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Section-by-section analysis of the Pension Equity Act of 1983

Section 1: Provides a short title for the Act.

Section 2: Lowers the minimum age for plan participation under ERISA from age 25 to age 21.

Section 3: Lowers the minimum age requirement for plan vesting under ERISA from age 22 to age 21.

Section 4: Provides that individuals on maternity or paternity leave will not incur a break in service, on account of absence from work for purposes of childbirth or child care for a natural or adopted child, during the year of birth or adoption or, if the credit is not needed in that year, during the subsequent year.

Section 5:

a) Requires that the joint and survivor annuity be the normal mode of benefit payment for any plan which offers an annuity as an optional mode of benefit payment, not just those plans that offer an annuity as the normal mode of benefit payment (i.e., overturns the court decision in BBS Associates.) Participants would be permitted to elect not to have payments made in the form of a joint and survivor annuity.

b) Deletes the present ERISA requirement that participants must affirmatively elect to receive survivor coverage for the years the participant is employed by the plan sponsor between early retirement and normal retirement ages. Replaces this election with automatic survivor annuity coverage for employees who have reached early retirement age but have not yet retired. Employees would be permitted to elect not to receive such coverage.

c) Deletes the present requirement that a participant and spouse must be married to each other both for the one-year period ending on the participant's annuity starting date and for the one-year period ending on the participant's date of death in order for the spouse to receive the survivor annuity portion of a joint and survivor annuity. Replaces this requirement with one that stipulates only that plans may require that the participant and spouse be married for the one-year period ending on the participant's annuity starting date in order for the spouse to receive a survivor annuity.

d) Deletes the present ERISA provision that permits plans to specify that the occurrence of non-accidental death within two years of a participant's election, or revocation of an election,

regarding survivor coverage will nullify the effect of the election.

e) Requires that a participant's election not to take benefits in the form of a joint and survivor annuity must have consent of participant's spouse.

Section 6:

a) Specifies that ERISA's anti-assignment/alienation provisions are not applicable to domestic relations orders that a plan determines to be qualified. Domestic relations orders are orders relating to child support, alimony payments, or marital property rights. The orders must specifically identify the participant and alternate payee and other details relating to the payments to which the order applies. Although the order may not require the plan to alter its basic practices relating to such matters as the timing of benefit commencement or benefit elections, etc., an order may require that a distribution to an alternate payee who is an ex-spouse be paid in any form of benefits that would be available to the participant under the plan.

b) Amends ERISA's preemption provisions to specify that, notwithstanding state law, benefits under an employee benefit plan may not be assigned or alienated except as expressly provided in ERISA's anti-assignment/alienation provisions.

c) Clarifies the Internal Revenue Code provisions concerning favorable tax treatment of lump-sum distributions to specify that payment of a distribution to an alternate payee, pursuant to a domestic relations order, from a participant's accrued pension benefits will not affect the ability of the participant to elect lump-sum treatment for those accrued benefits.

d) Permits an alternate payee who receives a lump-sum payment from a participant's accrued pension benefits, pursuant to a domestic relations order, to be eligible for the favorable tax treatment of lump-sum distributions under the Internal Revenue Code.

e) Prorates participant's employee pension contributions (i.e., "the investment in the contract") between participant and an alternate payee under a domestic relations order who is an ex-spouse so that ex-spouse may receive part of divorce distribution on a tax-free basis.

f) Permits an alternate payee who is an ex-spouse and who receives a lump-sum distribution pursuant to a qualified domestic relations order to roll over the distribution to an IRA.

Section 7: Requires that participants be notified, on their individual employee benefit statements and the statements given to terminated vested participants, of benefits that would be

forfeitable if the participant were to die before a specified date.

Section 8: Increases the level at which a plan may cash out a participant's accrued benefits from \$1,750 to \$3,500.

Section 9: Sets effective dates for the bill.

The bill, in general, would be effective as of enactment for plans not in existence on the date of enactment. For existing plans, the bill would be effective for plan years beginning after December 31, 1984. (There would be a special rule for collectively-bargained plans.)

The bill contains special effective dates for certain provisions. The joint and survivor annuity rules would be applicable only for participants who had not died or retired before the bill's effective date.

The anti-assignment/alienation provisions basically would be applicable as of the bill's enactment and would apply only to domestic relations orders under which payments had not commenced on or before enactment of the bill. Between the date of enactment and the general effective date of the bill, however, a plan would not be required to comply with the terms of a

domestic relations order which required the plan to alter the form of benefits available under the plan.

The cash-out rules of the bill would be effective as of the date of the bill's enactment.


MEMORANDUM

THE WHITE HOUSE

WASHINGTON

November 7, 1983

FOR: FRED F. FIELDING

FROM: PETER J. RUSTHOVEN 

SUBJECT: Memorandum for Kenneth Duberstein from
Robert McConnell on Equal Rights Amendment

John Roberts and I have reviewed the above-referenced memorandum, which Assistant Attorney General McConnell blind-copied to you (evidently on a "for your information" basis).

The memorandum reports that Representative James Sensenbrenner (R.-Wis.) plans to offer an amendment to the re-introduced Equal Rights Amendment, "clarifying" that the ERA will have no effect on abortion issues. The memorandum further advises that Representative Don Edwards (D.-Cal.), Chairman of the relevant House Judiciary Subcommittee, plans to "pull" the ERA from further consideration should Sensenbrenner's amendment be adopted.

I see no problem with either the substance of Sensenbrenner's proposed amendment or the practical effect it will have if it is adopted and Edwards' "threat" is carried out. More generally, neither John nor I see any need for comment on this memorandum by our office, either to McConnell or Duberstein.

cc: John G. Roberts, Jr. 

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

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

PR/JR

Name of Correspondent: Robert A. McConnell

☐ MI Mail Report

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

Subject: Equal Rights Amendment and abortion

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>83,11,04</u>			<u>1 1</u>
<u>CWDT 09</u>	Referral Note: <u>A</u>	<u>83,11,04</u>			<u>1 1</u>
<u>CWAT18</u>	Referral Note: <u>A</u>	<u>83,11,04</u>			<u>1 1</u>
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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

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bcc: FRED FIELDING

Office of the Assistant Attorney General

Washington, D.C. 20530

November 1, 1983

MEMORANDUM

TO : Kenneth Duberstein
Assistant to the President
for Legislative Affairs

FROM: Robert A. McConnell
Assistant Attorney General

RE : Equal Rights Amendment

During a meeting of House Judiciary Republicans prior to full Committee markup this morning, Congressman Sensenbrenner provided advance notice to other committee members on the status of Don Edwards's Subcommittee's activities on the Equal Rights Amendment.

He indicated that Edwards plans a markup for this Friday and full committee action next week. He also indicated that Edwards is planning to move on a fast track through the Rules Committee onto the floor before Congress breaks at the end of the month.

Jim indicated that he will be offering an amendment relating to abortion. He described his amendment as establishing that the ERA has nothing to do with abortion; he wants to make it clear that abortion is a fight that will have to be fought at a different time and on a different legislative vehicle. He indicated that he has a 70-plus page report from the Congressional Reference Service indicating that were the Equal Rights Amendment to be adopted, the Hyde amendment would be essentially overturned. Sensenbrenner's amendment is designed to say that the Equal Rights Amendment has nothing to do with abortion. He indicates that during the hearings on the Equal Rights Amendment he has questioned supporters of the ERA. All became annoyed at being questioned on abortion, having taken the position that the ERA has nothing to do with abortion. Nevertheless, he also indicates that Edwards has told him that if the Sensenbrenner amendment is adopted, Edwards will "pull" the ERA from further consideration.

