

The original documents are located in Box 10, folder “Domestic Council - Organization (1)” of the Philip Buchen Files at the Gerald R. Ford Presidential Library.

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*Domestic
Council*

Monday 12/16/74

12:30 Mr. Rumsfeld called to find out whether or not the
Domestic Council ^{uncle} requires confirmation by the Senate.

Checked with Barry:

The answer is "no" --

The President appoints an Executive Director, who is
an Assistant to the President designated by the President.

Domestic Council is not a part of the White House ---
only the assistant to the President.

(Reorganization Plan #2 of 1970 -- 84 Stat. 2085)

I called and gave Brenda the above information for Mr. Rumsfeld.



DOMESTIC COUNCIL COMMITTEE ON THE RIGHT OF PRIVACY

WASHINGTON, D.C. 20504

Doug Metz

Home: (301) 986-1949
Office: (202) 395-3254

December 20, 1974

MEMORANDUM FOR: PHILIP W. BUCHEN

FROM: DOUGLAS W. METZ

SUBJECT: Future Role of the Domestic Council
Committee on the Right of Privacy

The purpose of this memorandum is to establish a basis for decisions on the future organization of the Privacy Committee and particularly its staff operations. The memorandum is organized as follows:

- (1) Planning Assumptions and Requirements
- (2) Organizational Alternatives
- (3) Recommended Action
- (4) Next Steps

1. PLANNING ASSUMPTIONS AND REQUIREMENTS

The feasibility of various organizational alternatives should be assessed in a framework of operating assumptions and requirements impacting on the Privacy Committee.

- (1) The President Has Indicated That The Privacy Committee
Will Continue Indefinitely

7

On August 29, 1974, the President, based upon a decision memorandum of August 27, announced that the Privacy Committee will continue for the "indefinite future" and that the new Vice President, upon confirmation, will be designated its Chairman. For planning purposes it has been assumed that the Committee will exist through 1976.



(2) Organized Staff Support in Behalf of the Administration's Privacy Initiatives Should Continue.

Apart from the future role of a Cabinet-level Privacy Committee, privacy is likely to be a significant public issue for the foreseeable future. Because it affects government record-keeping information and telecommunications systems, the issue cuts across functional program and organizational lines in the Executive branch.

A staff of special expertise will continue to be required to support Executive branch policy review and initiatives in the field of privacy.

(3) Enactment of the Privacy Act of 1974 Will Not Obviate the Need for An Effective Privacy Policy Formulation and Coordination Staff in the Executive Branch.

The Privacy Act of 1974 is restricted to Federal agency record-keeping practices and excludes major categories of records such as criminal justice information. The present program of the Privacy Committee extends far beyond the Act's scope and signifies the continuing need for study and action in the privacy field.

Over 20 discrete program activities have been initiated, including:

A. Proposed Administrative or Legislative Initiatives Such As:

- (1) A voluntary Consumer Fair Information Code.
- (2) Constraints on the use of the Social Security Number, including repeal of Executive Order 9397.
- (3) Clarification of the privacy rights of Federal employees.
- (4) Prohibition of military surveillance of political activities and regulation of the use of criminal justice information.



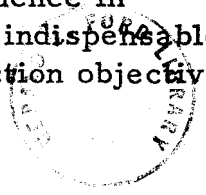
- (5) Safeguards on records maintained by banking and financial institutions on individuals.
- (6) Amendments to the Fair Credit Reporting Act.
- (7) Protections for statistical and research data.
- (8) Controls over access to welfare records.
- (9) Privacy protections in cable television systems.

B. On-Going Policy Review Projects, Encompassing the Privacy Aspects of:

- . Health and medical records.
- . Welfare records.
- . Employee records in the private sector.
- . Federal employee records associated with suitability, eligibility, investigations and access to classified information.
- . Standards for data integrity and security on computerized systems.
- . Electronic funds transfer systems.
- . Mail covers.

(4) Staff Operations Should Continue to be Structured Independent of Committee and other Executive Agencies.

When the question arose, after August 9, of naming a Committee agency head as interim Chairman, the President in the decision memorandum of August 27, specifically rejected this and affirmed the necessity of retaining a "strong, independent balance wheel" for privacy protection policy. There have been repeated attempts by Privacy Committee member agencies to construe privacy policy in ways that further their interests. Independence in staff operations and Committee leadership is indispensable to meaningful progress toward privacy protection objectives.



(5) The Size of Privacy Staff Operations Should Remain Modest and Continue at About Present Levels.

It is unlikely that privacy staff workloads will recede in the face of the need for:

- . Close monitoring of agency activities to assure speedy and effective implementation of fifteen Committee approved privacy initiatives.
- . Development and follow-through on over a half dozen legislative items of considerable import and complexity.
- . Monitoring of and selective participation in approximately nine formal project activities to assure that sound, well-coordinated policy initiatives result.
- . Maintenance of close working relationship with the Governors' Conference and other organizations of State and local officials and with private sector groups.
- . Public information activities to foster public understanding of the Administration's privacy policy and initiatives.

Primary reliance should continue to be placed on interagency task forces for basic research and study of policy alternatives. A Committee staff of about eight full-time professionals is the minimum required support for the Committee.

(6) Committee Staff Operations, to an Increasing Extent, Will Require Consideration of and Decisions on Other Aspects of Information Law and Policy, Such as Freedom of Information.

Confronted with administration of the new Freedom of Information Act Amendments and the probable enactment of privacy legislation, the agencies are seeking guidance



on policy, legal, administrative and technical interpretations of the bills and how information disclosure and withholding policies should be construed. Because of its interagency composition and independent and objective stance, the Privacy Committee is and should continue to be a logical focal point and forum for resolving "interface" problems between privacy and freedom of information law and regulations. Consideration, therefore, should be given to reconstituting the jurisdiction and structure of Privacy Committee staff operations in light of the growing need to interrelate the whole gamut of information policy concerns on access to Federal government information.

(7) Consideration Should Now Be Given to Streamlining Responsibility for Information Policy Matters in the Executive Branch.

Several reasons justify this action:

- . With a new Administration the time is opportune.
- . Information policy matters are receiving greatly increased visibility, e.g.
 - The amount and type of information collected
 - How information is classified, whether it relates to security or privacy or freedom of information.
 - Public disclosure policies (Freedom of Information Act as amended).
 - Privacy and confidentiality policies (Privacy Act of 1974).
 - Mail list policies.
 - Information retention policies for sensitive information (purging, sealing and destruction).



Currently, organizational responsibilities are widely fragmented among:

- OMB and GSA for weak data collection controls (with informal liaison with GAO for regulatory agencies)
 - Justice for limited impact Freedom of Information disclosure policies.
 - OMB, under the Privacy Act of 1974, for regulating agency behavior and compliance.
 - The White House for Congressional disclosure (executive privilege) policies.
 - The agencies for data classification actions pursuant to criteria established by Executive order.
 - GSA for security and privacy in information systems procurement and records retention and disposal policies.
 - The Privacy Committee for informational policy concerns relating to privacy.
 - The OTP for security and privacy in data communications.
 - Civil Service, Justice and Defense for regulations governing electronic surveillance, including polygraphs.
- Inconsistencies in administrative and legislative approaches are starkly apparent and need a unitary perspective, e.g., in definitions of records, files and systems, in information disclosure policies and in approaches to agency sanctions and subpenas provided by law.



The establishment by the Privacy Act of 1974 of a Privacy Protection Study Commission should not preclude the Executive branch from perpetuating a broadly constituted policy review and initiating mechanism concerned with privacy aspects of Federal information policy. It remains to be determined to what extent the study program of the new Commission will encompass and/or overlap the existing and proposed activities of the Domestic Council Committee. Such a determination might not be made for several months.

