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## WITHDRAWAL SHEET

### **Ronald Reagan Library**

Collection Name WHITE HOUSE OFFICE OF RECORDS MANAGEMENT

Withdrawer

(WHORM): SUBJECT FILE

DLB 12/29/2009

File Folder

CO (020000-025999)

**FOIA** 

Boy Number

S10-306

**SYSTEMATIC** 

ID	Doc Type	Docui	ment Description		No of Pages	Doc Date	Restrictions
82096	LETTER		GAN TO GERALD I	FORD, RE:	4	4/23/1981	B1
		R	4/4/2019	NSC/STATE V	VAVIERS	5	
82097	LETTER		ALD FORD TO REA LD WIDE TRIP [M	4	4/1/1981	B1	
		R	4/4/2019	NSC/STATE W	VAIVERS	5	

#### The above documents were not referred for declassification review at time of processing

Freedom of Information Act - [5 U.S.C. 552(b)]

B-1 National security classified information [(b)(1) of the FOIA]

B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]

B-3 Release would violate a Federal statute [(b)(3) of the FOIA]

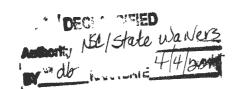
B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA] B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]

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C. Closed in accordance with restrictions contained in donor's deed of gift.



THE WHITE HOUSE WASHINGTON April 23, 1981

021728

<del>CONFIDENTIAL</del>

Dear Mr. President:

Your trip had historic importance for all of us. Having just read your letter, I know the rewards for our country were even greater than I had anticipated. The reports I have received on the trip have been positive - from our own embassies as well as from the Indonesians, the Chinese, the Singaporeans and many others. This highly successful example of personal diplomacy conducted with great skill and wisdom has helped this Administration. I personally want to thank you for your great contribution.

Your letter, which I shared with certain members of my staff, was studied carefully, and I do want to focus on those issues which you selected in your letter. The first of these important issues you raised concerns the reliability of the United States in the Persian Gulf region.

I was disturbed to read your reports that the Gulf leaders, particularly Kuwait and Saudi Arabia, have doubts about our commitment to their futures aside from our dependence upon oil and transit rights. Secretary Haig, who has just returned from the Middle East, assures me that doubts concerning the Carter Administration's policy and the United States reliability as a friend, have been largely put to rest.

One of the primary objectives of the Secretary's visit to Egypt, Israel, Jordan and Saudi Arabia was to reassure our friends that we were interested in them, quite aside from other strategic interests we and the Western countries might have. We hope that the smaller Gulf States will realize this, too. you know, Senator Baker has recently visited the region as has the Director of Central Intelligence. Furthermore, while Secretary Haig was in the Middle East, several spin-off visits for his senior staff

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were arranged. Senator Jim Buckley, the Under Secretary for Security Assistance, visited Oman, the United Arab Emirates and Bahrain. He was accompanied to Oman by Robert McFarlane, Counsellor to the Secretary of State.

In the near future we intend to send more high-ranking civilians to this region to build up confidence in our Administration's new, more assertive and supportive policies. It is our belief that in the past we have, perhaps, sent too many uniformed personnel as our emissaries to these countries giving the impression that we are solely interested in military matters. While, of course, we continue to attach great importance to our military cooperation with the Gulf States, we intend to do this in the overall context of working towards an Arab-Israeli peace settlement and maintaining strong economic and personal ties with the local regimes. I am sure that when General Scowcroft meets with Secretary Haig he will provide further information on this important point.

The second issue you raised was Kampuchea, and this has been troubling for us. We have seen an aggressive Vietnam extend its control by military force over its neighbor, Kampuchea, as well as consolidate its occupation of Laos. With Soviet backing, Vietnam remains the major destabilizing force in Southeast Asia. Fortunately, as you have noted, Asian states have developed a certain consensus on the handling of the Vietnam threat - the consensus is not perfect but it is cohesive and it has brought together a coalition of independent countries of great strength and wealth to oppose a totalitarian militarized Vietnam.

The Vietnamese face grim long-term prospects - their aggression, although seemingly successful in the short term has, as you suggested, brought China, the ASEAN countries and Japan closer together. The Vietnamese socialist economy is faltering and requires an enormous Russian contribution to survive.

With these factors in mind, I see our policy beginning to develop along these lines:

-- Keep the pressure on Vietnam and work towards an eventual troop withdrawal from Kampuchea. Unlike the previous Administration, we are not considering recognition of this aggressor state.

CONFIDENTIAL -

- -- Support fully the Thais who are the frontline state facing Vietnam by continuing our military sales.
- -- Let ASEAN take the lead; the problem is on their border and they seem to be making the right moves.
- -- Monitor and encourage efforts of Cambodia to form a united front. Son Sann will be here next week and will meet with high-level officials at State.
- -- Strengthen our military position in the Philippines to confront the Soviet naval buildup in the Vietnam area.
- -- Consult with the Chinese on how to deal with the problem of Vietnam and in some instances develop parallel policies.

As for US-PRC-Taiwan relations, I found your comments most useful. I agree that China is a key element in U.S. global strategy and have stated this on several occasions. Most recently I said it directly to Ambassador Chai here in Washington on March 19, at the White House. I have repeatedly reassured the Chinese leaders that I intend to make our relationship work. I want it to expand in many different areas such as trade, technology transfer, student exchange and government consultations.

At the same time I will treat Chinese in Taiwan with dignity and respect, and I will carry out my obligations to Taiwan as spelled out in the Taiwan Relations Act. I will do this prudently and with concern for Peking's views, but I will do it.

The previous Administration humiliated and degraded the fine people of Taiwan and this has complicated our dealings with Taiwan. This is going to stop, and I intend to build a strong, stable relationship with Taiwan based on mutual confidence and respect. This should not bother Peking. A weakened, unstable Taiwan helps no one. A strong Taiwan will be a partner in facing up to the real threat in Asia -- the growth of Soviet power.

I understand Peking's concerns on future arms sales to Taiwan and I greatly appreciated Peking's emphasis on peaceful means in dealing with Taiwan. The sale of selected defensive arms to Taiwan poses no threat to Peking. In my view the Taiwan leaders might be more willing to deal with Peking, as Peking desires, if they felt secure, than if they believed they were being let down by their long-time friends. I will certainly look into the matter of timing in the sale of military equipment to Taiwan, and your comments on this subject were especially relevant.

Again, my profound thanks to you for helping us so much in representing the best of America to our friends and allies around the world, and for bringing to me your valuable insights.

R. S. It was good to talk to you the Nowy send to be but a give on regards to Both.

The Honorable Gerald R. Ford P.O. Box 927 Rancho Mirage, California 92270

8700- 1982



#### GERALD R. FORD

April 1, 1981

DECLASSIFIED

NBC/State Waivers

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Dear Mr. President:

My recently completed trip around the world gave me valuable perspectives on a number of significant issues and, in my judgement, provided useful and in some cases unique support to the interests of the United States.

The leaders of all the countries I visited asked me to convey to you their very best wishes for the success of your Presidency. The four years of the Carter Presidency have left a residue of uneasiness and even disillusionment among our friends and allies. I found everywhere I went a feeling of satisfaction at your election and an atmosphere of optimism at the early indications of firmness and consistency from your Administration. Needless to say, I emphatically encouraged their hopes about what could be expected from your leadership.

All in all, I found the good will with which your Administration is being received to be very reassuring, but it is apparent that the problems facing the United States, exacerbated as they have been by incorrect or inept policies over the past four years, are formidable. There is an enormous amount of work which must be done to simply recover from the erosion of the past four years.

Of all the many issues which I discussed with the various leaders with whom I met, three stand out in my mind as paramount. For that reason, I am concentrating my remarks in this letter on these specific issues. Those subjects of lesser significance can be dealt with by General Scowcroft with Secretary Haig and appropriate officials of the State Department.

The first of these issues relates to attitudes about the reliability of the United States in the Persian Gulf region. The foreign ministers of the new Gulf Council for Cooperation discussed this subject among themselves very recently. According to the Foreign

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Singapore wants both to get the Vietnamese out of Kampuchea and to administer a setback to Soviet or Soviet-supported expansionism. Prime Minister Lee does not want Pol Pot back in power and it is for this reason Singapore is pushing a Third Force. Their principal hope is Sam Sonn, although they are also prepared to use Sihanouk, even though they consider him unreliable. Sihanouk they principally consider a stop-gap until new leadership can emerge, though they would not object if the Kampuchean people wanted Sihanouk back. The overall objective is to force Vietnamese withdrawal through a combination of political and military pressure. They feel they have Third World support and believe it is important to retain the initiative and keep the Soviet Union and Vietnam on the defensive, including at the forthcoming debate in the U. N.

Indonesia is somewhat less assertive in its position. Its objective is a political solution acceptable to all, including Vietnam. According to President Suharto, a conflict between Vietnam and Kampuchea is of significance to Indonesia only because of the involvement of the Soviet Union and China on the respective sides. Indonesia believes the key element is to achieve peace even at some cost because it believes that Vietnam is best at fighting and would not be able to cope with an era of peace. The Indonesians believe the Thai are more inclined to fight and that the Chinese (of whom they are very suspicious) objective—is to bleed Vietnam in Kampuchea.