To date the Department has not been actively involved in the legislative process on this item, however, I forward this information to you for your use as you deem appropriate.

cc: The Attorney General
The Deputy Attorney General

THE WHITE HOUSE

WASHINGTON

November 8, 1983

FOR: FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Draft Memorandum to Selected Departments and
Agencies re the Interagency Committee on
Women's Business Enterprise

Richard Darman has asked for comments by c.o.b. November 9 on the above-referenced draft memorandum. The memorandum, prepared by Becky Norton Dunlop, asks the appropriate department and agency heads to designate an individual to serve on the reactivated Interagency Committee on Women's Business Enterprise. This Committee, established by Executive Order 12138 (May 18, 1979) (copy attached), had become inactive, but the President announced his intention to reactivate it last May, originally naming Bay Buchanan as the new chairperson. The purpose of the Committee is to ensure and monitor implementation of the Executive Order, which mandates "affirmative action" to promote women's business enterprise.

You will recall that when we were consulted on this question (one-half hour before the announcement), we expressed reservations in light of the affirmative action language in the Carter executive order, including language supporting the acceptability of numerical set-asides. We did not block the announcement on this ground, however, because the affirmative action language was vague enough to fit (albeit uncomfortably) within this Administration's definition of affirmative action, and because the Executive Order directed all departments and agencies to consult with the Department of Justice concerning what sorts of actions would be appropriate. We raised the question with the Justice Department (Civil Rights Division), and they had no objection to reactivating the Committee.

Buchanan's tenure as chairperson was short-lived, because of the requirement that those serving on the Committee be government employees. Dunlop was named to succeed Buchanan, and Nancy Risque and Ann Wroblewski have been named as representatives of the Executive Office of the President. The proposed memorandum asks agency heads to designate their representatives and to cooperate with the Committee. It

also states "I expect the heads of all departments and agencies to support this goal through federal programming which provides equitable opportunities for women business owners." This could be taken by some to justify quotas, but since it is phrased in terms of "opportunities," I have no objection.

A draft is attached for your signature, noting that we have no legal objection to the proposed memorandum.

THE WHITE HOUSE

WASHINGTON

November 8, 1983

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

FROM: FRED F. FIELDING *Orig. signed by FFF*
COUNSEL TO THE PRESIDENT

SUBJECT: Draft Memorandum to Selected Departments and
Agencies re the Interagency Committee on
Women's Business Enterprise

Counsel's Office has reviewed the above-referenced draft memorandum, and finds no objection to it from a legal perspective. In the last sentences of the fifth and sixth paragraphs, however, "which" should be "that."

FFF:JGR:ph 11/8/83

cc: FFFielding/
JGRoberts✓
Subject
Chron.

Chapter 13—Business Credit and Assistance

SEC. 8. Prior Executive Order. Executive Order No. 11458 of March 5, 1969, is hereby superseded.

Executive Order 11871—Transferring the SCORE and ACE programs from the ACTION Agency to the Small Business Administration

SOURCE: The provisions of Executive Order 11871 of July 18, 1975, appear at 40 FR 30915, 3 CFR, 1971-1975 Comp., p. 1011, unless otherwise noted.

By virtue of the authority vested in me by Section 12 of the Small Business Act (72 Stat. 394, 15 U.S.C. 641), the Domestic Volunteer Service Act of 1973 (87 Stat. 394, 42 U.S.C. 4951 *et seq.*), Section 301 of Title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

SECTION. 1. All functions, powers, and duties vested in the ACTION Agency or its Director under Title III of the Domestic Volunteer Service Act of 1973 (87 Stat. 404, 42 U.S.C. 5031, *et seq.*), which relate to a Service Corps of Retired Executives ("SCORE") and an Active Corps of Executives ("ACE") are hereby transferred to the Small Business Administration.

SEC. 2. All the functions, powers, and duties vested in the ACTION Agency or its Director under Title IV of the Domestic volunteer Service Act of 1973 (87 Stat. 405, 42 U.S.C. 5041, *et seq.*), which are incidental to or necessary for the performance of the functions, powers, and duties transferred by Section 1 of this Order, are hereby transferred to the Small Business Administration.

SEC. 3. Nothing in this Order shall preclude the ACTION Agency or its Director from continuing, establishing, or conducting volunteer programs to carry out his other responsibilities as provided for in Title III or Title IV of the Domestic Volunteer Service Act of 1973.

SEC. 4. The authority of the President under Section 12 of the Small Business Act (15 U.S.C. 641) to provide for appropriate transfers of records, property, necessary personnel, and unexpended balances of appropriations and other funds in connection with the transfers provided by this Order is hereby delegated to the Director of the Office of Management and Budget, who shall take such action as he deems appropriate to enable the proper performance of the functions, powers, and duties transferred by this Order.

SEC. 5. The rights, privileges, and disabilities attaching to volunteers under Title III and Title IV of the Domestic Volunteer Service Act of 1973, and to Federal employees otherwise entitled to Civil Service protection and transferred hereunder, shall not be otherwise affected by this transfer.

SEC. 6. This Order shall be effective on the fifteenth day of July, 1975.

Executive Order 12138—Creating a National Women's Business Enterprise Policy and prescribing arrangements for developing, coordinating and implementing a national program for women's business enterprise

SOURCE: The provisions of Executive Order 12138 of May 18, 1979, appear at 44 FR 29637, 3 CFR, 1979 Comp., p. 393, unless otherwise noted.

In response to the findings of the Interagency Task Force on Women Business Owners and congressional findings that recognize:

1. the significant role which small business and women entrepreneurs can play in promoting full employment and balanced growth in our economy;

2. the many obstacles facing women entrepreneurs; and

3. the need to aid and stimulate women's business enterprise;

By the authority vested in me as President of the United States of America, in order to create a National Women's Business Enterprise Policy and to prescribe arrangements for developing, coordinating and implementing a national program for women's business enterprise, it is ordered as follows:

1-1. *Responsibilities of the Federal Departments and Agencies.*

1-101. Within the constraints of statutory authority and as otherwise permitted by law:

(a) Each department and agency of the Executive Branch shall take appropriate action to facilitate, preserve and strengthen women's business enterprise and to ensure full participation by women in the free enterprise system.

(b) Each department and agency shall take affirmative action in support of women's business enterprise in appropriate programs and activities including but not limited to:

(1) management, technical, financial, and procurement assistance.

(2) business-related education, training, counseling and information dissemination, and

(3) procurement.

(c) Each department or agency empowered to extend Federal financial assistance to any program or activity shall issue regulations requiring the recipient of such assistance to take appropriate affirmative action in support of women's business enterprise and to prohibit actions or policies which discriminate against women's business enterprise on the ground of sex. For purposes of this subsection, Federal financial assistance means assistance extended by way of grant, cooperative agreement, loan or contract other than a contract of insurance of guaranty. These regulations shall prescribe sanctions for noncompliance. Unless otherwise specified by law, no agency sanctions shall be applied until the agency or department concerned has advised the appropriate person or persons of the failure to comply with its regulations and has determined that compliance cannot be secured by voluntary means.

1-102. For purposes of this Order, affirmative action may include, but is not limited to, creating or supporting new programs responsive to the special needs of women's business enterprise, establishing incentives to promote business or business-related opportunities for women's business enterprise, collecting and disseminating information in support of women's business enterprise, and insuring to women's business enterprise knowledge of and ready access to business-related services and resources. If, in implementing this order, an agency undertakes to use or to require compliance with numerical set-asides, or similar measures, it shall state the purpose of such measure, and the measure shall be designed on the basis of pertinent factual findings of discrimination against women's business enterprise and the need for such measure.

