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VP  
Role.

THE WHITE HOUSE

WASHINGTON

August 27, 1974

To: Jerry terHorst

From: Phil Buchen *PWB.*

Here is the memorandum for the President's consideration when you meet with him this morning and an extra copy for you. The proposal is in accord with my brief discussion with the President on August 24. It has been cleared with Geoff Shepard of the Domestic Council and a copy has gone to General Haig, as well as Dick Burress for communication to Mr. Rockefeller's staff.



THE WHITE HOUSE  
WASHINGTON

August 27, 1974

To: Dick Burress

From: Phil Buchen *P.W.B.*

The President is expected to approve this proposal when he meets with Jerry terHorst at 10 a. m., and it will probably be announced at today's press briefing.

If you think you should advise Mr. Rockefeller's representative of the nature of this proposal as it would affect the new Vice President, please do so.

Attachment



THE WHITE HOUSE

WASHINGTON

August 27, 1974

MEMORANDUM FOR THE PRESIDENT

FROM: Philip W. Buchen *PWB*  
SUBJECT: Future Role of the Privacy Committee

An early announcement by you concerning the future of the Domestic Council Committee on the Right of Privacy is recommended.

Following the Committee's last meeting on July 10, the staff has been working with concerned agencies to implement the endorsed initiatives and to initiate new studies as planned. The next meeting of the Committee was announced for late September or early October. The subject of privacy and the work of the Committee have been given increased stimulus and visibility by your remarks to the Congress on August 12. Press commentary has been extensive and favorable.

The following recommendations are advanced for your approval:

- (1) The Domestic Council Committee on the Right of Privacy Should Be Continued for the Indefinite Future.

This action is consistent with the priority status you have given to protection of personal privacy by the Administration.

- (2) The New Vice President, After Confirmation, Should Be Designated Committee Chairman.

The job of Chairman, as a precedent, should devolve to the Vice President as one of his priority responsibilities, thereby easing the Presidential burden in one area of substantive responsibility.



- (3) Until a New Vice President Is Confirmed, You Should Direct That Immediate Supervision of the Committee Operations Be Exercised by the Domestic Council.

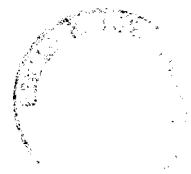
Under this proposal, Doug Metz would succeed me formally as Acting Executive Director but work directly under the Domestic Council until the new Vice President selects his Executive Director.

This plan is preferable to naming a Cabinet Committee member as an Acting Chairman for the interim. As you know, each member agency has a strong institutional bias and unique privacy perspective -- and varying degrees of enthusiasm for certain privacy initiatives. A strong, independent balance wheel is vital to assuring a sound, balanced approach to safeguarding personal privacy. Currently, several agencies are actively competing for leadership in the privacy effort. To give one agency a lead role, albeit for a brief period, would risk (1) foreclosure of some organizational options for the transition team, (2) likely programmatic distortion of current and planned privacy initiatives we have undertaken, (3) probable organizational constraints on the new Vice President, and (4) possible unfavorable publicity because of known individual agency biases with respect to privacy issues.

Announcement of the foregoing actions would be made by Jerry terHorst.

APPROVE \_\_\_\_\_

DISAPPROVE \_\_\_\_\_



THE WHITE HOUSE  
WASHINGTON

December 11, 1974

MEMORANDUM FOR:

PHIL BUCHEN

FROM:

RUSSELL A. ROURKE

In a conversation with Bob Douglas (Governor Rockefeller's staff) a question arose concerning the Governor's plan to subsidize the salaries of some of his key staff members once he becomes Vice President.

Would this cause any problems?