The Chinese were very tough on the Kampuchean question. They support creation of a coalition, but contend that San Sonn is reluctant to join forces with the DK (Pol Pot) group because he fears being submerged. Vice Chairman Deng therefore urged direct U. S. military and economic aid to Sam Sonn and asked that the U. S. urge Sam Sonn to join forces with the DK faction. China itself had given aid to Sam Sonn, he said, and it did not fear a strengthened Sam Sonn so long as he would fight the Vietnamese. U. S. assistance, he suggested, could be provided through Thailand.

In response to my explanation of the sensitivity in the United States on any issue of U. S. reinvolvement in Southeast Asia, Deng agreed that the Asian states should take the lead in putting together a coalition to contest the Heng Samrin/Vietnamese control of Kampuchea. China, he said, also was playing a behind-the-scenes role.

This issue is obviously one of vital concern to our friends in the area. It represents an excellent opportunity for the United States to underscore its determination to stem Soviet or Soviet proxy aggression. While the prospects for success for the Third Force initiative of the Asian states and China appear uncertain at best, no other more viable options appear to be available and it offers at a minimum the opportunity to keep the Soviet Union and Vietnam on the defensive.

In view of this situation, I would recommend that the United States offer encouragement to the Asian nations to continue their efforts to establish a coalition of opposition forces, while making clear that, both from an international and a U. S. domestic perspective, the United States role should be quietly supportive rather than public and predominant. Should Asian efforts result in the creation of a cohesive coalition, I would recommend material support, perhaps through Thailand, in order to minimize the public U. S. role.

The last and by all odds the most difficult issue which I encountered was that of the U. S.-PRC-Taiwan relations. My approach to this issue is based on the premise, derived from my trips to China in 1972 and 1975, as well as my latest visit, that the continuation and expansion of the Sino-U. S. relationship is a vital interest of the United States. It is my judgement that this is true not only in terms of a key element in the U. S. global strategy, but also as a very major factor in U. S. strategy to cope successfully with the Soviet threat. It is my conclusion as well that the present Chinese leadership under Vice Chairman Deng Xao Ping is the best vehicle for implementing this U. S. strategy, and that this leadership is having some internal difficulties and needs time to consolidate its domestic position. It was in these terms that I evaluated my lengthy discussions with top Chinese leaders Deng, Premier Zhao Xi Yung and Vice Premier/Foreign Minister Huang Hua.

The Chinese made it very clear that the only obstacle in the Sino-U.S. relationship and their principal concern about your Administration, with which they are otherwise well pleased, is Taiwan. They expressed with fervor their hope that Taiwan would not get in the way of global cooperation between the two countries against the increasing menace of Soviet aggression.

While the Foreign Minister spoke in fairly stereotyped terms, Deng was very open and blunt on the subject. He said that "if we fail to deal properly with Taiwan we will lose the support of the Chinese people." He expanded further on the subject of arms sales, saying it was not a military issue, but instead was a roadblock to peaceful unification. The Chinese leadership, he said, has determined that unification will be peaceful, so that arms sales are not necessary for Taiwan's security. They cannot state this publicly because the Taiwan leadership would then refuse to enter negotiations. Arms sales would have the same negative effect on the prospect for negotiation.

In addition, he said — and I am quoting him almost precisely — that if U. S. arms sales took place it would cause a strong reaction by the Chinese people, not only against the United States, but against Chinese leadership. Please tell President Reagan and Haig, he added, that this is not a simple question. It would bring a strong reaction.

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It is not a question which can be solved by a few Chinese leaders. He then estimated that, if the United States behaved "correctly," talks with Taiwan might be able to begin in three to five years.

This was strong and frank language. Not to my knowledge have the Chinese ever admitted that the Taiwan issue could cause serious problems for them domestically. In more informal discussions, the Chinese indicated that they needed a year of grace in order to be able to deal with the arms sales issue.

I do not dismiss the possibility that these Chinese statements were partly or wholly self-serving, designed to elicit sympathy for a government which it is in the U. S. interest to support and thus to deter U. S. actions with respect to Taiwan. The Chinese have not survived as a state for more than 2000 years by being unskilled in diplomatic maneuvering. On the other hand, there is no pressing issue in U. S.—Taiwan relations of which I am aware which would prevent a testing of the sincerity of the representations which the Chinese have made to me.

In light of these discussions and overall U. S. interests, I suggest that no precipitate actions regarding Taiwan be taken. I would recommend high level discussions with the Chinese by you or Secretary Haig to reconfirm the message I received. Assuming such reconfirmation, a delay in major arms sales for as much as a year to allow consolidation of the Deng regime could pay enormous dividends. Should the Chinese claim of domestic vulnerability turn out to have been simply a ruse to dissuade us from sales, no significant damage will have been done. A balancing of the risks against the possible gains seems to me emphatically to recommend such a course of action.

As I said at the outset, while my trip revealed a number of additional valuable perspectives, I did not wish to detract from the overriding inportance which I ascribe to the three issues I have discussed by including them in this letter. As indicated, I shall insure that Secretary Haig is appraised of the remainder of my observations.

Sincerely, Gerall R. Ford

The Honorable Ronald Reagan

The President of the United States

The White House

Washington, D. C. 20505

NSC/S PROFILE

UNCLASSIFIED

ID 8101690

RECEIVED 01 APR 81 10

TO

ALLEN

FROM BREMER

DOCDATE 31 MAR 81

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Ws

FG011 FG006-12

KEYWORDS: VISIT

SUBJECT: DRAFT CABLE RE CATEGORIES OF VISITS OF CHIEFS OF STATE & HEADS OF GOVT

ACTION: PREPARE MEMO FOR ALLEN DUE: 05 APR 81 STATUS S FILES

FOR ACTION

FOR COMMENT

FOR INFO

TYSON

LILLEY (Political Affairs)

LENZ

FARRAR

URGENT

COMMENTS STAFFING PER ALLEN

REF# 8109943

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JANET COLSON

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# THE WHITE HOUSE WASHINGTON

MEMORANDUM FOR MICHAEL K. DEAVER

FROM:

RICHARD V. ALLEN

SUBJECT:

Categories of Visits

State has prepared for clearance the attached summary for diplomatic posts of the various categories of State, Official and Private Visits. It is the basic format used by preceding Administrations. One category has been added -- the "Official (Working) Visit" -- to provide greater flexibility for a "less" formal visit. Chuck Tyson and I have reviewed the draft and recommend the following suggested changes/additions:

#### Add:

Reciprocal Events (page 4, third day)

It is the present policy that the President and the Vice President do not attend reciprocal events.

#### Revise:

Private Visit -- Use of Blair House (page 9)

The President's Guest House is not automatically offered on private visits. If Blair House is available, consideration will be given to inviting the Head of State or Government to use it for one or two days. (The Secretary of State and the Chief of Protocol will make the determination in each case in coordination with the White House.)

Would appreciate your letting Chuck Tyson know after you have reviewed the draft. He will arrange to inform State accordingly.

#### THE WHITE HOUSE

WASHINGTON

April 17, 1981

MEMORANDUM FOR MICHAEL K. DEAVER

FROM:

RICHARD V. ALLEN

SUBJECT:

Categories of Visits

State has prepared for clearance the attached summary for diplomatic posts of the various categories of State, Official and Private Visits. It is the basic format used by preceding Administrations. One category has been added -- the "Official (Working) Visit" -- to provide greater flexibility for a "less" formal visit. Chuck Tyson and I have reviewed the draft and recommend the following suggested changes/additions:

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Would appreciate your letting Chuck Tyson know after you have reviewed the draft. He will arrange to inform State accordingly.

#### NATIONAL SECURITY COUNCIL

1690

ACTION

April 7, 1981

MEMORANDUM FOR RICHARD V. ALLEN

FROM:

Charles P. Tyson

SUBJECT:

Categories of Visits

Attached for clearance is a summary cable prepared by State of the different kinds of visits for guidance to all diplomatic posts (Tab A). A memo to Mike Deaver is also provided to seek his concurrence.

Two points are suggested: to include the recent decision that the President and Vice President will not attend reciprocal events; to include in the loop of approval for the Blair House, the Chief of Protocol and Mike Deaver.

#### RECOMMENDATION:

That you sign the memo to Mike Deaver at Tab I.

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#### DEPARTMENT OF STATE

Washington, D.C. 20520

March 31, 1981

MEMORANDUM FOR MR. RICHARD V. ALLEN THE WHITE HOUSE

SUBJECT: Categories of Visits of Chiefs of State and Heads of Government -- Cable Draft

Attached is a cable outlining and defining the categories of visits that the State Department supports for all future visits of Chiefs of State and Heads of Government.

The categories are divided into five types:

- 1. State
- 2. Official to the United States
- 3. Official to Washington, D.C.
- 4. Official Working Visit to Washington, D.C.
- 5. Private

The Department of State would greatly appreciate the review of this document and approval by the correct authorities for rapid transmission to our diplomatic posts.