1-103. In carrying out their responsibilities under Section 1-1, the departments and agencies shall consult the Department of Justice, and the

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Chapter 13—Business Credit and Assistance

Department of Justice shall provide legal guidance concerning these responsibilities.

1-2. *Establishment of the Interagency Committee on Women's Business Enterprise.*

1-201. To help insure that the actions ordered above are carried out in an effective manner, I hereby establish the Interagency Committee on Women's Business Enterprise (hereinafter called the Committee).

1-202. The Chairperson of the Committee (hereinafter called the Chairperson) shall be appointed by the President. The Chairperson shall be the presiding officer of the Committee and shall have such duties as prescribed in this Order or by the Committee in its rules of procedure. The Chairperson may also represent his or her department, agency or office on the Committee.

1-203. The Committee shall be composed of the Chairperson and other members appointed by the heads of departments and agencies from among high level policy-making officials. In making these appointments, the recommendations of the Chairperson shall be taken into consideration. The following departments and agencies and such other departments and agencies as the Chairperson shall select shall be members of the Committee: the Departments of Agriculture; Commerce; Defense; Energy; Health, Education, and Welfare;¹ Housing and Urban Development; Interior; Justice; Labor; Transportation; Treasury; the Federal Trade Commission; General Services Administration; National Science Foundation; Office of Federal Procurement Policy; and the Small Business Administration. These members shall have a vote. Non-voting members shall include the Executive Director of the Committee and at least one but no more than three representatives from the Executive Office of the President appointed by the President.

1-204. The Committee shall meet at least quarterly at the call of the Chairperson, and at such other times as may be determined to be useful according to the rules of procedure adopted by the Committee.

1-205. The Administrator of the Small Business Administration shall provide an Executive Director and adequate staff and administrative support for the Committee. The staff shall be located in the Office of the Chief Counsel for Advocacy of the Small Business Administration, or in such other office as may be established specifically to further the policies expressed herein. Nothing in this Section prohibits the use of other properly available funds and resources in support of the Committee.

1-3. *Functions of the Committee.* The Committee shall in a manner consistent with law:

1-301. Promote, coordinate and monitor the plans, programs and operations of the departments and agencies of the Executive Branch which may contribute to the establishment, preservation and strengthening of women's business enterprise. It may, as appropriate, develop comprehensive interagency plans and specific program goals for women's business enterprise with the cooperation of the departments and agencies.

1-302. Establish such policies, definitions, procedures and guidelines to govern the implementation, interpretation and application of this

¹ EDITORIAL NOTE: Redesignated as the Department of Health and Human Services by Public Law 96-88 (93 Stat. 695, 20 U.S.C. 3508).

Codification of Presidential Proclamations and Executive Orders

order, and generally perform such functions and take such steps as the Committee may deem to be necessary or appropriate to achieve the purposes and carry out the provisions hereof.

1-303. Promote the mobilization of activities and resources of State and local governments, business and trade associations, private industry, colleges and universities, foundations, professional organizations, and volunteer and other groups toward the growth of women's business enterprise, and facilitate the coordination of the efforts of these groups with those of the departments and agencies.

1-304. Make an annual assessment of the progress made in the Federal Government toward assisting women's business enterprise to enter the mainstream of business ownership and to provide recommendations for future actions to the President.

1-305. Convene and consult as necessary with persons inside and outside government to develop and promote new ideas concerning the development of women's business enterprise.

1-306. Consider the findings and recommendations of government and private sector investigations and studies of the problems of women entrepreneurs, and promote further research into such problems.

1-307. Design a comprehensive and innovative plan for a joint Federal and private sector effort to develop increased numbers of new women-owned businesses and larger and more successful women-owned businesses. The plan should set specific reasonable targets which can be achieved at reasonable and identifiable costs and should provide for the measurement of progress towards these targets at the end of two and five years. Related outcomes such as income and tax revenues generated, jobs created, new products and services introduced or new domestic or foreign markets created should also be projected and measured in relation to costs wherever possible. The Committee should submit the plan to the President for approval within six months of the effective date of this Order.

1-4. Other Responsibilities of the Federal Departments and Agencies.

1-401. The head of each department and agency shall designate a high level official to have the responsibility for the participation and cooperation of that department or agency in carrying out this Executive order. This person may be the same person who is the department or agency's representative to the Committee.

1-402. To the extent permitted by law, each department and agency upon request by the Chairperson shall furnish information, assistance and reports and otherwise cooperate with the Chairperson and the Committee in the performance of their functions hereunder. Each department or agency shall ensure that systematic data collection processes are capable of providing the Committee current data helpful in evaluating and promoting the efforts herein described.

1-403. The officials designated under Section 1-401, when so requested, shall review the policies and programs of the women's business enterprise program, and shall keep the Chairperson informed of proposed budget, plans and programs of their departments or agencies affecting women's business enterprise.

1-404. Each Federal department or agency, within constraints of law, shall continue current efforts to foster and promote women's business enterprise and to support the program herein set forth, and shall coop-

Chapter 13—Business Credit and Assistance

erate with the Chairperson and the Committee in increasing the total Federal effort.

1-5. Reports.

1-501. The Chairperson shall, promptly after the close of the fiscal year, submit to the President a full report of the activities of the Committee hereunder during the previous fiscal year. Further, the Chairperson shall, from time to time, submit to the President the Committee's recommendations for legislation or other action to promote the purposes of this Order.

1-502. Each Federal department and agency shall report to the Chairperson as hereinabove provided on a timely basis so that the Chairperson and the Committee can consider such reports for the Committee report to the President.

1-6. *Definitions.* For the purposes of this Order, the following definitions shall apply:

1-601. "Women-owned business" means a business that is at least 51 percent owned by a woman or women who also control and operate it. "Control" in this context means exercising the power to make policy decisions. "Operate" in this context means being actively involved in the day-to-day management.

1-602. "Women's business enterprise" means a woman-owned business or businesses or the efforts of a woman or women to establish, maintain or develop such a business or businesses.

1-603. Nothing in subsections 1-601 or 1-602 of this Section (1-6) should be construed to prohibit the use of other definitions of a woman-owned business or women's business enterprise by departments and agencies of the Executive Branch where other definitions are deemed reasonable and useful for any purpose not inconsistent with the purpose of this Order. Wherever feasible, departments and agencies should use the definition of a woman-owned business in subsection 1-601 above for monitoring performance with respect to women's business enterprise in order to assure comparability of data throughout the Federal Government.

1-7. *Construction.* Nothing in this Order shall be construed as limiting the meaning or effect of any existing Executive order.

Executive Order 12190—Advisory Committee on Small and Minority Business Ownership

SOURCE: The provisions of Executive Order 12190 of Feb. 1, 1980, appear at 45 FR 7773, 3 CFR, 1980 Comp., p. 136, unless otherwise noted.

By the authority vested in me as President by the Constitution of the United States of America and in order to implement Section 7(j)(3)(A) of the Small Business Act (92 Stat. 1765, 15 U.S.C. 636(j)(3)(A)), which directs the creation of an advisory committee for certain purposes, it is hereby ordered as follows:

1-1. Establishment of Committee.

1-101. There is established an Advisory Committee on Small and Minority Business Ownership composed of five high-level officers from five United States businesses and five representatives of minority small businesses.

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: Draft Memorandum to Selected Departments
and Agencies re: the Interagency Committee
on Women's Business Enterprise

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>CW Holland</u>		<u>ORIGINATOR</u>	<u>83/11/04</u>			<u>1 1</u>
<u>WAT 18</u>		<u>D</u>	<u>83/11/04</u>		<u>3</u>	<u>83/11/09</u>
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WHITE HOUSE STAFFING MEMORANDUM

DATE: 11/4/83 ACTION/CONCURRENCE/COMMENT DUE BY: 11/9/83

SUBJECT: DRAFT MEMORANDUM TO SELECTED DEPARTMENTS AND AGENCIES RE
THE INTERAGENCY COMMITTEE ON WOMEN'S BUSINESS ENTERPRISE

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	HICKEY	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	McFARLANE	<input type="checkbox"/>	<input type="checkbox"/>
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REMARKS:

May we have any edits/comments by close of business November 9.
 Thank you.

