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**Folder Title:** Enrolled Bills – (10/11/1983-10/24/1983)  
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THE WHITE HOUSE

WASHINGTON

October 11, 1983

MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Enrolled Bill H.R. 4101 - Federal  
Supplemental Compensation Extension  
and Miscellaneous Provisions

By memorandum dated October 10 Richard Darman asked for our comments by close of business tomorrow on enrolled bill H.R. 4101. The package sent to me lacked a copy of the bill. When I telephoned Darman's office to obtain a copy, I was advised that the President had signed H.R. 4101 this morning.

If the President is signing bills without the concurrence of our office, we should put a stop to it. If someone from our office cleared the signing, it would have saved me some time if I had known about it.

# WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence  
Received (YY/MM/DD) 1 1Name of Correspondent: Richard G. DARMAN☐ MI Mail Report

User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: Enrolled Bill H.R. 4101 - Federal Supplemental  
Compensation Extension and Miscellaneous  
Provisions

## ROUTE TO:

## ACTION

## DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CUBOLL</u>	ORIGINATOR	<u>83/10/11</u>			<u>1 1</u>
	Referral Note:				
<u>CVAT18</u>	<u>D</u>	<u>83/10/11</u>		<u>S</u>	<u>83/10/12</u>
	Referral Note:			<u>COB</u>	
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				

## ACTION CODES:

A - Appropriate Action  
C - Comment/Recommendation  
D - Draft Response  
F - Furnish Fact Sheet  
to be used as Enclosure

I - Info Copy Only/No Action Necessary  
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S - For Signature  
X - Interim Reply

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Type of Response = Initials of Signer  
Code = "A"  
Completion Date = Date of Outgoing

Comments: \_\_\_\_\_

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Send all routing updates to Central Reference (Room 75, OEOB).

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**WHITE HOUSE STAFFING MEMORANDUM**DATE: October 10 ACTION/CONCURRENCE/COMMENT DUE BY: c.o.b. October 12SUBJECT: Enrolled Bill H.R. 4101 - Federal Supplemental Compensation  
Extension and Miscellaneous Provisions

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	HERRINGTON	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HICKEY	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	McMANUS	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
CLARK	<input type="checkbox"/>	<input type="checkbox"/>	ROGERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ROLLINS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FELDSTEIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	VERSTANDIG	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FULLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WHITTLESEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GERGEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

## REMARKS:

Please provide comments/recommendations by c.o.b. WEDNESDAY,  
October 12, 1983.

Thank you.

## RESPONSE:

Richard G. Darman  
Assistant to the President  
Ext. 2702



# EXECUTIVE OFFICE OF THE PRESIDENT

## OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

### MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 4101 - Federal Supplemental  
Compensation Extension and Miscellaneous Provisions  
Sponsor - Rep. Rostenkowski (D) Illinois

#### Last Day for Action

Recommend prompt action to avoid further interruption of payment of Federal supplemental unemployment benefits.

#### Purpose

Extends Federal Supplemental Compensation (FSC) unemployment benefits through October 18, 1983, and contains unrelated social security, foster care, and unemployment insurance provisions.

#### Agency Recommendations

Office of Management and Budget

Approval

Department of Labor

Approval (Informally)

Department of Health and Human Services

No objection (Informally)

#### Discussion

##### Federal Supplemental Compensation (FSC) Extension

Authority for the FSC program expired on September 30, 1983. The program, enacted in September 1982, provides additional weeks of unemployment compensation to individuals who have used up all their regular State benefits and extended benefits. The number of weeks of FSC benefits (from 8 to 14 weeks) is based on a State's insured unemployment rate, with a higher rate providing more weeks of benefits.

The Administration has proposed extending the program for 18 months, through March 31, 1985, and providing 6 to 10 weeks of benefits (i.e., the level of benefits in the program as originally enacted a year ago). Benefits under the Administration's proposal would cost \$3.2 billion.

The Administration strongly opposed the House-passed version of the FSC extension because it extended the program for only 45 days and significantly liberalized benefits. If the House bill



were extended to 18 months, it would have cost \$6 billion. The Administration supported the Senate version of the bill, which extended the program for 18 months, was much closer to the Administration's proposal, and would cost \$3.75 billion.

Despite a series of compromise proposals offered by the Senate conferees, the House conferees refused to recede from support for a high-cost \$5-6 billion, 18-month program. This refusal resulted in Congressional passage of a temporary 18-day extension of the existing program so individuals will continue to receive benefits. Under H.R. 4101, the extension period will end on October 18, the day after Congress returns from its Columbus Day recess, which will place strong pressure on the conferees to complete their work quickly.

We would have much preferred to have the Congress complete conference action and not resort to a short extension of the present FSC program. We will continue our efforts with the conferees for enactment of an 18-month extension of FSC based on the Administration's proposal. In the meantime, we reluctantly recommend approval of the enrolled bill.

#### Other Provisions

The enrolled bill includes other, unobjectionable provisions that are unrelated to the FSC program:

-- An extension for 60 days, through December 7, of the authority to continue payment of social security disability benefits during appeal until after an Administrative Law Judge (ALJ) has decided the case. The House Ways and Means Committee has reported a bill, H.R. 3755, which would reform the Continuing Disability Investigations (CDI) process -- including a permanent extension of the authority to continue benefits during appeal. This short-term extension will prevent the cessation of benefits for some disability insurance recipients while the Congress considers the broader CDI reform legislation.

-- A delay for two years, from January 1, 1984, to January 1, 1986, of the provisions of P.L. 98-21 (Social Security Financing Amendments) that extended social security coverage to retired Federal judges for periods when they assume judicial activities. The delay provided in H.R. 4101 stems from concern that such coverage could discourage retired judges from performing court duties, because this would result in social security taxes being withheld from their pay. In contrast, judges who remain completely retired would actually receive greater compensation than those who accept court cases.

-- An extension for one year, from September 30, 1983, to September 30, 1984, of the authority for Federal matching payments for certain children voluntarily placed in foster care. The Administration proposed making this authority permanent, along with a cap on present law's entitlement funding for foster care, to give States an incentive to remove children from expensive institutional care, reunite them with their families, or place them in permanent adopted homes.

-- An amendment of existing law that clarifies that States do not have to pay interest on Unemployment Trust Fund loans, used to pay unemployment benefits, if the loans are repaid in full before the end of the fiscal year in which they were made. At present only Vermont will be affected, but in the future other States could also be affected.

H.R. 4101 passed the House and Senate by voice vote.

David A. Stockman

David A. Stockman  
Director

Enclosures

THE WHITE HOUSE

WASHINGTON

October 11, 1983

MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Enrolled Resolution S.J. Res. 128 -  
Metropolitan Opera Day

Richard Darman has requested comments by close of business October 13 on the above-referenced enrolled resolution, which would designate October 22, the one-hundredth anniversary of the Met's first performance, as "Metropolitan Opera Day." The resolution reviews the glory of the Met and all that it has done, and requests an appropriate Presidential proclamation. The resolution passed both Houses, as seems appropriate, by voice vote. OMB and NEA recommend approval. After reviewing the memorandum for the President from OMB Assistant Director for Legislative Reference James M. Frey, and the resolution itself, I have no objections.

Attachment




THE WHITE HOUSE

WASHINGTON

October 11, 1983

MEMORANDUM FOR RICHARD G. DARMAN  
ASSISTANT TO THE PRESIDENT  
DEPUTY TO THE CHIEF OF STAFF

FROM: RICHARD A. HAUSER   
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Resolution S.J. Res. 128 -  
Metropolitan Opera Day

Counsel's Office has reviewed the above-referenced enrolled resolution, and finds no objection to it from a legal perspective.

RAH:JGR:aea 10/11/83

cc: FFFielding/RAHauser  
JGRoberts  
Subj  
Chron

THE WHITE HOUSE

WASHINGTON

October 11, 1983

MEMORANDUM FOR RICHARD G. DARMAN  
ASSISTANT TO THE PRESIDENT  
DEPUTY TO THE CHIEF OF STAFF

FROM: RICHARD A. HAUSER  
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Resolution S.J. Res. 128 -  
Metropolitan Opera Day .

Counsel's Office has reviewed the above-referenced enrolled resolution, and finds no objection to it from a legal perspective.

WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence  
Received (YY/MM/DD) 1 1Name of Correspondent: Richard G. DARMAN☐ MI Mail Report

User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: Enrolled Resolution S.J. Res 128-  
Metropolitan Opera Day

## ROUTE TO:

## ACTION

## DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>WHOLL</u>	ORIGINATOR	<u>83110111</u>			<u>1 1</u>
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<u>CUAT/B</u>	<u>B</u>	<u>83110111</u>		<u>S</u>	<u>83110118</u>
	Referral Note:				
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				

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**WHITE HOUSE STAFFING MEMORANDUM**DATE: 10/11/83 ACTION/CONCURRENCE/COMMENT DUE BY: 10/13/83SUBJECT: ENROLLED RESOLUTION S.J. RES. 128 - METROPOLITAN OPERA DAY

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	HERRINGTON.	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HICKEY	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	McMANUS	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
CLARK	<input type="checkbox"/>	<input type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ROLLINS	<input type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FELDSTEIN	<input type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	VERSTANDIG	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FULLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WHITTLESEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GERGEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

## REMARKS:

May we have your comments on the attached Enrolled Bill by close of business October 13. Thank you.

## RESPONSE:

Richard G. Darman  
Assistant to the President  
Ext. 2702





EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

Received SS  
1983 OCT 11 PM 12:49

OCT 11 1983

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Resolution S.J.Res. 128 - Metropolitan Opera Day  
Sponsor - Sen. Moynihan (D) and Sen. D'Amato (R), New York

Last Day for Action

October 18, 1983 - Tuesday

Purpose

Designates October 22, 1983, as "Metropolitan Opera Day".

Agency Recommendations

Office of Management and Budget

Approval

National Endowment for the Arts

Approval  
(informally)

Discussion

On October 22, 1983, the Metropolitan Opera will celebrate the one hundredth anniversary of its first performance. S.J.Res. 128 requests the President to issue a proclamation designating that day as "Metropolitan Opera Day". The enrolled resolution was passed by voice vote in both the House and the Senate.

S.J.Res. 128 notes that the Metropolitan Opera is one of the world's premier performing arts organizations, and since its inception has provided the finest quality in opera. Further, the Metropolitan pioneered radio presentations of live opera, performs on television, tours the country, encourages and trains young artists, provides assistance to other American opera companies, and has fostered generations of music lovers.

In introducing the enrolled resolution, Senator Moynihan noted that the Metropolitan is an inspiration for both its artistic achievements and its exemplary record of service, and Senator D'Amato referred to it as one of the "great treasures of our Nation".

An appropriate proclamation will be drafted and forwarded to the White House for consideration and issuance in a timely manner.

*James M. Grey*  
Assistant Director for  
Legislative Reference

Enclosures

# Ninety-eighth Congress of the United States of America

## AT THE FIRST SESSION

*Begun and held at the City of Washington on Monday, the third day of January,  
one thousand nine hundred and eighty-three*

### Joint Resolution

To designate the day of October 22, 1983 as "Metropolitan Opera Day".

Whereas the Metropolitan Opera is one of the world's premier performing arts organizations and has an audience larger than that of any other such organization in the world;

Whereas the Metropolitan Opera, since its first performance one hundred years ago on October 22, 1883, has provided the finest quality in opera to audiences throughout the Nation;

Whereas the Metropolitan Opera pioneered radio presentations of live opera, performing on radio for more than forty years and more recently on television;

Whereas the Metropolitan Opera has toured the United States since its founding in 1883;

Whereas the Metropolitan Opera provides educational services to the people of the United States by generously encouraging and training young artists and by providing technical and managerial assistance to other opera companies in the Nation;

Whereas the Metropolitan Opera has presented renowned performing arts companies from all over the world at the Opera House;

Whereas the Metropolitan Opera House, which is maintained by the company, is one of the Nation's treasures and one of the greatest performing arts theaters in the world; and

Whereas, throughout its long history, the Metropolitan Opera Company has fostered generations of music lovers and has enriched and inspired this Nation: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President is authorized and requested to issue a proclamation designating October 22, 1983, the one hundredth anniversary of its first performance, as "Metropolitan Opera Day" throughout these United States.

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*



THE WHITE HOUSE

WASHINGTON

October 11, 1983

MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: S. 1148 - Judgment Fund Distribution  
for the Fort Belknap Assiniboine Tribe  
and the Fort Peck Assiniboine Tribe

Richard Darman has asked for comments by tomorrow, October 12, on the above-referenced enrolled bill. This bill, which passed both Houses by voice vote, authorizes the distribution of some \$16.4 million awarded by the Court of Claims to the Fort Belknap and the Fort Peck Assiniboine Tribes. OMB and Interior recommend approval; Justice has no objection. I have reviewed the memorandum for the President prepared by OMB Assistant Director for Legislative Reference James M. Frey, and the bill itself, and have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

October 11, 1983

MEMORANDUM FOR RICHARD G. DARMAN  
ASSISTANT TO THE PRESIDENT  
DEPUTY TO THE CHIEF OF STAFF

FROM: RICHARD A. HAUSER *RAH*  
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: S. 1148 - Judgment Fund Distribution  
for the Fort Belknap Assiniboine Tribe  
and the Fort Peck Assiniboine Tribe

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.

RAH:JGR:aea 10/11/83

cc: FFFielding/RAHauser  
JGRoberts  
Subj  
Chron

THE WHITE HOUSE  
WASHINGTON

October 11, 1983

MEMORANDUM FOR RICHARD G. DARMAN  
ASSISTANT TO THE PRESIDENT  
DEPUTY TO THE CHIEF OF STAFF

FROM: RICHARD A. HAUSER  
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: S. 1148 - Judgment Fund Distribution  
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and the Fort Peck Assiniboine Tribe

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☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence  
Received (YY/MM/DD) 1 1Name of Correspondent: Richard G. DARMAN☐ MI Mail Report

User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: S. 1148 - Judgement Fund Distribution  
for the Fort Belknap Assiniboine Tribe and  
the Fort Peck Assiniboine Tribe.

## ROUTE TO:

## ACTION

## DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CUHOLL</u>	ORIGINATOR	<u>83/10/07</u>			<u>1 1</u>
	Referral Note:				
<u>CUAT18</u>	<u>D</u>	<u>83/10/07</u>		<u>S</u>	<u>83/10/12</u>
	Referral Note:				
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				

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Code = "A"  
Completion Date = Date of Outgoing

Comments: \_\_\_\_\_

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## WHITE HOUSE STAFFING MEMORANDUM

DATE: 10/7/83 ACTION/CONCURRENCE/COMMENT DUE BY: Wednesday, October 12

SUBJECT: S. 1148 - JUDGEMENT FUND DISTRIBUTION FOR THE FORT BELKNAP  
ASSINIBOINE TRIBE AND THE FORT PECK ASSINIBOINE TRIBE

ACTION FYI			ACTION FYI		
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	HERRINGTON	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HICKEY	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	McMANUS	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
CLARK	<input type="checkbox"/>	<input type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ROLLINS	<input type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FELDSTEIN	<input type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	VERSTANDIG	<input type="checkbox"/>	<input type="checkbox"/>
FULLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WHITTLESEY	<input type="checkbox"/>	<input type="checkbox"/>
GERGEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

## REMARKS:

Please provide any comments/recommendations by Wednesday, October 12.

Thank you.

## RESPONSE:

Richard G. Darman  
 Assistant to the President  
 Ext. 2702





EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

OCT 7 1983

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 1148 - Judgment Fund Distribution for  
the Fort Belknap Assiniboine Tribe and the Fort Peck  
Assiniboine Tribe  
Sponsor - Senator Melcher (D) Montana

Last Day for Action

October 15, 1983 - Saturday

Purpose

Authorizes the use and distribution of funds awarded by the U.S. Court of Claims to the Fort Belknap and the Fort Peck Assiniboine Tribes.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior

Approval

Department of Justice

No objection(Informally)

Discussion

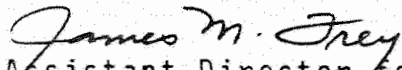
S. 1148 would provide for the distribution of \$16,389,593 awarded by the U.S. Court of Claims to the Fort Belknap and Fort Peck Assiniboine Tribes for the taking by the Federal Government, without just compensation, of Assiniboine Nation tribal lands. The funds from the award would be divided on the basis of 42.5 percent to the Fort Belknap Assiniboine Tribe and 57.5 percent to the Fort Peck Assiniboine Tribe.

The Fort Belknap Assiniboine Tribe's share would be distributed in two portions: (1) 80 percent of the funds would be used for per capita payments to each enrolled member and (2) the Secretary of the Interior would hold in trust and invest the remaining 20 percent for the benefit of tribal members. A family interest payment would be paid annually to all eligible enrolled members.



The Fort Peck Assiniboine Tribe's share would also be distributed in two portions: (1) 70 percent of the funds would be used for per capita payments to each enrolled member and (2) the Secretary of the Interior would hold in trust and invest the remaining 30 percent for the benefit of the Tribe and its members.

As enrolled, S. 1148 is consistent with the Administration's recommendation that all enrolled tribal members be eligible to share in the per capita distribution of funds. S. 1148 passed both Houses of Congress by voice vote.

  
Assistant Director for  
Legislative Reference

Enclosures

# Ninety-eighth Congress of the United States of America

## AT THE FIRST SESSION

*Begun and held at the City of Washington on Monday, the third day of January,  
one thousand nine hundred and eighty-three*

### An Act

To provide for the use and distribution of funds awarded the Assiniboiné Tribe of the Fort Belknap Indian Community, Montana, and the Assiniboiné Tribe of the Fort Peck Indian Reservation, Montana, in docket numbered 10-81L by the United States Court of Claims, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding any other provision of law, the funds appropriated on September 30, 1981, in accordance with section 1302 of the Supplemental Appropriation Act (31 U.S.C. 724a), in satisfaction of an award in United States Court of Claims docket numbered 10-81L, including all interest and investment income accrued, less attorney fees and litigation expenses, shall be divided on the basis of 42.5 percent of the award funds to the Assiniboiné Tribe of the Fort Belknap Indian Community and 57.5 percent of the award funds to the Assiniboiné Tribe of the Fort Peck Indian Reservation and utilized for the purposes herein provided.

SEC. 2. The funds apportioned to the Assiniboiné Tribe of the Fort Belknap Indian Community, Montana, less the costs incurred by the Fort Belknap Assiniboiné Treaty Committee in connection with planning for the use and distribution of such funds, including costs in connection with this legislation, and related attorney fees and expenses, shall be used and distributed as follows:

(a) The Assiniboiné membership roll of the Fort Belknap Indian Community shall be brought current to include all eligible members born on or prior to and living on the date of enactment of this Act. Subsequent to the preparation and approval by the Secretary of the Interior (hereinafter "Secretary") of this roll, the Secretary shall make a per capita distribution of 80 percent of the funds (in a sum as equal as possible), to each duly enrolled member. The Secretary's determination concerning eligibility to share in the per capita payment shall be final.

(b) 20 percent of these funds, and any amount remaining after the per capita payment, shall be held in trust and invested by the Secretary for the benefit of the members of the Assiniboiné Tribe of the Fort Belknap Indian Community. The Treaty Committee of such Tribe, with the approval of the Secretary, shall distribute an annual family interest payment to all enrolled members of the Fort Belknap Assiniboiné Tribe. All members on the Assiniboiné tribal membership roll living on November 15 of each year shall be eligible for the annual interest payment. Members born after that date and living on the following November 15 shall be eligible for the next annual payment.

SEC. 3. The funds apportioned to the Assiniboiné Tribe of the Fort Peck Indian Reservation, Montana, less the costs incurred by the Fort Peck Assiniboiné Council in connection with planning for the use and distribution of such funds, including costs in connection

with this legislation, and related attorney fees and expenses, shall be used and distributed as follows:

(a) The Assiniboine membership roll of the Fort Peck Indian Reservation, Montana, shall be brought current to include all eligible members born on or prior to and living on the date of enactment of this Act. Subsequent to the preparation and approval by the Secretary of this roll, the Secretary shall make a per capita distribution of 70 percent of the funds (in sums as equal as possible), to each enrollee.

(b) 30 percent of these funds and any amounts remaining after the per capita payment, shall be held in trust and invested by the Secretary for the benefit of the Assiniboine Tribe of the Fort Peck Indian Reservation and its members. The principal of the funds and the income therefrom shall be applied and used for the benefit of the Assiniboine Tribe of the Fort Peck Indian Reservation and its members in accordance with reasonable terms established by the Fort Peck Assiniboine Council with the concurrence of the Tribal Executive Board of the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, and approved by the Secretary: *Provided*, That until such terms has been agreed upon, the Secretary shall fix the terms of the administration of the portion of the funds as to which there is no agreement.

SEC. 4. The per capita shares of living competent adults shall be paid directly to them. Shares of deceased individual beneficiaries shall be determined and distributed in accordance with regulations of the Secretary.

SEC. 5. None of the funds distributed per capita or held in trust under the provisions of this Act shall be subject to Federal or State income taxes, and the per capita or family interest payments shall not be considered as income or resources when determining the extent of eligibility for assistance under the Social Security Act or any Federal or federally assisted programs.

SEC. 6. The Secretary is authorized to prescribe rules and regulations to carry out the provisions of this Act, including the establishment of deadlines for filing applications for enrollment.

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*

THE WHITE HOUSE

WASHINGTON

October 11, 1983

MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Judgment Funds Award Distribution  
for the Red Lake Band of Chippewa  
Indians

---

Richard Darman has asked for comments by tomorrow, October 12, on the above-referenced enrolled bill. This bill, which passed both Houses by voice vote, authorizes the distribution of some \$600,000 awarded by the Court of Claims to the Red Lake Chippewas. OMB and Interior recommend approval; Justice has no objection. I have reviewed the memorandum for the President prepared by OMB Assistant Director for Legislative Reference James M. Frey, and the bill itself, and have no objections.


Attachment

THE WHITE HOUSE

WASHINGTON

October 11, 1983

MEMORANDUM FOR RICHARD G. DARMAN  
ASSISTANT TO THE PRESIDENT  
DEPUTY TO THE CHIEF OF STAFF

FROM: RICHARD A. HAUSER   
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: Judgment Funds Award Distribution  
for the Red Lake Band of Chippewa  
Indians

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.

RAH:JGR:aea 10/11/83

cc: FFFielding/RAHauser  
JGRoberts  
Subj  
Chron

THE WHITE HOUSE

WASHINGTON

October 11, 1983

MEMORANDUM FOR RICHARD G. DARMAN  
ASSISTANT TO THE PRESIDENT  
DEPUTY TO THE CHIEF OF STAFF

FROM: RICHARD A. HAUSER  
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: Judgment Funds Award Distribution  
for the Red Lake Band of Chippewa  
Indians

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.



# WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ **O - OUTGOING**☐ **H - INTERNAL**☐ **I - INCOMING**Date Correspondence  
Received (YY/MM/DD) 1 / 1Name of Correspondent: Richard G. DARMAN☐ **MI Mail Report**

User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: S. 884 - Judgement Funds Award  
Distribution for the Red Lake Band of  
Chippewa Indians**ROUTE TO:****ACTION****DISPOSITION**

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CWHOLL</u>	ORIGINATOR	<u>83110107</u>			<u>1 / 1</u>
	Referral Note:				
<u>CWAT18</u>	<u>D</u>	<u>83110107</u>		<u>S</u>	<u>83110112</u>
	Referral Note:				
		<u>1 / 1</u>			<u>1 / 1</u>
	Referral Note:				
		<u>1 / 1</u>			<u>1 / 1</u>
	Referral Note:				
		<u>1 / 1</u>			<u>1 / 1</u>
	Referral Note:				

**ACTION CODES:**

A - Appropriate Action  
C - Comment/Recommendation  
D - Draft Response  
F - Furnish Fact Sheet  
to be used as Enclosure

I - Info Copy Only/No Action Necessary  
R - Direct Reply w/Copy  
S - For Signature  
X - Interim Reply

**DISPOSITION CODES:**

A - Answered  
B - Non-Special Referral  
C - Completed  
S - Suspended

**FOR OUTGOING CORRESPONDENCE:**

Type of Response = Initials of Signer  
Code = "A"  
Completion Date = Date of Outgoing

Comments: \_\_\_\_\_

Keep this worksheet attached to the original incoming letter.  
Send all routing updates to Central Reference (Room 75, OEOB).  
Always return completed correspondence record to Central Files.  
Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

## WHITE HOUSE STAFFING MEMORANDUM

DATE: 10/7/83

ACTION/CONCURRENCE/COMMENT DUE BY:

Wednesday, 10/12

SUBJECT: S. 884 - JUDGMENT FUNDS AWARD DISTRIBUTION FOR THE RED LAKE  
BAND OF CHIPPEWA INDIANS

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	HERRINGTON	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HICKEY	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	McMANUS	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
CLARK	<input type="checkbox"/>	<input type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ROLLINS	<input type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FELDSTEIN	<input type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	VERSTANDIG	<input type="checkbox"/>	<input type="checkbox"/>
FULLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WHITTLESEY	<input type="checkbox"/>	<input type="checkbox"/>
GERGEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

## REMARKS:

Please provide any comments/recommendations by Wednesday, October 12th.

Thank you.

## RESPONSE:

Richard G. Darman  
Assistant to the President  
Ext. 2702



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

OCT 7 1983

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 884 - Judgment Funds Award Distribution  
for the Red Lake Band of Chippewa Indians  
Sponsors - Senators Durenberger (R) Minnesota and  
Boschwitz (R) Minnesota

Last Day for Action

October 15, 1983 - Saturday

Purpose

Authorizes the use and distribution of funds awarded to the Red Lake Band of Chippewa Indians by the U.S. Court of Claims.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior

Approval

Department of Justice

No objection (informally)

Discussion

Consistent with the Administration's recommendation, S. 884 would provide for the use and distribution of \$600,000 awarded to the Red Lake Band of Chippewa Indians (Band) in Docket No. 15-72 of the United States Court of Claims. The \$600,000 award resulted from the Band's claims for damages to its timber caused when the Department of Defense used a portion of the Band's reservation for antiaircraft gunnery practice during the Korean War.

The enrolled bill would authorize the Secretary of the Interior to distribute 80 percent of the judgment award as per capita payments to all enrolled members of the Band living on the date of enactment. The balance of the award, including interest or accrued income, would be utilized by the Band's tribal government to meet tribal needs or educational expenses.

S. 884 passed both Houses of Congress by voice vote.

*James M. Frey*  
Assistant Director for  
Legislative Reference

Enclosures

# Ninety-eighth Congress of the United States of America

## AT THE FIRST SESSION

*Begun and held at the City of Washington on Monday, the third day of January,  
one thousand nine hundred and eighty-three*

### An Act

To provide for the use and distribution of funds awarded the Red Lake Band of Chippewa Indians in docket numbered 15-72 of the United States Court of Claims.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding any provision of the Act of October 19, 1973 (87 Stat. 466; 25 U.S.C. 1401 et seq.), or any other law, regulation, or plan promulgated pursuant thereto, the funds appropriated with respect to the judgment awarded the Red Lake Band of Chippewa Indians in docket numbered 15-72 of the United States Court of Claims (less attorney fees and litigation expenses), including all interest and investment income accrued thereon, shall be distributed and used as follows:

(1) Eighty per centum of such funds shall be distributed by the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") in the form of per capita payments (in sums as equal as possible) to all enrolled members of the Red Lake Band of Chippewa Indians who are living on the date of enactment of this Act.

(2) Twenty per centum of such funds, including any interest or income accrued thereon, shall be—

(A) held in trust and invested by the Secretary for the benefit of the members of the Red Lake Band of Chippewa Indians, and

(B) distributed from such trust, subject to the approval of the Secretary, to the governing body of such tribe for the purpose of making expenditures to meet common tribal needs or educational requirements.

SEC. 2. (a) Any payment of a per capita share of funds to which a living, competent adult is entitled under this Act shall be paid directly to such adult.

(b) Any per capita share of funds to which a deceased individual is entitled under this Act shall be paid, and the beneficiaries thereof determined, under regulations prescribed by the Secretary.

(c) Any per capita share of funds to which a legally incompetent individual or an individual under eighteen years of age is entitled under this Act shall be paid in accordance with such procedures (including the establishment of trusts) as the Secretary determines to be necessary to protect the interests of such individual.



S. 884—2

SEC. 3. None of the funds distributed under this Act shall be—  
    (1) subject to Federal, State, or local income taxes, or  
    (2) considered income or resources in determining either eligibility for, or the amount of assistance under, Federal, State, or local programs.

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*

THE WHITE HOUSE  
Office of the Press Secretary

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For Immediate Release

October 13, 1983

The President today signed the following legislation:

H.R. 3415 which provides a Federal payment of \$601 million to the District of Columbia government;

S. 884 which authorizes the use and distribution of funds awarded to the Red Lake Band of Chippewa Indians by the U.S. Court of Claims;

S. 1148 which authorizes the use and distribution of funds awarded by the U.S. Court of Claims to the Fort Belknap and the Fort Peck Assiniboine Tribes; and

S.J. Res. 102 which designates the week beginning October 16, 1983, as "Lupus Awareness Week".

# # #



THE WHITE HOUSE

WASHINGTON

October 13, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Enrolled Bill H.R. 3379 - Edwin D.  
Eshleman Post Office Building

Richard Darman has asked for comments by close of business, October 14, on the above-referenced enrolled bill, which would name a specific post office building in Pennsylvania the "Edwin D. Eshleman Post Office Building." Eshleman, in case his renown has escaped you, was born in 1920 near the post office in question and served for nine years in the House of Representatives, from 1966-1975.

OMB recommends approval; the Postal Service and GSA have no objections. I have reviewed the memorandum for the President prepared by OMB Assistant Director for Legislative Reference James M. Frey, and the bill itself, and have no objections.

Attachment

THE WHITE HOUSE  
WASHINGTON

October 13, 1983

MEMORANDUM FOR RICHARD G. DARMAN  
ASSISTANT TO THE PRESIDENT  
DEPUTY TO THE CHIEF OF STAFF

FROM: FRED F. FIELDING *FFF/RAH*  
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 3379 - Edwin D.  
Eshleman Post Office Building

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.

FFF:JGR:aea 10/13/83

cc: FFFielding  
JGRoberts  
Subj.  
Chron

THE WHITE HOUSE

WASHINGTON

October 13, 1983

MEMORANDUM FOR RICHARD G. DARMAN  
ASSISTANT TO THE PRESIDENT  
DEPUTY TO THE CHIEF OF STAFF

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 3379 - Edwin D.  
Eshleman Post Office Building

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.

FFF:JGR:aea 10/13/83

cc: FFFielding  
JGRoberts  
Subj.  
Chron

# WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence  
Received (YY/MM/DD) 1 1

Name of Correspondent: Richard G. DARMAN

☐ MI Mail Report

User Codes: (A) (B) (C)

Subject: Enrolled Bill H.R. 3379 - Edwin D.  
Eshleman Post Office Building

## ROUTE TO:

## ACTION

## DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
CWROLL	ORIGINATOR	83,10,13			1 1
	Referral Note:				
CWRT18	D	83,10,13		S	83,10,14
	Referral Note:				CW18
		1 1			1 1
	Referral Note:				
		1 1			1 1
	Referral Note:				
		1 1			1 1
	Referral Note:				

## ACTION CODES:

A - Appropriate Action  
C - Comment/Recommendation  
D - Draft Response  
F - Furnish Fact Sheet  
to be used as Enclosure

I - Info Copy Only/No Action Necessary  
R - Direct Reply w/Copy  
S - For Signature  
X - Interim Reply

## DISPOSITION CODES:

A - Answered  
B - Non-Special Referral  
C - Completed  
S - Suspended

## FOR OUTGOING CORRESPONDENCE:

Type of Response = Initials of Signer  
Code = "A"  
Completion Date = Date of Outgoing

Comments:

Keep this worksheet attached to the original incoming letter.

Send all routing updates to Central Reference (Room 75, OEOB).

Always return completed correspondence record to Central Files.

Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

JGR

# WHITE HOUSE STAFFING MEMORANDUM

DATE: 10/12/83 ACTION/CONCURRENCE/COMMENT DUE BY: 10/14/83 c.o.b.

SUBJECT: ENROLLED BILL H.R. 3379 - EDWIN D. ESHLEMAN POST OFFICE BUILDING

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	HERRINGTON	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HICKEY	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	McMANUS	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
CLARK	<input type="checkbox"/>	<input type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/> P	<input checked="" type="checkbox"/> SS	ROLLINS	<input type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FELDSTEIN	<input type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	VERSTANDIG	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FULLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WHITTLESEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GERGEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

May we have your comments on the attached Enrolled Bill by close of business October 14.

Thank you.

RESPONSE:



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

Received SS

1983 OCT 12 PM 5:11

OCT 12 1983

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 3379 - Edwin D. Eshleman Post  
Office Building  
Sponsor - Rep. Walker (R) Pennsylvania

Last Day for Action

October 19, 1983 - Wednesday

Purpose

Names a post office in the vicinity of Lancaster, Pennsylvania, the "Edwin D. Eshleman Post Office Building."

Agency Recommendations

Office of Management and Budget

Approval

United States Postal Service  
General Services Administration

No objection  
No objection (informally)

Discussion

H.R. 3379, which passed both Houses by voice vote, names a United States Post Office Building in the vicinity of Lancaster, Pennsylvania, the "Edwin D. Eshleman Post Office Building."

Mr. Eshleman was born in Lancaster County, Pennsylvania, in 1920, taught public school in Pennsylvania for several years, and was elected to the Pennsylvania General Assembly. He was elected to the U. S. House of Representatives, as a Republican, in 1966 and served in the House until 1975, becoming a recognized national spokesman on educational issues. After his retirement in 1975, Mr. Eshleman returned to Pennsylvania, where he is still active in civic affairs.

*James M. Frey*  
Assistant Director for  
Legislative Reference

Enclosures



# Ninety-eighth Congress of the United States of America

## AT THE FIRST SESSION

*Begun and held at the City of Washington on Monday, the third day of January,  
one thousand nine hundred and eighty-three*

### An Act

To name a United States Post Office Building in the vicinity of Lancaster, Pennsylvania, the "Edwin D. Eshleman Post Office Building".

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the United States Post Office Building located at 1400 Harrisburg Pike in the vicinity of Lancaster, Pennsylvania, shall hereafter be known and designated as the "Edwin D. Eshleman Post Office Building". Any reference in a law, map, regulation, document, record, or other paper of the United States to such building shall be held to be a reference to the "Edwin D. Eshleman Post Office Building".

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*

THE WHITE HOUSE  
Office of the Press Secretary

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For Immediate Release

October 14, 1983

The President today signed the following legislation:

H.R. 2840 which (1) reduces significantly the involvement of the Federal Government in the economy of the Pribilof Islands, Alaska, and (2) establish a \$20 million trust fund for this purpose;

H.R. 3379 which names a post office in the vicinity of Lancaster, Pennsylvania, the "Edwin D. Eshleman Post Office Building"; and

S.J. Res. 128 which designates October 22, 1983, as "Metropolitan Opera Day".

# # #

THE WHITE HOUSE  
Office of the Press Secretary

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For Immediate Release

October 24, 1983

The President today signed the following legislation:

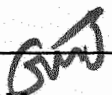
H.R. 3321 which authorizes the striking of a series of medals to commemorate the 1984 Louisiana World Exposition; and

H.R. 3929 which extends Federal Supplemental Compensation (FSC) unemployment benefits through March 31, 1985, and contains unrelated unemployment insurance, social services, and education provisions.

# # #

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET

ROUTE SLIP

TO John Roberts	Take necessary action <input type="checkbox"/>
	Approval or signature <input type="checkbox"/>
	Comment <input type="checkbox"/>
	Prepare reply <input type="checkbox"/>
	Discuss with me <input type="checkbox"/>
	For your information <input type="checkbox"/>
	See remarks below <input type="checkbox"/>
FROM  Greg Jones 10/24/83	DATE

REMARKS

Attached, as requested, is a copy of S. 563.

I handled this bill last year and am generally familiar with the issues.

A letter from OMB to the Senate Gov. Affairs Committee is in draft now. It restates the Administration's position of last year (opposition to the key provisions),

OMB FORM 4

Rev Aug 70



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

October 14, 1983

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer

Department of Justice

Department of the Treasury

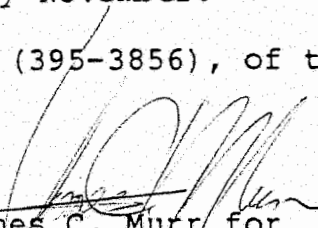
SUBJECT: GSA views on S. 563, a bill "To reform the laws relating to former Presidents."

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.

Please provide us with your views no later than October 25, 1983.

NOTE: Hearings are scheduled for early November.

Direct your questions to Gregory Jones (395-3856), of this office.

  
James C. Murr for  
Assistant Director for  
Legislative Reference

Enclosures

cc: S. Smith  
M. Uhlmann

H.P. Goldfield



Honorable William V. Roth, Jr.  
Chairman, Committee on  
Governmental Affairs  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

Your Committee requested the views of the General Services Administration (GSA) on S. 563, a bill "To reform the laws relating to former Presidents."

This bill would make several important changes in the way Presidential libraries are established. The libraries would have to conform to architectural and design standards promulgated by the Administrator and would be limited to "a single Presidential archival depository in one building and not in excess of forty thousand square feet in one geographic location, including museum space" for each former President.

We continue to support the idea that the Administrator of General Services, in consultation with the Archivist of the United States and the Commissioner of Public Buildings, should promulgate design standards. Under current procedures, GSA is usually consulted on the design of new library buildings. However, there is only a limited obligation on the part of designers to heed GSA's advice. Establishment of standards which have a legislative mandate behind them would help ensure functional design and economical operation of future Presidential libraries. We also support the proposal to dispose of non-permanent Presidential records during the President's term of office.