L. Paul Bremer, III Executive Secretary

Attachment: As Stated

#### UNCLASSIFIED

TO ALL DIPLOMATIC POSTS

#### PRIORITY

DRAFTED:S/CPR:LLDEWAN x21676

CLEARANCES:S/CPR:RGOOKIN

S/S-S:JKELLY:

NSC:

E.O.: N/A
TAGS: OVIP

SUBJECT: VISITS TO THE UNITED STATES BY CHIEFS OF STATE

AND HEADS OF GOVERNMENT

- 1. THIS CABLE ESTABLISHES NEW GUIDELINES FOR VISITS TO THE UNITED STATES BY CHIEFS OF STATE AND HEADS OF GOVERNMENT AND WILL BECOME EFFECTIVE IMMEDIATELY. BECAUSE THE PROCEDURES MAY VARY, NO COMMITMENT REGARDING HONORS AND PROGRAMMING SHOULD BE MADE TO REPRESENTATIVES OF OTHER GOVERNMENTS WITHOUT PRIOR APPROVAL.
- 2. FOR POSTS' GUIDANCE, THERE ARE FIVE TYPES OF VISITS:
- (A) STATE VISIT
- (1) DEFINITION:

A STATE VISIT TO THE UNITED STATES CAN ONLY BE MADE BY A CHIEF OF STATE (PRESIDENT, REIGNING MONARCH, OR RULER). THE INVITATION IS ISSUED BY THE PRESIDENT OF THE UNITED STATES. A STATE VISIT IS NORMALLY LIMITED TO A CHIEF OF STATE VISITING FOR THE FIRST TIME DURING A PARTICULAR U.S. ADMINISTRATION. THE VISIT NORMALLY LASTS SEVEN DAYS (TWO DAYS AND NIGHTS IN WASHINGTON AND FOUR DAYS

ELSEWHERE IN THE UNITED STATES) WITH THE VISITOR ARRIVING THE DAY BEFORE THE STATE VISIT BEGINS AND RESTING AT A LOCATION NEAR OR IN WASHINGTON. BLAIR HOUSE, THE PRESIDENT'S GUEST HOUSE, IS MADE AVAILABLE AS THE OFFICIAL RESIDENCE DURING THE WASHINGTON PORTION OF THE VISIT.

#### (2) U.S. RESPONSIBILITIES:

#### OFFICIAL PARTY--

THE OFFICIAL PARTY IS LIMITED TO TWELVE, INCLUDING THE VISITOR AND SPOUSE, THE AMBASSADOR AND SPOUSE IN WASHINGTON, AND ANY SPOUSES OF ACCOMPANYING OFFICIAL PARTY MEMBERS. IN ADDITION, OTHER PERSONS SUCH AS SECRETARIES, VALETS, AIDES, ETC. ARE INCLUDED AS ACCOMPANYING MEMBERS OF THE PARTY.

#### AIR TRANSPORTATION--

THE UNITED STATES GOVERNMENT PROVIDES AIR TRANSPORTATION FOR THE OFFICIAL PARTY FROM THE PLACE OF ARRIVAL WITHIN THE UNITED STATES THROUGHOUT THE SEVEN-DAY PERIOD, ENDING WITHIN THE UNITED STATES. IT CANNOT, HOWEVER, ASSUME ANY PORTION OF THE ACCOMPANYING MEMBERS' TRAVEL OR LIVING EXPENSES BEYOND THEIR STAY AT BLAIR HOUSE (EXCEPT TRAVEL ON THE SAME AIRCRAFT USED BY THE OFFICIAL PARTY WHEN THIS IS FEASIBLE).

#### LIMOUSINES--

IN ADDITION TO THE LIMOUSINE PROVIDED BY SECRET SERVICE FOR THE VISITOR AND POSSIBLY A LIMOUSINE(S) PROVIDED BY STATE DEPARTMENT SECURITY FOR VISITOR'S SPOUSE AND/OR FOREIGN MINISTER, A MAXIMUM OF FOUR LIMOUSINES WILL BE PROVIDED DURING THE STATE VISIT.

#### OTHER USG EXPENSES --

THE UNITED STATES GOVERNMENT BEARS ALL NORMAL LIVING EXPENSES OF THE OFFICIAL PARTY DURING THE VISIT. IF THE VISITOR STAYS IN THE UNITED STATES BEYOND THE SEVEN-DAY PERIOD, THE UNITED STATES GOVERNMENT DOES NOT PROVIDE AIR TRANSPORTATION NOR ASSUME FINANCIAL RESPONSIBILITY FOR GROUND TRANSPORTATION OR LIVING EXPENSES. PROTOCOL SUPPORT IS PROVIDED THROUGHOUT THE VISIT.

#### (3) SCHEDULE:

FIRST DAY IN THE UNITED STATES--

THE VISITOR NORMALLY ARRIVES IN THE UNITED STATES THE DAY BEFORE THE STATE VISIT BEGINS AND EITHER STAYS OVERNIGHT AT A PLACE NEAR WASHINGTON, D.C. OR AT BLAIR HOUSE FOR A NIGHT OF REST. THE ARRIVAL WOULD BE LOW-KEY AS THE OFFICIAL ARRIVAL CEREMONY WOULD TAKE PLACE AT THE WHITE HOUSE THE NEXT DAY. HOWEVER, THE VISITOR WOULD BE GREETED AT THE AIRPORT BY:

OUTSIDE WASHINGTON, D.C.--

THE CHIEF OF PROTOCOL
THE COUNTRY'S AMBASSADOR TO THE UNITED STATES
THE AMERICAN AMBASSADOR TO COUNTRY
LOCAL OFFICIALS
SPOUSES WHEN APPROPRIATE

IN WASHINGTON, D.C. --

THE SECRETARY OF STATE OR REPRESENTATIVE
THE COUNTRY'S AMBASSADOR TO THE UNITED STATES
THE CHIEF OF PROTOCOL
THE AMERICAN AMBASSADOR TO COUNTRY
ASSISTANT SECRETARY OF STATE
DEPUTY ASSISTANT SECRETARY OF STATE
COUNTRY DIRECTOR
COUNTRY DESK OFFICER
THE COUNTRY'S EMBASSY OFFICIALS
SPOUSES WHEN APPROPRIATE

SECOND DAY IN THE UNITED STATES--

UPON ARRIVAL AT THE WHITE HOUSE, THE VISITOR IS GREETED BY THE PRESIDENT, WHERE MILITARY HONORS ARE RENDERED AND REMARKS EXCHANGED.

A SUBSTANTIVE MEETING WITH THE PRESIDENT IMMEDIATELY FOLLOWS THE ARRIVAL CEREMONY.

THE SECRETARY OF STATE AND MRS. HAIG WILL HOST A JOINT LUNCHEON OR TWO SEPARATE LUNCHEONS AT THE DEPARTMENT OF STATE.

A STATE DINNER IS GIVEN BY THE PRESIDENT AT THE WHITE HOUSE. DEPENDING UPON THE SEASON AND THE DESIRES OF THE PRESIDENT AND/OR THE VISITOR, DRESS MAY BE WHITE TIE OR BLACK TIE.

THIRD DAY IN THE UNITED STATES --

ADDITIONAL APPOINTMENTS AND VISITS TO PLACES OF INTEREST ARE ARRANGED AS DESIRED FOR THE REMAINDER OF THE WASHINGTON VISIT. AMONG THE MORE FREQUENTLY DESIRED ACTIVITIES ARE:

- --WREATH-LAYING CEREMONY AT THE TOMB OF THE UNKNOWN SOLDIER, ARLINGTON NATIONAL CEMETERY;
- -- MEETINGS WITH THE SENATE FOREIGN RELATIONS COMMITTEE AND HOUSE FOREIGN AFFAIRS COMMITTEE;
- --LUNCHEON AND ADDRESS AT THE NATIONAL PRESS CLUB;
- -- MEETINGS WITH SPECIFIC CABINET MEMBERS;
- --MEETINGS WITH AMERICAN AND/OR FOREIGN JOURNALISTS.

ON THE EVENING OF THE SECOND DAY IN WASHINGTON, THE AMBASSADOR OF THE VISITING COUNTRY MAY HOST A DINNER OR A RECEPTION HONORING THE VISITOR.

FOURTH DAY IN THE UNITED STATES --

AT THE DEPARTURE, USUALLY IN THE MORNING, THE FAREWELL COMMITTEE IS HEADED BY A HIGH-RANKING U.S. GOVERNMENT OFFICIAL. MILITARY HONORS (HONOR CORDON/HERALD TRUMPETS/GUN SALUTE) ARE RENDERED. NORMALLY THERE IS NO EXCHANGE OF REMARKS.

VISITS TO OTHER PLACES IN THE UNITED STATES FOR FOUR DAYS ARE ARRANGED AS DESIRED.

- (B) OFFICIAL VISIT TO THE UNITED STATES
- (1) DEFINITION:

AN OFFICIAL VISIT TO THE UNITED STATES CAN BE MADE EITHER BY A CHIEF OF STATE (PRESIDENT, REIGNING MONARCH, OR

RULER) OR BY A HEAD OF GOVERNMENT (PRIME MINISTER, CHANCELLOR). AN OFFICIAL VISIT TO THE UNITED STATES BY A CHIEF OF STATE (PRESIDENT, ETC.) IS NORMALLY A SECOND OR SUBSEQUENT VISIT TO THE UNITED STATES DURING A PARTICULAR U.S. ADMINISTRATION. THE INVITATION IS ISSUED BY THE PRESIDENT OF THE UNITED STATES. THE VISIT NORMALLY LASTS SEVEN DAYS (TWO DAYS AND NIGHTS IN WASHINGTON AND FOUR DAYS ELSEWHERE IN THE UNITED STATES) WITH THE VISITOR ARRIVING THE DAY BEFORE THE OFFICIAL VISIT BEGINS AND RESTING AT A LOCATION NEAR OR IN WASHINGTON. BLAIR HOUSE, THE PRESIDENT'S GUEST HOUSE, IS MADE AVAILABLE AS THE OFFICIAL RESIDENCE DURING THE WASHINGTON PORTION OF THE VISIT.