RESPONSE:

6:40p
 Richard G. Darman
 Assistant to the President
 Ext. 2702

Received SS


1983 NOV -4 PM 3 26

THE WHITE HOUSE

WASHINGTON

November 4, 1983

MEMORANDUM FOR DICK DARMAN

FROM: BECKY NORTON DUNLOP 

SUBJECT: Presidential Directive on
Interagency Committee on Women's
Business Enterprise

We are now at work on the reestablishment of this Committee. Now that Nancy and Ann have been cleared and announced, we are eager to move ahead with the departmental and agency representatives.

This memorandum from the President would firmly establish this work as a priority and encourage rapid decision-making on the membership.

I submit this draft for clearance. Please advise me should you need further information or material.

DRAFT

THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR SELECTED DEPARTMENTS AND AGENCIES
(those designated to provide member)

Recently, I reactivated the Interagency Committee on Women's Business Enterprise.

Becky Norton Dunlop was appointed Chairperson and Nancy Risque and Ann Wrobleski were appointed as representatives of the Executive Office of the President.

This Interagency Committee will promote, coordinate, and monitor greater efforts on behalf of women-owned businesses by the Federal government.

Federal Departments and Agencies are directed to cooperate with the Committee and to take appropriate action to facilitate, preserve and strengthen women's business ownership. To that end, I have asked the Chairperson to work with each of you to designate an individual to serve on the Committee. At the same time, you should appoint an alternate and provide for support staff.

Although our attainments in this area have been commendable to date, we cannot afford to slacken our pace. I will be looking to each of you to strengthen policies and programs which aid women's business ownership.

We must ensure that women business owners can fully participate in our economic system and this memorandum emphasizes my personal commitment to support this goal. I expect the heads of all departments and agencies to support this goal through federal programming which provides equitable opportunities for women business owners.

With your commitment and cooperation, we can greatly improve the opportunities for women business owners.

RONALD REAGAN

THE WHITE HOUSE

WASHINGTON

November 15, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: H.J. Res. 1 -- Equal Rights Amendment

Richard Darman asked for immediate comments on the attached proposed Administration policy statement. As you know, the Equal Rights Amendment is being considered in the House today on the suspension calendar -- only forty minutes of debate, with no consideration of amendments. The proposed policy statement objects to this procedure for a Constitutional amendment, without comment on the merits beyond reaffirming that the Administration supports equality of rights for all citizens.

After conferring with Mr. Hauser, I advised Darman's office that we had no legal objection to the proposed statement. I also advised that we would not object should policy offices in the White House desire to include a statement of our continuing opposition to the Equal Rights Amendment on the merits.

Attachment

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 83/11/15Name of Correspondent: Richard G. DARMAN☐ MI Mail Report

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

Subject: H.F. Res. 1 - Equal Rights Amendment

ROUTE TO:

ACTION

DISPOSITION

Office/Agency	Staff Name	Action Code	Tracking Date YY/MM/DD	Type of Response	Completion Date YY/MM/DD
<u>CUBOL</u>		<u>ORIGINATOR</u>	<u>83/11/15</u>		
<u>WDT18</u>		<u>Referral Note:</u>	<u>83/11/15</u>		<u>83/11/15</u>
		<u>Referral Note:</u>			<u>ASAP</u>
		<u>Referral Note:</u>			
		<u>Referral Note:</u>			
		<u>Referral Note:</u>			

ACTION CODES:

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

1 - 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 MEMORANDUMDATE: 11/15/83 ACTION/CONCURRENCE/COMMENT DUE BY: IMMEDIATELYSUBJECT: H.J. RES. 1 -EQUAL RIGHTS AMENDMENT

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	HICKEY	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	McFARLANE	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input type="checkbox"/>	McMANUS	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/> P	<input checked="" type="checkbox"/> SS	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input 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"/>
HERRINGTON	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

May we have any comments as soon as possible. This is scheduled for suspension calendar in the House this morning. Thank you.

RESPONSE:

11/15
4:30 am

Richard G. Darman
Assistant to the President
Ext. 2702



STATEMENT OF ADMINISTRATION POLICY

Received SS
1983 NOV 15 AM 9:14

November 15, 1983
(House)

H.J. RES. 1 - Equal Rights Amendment

Although the Administration supports equality of rights for all citizens, it believes it inappropriate to consider a Constitutional Amendment on the suspension calendar. Thus, it recommends that H.J. Res. 1 be removed from the suspension calendar for consideration of amendments and further debate.

John G. Roberts, Jr.
Associate Counsel to the President
112 OEOB

WHITE HOUSE DIGEST

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White House Office of Media Relations and Planning

November 18, 1983

PRESIDENT REAGAN ON PEACE, ARMS REDUCTIONS, AND DETERRENCE

The Administration's Policies and Programs

INTRODUCTION

Every American President has sought to prevent conflict, reduce the risk of war, and safeguard the peace. In addition to these three fundamental objectives, President Reagan is pursuing a fourth: substantial reductions in current levels of nuclear weapons through genuine arms control.

Peace must be more than a slogan. Keeping the peace requires hard work, realistic programs, a commitment to strong deterrent forces, and the patience to pursue meaningful arms reduction negotiations.

Throughout the post-World War II era, the pursuit of peace with freedom has been based upon the twin pillars of

defense and dialogue; upon the maintenance of a military equilibrium coupled with efforts to resolve differences peacefully and to remove sources of conflict. The US has been at the forefront of efforts to limit and reduce nuclear arsenals and to prevent war.

American arms control efforts have sought to strengthen both these pillars, to stabilize a military balance at the lowest possible levels, and at the same time to enhance mutual confidence and expand the area of understanding between nations.

The Reagan Administration has fashioned its security policies upon this proven basis of defense and dialogue, while giving added emphasis to stability, significant reductions, and effective verification as objectives for arms control. The continued growth of Soviet military power has required us to improve our own defenses to assure a credible deterrent, but it has also led us to intensify and expand our efforts through negotiations to reverse the growth in armaments.

The nuclear age has given us a special and most critical challenge -- that of removing the threat of nuclear war. This Administration has been especially aware of that challenge and of the fact that there are no easy and simple solutions. President Reagan succinctly expressed both the challenge as we see it and the way to meet it: "...in today's world, the existence of nuclear weapons could mean, if not the extinction of mankind, then surely the end of civilization as we know it. ...We must not allow ourselves to be paralyzed by the problem, to abdicate our moral duty....I intend to search for peace along two parallel paths -- deterrence and arms reductions. I believe these are the only paths that offer any real hope for an enduring peace."

The following pages outline how we are conducting the search for peace today -- and the importance of both deterrence and arms reductions to building the more lasting peace we all seek.

Section One describes America's current arms control efforts. The United States is embarked on the most ambitious arms reductions agenda ever developed, while also seeking measures to reduce the possibility of misunderstanding or miscalculation. The record speaks for itself.

Section Two explains our deterrence policy and describes the changed military balance, the US modernization programs required for deterrence, and the reductions in the US nuclear weapons stockpile.

Section Three provides a representative collection of President Reagan's personal views on questions of peace, deterrence, and arms reduction.