THE WHITE HOUSE

WASHINGTON

December 13, 1974

PHIL:

1. 18 U.S.C. §209 makes it a crime to give or accept compensation for one's services as a Federal employee -- this bars subsidies.
2. 18 U.S.C. §202 provides that one may serve as a consultant for no more than 130 days during any period of 360 days. Upon expiration of the 130 days, the individual would be treated as a regular Federal employee for purposes of 18 U.S.C. 209 -- this would appear to discourage any consulting gimmick.
3. On the question of augmenting one's staff of Federal employees by the utilization of privately financed employees and office space -- 30 U.S.C. 665(b) provides that "No officer or employee of the United States shall accept voluntary service for the United States or employ personal service in excess of that authorized by law, except in cases of emergency involving the safety of human life or the protection of property."

KEN



Rockefeller, W.  
Rohing, W.

December 13, 1974

**MEMORANDUM FOR:**

**JACK MARSH**

**FROM:**

**PHIL BUCHEN**

**SUBJECT:**

**Liaison with Governor Rockefeller**

Among matters on which the Governor and his staff may want to be briefed soon after confirmation, one involves the Domestic Council Committee on the Right of Privacy.

I know that the Committee staff, headed by Acting Director Douglas W. Metz, is eager to have a meeting of the Cabinet-level Committee occur fairly soon, with the new Vice President as Chairman, and to have the Chairman and the Committee consider the results of the work in which the staff has been busily engaged.





*For filing*

*Rockefeller*

December 18, 1974

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

See attached memo from Dudley Chapman.

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

PWBuchen:ed



MEMORANDUM

THE WHITE HOUSE  
WASHINGTON

December 14, 1974

TO: PHIL BUCHEN

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

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

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

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

*Thanks, Phil.*  
*jom*



*Rockefeller*

THE WHITE HOUSE  
WASHINGTON  
December 18, 1974

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

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

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



## Executive Order 11460

## ESTABLISHING THE PRESIDENT'S FOREIGN INTELLIGENCE ADVISORY BOARD

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

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

- (1) advise the President concerning the objectives, conduct, management and coordination of the various activities making up the over-all national intelligence effort;
- (2) conduct a continuing review and assessment of foreign intelligence and related activities in which the Central Intelligence Agency and other Government departments and agencies are engaged;
- (3) receive, consider and take appropriate action with respect to matters identified to the Board, by the Central Intelligence Agency and other Government departments and agencies of the intelligence community, in which the support of the Board will further the effectiveness of the national intelligence effort; and
- (4) report to the President concerning the Board's findings and appraisals, and make appropriate recommendations for actions to achieve increased effectiveness of the Government's foreign intelligence effort in meeting national intelligence needs.

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

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

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

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





## "FEDERAL FACILITIES POLLUTION CONTROL

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

Exemption.

Report to Congress.

## "CLEAN LAKES

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

"(1) an identification and classification according to eutrophic condition of all publicly owned fresh water lakes in such State;

"(2) procedures, processes, and methods (including land use requirements), to control sources of pollution of such lakes; and

"(3) methods and procedures, in conjunction with appropriate Federal agencies, to restore the quality of such lakes.

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

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

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

Appropriations.

## "NATIONAL STUDY COMMISSION

"SEC. 315. (a) There is established a National Study Commission, which shall make a full and complete investigation and study of all of the technological aspects of achieving, and all aspects of the total economic, social, and environmental effects of achieving or not achieving, the effluent limitations and goals set forth for 1983 in section 301(b)(2) of this Act.

Establishment.

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

Membership.

Cont'd



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

Contract  
authority.

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

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

Report to Con-  
gress.

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

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

5 USC 5332  
note.

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

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

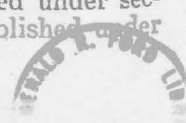
#### “THERMAL DISCHARGES

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

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

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

Ante, p. 816.



THE WHITE HOUSE

WASHINGTON

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 \_\_\_\_\_

VP  
Letter

THE WHITE HOUSE  
WASHINGTON

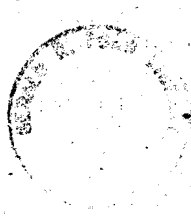
January 6, 1975

MEMORANDUM FOR: Dick Parsons  
FROM: Bill Casselman *151*

Per your request, attached is a memorandum describing the duties assigned to the Vice President. It is somewhat out of date (e.g., the National Aeronautics and Space Council, the National Council on Indian Opportunity and the President's Council on Youth Opportunity either have been abolished or rendered inactive). However, most of the constitutional and statutory duties remain unchanged. As I mentioned to Peter Wallison, I would be pleased to get together to discuss at greater length the joys and tribulations of counseling a Vice President.

Enclosure

bcc: Phil Buchen





*material for  
Vice  
President*

January 7, 1975

MEMORANDUM FOR: Vice President Rockefeller

FROM: Phillip Buchen

In connection with your plans to prepare a recommendation to the President on the possibility of his creating anew the Office of Science Adviser to the President, I would like to advise that the following are most desirous of discussing the matter if you should care to have their views:

Dr. Jerome B. Wiesner  
President  
Massachusetts Institute of Technology  
Cambridge, Massachusetts 02139

Dr. Edward E. David, Jr.  
(formerly Science Adviser to President Nixon)  
Executive Vice President for Research  
Gould, Inc.  
Chicago, Illinois 60632

Both men have talked with me on the subject, and the views of Jerome Wiesner were conveyed by our office to OMB.

PWBuchen:red



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.



THE WHITE HOUSE

WASHINGTON

2:40 Mr. Buchen went to  
a meeting with  
Mr. Rumsfeld and took  
copies for Hartmann,  
Marsh, Rumsfeld and  
Buchen.

January 8, 1975

*Domestic  
Council*

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 ~~in~~ 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



## 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.

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



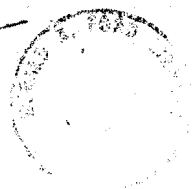
I am attaching a memorandum or an Executive Order that you may wish to send to the Vice President and members of the Domestic Council which incorporates your wishes relating to my role on your behalf in organizing the work of the Domestic Council.





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

E X E C U T I V E   O R D E R

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:

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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  
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Approve, prepare appropriate materials \_\_\_\_\_  
Disapprove \_\_\_\_\_  
See Me \_\_\_\_\_



occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term."



THE WHITE HOUSE,  
December 1, 1972.

### EXECUTIVE ORDER 11689

#### Extending Diplomatic Privileges and Immunities to the Mission to the United States of America of the Commission of the European Communities and to Certain Members Thereof

By virtue of the authority vested in me by the Act of October 18, 1972 (Public Law 92-499), and as President of the United States, I hereby extend to the Mission to the United States of America of the Commission of the European Communities, and to the officers of that Mission assigned to Washington to represent the Commission to the Government of the United States and duly notified to and accepted by the Secretary of State, and to their families, the same privileges and immunities, subject to corresponding conditions and obligations, as are enjoyed by diplomatic missions accredited to the United States and by members of the diplomatic staffs thereof.



THE WHITE HOUSE,  
December 5, 1972.

### Title 3--The President

#### EXECUTIVE ORDER 11690

#### Delegation of Certain Functions to the Executive Director of the Domestic Council

By virtue of the authority vested in me by the Constitution and statutes of the United States, Part II of Reorganization Plan No. 2 of 1970, and as President of the United States, it is ordered as follows:

SECTION 1. *Functions of the Domestic Council.* In addition to the Director of the Domestic Council, the following shall be appointed to intergovernmental relations:

(1) serve as the coordinator of Federal-State-local problems; Vice President by executive order; and

(2) identify and report on mental problems of a Federal nature;

(3) explore and report on strengthening the headquarters field offices as they relate to Federal departments and

(4) maintain continuity of Federal departments and

(5) review procedures for affording State and local officials on Federal assistance programs and propose methods of strengthening them.

SEC. 2. *Administrative Functions.* The Executive Director of the Domestic Council, and interagency relations, shall extend full cooperation and assistance in his responsibilities under the law to assist all Federal departments and agencies in carrying out their functions between them and the executive and local governments.

(b) The head of each Federal agency or agency to serve, upon request, in carrying out Federal-S

SEC. 3. *Construction.* Nothing in this section shall be construed as affecting any department, executive branch of the Federal Government, or function vested by law in c

SECTION 1. *Functions of the Executive Director of the Domestic Council.* In addition to the functions heretofore assigned, the Executive Director of the Domestic Council shall assist the President with respect to intergovernmental relations generally. In addition, he shall:

(1) serve as the coordinator 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;

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

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

(4) maintain continuing liaison with intergovernmental units in Federal departments and agencies; and

(5) 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. 2. *Administrative Arrangements.* (a) All Federal departments, agencies, and interagency councils and committees having an impact on intergovernmental relations, and all Federal Executive Boards, shall extend full cooperation and assistance to the Director in carrying out his 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.

(b) 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 Director, as a point of contact in carrying out Federal-State-local liaison activities under this order.

SEC. 3. *Construction.* 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.

SEC. 4. *Revocation.* Executive Order No. 11455 of February 14, 1969, entitled "Establishing an Office of Intergovernmental Relations", is hereby revoked.

SEC. 5. *Records, Property, Personnel, and Funds.* The records, property, personnel, and unexpended balances, available or to be made available, of appropriations, allocations, and other funds of the Office of Intergovernmental Relations are hereby transferred to the Domestic Council.

SEC. 6. *Effective Date.* This Order shall be effective thirty days after this date.



THE WHITE HOUSE,  
December 14, 1972.

NOTE: For the text of a Presidential statement dated December 14, 1972, and issued in connection with E.O. 11690, above, see Weekly Comp. of Pres. Docs., Vol. 8, No. 51, issue of December 18, 1972.

## EXECUTIVE ORDER 11691

### Adjusting Rates of Pay for Certain Statutory Pay Systems

By virtue of the authority vested in me by subchapter I of chapter 53 of title 5 of the United States Code, it is hereby ordered as follows:

#### General Schedule

SECTION 1. The rates of basic pay in the General Schedule contained in section 5332(a) of title 5 of the United States Code are adjusted as follows:

Grade	"A"		
	1	2	3
GS-1.....	\$1,798	\$4,958	\$5,118
GS-2.....	5,432	5,613	5,794
GS-3.....	6,128	6,332	6,536
GS-4.....	6,882	7,111	7,340
GS-5.....	7,694	7,951	8,208
GS-6.....	8,572	8,858	9,144
GS-7.....	9,520	9,837	10,154
GS-8.....	10,828	10,879	11,220
GS-9.....	11,614	12,001	12,388
GS-10.....	12,775	13,201	13,627
GS-11.....	13,996	14,462	14,928
GS-12.....	16,682	17,238	17,794
GS-13.....	19,700	20,357	21,014
GS-14.....	23,088	23,558	24,628
GS-15.....	26,898	27,795	28,692
GS-16.....	31,203	32,243	33,283
GS-17.....	36,103*	37,308*	38,509*
GS-18.....	41,734*		

\*\*\*The rate of basic pay for employees at the rate for level V of the Executive Schedule

#### Schedules for the Department of Veterans Affairs

SEC. 2. The schedules of the United States Code, for the Medicine and Surgery of the follows:

"Associate Deputy Chief Medical level V of the Executive Schedule  
"Assistant Chief Medical Director  
"Medical Director, \$36,103 minimum  
"Director of Nursing Service, \$  
"Director of Chaplain Service,  
"Chief Pharmacist, \$26,898 minimum  
"Chief Dietitian, \$26,898 minimum  
"Phys  
"Director grade, \$31,203 minimum  
"Executive grade, \$28,996 minimum  
"Chief grade, \$26,898 minimum  
"Senior grade, \$23,088 minimum  
"Intermediate grade, \$19,700 :  
"Full grade, \$16,682 minimum  
"Associate grade, \$13,996 minimum

\*\*The salary for employees the United States Code to the effective date of this salary adjustment

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, 1963.

*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 (63A 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.