However, we believe that the specification that no library may exceed 40 thousand square feet could significantly restrict our ability to carry out the archival program of the libraries. These libraries must include adequate storage space, staff office and work space, and exhibit space. The latter space should continue to be significant because it is through exhibits that most Americans have their most intimate contact with the history of their country and the presidency. The standards to be promulgated by the Administrator under terms of this bill should provide adequate insurance against excesses while permitting adequate space for the libraries' programs.

Of the existing libraries, only the Herbert Hoover Library, which holds approximately 6 million pages, would meet the proposed space criteria. In the years since the Hoover administration, the Office of the President has expanded dramatically as has the volume of historical materials generated in the White House offices. The Lyndon Johnson Library holds approximately 28 million pages while President Carter accumulated approximately 25 million pages in one term.



The space needs of future libraries will vary according to a number of factors. Extremely popular Presidents generate records at a much higher rate due to the increased volume of correspondence and the vast number of gifts they receive. The length of service of a President obviously affects the volume of material created. Most Presidents also donate papers from their previous careers and their personal collection of historical materials, which substantially increases the archival storage and research requirements of the library. A recent trend in presidential materials is the increase in non-textual materials (video, tape, film, photographs) which require larger amounts of storage space. Other factors such as the donation of papers by cabinet members and other administration officials will affect the space requirements.

While section 101(b) authorizes the Administrator to accept a Presidential Archival depository, it restricts the exercise of this authority by permitting the Committee on Government Affairs of the Senate and the Committee on Government Operations of the House of Representatives to veto the Administrator's decision to accept by adopting a resolution of disapproval. Such legislative veto devices which require the Executive branch of Government to share executive authority with Congressional Committees have been found in the past to be unconstitutional in violation of the separation of powers provisions of Article II of the Constitution. We will, however, defer to the Department of Justice as to the constitutionality of the provisions of the bill discussed above.

We also have problems with the provisions of proposed paragraph (8)(A) in section 101(b). This paragraph provides that "Administrator may provide technical assistance to any private organization or institution establishing a museum or memorial for a President or former President and may provide such institution with microfilm copies of historically significant Presidential and personal records contained in a President archival depository." This language suggests that the Administrator should encourage competing depositories for presidential materials. Development of competing institutions would encourage fragmentation of the valuable historical record of the President's tenure and encourage deposit in private custody of sensitive materials (including security classified materials relating to government actions). Providing microfilm copies of these materials should be at the requesting institution's expense. If the paragraph is retained, this should be clearly stated; however, we would prefer that the paragraph be deleted. The provisions of this paragraph would be harmful to scholarship, contrary to the intent of the Presidential Records Act (92 Stat. 2523, 44 U.S.C. 2201-2207), and contrary to the public interest.

We would also like to offer the following comments on Section 202 of the proposed legislation concerning the offices and staff of former Presidents. This section would amend the first section of the Act entitled "An Act to provide retirement, clerical assistants, and free mailing privileges to Presidents of the United States, and for other purposes (3 U.S.C. 102 note)." Section 1 of this Act, as used below, will refer to this section as amended by the subject bill.

Section 1(b)(1)(A) on page 9, lines 18-25 provides each Former President a maximum of 4,000 square feet of office space. While we presently have one space assignment for each of the three former Presidents, two of these assignments exceed the proposed 4,000 square feet maximum. The largest assignment is that of former President Carter in Atlanta, Georgia with 5,679 square feet assigned. If 4,000 square feet is to be the maximum permitted, we suggest this limit be imposed on any future space assignments.

In addition, section 1(b)(1)(A) provides a former President with one suitable office at such place within the United States as the former President may designate. We feel that in addition to providing for a permanent office for the former President that some provisions should be made to allow for temporary space in the Washington, DC area for the period immediately following the former President's term of office to assure the orderly transition of his files and records from the White House to his new office.

In Section 1(j)(1) - On page 13, line 14 insert "to the Administrator of General Services" after the word "appropriated." Line 16 authorizes to be appropriated a total of \$750,000 for a former President and a former Vice-President for the fiscal year in which the term of a former President expires. The latest Transition Act authorized \$1 million for the outgoing administration. Under the transition for former President Carter \$861,526 of the \$1 million appropriation was spent. With the increases due to inflation, etc., the proposed figure should be raised to \$1 million. Also, it should specify that a proposed appropriation, therefore, should be included in the President's Budget similar to the provision for funds for the incoming administration, i.e., "The President shall include in the budget transmitted to Congress for each fiscal year in which his regular term of office will expire, a proposed appropriation for carrying out the purposes of this section of the Act."

In Section 1(j)(2) - On page 14 after line 9 insert "(D) The monetary allowance for each former President, equal to the annual rate of basic pay, as in effect from time to time, of the head of an executive department authorized by section (a) of the Act of August 25, 1958, as amended, is in addition to the authorization of appropriation specified in section 1(j) (2) (A), (B), and (C)."

In Section 1(j)(3) - On page 14 after line 24 insert "(D) The monetary allowance for each former President, equal to the annual rate of basic pay, as in effect from time to time, of the head of an executive department authorized by section (a) of the Act of August 25, 1958, as amended, is in addition to the authorization of appropriation specified in section 1(j) (3) (A), (B) and (C)."

In Section 1(j)(4) - On page 15 after line 9 insert "This is in addition to the annual authorization of appropriation for each former President as specified in 202(j) (2) and (3)."

The Office of Management and Budget has advised that, from the standpoint of the Administration's program, there is no objection to the submission of this report to your Committee.

Sincerely,