SECTION I

PRESIDENT REAGAN'S ARMS REDUCTION AGENDA

"We want to reduce the weapons of war, pure and simple."
(President Reagan, 1983)

Today, we are embarked on the most ambitious arms reduction agenda ever developed by any Administration. We are negotiating directly with the Soviet Union about deep reductions in strategic and intermediate-range nuclear weapons. We and our NATO Allies are negotiating with the Soviets and their Warsaw Pact allies about cutting conventional forces in Europe. And we are negotiating with the Soviet Union and other interested nations about an effective and verifiable ban on chemical weapons. We have also asked the Soviet Union to join us in efforts to ensure that nuclear testing limits can be effectively verified. And we have asked the Soviet Union and others to join with us in the search for confidence-building agreements that can help reduce the risk of accidental war.

The United States along with its Allies have periodically and unilaterally reduced nuclear weapons inventories to ensure that our posture is that needed for deterrence, and no more and to serve as a positive example to other nations.

Today's efforts build upon the experience of more than three decades, upon the agreements already achieved, and upon the lessons learned from past successes and failures. Our efforts have only one purpose -- to reverse the arms build-up, to establish a more stable military balance at lower force levels, and to enhance the prospects for lasting peace.

CURRENT NEGOTIATIONS -- THE TRACK RECORD

Strategic Arms Negotiations

The Strategic Arms Reduction Talks (START) deal with the principal elements of the U.S. and Soviet intercontinental nuclear weapon. In these negotiations, which began in Geneva in June 1982, the President has boldly sought to reverse the trend of past agreements which simply ratified greater and more destabilizing nuclear arsenals.

° The U.S. approach is to secure an equitable, verifiable agreement which will reduce the number of ballistic missile warheads by one-third, gain substantial reductions in the most destabilizing systems, by as much as one-half, reduce the destructive capacity of nuclear missiles, and establish limits on bombers and cruise missiles.

° In order to facilitate an agreement, the President has made substantial adjustments to our initial position. The adjustments made over the last few months have been taken in close consultations with the Scowcroft Commission and the Congress and take expressed Soviet concerns into account. And they include a guaranteed mutual build-down as recommended by many in the Congress. Strong, bipartisan support of the Congress and the American people is essential to success in the negotiations.

° The President has expressed a willingness to agree to trade-offs between areas of U.S. interest or advantage and areas of Soviet interest and advantage. Everything is on the table, and our negotiators have great flexibility.

° While the Soviet Union has not yet demonstrated a similar flexibility toward reaching agreement, either by responding positively to our recent initiatives or by tabling new, more forthcoming proposals of its own, there is reason for hope. Already, the Soviet Union has agreed to the importance of reductions and has shown some limited flexibility on secondary issues. Increased Congressional support for our defense program and a new bipartisan spirit in arms control will enhance the likelihood that the Soviets will increasingly realize that it is time to begin to negotiate seriously on the central issues.

Intermediate-Range Nuclear Forces (INF) Negotiations

The INF negotiations which began in November 1981 deal with the growing imbalance in intermediate-range nuclear forces. The focus of the negotiations between the US and the Soviet Union is on the systems of greatest concern to the two sides -- the land-based longer-range INF missiles. During the past two years, the U.S. position has reflected four initiatives in an effort to address Soviet concerns and to improve prospects for reaching a stabilizing agreement. This would reduce the threat to the peace posed by the Soviet monopoly in this class of weapons and would enhance the security of both sides.

° In November 1981, President Reagan announced the zero-zero option of U.S. and Soviet longer-range, land-based INF missiles. The President thereby offered to cancel the planned deployment of 572 Pershing II and Ground-Launched Cruise Missiles in return for Soviet elimination of its 600 SS-20, SS-4 and SS-5 missiles with far more warheads, which it had been unilaterally deploying for a number of years. This proposal would eliminate an entire class of nuclear weapons. The President made clear that the U.S. would also carefully consider any serious Soviet proposal.

° By March 1983, it was clear that the Soviets were not ready to accept the U.S. proposal. In an effort to move negotiations forward, the President announced a proposal for an interim agreement: the U.S. would reduce the planned

deployment of Pershing IIs and GLCMs, provided the Soviets reduced the number of their warheads to an equal level on a global basis. At the same time, the U.S. made clear that the zero-zero proposal remained on the table. But no meaningful Soviet counterproposal was offered.

° Notwithstanding Soviet inflexibility, the President on September 26 and on November 14, 1983, announced further initiatives designed to move the negotiations forward and responding to expressed Soviet concerns. First, we agreed explicitly to include aircraft in the negotiations and to consider foregoing deploying in Europe the full complement of missiles we would be allowed within a global limit. Second, we proposed a specific interim global limit of 420 warheads on each side, although we would prefer zero.

Unfortunately, the Soviet Union has not yet demonstrated comparable flexibility. Each Soviet proposal tabled since the negotiations began in 1981 would have the same basic outcome: the prohibition any of NATO deployments while the Soviets retained their substantial monopoly in LRINF missiles, which now have some 1,400 warheads to our zero.

Conventional Force Reductions in Europe

The negotiations in Vienna on Mutual and Balanced Force Reductions (MBFR) are multilateral negotiations involving NATO and Warsaw Pact nations. The negotiations, which began in 1973, result from a NATO initiative to reduce the unequal levels of military manpower of East and West in Central Europe to equal and significantly lower levels. They are part of broader efforts by the United States and its allies to reduce the likelihood of conflict in Central Europe and to strengthen East-West stability generally. Although the Warsaw Pact nations nominally accept this goal, their unwillingness thus far to address their present manpower superiority, or to accept effective verification measures to ensure compliance with an MBFR agreement, remains the main obstacle to progress.

° The goal of the negotiations is the reduction of each side's military manpower in Central Europe to parity at a level of 700,000 ground force personnel and a maximum of 900,000 air and ground force personnel combined.

° In MBFR's 10-year existence, both East and West have made a variety of proposals. On both sides, however, there has been a strong continuity in negotiating objectives. The West has consistently sought parity of forces at a reduced level. The East, with equal consistency, has resisted effective acceptance of parity. Initially, it rejected equality explicitly; later, it did so implicitly, accepting parity as a goal but refusing to admit to the size of its current forces and, consequently, to the size of reductions that would be needed to arrive at parity. It has refused to provide sufficient detail on how it would go about ensuring compliance.

° In July 1982, the West tabled a new draft treaty, marking a further effort to address expressed Warsaw Pact/Soviet concerns while preserving the Western requirement for parity and effective verification. The major innovation of the Western draft is that it would bind all direct participants in one agreement to undertake the reductions required to reach the reduced ceiling. This provision seeks to address the frequently expressed Soviet concern that initial Soviet reductions might not be followed by reductions in the forces of the United States' NATO allies. The East has yet to respond constructively.

Confidence-Building Measures

Confidence-building measures are designed to enhance mutual knowledge and understanding about military forces and activities. Their overall purpose is to reduce the possibility of an accidental East-West confrontation, miscalculation, or failure of communication; to inhibit opportunities for surprise attack; and to increase stability in times of calm or crisis.

° U.S.-Soviet confidence-building measures include the "Hotline" Agreement and the "Accidents Measures" to reduce the risk of accidental outbreak of nuclear war. Multilateral measures in force are also contained in the Final Act of the Commission on Security and Cooperation in Europe (CSCE), signed in Helsinki in 1975. The principal feature of the CSCE measures is the agreement of both East and West to prior notification of large military maneuvers. This concept has also been incorporated into the Western proposals at the MBFR negotiations.

° In 1982, President Reagan proposed a new set of bilateral confidence-building measures, including prior notification of ballistic missile launches, prior notification of major military exercises, and expanded exchange of forces data. These proposals have been tabled at the START and INF negotiations. In addition, the US has proposed and begun bilateral discussions with the Soviet Union to improve the hotline, establish a U.S.-U.S.S.R. Joint Military Communications Link and improve embassy-capital communications. We have also proposed a multilateral agreement on consultations concerning unexplained nuclear incidents. When the Conference on Confidence and Security Building Measures and Disarmament in Europe (CDE) begins in Stockholm in January 1984, we will seek agreement on additional measures which would inhibit opportunities for surprise attack in Europe.

Chemical Weapons

The Soviet Union and its allies have employed chemical and toxin weapons in Afghanistan, Kampuchea, and Laos in violation of existing arms control agreements outlawing use

of such weapons. An immediate challenge is to bring all parties, including the Soviet Union, into compliance with existing international agreements outlawing the use of chemical weapons while also achieving agreement on new accords that would impose a comprehensive and verifiable ban on chemical weapons.

° Towards these ends, the United States is seeking to improve compliance with existing international agreements. In the Committee on Disarmament in Geneva, the United States and its allies are seeking a complete and verifiable ban on chemical weapons production, stockpiling, possession, transfer, and use. Whether we can achieve this objective will depend largely on whether the Soviet Union is willing to accept effective provisions for verification and compliance.

° The US maintains a limited stock of chemical weapons as a deterrent against the use of such weapons against the US and our Allies, and as an incentive to the Soviet Union to negotiate a verifiable, worldwide chemical weapons ban. Our program to begin modernization of this deterrent stockpile after 14 years of unilateral restraint is intended to increase the prospects for achieving such a comprehensive ban.

Nuclear Testing

While achievement of a comprehensive ban on nuclear testing remains the ultimate US objective, progress toward that goal is a step-by-step process. In the 1970s, the US and the USSR took steps in that direction when they signed the Threshold Test Ban Treaty and Peaceful Nuclear Explosions Treaty, which limit the size of underground nuclear tests. However, serious questions have been raised about Soviet compliance with the limits of these unratified Treaties and about the adequacy of the Treaties' verification measures. To help resolve these questions, the United States in 1982 proposed to the Soviet Union that we discuss means to enhance the verification provisions of the Treaties. Unfortunately, the Soviets have been unwilling to date to enter into such discussions with us.

Nonproliferation

The United States is committed to a vigorous program to prevent the spread of nuclear weapons. This includes strengthening the 1968 treaty against the spread of nuclear weapons and our efforts to strengthen international safeguards on nuclear material and more tightly to control access to technology relating to the production of nuclear weapons. Under the Reagan Administration, regular bilateral talks have been initiated with the Soviet Union to focus on problems of nuclear proliferation.

Outer Space Arms Control

The Administration is in the process of assessing the merits of a number of outer space arms control proposals, but there are a number of serious problems related to this area. These include the difficulty of assuring effective verification, and the question of the threat posed by the existing Soviet anti-satellite interceptors and by present and prospective Soviet satellites which, while not weapons themselves, are designed to provide direct support to the Soviet Union's terrestrial forces in the event of a conflict. The US has been actively involved in establishing a Working Group to discuss outer space issues at the Committee on Disarmament in Geneva, with a view to determining what if any new arrangements might be needed or desirable to further the peaceful uses of space.

SECTION II -- DETERRENCE

"The defense policy of the United States is based on a simple premise: The United States does not start fights....We maintain our strength in order to deter and defend against aggression -- to preserve freedom and peace....This strategy of deterrence...works. But what it takes to maintain deterrence has changed." (President Reagan, 1983)

Our Policy

US military forces are organized and armed to deter attack and coercion and to prevent war. It is our policy and that of our Allies not to use any force, whether nuclear or non-nuclear, except to deter and defend against aggression. Immediately following World War II, the United States proposed through the Baruch Plan to place nuclear weapons under the control of the infant United Nations -- and out of the hands of any nation-state. Those efforts foundered and steps had to be taken to ensure that, especially as nuclear weapons proliferated, they would never be used. To that end, United States nuclear weapons policy has focused solely on preventing -- on detering -- attack that might lead to nuclear war. That policy has been successful for some 40 years, including years of severe international tension. There has been no nuclear conflict. Nor has there been direct military conflict of any sort between the United States and the Soviet Union, or between East and West in Europe.

We are under no illusions about the consequences of a nuclear war. There would be no winners. Thus, deterrence is and must remain the cornerstone of our nuclear policy and, indeed, of our entire national security posture.

To this end, we seek to maintain the lowest possible force levels consistent with the basic requirements of effective deterrence. We must recognize that two decades of unabated Soviet military growth and US restraint have created severe imbalances which we must redress if we are to maintain an effective deterrent. This is why we must modernize our aging forces even as we pursue genuine arms control.

The Shifting Military Balance

The facts on the deployment of new military systems during the past decade and more, reflect an unparalleled Soviet buildup, even in the face of considerable US and Allied restraint. The facts include the following:

- Some 3/4 of nuclear warheads on US strategic weapons are on systems which are more than 15 years old. But 3/4 of the warheads on Soviet strategic weapons are on systems which are less than 5 years old.
- The US deployed no new strategic bomber since the last B-52 was deployed in 1962, while the Soviet Union has deployed more than 230 intercontinental-range Backfire bombers and is expected to deploy the Blackjack bomber as well.
- The US, until last year, had deployed no new strategic submarine (SSBN) for some 13 years, while the Soviet Union deployed 6 new classes involving 62 new strategic submarines during the same period.
- The US deployed only one new strategic submarine missile (SLBM) during the past 12 years, while the Soviets deployed 5 new types, involving hundreds of new missiles during the same period.
- The US deployed no new land-based strategic missile (ICBM) since 1969, undertaking only a warhead improvement for a proportion of its Minuteman force, while the Soviets deployed at least 3 new types of systems involving over 800 new missiles and are already testing 2 more new types.
- While the US destroyed its biological warfare stocks in 1969 and produced no new chemical weapons for 14 years, the Soviet Union greatly expanded its CBW efforts, and with its proxies is employing chemicals and toxins against tribesmen in three countries of Asia.
- The Soviet Union and its Warsaw Pact allies have substantially outpaced the United States and its NATO Allies in the production and deployment of conventional offensive weapons, including tanks, artillery, etc.
- In addition to major asymmetries in the production and deployment of weapons, the Soviet Union and its proxies have aggressively expanded their military pressure throughout the world.

The US Nuclear Stockpile

The United States nuclear stockpile and the modernization program have one purpose and one purpose only: to maintain a military posture sufficient to convince Soviet leaders that nuclear aggression cannot, under any circumstances, be in their interest. Our nuclear weapons are for deterrence and nothing else. This clear purpose enables the United States to maintain the lowest possible inventory of nuclear weapons consistent with sustaining a credible deterrent. The facts provide unequivocal evidence.

° The total numbers of nuclear weapons in the US stockpile has declined significantly since its peak in the mid-sixties.. Today, the US has one-third fewer weapons than it had at that time. Since then many thousands of US weapons have been disassembled and destroyed, and today the US stockpile is at its lowest level in 20 years.

° The destructive power as measured in total yield, or megatonnage, of the US nuclear weapons stockpile has declined even more sharply since its peak in the early 1960s. Today, the total yield of our stockpile is only one-fourth as large as it was then. Today, the total yield of the US stockpile is at its lowest level in 25 years. The total yield of the stockpile will not change in the years ahead.

° The same reductions trend has taken place in Europe. In December, 1979, NATO reached a decision to reduce immediately the number of shorter-range nuclear weapons stationed in Europe. In 1980, we carried out that decision by removing 1,000 of these weapons. The same decision also committed the Alliance to a further review of the remaining systems of this category.

That review has now been completed, and a decision was made in October, 1983, that the overall size of the NATO nuclear stockpile will now be reduced by an additional 1,400 weapons, not counting those to be withdrawn on a one-for-one basis as new INF systems are deployed. When these 2,400 weapons have been withdrawn, the US will have reduced its nuclear weapons in Europe by over one-third from 1979 levels and NATO will have the lowest number of nuclear weapons in 20 years.

What this means is that the Alliance will have removed five times as many nuclear missile warheads as we will deploy if the negotiations in Geneva do not lead to the agreement we are so earnestly seeking.

Conclusion

These numbers and comparisons make clear that due to more than a decade of enormous Soviet expansion and relative US restraint, we must modernize the three legs of the strategic triad, and our INF forces, now if we are to retain the deterrent required to prevent war, while also providing an incentive to the Soviet Union to negotiate seriously. Modernization will help persuade the Soviets that we are serious about deterring war by protecting peace and freedom, and that it is in the best interest of the Soviet Union, as well as ours, to achieve the substantial reductions we are seeking in US and Soviet nuclear arsenals.

SECTION IIIPRESIDENT REAGAN ON PEACE, DETERRENCE, AND ARMS CONTROL

NUCLEAR MUST
NEVER BE FOUGHT

"A nuclear war can never be won
and must never be fought."

Speech to Japanese
Parliament, Tokyo
November 11, 1983

NEGOTIATE
FOR
REDUCTIONS

"We want to reduce the weapons
of war, pure and simple. All
of our efforts in both the START
and the INF negotiations continue
to be guided by that objective."

Rose Garden
The White House
October 4, 1983

NUCLEAR WAR
MUST NEVER
BE FOUGHT

"A nuclear war cannot be won and
must never be fought."

United Nations,
New York
September 26, 1983

U.S. WILL
ACCEPT ANY
EQUITABLE
ARMS REDUCTION
AGREEMENT

"I want to make an unequivocal
pledge to those gathered today in
this world arena. The United States
seeks and will accept any equitable,
verifiable agreement that stabilizes
forces at lower levels than currently
exist. We are ready to be flexible in
our approach, indeed, willing to
compromise."

United Nations,
New York
September 26, 1983

HIGHEST
PRIORITY:
REMOVE THREAT
OF NUCLEAR
WEAPONS

"...I have no higher priority than removing the threat of nuclear war and seeking the stability necessary for true peace. To achieve that objective, we must reduce the nuclear arsenals of both the United States and the Soviet Union."

Radio Address to
the Nation
July 16, 1983

LONG RANGE
GOAL: BAN ALL
NUCLEAR
WEAPONS

"Our current goal must be the reduction of nuclear arsenals -- and I for one believe we must never depart from the ultimate goal of banning them from the face of the Earth."

Radio Address to
the Nation
July 16, 1983

PROMISES MADE:
PEACE THROUGH
STRENGTH; SEEK
ARMS REDUCTIONS

"Coming into office, I made two promises to the American people about peace and security: I promised to restore our neglected defenses in order to strengthen and preserve the peace, and I promised to pursue reliable agreements to reduce nuclear weapons. Both these promises are being kept."

Speech to
Los Angeles World
Affairs Council
March 31, 1983

PROGRESS TOWARD
ARMS REDUCTIONS
IS A SACRED TRUST

"I pledge to you, my goal-and I consider it a sacred trust-will be to make progress toward arms reductions in every one of the several negotiations now underway."

Speech to
Los Angeles World
Affairs Council
March 31, 1983

ON INF, ZERO IS
BEST. IF
SOVIETS WILL
NOT AGREE, FEW
IS BETTER THAN
MANY

"When it comes to intermediate nuclear missiles in Europe, it would be better to have none than to have some. But if there must be some, it is better to have few than to have many.

If the Soviets will not now agree to the total elimination of these weapons, I hope that they will at least join us in an interim agreement that would substantially reduce these forces to equal levels on both sides.

To this end, Ambassador Paul Nitze has informed his Soviet counterpart that we are prepared to negotiate an interim agreement in which the United States would substantially reduce its planned deployment of Pershing II and ground-launched cruise missiles, provided the Soviet Union reduce the number of its warheads on longer-range I.N.F. missiles to an equal level on a global basis."

White House Press
Release
March 30, 1983

U.S. MAINTAINS
STRENGTH TO
DETER

"The defense policy of the United States is based on a simple premise: The United States does not start fights. We will never be an aggressor. We maintain our strength in order to deter and defend against aggression-to preserve freedom and peace.

Since the dawn of the atomic age, we've sought to reduce the risk of war by maintaining a strong deterrent and by seeking genuine arms control. "Deterrence" means simply this: making sure any adversary who thinks about attacking the United States, or our allies, or our vital interests, concludes that the risks to him outweigh any potential gains. Once he understands that, he won't attack. We maintain the peace through our strength; weakness only invites aggression."

TV Address to
the Nation
March 23, 1983

THE STRATEGY OF
DETERRENCE WORKS

"This strategy of deterrence has not changed. It still works. But what it takes to maintain deterrence has changed."

TV Address to
the Nation
March 23, 1983

TAKE WHATEVER
STEPS NEEDED
TO ACHIEVE
EQUITABLE
NEGOTIATIONS

"I remain firmly committed to take whatever steps are necessary to increase the likelihood of real, substantive progress towards an agreement involving significant reductions in U.S. and Soviet strategic nuclear arsenals -- and in the national security interests of both sides. Above all, our goal is to maintain a stable nuclear balance in order to reduce the risk of war. Our efforts in the START negotiations must be guided by that objective."

Statement on START
Negotiations
The White House
June 8, 1983

WHY
MODERNIZATION
OF ARMS?
DETERRENCE AND
AS AN INCENTIVE
FOR NEGOTIATIONS

"Modernization goes hand-in-hand with a credible deterrent; both are necessary incentives to persuade the Soviets that it is in their best interest as well as ours to achieve meaningful arms reductions."

Presidential Op Ed
Washington Post
May 24, 1983

NEGOTIATIONS
TO ENHANCE
SECURITY AND
STABILITY

"The fundamental U.S. goal in negotiations concerning arms reduction, and especially in our approach to the START negotiations, is to seek agreements that would enhance security and stability by reducing overall force levels while permitting modernization of U.S. forces necessary for a credible deterrent."

Letter to Senators
Percy, Nunn
and Cohen
May 12, 1983

PRUDENT
MODERNIZATION

"At the same time, let me emphasize that we do not seek a first strike capability. To this end, we will constrain the number of Peacekeeper missiles to the minimum number needed to assure the effectiveness of our deterrent and no more."

Letter to Senators
Percy, Nunn
and Cohen
May 12, 1983

PEACE WITH
FREEDOM

"We must both defend freedom and preserve the peace. We must stand true to our principles and our friends while preventing a holocaust...We cannot conduct ourselves as if the special danger of nuclear weapons did not exist. But we must not allow ourselves to be paralyzed by the problem, to abdicate our moral duty. This is the challenge that history has left us."

Letter to Senators
Percy, Nunn
and Cohen
May 12, 1983

PEACE THROUGH
DETERRENCE AND
ARMS CONTROL

"We desire peace, but peace is a goal not a policy. Lasting peace is what we hope for at the end of our journey; it doesn't describe the steps we must take, nor the paths we should follow to reach that goal. I intend to search for peace along two parallel paths-deterrence and arms reductions. I believe these are the only paths that offer any real hope for an enduring peace."