(2) U.S. RESPONSIBILITIES:

SAME AS FOR STATE VISIT.

(3) SCHEDULE:

S'AME AS FOR STATE VISIT.

- (C) OFFICIAL VISIT TO WASHINGTON, D.C.
- (1) DEFINITION:

AN OFFICIAL VISIT TO WASHINGTON, D.C. IS MADE BY EITHER A CHIEF OF STATE OR A HEAD OF GOVERNMENT. THE INVITATION IS ISSUED BY THE PRESIDENT OF THE UNITED STATES FOR THE VISITOR TO MEET WITH HIM FOR SUBSTANTIVE TALKS OR FOR A CHIEF OF STATE OR HEAD OF GOVERNMENT WHO HAS ALREADY RECEIVED A STATE/OFFICIAL VISIT TO THE UNITED STATES DURING A PARTICULAR U.S. ADMINISTRATION. A VISITOR IN THIS CATEGORY IS CONSIDERED A GUEST OF THE UNITED STATES GOVERNMENT ONLY WHILE HE/SHE IS IN WASHINGTON, D.C., USUALLY FOR THREE OR FOUR DAYS. BLAIR HOUSE, THE PRESIDENT'S GUEST HOUSE, IS MADE AVAILABLE AS THE OFFICIAL RESIDENCE WHILE THE VISITOR IS IN WASHINGTON.

(2) U.S. RESPONSIBILITIES:

OFFICIAL PARTY -- SAME AS FOR STATE AND OFFICIAL VISITS

#### AIR TRANSPORTATION --

THE UNITED STATES GOVERNMENT PROVIDES AIR TRANSPORTATION FOR THE OFFICIAL PARTY FROM THE LOCATION OF THE VISITOR WITHIN THE UNITED STATES TO WASHINGTON AND FROM WASHINGTON TO THE VISITOR'S NEXT STOP WITHIN THE UNITED STATES. IT CANNOT, HOWEVER, ASSUME ANY PORTION OF THE ACCOMPANYING MEMBERS' TRAVEL OR LIVING EXPENSES BEYOND THEIR STAY AT BLAIR HOUSE (EXCEPT TRAVEL ON THE SAME AIRCRAFT USED BY THE OFFICIAL PARTY WHEN THIS IS FEASIBLE).

#### LIMOUSINES--

IN ADDITION TO THE LIMOUSINE PROVIDED BY SECRET SERVICE FOR THE VISITOR AND POSSIBLY A LIMOUSINE(S) PROVIDED BY STATE DEPARTMENT SECURITY FOR VISITOR'S SPOUSE AND/OR FOREIGN MINISTER, A MAXIMUM OF FOUR LIMOUSINES WILL BE PROVIDED BY THE U.S. GOVERNMENT IN WASHINGTON ONLY.

#### OTHER USG EXPENSES --

THE UNITED STATES GOVERNMENT WILL NOT ASSUME RESPONSIBILITY FOR TRANSPORTATION OR LIVING EXPENSES IN WASHINGTON OR ELSEWHERE IN THE UNITED STATES BEYOND THE OFFICIAL PERIOD.

#### (3) SCHEDULE:

UPON ARRIVAL IN WASHINGTON, THE VISITOR IS GREETED BY THE PRESIDENT AT THE WHITE HOUSE, WHERE MILITARY HONORS ARE RENDERED AND REMARKS EXCHANGED. A SUBSTANTIVE MEETING WITH THE PRESIDENT IMMEDIATELY FOLLOWS THE ARRIVAL CEREMONY. NOTE: IF THE VISITOR HAS ALREADY BEEN A GUEST DURING A PARTICULAR U.S. ADMINISTRATION AND HAD A FULL WHITE HOUSE ARRIVAL CEREMONY, THERE WOULD NOT BE A SECOND ARRIVAL CEREMONY.

THE PRESIDENT NORMALLY GIVES A WHITE HOUSE DINNER IN THE VISITOR'S HONOR, THOUGH A LUNCHEON AT THE WHITE HOUSE MIGHT BE SUBSTITUTED. THE SECRETARY OF STATE HOSTS A LUNCHEON IN THE VISITOR'S HONOR AT THE DEPARTMENT OF STATE.

REMAINDER OF WASHINGTON SCHEDULE REMAINS AS IN STATE AND OFFICIAL VISITS.

- (D) OFFICIAL WORKING VISIT TO WASHINGTON, D.C.
- (1) DEFINITION:

SAME AS FOR OFFICIAL VISIT TO WASHINGTON, D.C.

(2) U.S. RESPONSIBILITIES:

SAME AS FOR OFFICIAL VISIT TO WASHINGTON, D.C.

(3) SCHEDULE:

UPON ARRIVAL IN WASHINGTON, THE VISITOR IS GREETED BY THE SECRETARY OF STATE OR HIS REPRESENTATIVE; LIMITED MILITARY HONORS ARE RENDERED; AND POSSIBLE REMARKS EXCHANGED. THE PRESIDENT'S INVOLVEMENT IN THIS TYPE OF VISIT INCLUDES A SUBSTANTIVE MEETING USUALLY FOLLOWED BY A WORKING LUNCHEON.

- (E) PRIVATE VISIT
- (1) DEFINITION:

THE PRIVATE VISIT INVOLVES A CHIEF OF STATE OR HEAD OF GOVERNMENT COMING TO THE UNITED STATES AT HIS/HER OWN INITIATIVE FOR PRIVATE BUSINESS PURPOSES, FOR MEDICAL TREATMENT, OR TO ATTEND THE U.N. GENERAL ASSEMBLY, ETC. THIS TRAVEL IS NOT INITIATED BY AN INVITATION ISSUED BY THE PRESIDENT OF THE UNITED STATES.

WHEN IT IS CONVENIENT FOR THE PRESIDENT OF THE UNITED STATES AND THE VISITOR TO MEET, WHETHER AT THE INITIATIVE OF THE U.S. GOVERNMENT OR OF THE VISITOR'S GOVERNMENT, THE OFFICE OF THE ASSISTANT CHIEF OF PROTOCOL FOR VISITS BECOMES INVOLVED IN MAKING CERTAIN ARRANGEMENTS. THIS MEETING MAY TAKE PLACE IN WASHINGTON, OR ELSEWHERE, DEPENDING UPON THE SCHEDULING OF ACTIVITIES FOR THE PRESIDENT OF THE UNITED STATES.

#### (2) U.S. RESPONSIBILITIES:

SHOULD NO MEETING BETWEEN THE VISITOR AND THE PRESIDENT BE SCHEDULED, THE OFFICE OF THE ASSISTANT CHIEF OF PROTOCOL FOR VISITS IS USUALLY NOT INVOLVED IN THE PRIVATE VISIT. IF THE EMBASSY SHOULD SO DESIRE, ASSISTANCE WILL BE GIVEN IN MAKING VARIOUS ARRANGEMENTS FOR THE VISITOR. CUSTOMS CLEARANCES AND COURTESIES WILL BE ARRANGED BY THE CUSTOMS AREA OF THE PROTOCOL OFFICE.

IN THE EVENT OF A MEETING BETWEEN THE VISITOR AND THE PRESIDENT AT THE WHITE HOUSE, THE FOLLOWING EVENTS ARE POSSIBLE:

- -- AN HONOR CORDON WILL BE IN PLACE AT THE WHITE HOUSE.
- --USUALLY, A VISITING CHIEF OF STATE OR HEAD OF GOVERNMENT ARRIVES AT THE WHITE HOUSE VIA THE SOUTHWEST GATE TO THE DIPLOMATIC ENTRANCE.
- -- POSSIBLE MEETINGS WITH THE SECRETARY OF STATE AND OTHER U.S. GOVERNMENT OFFICIALS.

AIR TRANSPORTATION --

ANY REQUESTS FOR AIR TRANSPORTATION, FROM THE POINT OF ARRIVAL IN THE UNITED STATES TO WASHINGTON, MUST BE SUBMITTED TO THE OFFICE OF THE CHIEF OF PROTOCOL FOR CONSIDERATION.

#### BLAIR HOUSE--

BLAIR HOUSE, THE PRESIDENT'S GUEST HOUSE, IS GENERALLY NOT AVAILABLE ON PRIVATE VISITS. PERMISSION MUST BE GRANTED BY THE SECRETARY OF STATE AND THE NATIONAL SECURITY AFFAIRS ADVISER.

#### 3. GIFTS:

THE OFFICE OF PROTOCOL ASSISTS WITH OFFICIAL GIFTS PRESENTED AND EXCHANGED DURING VISITS. ON STATE AND OFFICIAL VISITS, THE PRESIDENT AND FIRST LADY ROUTINELY EXCHANGE GIFTS WITH THE CHIEF OF STATE/HEAD OF GOVERNMENT AND SPOUSE. ON SUCH VISITS, FURTHER EXCHANGES (E.G., WITH THE VICE PRESIDENT AND THE SECRETARY OF STATE) ARE NOT CUSTOMARY.

ON PRIVATE VISITS, THERE IS NO EXCHANGE OF GIFTS AND UNILATERAL PRESENTATION OF GIFTS BY THE VISITOR IS TO BE DISCOURAGED.

ALL INFORMATION CONCERNING POSSIBLE GIFTS FOR PRINCIPAL AMERICAN OFFICIALS AND THEIR SPOUSES SHOULD BE RELAYED TO THE OFFICE OF PROTOCOL.

