceans from pollution. We must establish uniform international controls on pollution from ships and insist upon universal respect for environmental standards for continental shelf and deep seabed exploitation.

-- Access to the sea for land-locked countries must be assured.

-- There must be provisions for compulsory and impartial third-party settlement of disputes. The United States cannot accept unilateral interpretation of a treaty of such scope by individual states or by an international seabed organization.

The pace of technology, the extent of economic need, and the claims of ideology and national ambition threaten to submerge the difficult process of negotiation. The United States therefore believes that a just and beneficial regime for the oceans is essential to world peace.

For the self-interest of every nation is heavily engaged. Failure would seriously impair confidence in global treaty-making and in the very process of multilateral accommodation. The conclusion of a comprehensive Law of the Sea treaty on the other hand would mark a major step towards a new world community.

The urgency of the problem is illustrated by disturbing developments which continue to crowd upon us. Most prominent is the problem of fisheries.

The United States cannot indefinitely accept unregulated and indiscriminate foreign fishing off its coasts. Many fish stocks have been brought close to extinction by foreign overfishing. We have recently concluded agreements with the Soviet Union, Japan, and Poland which will limit their catch and we have a long and successful history of conservation agreements with Canada. But much more needs to be done.

Many within Congress are urging us to solve this problem unilaterally. A bill to establish a 200-mile fishing zone passed the Senate last year; a new one is currently before the House.

The Administration shares the concern which has led to such proposals. But unilateral action is both extremely dangerous and incompatible with the thrust of the negotiations described here. The United States has consistently resisted the unilateral claims of other nations, and others will almost certainly resist ours. Unilateral legislation on our part would almost surely prompt others to assert extreme claims of their own. Our ability to negotiate an acceptable international consensus on the economic zone will be jeopardized. If every state proclaims its own rules of law and seeks to impose them on others, the very basis of international law will be shaken, ultimately to our own detriment.

We warmly welcome the recent statement by Prime Minister Trudeau reaffirming the need for a solution through the Law of the Sea Conference rather than through unilateral action. He said, "Canadians at large should realize that we have very large stakes indeed in the Law of the Sea Conference and we would be fools to give up those stakes by an action that would be purely a temporary, paper success."

That attitude will guide our actions as well. To conserve the fish and protect our fishing industry while the treaty is being negotiated, the



United States will negotiate interim arrangements with other nations to conserve the fish stocks, to ensure effective enforcement, and to protect the livelihood of our coastal fishermen. These agreements will be a transition to the eventual 200-mile zone. We believe it is in the interests of states fishing off our coasts to cooperate with us in this effort. We will support the efforts of other states, including our neighbors, to deal with their problems by similar agreements. We will consult fully with Congress, our states, the public, and foreign governments on arrangements for implementing a 200-mile zone by virtue of agreement at the Law of the Sea Conference.

Unilateral legislation would be a last resort. The world simply cannot afford to let the vital questions before the Law of the Sea Conference be answered by default. We are at one of those rare moments when mankind has come together to devise means of preventing future conflict and shaping its destiny rather than to solve a crisis that has occurred, or to deal with the aftermath of war. It is a test of vision and will, and of statesmanship. It must succeed. The United States is resolved to help conclude the Conference in 1976 -- before the pressure of events and contention places international consensus irretrievably beyond our grasp.

Outer Space and the Law of Nations

The oceans are not the only area in which technology drives man in directions he has not foreseen and towards solutions unprecedented in history. No dimension of our modern experience is more a source of wonder than the exploration of space. Here, too, the extension of man's reach has come up against national sensitivities and concerns for sovereignty. Here, too, we confront the potential for conflict or the possibility for legal order. Here, too, we have an opportunity to substitute law for power in the formative stage of an international activity.

Space technologies are directly relevant to the well-being of all nations. Earth sensing satellites, for example, can dramatically help nations to assess their resources and to develop their potential. In the Sahel region of Africa we have seen the tremendous potential of this technology in dealing with natural disasters. The United States has urged in the United Nations that the new knowledge be made freely and widely available.

The use of satellites for broadcasting has a great potential to spread educational opportunities, and to foster the exchange of ideas.

In the nearly two decades since the first artificial satellite, remarkable progress has been made in extending the reach of law to outer space. The Outer Space Treaty of 1967 placed space beyond national sovereignty and banned weapons of mass destruction from earth orbit. The Treaty also established the principle that the benefits of space exploration should be shared. Supplementary agreements have provided for the registry of objects placed in space, for liability for damage caused by their return to earth, and for international assistance to astronauts in emergencies. Efforts are underway to develop further international law governing man's activities on the moon and other celestial bodies.

Earth sensing and broadcasting satellites, and conditions of their use, are a fresh challenge to international agreement. The United Nations Committee on the Peaceful Uses of Outer Space is seized with the issue, and the United States will cooperate actively with it. We are committed to the wider exchange of communication and ideas. But we recognize that there must be full consultation among the countries directly concerned. While we believe that knowledge of the earth and its environment gained from outer space should be broadly shared, we recognize that this must be accompanied by efforts to ensure that all countries will fully understand the significance of this new knowledge.

The United States stands ready to engage in a cooperative search for agreed international ground rules for these activities.

Hijacking, Terrorism and War

The modern age has not only given us the benefits of technology; it has also spawned the plagues of aircraft hijacking, international terrorism and new techniques of warfare. The international community cannot ignore these affronts to civilization; it must not allow them to spread their poison; it has a duty to act vigorously to combat them.

Nations already have the legal obligation, recognized by unanimous resolution of the UN General Assembly, "to refrain from organizing, instigating, assisting, participating (or) acquiescing in" terrorist acts. Treaties have been concluded to combat hijacking, sabotage of aircraft, and attacks on diplomats. The majority of states observe these rules; a minority do not. But events even in the last few weeks dramatize that present restraints are inadequate.

The United States is convinced that stronger international steps must be taken -- and urgently -- to deny skyjackers and terrorists a safehaven and to establish sanctions against states which aid them, harbor them, or fail to prosecute or extradite them.

The United States in 1972 proposed to the UN a new international Convention for the Prevention of Punishment of Certain Acts of International Terrorism, covering kidnapping, murder, and other brutal acts. This convention regrettably was not adopted -- and innumerable innocent lives have been lost as a consequence. We urge the United Nations once again to take up and adopt this convention or other similar proposals as a matter of the highest priority.

Terrorism, like piracy, must be seen as outside the law. It discredits any political objective that it purports to serve and any nations which encourage it. If all nations deny terrorists a safehaven, terrorist practices will be substantially reduced -- just as the incidence of skyjacking has declined sharply as a result of multilateral and bilateral agreements. All governments have a duty to defend civilized life by supporting such measures.