The Commission, moreover, may because of its composition (4 Congressionally appointed members and 3 Presidential appointees) not be responsive to Executive branch concerns and priorities and may even be in opposition to some of them.

There is a legitimate need, therefore, for a continuing group responsible for overall policy review and initiation with an Administration perspective. OMB, charged by the Privacy Act with administration of its provisions will have its hands full in this regard and I believe it unwise to vest in one member of the Privacy Committee responsibility for privacy policy coordination in the myriad areas beyond the limited scope of the Act. The "independent balance wheel" concept approved by the President and mentioned previously should be retained as a fundamental requirement in rethinking options for staff organization.



2. ORGANIZATIONAL ALTERNATIVES

The following are believed to be the major alternatives for consideration.

(1) Continue Staff Operations on an Informal, Unofficial Basis.

Currently Privacy Committee staff operations are under the Domestic Council for policy oversight and guidance. The Office of Telecommunications Policy (OTP) is providing space, administrative support and an administrative and budgetary "home" for the Executive Director and for other staff members not on detail from other Federal agencies. This situation is awkward from a management standpoint and constitutes a special administrative and budget burden for OTP. Prolongation of the present arrangement may mitigate against the appearance of independence in Privacy staff operations and, by claiming a not insignificant share of OTP's budget resources, risks foreclosure to that extent of program options otherwise available to OTP in pursuing its regular mission. These observations should be in no way construed to evidence any dissatisfaction with the quality and quantity of OTP support for the Privacy Committee objectives, but simply to argue that a more formal footing should be established for support of Committee operations.

(2) Make Staff Operations a Part of the Vice President's Office

This alternative would provide a desired neutral and independent position for Privacy staff operations. On the other hand, such action risks isolation of staff operations and effectiveness from the normal decision-making apparatus of the Executive Office. We have found that close linkage in the chain of command to the President facilitates decision making and action. Depending on how such a staff operation were structured in the Office of the Vice President, there could be a danger of subordinating privacy protection efforts to other Vice Presidential staff activities. Clearly, however, the Vice President, as Chairman, should control the appointment of the Committee's Executive Director, but Committee staff operations should be set apart from the regular Vice Presidential staff operations.



(3) Make Privacy Staff Operations a Part of an Existing Executive Office Agency.

The singular advantage of this option would be to assure that staff operations would be in the Executive Office and above the line agencies. The major disadvantage would be the risk of subordinating privacy policy to the dominant mission and interests of the agency providing a formal "home" for the staff.

The Domestic Council's charter envisions support for ad hoc interagency activities such as the Privacy Committee but not provision of a permanent home for such activities.

(4) Make Privacy Staff Operations a Part of an Existing Department in the Executive Branch.

This alternative is even less attractive than the one previously described. Not only would staff be unable to provide a desired independent balance wheel role, but interagency coordination would be frustrated by interagency rivalries. This alternative might be more appealing if the Committee Executive Director were made an Assistant to the President for privacy policy matters, (similar to Mrs. Knauer's role as Assistant for Consumer Affairs) thereby enabling the staff to trace its legitimacy and support to the Executive Office.

(5) Spin Off Privacy Committee and Its Staff Operations to a Commission Set Apart From the Executive Branch.

Although this course would provide maximum independence for Committee operations, it would severely retard its effectiveness by removing it from the mainstream of Executive branch decision making. The Privacy Act of 1974 establishes a Privacy Protection Study Commission composed, and potentially controlled, by a majority of members appointed by the Legislative branch.

(6) Create a Small Independent Unit in the Executive Office with Expanded Information Policy Concerns

This option has the advantage of assuring (1) independence of operation, (2) staffing of the Privacy Committee by an established Executive Office agency, and (3) flexibility in addressing closely related information policy concerns such



as Freedom of Information policies and practices. Its principal disadvantage is dilution of an exclusive public focus on privacy. This, however, may be advantageous as the privacy issue recedes into the broader question of Federal government policy on access, generally, to information.

3. RECOMMENDED ACTION

There should be established forthwith in the Executive Office of the President, an Office of Information Law and Policy to be the focal point for legal and public policy research, guidance and expert advice to agencies on matters affecting the information collection and disclosure practices of Federal agencies. The Privacy Committee staff would form the new Office.

Looking back over the last ten years, one can see that the need for such an entity has been growing steadily. First there was the national statistical data center controversy which gave rise to our current concern about the protection of personal privacy; then, in 1967, the Freedom of Information Act; and now wide-ranging debate over the classification practices of Federal agencies, Federal policy on information systems procurement, Executive privilege, the impact of Federal grants and contracts on information-handling practices at other levels of government and in the private sector, the complex issue of privileged communication (between doctor and patient, case worker and client, researcher and data subject), and the perennial question of how to curb, or at least control, the government's voracious appetite for information of all kinds.

It is clear that in the long run we are not going to be able to duck any of these issues, but even now we may be verging on a situation in which the Congress, prompted by the persistently reactive and desultory behavior of the Executive branch, will seek to impose one or more solutions on us. At one point in its deliberations on privacy legislation, the Moorhead Subcommittee showed itself quite willing to think about creating an independent Commission on Privacy and Freedom of Information. The Privacy Act of 1974 establishes a Study Commission with roving subpoena power.

In the light of these developments, and having seen how important it is to provide timely guidance on policy issues as controversial as some of those raised by the Freedom of Information Act Amendments, it is recommended that the President establish, within the Executive Office of the President, a small, competently staffed Office of Information [Law and] Policy to provide him with independent advice and to provide the agencies with clear guidance on Administration information retention and disclosure policies.



A staff not much larger than the current staff of the Domestic Council Committee on the Right of Privacy (8 professionals) would be about the right size, since the Office, like the Committee staff, should be able to call upon the agencies for help in initial fact finding and in the preliminary development and exploration of policy alternatives. Overall the ad hoc task force approach has served the Privacy Committee well; when it has faltered, doubt about White House support appears to have been the chief cause. Also, it is important to avoid even the appearance of setting up a cumbersome bureaucracy, or creating an all-powerful "data czar" (a major reason why, with all due respect, such a policy-making function should not be lodged in OMB).

The Office should not have operational responsibilities; certainly not the regulatory responsibilities of OMB under the Privacy Act of 1974. The agencies would be accountable fully for implementing all information policies and practices. However, the policy oversight, guidance and coordination responsibilities on information matters that are now dispersed among the Privacy Committee, the Freedom of Information Committee at Justice, and various units of OMB and GSA should be consolidated in the new office. The day-to-day operating functions of the line agencies mentioned should remain intact, at least until there has been a thorough study--conceivably one of the new Office's first projects--of the need for government-wide restructuring of decision making and operation with respect to information management. Although the core staff would always be small it should have its own budget, be able to secure consultants, as needed, and be capable of tapping agency budgets for contract or grant funds needed to undertake special studies.

4. NEXT STEPS

It is recommended that prompt action be taken to:

- . Review this memorandum with new Chairman of the Privacy Committee.
- . Staff out proposal to key White House and Executive office personnel.



[1/75?]

DOMESTIC COUNCIL

Gerald R. Ford, The President of the United States
Nelson A. Rockefeller, The Vice President of the United States
Secretary of Housing and Urban Development
William Simon, Secretary of the Treasury
Peter J. Brennan, Secretary of Labor
Caspar W. Weinberger, Secretary of Health, Education & Welfare
Rogers C.B. Morton, Secretary of the Interior
Frederick B. Dent, Secretary of Commerce
Earl L. Butz, Secretary of Agriculture
Secretary of Transportation
The Attorney General
Alan Greenspan, Chairman, Council of Economic Advisors
Director, Office of Management and Budget
Richard L. Roudebush, Administrator of Veterans' Affairs
Russell E. Train, Administrator of the Environmental
Protection Agency.
Russell W. Peterson, Chairman, Council on Environmental
Quality
Michael P. Balzano, Jr., Director of ACTION



[175?]