- 4. ALTHOUGH COORDINATION OF THE DETAILED SCHEDULE ON A STATE OR OFFICIAL VISIT WILL BE HANDLED PRIMARILY IN WASHINGTON BETWEEN THE COUNTRY'S EMBASSY AND THE DEPARTMENT, AMERICAN DIPLOMATIC POSTS WILL BE CALLED UPON TO ASSIST. FOLLOWING IS THE BASIC INFORMATION THAT WILL BE REQUIRED FOR THE DETAILED PREPARATIONS ON A VISIT:
- (A) OFFICIAL PARTY LIST (12) -- FULL NAMES, TITLES, AND ORDER OF PRECEDENCE;
- (B) ACCOMPANYING PARTY -- FULL NAMES, TITLES, AND ORDER OF PRECEDENCE;
- (C) TRAVELING PRESS -- FULL NAMES, PRESS AFFILIATION, PASSPORT NUMBERS, DATE AND PLACE OF BIRTH (NEEDED FOR PRESS ACCREDITATION);

- (D) AIRCRAFT INFORMATION, IF OTHER THAN COMMERCIAL FLIGHT -- TYPE OF AIRCRAFT(S), TAIL NUMBER, CALL SIGN, AND NAME OF COMPANY THAT HAS BEEN CONTRACTED TO SERVICE AIRCRAFT;
- (E) PASSPORTS WHO IN VISITOR'S PARTY WILL HAVE PASSPORTS IN HAND FOR CUSTOMS FORMALITIES;
- (F) DIETARY OR RELIGIOUS RESTRICTIONS/PREFERENCES, MEDICAL PROBLEMS, AND OTHER USEFUL INFORMATION, I.E., FLOWERS, COLORS, ETC.
- (G) ENGLISH LANGUAGE CAPABILITY OF OFFICIAL PARTY MEMBERS.

#### 5. SECURITY

PROTECTIVE SECURITY FOR THE CHIEF OF STATE/HEAD OF GOVERNMENT WILL BE PROVIDED BY U.S. SECRET SERVICE THROUGHOUT THE VISITOR'S STAY IN THE UNITED STATES (REGARDLESS OF THE TYPE OF VISIT) UNLESS A SIGNED LETTER DECLINING SUCH PROTECTION IS RECEIVED.

PROTECTIVE SECURITY BY STATE DEPARTMENT SECURITY FOR THE SPOUSE OF THE CHIEF OF STATE/HEAD OF GOVERNMENT, THE FOREIGN MINISTER, OR OTHER CABINET OFFICIALS IN THE PARTY, MUST BE REQUESTED BY THE COUNTRY DESK.

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#### **MEMORANDUM**

#### NATIONAL SECURITY COUNCIL

April 16, 1981

MEMORANDUM FOR:

RONALD K. PETERSON

FROM:

ALLEN J. LENZ

SUBJECT:

Foreign Missions Act of 1982

The National Security Council Staff strongly endorses the Foreign Missions Act of 1982 (Tab A).

#### NATIONAL SECURITY COUNCIL

April 15, 1981

ACTION

MEMORANDUM FOR ALLEN J. LENZ

FROM:

ROBERT M. KIMMITT

SUBJECT:

Foreign Missions Act of 1982

OMB requests our views on the Foreign Missions Act of 1982 (Tab A).

This important diplomatic reciprocity bill is one on which we and State have been working with the Congress for over a year, and it now appears that passage is a real possibility. We should concur quickly to OMB.

#### **RECOMMENDATION:**

That you sign the concurring memorandum at Tab I.

Attachment

cc: Bill Stearman



# EXECUTIVE OFFICE OF THE PRESIDENT OFFICE OF MANAGEMENT AND BUDGET

1981.

WASHINGTON. D.C. 20503 April 9, 1981

# SPECIAL

#### LEGISLATIVE REFERRAL MEMORANDUM

TO:

Legislative Liaison OfficerDepartment of State
Department of the Treasury
D.C. Government
National Captial Planning Commission
General Services Administration
National Security Council
Office of Personnel Management
Central Intelligence Agency

SUBJECT:

S. 854, the "Foreign Missions Act of 1982." (We understand that the Congress will very likely enact some form of a Foreign Mission Act and the Administration may need to comment on this bill on short notice. A similar bill has been amended to the State authorization in the House.)

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

A response to this request for your views is needed no later than C.O.B., Friday, April 17, 1981.

Questions should be referred to Tracey Cole Lawler (395-4710), the legislative analyst in this office, or to Pat Schluster (395-4580).

RONALD K. PETERSON FOR Assistant Director for Legislative Reference

Enclosures

cc: Lee Dowd, GC

Hilda Schreiber, FPP

Brad Kyser, BRD

Bill Coleman, OFPP

Jim Barie, IAD

SPECIAL

In the meantime, the condition of the military of meady persons who depend union these programs for their income and their health care continues to military. The National Urban League's state of Elack America 1980 reported that:

11 oct AFDC payments have been sigminutify eroded by inflation . . . (B) etween 1170 and 1970, the average state maximum tor a family of four without other income in comment 1979 dollars) dropped from \$421 to 2540 a month.

In New York, the basic cash allowance for a family of four was set at \$258 a month—exclusive of shelter—in 1974. It remains \$258 today. In that time, consumer prices have increased by 64 percent. Sensible of this erosion, the State senate, upon Gov. Hugh Carey's urging, approved a 15-percent increase in AFDC benefits. This hardly compensates for the large drop in the benefits' real value. But even this small rise will cost the State an afficional \$120 million in 1982.

And that is merely the beginning. Only to illustrate this do I mention that data I have published in the spring 1981 issue of the Journal of Socioeconomic Issues show that dependency has increased astonishingly. Permit me to quote:

It appears that one-half of the children now being born are likely to live in femaleheaded households at some point prior to their 18th birthday. This includes 40 percent of majority children and 75 percent of minority children.

Two-thirds of female-headed households with children now receive AFDC payments.

Before their 18th birthday, one-third of all children now being born are likely to live in a female-headed household receiving AFDC payments.

One-third of all children. A third of our children dependent upon their State governments—which set benefit levels for an even less adequate level of subsistence. Inadequate not because their governments are mean spirited, but because they cannot afford anything more.

The bill I introduce today would fundamentally change this. It would remove the burden of welfare and medicaid financing from local governments, and would substantially ease the burden on State governments. But this higher level of Federal reimbursement is available only to those States that provide AFDC and food stamp benefits in excess of three-quarters of the federally determined poverty line.

The bill's hold harmless provision insures that State costs will not increase because of this minimum benefit level; if the cost of meeting the minimum benefit exceeds the higher reimbursement rate, the Federal Government is responsible for the difference. States will be table—will be encouraged—to provide a decent level of cash assistance and health care for their needlest residents.

This is an easily understood bill, similar to legislation I introduced in the 55th Congress. It simply changes the minimum Federal reimbursement level under the "Medicaid formula" (which governs both the medicaid and AFDC programs) from 50 percent to 75 percent in fiscal 1982, rising to 90 percent in fiscal 1985 and thereafter. The bill requires that the additional Federal fund-

ing be "passed through" to localities in those States that now require local cost-sharing in amounts sufficient to eliminate the local share. When fully implemented, the State (or State-local) share of expenditures for medicaid would be only 10 percent (down from the present average of 44 percent) and the State (or State-local) share of AFDC cash benefits would also be 10 percent (down from the present average of 46 percent).

The essential purpose of this bill, the welfare and medicaid fiscal assistance program, is to assign the primary responsibility to the Federal Government of paying for both welfare and medicaid. This is entirely consistent with the stated policy recommendations of the National Governors Association. It is not a complete transfer of fiscal responsibility, for so long as the States retain the task of administering these programs (and of setting cash assistance levels, above a federally-prescribed floor) they must retain a fiscal stake in them. The 10 percent share envisioned in this bill is quite sufficient for that purpose.

I would add, however, that I would welcome complete Federal assumption of the administrative and fiscal responsibility for both sets of activities. That is how social security, disability, SSI and medicare work and is, I believe, the proper permanent locus for cash assistance to dependent children and for medical care for the needy as well. Short of that large structural change, a realinement of fiscal responsibility would constitute a major improvement.

I urge its favorable consideration and its enactment.

By Mr. PERCY:

S. 854. A bill to promote the orderly conduct of international relations by facilitating the operation of foreign missions in the United States, thereby promoting the secure and efficient operation of the U.S. missions abroad; to the Committee on Foreign Relations.

FOREIGN MISSIONS ACT OF 1982

Mr. PERCY. Mr. President, today I am introducing a bill which I call the Foreign Missions Act of 1982. An identical bill is being introduced in the House of Representatives by Congressman Dante Fascell of Florida.

This legislation is designed to provide the means to remedy a serious and growing imbalance between the treatment accorded in many countries to official missions of the United Statass abroad, and that made available to foreign government missions in the United States. At present the Department of State lacks authority compared to that enjoyed by many other governments to enforce reciprocity in an appropriate manner.

In an increasing number of countries, for example, the United States is denied suitable locations for our missions or long-term rights to property or facilities, often resulting in diminished security, excessive or discriminatory costs, or inadequate facilities which significantly reduce the effectiveness of our missions. For example:

In the Soviet Union and East European countries, the United States is barred

from purchasing office and residential properties and is required to obtain all facilities through government controlled sources. In many cases these are either inadequate, excessively costly, or both, or denied arbitrarily. However, in the United States, these governments are allowed to purchase both types of property in Washington, D.C. All own either office or residential space.