The struggle to restrain violence by law meets one of its severest tests: the law of war. Historically nations have found it possible to observe certain rules in their conduct of war. This restraint has been extended

and codified especially in the past century. In our time new, ever more awesome tools of warfare, the bitterness of ideologies and civil warfare, and weakened bonds of social cohesion have brought an even more brutal dimension to human conflict.

At the same time our century has also witnessed a broad effort to alleviate some of these evils by international agreements. The most recent and comprehensive is the four Geneva Conventions of 1949 on the Protection of War Victims.

But the law in action has been less impressive than the law on the books. Patent deficiencies in implementation and compliance can no longer be ignored. Two issues are of paramount concern: First, greater protection for civilians and those imprisoned, missing, and wounded in war. And, second, the application of international standards of humane conduct in civil wars.

An international conference is now underway to supplement the 1949 Geneva Conventions on the law of war. We will continue to press for rules which will prohibit nations from barring a neutral country, or an international organization such as the International Committee of the Red Cross, from inspecting its treatment of prisoners. We strongly support provisions requiring full accounting for the missing in action. We will advocate immunity for aircraft evacuating the wounded. And we will seek agreement on a protocol which demands humane conduct during civil war; which bans torture, summary execution, and the other excesses which too often characterize civil strife.

The United States is committed to the principle that fundamental human rights require legal protection under all circumstances; that some kinds of individual suffering are intolerable no matter what threat nations may face. The American people and government deeply believe in fundamental standards of humane conduct; we are committed to uphold and promote them; we will fight to vindicate them in international forums.

Multinational Enterprises

The need for new international regulation touches areas as modern as new technology and as old as war. It also reaches our economic institutions where human ingenuity has created new means for progress while bringing new problems of social and legal adjustment.

Multinational enterprises have contributed greatly to economic growth in both their industrialized home countries where they are most active, in developing countries where they conduct some of their operations. If these organizations are to continue to foster world economic growth, it is in the common interest that international law, not political contests govern their future.

Some nations feel that multinational enterprises influence their economy in ways unresponsive to their national priorities. Others are concerned that these enterprises may evade national taxation and regulation through facilities abroad. And recent disclosures of improper financial relationships between these companies and government officials in several countries raise fresh concerns.



But it remains equally true that multinational enterprises can be powerful engines for good. They can marshal and organize the resources of capital, initiative, research, technology, and markets in ways which vastly increase production and growth. If an international consensus on the proper role and responsibilities of these enterprises could be reached, their vital contribution to the world economy could be further expanded. A multilateral treaty establishing binding rules for multinational enterprises does not seem possible in the near future. However, the United States believes an agreed statement of basic principles is achievable. We are prepared to make a major effort and invite the participation of all interested parties.

We are now actively discussing such guidelines, and will support the relevant work of the UN Commission on Transnational Enterprises. We believe that such guidelines must:

- accord with existing principles of international law governing the treatment of foreigners and their property rights;
- call upon multinational corporations to take account of national priorities, act in accordance with local law, and employ fair labor practices;
- cover all multinationals, state-owned as well as private;
- not discriminate in favor of host country enterprises except under specifically defined and limited circumstances;
- set forth not only the obligations of the multinationals, but also the host country's responsibilities to the foreign enterprises within their borders;
- acknowledge the responsibility of governments to apply recognized conflict-of-laws principles in reconciling regulations applied by various host nations.

If multinational institutions become an object of economic warfare, it will be an ill omen for the global economic system. We believe that the continued operation of transnational companies, under accepted guidelines, can be reconciled with the claims of national sovereignty. The capacity of nations to deal with this issue constructively will be a test of whether the search for common solutions or the clash of ideologies will dominate our economic future.

Conclusion

Since the early days of the Republic, Americans have seen that their nation's self-interest could not be separated from a just and progressive international legal order. Our founding fathers were men of law, of wisdom, and of political sophistication. The heritage they left is an inspiration as we face an expanding array of problems that are at once central to our national well-being and soluble only on a global scale.

The challenge of the statesman is to recognize that a just international order cannot be built on power but only on restraint of power. As



Felix Frankfurter said, "Fragile as reason is and limited as law is as the institutionalized expression of reason, it is often all that stands between us and the tyranny of will, the cruelty of unbridled, unprincipled and undisciplined feeling." If the politics of ideological confrontation and strident nationalism become pervasive, broad and humane international agreement will grow ever more elusive and unilateral actions will dominate. In an environment of widening chaos the stronger will survive, and may even prosper temporarily. But the weaker will despair and the human spirit will suffer.

The American people have always had a higher vision -- a community of nations that has discovered the capacity to act according to man's more noble aspirations. The principles and procedures of the Anglo-American legal system have proven their moral and practical worth. They have promoted our national progress and brought benefits to more citizens more equitably than in any society in the history of man. They are a heritage and a trust which we all hold in common. And their greatest contribution to human progress may well lie ahead of us.

The philosopher Kant saw law and freedom, moral principle and practical necessity, as parts of the same reality. He saw law as the inescapable guide to political action. He believed that sooner or later the realities of human interdependence would compel the fulfillment of the moral imperatives of human aspiration.

We have reached that moment in time where moral and practical imperatives, law and pragmatism point toward the same goals.

The foreign policy of the United States must reflect the universal ideals of the American people. It is no accident that a dedication to international law has always been a central feature of our foreign policy. And so it is today -- inescapably -- as for the first time in history we have the opportunity and the duty to build a true world community.

* * * * *



August 11, 1975

MEMORANDUM TO: HENRY KISSINGER

FROM: JACK MARSH

The attached list shows the location of House and Senate leaders during the present week. With the exception of Senator Sparkman and Congressman Cederberg, all are away from Washington. Cederberg will be leaving the 14th, and if you desire you might be able to meet with him Wednesday.

I would not recommend bringing any of the leaders back to Washington for a meeting because of the speculation that would ensue. However, you may wish to make calls to several of them, in which event I would suggest the following:

Senator Robert Byrd
Senator Griffin
Senator Case (he's in Alaska)
Congressman Rhodes
Congressman Morgann
Congressman Broomfield

If your schedule will not permit phoning, I will be glad to call or have contacted any whose views you may wish to obtain.

JOM:cb



August 12, 1975

MEMORANDUM TO: HENRY KISSINGER

FROM: JACK MARSH

I thought you would find of interest the statement of Bill Broomfield in reference to unwarranted Congressional intrusion into the conduct of foreign affairs. Also of interest are two other brief entries into the Record; one by Sarasin and another by Broomfield. All of these items were brought to our attention by Broomfield's Office.

JOM:cb



November 22, 1975

MEMORANDUM FOR THE SECRETARY OF STATE

FROM: JACK MARSH

Please note the incoming letter from Otis Pike to the President.
I particularly call to your attention the portions highlighted.

Attachment

Sec. of State

JOM/dl

Letter from Otis Pike to the President, Dated November 21, 1975



Wilson Sun
April 16, 1976

No. 181

As Prepared for Delivery

ADDRESS BY
THE HONORABLE HENRY A. KISSINGER
SECRETARY OF STATE

BEFORE THE
DOWNTOWN ROTARY CLUB OF PHOENIX

TOWNE HOUSE HOTEL
Phoenix, Arizona

April 16, 1976

* * *

A STRONG FOREIGN POLICY FOR A CONFIDENT AMERICA

EMBARGOED UNTIL DELIVERY, SCHEDULED FOR 1:00 P.M. MST [3:00 P.M. EST]. NOT TO BE PREVIOUSLY PUBLISHED, QUOTED FROM OR USED IN ANY WAY.



Ladies and gentlemen:

I am happy to be here in the great Southwest, where the freshness and vitality of the American spirit are so evident.

In recent years we have seen opinion on foreign policy in this country swing back and forth erratically -- from peace demonstrations to calls for confrontation; from antimilitarism to concern for a strong defense; from over-involvement to a new isolationism; from enthusiasm to disillusionment; and back again.

Today some would have Americans believe that the issue is between those who are optimistic and those who are pessimistic

about America.

But that is not the problem before us. The real issue is whether we understand the complexities and the opportunities that are before us.

Winston Churchill once said: "When danger is far off, we may think of our weakness; when it is near, we must not forget our strength." A period of thermonuclear peril and global upheaval is not the moment to forget our success, our unequalled reserves of military and economic power, or the decisive advantages we enjoy as a free people with a free productive system.

In this Bicentennial year it is time to remind ourselves that an effective foreign policy must reflect the values and

permanent interests of our nation and not the fashionable trends of the moment. These values and interests antedate this election year and must be maintained beyond it.

I am here to tell you that America remains -- and will remain -- the most powerful nation in the world.

I am here to tell you that the President and his Administration have founded their policies on a fundamental faith in America's vast strength and potential for greatness.

We see challenging trends but we are confident that they can be mastered. We see dangers but we are certain that they can be overcome.

The optimist is not one who pretends that challenges do not exist -- that is escapism. The true optimist has faith in his nation; he believes that challenges are to be mastered --

not avoided. He is willing to trust the intelligence of the public for he knows that Americans can understand and deal with complexity. He knows that Americans have always regarded challenge not as a cause for despair, but as a call to action, a stimulus to achievement, and a priceless chance to shape the future.

The Founding Fathers, the pioneers who opened up this vast land, the men and women who built the greatest and freest and most productive society in history -- they were people of confidence and hope.

Those of us today who truly have faith in America will live up to that tradition.

To over-simplify, to substitute brittle rhetoric for hard thinking, is not confidence in America. To offer slogans

instead of answers is to show little faith in the American people.

The task of foreign policy is to understand our reality -- to perceive the challenges to our interests and principles. It is to devise means for meeting those challenges. And it is to persevere toward our goals unafraid and unswayed by the passions of the moment.

Government in a free society has the obligation to tell the people the truth, without sugar-coating or resorting to scare tactics. The real issue before our country now is not between optimists and pessimists, but between those who support a strong American leadership in the world and those who believe that America cannot, or should not, play such a role.

The Administration has made its choice. Our policy

is based on the conviction that without America's determination
there can be no security; without our dedication there can be
no progress; and without our example there can be no freedom.

America's Response to Challenge

In the inevitable self-criticism of a democracy, we must take care not to create an impression of impatience or uncertainty. We must never forget the great achievements of American foreign policy over three decades of involvement in world affairs.

The United States took the lead in helping Europe and Japan recover from devastation and join us in alliances that are the pillars of global stability. We opposed aggression; we mediated conflicts. We created the international economic institutions that expanded trade and prosperity worldwide. We became the world's leader in technology, in agricultural

productivity, in economic enterprise. We led the world's struggle against famine, disease, and natural disaster; we promoted education and economic development in every quarter of the globe; we welcomed refugees from oppression to our shores.

And amid all the turmoil of recent years at home, our foreign policy has seen one of its most fruitful periods.

Today:

- We are at peace.
- We are the world's strongest nation militarily and economically; our technological superiority is unquestioned, continuing and growing.
- Our alliances are cooperating more closely than at any time in many years.

- We have begun to forge more rational and long-term relations with potential adversaries. Our new relationship with China is growing, durable and a positive factor in the world scene. With the Soviet Union we have resolved some conflicts, such as Berlin, and slowed some aspects of the arms race.
- For the first time in 30 years, we have helped the countries of the Middle East take significant steps towards peace.
- We have been leaders in shaping new economic relations between the industrial world and developing world.

This is a record of which we can be proud and on which we should seek to build. So let us not delude ourselves with fairy tales of America being second best and forever taken in by wily foreigners.

Americans have nothing to fear from competition -- for in almost every area of rivalry we have the advantage. Americans know we have the capacity, if we have the will, to maintain freedom and peace. They understand too that our strength is essential for peace, but also that peace must be something better than a precarious balance of terror.

Therefore, our foreign policy is designed to further three principal objectives:

- to strengthen the unity of the great industrial democracies and our alliances,
- to maintain the global balance of power and to build on this foundation a lasting peace,
- to fashion between the industrial world and the developing nations positive and reliable economic relations to ensure mutual prosperity.

Let me discuss these in turn.

The Challenge of Democracy

Our first priority is our relationship with the great industrial democracies.

There is no doubt that freedom today is under serious challenge. Democratic societies are in a numerical minority

in the world and within many of them, anti-democratic forces are gaining in strength.

The dangers are real, but so is our collective capacity to respond. We and our allies account for 65 percent of the world's production and 70 percent of its trade; we are the world's most industrialized and urbanized societies; it is we who are the pioneers of the modern age; we who have the experience, the intellectual creativity and the resources to lead attempts to solve the economic and social problems facing this shrinking planet. There is no reason for us to falter. Many of the challenges to the industrial democracies are of their own making. Therefore, they can be mastered with confidence, vision and creativity.

We are by nature a self-critical people and never more

so than in our election year. This causes us sometimes to take for granted the solid achievements of the recent past:

- Faced with an oil embargo and an energy crisis, the United States took the lead in establishing together with the other industrial democracies a new institution: the International Energy Agency.

This cooperative enterprise will enable the industrial democracies to support each other in case of another embargo. It has established common conservation policies and common policies for the development of alternative sources of energy.

A great challenge has brought forth a cooperative and vital response.