TV Address to
the Nation
November 22, 1982

NATIONAL WILL
IS KEY TO
SUCCESS IN
NEGOTIATIONS

"...unless we demonstrate the will to rebuild our strength and restore the military balance, the Soviets-since they're so far ahead-have little incentive to negotiate with us. Let me repeat that point, since it goes to the heart of our policy. Unless we demonstrate the will to rebuild our

strength, the Soviets have little incentive to negotiate. If we hadn't begun to modernize, the Soviet negotiators would know we had nothing to bargain with except talk."

TV Address to
the Nation
November 22, 1982

ABOVE ALL,
PEACE IS
THE GOAL

"Our children should not grow up frightened. They should not fear the future. We are working to make it peaceful and free. I believe their future can be the brightest, most exciting of any generation. We must reassure them and let them know that their parents and the leaders of this world are seeking above all else to keep them safe and at peace. I consider this to be a sacred trust."

TV Address to
the Nation
November 22, 1982

REDUCE THE
RISK OF WAR
BY REDUCING
THE MEANS OF
WAGING IT

"There are threats now to our freedom, indeed to our very existence, that other generations could never even have imagined.

There is first the threat of global war. No President, no Congress, no Prime Minister, no Parliament can spend a day entirely free of this threat. And I don't have to tell you that in today's world the existence of nuclear weapons could mean, if not the extinction of mankind, then surely the end of civilization as we know it. That's why negotiations on intermediate-range nuclear forces now underway in Europe and the START talks-Strategic Arms Reduction Talks-which will begin later this month, are not just critical to American or Western policy; they are critical to mankind. Our commitment to early success in these negotiations is firm and

unshakable, and our purpose is clear: reducing the risk of war by reducing the means of waging war on both sides."

Address to the
British Parliament
June 8, 1982

NEED TO
FACE FACTS

"If history teaches anything it teaches self-delusion in the face of unpleasant facts is folly."

Address to the
British Parliament
June 8, 1982

DESIRE FOR
PEACE MUST BE
MATCHED BY
HARD WORK

"My duty as President is to insure that the ultimate nightmare never occurs, that the prairies and the cities and the people who inhabit them remain free and untouched by nuclear conflict.

I wish more than anything there were a simple policy that would eliminate that nuclear danger. But there are only difficult policy choices through which we can achieve a stable nuclear balance at the lowest possible level."

Commencement Address
Eureka College
May 9, 1982

IT TAKES TWO
SIDES TO
NEGOTIATE

"We will negotiate seriously, in good faith, and carefully consider all proposals made by the Soviet Union. If they approach these negotiations in the same spirit, I'm confident that together we can achieve an agreement of enduring value that reduces the number of nuclear

weapons, halts the growth in strategic forces, and opens the way to even more far-reaching steps in the future."

Commencement Address
Eureka College
May 9, 1982

WHITE HOUSE TALKING POINTS

John Roberts
11/2/0803
November 16, 1983

ABC's "THE DAY AFTER"

"We are a people of peace. We understand the terrible trauma of human suffering... A nuclear war can never be won and must never be fought."

President Reagan
Address to Japanese Diet
November 11, 1983

Nuclear Catastrophe

- o While the ABC film has already drawn a great deal of criticism -- much of it justified -- there is one point upon which all agree: nuclear war is a horror, almost too awful to comprehend.
- o The film is powerful and graphic in presenting the horrors of a nuclear holocaust, but it leaves unanswered the central question: how do we prevent this catastrophe from ever happening?

How to Prevent It

- o For nearly 40 years -- spanning 7 Presidencies, Republican and Democratic -- the United States has pursued a two-track policy to keep the nuclear peace:
 - (1) Deterrence
 - (2) Arms Control

And we have kept the peace! As columnist David Broder wrote on November 16, 1983:

"... it is accurate to say that the single most effective creation of the postwar world has been the system of nuclear deterrence enforced by the United States and the Soviet Union against each other and, implicitly, against all other nuclear powers in the world. That system was designed to prevent the outbreak of nuclear war. As we approach the end of the fourth decade of the nuclear age, a period in which there have been hundreds of other wars, it has worked to perfection. That is a statement that can be made about few other institutions or arrangements."

Peace Through Strength

- o The greatest threat to nuclear peace began to appear in the 1970s as the Soviet Union engaged in the most massive buildup of arms that the world has ever known. They were challenging the system of deterrence. The Soviet build-up, had it continued unchecked, would have upset the balance of power.
- o President Reagan has sought to restore that balance -- and thus strengthened the prospects for peace. Today, with our military preparedness improved and our alliances cemented, the world is safer than it was three years ago.
- o The President has also presented a bold, far-reaching plan for the future that would lift the nuclear Sword of Damocles once and for all. On March 23, 1983, the President proposed a system of nuclear strategic defense -- as opposed to current offensive weapons -- intended to stop war before it starts. This system would destroy any attacking weapon before it reached us. Scientists and others are currently working to put the plan into place.

Arms Reductions on Both Sides

- o While working to strengthen U.S. deterrence on one hand, President Reagan has also been making vigorous efforts to end the arms race on the other.
- o In fact, this President is the first who has gone beyond arms control -- he is seeking arms reductions. "Our current goal," the President told the nation this July, "must be reduction of nuclear arsenals -- and I for one believe we must never depart from the ultimate goal of banning them from the face of the Earth."
- o Over the past 3 years, the United States has engaged the Soviets in more arms negotiations than ever before:
 - (1) START talks in Geneva -- The Reagan Administration has proposed to cut the number of strategic missile warheads by 1/3.
 - (2) INF talks in Geneva -- The President first proposed the "zero-zero" option, which would mean that neither the Soviets nor the U.S. would deploy intermediate range missiles. In view of Soviet intransigence, the President has since made a series of offers that would make a balanced reduction

in such missiles. Should the Soviets walk out of the INF talks, as they have threatened, the U.S. will remain at the table, eager to negotiate.

(3) MBFR talks in Vienna -- These negotiations on Mutual and Balanced Force Reductions are aimed at reducing each side's military manpower in Central Europe. The West put a new draft treaty on the table in July, 1982, but the East has not yet responded constructively.

(4) Chemical weapons talks in Geneva -- In the Committee on Disarmament in Geneva, the U.S. and its allies are seeking a complete and verifiable ban on chemical weapons production and stockpiling. The U.S. has also drawn attention to violations of existing accords by the Soviets and their allies, who have employed chemical and toxin weapons in Afghanistan, Kampuchea and Laos.

Note: In addition to these formal talks, the U.S. under President Reagan has proposed to the Soviets to begin negotiations on nuclear testing and on a range of new confidence-building measures (including prior notification of ballistic missile launches, prior notification of major military exercises, and expanded exchange of forces data).

Other Points of Interest

- o There are federal plans for civil defense and the Reagan administration is working to improve them, but no one in this country believes that any plan -- no matter how comprehensive and well-thought-out -- can fully prepare for nuclear attack.
- o U.S. policies of deterrence are supported overseas and by both parties here at home. This fall, for example, the U.S. is deploying intermediate range missiles to Europe at the request of NATO and under an agreement reached by the Carter administration. Most of the current Democratic contenders for President, including Messrs. Mondale and Glenn, favor the deployment.
- o Critics frequently -- and mistakenly -- charge that the U.S. is blindly building up stockpiles of weapons. In

fact, the U.S. has consistently tried to maintain the lowest possible number of nuclear weapons. Today, the U.S. has 1/3 fewer nuclear weapons than in 1965, and the total yield (or megatonnage) is only 1/4 of what it was in 1960.

- o Nuclear freeze advocates are citing the ABC film as support for their view. What they fail to say is that a freeze on the number of weapons at present levels would freeze the risk at present levels. President Reagan is committed to going beyond a freeze, reducing both the numbers of weapons and the risks of war.

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