Venezuela will not allow the Department to purchase staff housing units in the capital city, which imposes difficulties on the functioning of the mission, but the Venezuelans are purchasing housing in the greater Washington metropolitan area for official purposes.

Kuwait, Bahrain, and the United Arab Emirates will not allow the United States to purchase badly needed staff housing sites which would allow residential construction and elimination of exorbitant short-term lease charges. Yet these same governments own residential units in our capital area. For example, in Doha, Qatar, it costs the U.S. Government \$33,000 per year to lease living quarters for a single secretary.

In Indonesia, the government has determined that the U.S. Government may no longer own its more than 20 properties and is now in the process of converting these to long-term leaseholds. The new ground rents will be considerable. Indonesia is free to buy, lease, and sell in the United States.

In Algeria, a prior expropriation of U.S. property remains unresolved. Our present facilities are very inadequate and our efforts to secure long-term office and residential properties have met with negative results.

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Our Embassies in the Soviet Union, East European, and other countries with state directed economies are required to deal through service organizations within the Ministries of Foreign Affairs for practically all administrative support and services, that is, housing, maintenance, utilities, employees, tickets for cultural and athletic performances, travel, et cetera. These organizations often impose a substantial surcharge for often unnecessary or unwanted "services." The total cost to the U.S. Government and its employees amounts to hundreds of thousands of dollars annually. For example, the Soviets charge diplomatic personnel but not tourists a "fee"equal to one night's lodging-for holding a hotel reservation. Thus, a traveler is required to pay for one extra day of lodging regardless of the amount of time the room was occupied.

In many areas of the world, both the U.S. Government and its employees encounter serious inequities regarding the import or export of privately owned vehicles and other personal effects. Employees of these governments' foreign mission in the United States do not face these same restrictions; problems exist, for example, in Mexico, Venezuela, Singapore, Guatemala, and at many Embassies in the Near East.

At the same time, missions of those same countries are allowed in the United States to acquire property and goods freely or obtain benefits or public services, often without limitation. The U.S.

Government and its personnel are often confronted by serious inequities concerning the phymical of taxes on goods and services obtained in the host country. For example, in Chile and Malta the Embassy is not exempt from the payment of a pusoline tax of 45 cents and 25 cents per hallon, respectively. In Yugoslavia the Embassy is required to pay a 27.5 percent tax on heating oil.

A number of countries also require a transaction tax on certain construction materials. An example is Portugal where the imposition of this tax may greatly increase the cost of the new embassy being constructed in Lisbon. In New Dulhi, all Embassy administrative and support staff and specialized staff such as Library of Congress personnel do not receive duty-free import privileges and are not exempt from customs inspection and imposition of certain taxes, despite their performance of official functions for the United States.

In most cases, the Department lacks authority to impose similar restrictions or conditions on those or other countries in the United States. Instead it can only take far more extreme action such as barring the country concerned from using property it may acquire or declaring some persons persona non grata. These remedies are not suitable for such situations and are therefore rarely used.

The proposed Foreign Missions Act provides mechanisms whereby the operations of foreign missions in the United States and the benefits available to them from Federal. State, and local authorities, public utilities and private persons may be cleared through the Federal Government and adjusted according to U.S. needs abroad as well as national security interests at home.

In this way, the conditions under which foreign missions operate in the United States can be made to reflect the conditions under which missions of the United States are required to operate in the countries represented by such foreign missions. As a result, the foreign governments represented by mission in the United States will have an incentive to provide fair, equitable and nondiscriminatory treatment to U.S. missions and personnel in their territory, thus contributing to significant savings in the cests of operating U.S. missions, improved working conditions for U.S. personnel, and mutual respect in our foreign relations. The bill's authorities may also be applied to international organizetions to a limited extent where necessary to give effect to the policy of the

Specifically, the bill sets up an independent Office of Foreign Missions within the Department of State. The Office is to be headed by a Director appointed by the Secretary of State. The Director will carry out his or her responsibilities under the general supervision and direction of the Secretary. The Secretary is prohibited from delegating supervisory authority over the Director to any official below the rank of Under Secretary.

This organizational structure seeks to reconcile two competing policy interests. On the one hand, the operation of for-

eign missions in the United States is an important aspect of the conduct of foreign affairs and should be directly under the supervision of the Secretary of State. On the other hand, responsibility for the hard decisions to deny or impose conditions on benefits desired by foreign missions should be somewhat insulated from the operating bureaus in the State Department which deal with foreign missions on substantive issues on a daily basis. These concerns will be met effectively by placing the responsibility in the State Department and by precluding supervision of its exercise by any of the operating bureaus. The Officce will be staffed by Foreign Service members, other Government employees, experts and consultants as necessary.

CONGRESSIONAL RECORD—SENATE

The Secretary of State will set the terms and conditions under which benefits may be granted or denied a foreign mission. Such actions will be governed by the need for reciprocity or other factors in our relations with other nations. The purposes served include the following:

Facilitating relations between the United States and a sending State.

Protecting U.S. interests.

Adjusting for costs and procedures of obtaining benefits for missions of the United States abroad.

Assisting in resolving disputes involving a foreign mission or sending State.

In carrying out the provisions of the bill, the Director is authorized to assist Federal, State, and municipal governments with regard to ascertaining and according benefits, privileges and immunities to foreign missions. The activities covered include the execution or performance of any contract or agreement, the acquisition or retention of any real property, or the application for or acceptance of any benefit, including benefits from any Federal, State, or municipal authority, or any entity providing public services; for example, utility and telephone company.

The bill specifically provides that the terms and conditions set by the Secretary may include a requirement to pay the Director a surcharge or fee, which would be deposited in the working capital fund of the Department of State to be used in carrying out the provisions of the bill. In addition, the Secretary may require a waiver by any foreign mission of any recourse against any governmental authority, public service entity, agent or employee thereof, in connection with actions taken under the provisions of the bill. This will protect companies from lawsuits and will thus enable the Director to carry out the provisions of the bill more effectively.

The bill also provides that issues concerning the location of foreign missions in the District of Columbia be settled by the National Capital Planning Commission, on which Federal, city, and citizen interests are represented. In order to insure full discussion, public hearings are required.

Mr. President, I urge my colleagues to support this bill, which is designed to achieve more balance between the treat-

ment accorded U.S. missions overseas and that given foreign missions in the United States. I ask unanimous consent that this bill be printed in the Record at this point.

There being no objection, the bill was ordered to be printed in the RECORD, 25 follows:

#### 3. 854

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the State Department Basic Authorities Act of 1956 is amended by striking out "That the Secretary" in the first section and inserting in lieu thereof the following:

## "TITLE I—BASIC AUTHORITIES GENERALLY

"SECTION 1. The Secretary".

(b) That Act is further amended by adding at the end thereof the following:

TITLE II—AUTHORITIES RELATING TO.
THE REGULATION OF FOREIGN MISSIONS

"DECLARATION OF FINDINGS AND POLICY

"Sec. 201. (a) The Congress finds that the operation in the United States of foreign missions and public international organizations and the official missions to such organizations, including the permissible scope of their activities and the location and size of their facilities, is a proper subject for the exercise of Federal jurisdiction.

"(b) The Congress declares that it is the policy of the United States to support the secure and deficient operation of United States missions abroad, to facilitate the secure and efficient operation in the United States of foreign missions and public international organizations and the official missions to such organizations, and to assist in obtaining appropriate benefits, privileges, and immunities for those missions and organizations and to require their observance of corresponding obligations in accordance with international law.

"(c) The assistance to be provided to a foreign mission in the United States shall be determined after due consideration of the benefits, privileges, and immunities provided to missions of the United States in the country or territory represented by that foreign mission.

#### "DEFINITIONS

"Sec. 202. (a) For purposes of this title—"(1) 'benefit' (with respect to a foreign mission) means any acquisition, or authorization for an acquisition, in the United States by or for a foreign mission, including the acquisition of—

"(A) real property by purchase, lease, ex-

change, construction, or otherwise,

"(B) public services, including services relating to customs, importation, and utilities, and the processing of applications or requests relating to public services.

"(C) supplies, maintenance, and transportation,

"(D) locally engaged staff on a temporary or regular basis,

"(E) travel and related services, and

"(F) protective services,

and includes such other benefits as the Secretary may designate;

"(2) 'chancery' means the principal offices of a foreign mission used for diplomatic or related purposes, and annexes to such offices (including ancillary offices and support facilities), and includes the site and any building on such site which is used for such purposes;

"(3) 'Director' means the Director of the Office of Foreign Missions established pursuant to section 203(a);

"(4) 'foreign mission' means any official .

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mission to the United States involving dipsometic, consular, or other governmental activities of-

'(A) a foreign government, or

".B) an organization (other than an intermational organization, as defined in section 200 b) of this title) representing a territory or political entity which has been granted niplematic or other official privileges and in munities under the laws of the United States.

including any real property of such a mission and including the personnel of such a EUMION:

"(5) 'real property' includes any right. title, or interest in or to, or the beneficial use of, any real property in the United States, including any office or other building; "(6) 'Secretary' means the Secretary of

"(7) 'sending State' means the foreign government, territory, or political entity represented by a foreign mission; and

"(8) "United States" means, when used in a geographic sense, the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and pos-Mesalons of the United States.