- Faced with global recession, the heads of government of the United States, Great Britain, France, Germany, Italy and Japan met to concert their economic policies. They stimulated fresh approaches to reinforce each others' programs for recovery, trade and energy. They agreed on monetary reform which over time may usher in a period of unparalleled economic progress. Most fundamentally, they symbolized their political cohesion and shared moral values.
- Faced with the growth of Soviet power we have strengthened the defenses of our alliances with new programs of planning, consultation,

modernization and standardization.

-- And faced with the need to fashion more balanced partnerships we have intensified our consultations and our collaboration.

These are not the actions of governments uncertain of their future. They reflect the conviction that no force in the world can match the voluntary association of free peoples.

Our relations with the industrial democracies have never been stronger and our unity never more effective. With economic recovery well underway we will be even stronger, individually and collectively.

Together with the other industrial democracies we face, with confidence, a vast agenda:

- The United States is determined to protect our nation's security and that of our friends and allies; we will do our part to maintain the global balance that has preserved peace and freedom for three decades.

- Together we will foster economic progress and social justice in our societies, for the principles of freedom and human dignity which we cherish must rest on a firm foundation of responsiveness to the needs of our peoples.

- We will intensify collaboration on the great new issues of our time -- the economic, political and social challenges of global interdependence, the

easing of tensions between East and West, and the forging of cooperation between developed and developing countries.

-- The United States has encouraged and welcomed those of its allies that moved from dictatorship toward democracy. For the same reason we will continue to warn against those who would turn over a major share in Western democratic governments to Communist parties suddenly seeking respectability. We would do our allies no favor if we encouraged wishful thinking that the advent of Communist parties into power will not represent a watershed in our relations. The basic reality is that our people will not accept the same close

and confidential relationship with Western countries where Communist parties have been granted a major share in government.

-- We will stand for the cause of liberty and independence around the world, for if we do not champion our own cause, no one else will do it for us.

-- We will never forget that the democratic nations hold in trust humanity's highest principles and aspirations and that they thus bear a grave responsibility.

The Challenge of Peace

Time and again in this century Americans have fought for peace. No people knows better than we the meaning of that responsibility -- especially in an age shadowed by the menace of nuclear cataclysm. When war would threaten the life of literally every American there is no higher duty than the dedicated search for peace.

But peace is far more than the mere absence of war. We will never make, in the name of peace, agreements that jeopardize our values and interests or the values and interests of our friends. We know, too, that the mere desire for peace is not enough. Since the days of Thucydides statesmen have recognized that peace with justice comes

only "where the pressure of necessity is equal; for the powerful exact what they can, and the weak grant what they must." There can be no security without an equilibrium, and no safety without a balance of power.

Since the dawn of the nuclear age, the world's fears of catastrophe and its hopes for peace have hinged centrally upon the relationship between the United States and the Soviet Union. When two superpowers have the capacity to destroy mankind in a matter of hours, there can be no greater imperative than managing the relationship between them with wisdom and restraint.

The growth of the Soviet Union to superpower status was inevitable given its industrial and technological base.



Nothing we could have done would have prevented it; nothing we do now will make it go away. What we can do -- together with our friends -- is to maintain our strength and our considerable advantages, and demonstrate our determination to prevent the irresponsible use of Soviet power. At the same time we must strive to go beyond a balance of force to shape a safer and more durable relationship of coexistence. Peace thus requires a dual policy. And we have worked hard at both these tasks.

We have kept our strategic forces sufficient to deter attack and maintain the nuclear balance. And because we know that the perception of power can be almost as important

as the reality, we have made certain that other nations recognize the adequacy of our strength.

Nevertheless, the strategic arms competition takes place in unprecedented conditions. As late as the end of World War II every increase in destructive power was strategically useful. Today additions to the nuclear arsenals of either side do not automatically lead to political or military advantage. Indeed, at current and foreseeable levels of nuclear arms it becomes increasingly dangerous to invoke them. In no crisis since 1962 have the strategic arsenals of the two sides determined the outcome.

The tendency towards stalemate inherent in the nuclear arms race produces new requirements for our national

defense. Under the umbrella of strategic standoff, increasing attention must be given to regional defense. For it is in peripheral areas where a military imbalance can be turned into a geopolitical change that could in time affect the global balance. This is why we are expanding our army from 13 to 16 divisions, developing a new generation of fighter aircraft, and accelerating our naval construction, and it is why we must spend what is necessary to meet the new overall requirements.

In assessing current debates and charges it is important that the public understand the long-range nature of modern military planning. Because of the long lead-times in the development of new weapons, the forces in being today reflect decisions taken in the Sixties; the decisions we make today

will not affect our forces until at least the early Eighties.

This imposes upon us the need for careful long-range planning, and analysis of needs. With modern weapons, national defense cannot be assured by quick fixes. Not every category of weapon is as useful for us as it is for our adversaries and vice versa. We must and we shall maintain a steady course, mindful that what we decide today will affect the security of Americans for decades.

At the same time we must look beyond security to a safer, more durable pattern of coexistence. A balance of terror constantly contested is an unsatisfactory foundation for our security. We shall defend the global balance with vigilance, but at the same time we shall continue to search for

new patterns of restraint, of communication, and of cooperation.

Only when the rights of nations are respected -- when

accommodation takes the place of force -- can man's energies be

devoted to the realization of its higher aspirations.

To check, and ultimately to reverse, the nuclear spiral, we have sought and achieved important arms control agreements with the Soviet Union. The Strategic Arms Limitation Agreement of 1972 halted the Soviet numerical buildup, and the Vladivostok Agreement places an equal ceiling on strategic forces of both sides. When this ceiling is translated into a formal agreement we shall have reduced the danger of nuclear cataclysm. At the same time we will be able to devote the priorities in our planning to regional defense where the needs

are greatest.

In the past week we have achieved a new agreement which will limit the size of peaceful nuclear explosions and -- for the first time -- allow the United States to conduct on-site inspections on Soviet territory. This is a principle which we have sought to establish throughout the post-war period. Its achievement is not only a significant symbol but an important practical step to bring greater discipline to the nuclear age.

In addition to arms control, we have engaged the Soviet Union in efforts to resolve concrete political problems. For example, the Berlin Agreement of 1971 was a negotiated solution to a perennial problem that had

threatened major war on at least three occasions in 20 years.

And we have also reached agreement on many bilateral projects that are based strictly on mutual benefit and can help moderate Soviet behavior.

We must see these achievements in perspective.

We cannot relax our vigilance. We must not believe that the conflict of two generations can be quickly overcome.

For the foreseeable future we and the Soviet Union will remain ideological adversaries. But we have an obligation to explore all honorable roads to reduction of tensions and a relationship based on coexistence rather than on tests of strength. We cannot stop trying, for we owe our children a better world than we found.

These then are the realities of our policy toward the

Soviet Union:

- We have the military, diplomatic and economic capacity to prevent the use of Soviet power for unilateral advantage or political expansion.
- We shall maintain the strategic and conventional forces needed to protect our security; and we shall muster the political will to ensure that local situations are not exploited for unilateral gain which could undermine global stability.
- We will never tolerate a shift in the strategic balance against us; whether by violations of agreements already concluded, by making unwise new agreements, or by neglect of our own programs.

-- At the same time we must recognize that sovereign states of roughly equal power cannot impose unacceptable conditions on each other and ultimately must deal with each other by compromise.

-- We shall pursue the two strands of our policy toward the Soviet Union: firmness in the face of pressure and readiness to work on the basis of strict reciprocity for a more cooperative world. This is an obligation we have to our people, to our future and to mankind.

The Challenge of Prosperity

In recent years no issue has demanded more of our attention than the prospects of the world economy. This nation has unrivaled economic strength, but in an interdependent world we must work with others if our economy is to thrive.

The facts of interdependence were brought home to us dramatically by the oil embargo of 1973. It accelerated inflation, and produced the largest unemployment as well as the most severe recession of the postwar period. It is estimated to have cost us upward of \$10 billion in lost production.

The global economy is now a single system; interdependence can strain it or enhance it. For the first time in history humanity's age-old dream of a just, stable and prosperous world for all is a realistic possibility.



American policy has been designed to serve our interests in a global context of cooperation. For our nation's prosperity requires a healthy and cooperative world environment.

The price and supply of energy and raw materials, the conditions of trade and investment, the protection of the environment, international law to govern the use of the oceans and space -- these are all issues on which our prosperity and progress depend.

As the world's strongest power, the United States could best survive an era of economic warfare. At home, we are leading the recovery from the most difficult economic period since the 1930's -- a performance which stands in sharp contrast to those economies based on rigid principles of

planning, on labor extracted by compulsion or capital formed through inadequate compensation of labor. Abroad, our technological innovation, global business expertise and commercial dynamism have reinforced American interests and spread prosperity to every part of our planet. It is America that is the engine of the global economy; we to whom the developing nations address their claims and their complaints -- for they know that our open economic system more than any other fosters the prospects for growth, and widening opportunity for all.

But while we are prepared to defend our economic interests unilaterally, we know too that nations will prosper together or they will suffer together.

This is why the United States has taken the lead in advancing the vision of an open, growing and cooperative world economy. It was the United States that called for and helped launch the World Food Conference in 1974 where we offered concrete proposals to improve world food production and offer every human being security against hunger.

At the Special Session of the United Nations last September and at the Conference on International Economic Cooperation now underway in Paris, we have set forth a wide range of practical initiatives which address all the key global economic issues -- raw materials, development, finance, and most important, energy. Two weeks ago I presented the Law of the Sea Conference in New York with new American proposals

designed to move this historic negotiation to a successful conclusion this year. This would be a major diplomatic event with far reaching implications for security and commerce, for food and energy, for raw materials and research, and for international law and cooperation. Later this month I will attend the United Nations Conference on Trade and Development where we will continue to demonstrate American leadership on the broad range of relations between North and South.

These United States initiatives have substantially improved the international atmosphere and laid the foundations for progress on one of the great endeavors of the modern era -- the construction of a truly just and cooperative international economy.

These are the realities of the global economic challenge:

- Today, all national economies are sustained by the global economic system; interdependence is not a slogan but a reality and goes to the heart of the international order. Prosperity and justice underpin every society's ability to achieve its national goals.

- Since we are the single greatest concentration of economic wealth and power, global prosperity and our own wellbeing depend crucially on this country's leadership. What is asked of us now is not so much our resources, but our creativity and vision in helping the world organize equitable patterns of economic relations.

-- The United States will not be pressured; nor will we yield to blackmail or threats. Those who indulge in unrealistic proposals, one-sided bloc voting, appeals to stale ideologies of confrontation or resentment will only block cooperative progress.

-- Here, too, we will pursue a dual policy; we will resist pressures, but we are prepared to participate constructively in cooperative efforts based on mutual respect.

The American Responsibility

Thus the challenges we face are great and complex.

But the record shows that we have responded -- with confidence and with success. Ours is not the record of a tired nation, but of a vibrant people for whom frontiers have always denoted a challenge, not a limit. We are not weak; we have no intention of letting others determine our future. America has the strength, resilience and purpose to meet the modern era on its own terms. We are determined to help shape an international environment which, more than ever before in history, improves the lives and reflects the values of our people.

So let us stop disparaging our strength, either moral

or material, because if we do, friends of America grow uncertain, enemies become bold and a world yearning for leadership loses hope.

Let us tell our people and the world the truth: America will continue to meet the challenges of its time.

America and its allies possess the greatest economic and military power the world has ever seen.

We have the courage and the self-confidence to prevent nuclear war. We have the vision and the spirit to help shape a more peaceful, more stable world.

We have the resources, the technology, the skill and the organizing genius to build a world economic system together with all nations, developing and developed alike.

And this will fulfill the aspirations of all peoples for dignity and wellbeing.

It is in this spirit that next week I shall go to Africa where I will carry America's message of hope, social justice, aspiration for human dignity, the rule of the majority, and cooperation. And I shall also warn against foreign intervention, direct or surrogate, that would block all hope for progress.

But we can realize our historic responsibility only as a united and confident people. Our greatest foreign policy need is to end our divisions and self-denigration -- to recall that we have permanent interests and values that we must nurture and defend; to recapture the sense that we



are all engaged in a common enterprise.

We remain the world's strongest nation, but we no longer have the overwhelming global predominance of previous decades. Today we must lead, not by our power alone, but by our wisdom, boldness, vision, and perseverance. We must be a steadfast friend to those who would be our friend; we must be a determined opponent of those who would be our enemy. We must maintain simultaneously our defenses, our alliances, our principles and our commitment to a cooperative world.

And I have every confidence in our ability to do so.

In this Bicentennial year, we honor our Founding Fathers for many things -- but most of all for their faith in the

American people, on whom the success of the American experiment has always depended. They were dreamers who believed in the future and the nation they had created. They were optimists, because they believed that free men of courage could shape their destiny. And in the end, they were realists, because they were right.

At its foundation America was because of its promise the hope of the world. Today it remains, because of what it has become, the best hope of all mankind.

This generation of Americans, like every generation before it, will shape its destiny and in helping the world will help itself. For what we -- and the world around us -- shall be is in our hands. And like those Americans who have gone before us, we shall not fail.

JUL 29 1976

THE WHITE HOUSE
WASHINGTON

July 27, 1976

MEMORANDUM FOR: JACK MARSH

THROUGH: MAX FRIEDERSDORF
CHARLES LEPPERT, JR. *mlb. C.L.*

FROM: PATRICK ROWLAND *PR*

SUBJECT: Rep. Bella Abzug (D-N.Y.)

Today I monitored the 10:00 a.m. hearing of the Government Information and Individual Rights Subcommittee of the Government Operations Committee. The purpose of the hearing was to provide the committee with an update on progress that has been made since the President issued his November 20, 1975, memorandum on policies and practices of employees individual rights. The leadoff witness was Ambassador Carol C. Laise. Her testimony centered around questions on visa applications filled out by U.S. employees going to foreign countries. The committee wanted to know what the State Department was doing to remove questions about religion and sex on such applications.

The committee asked the Ambassador to inquire of the State Department if they cannot develop a more positive policy stating that it is against U.S. law for employees to provide such information and therefore they should not have to fill out these visas.

The Ambassador was followed by a panel representing the American Jewish Committee and the Anti-Defamation League of B'nai B'rith. This panel's complaints centered around the lack of action in the Executive branch in regards to the Arab boycott.

I understand this is the third such hearing on this topic. Today's session was attended by Chairman Abzug and a brief appearance by Congressman McCloskey.



July 22.

THE WHITE HOUSE
WASHINGTON

2203

JUL 23 1976

TO: CHARLIE LEPPERT
FROM: JOHN O. MARSH, JR.

_____ For Direct Reply

_____ For Draft Response

_____ For Your Information

_____ Please Advise

I would appreciate your getting me the information on this hearing.

July 13, 1976

Dear Della:

This will acknowledge receipt of your July 9 letter to the President requesting an Administration representative to testify at the hearings of your Subcommittee on Government Information and Individual Rights on July 27.

Please be assured your letter will be called promptly to the President's attention. You will hear further as soon as possible.

With kindest regards,

Sincerely,

Charles Leppert, Jr.
Deputy Assistant
to the President

The Honorable Della Abzug
House of Representatives
Washington, D.C. 20515

bcc: w/inc to Philip Buchen for further handling

CL:VO:jem



JUG, N.Y., CHAIRWOMAN
CALIF.
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JOHN E. MOSS, CALIF.
MICHAEL HARRINGTON, MASS.
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ANTHONY MOFFETT, CONN.

7-12
SAM STEIGER, ARIZ.
CLARENCE J. BROWN, OHIO
PAUL N. McCLOSKEY, JR., CALIF.
225-3741

NINETY-FOURTH CONGRESS

Congress of the United States

House of Representatives

GOVERNMENT INFORMATION AND INDIVIDUAL RIGHTS
SUBCOMMITTEE

OF THE

COMMITTEE ON GOVERNMENT OPERATIONS

RAYBURN HOUSE OFFICE BUILDING, ROOM B-349-B-C
WASHINGTON, D.C. 20515

July 9, 1976

MF
The Honorable Gerald R. Ford
President of the United States
The White House
Washington, D.C.

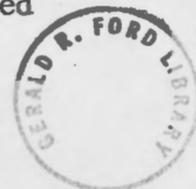
Dear Mr. President:

The Subcommittee has jurisdiction over policies and practices of Federal departments and agencies relating to individual rights. On April 8 and 9, 1975, we held hearings into policies and practices of various Federal agencies in the assignment of personnel overseas at which representatives of the Department of State, the Agency for International Development, the Treasury Department, the Department of Justice, the Department of Defense, the Army Corps of Engineers, and the U.S. Civil Service Commission testified.

Your memorandum to the Heads of Departments and Agencies dated November 20, 1975, is apparently a response to some of the problems dealt with in our hearings. While I am pleased to note your recognition of the fact that these are problems to which the Executive branch must address itself, I question whether your directive represents a substantive change in either the policies or the practices of Federal agencies in this area.

This subcommittee will hold a hearing on the adequacy of the memorandum and the implementation plans of the departments and agencies affected by it on July 27, 1976. This hearing was originally scheduled for December 10, 1975. We would appreciate your sending to this hearing a representative who can testify as to the intent and meaning of the memorandum.

The hearing will begin at 10:00 a.m., July 27, in Room 2203 of the Rayburn House Office Building. Please contact Mr. Timothy H. Ingram, Staff Director, at 225-3741, if you have any questions. As required



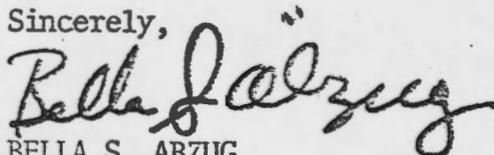
The Honorable Gerald R. Ford
July 9, 1976

Page Two

under the Committee rules, it will be necessary for you or your designee to provide 50 copies of your prepared statement to Mr. Ingram, in Room B-349C, Rayburn House Office Building, Washington, D.C. 20515, by Monday, July 26.

With kind regards, I am

Sincerely,



BELLA S. ABZUG
Chairwoman



July 22

THE WHITE HOUSE
WASHINGTON

TO: CHARLIE LEPPERT
FROM: JOHN O. MARSH, JR.

_____ For Direct Reply

_____ For Draft Response

_____ For Your Information

_____ Please Advise

I would appreciate your getting
me the information on this
hearing.



July 22

THE WHITE HOUSE
WASHINGTON

TO: BRENT SCOWCROFT
FROM: JOHN O. MARSH, JR.

 For Direct Reply
 For Draft Response
XX For Your Information
 Please Advise



July 22

THE WHITE HOUSE
WASHINGTON

TO: MIKE DUVAL

FROM: JOHN O. MARSH, JR.

_____ For Direct Reply

_____ For Draft Response

_____ **XX** For Your Information

_____ Please Advise



July 22

THE WHITE HOUSE
WASHINGTON

TO: PHIL BUCHEN

FROM: JOHN O. MARSH, JR.

_____ For Direct Reply

_____ For Draft Response

_____ For Your Information

_____ Please Advise

I would appreciate your
reaction to the attached.



July 13, 1976

Dear Bella:

This will acknowledge receipt of your July 9 letter to the President requesting an Administration representative to testify at the hearings of your Subcommittee on Government Information and Individual Rights on July 27.

Please be assured your letter will be called promptly to the President's attention. You will hear further as soon as possible.

With kindest regards,

Sincerely,

Charles Leppert, Jr.
Deputy Assistant
to the President

The Honorable Bella Abzug
House of Representatives
Washington, D.C. 20515

bcc: w/inc to Philip Buchen for further handling

CL:VO:jem



JG. N.Y., CHAIRWOMAN
CALIF.
ATERS, J.R., MICH.
ERT H. MACDONALD, MASS.
N T. MOSS, CALIF.
MICHAEL HARRINGTON, MASS.
ANDREW MAGUIRE, N.J.
ANTHONY MOFFETT, CONN.

7-12
SAM STEIGER, ARIZ.
CLARENCE J. BROWN, OHIO
PAUL H. McCLOSKEY, JR., CALIF.

225-3741

NINETY-FOURTH CONGRESS

Congress of the United States

House of Representatives

GOVERNMENT INFORMATION AND INDIVIDUAL RIGHTS
SUBCOMMITTEE

OF THE

COMMITTEE ON GOVERNMENT OPERATIONS

RAYBURN HOUSE OFFICE BUILDING, ROOM B-349-B-C

WASHINGTON, D.C. 20515

July 9, 1976

MF
The Honorable Gerald R. Ford
President of the United States
The White House
Washington, D.C.

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The Honorable Gerald R. Ford
July 9, 1976

Page Two

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With kind regards, I am

Sincerely,

A handwritten signature in cursive script that reads "Bella S. Abzug". The signature is written in dark ink and is positioned above the typed name.

BELLA S. ABZUG
Chairwoman



THE WHITE HOUSE
WASHINGTON

August 4, 1976

MEMORANDUM TO: JACK MARSH
FROM: RUSS ROURKE

Jack, Goodman of CSC and Laise of State testified
before Committee on July 27.

Abzug did not press for a White House witness; Kilberg
advises the witnesses did well, and no problems developed
as a result of their testimony.



JUL 29 1976

THE WHITE HOUSE
WASHINGTON

July 28, 1976

MEMORANDUM FOR: JACK MARSH

FROM: PHILIP BUCHEN *P.*

In response to your memorandum (attached), which asked for comments on the Abzug letter of July 9 as acknowledged by Charlie Leppert on July 13, I attach a copy of a memorandum prepared by Bobbie Kilberg to Bob Oakley of the NSC.

You may want to check on what has developed since the matter was referred to the NSC staff.

Attachments

R - P/S trash this: when does it stand?
M



THE WHITE HOUSE

WASHINGTON

July 16, 1976

MEMORANDUM FOR:

BOB OAKLEY

FROM:

BOBBIE GREENE KILBERG

Bobbie

Attached at Tab A is a July 9 letter from Congresswoman Abzug to the President requesting that the President send a representative to a hearing on July 27 "who can testify as to the intent and meaning" of the President's November 20, 1975 memorandum on nondiscrimination in personnel assignments overseas.

This hearing was originally scheduled for December 1975, and we had cleared the testimony of Carl Goodman, General Counsel of the Civil Service Commission, and Carol Laise, Director General of the Foreign Service at the State Department. Congresswoman Abzug also had made a request for a Presidential representative for the December meeting (see Tab B: November 24, 1975 letter identical to July 9 letter). At that time, I had informed Eric Hirshorn of her Subcommittee staff that we considered Mr. Goodman and Ms. Laise to be sufficient Administration representatives and that they could answer all relevant questions, including the intent and meaning of the President's memorandum (see Tab C). I believe that it is the position we should continue to take.

Since the NSC is now coordinator in this area, I am sending this to you for action.

Attachments



July 22

THE WHITE HOUSE
WASHINGTON

TO: PHIL BUCHEN
FROM: JOHN O. MARSH JR.

 For Direct Reply

 For Draft Response

 For Your Information

 Please Advise

I would appreciate your
reaction to the attached.



July 13, 1976

*Copy to
Dairy*

Dear Bella:

This will acknowledge receipt of your July 9 letter to the President requesting an Administration representative to testify at the hearings of your Subcommittee on Government Information and Individual Rights on July 27.

Please be assured your letter will be called promptly to the President's attention. You will hear further as soon as possible.

With kindest regards,

Sincerely,

Charles Leppert, Jr.
Deputy Assistant
to the President

The Honorable Bella Abzug
House of Representatives
Washington, D.C. 20515

bcc: w/inc to Philip Suchen for further handling

CL:VO:jem



J. CALIF.
MYERS, JR., MICH.
WENT A. MACDONALD, MASS.
JOHN J. MOSE, CALIF.
MICHAEL HARRINGTON, MASS.
ANDREW WALLACE, N.J.
ANTHONY McFEEFF, CONN.

SAM STIGER, CALIF.
CLEMENCE J. BROWN, OHIO
PAUL M. McCLOSKEY, JR., CALIF.
225-3741

NINETY-FOURTH CONGRESS

Congress of the United States

House of Representatives

GOVERNMENT INFORMATION AND INDIVIDUAL RIGHTS
SUBCOMMITTEE

OF THE

COMMITTEE ON GOVERNMENT OPERATIONS

RAYBURN HOUSE OFFICE BUILDING, ROOM B-349-B-C
WASHINGTON, D.C. 20515

July 9, 1976

MF

The Honorable Gerald R. Ford
President of the United States
The White House
Washington, D.C.

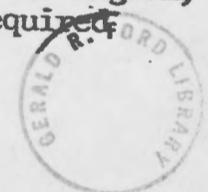
Dear Mr. President:

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Your memorandum to the Heads of Departments and Agencies dated November 20, 1975, is apparently a response to some of the problems dealt with in our hearings. While I am pleased to note your recognition of the fact that these are problems to which the Executive branch must address itself, I question whether your directive represents a substantive change in either the policies or the practices of Federal agencies in this area.

This subcommittee will hold a hearing on the adequacy of the memorandum and the implementation plans of the departments and agencies affected by it on July 27, 1976. This hearing was originally scheduled for December 10, 1975. We would appreciate your sending to this hearing a representative who can testify as to the intent and meaning of the memorandum.

The hearing will begin at 10:00 a.m., July 27, in Room 2203 of the Rayburn House Office Building. Please contact Mr. Timothy H. Ingram, Staff Director, at 225-3741, if you have any questions. As required



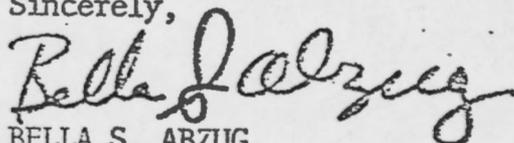
The Honorable Gerald R. Ford
July 9, 1976

Page Two

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With kind regards, I am

Sincerely,



BELLA S. ABZUG
Chairwoman



A



B



WOMAN
MICH
MAEDON
VOTE, CAL
WASHINGTON
WASHING
MAY 1977

STATE
PLANNING
FEDERAL
1975-1976

NINETY-FOURTH CONGRESS

Congress of the United States

House of Representatives

GOVERNMENT INFORMATION AND INDIVIDUAL RIGHTS

November 25, 1975

OF THE

COMMITTEE ON GOVERNMENT OPERATIONS

RAYBURN HOUSE OFFICE BUILDING, ROOM B-342-8-1

WASHINGTON, D.C. 20515

Dear Ms. Absug: November 24, 1975

This is a brief note to acknowledge receipt of your November 24 letter to the President, and to assure you it will receive prompt attention.

The Honorable
President
The White House
Washington

With kind regard,

Dear Mr. President:

Sincerely,

The Subcommittee has jurisdiction over policies and practices of Federal departments and agencies relating to individual rights. On April 8 and 9, 1975, we held hearings into policies and practices of various agencies in the assignment of personnel overseas at which Vernon C. Loeb, Deputy Assistant Secretary of State, the Treasury Department, the Department of Defense, the Army Corps of Engineers, and the U.S. Civil Service Commission testified.

Your memorandum to the Heads of Departments and Agencies dated November 24, 1975, is a response to some of the problems which we have identified. While I am pleased to note that these are problems to which the Executive branch must address itself, I question whether your directive represents a substantive change in either the policies or the practices of the departments and agencies. I question the adequacy of the memorandum and the implementation of the departments and agencies effected by it on December 10, 1975. We would appreciate your sending to this hearing a representative who can testify as to the intent and meaning of the memorandum.

The hearing will begin at 9:30 a.m., December 10, in the Government Operations Committee hearing room in the Rayburn House Office Building. Please contact Mr. Timothy H. Ingram, Staff



BELLA S. ABRAHAM, N.Y., CHAIRWOMAN
LEO J. RYAN, CALIF.
JOHN CONYERS, JR., MICH.
TORBERT H. MACDONALD, MASS.
JOHN E. MOSS, CALIF.
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SAM STEIGER, ARIZ.
CLARENCE J. BROWN, OHIO
PAUL N. McCLOSKEY, JR., CALIF.
225-3741

NINETY-FOURTH CONGRESS

Congress of the United States

House of Representatives

GOVERNMENT INFORMATION AND INDIVIDUAL RIGHTS
SUBCOMMITTEE

OF THE

COMMITTEE ON GOVERNMENT OPERATIONS

RAYBURN HOUSE OFFICE BUILDING, ROOM B-349-B-C
WASHINGTON, D.C. 20515

November 24, 1975

Re Hearing Dec. 10, 1975

me

The Honorable Gerald R. Ford
President of the United States
The White House
Washington, D.C.

Dear Mr. President:

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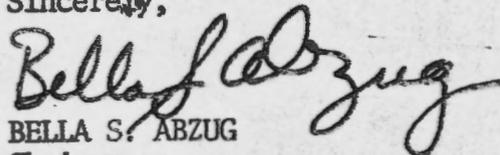
Honorable Gerald R. Ford
November 24, 1975

Page 2

Director, at 225-3741, if you have any questions. As required under the Committee rules, it will be necessary for you or your designee to provide 50 copies of your prepared statement to Mr. Ingram, in Room B-349C, Rayburn House Office Building, Washington, D.C. 20515, by Tuesday, December 9.

With kind regards, I am

Sincerely,



BELLA S. ABZUG
Chairwoman



2



Copy

THE WHITE HOUSE
WASHINGTON

November 20, 1975

MEMORANDUM FOR THE HEADS OF
DEPARTMENTS AND AGENCIES

The purpose of this Memorandum is to underscore the applicability of Executive Order 11478, the Equal Employment Opportunity Act of 1972 (P.L. 92-261); the Age Discrimination in Employment Act of 1967 as amended by P.L. 92-269; and pursuant regulations to all Federal personnel actions, including those which involve overseas assignment of employees of Federal agencies to foreign countries which have adopted exclusionary policies based on a person's race, color, religion, national origin, sex or age.

In making selections for overseas assignment, the possible exclusionary policies of the country to which an applicant or employee is to be assigned must not be a factor in any part of the selection process of a Federal agency. United States law must be observed and not the policy of the foreign nation. Individuals, therefore, must be considered and selected solely on the basis of merit factors without reference to race, color, religion, national origin, sex or age. Persons must not be "selected out" at any stage of the selection process because their race, color, religion, national origin, sex or age does not conform to any formal or informal requirements set by a foreign nation. No agency may list in its job description circulars that the host country has an exclusionary entrance policy or that a visa is required.

If a host country refuses, on the basis of exclusionary policies related to race, color, religion, national origin, sex or age, to grant a visa to an employee who has been selected by a Federal agency for an overseas assignment, the employing agency should advise the Department of State of this act. The Department will take appropriate action through diplomatic channels to attempt to gain entry for the individual.



The Civil Service Commission shall have the responsibility for insuring compliance with this Memorandum. In order to ensure that selections for overseas assignments are made in compliance with law, Executive Order, and merit system requirements, each agency having positions overseas must:

- (1) review its process for selection of persons for overseas assignments to assure that it conforms in all respects with law, Executive Order, and merit system requirements; and
- (2) within 60 days of the date of this Memorandum, issue appropriate internal policy guidance so that all selecting officials will understand clearly their legal obligation in this regard. The guidance must make clear that exclusionary policies of foreign countries based on race, color, religion, national origin, sex or age must not be considerations in the selection process for Federal positions. A copy of each agency's guidance in this regard should be sent to the Assistant Executive Director, U.S. Civil Service Commission, 1900 E Street, NW., Washington, D.C. 20415.

Gerald R. Ford



Some items in this folder were not digitized because it contains copyrighted materials. Please contact the Gerald R. Ford Presidential Library for access to these materials.

Administration May Seek Authority to Continue Guarding Kissinger

By BERNARD GWERTZMAN

Special to The New York Times

WASHINGTON, Nov. 22—Ford Administration officials said today that because of continued threats to Secretary of State Henry A. Kissinger's life, they were considering asking Congress for emergency authority to permit the Secret Service to guard him after he leaves office on Jan. 20.

At the moment, the law does not permit the Secret Service to continue protecting Mr. Kissinger once he becomes a private citizen in the afternoon on Inauguration Day.

The whole subject has been treated with extreme sensitivity within the outgoing

when he had the dual role of Secretary of State and national security adviser.

When he was forced to give up the White House job last year, the Secret Service continued to protect him but was reimbursed by the State Department.

State Department lawyers checked with the Justice Department, officials said, to see if the protection could be extended beyond Jan. 20. They were told no.

Humphrey and Agnew Had Guards

In 1968, President Lyndon B. Johnson extended Secret Service protection to Hubert H. Humphrey after he lost the November election to Mr. Nixon. In 1973, Mr. Nixon extended protection to Spiro T. Agnew after Mr. Agnew resigned the Vice Presidency.

"If the Secretary were assassinated or kidnapped by terrorists it would have worldwide consequences even if he were just an ordinary citizen," an aide said.

Under the law, former Presidents and their families are entitled to Secret Serv-

ice protection as are widows of Presidents. Protection is also extended to Presidential candidates, foreign chiefs of state and other special visitors to this country. Presidential representatives on foreign trips are also given protection.



New York Times
11/23/76