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Protection Agency.
Russell W. Peterson, Chairman, Council on Environmental
Quality
Michael P. Balzano, Jr., Director of ACTION



[1/75?]

~~while at the same time~~

in the Domestic Council's planning functions.

~~while at the same time~~ At the same

time the staff of the Council shall

continue to provide

It is important that the Council and its staff
~~Because of the importance of~~ carry out

equally well both ^{in its longer-range} the planning

functions of the Council and

its day to day responsibilities for providing

rapid responses to Presidential

policy advice to the President

and review of ~~an~~ ongoing programs.

Therefore, I ~~am~~ have asked

the Vice President in my behalf

to ^{review regularly and to advise me concerning} ~~oversee~~ the operations of the Council and its staff

so as to ^{help} ~~assure~~ assure that both ~~basic~~ basic

objectives of the Council are

adequately fulfilled. At the same time Also

I designate the Vice President

to preside, in my absence, over meetings

of the Council and to ~~preside~~ preside

over meetings of sub-groups of

the Council as may be ^{called} ~~formed~~ from

time to time.

← In ~~an~~ appointing

as to be Assistant to the Executive

Director of the Council and Assistant

to the President for Domestic and

Economic Affairs. In addition,



Tom
making the following appointments:

Assistant to the President
for Domestic Council Planning
Policy Planning

Assistant to the President
for Domestic Council
Staff Operations



[1/75?]

Policy Planning], [Coordinator of Policy Development]

MEMO FOR THE PRESIDENT

DIS

~~THROUGH: DAN RUMSFELD~~

FROM: PHILIP BUCHEN

SUBJECT: Domestic Council

This review of the Domestic Council and ^{of} matters to be considered for your approval arises from ⁽ⁱ⁾ the need ^{for you} to fill a vacancy about ^{to} occur in the position of ~~the~~ Executive Director of the Council. (ii) your desire to involve the Vice President ^{actively} in functions of the Council, and its staff, and (iii) the urgency of having the Council and its staff operate effectively and without let-down ^{on policy matters} in this critical period of the current session of Congress and in ^{to plan further} preparation ^{initiatives to be taken} for ~~the second~~ ^{the second} not later than early 1976 and in planning policy ~~as well as over~~ and over a longer period.

Under Tab A is a copy of the reorganization plan and accompanying message ~~which~~ which established the Domestic Council in 1970.

Under Tab B is a list of the present Council members, the last



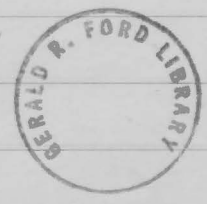
Under Tab A is a draft memorandum for your consideration that incorporates suggestions earlier proposed to you in a conference with your Cabinet Level Advisers and Jim Lynn. Principal issues to be resolved before determining^{ing} on the final form and content of the document to be issued:ro

1. Memorandum or Executive Order No legal reason exists for using the more ~~for~~ issuing an Executive Order, and I recommend a memorandum because it requires less formality and can more readily be changed.

Approve _____ Disapprove _____

2. Membership of Council The mandatory membership is shown under Tab B and includes, besides The President and Vice President, all heads of Cabinet Departments except State and Defense. Those presently on the Council are listed under Tab C.

1



~~— of whom on the list were optional~~
~~and were added by the former President.~~
 In addition, the former President had
 at one time included by name his Counsellors
 Armstrong and Harlow and by title his
 Counsellor for Domestic Affairs, also the
 Director of the Energy Policy Office and
 the Deputy Director of OMB. However,
 these added officials are ^{not} now regarded as
 members of the Council, and their inclusion
 at one time appears to have arisen from
 special circumstances no longer existing.
 It is recommended that all officials
 listed under Tab C be included except
 for the Director of ACTION. The draft
 memorandum (Tab A) lists them by
 title at the beginning, and deals ^{in the text} with
~~persons or~~
~~members of your immediate staff~~
^{should be involved}
 who ~~might~~ in some respects ~~would in~~
~~ordinary~~ during ^{the} course of their regular
 duties ~~and~~ by so indicating without
 making them members ~~of the~~ of the
 Council proper. Those included who are
 not heads of Cabinet Departments
 should be retained if you agree that
~~they~~ ^{they} are needed to serve on ^{certain} task forces
 of the Council and that to expect their
 involvement would ~~not~~ be inconsistent
 with eliminating them ^{now} from membership.

Approve _____ Change by adding _____

by deleting _____



3. ~~Existing~~ Committee Structure of Council

Present Committees, ^{earlier} ~~as~~ created by memoranda from the former President, are shown under Tab D. If, ~~as~~ has been recommended to you, you ^{choose} ~~choose~~ to have ad hoc task forces created from time to time, ~~you~~ ~~shouldn't~~ ~~in~~ ~~the~~ your memorandum should ~~eliminate~~ abolish the Committee structure. However, I am advised by Ken Cole that to do away with the Community Development Committee you may offend certain interests in Congress which had wanted to force creation of an additional Council on Urban Development but which were forestalled by the establishment of this Committee under the Domestic Council. Also, I am advised that Veteran's organizations put great stock in the Committee on Veterans Services. Therefore, I recommend maintaining only those Committees and eliminating the rest. The Committee on Privacy you know about, and I recommend that it and its staff be maintained for the time ^{being}.
Approve: Change as follows:

4. The Staff Structure The present staff is headed by an ^{Executive Director who is also} Assistant to the President for Domestic Affairs, as the reorganization plan requires. It also has a Deputy Director (James H. Gavanaugh) and four Associate Directors separately designated for:

1. Human Resources



2. Natural Resources
3. Community Development
4. General Government

In addition, there is an Associate Director for Intergovernmental Relations, which position relates to Executive Order 11690 under which the former President delegated to the Executive Director of the Domestic Council the additional responsibilities of assisting the President with respect to intergovernmental relations generally and ^{of filling} ~~to~~ certain specified functions in that respect (Tab E).

It is recommended that in addition ^{to} the required top staff position there be a Deputy as at present plus ~~at least one or~~ new Associate ~~position~~ Director for intermediate and long ^{future} range policy planning. In Tab A the title "Associate Director of the Council for Future Programs" is proposed but ^{certain} other titles ~~are~~ would be equally ~~as~~ appropriate. If there should be another parallel position ~~for~~ the ~~a person~~ in connection with all day-to-day policy functions, another new position would be necessary but otherwise such function would fall to the Deputy.

Approve:



a) One new position with title of _____

b) A second new position with title of _____

c) Or as follows: _____

5. The Role of the Vice President
 Having in mind ^{Due to the language of the} Reorganization Plan (Tab B) which calls for the ~~Dep~~ Executive Director to be your Assistant and to perform such functions as you direct and having in mind the relationship of the Council Director and staff to other ^{officials and} ~~operations~~ ^{recommended} under your direct control, ⁱⁿ the role of the Vice President has been stated as provided in the draft memorandum (Tab A) in the second last paragraph on page 2.

Approve: _____

Change as follows: _____



Alabama history. which is only to say that the times had indeed changed in these parts, even if the Alabama electorate's inclination to governors named Wallace remains a political constant.

For that matter, Wallace's political staying power extends beyond these parts. With Richard Nixon now consigned to history and the perennial Hubert Humphrey no longer a contender, the Alabamian holds honors as the most persistent of all extant seekers after the presidency.

Charles Bartlett:

Now Ford Has a Team

The President's delegation to Nelson Rockefeller of control over the Domestic Council promises to be a bold and novel experiment in the utilization of a vice president.

This is what Rockefeller wanted. Ford's willingness to give it to him is a considerable mark of trust because the Domestic Council was created to be the President's domestic policy arm, an instrument designed to shape his intentions in all areas that do not concern foreign and economic affairs. Ford is delegating a big slice of power.

While the decision has not been announced as this is written, it appears that Ford will wholly commit control of the council to Rockefeller and allow him to place his own men, James Cannon and Richard Dunham, in charge of the council's staff of 35 specialists. Cannon will take the role first held by John Ehrlichman and more recently by Kenneth Cole. He will thus become one of the key figures in the executive office.

Rockefeller had to push hard to accomplish this intrusion on the normal preserves of the White House staff. Ford's chief aide, Ronald Rumsfeld, had proposed John Robson, a close friend and Chicago attorney with distinguished credentials, for the sensitive slot. Rumsfeld arranged a meeting between Robson and Rockefeller, but the vice president continued to argue that he could not take command of the council unless his own man took command of the council staff.

This means that the director of the council will report to the President through the vice president, an arrangement made daring by the fact that the latter has no constitutional ties to the chief executive. The freedom of vice presidents to pursue their own policies has always been a barrier to their close involvement in executive operations.

However, the unique and parallel circumstances by which the Ford-Rocke-

their fellow orthodox conservatives tra- theirs to Bryan's opponents. Politics can make odd bedfellows. But to project a merger of the ideological heirs of Bryan and William McKinley is to ask too much.

Thus, as a veteran Wallace-watcher, I would not bet even a Confederate dollar on any likelihood that the Alabama governor will heed such advice as Buckley offered. Any more than I would bet against the likelihood that four years hence the person taking the oath as Alabama governor will be someone named Wallace.

feller team came to power brings trust to their relationship. They have a crisis to face and little to argue about, because time and events have brought Rockefeller close to Ford in the ideological center of the Republican party.

Rockefeller's capacity to impart electricity to his ventures has produced a hospitable climate for his intrusion. The yeasty new director of OMB, James Lynn, is delighted at the prospect of a close collaboration and foresees no conflicts. Thanks to the outgoing OMB director, Roy Ash, the friction between OMB and the Domestic Council has been largely eliminated.

IN the days when Richard Nixon wanted the government run from the White House, the council under Ehrlichman expended its preserves with broad interpretations of its concern with policy. Ehrlichman assembled a huge staff which poked into everything. But as the old order faded away, Ash managed to prune the council's staff from 75 to 38 and to draw some lines around its policy-making functions.

Rockefeller will bring to the council the momentum of his Herculean quest for a definition of the nation's "critical options." He is steeped in the substance of domestic problems and can fold his task force findings into the council's deliberations, which may be focused more heavily on the long term because of the President's ban on new domestic programs in the short term.

The obvious risks in the arrangement are clearly outweighed by its potential advantage.

This all will mean that President Ford, about to embark on far-flung tasks of salesmanship, has a team at last. With an assurance of strong support on the diplomatic, economic and domestic policy fronts from Henry Kissinger, William Simon, and Rockefeller, he has a chance to embellish his leadership with a new show of confidence.

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PA meets daily with VP at fixed time daily on
 All major items going on
 Supplies (offers to supply) all working papers on hand
 [but would not prepare special briefing papers]
 PA estimate of future issues
 Areas of possible inquiry, special study, or other
 intervention of PA or suggested to him by others

VP decides and expresses

Viewpoints to be included in oral or written submissions
 to the President.

[PA also ~~xxxxxx~~ submits own views when they are different
 Matters on which he would like to participate more fully

Attending relevant staff meetings

Receiving more detailed papers

Participate in meetings with President

[along with PA and other relevant WH staff]

Matters (whether mentioned by PA or introduced by VP) where
 further inquiry, special studies, or other interventions
 are desirable.

Whether PA agrees or not, he would try to work it
 out within the limits of available personnel and
 other resources.

Who decides on relative priorities when resources
 inadequate to do all that PA and VP want to do?

In first instance, PA

If VP disagrees, he decides

In rare instances (and none are anticipated),

PA can appeal to President

PA relation to VP staff: none. To the extent that VP wishes
 to be involved, PA deals with him directly and immediately and
 not with his staff.

VP relation to Domestic Council staff:

Working relationship:

Staff immediately responsible to PA, but VP free
 to consult any staff member directly

to request advice ~~xxxxxx~~ from any staff member

to request work from any staff member

(subject to PA ~~xxxxxx~~ responsibility for getting
 daily work done and the longer-range priority
 procedure noted above).

Hiring (and firing)

By PA, in consultation with ~~xxxxxx~~ President
 (in limited circumstances), VP, and DR

Alternative [less desirable to PA]: By PA (with DR
 except that VP appoints "his man" to one deputy
 director slot.



*I would
 omit
 whole
 section*

VP policy development initiatives outside the Domestic Council
 Can obviously use own staff.
 Can employ outside consultants as allowed by VP's U.S. budget
 Can consult outside persons or groups at will
~~Should not hire outsiders with personal funds~~
 Can encourage or stimulate foundations or other outside
 groups to undertake studies, inquiries, etc.

CAVEAT: Administration might be embarrassed by the
 conclusions of "sponsored" groups whose composition

DESCRIPTION

VP is vice chairman

And oversees the work of the Domestic Council

PA is Assistant to the President for Domestic Affairs and
Executive Director of the Domestic Council

And reports to the President and to the Vice President



[Jan. 1975?]

Domestic Council

**Jim Cannon, Executive Director of the Domestic Council
and Assistant to the President for domestic affairs**

Dick Dunham, Deputy Director of the Domestic Council



THE WHITE HOUSE

WASHINGTON

January 6, 1975

MEMORANDUM FOR: PHIL BUCHEN
THRU: KEN LAZARUS *KL*
FROM: BARRY ROTH *BR*
SUBJECT: Statutory Role of the Vice President
with Respect to the Domestic Council

The Domestic Council was established by Reorganization Plan No. 2 of 1970, 84 Stat. 2085, 5 U.S.C.A. Appendix II. The Plan specifically provides that the Vice President is a member of the Domestic Council (Section 201(b)), however it is silent as to what role the Vice President is to play with respect to the operation of the Domestic Council. Section 201 (c) provides that in the absence of the President, meetings of the Domestic Council shall be presided over by a member designated by the President. The Message to the Congress from President Nixon that accompanied the proposed plan is also silent as to what role the Vice President is to play in the Domestic Council's operations.

Statements recently appearing in the press have referred to the Vice President as the statutory vice chairman of the Domestic Council. Although this is not accurate, the President has clearly indicated his desire for the Vice President to undertake this role. In light of this new responsibility and the silence of the Plan and its history as to the Vice President's role, it might therefore be desirable for the President, pursuant to Section 201 (c), to designate in writing -- by memorandum or Executive Order -- the Vice President as Vice Chairman of the Domestic Council, and perhaps describe generally the duties he wishes the Vice President to undertake. If you agree, I will draft the appropriate documents for your review.

Approve, prepare appropriate materials _____
Disapprove _____
See Me _____



January 8, 1975

MEMORANDUM

TO : The Vice President and Members of the
Domestic Council

FROM : The President

SUBJECT: The Domestic Council

In order to help me carry out my responsibilities for domestic policy formulation, particularly in the light of our present national urgencies, I am anxious that the Domestic Council fulfill its original purposes of:

Assessing national needs and identifying
alternative ways of meeting them

Providing rapid response to Presidential
needs for policy advice

Coordinating the establishment of national
priorities for the allocation of available
resources;

Maintaining a continuous policy review of
on going programs, and

Proposing reforms as needed.*

Accordingly I request the Domestic Council to coordinate policy formulation in the Domestic area. In this activity the Council will concern itself with policy and the Office of Management and Budget will be concerned with the fiscal side. As an integral part of its responsibilities the Domestic Council will continue to serve as the coordinator of Federal-State-local problems brought to the President's attention by State or local officials.

*Reorganization Plan No. 2 of 1970 and the accompanying messages.



It is important that the Council and its staff carry out equally well both its longer-range planning functions and its day-to-day responsibilities for providing policy advice to the President and review of ongoing programs. Therefore, I have asked the Vice President in my behalf to review regularly and to advise me concerning the operations of the Council and its staff so as to help assure that both basic objectives of the Council are adequately fulfilled. I designate the Vice President to preside, in my absence, over meetings of the Council and to preside over meetings of sub-groups of the Council as may be called from time to time.

I am appointing _____ to be the Executive Director of the Council and Assistant to the President for Domestic [and Economic] Affairs. In addition, I am making the following appointments:

Assistant to the President
for Domestic Council
Policy Planning

Assistant to the President
for Domestic Council
Staff Operations



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: Thursday, January 9, 1975

Time: 9:30 a.m.

RUSH

FOR ACTION: KEN COLE

cc (for information):

JIM LYNN

ROBERT HARTMANN ✓

ROY ASH

JACK MARSH

FROM THE STAFF SECRETARY

DUE: Date: THURSDAY, January 9, 1975Time: 6:00 p.m.

SUBJECT:

Memo from the Vice President (1/8/75) re: The Domestic Council

ACTION REQUESTED:

☐ For Necessary Action☒ For Your Recommendations☐ Prepare Agenda and Brief☐ Draft Reply☒ For Your Comments☐ Draft Remarks

REMARKS:

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Jerry H. Jones
Staff Secretary





THE VICE PRESIDENT
WASHINGTON

January 8, 1975

TO: The President
FROM: The Vice President
SUBJECT: The Domestic Council

Gerald R. Ford

I am attaching a memorandum or an Executive Order that you may wish to send to the Vice President and members of the Domestic Council which incorporates your wishes relating to my role on your behalf in organizing the work of the Domestic Council.



Because of the complexity and interrelationship of domestic policies and programs, I believe the broadest perspectives must be brought to bear in the Domestic Council's deliberations. For this reason, I have asked the Vice President to serve as Vice Chairman of the Council and to oversee the work of the Domestic Council. I have requested that the Executive Director of the Council and Assistant to the President report to me through him.

To expedite the work of the Council in my behalf, the Vice President will have the authority to form review groups at the Under-Secretary level, over which he or his designee will preside.



January 8, 1975

EXECUTIVE ORDER

No. _____

January _____, 1975, _____ F.R. _____

PREScribing THE RESPONSIBILITIES OF THE DOMESTIC
COUNCIL IN THE EXECUTIVE OFFICE OF THE PRESIDENT

In order to help me carry out my responsibilities for domestic policy formulation, particularly in the light of our present national urgencies, I am anxious that the Domestic Council fulfill its original purposes of:

Assessing national needs and identifying
alternative ways of meeting them

Providing rapid response to Presidential
needs for policy advice

Coordinating the establishment of national
priorities for the allocation of available
resources;

Maintaining a continuous policy review of
on going programs, and

Proposing reforms as needed.*

Accordingly I request the Domestic Council to coordinate policy formulation in the Domestic area. In this activity the Council will concern itself with policy and the Office of Management and Budget will be concerned with the fiscal side. As an integral part of its responsibilities the Domestic Council will continue to serve as the coordinator of Federal-State-local problems brought to the President's attention by State or local officials.

*Reorganization Plan No. 2 of 1970 and the accompanying messages.



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To expedite the work of the Council in my behalf, the Vice President will have the authority to form review groups at the Under-Secretary level, over which he or his designee will preside.



THE WHITE HOUSE

WASHINGTON

January 6, 1975

MEMORANDUM FOR: PHIL BUCHEN
THRU: KEN LAZARUS *KL*
FROM: BARRY ROTH *BR*
SUBJECT: Statutory Role of the Vice President
with Respect to the Domestic Council

The Domestic Council was established by Reorganization Plan No. 2 of 1970, 84 Stat. 2085, 5 U.S.C.A. Appendix II. The Plan specifically provides that the Vice President is a member of the Domestic Council (Section 201(b)), however it is silent as to what role the Vice President is to play with respect to the operation of the Domestic Council. Section 201 (c) provides that in the absence of the President, meetings of the Domestic Council shall be presided over by a member designated by the President. The Message to the Congress from President Nixon that accompanied the proposed plan is also silent as to what role the Vice President is to play in the Domestic Council's operations.

Statements recently appearing in the press have referred to the Vice President as the statutory vice chairman of the Domestic Council. Although this is not accurate, the President has clearly indicated his desire for the Vice President to undertake this role. In light of this new responsibility and the silence of the Plan and its history as to the Vice President's role, it might therefore be desirable for the President, pursuant to Section 201 (c), to designate in writing -- by memorandum or Executive Order -- the Vice President as Vice Chairman of the Domestic Council, and perhaps describe generally the duties he wishes the Vice President to undertake. If you agree, I will draft the appropriate documents for your review.

Approve, prepare appropriate materials _____
Disapprove _____
See Me _____



THE WHITE HOUSE

WASHINGTON

January 11, 1975

MEMORANDUM FOR: PHIL BUCHEN

FROM: KEN LAZARUS *KL*

SUBJECT: THE DOMESTIC COUNCIL: ROLE
OF THE VICE PRESIDENT

You raised the question of whether there are any legal restrictions on the assignment of specific functions or authority to the Vice President within the organizational structure of the Domestic Council.

The Council was established by Part II of Reorganization Plan No. 2 of 1970 (Eff. July 1, 1970, 35 F.R. 7959) pursuant to the provisions of the Legislative Reorganization Act (5 U.S.C. Ch. 9). Thus for analytical purposes, constitutional issues should be placed aside and the Plan viewed as having the force of statute.

A review of the plan leads me to the conclusion that there are only three limitations on the assignment of functions and authority within the Council. Absent congressional approval, (1) the Council could not be formally disbanded; (2) it would be inappropriate to exclude any member of the Cabinet or to interfere with his control over the operations of his Department; and (3) the position of Executive Director (Assistant to the President) could not be abolished nor could the position be filled by anyone other than the President.

Apart from these limitations, Sec. 202 of the plan is clear authority for the President to assign any function or authority of the Council to the Vice President. This assignment could take the form of an executive order, memorandum or informal directive.



January 8, 1975

MEMORANDUM

TO : The Vice President ^{at the} and Members of the Domestic Council

FROM : The President

SUBJECT: The Domestic Council

B " In order to help me carry out my responsibilities for domestic policy formulation, particularly in the light of our present national urgencies, I ~~am anxious that~~ ^{want to have} the Domestic Council ~~to~~ fulfill its original purposes of:

Assessing national needs and identifying alternative ways of meeting them

Providing rapid response to Presidential needs for policy advice

Coordinating the establishment of national priorities for the allocation of available resources;

Maintaining a continuous policy review of on going programs, and

Proposing reforms as needed.*

Accordingly I request the Domestic Council to coordinate policy formulation in the Domestic area. In this activity the Council will concern itself with policy and the Office of Management and Budget will be concerned with the fiscal side. As an integral part of its responsibilities the Domestic Council will continue to serve as the coordinator of Federal-State-local problems brought to the President's attention by State or local officials.

*Reorganization Plan No. 2 of 1970 and the accompanying messages.



It is important that the Council and its staff carry out equally well both ~~in~~ its longer-range ^{policy} planning functions and its day-to-day responsibilities for providing policy advice to the President and review of ongoing programs. Therefore, I have asked the Vice President in my behalf to review regularly and to advise me concerning the operations of the Council and its staff so as to help assure that both ^{basic purposes} ~~basic objectives~~ of the Council are adequately fulfilled. I designate the Vice President to preside, in my absence, over meetings of the Council and ~~to preside~~ over meetings of sub-groups of the Council as ~~may be called from time to time~~, ^{with full power to} ~~sub-delegate to his authority,~~

I am appointing _____ to be the Executive Director of the Council and Assistant to the President for Domestic ~~and Economic~~ Affairs. In addition, I am making the following appointments:

end

Assistant to the President
for Domestic Council
Policy Planning

Assistant to the President
for Domestic Council
Staff Operations

THE WHITE HOUSE

WASHINGTON

August 2, 1973

MEMORANDUM FOR

THE DOMESTIC COUNCIL

The Vice President
Secretary of the Treasury
Attorney General
Secretary of the Interior
Secretary of Agriculture
Secretary of Commerce
Secretary of Labor
Sec. Secretary of Health, Education and Welfare
Sec. Secretary of Housing and Urban Development
Sec. Secretary of Transportation
Counsellor to the President Armstrong
Counsellor to the President Harlow
Counsellor to the President for Domestic
Affairs
Director, Energy Policy Office
Director, Office of Management and Budget
Chairman, Council of Economic Advisers
Administrator of Veterans Affairs
Administrator of the Environmental
Protection Agency
Chairman, Council on Environmental Quality
Deputy Director, Office of Management
and Budget

SUBJECT:

Domestic Council Committees

This is to establish a number of new Domestic Council Committees in particular substantive policy areas.

Each committee is tasked with lead responsibility in its appropriate area for developing, coordinating and presenting to me both short term and long range domestic policy issues. Further, each committee, working in close coordination with my congressional relations staff, will have lead responsibility for reviewing on a continuing basis legislation pending before the Congress and recommending to me such actions as may be necessary to successfully achieve our legislative objectives with the Congress.



The members of each committee are comprised of the appropriate members of the Domestic Council and other appropriate members in the Executive Branch. I have chosen a chairman for each committee whose responsibilities within the Administration most closely parallel those of his committee. Please notice that several committees have rotating chairmen, determined by the nature of the issue which the committee is considering. Each chairman should feel free to appoint subcommittees within his committee as he deems necessary.

An Associate Director of the Domestic Council staff will be assigned to coordinate staff work for each committee.

Our new committees are an effort to ensure that substantive responsibility for policy development and coordination is maintained by the Cabinet. I am confident that the new committee structure can work effectively to promote and coordinate our policies and I would appreciate each committee chairman submitting to me in several months an assessment of each committee's performance.

DOMESTIC COUNCIL COMMITTEES

I. The Natural Resources area:

A. The Committee on Environmental Resources

Chairman - Secretary of the Interior

Vice Chairman - Secretary of Agriculture

Members - Attorney General, Secretary of Commerce,
Director of the Office of Management
and Budget, Chairman of the Council
on Environmental Quality, Administrator
of EPA, Under Secretary of the Army

II. The Community Development area:

A. The Committee on Community Development (rotating chairman)

Secretary of Agriculture - Chairman Rural Development
Committee

Secretary of HUD - Chairman Urban Development Committee

Secretary of Transportation - Chairman Transportation
Policy Development Committee

Members - Secretary of Treasury, Secretary of Commerce,
Secretary of Labor, Director of the
Office of Management and Budget



B. The Committee on Civil Rights Policy

Chairman - Attorney General

Members - Secretary of Defense, Secretary of Labor
Secretary of HEW, Secretary of HUD,
Director of the Office of Management
and Budget

C. The Committee on the Bicentennial

Chairman - Counsellor to the President Armstrong

Members - Secretary of State, Secretary of Treasury,
Secretary of the Interior, Secretary of
Commerce, Director of the Office of
Management and Budget

III. The Human Resources area:

A. The Committee on Health Insurance

Chairman - Secretary of HEW

Members - Secretary of Defense, Secretary of Commerce,
Secretary of HUD, Director of the Office
of Management and Budget, Administrator
of Veterans Affairs

B. The Committee on Income Security

Chairman - Secretary of HEW

Members - Secretary of Agriculture, Secretary of Labor,
Secretary of HUD, Director of the Office
of Management and Budget, Administrator
of Veterans Affairs

C. The Committee on Aging

Chairman - Secretary of HEW

Members - Secretary of Agriculture, Secretary of
Commerce, Secretary of Labor,
Secretary of HEW, Secretary of
Transportation, Director of the
Office of Management and Budget

IV. The Law Enforcement and Drug Abuse area:

A. The Committee on Drug Abuse (rotating chairman)

Attorney General - Chairman, Committee on Enforcement

Secretary of HEW - Chairman, Committee on Treatment

Members - Secretary of Treasury, Secretary of Defense,

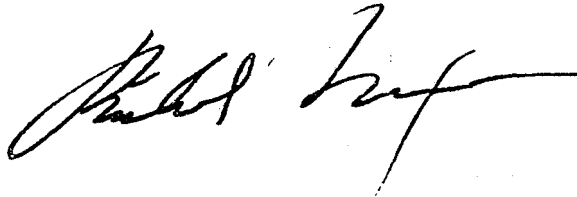


Secretary of Labor, Secretary of HUD
Secretary of Transportation, Director
of the Office of Management and Budget,
Administrator of Veterans Affairs,
Director of the Special Action Office
for Drug Abuse Prevention

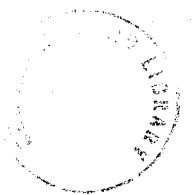
B. The Committee on Crime Prevention and Rehabilitation

Chairman - Attorney General

Members - Secretary of the Treasury, Secretary of
Commerce, Secretary of Labor,
Secretary of HEW, Secretary of HUD,
Director of the Office of Management
and Budget



cc: Secretary of State
Secretary of Defense
Chairman, AEC
Deputy Secretary of Treasury
Deputy Secretary of Defense
Under Secretary of State for Economic Affairs
Under Secretary of Army
Director, NSF
Director of the Special Action Office for Drug Abuse Prevention



THE WHITE HOUSE

WASHINGTON

October 10, 1973

MEMORANDUM FOR

THE DOMESTIC COUNCIL

The Vice President
Secretary of the Treasury
Attorney General
Secretary of the Interior
Secretary of Agriculture
Secretary of Commerce
Secretary of Labor
Secretary of Health, Education and Welfare
Secretary of Housing and Urban Development
Secretary of Transportation
Counsellor to the President Armstrong
Counsellor to the President Harlow
Counsellor to the President for Domestic
Affairs
Director, Energy Policy Office
~~Director, Office of Management and Budget~~
Chairman, Council of Economic Advisers
Administrator of Veterans Affairs
Administrator of the Environmental
Protection Agency
Chairman, Council on Environmental Quality
Deputy Director, Office of Management
and Budget

SUBJECT:

DOMESTIC COUNCIL COMMITTEES

The purpose of this memorandum is to inform you that the Secretary of Housing and Urban Development, the Administrator of Veterans Affairs, the Director of ACTION, and the Chairman of the U.S. Civil Service Commission are now members of the Domestic Council Committee on Aging. Also, the Secretary of Health, Education and Welfare has been designated as a member of the Domestic Council Committee for Community Development, and the Director of the Cost of Living Council is now a member of the Domestic Council Committee for Health.


Kenneth R. Cole, Jr.
Director, Domestic Council

LIBRARY

REORGANIZATION PLANS

PART II. DOMESTIC COUNCIL

Sec. 201. Establishment of the Council. (a) There is hereby established in the Executive Office of the President a Domestic Council, hereinafter referred to as the Council.

(b) The Council shall be composed of the following:

The President of the United States
The Vice President of the United States
The Attorney General
Secretary of Agriculture
Secretary of Commerce
Secretary of Health, Education, and Welfare
Secretary of Housing and Urban Development
Secretary of the Interior
Secretary of Labor
Secretary of Transportation
Secretary of the Treasury

and such other officers of the Executive Branch as the President may from time to time direct.

(c) The President of the United States shall preside over meetings of the Council: *Provided*, That, in the event of his absence, he may designate a member of the Council to preside.

Sec. 202. Functions of the Council. The Council shall perform such functions as the President may from time to time delegate or assign thereto.

Sec. 203. Executive Director. The staff of the Council shall be headed by an Executive Director who shall be an assistant to the President designated by the President. The Executive Director shall perform such functions as the President may from time to time direct.

PART III. TAKING EFFECT

Sec. 301. Effective date. The provisions of this reorganization plan shall take effect as provided by section 906(a) of title 5 of the United States Code, or on July 1, 1970, whichever is later.

MESSAGE OF THE PRESIDENT

To the Congress of the United States:

We in government often are quick to call for reform in other institutions, but slow to reform ourselves. Yet nowhere today is modern management more needed than in government itself.

In 1939, President Franklin D. Roosevelt proposed and the Congress accepted a reorganization plan that laid the groundwork for providing managerial assistance for a modern Presidency.

The plan placed the Bureau of the Budget within the Executive Office of the President. It made available to the President direct access to important new management instruments. The purpose of the plan was to improve the administration of the Government—to ensure that the Government could perform “promptly, effectively, without waste or lost motion.”

Fulfilling that purpose today is far more difficult—and more important—than it was 30 years ago.

Last April, I created a President's Advisory Council on Executive Organization and named to it a distinguished group of outstanding experts headed by Roy L. Ash. I gave the Council a broad charter to examine ways in which the Executive Branch could be better organized. I asked it to recommend specific organizational changes that would make the Executive Branch a more vigorous and more effective instrument for creating and carrying out the programs that are needed today. The Council quickly concluded that the place to begin was in the Executive Office of the President itself. I agree.

of the executive branch of the Federal Government or the head thereof, or any function vested by law in or assigned pursuant to law to any such agency or head, to the authority of any other such agency or head or as abrogating, modifying, or restricting any such function in any manner.

(b) This order supersedes Executive Order No. 11426 of August 31, 1968.

Richard Nixon

THE WHITE HOUSE,
February 14, 1969.

Executive Order 11456

PROVIDING FOR A SPECIAL ASSISTANT TO THE PRESIDENT FOR LIAISON WITH FORMER PRESIDENTS

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

SECTION 1. There shall be in the White House Office a Special Assistant to the President for Liaison with Former Presidents (referred to hereinafter as the Special Assistant).

SEC. 2. (a) On behalf of the President, the Special Assistant shall maintain channels of communication between the President and each former living President of the United States, to the end that (1) each such former President shall be kept abreast of such developments as the President may desire; and (2) the President may avail himself of the counsel and advice of any or all of such former Presidents with respect to major matters, particularly of a national security nature, currently confronting the President.

(b) The Special Assistant shall also—

(1) Keep each former President currently informed of the major aspects of such principal international and domestic problems as the President directs;

(2) Arrange to secure from such former Presidents, or any of them, and convey to the President, their views on such issues as the President may designate; and

(3) Arrange to secure and convey to the President such views as any of the former Presidents may wish to communicate to the President on any issue of current interest or concern.

SEC. 3. (a) The Secretary of State, the Secretary of Defense, the Director of the Central Intelligence Agency, and the Executive Secretary of the National Security Council shall each designate a member of his staff as a point of contact for the Special Assistant. The Special Assistant may call upon such designated staff members to supply information and render such other appropriate assistance as he may require in carrying out his duties under section 2 of this Order.



(b) Upon request of the Special Assistant, the head of any department or agency of the Federal Government shall designate a member of his staff as a point of contact to supply information and assistance for the Special Assistant in the performance of his duties in the same manner as provided in subsection (a) for staff members designated pursuant to that subsection.

SEC. 4. The Special Assistant shall be appointed by the President and shall serve at the pleasure of the President. He shall receive compensation at such rate as the President, consonant with law, may prescribe.

SEC. 5. (a) The Special Assistant shall have such staff and other assistance as may be necessary to carry out his duties under this Order.

(b) The Special Assistant shall be provided with such office space as may be necessary to carry out his duties under this Order, and shall also be provided with such office space, and maintenance thereof, as may be necessary for the use of former Presidents at the seat of Government when they are engaged in any effort of interest or concern to the President.

SEC. 6. (a) The compensation and expenses of the Special Assistant and members of his staff shall be paid from the appropriation under the heading "Special Projects" in the Executive Office Appropriation Act, 1969, or any corresponding appropriation which may be made for subsequent fiscal years, or from such other appropriated funds as may be available under law.

(b) The General Services Administration shall provide, on a reimbursable basis, such administrative services and facilities for the Special Assistant as the White House Office may request.

Richard Nixon

THE WHITE HOUSE,
February 14, 1969.

Executive Order 11457

INSPECTION OF INCOME, EXCESS-PROFITS, ESTATE, AND GIFT TAX RETURNS BY THE COMMITTEE ON GOVERNMENT OPERATIONS, HOUSE OF REPRESENTATIVES

By virtue of the authority vested in me by section 55(a) of the Internal Revenue Code of 1939, as amended (53 Stat. 29, 54 Stat. 1008; 26 U.S.C. (1952 Ed.) 55(a)), and by section 6103(a) of the Internal Revenue Code of 1954, as amended (68A Stat. 753; 26 U.S.C. 6103(a)), it is hereby ordered that any income, excess-profits, estate, or gift tax return for the years 1947 to 1970, inclusive, shall, during the Ninety-first Congress, be open to inspection by the Committee on Government Operations, House of Representatives, or any duly authorized subcommittee thereof, in connection with its studies of the operation of Government activities at all levels with a view to deter-

Executive Order 11454**INSPECTION OF INCOME, EXCESS-PROFITS, ESTATE, AND GIFT TAX RETURNS BY THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS**

By virtue of the authority vested in me by section 55(a) of the Internal Revenue Code of 1939, as amended (53 Stat. 29, 54 Stat. 908; 26 U.S.C. (1952 Ed.) 55(a)), and by section 6103(a) of the Internal Revenue Code of 1954 (68A Stat. 753; 26 U.S.C. 6103(a)), I hereby ordered that any income, excess-profits, estate, or gift tax return for the years 1948 to 1969, inclusive, shall, during the Ninety-first Congress, be open to inspection by the Senate Committee on Government Operations or any duly authorized subcommittee thereof, in connection with its studies of the operation of Government activities at all levels with a view to determining the economy and efficiency of the Government. Such inspection shall be in accordance and upon compliance with the rules and regulations prescribed by the Secretary of the Treasury in Treasury Decisions 6132 and 6133, relating to the inspection of returns by committees of the Congress, approved by the President on May 3, 1955.

This order shall be effective upon its filing for publication in the FEDERAL REGISTER.



THE WHITE HOUSE,
February 7, 1969.

Executive Order 11455**ESTABLISHING AN OFFICE OF INTERGOVERNMENTAL RELATIONS**

By virtue of the authority vested in me by the Constitution and the statutes of the United States, and as President of the United States, I am ordered as follows:

SECTION 1. *Establishment of the Office.* (a) There is hereby established the Office of Intergovernmental Relations (hereinafter referred to as "the Office"). The Office shall be under the immediate supervision of the Vice President of the United States.

(b) In addition to his other duties, the Vice President shall act as the President's liaison with executive and legislative officials of State and local governments; encourage and assist in facilitating maximum cooperation between and among the various Federal agencies and such other governments; help to make the Federal executive branch, especially those sectors thereof having a direct impact on intergovernmental relations, more sensitive, receptive and responsive to the views of State and local officials; serve as the focal point of efforts by Federal departments, agencies, and interagency councils and committees to resolve specific difficulties that arise in their relationships with such officials; work closely with and encourage the work of the Advisory Commission on Intergovernmental Relations; and inform the Council for Urban Affairs on general intergovernmental issues



of an informational, administrative, or program nature so that the Council may more effectively advise and assist the President with respect to urban affairs.

SEC. 2. *Functions of the Office.* The Office shall advise and assist the Vice President with respect to (1) intergovernmental relations generally, and (2) the responsibilities assigned to the Vice President specifically under section 1 (b). In addition, the Office shall:

(a) serve as the clearinghouse for the prompt handling and solution of Federal-State-local problems brought to the attention of the President or Vice President by executive and legislative officers of State and local governments;

(b) identify and report to the Vice President on recurring intergovernmental problems of a Federal interdepartmental and interprogram nature;

(c) explore and report to the Vice President on ways and means of strengthening the headquarters and interagency relationships of Federal field offices as they relate to intergovernmental activities;

(d) maintain continuing liaison with intergovernmental units in Federal departments and agencies and with the staff of the Council for Urban Affairs, and provide the staff of the Council with information and assistance regarding issues arising in Federal-State-local relations; and

(e) review procedures utilized by Federal executive agencies for affording State and local officials an opportunity to confer and comment on Federal assistance programs and other intergovernmental issues, and propose methods of strengthening such procedures.

SEC. 3. *Administrative Arrangements.* (a) A person designated by the Vice President shall serve as Director of the Office. The Director shall perform such duties as the Vice President may from time to time direct.

(b) A person designated by the Vice President shall serve as Deputy Director of the Office and assist the Director in performing those duties assigned to him.

(c) All Federal departments, agencies, interagency councils and committees having an impact on intergovernmental relations, and all Federal Executive Boards, shall extend full cooperation and assistance to the Vice President and the Director of the Office in carrying out their responsibilities under this order. The Director shall, upon request, assist all Federal departments and agencies with problems that may arise between them and the executive agencies or elected officials of State and local governments.

(d) The head of each Federal department and agency shall designate an appropriate official with broad general experience in his department or agency to serve, upon request of the Vice President, as a point of contact in carrying out Federal-State-local liaison activities under this order.

SEC. 4. *Construction.* (a) Nothing in this order shall be construed as subjecting any department, establishment, or other instrumentality



of the executive branch of the Federal Government or the head thereof, or any function vested by law in or assigned pursuant to law to any such agency or head, to the authority of any other such agency or head or as abrogating, modifying, or restricting any such function in any manner.

(b) This order supersedes Executive Order No. 11426 of August 31, 1968.

Richard Nixon

THE WHITE HOUSE,
February 14, 1969.

Executive Order 11456

PROVIDING FOR A SPECIAL ASSISTANT TO THE PRESIDENT FOR LIAISON WITH FORMER PRESIDENTS

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

SECTION 1. There shall be in the White House Office a Special Assistant to the President for Liaison with Former Presidents (referred to hereinafter as the Special Assistant).

SEC. 2. (a) On behalf of the President, the Special Assistant shall maintain channels of communication between the President and each former living President of the United States, to the end that (1) each such former President shall be kept abreast of such developments as the President may desire; and (2) the President may avail himself of the counsel and advice of any or all of such former Presidents with respect to major matters, particularly of a national security nature, currently confronting the President.

(b) The Special Assistant shall also—

(1) Keep each former President currently informed of the major aspects of such principal international and domestic problems as the President directs;

(2) Arrange to secure from such former Presidents, or any of them, and convey to the President, their views on such issues as the President may designate; and

(3) Arrange to secure and convey to the President such views as any of the former Presidents may wish to communicate to the President on any issue of current interest or concern.

SEC. 3. (a) The Secretary of State, the Secretary of Defense, the Director of the Central Intelligence Agency, and the Executive Secretary of the National Security Council shall each designate a member of his staff as a point of contact for the Special Assistant. The Special Assistant may call upon such designated staff members to supply information and render such other appropriate assistance as he may require in carrying out his duties under section 2 of this Order.

—
OVAL OFFICE

Wednesday 1/15/75

5 p.m.

Subject: Domestic Council
Policy

President

Don Rumsfeld

John Marsh

Jim Lynn

Bob Hartmann

Dick Cheney

Phil Buchen

*Box returning
to main
Domestic Council
file
P.*

THE WHITE HOUSE

WASHINGTON

January 13, 1975

MEMORANDUM FOR:

THE PRESIDENT

FROM:

ROY L. ASH

SUBJECT:

The Domestic Council

As a part of determining the Vice President's role in the Domestic Council it is necessary to restate the functions of the Council.

Originally, the Domestic Council was conceived as a small top level group to develop and deal with doctrinal level policy regarding social issues. Further, the word "Domestic" was used to mean "social", in contrast to and separate from "economic", although the two overlap somewhat. Together, the National Security Council, the Domestic Council for social matters, and the Economic Policy Board for economic matters, can provide the President with broad and high level policy advice across virtually all issues of government.

It was contemplated that the Domestic Council would deal with highest order "macro policy", rather than become involved in operations, or detailed program development or policy application. There are adequate operational and program development capabilities in the White House Staff, OMB, and the agencies. Quite different kinds of people, operating in quite different modes, are needed for the quite different kinds of functions.

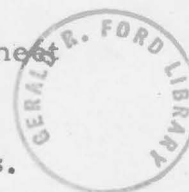
Since 1970, the Domestic Council has not fulfilled its prescribed role; instead, it has become an operating arm of the White House Staff. This is the time to clarify its function and in the process improve the workings of the President's Office and Staff.

I recommend the role of the Domestic Council be to:

Assess current and future national social problems and needs;

Develop and propose to the President policy alternatives to meet them;

Provide policy advice on national social issues and programs.



Much of this is akin to the Critical Choices Commission work but limited to the social area, there being the other two policy advisory groups working in parallel on international and economic matters.

As the Domestic Council becomes manned to perform this role, the operational activities it is now engaged in can be placed where they can better serve the President.

Specifically, its present staff coordination function can better be performed by the Staff Secretary; its legislative liaison activities parallel those of the Congressional Relations office and should be performed there; its Presidential events scheduling activities should be carried out by the other White House offices whose own responsibilities relate to the event to be scheduled - with public groups by the Office of Public Liaison, with Congressional groups by the Office of Congressional Relations, with agency heads by the NSC, Economic Policy Board, Domestic Council, or OMB as appropriate to the subject.

The present Intergovernmental Relations function of the Council doesn't appropriately belong in the Council as such, but could properly be performed by the Vice President's Office, separate from his Domestic Council role.

In summary, if the Domestic Council function is defined as above, then it would not only be appropriate for the Vice President to become Vice Chairman of the Council, but he could also be expected to add immeasurably to policy development.

If, on the other hand, the Council were to continue in its present form, it would be most unusual for a Vice President to be an integral part of the operating cycle of the White House and operationally interposed between the President and other members of the Executive Branch.



THE WHITE HOUSE

WASHINGTON

January 14, 1975

MEMORANDUM FOR: BOB HARTMANN
PHIL BUCHEN ✓
JACK MARSH

FROM: DICK CHENEY T

Attached is a paper prepared by Roy Ash on the role of the Domestic Council.

You should read this prior to the meeting currently scheduled for 5:00 PM, Wednesday, January 15th, to discuss the same subject.

Attachment