"(b) Determinations with respect to the meaning and applicability of the terms used in subsection (a) shall be committed to the discretion of the Secretary.

#### "OFFICE OF FOREIGN MISSIONS

"Sec. 203. (a) The Secretary shall establish an Office of Foreign Missions as an independent office within the Department of State. The Office shall be headed by a Director, appointed by the Secretary, who shall perform his or her functions under the supervision and direction of the Secretary. The Secretary may delegate this authority for supervision and direction of the Director only to the Deputy Secretary of State or an Under Secretary of State.

"(b) The Secretary may authorize the Director to-

"(1) assist agencies of Pederal, State, and municipal government with regard to ascertaining and according benefits, privileges, and immunities to which a foreign mission may be entitled:

(2) provide or assist in the provision of benefits for or on behalf of a foreign mission in accordance with section 204; and

"(3) perform such other functions as the Secretary may determine necessary in furtherance of the policy of this title.

#### "FROVISION OF BENEFITS

"SEC. 204. (a) Upon the request of a foreign mission, benefits may be provided to or for that foreign mission by or through the Director on such terms and conditions as the Secretary may approve.

"(b) The Secretary may require a foreign mission to obtain benefits from or through the Director on such terms and conditions as the Secretary may approve, if the Secretary determines that such action is reasonably necessary on the basis of reciprocity or otherwise

"(1) to facilitate relations between the United States and a sending State;

'(2) to protect the interests of the United States.

'(3) to adjusts for costs and procedures of obtaining benefits for missions of the United States abroad: or

"(4) to assist in resolving a dispute affecting United States interests and involving a foreign mission or sending State.

"(c) The Secretary may require any foreign mission to comply with such terms and conditions as the Secretary may determine as a condition to the execution or performance in the United States of any contract or other agreement; the acquisition, retention, or use of any real property or the application for or acceptance of any benefit (including any benefit from or authorized by any Federal. State, or municipal governmental authority, or any entity providing public services).

'(d) Terms and conditions established by the Secretary under this section may include

"(1) a requirement to pay to the Director a surcharge or fee, and

"(2) a waiver by a foreign mission (or any assignee of or person deriving rights from a foreign mission) of any recourse against any governmental authority, any entity-providing public services, any employee or agent of such an authority or entity, or any other person, in connection with any action determined by the Secretary to be undertaken in furtherance of this title.

'(e) For purposes of effectuating a waiver of recourse which is required under this section, the Secretary may designate the Director or any other officer of the Department of State as the agent of a foreign mission (or of any assignee of or person deriving rights from a foreign mission). Any such waiver by an officer so designated shall for all purposes (including any court or administrative proceeding) be deemed to be a waiver by the foreign mission (or the essignee of or other person deriving rights from a foreign

#### "PROPERTY OF POREIGN MISSIONS

"SEC. 205. (a) (1) The Secretary may require any foreign mission to notify the Director prior to any proposed acquisition, or any proposed sale or other disposition, of any real property by or on behalf of such mission. If such a notification is required, the foreign mission (or other party acting on behalf of the foreign mission) may initiate or execute any contract, proceeding, application, or other action required for the proposed action-

"(A) only after the expiration of the sixtyday period beginning on the date of such notification (or after the expiration of such shorter period as the Secretary may specify

in a given case); and

"(B) only if the mission is not notified by the Secretary within that period that the proposal has been disapproved; however, the Secretary may include in such a notification such terms and conditions as the Secretary may determine appropriate in order to Temove the disapproval.

"(2) For purposes of this section, 'acquisition' includes any acquisition or alteration of, or addition to, any real property or any change in the purpose for which real prop-

erty is used by foreign mission.

(b) The Secretary may require any foreign mission to divest itself of, or forego the use of, any real property determined by the Secretary-

"(1) not to have been acquired in accordance with this section; or

"(2) to exceed limitations placed on real

property available to a United States mission

in the sending State.

'(c) If a foreign mission has ceased conducting diplomatic, consular, and other governmental activities in the United States and has not designated a protectig power or other agent approved by the Secretary to be responsible for the property of that foreign mission, the Secretary-

(1) until the designation of a protecting power or other agent approved by the Secretary, may protect and preserve any property

of that foreign mission; and

"(2) may authorize the Director to dispose of such property at such time as the Secretary may determine after the expiration of the one-year period beginning on the date that the foreign mission ceased those activities, and may remit to the sending State the net proceeds from such disposition.

#### "LOCATION OF FOREIGN MISSIONS

"SEC 206. (a) In order to ensure the fulfilment of the international obligations of

the United States and fulfillment of the policy of this title, and to ensure the orderly development of the national capital, the location, height, bulk, number of stories, and size of any building or other real property of a foreign mission in the District of Columbia, and the provision for open space in and around any such building or other property. shall be subject to approval by the National Capital Planning Commission (hereafter in this section referred to as the 'Commission'). This subsection does not apply with respect to a building or other real property of a foreign mission if the Commission determines that the property will only be used by a party other than a foreign mission and will only be used for activities that do not involve the diplomatic, consular, or other governmental activities of a foreign mission.

(b) Any determination by the Commission pursuant to subsection (a) of this section which involves approval of the location of or a use of real property for a chancery, or involves approval of site and building plans for a chancery, shall be considered rulemaking under section 553 of title 5, United States Code, and shall be based solely on the following criteria:

"(1) the Federal interest;

"(2) the chancery is an area (A) of predominantly office use, (B) of mixed use, including residential, commercial, office, or institutional use, (C) of medium or high density residential use, or (D) in reasonable proximity to streets on which existing chanceries are concentrated:

"(3) historic preservation (as determined in accordance with regulations issued by the Commission in carrying out this section);

"(4) the extent to which the area will be served by public transit to reduce parking requirements;

(5) the extent to which the area will have adequate public facilities, utilities, and services, including streets, street lighting. water, sewer, electricity, telephone, and

refuse collection;
"(6) the area is capable of being adequately protected, as determined by a Pederal agency authorized to perform protective services: and.

"(7) the municipal interest.

Any other determination by the Commission with respect to real property of a foreign mission pursuant to subsection (a) of this section shall be based solely on the criteria specified in paragraphs (1), (3), (6), and (7). and such other criteria as the Commission may by regulation establish.

(c) In any proceeding with respect to real property of a foreign mission pursuant

to subsection (a) of this section-

(1) a determination by the Secretary as to the Federal interest shall be given substantial weight; and

"(2) a determination by the Mayor of the District of Columbia as to the municipal interest shall be given substantial weight.

"(d) In any proceeding with respect to real property of a foreign mission pursuant to subsection (a) of this section, the final determination with respect to approval of a location or use or approval of site and building plans shall be made not later than 5 months after the date of filing an application for such approval.

#### "PREEMPTION

"Sec. 207. Notwithstanding any other provision of law, no act of any Federal agency or of any State or municipal governmental authority shall be effective to confer or deny any benefits with respect to any foreign mission contrary to this title.

#### "GENERAL PROVISIONS

"SEC. 208. (a) The Secretary may issue such regulations as the Secretary may determine necessary to carry out the policy of this title.

"(b) Compliance with any regulation, instruction, or direction issued by the Secretary

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under this title shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same. No person shall be held liable in any court or administrative proceeding for or with respect to anything done or omitted in good faith in connection with the administration of, or pursuant to and in reliance on, taus title, or any regulation, instruction, or direction issued by the Secretary under this title.

"(c) For purposes of administering this title, the Secretary may-

"(1) employ experts and consultants in accordance with section 3109 of title 5, United States Code, at rates not to exceed the rate payable for level IV of the Executive Schedule, under contracts which may be renewed

ennually:

"(2) obtain without regard to the provisions of law governing appointments in the competitive service, by appointment or contract (subject to availability of funds), the services of individuals to provide technical and professional services required to carry out the functions of the Director; and

(3) accept details and assignments of employees of Federal agencies to the Office of Foreign Missions on a reimbursable or nonreimbursable basis (with any such reimbursements to be credited to the appropriations made available for the salaries and expenses of omcers and employees of the employing

agency).

"(d) Contracts and subcontracts for supplies or services (except for personal services), made by or on behalf of the Director, shall be made after advertising, in such manner and at such times as the Secretary shall determine to be adequate to ensure notice and opportunity for competition, excost that advertisement shall not be required when (1) the Secretary determines that it is impracticable or will not permit timely performance to obtain bids by advertising, or (2) the aggregate amount in-volved in a purchase of supplies or procursment of services does not exceed \$10,000. Such contracts and subcontracts may be and entered into without regard to laws regulations otherwise applicable to solicitation, negotiation, administration, and performance of government contracts. In awarding contracts, the Secretary may consider such factors as relative quality and availability of supplies or services and the compatability of the supplies or services with implementation of this title.

(e) The head of any Federal agency may,

for purposes of this title-

"(1) transfer or loan any property to, and perform administrative and technical support functions and services for the opera tions of the Office of Foreign Missions (with reimbursements to agencies under this paragraph to be credited to the current applicable appropriation of the agency concerned); and

"(2) suguire and accept services from the Office of Foreign Missions, including (whenever the Secretary determines it to be in furtherance of the purposes of this title) acquisitions without regard to laws normally applicable to the acquisition of services by

such agency.

"(f) Assets of or under the control of the Office of Foreign Missions, wherever situated, which are used by or held for the use of a foreign mission shall not be subject to attachment, execution, injunction, or similar process, whether intermediate or final.

"(g) Except as otherwise provided, any determination required under this title shall be committed to the discretion of the Secretary. Except as provided in the first sentence of section 206(b), actions taken under the authority of this title shall not be considered rulemaking within the meaning of section 553 of title 5. United States Code.

"(h)(1) In order to implement this title, the Secretary may transfer such amounts available to the Department of State as may be necessary to the working capital fund established by section 13 of this Act.

"(2) Notwithstanding any other provision of law, all revenues, including proceeds from gifts and donations, received by the Director or the Secretary in carrying out this title may be credited to the working capital fund established by section 13 of this Act and shall be available for purposes of this title in accordance with that section.

"APPLICATION TO PUBLIC INTERNATIONAL ORGA-NIZATIONS AND OFFICIAL MISSIONS TO SUCH ORGANIZATION'S

"SEC. 209. (a) The Secretary may make section 206, or any other provision of this title, appplicable with respect to an inter-national organization to the same extent that it is applicable with respect to a foreign mission if the Secretary determines, after consultation with the international organigation, that such application is necessary to carry out the policy set forth in section 201(b) and to further the objectives set forth in section 204(b).

"(b) For purposes of this section, "inter-

national organization' means-

"(1) a public international organization designated as such pursuant to the International Organizations Immunities Act (22 U.S.C. 288-2881-2) or other law authorizing such status; and

"(2) an official mission (other than a United States mission) to such a public international organization, including any real property of such an organisation or mission and including the personnel of such an or-

ganization or mission.

#### "PRIVIL DUES AND DACKUNITUES

"SEC. 210. Nothing in this title shall be construed to limit the authority of the United States to carry out its international obligations, or to supersede or limit immunities otherwise available by law, No act or omission by any foreign mission, public international organization, or official mission to such an organization, in compliance with this title, shall be deemed to be an implied waiver of any immunity otherwise provided for by law.

"ENFORCEMENT

"Sec. 211. It shall be unlawful for any person to make savilable any benefits to a foreign mission contrary to this title. This section shall be enforceable in any appropriate district court of the United States by injunctive or other equitable relief upon application by the Attorney General.

#### "SEVERARILITY

"SEC. 212. If any provision of this title or the application thereof to any person or circumstance is held invalid, the remainder of this title and the application of such provision to any other person or circumstance shall not be affected thereby.".

(c) Section 13 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2684) is amended in the first sentence by striking following the semicoion at the and" end of clause (3), and by inserting immedistely before the period at the end thereof "; and (5) services and supplies to carry out title II of this Act".

(d) (1) Subparagraph (A) of section 2(1) of the Diplomatic Relations Act (22 U.S.C. 254a(1)(A)) is amended to read as follows:

- "(A) the head of a mission and those members of a mission who are members of the diplomatic staff or who, pursuant to law, are granted equivalent privileges and immunities,".
- (2) Section 3(b) of such Act (22 U.S.C. 254b) is amended to read as follows:
- "(b) With respect to a nonparty to the Vienna Convention, the mission, the members

of the mission, their families, and dinte matic couriers shall enjoy the privileges and immunities specified in the Vienna Conve tios."

(3) Section 4 of such Act (22 U.S.C. 254c) is amended-

(A) by inserting "the mission, the" immediately after "immunities for"; and

(B) by striking out "of any sending state" (4) Section 1364 of title 28, United States Code, is amended by striking out "as defined in the Vienna Convention on Diplomatic Relations" and inserting in lieu thereof "within the meaning of section 2(3) of the Diplomatic Relations Act (22 U.S.C. 254a(3))".

(e) The Act of June 20, 1938 (Public Lew 684, 75th Congress; 52 Stat. 797) is amend-

(1) in section 6 by striking out "(a)", and by striking out subsections (b), (c), (d) and (e); and

(2) in section 16 by adding at the end thereof the following new sentence: "In addition, the provisions of this Act shall not apply to any real property to which section 206(a) of the State Department Basic Apthorities Act of 1956 (relating to foreign missions) is applicable.".

By Mr. MOYNIHAN:

S. 855. A bill to amend the Social Security Act to revise the AFDC and medicaid matching formula for States which meet certain minimum AFDC benefit requirements, and for other purposes; to the Committee on Finance.

MEDICAID FORMULA MODERNIZATION ACT OF 1981 Mr. MOYNIHAN. Mr. President, I am today introducing the Medicaid Formula Modernization Act of 1981. It is intended to rectify four serious shortcomings in the medicaid formula presently embodied in the Social Security Act, the formula by which the Federal matching share is determined for State outlays under both medicaid and the program of aid to families with dependent children.

The existing formula looks like this: Federal share of AFDC/Medicald=.45 × State per capita income 2/national per capita income s

It is, to be blunt, a perverse and inequitable formula.

Per capita income is used as the unqualified measure of a State's ability to pay for medicaid and AFDC. Income is certainly one gage of a State's economic condition, but it is not the only measure and it is certainly not the most accurate measure of a State's fiscal capacity. It ignores the sizable cost-of-living differences among States, resulting in unfair treatment of areas with higher living costs. A family residing in New York City, for instance, needs approximately 25 percent more income to maintain itself at the same standard of living as a similar family in Dallas or Houston.

The squaring mechanism exacerbates the distortions. It was intended to assure greater Federal financial assistance to States with the least ability to pay. However well-meaning its original purpose. the squaring mechanism no longer makes sense. There is no evidence that a State's need for Federal matching funds is geometrically related to the ratio of its income to national income levels; nor is there evidence that an unsquared ratio would not allocate Federal moneys in closer proportion to the true needs of the

NATIONAL SECURITY COUNCIL

To is Bob Winniet you for the chance to comment. I already studied the bill, discussed it with Harold Burman (Hate/L), and cannot improve upon it

Billeam

# 4/15/81

## Bill Stearman:

given your remarks at Monday's stoff meeting, I thought I would salint your niews on the attached " Foreign Musicons Act of 1982."

I have been working with State / L and OMB on this since for over a year, and I believe we are near to striking paydist.

Note the short surprise.

Thoubs - Bob Kummitt

#### NATIONAL SECURITY COUNCIL

ACTION

MEMORANDUM FOR:

Mr. James M. Frey Assistant Director for Legislative Reference Office of Management and Budget

Ronald x Peterson

FROM.

Milew J. Lanz Foreign Missions Act of 1982 SUBJECT:

The National Security Council Staff strongly endorses the Foreign Missions Act of 1982 (Tab A).

> Allen J. Lenz Staff Director

Attachment

MEMORANDUM DECLAS



# CONFIDENTIAL



#### NATIONAL SECURITY COUNCIL

INFORMATION

1770 CO

CONFIDENTIAL

April 3, 1981 WHOOH-OF

MEMORANDUM FOR RICHARD V. ALLEN

FROM:

Allen J. Lenz

SUBJECT:

Heads of State/Government Correspondence (U)

Here is summary of Heads of State/Government correspondence from March 26-April 3:

#### Presidential letters signed/messages sent:

- -- National days for <u>Senegal President Diouf</u> and <u>Hungarian</u> President Losonczi
- -- Argentine President Viola (2) for inauguration and for his gifts; former outgoing President Videla
- -- Condolences for Schmidt on father's death and Trinidad President Clarke on death of Prime Minister Williams
- -- Congratulations on inauguration of <u>Central African Rep.</u>
  President Dacko
- -- Birthday wishes to Queen of Denmark
- -- Trip letters for Haig to carry to Sadat, Begin, Hussein and Khalid
- -- OAU Chairman Stevens on Naimbia

Let

## Incoming letters/messages received from:

Numerous foreign leaders on shooting (separate listing)

- -- Norwegian Prime Minister Brundtland thanks for election wishes
- -- Grenada Prime Minister Bishop on US reservations international airport project
- -- Netherlands Prime Minister van Agt thanks for hospitality
- -- Romanian President Ceausescu on CSCE Conference
- -- Jamaican Prime Minister Seaga thanks for Harvard Chair

CONFIDENTIAL Review 4/3/87

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Overdue/Pending:

Zimbabwe Prime Minister Mugabe on Namibia #1416 (with President)

Upper Volta President Zerbo on economic assistance #319 (with President)

Reply to <u>Duarte</u> on El Salvador #1033 (with President)

Reply to Brezhnev (with you)

Guatemala President Garcia on Belize #1429 (with you)

Costa Rican President Carazo on IMF (no reply at this time)
#371 (with you)

\*\* Sultan of Oman urging Haig stopover during ME trip (Haig leaves today) #1602 (with you)

ROC President on President/VP inauguration via David Kennedy #1060 (with you)

Reply to <u>Senegal President Diouf</u> on candidate for International Court of Justice #1289 (enroute to you)

Proposed message to <u>Suharto of Indonesia</u> on Garuda hijacking #1499 (with staff)

Trudeau on Summit arrangements
#1006 (with State)

Austrian Chancellor Kreisky re IIASA #935 (with State

Senegal President Diouf contributions to IDA #773 (with State)

Sgt. Doe invitation to Liberian 1st anniversary (April 12) #1412 (with State)

Jamaican Prime Minister Seaga on assistance drug eradication #1481 (with State)

(C)

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FROM LENZ

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### MEMORANDUM OF INFORMATION FOR THE FILE

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EXECUTIVE

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LETTER, MEMO, ETC.

TO:

FROM:

SUBJECT: