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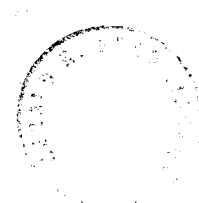
TABLE OF CONTENTS

HEALTH, SOCIAL SECURITY AND PUBLIC ASSISTANCE

Abortion
Black Lung
Cancer Research
Child Abuse
Child Care
Child Day Care
Child Nutrition
Disability
Elderly
Emergency Medical Services
Food Stamps
Health Care Costs
Malpractice
National Health Insurance
Nursing Homes and Long Term Care
Nursing Manpower
Rural Health Care
Social Security
Spinal Cord Injury
Swine-Type Influenza
Welfare Reform

JUSTICE, CRIME, CIVIL RIGHTS

Affirmative Action
American Citizens in Mexican Jails
Anti-Trust
Busing
Crime
Death Penalty
Decriminalization of Marihuana
Drug Abuse
Gun Control
Illegal Aliens
Job Security (Last Hired, First Fired)
Juvenile Delinquency
Native Americans
Needs of the Federal Court System/Judiciary Salaries
Post Card Registration
Privacy
Repeal of Fair Trade Laws
Spanish Speaking Americans
Women's Rights



HOUSING AND COMMUNITY AFFAIRS

Federal Fair Housing Law and Ethnic Neighborhoods
(Ethnic Purity)
Housing Assistance
Housing Finance/Home Ownership
Neighborhood Revitalization
Postal Service
Training and Funding of Future U.S. Olympic Teams
Urban Community Development

ECONOMIC GROWTH

Bankruptcy Act
Capitol Formation
Inflation
Interest Rates
Job Creation
Price Controls
Regulatory Reform
Tax Reform

ENVIRONMENT

Air Quality
Land Use
Mining and the Environment
Reform of Mining Laws
Solid Waste/Resource Recovery
Strip Mining
Toxic Substance Control
Water Quality
Water Resources

AGRICULTURE, RURAL DEVELOPMENT, AND COMMERCE

Farm Policy
Rural Development

LABOR, EDUCATION AND VETERANS

Aid to Nonpublic Schools
Common Situs Picketing
Educational Block Grant Program
Elementary and Secondary Education
G.I. Bill Benefits
Hatch Act
Medical Care for Veterans
Public Employee Collective Bargaining
Right to Work
Termination of the G.I. Bill
Unemployment
Youth Employment
Youth Minimum Wage Differential

ENERGY

Coal
Energy Conservation
Energy Development Impact Assistance
Energy Independence Authority
Energy Research and Development
Expansion of Commercial Nuclear Power
Exports of Commercial Nuclear Materials and Technology
Liquefied Natural Gas (LNG)
Natural Gas
Oil Corporation Divestiture
Outer Continental Shelf Oil
Solar Energy
State Utility Planning and Regulation
Synthetic Fuels Commercialization
Uranium Enrichment Capacity

TRANSPORTATION

Airlines and Airports
Airline Transportation
Amtrack
Concorde SST
Energy Related Activities
Federal Aid Highway Act of 1976
Highway Program
METRO
No Fault Insurance
Railroads
Regulatory Reform in Transportation
Rural Transportation
Transportation Safety
Urban Transportation

GENERAL GOVERNMENT

Arts
Bicentennial
Consumer Protection
Historic Preservation
Refugees
Science and Technology

INTERGOVERNMENTAL AFFAIRS

Aid to New York City
General Revenue Sharing

FOREIGN AFFAIRS

Africa
South Africa
Angola
Australia/New Zealand
The Byrd Amendment - Rhodesian Chrome
Chile
China-Taiwan
China/Normalization of U.S. - PRC Relations
China - Republican Party Platform Plank
China - Reports of Secret Nuclear Reprocessing in Taiwan
CIA
Cuba
Cyprus
Defense
Eastern Europe
The Efficacy of U.S. Foreign Policy
European Unity
Illegal Corporate Payments Abroad
Intelligence
International Control of Narcotics
International Terrorism
Italy
Aid to Communist Italy?
Italian Earthquake
U.S. - Japan Civil Aviation
Japan (General)
Japan - The Lockheed Case
Japan Defense Cooperation
Japan - Trade Deficit and Yen Question
Japan - 200 Mile Fishery Zone
Japan - Bilateral Trade Problems
Korea
Korea - August 18 Incident
Korea Human Rights
Korea - U.S. Relations
Korea - Japan Civil Aviation
Korea - Negotiations with North Korea
Latin American Policy
Law of the Sea
Lebanon
The GAO Report on the Mayaguez Affair
MIA's in Southeast Asia
The Middle East
Multi-National Corporations/Foreign Payments
Mutual and Balanced Force Reduction Talks
Naval Shipbuilding Program
Pacific Trust Territories and Northern Marianas
Panama Canal
Philippines - Base Negotiations

Portugal
Relations between the U.S. and Other Industrialized
Democracies
Relations with Developing Countries
SALT
Selective Service Program
Selective Service and National Guard Force
Spain
Threshold Test Ban/Peaceful Nuclear Explosives Treaty
Ramifications
Uganda-Kenya Situation
United Nations
U.N. Membership for Vietnam and North and South Korea
U.S. - Greek Relations
U.S. - Philippine Military Base and Economic Negotiations
U.S. - Relations with Vietnam (Normalizing Relations
with Vietnam)
U.S. - Soviet Relations
U.S. - Turkish Relations
U.S./USSR Relations - The Affront of Angola
Western Europe

10/20/76

ISSUE: Abortion

Administration Position

The President publicly reiterated his position in an interview with Walter Cronkite on February 3, 1976: "I am in a moderate position in that area. I do not believe in abortion on demand. I do not agree with the court decision of (1973). On the other hand, I do not agree that a Constitutional amendment is the proper remedy. I think we have to recognize that there are instances when abortion should be permitted -- the illness of the mother, rape or any of the other unfortunate things that might happen -- so there has to be some flexibility. I think that the court decision went too far. I think a Constitutional amendment goes too far. If there was to be some action in this area it is my judgment that it ought to be on the basis of what each individual State wishes to do under the circumstances. Again, I should add even though I disagree with the court decision, I have taken an oath of office and I will, of course, uphold the law as interpreted by the court. I think there is a better answer."

Interview with Walter Cronkite
February 3, 1976

And in New Hampshire on February 8, 1976, he said: "My decision adverse to the Supreme Court decision goes back some time. I felt at the time the decision was made that it went too far. . . . while I was a Member of the House of Representatives after that decision, I made a decision to oppose the Constitutional amendment that would preclude any Federal Executive, Legislative or Judicial action against abortion, and I felt then -- and it is on the record at that time -- that I favored an amendment that would permit individual State action."

Presidential Documents
Vol. 12, No. 7, p. 154

On September 8, 1976 the President answered questions from the press as follows: Question: Mr. President, Jimmy Carter said today your position on abortion and his are fundamentally the same. Do you agree with that? Answer: First, the Democratic platform and the Republican platform on the issue of abortion are quite different. I subscribe to the Republican platform and Governor Carter subscribes to the Democratic platform. His position and mine are not identical. My position is that of the Republican platform and I will stick with it.

Presidential Documents
Vol. 12, No. 37, p. 1315

Question: But that was not your position before. Answer: I think -- if I might correct you, Ms. Thomas -- the Republican platform is my platform. It is one that coincides with my long-held view.

Presidential Documents
Vol. 12, No. 37, p. 1316

Question: Do you think there should be a Constitutional amendment against abortion? Answer: I have had the position for some time that there should be a Constitutional amendment that would permit the individual States to make the decision based on a vote of the people of each of the States.

Presidential Documents
Vol. 12, No. 37, p. 1316

Question: Mr. President, on the matter of abortion, sir, do you feel that this issue, which is so semi-religious and so emotional, is a fit subject for a political debate, political discussion? Answer: I don't think the American people expect candidates for office to duck any issues just because they are intense, with good people on both sides having different views. I think the American people ought to get an answer from Governor Carter and myself on this issue just like on any other issue.

Presidential Documents
Vol. 12, No. 37, p. 1318

* On September 10, 1976, the President sent a letter to the Most Reverend Joseph L. Bernardin of the National Conference of Catholic Bishops. One of the issues discussed was abortion: "One of the most controversial issues of our time and one in which we share a keen interest is the question of abortion. I have grave concern over the serious moral questions raised by this issue. Each new life is a miracle of creation. To interfere with that creative process is a most serious act.

In my view, the Government has a very special role in this regard. Specifically, the Government has a responsibility to protect life -- and indeed to provide legal guarantees for the weak and unprotected.

It is within this context that I have consistently opposed the 1973 decision of the Supreme Court. As President, I am sworn to uphold the laws of the land and I intend to carry out this responsibility. In my personal view, however, this court decision was unwise. I said then and I repeat today -- abortion on demand is wrong.

Since 1973 I have viewed as the most practical means of rectifying the situation created by the Court's action a Constitutional amendment that would restore to each State the authority to enact abortion statutes which fit the concerns and views of its own citizens. This approach is entirely in keeping with the system of Federalism devised by the founders of our Nation. As Minority Leader of the House of Representatives, I co-sponsored an amendment which would restore this authority to the States, and I have consistently supported that position since that time.

My position has been based on three fundamental convictions: I am against abortion on demand; the people of every state should have the Constitutional right to control abortion; and there is a need to recognize and provide for exceptional cases.

I should also point out that the Republican Platform which I support is fully consistent with these views.

I recognize that this abortion question is a matter of deep personal and moral conviction. Honorable people may disagree, but all of us must be concerned about an increased irreverence for life within advanced societies.

Americans have benefited greatly by our rich spiritual heritage. The sound, sensible lessons of goodness imparted by religious teachers and devoted parents have done more than anything else to prepare our children for life."

Presidential Documents
Vol. 12, No. 37, p. 1327

On September 11, 1976, the President directed the Domestic Council to prepare a study of federal funding for abortion.

In his September 29, 1976, veto statement about the Labor-HEW appropriations bill, the President commented on the amendment restricting the use of Federal funds for abortion: "I agree with the restriction of the use of Federal funds for abortion. My objection to this legislation is based purely and simply on the issue of fiscal integrity."

Presidential Documents
Vol. 12, No. 40, p. 1415

Administration Actions

The Department of Defense has ordered all military facilities to comply with the Supreme Court decision on abortion. DOD

will provide abortions as a normal medical service in its hospitals but will not reimburse individuals for abortions performed outside of military hospitals.

The Department of Health, Education, and Welfare has ordered all Public Health Service facilities to comply with the Supreme Court decisions on abortion and to provide abortions as a normal medical procedure. The Department also reimburses states for abortions under Medicaid (Title XIX) and Social Services (Title XX).

After the Congress overrode the veto of the HEW/Labor Appropriations bill, law suits were filed in Federal courts to challenge the restriction on HEW funding for abortions resulting in two temporary restraining orders. These orders prevent the legislatively-imposed restriction from being implemented across the nation until there has been a hearing in court.

While the temporary restraining order is in effect, HEW funds will continue to be used to reimburse for abortion services.

(The Supreme Court will be considering this fall, the constitutionality of a state ban on the use of Medicaid funds for abortion. [Maher v. Roe, from Connecticut].)

SCM
10/8/76

ISSUE: Black Lung

Administration Position

H.R. 10760, as passed by the House (210-183) departs from the premise that the black lung program is designed to compensate those who have contracted the disease. It would entitle a miner with 30 or more years service (or the survivors of such a miner) to receive black lung benefits, without showing the miner had actually contracted black lung. It would also provide compensation to the survivors of certain miners killed in mine accidents -- a provision utterly unrelated to black lung. The Senate equivalent, S. 3183, which is more expansive (includes strip miners and coal processors) was debated on the floor of the Senate, but was not voted upon before Congress adjourned sine die on October 2, 1976.

The Administration believes this is unwise and unfair legislation in that the black lung program should not be turned into an automatic benefit unrelated to illness.

Administration Actions

The Administration has indicated strong opposition to the proposed legislation.


Background

The black lung benefits would be financed by taxes on coal producers levied according to the tonnage produced. The most reliable estimates available show a tax of \$2.50 per ton being levied with annual cost in FY 1977 of \$1.6 billion. Taxation based strictly on tonnage produced would act to discriminate against mining operations which experience a low incidence of black lung like the surface mining operations prevalent in western states.

The cost to the Federal government of administering this legislation is estimated at \$100 million over a five-year period.

Under present law, about 500,000 miners or their survivors are receiving black lung benefits at a cost of about \$1 billion per year to the Federal government.

WMB
10/4/76



Administration Position


In his message of April 5, 1976, submitting the 1974 report of the National Cancer institute, the President said, "The Administration is pleased to note the progress and accomplishments in cancer research, especially on cancer treatment and detection, and in promotion of the use of cancer knowledge in medical and health practice. A number of centers of cancer expertise have been established across the country. The results of the research and control activities must surely foretell an ameliorating influence on the formidable cancer statistics that face us today.

Our intensified cancer research effort was born of public concern about the problems of cancer, which takes many forms, and it has our continuing support and commitment. The recommendations of the National Cancer Program Plan for substantial increases in funding, expanded research training, and new construction of research facilities must, however, be annually reviewed in the context of limited budgetary resources and other competing demands.

Our national involvement is symbolized by the National Cancer Program. People in Government and in the private sector must share the responsibility in this total effort against cancer. This report and this plan are a mark of our progress toward the ultimate solutions to the problems of cancer"

Presidential Documents

SCM
4/12/76



ISSUE: Child Abuse

Administration Position

The President supports the efforts of the Department of Health, Education, and Welfare and its National Center on Child Abuse in coordinating Federal activities relating to child abuse and neglect prevention and treatment. The approach of the Center, which is to support demonstration projects, is consistent with the President's efforts to return power and initiative to the States and to individuals.

Administration Actions

On May 19, 1976, the Administration submitted legislation to the Congress "To amend and extend the program authorized by the Child Abuse Prevention and Treatment Act".

The draft bill would extend the programs authorized by the Child Abuse Prevention and Treatment Act for three additional years (through September 30, 1980) and would authorize the appropriation of \$19 million for each of the three years.

Other proposals contained in the draft bill would authorize the Secretary to make grants and contracts for the evaluation of child abuse programs assisted under the Act and would require that, as a condition for receiving funds under this Act, a State must provide that in every case involving an abused child which results in a judicial proceeding, a representative for the child would be appointed or approved by the court. Currently, the law requires that the child's representative in court be a "guardian ad litem."

SCM
10/8/76



ISSUE: Child Care

Administration Position

The primary responsibility for child care rests with the family. Supportive actions by the State and Federal Governments are important and proper as long as they do not interfere with the role of the family.

The President stated on October 7, 1975: "I certainly do recognize that those, who for one reason or another, do not have adequate funds for the raising of their children or for their own sustenance or are unable to have an income, the Government does have a responsibility."

Presidential Documents
Vol. 11, No. 41, p. 1139


The President stated on the ABC documentary on maternal and infant malnutrition filmed on May 29, 1976: "Americans are agreed on the importance of seeing that every child in our country gets a healthy start in life. We do care - we must each set our priorities to include the proper feeding of our children. Congress and the Administration have been working to achieve this goal."

Administration Action

Children are the beneficiaries of many Federal programs and grants in areas such as education, health care, income support, and nutrition programs. During FY 75, HEW's level of investment in activities which benefit children reached an estimated \$14.7 billion.

On February 23, 1976, the President proposed the Federal Assistance for Community Services Act. The President proposes to augment the authority and responsibilities of the States by delivering Title XX funds as a block grant with no State matching requirement. This proposal is designed to allow the States greater flexibility in deciding how to spend Title XX funds.

SCM
7/21/76



ISSUE: Child Day Care

Administration Position

The President believes that standards for child day care should be developed and enforced at the State level. He does not support the Title XX Federal Interagency Day Care requirements (FIDCR) which are strict, Federally-determined standards.

In the veto message of April 6, 1976, on H.R. 9803, a child day care bill, the President said, "I am firmly committed to providing Federal assistance to States for social services programs, including child day care. But I am opposed to unwarranted Federal interference in States' administration of these programs.

The States should have the responsibility -- and the right -- to establish and enforce their own quality day care standards. My recently proposed Federal Assistance for Community Services Act would adopt this principle, and with it greater State flexibility in other aspects of the use of social services funds available under Title XX of the Social Security Act.

H.R. 9803 is the antithesis of my proposal. It would make permanent highly controversial and costly day care staff-to-children ratios. And it would deny the States the flexibility to establish and enforce their own staffing standards for federally assisted day care."

Presidential Documents

Rather than pursue the unwise course charted in (H.R. 9803), I urge that the Congress extend, until October 1, 1976, the moratorium on imposition of Federal day care staffing standards that it voted last October. This would give the Congress ample time to enact my proposed Federal Assistance for Community Services Act, under which States would establish and enforce their own day care staffing standards and fashion their social services programs in ways they believe will best meet the needs of their citizens.

Presidential Documents

On September 7, 1976, the President signed H.R. 12455, the Child Day Care bill, he said: "Ensuring adequate day care for children is an important social service. It protects the well-being of thousands of American children -- and the economic independence of their working parents. The integrity of the family is of paramount importance but supportive government action is acceptable as long as it does not interfere with the family role

Today I have signed a new and better child day care bill -- the result of compromise and cooperation between the Congress and my Administration. H.R. 12455 embodies a major compromise on a key issue which led to that veto -- the imposition on States and localities of costly and controversial Federal staffing requirements for child day care services funded under Title XX of the Social Security Act. . . .

H.R. 12455, by postponing the Federal standards until October 1, 1977, will enable the States to operate day care programs for more than another year free of onerous and costly Federal intrusion, while HEW completes a required major study and report with recommendations on the day care standards. In addition, the Congress will have the opportunity to act on my proposed "Federal Assistance for Community Services Act," submitted to the Congress last February to reform the Title XX social services program.

Presidential Documents
Vol. 12, No. 37, p. 1312

Administration Action

On February 23, 1976, the President presented to the Congress the Financial Assistance for Community Services Act. This proposal is designed to improve and strengthen the program of social services established under Title XX of the Social Security Act. It will provide a \$2.5 billion block grant annually to the States on a population basis. It will eliminate the requirement for State matching funds, as well as most Federal requirements and prohibitions on the use of Federal funds.

As part of the Social Services block grant proposal, the President has recommended that FIDCR, and particularly the costly and controversial staffing standards, be deleted from Federal law. Under the President's proposal, each State would be required to have in effect its own appropriate mandatory standards, including requirements relating to safety, sanitation, and protection of civil rights, for day care services provided under Title XX.

On April 6, 1976, the President vetoed H.R. 9803, a bill which would perpetuate rigid Federal child day care standards for all the States and localities in the Nation, with the cost to be paid by the Federal taxpayer.

On September 7, 1976, the President signed H.R. 12455, the child day care bill. This bill is the result of compromise and cooperation between the Congress and the Administration. H.R. 12455 embodies a major compromise on a key issue which led to the veto of the earlier day care bill -- the imposition on States and localities of costly and controversial Federal staffing requirements for child day care services funded under Title XX of the Social Security Act.

H.R. 12455, by postponing the Federal standards until October 1, 1977, will enable the States to operate day care programs for more than another year free of Federal intrusion, while HEW completes a required study and report with recommendations on day care standards.

SCM
10/6/76

ISSUE: Child Nutrition

Administration Position

I am presenting today to the Congress the Child Nutrition Reform Act of 1976. This proposal is designed to facilitate the States' efforts to feed needy children by consolidating 15 food programs -- including forty different meal subsidies -- into a single block grant.

Good nutrition is a key factor in the physical, mental and social development of the Nation's children. It is essential that children not be denied a healthful diet because of limited family resources. For this reason the Federal government has developed subsidy programs to provide lunches for needy children.

I believe that the Federal government has a responsibility to provide nutrition assistance to those most in need. At the same time, I believe that the existing Federal taxpayer subsidies for the meals of children from families able to feed themselves extends that Federal responsibility beyond the appropriate point.

Presidential Documents
Vol. 12, No. 13, p. 478

In a speech to the U.S. Conference of Mayors on January 26, 1976, the President said, "Giving money to the families above the poverty line and depriving children from families below the poverty line -- will anybody stand up and defend that? I can't."

Presidential Documents
Vol. 12, No. 5, p. 96

The President stated on the ABC documentary on maternal and infant malnutrition filmed on May 29, 1976: "Americans are agreed on the importance of seeing that every child in our country gets a healthy start in life. We do care -- we must each set our priorities to include the proper feeding of our children. Congress and the Administration have been working to achieve this goal."

Presidential Documents

On September 20, 1976, in proclaiming National School Lunch Week the President said: "Productive people are our Nation's greatest natural resource. Americans are agreed on the importance of seeing that every child in our country gets a healthy start in life. Sound nutrition is a vital building block in our children's growth and development. Malnutrition must not be allowed to harm the development of any American child.

Administration Action

On March 23, 1976, the President proposed the Child Nutrition Reform Act of 1976 to consolidate 15 child nutrition programs into a single, comprehensive block grant to provide States with increased flexibility to feed needy children.

This legislation would:

- Provide financial assistance to States based on the cost of feeding all needy children.
- Consolidate 15 complex categorical and overlapping programs into a single block grant to States, increasing their flexibility in administering these programs, and at the same time save the taxpayers nearly \$900 million in FY 1977 by reducing assistance to non-needy children.
- Remove unnecessary restrictions and red tape governing the way meals are provided to needy children.
- Give concerned organizations and individuals in each State an opportunity to be involved in the planning of child feeding programs.

SCM
10/8/76



Administration Position

Federal programs for aiding those who have become disabled are in need of re-examination. Their goals, standards, and growth should be reviewed and a uniform coordinated system of support should be established.

The disability insurance program has grown rapidly in the last ten years. There were 1,237,000 claims filed in FY 74, an increase of 158% from FY 65. Approximately 2,017,000 disabled worker beneficiaries received payments in FY 74, an increase of 126% over FY 65. And payments increased from \$1.4 billion in FY 65 to \$6.2 billion in FY 74, an increase of 342%.

On January 19, 1976 in his State of the Union address the President expressed his concern about the effects of catastrophic illness on the disabled. He said, "Increasing health costs are of deep concern to all and a powerful force pushing up the cost of living. The burden of a catastrophic illness can be borne by very few in our society. We must eliminate this fear from every family."

Presidential Documents
Vol. 12, No. 4, p. 47

On April 3, 1976, the President said "...we have to recognize that the disabled, for reasons in most cases beyond their own control, have to be given some special attention... I think across the board we have to recognize the fact that this group in our society needs some very special attention, and this Administration will carry out that promise and pledge."

Presidential Documents

Administration Action

The President has announced the calling of the White House Conference on Handicapped Individuals to be held in the Spring of 1976. The purpose of the Conference is to stimulate a national assessment of problems facing individuals with handicaps and to develop recommendations to solve such problems.

The President said in his announcement, "This Nation's handicapped citizens have a right to live with self-reliance, with the same dignity as all of their fellow citizens, to help them realize their full capacity as human beings, to help them achieve higher levels of personal and professional fulfillment."

Presidential Documents



In his State of the Union address the President announced two recommendations in his FY 77 budget that will help the disabled.

- A full cost of living increase in social security benefits to be paid in the coming year.
- Catastrophic health insurance for everybody covered by Medicare. The President said, "To finance this added protection, fees for short-term care will go up somewhat, but nobody after reaching age 65 will have to pay more than \$500 a year for covered hospital or nursing home care nor more than \$250 for one year's doctor's bills."

Presidential Documents
Vol. 12, No. 4, p. 47

On April 28, 1976, the President issued an executive order on Nondiscrimination with Respect to the Handicapped in Federally Assisted Programs. The purpose of the executive order is to provide for consistent implementations within the Federal Government of Section 504 of the Rehabilitation Act of 1974.

SCM
5/24/76



ISSUE: Elderly

Administration Position

In his Message on Older Americans, sent to the Congress on February 10, 1976, the President stated, "As President, I intend to do everything in my power to help our nation demonstrate by its deeds a deep concern for the dignity and worth of our older persons. By so doing, our nation will continue to benefit from the contributions that older persons can make to the strengthening of our nation."

Presidential Documents
Vol. 12, No. 7, p. 168

The President is deeply concerned about the financial difficulties faced by many older Americans today. The President is making every effort to combat recession, inflation and the energy crisis, which affect all Americans, while at the same time assuring that the elderly are helped to meet these added burdens.

The President stated on July 24, 1975: "... I am determined to reduce the burden of inflation on our older citizens, and that effort demands that government spending be limited. Inflation is one of the cruelest and most pervasive problems facing older Americans, so many of whom live on fixed incomes. A reduction of inflation, therefore, is in the best interests of all Americans and would be of particular benefit to the aging."

Presidential Documents
Vol. 11, No. 30, p. 774

And he reiterated in his Message on Older Americans: "The single greatest threat to the quality of life of older Americans is inflation. Our first priority continues to be the fight against inflation."

Presidential Documents
Vol. 12, No. 7, p. 168

The President is also concerned about maintaining the integrity of the Social Security System trust fund to ensure that expected benefits will be paid to those who earn them. The President said in the State of the Union on January 19, 1976, "Simple arithmetic warns all of us that the Social Security Trust Fund is headed for trouble. Unless we act soon to make sure the fund takes in as much as it pays out, there will be no security for old or young."

Presidential Documents
Vol. 12, No. 4, p. 48



And in his Message on Older Americans he said, "Maintaining the integrity of the system is a vital obligation each generation has to those who have worked hard and contributed to it all their lives. I strongly reaffirm my commitment to a stable and financially sound Social Security system."

Presidential Documents
Vol. 12, No. 7, p. 168.

In his State of the Union address the President expressed his concern about the effects of catastrophic illness and introduced a catastrophic health proposal for the elderly and the disabled covered by Medicare. He said, "increasing health costs are of deep concern to all and a powerful force pushing up the cost of living. The burden of a catastrophic illness can be borne by very few in our society. We must eliminate this fear from every family."

Presidential Documents
Vol. 12, No. 4, p. 47

In his Message on Older Americans the President summarized some of the progress made in recent years for the elderly: "We have responded, for example, to recommendations made at the 1971 White House Conference on Aging. A supplemental Security Income program was enacted. Social Security benefits have been increased in accord with increases in the cost of living. The Social Security retirement test was liberalized. Many inequities in payments to women have been eliminated. The 35 million workers who have earned rights in private pension plans now have increased protection. In addition we have continued to strengthen the Older Americans Act. I have supported the concept of the Older Americans Act since its inception in 1965, and last November signed the most recent amendments into law."

Presidential Documents
Vol. 12, No. 7, p. 169

"A concern of mine is that the voice of the elderly, as consumers, be heard in the governmental decision-making process. The network on aging offers opportunities for this through membership on advisory councils related to State and Area Agencies on Aging, Nutrition Project Agencies and by participation in public hearings on the annual State and Area Plans. Such involvement can and will have a significant impact on determining what services for the aging are to be given the highest priorities at the local level.

Presidential Documents
Vol. 12, No. 7, p. 170

"Five percent of our older men and women require the assistance provided by skilled nursing homes and other long term care facilities. To assist these citizens, an ombudsman process, related solely to the persons in these facilities, is being put into operation by the National Network on Aging. We believe that this program will help to resolve individual complaints, facilitate important citizen involvement in the vigorous enforcement of Federal, State and local laws designed to improve health and safety standards, and to improve the quality of care in these facilities."

Presidential Documents
Vol. 12, No. 7, p. 170

On April 5, 1976, the President said, "One of the best ways we can draw upon their strengths and skills is in the job and volunteer markets. Too often older and even middle-aged Americans are the victims of myths and prejudices regarding their capabilities. Americans must repudiate these myths and prejudices, as we have repudiated others, and assure our older Americans the chance to prove that time has only enhanced their demonstrated abilities."

Presidential Documents

Administration Action

The elderly are the beneficiaries of Federal programs and grants in areas such as education, health care, income support and nutrition programs. In FY 73 the Federal Government transferred approximately \$54 billion to the elderly through income transfer programs and spent \$1.8 billion on services for the elderly.

On November 28, 1975, the President signed the "Older Americans Amendments' of 1975" and said: "I endorse the concept of the Older Americans Act which establishes a system to deliver coordinated comprehensive services at the community level and which is designed to enable older persons to live independent lives in their own residences and to participate in the life of their community."

Presidential Documents
Vol. 11, No. 48, p. 1326

On January 19, 1976 the President announced in the State of the Union address that he will recommend in his FY 77 budget:

- A full cost of living increase in social security benefits to be paid in the coming year.
- a .3% increase in both employer and employee social security taxes effective January 1, 1977. As the President pointed out, "This will cost each covered

employee less than one extra dollar a week..."

-- Catastrophic health insurance for everybody covered by Medicare. The President said, "To finance this added protection, fees for short-term care will go up somewhat, but nobody after reaching age 65 will have to pay more than \$500 a year for covered hospital or nursing home care nor more than \$250 for one year's doctors' bills."

Presidential Documents
Vol. 12, No. 4, p. 47

On February 10, 1976 the Administration sent to the Congress the legislation proposed in the President's budget on Social Security tax increases and catastrophic health coverage for Medicare beneficiaries. The President's Message on Older Americans accompanied the legislation.



ISSUE: Emergency Medical Services

Administration Position

On May 3, 1976, in Birmingham, Alabama, the President responded to a question about emergency medical services by saying:

"Let me say at the outset, I am very, very familiar with the emergency medical program. . . .

"So I am a very dedicated person to the need and necessity and the constructive benefits of the emergency medical service program.

"But here is the problem we face: We have 16 categorical grant programs in the health service area and each of those categorical grant programs have their own Federal bureaucracy, and the inflexibility of handling the money, which is about [\$11] billion a year, as I recall. . . is that they don't let the local officials who want in Birmingham a better and better emergency medical service program go beyond whatever the Federal the Federal Government makes available.

"Some other communities may not want or may not feel they need as much in one program as in another. So what we have tried to do is to take those 16 health service programs that are now arbitrarily, inflexibly rooted into law and to add to the money so there would be more money and every State would be held harmless, but give to Alabama the same amount or more money than they got before with less arbitrary, inflexible rules and regulations and to let Birmingham and the State of Alabama decide whether they want to accentuate the emergency medical service program and maybe give a little less to something else.

"In other words, I strongly believe, doctor, that you in Alabama would be infinitely better off, you would have far less Federal bureaucracy if we had a block grant program, and then the good citizens of Birmingham or Alabama could make the choices as to which ones they wanted to accentuate or to expand and which ones they might like to reduce.

"So, believing strongly in local control and local decision-making, and trying to get away from this overhead and bureaucracy in Washington, I believe the health grant program or block grant program is the better approach.

Presidential Documents

Vol. 12, No. 19, p. 813-814

SCM
5/24/76



ISSUE: Food Stamps

Administration Position

The President has called upon the Congress to join him in an effort to restructure the food stamp program in a way that targets limited resources on assisting families truly in need, while excluding those with incomes well above the poverty level.

In sending his proposal to Congress, the President said: "My recommendations for dealing with the Food Stamp assistance program follow a fundamental principle on which I stand: The Federal Government should help, within the limits of national resources, those who are in need; but we should not give one dollar of Federal assistance to those not in need."

Presidential Documents
Vol. 11, No. 43, p. 1186

Administration Action

The President recommended in early 1975 a 30 percent purchase requirement to reduce Federal expenditures, which was rejected by the Congress.

On October 20, 1975, the President sent to the Congress a proposal to reduce food stamp expenditures by \$1.2 billion and to concentrate benefits on the truly poor. Eligibility would be limited to those whose net income is below the poverty level.

- Costs will be reduced by \$1.2 billion.
- 24 percent of the recipients, those who are truly poor, will receive increased benefits.
- 17 percent of those currently participating will no longer receive benefits because their income is above the poverty level.

In his State of the Union message the President again called on Congress to move to reform the Food Stamp Program saying: "Let's give Food Stamps to those most in need. Let's not give any to those who don't need them."

Presidential Documents
Vol. 12, No. 4, p. 49



On February 19, 1976, the President wrote to Senator Talmadge and Congressman Foley to inform the Congressional Agriculture Committees that "I am deeply concerned by the failure of Congress to enact seriously needed changes in the Food Stamp Program. ...But no action has yet been taken by Congress to implement real reform. Each day that goes by without enactment of the reforms which I have proposed costs the taxpayers more than \$3.25 million. ...While statutory changes by the Congress would be the most desirable course of action, we can no longer afford to wait. Since the Congress has not acted, there are only two courses open to me: to ask for more funds to continue the program as it is, or to direct the Secretary of Agriculture to proceed administratively to reform the program through changes in regulations. The first course is unacceptable to me because I believe the taxpayers have waited far too long for reform of this program. Therefore, since the Congress has not enacted Food Stamp reform, I have directed the Secretary of Agriculture to issue regulations which will set in motion the reforms needed to eliminate abuses, control costs, and concentrate benefits on those truly in need."

Presidential Documents
Vol. 12, No. 8, P. 265

On May 7, 1976, the USDA published regulations to begin reform of the Food Stamp Program.

The Administration also continues to urge Congressional passage of the Food Stamp Reform proposal.

On July 6, 1976, the President signed S. 2853, the Emergency Food Stamp Vendor Accountability Act of 1976. The legislation ensures that persons authorized to sell food stamps promptly deposit the cash collected. Also, it minimizes the potential for abuse by providing specific criminal penalties for certain violations of the statutory requirements. The President said, "Although I am pleased to sign this measure because it represents a significant step toward improving program accountability, it falls far short of the meaningful food stamp program reforms which are needed to redirect food stamp benefits to the truly needy and to eliminate from the program persons with income substantially above the poverty level. In 1975, I submitted to the Congress a comprehensive food stamp reform proposal which was aimed at simplifying program administration and achieving program equity as well as strengthening program accountability. The Congress has been working on



program reforms, but as yet no substantive reforms have been enacted.

Presidential Documents
Vol. 12, No. 28, p. 1137

Final Senate action on food stamp reform legislation on April 8, 1976, resulted in the adoption of only a few minor pieces of the President's reform package. All of the major pieces of reform legislation were either deleted or significantly altered. The Senate-passed food stamp reform bill would increase rather than decrease future program expenditures. The Department of Agriculture estimates that approval of S. 3136 would result in a cost increase of \$328.8 million annually. The House Committee on Agriculture reported H.R. 13613, introduced by Congressman Foley, on August 10, 1976. The Department estimates that approval of H.R. 13613 would save \$393.8 million annually. No action is currently scheduled on this measure. However, the Congressional Relations staff believes the Democrats in both Houses will pass a Food Stamp bill in the final days of this session and challenge the President to veto it.

ADMINISTRATIVE REFORM

On February 20, 1976, the President indicated that he could no longer wait for Congressional action, and directed Secretary Butz to issue regulations which would set in motion the reforms needed to eliminate abuses, control costs and concentrate benefits on those truly in need. USDA published the final regulation changes on May 7, 1976, which were scheduled for implementation on June 1, 1976. On May 26, 1976, however, the Food Research and Action Center (FRAC) joined with 26 States, several cities and U.S. Conference of Mayors, 73 food stamp households and over 100 civic, labor, religious and community organizations, in bringing suit to block implementation of the regulations. On May 28, 1976, the U.S. District Court issued a temporary order restraining the implementation of the amendments to the food stamp regulations. This was followed by a preliminary injunction on June 18, 1976, forbidding the Administration to make administrative reforms. Justice and USDA did file a Motion to dismiss the preliminary injunction or change it to a permanent one so that the judicial process could be consolidated. This Motion was denied on July 30, 1976. Justice and USDA filed a Notice of Appeal on the preliminary injunction on August 17, 1976. It normally requires about four months for the process of filing of briefs and responses by both sides before the Court of Appeals can set a hearing date. Therefore, it is likely that a ruling will not be handed down until after the first of the year.

SCJ
9/3/76



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SCJ
9/3/76



ISSUE: Health Care Costs

Administration Position

On January 19, 1976 in his State of the Union address the President expressed his concern about rising health care costs. He said, "Hospital and medical services in America are among the world's best but the cost of a serious and extended illness can quickly wipe out a family's lifetime savings. Increasing health costs are of deep concern to all and a powerful force pushing up the cost of living. The burden of a catastrophic illness can be borne by very few in our society. We must eliminate this fear from every family."

Presidential Documents
Vol. 12, No. 4, p. 47

The Nation's health care system continues to be one of the more inflationary sectors of the economy. Hospital costs have risen by more than 200 percent since 1965 (from \$40/day to \$128/day), and physicians' fees have risen more than 85% in the same period. Both rates of increase are significantly higher than the corresponding increases in the consumer price index.

The President supports HEW efforts to constrain health costs such as encouragement of health maintenance organizations and prospective rate reimbursement.

Administration Action

On February 10, 1976 the Medicare Improvements of 1976 proposal was sent to the Congress. This is the catastrophic health proposal for all persons covered by Medicare that the President recommended in his State of the Union address.

Under this proposal annual Medicare reimbursement increases would be limited to 7% for hospital costs and 4% for physicians' service charges in 1977 and 1978.

The President also proposed legislation on February 25, 1976 to improve the efficiency and equity of health services to the poor by consolidating 15 Federal health programs including Medicaid, into one \$10 billion block grant to States. The Financial Assistance for Health Care Act is designed to achieve the following objectives: 1) increase State and local control over health spending, 2) achieve a more equitable distribution of Federal health dollars among States, 3) restrain the growth of Federal spending and the Federal bureaucracy. This proposal is expected to save money by reducing the administrative burden and reporting requirements between States and the Federal Government.

SCM
3/16/76

Administration Position

On March 6, 1976, the President said, "Anyplace you go, the cost of malpractice insurance has risen 300, 400, 500 percent. The net result is that the doctors of this country are faced with buying the insurance with the necessity of added costs in health care throughout the United States. These matters have generally been handled at the State level, and I think properly so. But, if these circumstances expand, become more acute, more serious, reaching near disaster proportions, I think the Federal Government would be neglectful of its responsibilities if we did not in some way first study the problem, and if there is a Federal answer, submit it across the country. I don't think we are at that point at this time, but it is something that certainly ought to be analyzed by the proper authorities in Washington, and it will be."

Presidential Documents
Vol. 12, No. 11, p. 357

On March 12, 1976, the President said, "the malpractice problem is not limited to the State of California, although it was made much more dramatic there by the action that some or a good many doctors took in the State of California. It is a problem in virtually every State caused primarily by the very substantial increase in malpractice insurance and premiums that result from the very high claims that have been allowed by our court system.

I would prefer that the issue be solved in this limited area at the State level, but if we are going to have what happened in California repeated in 49 other States, I think we may have to take a very hard look at some solution in that limited area on the national level. We have some people that are now analyzing that situation. . . But I don't think that problem in and of itself should dictate that we should have national health insurance with the Federal Government being the dictator as to what the doctors ought to do and how they ought to be paid. . .

I have in the past felt that we could broaden the utilization of our private coverage firms with the Federal Government participating, but the coverage for broader health insurance would come from the utilization of our private health insurers.

Presidential Documents
Vol. 12, No. 12, p. 395

ISSUE: National Health Insurance

Administration Position

The President recognizes the importance of good health and feels that all Americans should have access to quality health care. On September 4, 1975, the President said: "I had, when I was in the Congress, advocated a program that . . . would use the private sector and not a monopolistic Federal Government program. . . (that) would improve our health care facilities and institutions. But it would have imposed . . . new budget problems on the Federal Government. In my opinion, because of the deficit that we faced and the need to control fiscal deficits, that we couldn't -- at least for fiscal 1976 -- endorse or support what I had supported when I was a member of the House of Representatives."

Presidential Documents
Vol. 11, No. 36, p. 949

On January 19, 1976, the President said in the State of the Union address, "We cannot realistically afford Federally dictated national health insurance providing full coverage for all 215 million Americans. The experience of other countries raises questions about the quality as well as the cost of such plans. But I do envision the day when we may use the private health insurance system to offer more middle income families high quality health services at prices they can afford and shield them also from catastrophic illnesses."

Presidential Documents
Vol. 12, No. 4, p. 48

On February 13, 1976 in Fort Lauderdale, Florida the President responded to a question on national health insurance from the public by saying, "I did not recommend a Government sponsored national health insurance program. . . I don't think that a national Government sponsored health insurance program has worked very well as far as the patient is concerned in any country where it has been tried, and that is particularly true in Great Britain and several other countries, so I don't think it is the best way to improve health care. . . (Also), it would be very expensive, and I don't think we could afford it. But, the principal reason I am opposed to it is that it has not worked, and I don't think it will work. Secondly, the cost would be substantial, and the Federal budget could not afford it at the present time."

Presidential Documents
Vol. 12, No. 8, p. 203

Administration Action

The President has asked OMB and the Domestic Council to review various courses of action.

SCM
3/11/76

ISSUE: Nursing Homes and Long Term Care

Administration Position

While the President believes the basic responsibility for certifying institutions providing long term care rests with the States, he is determined that no Federal funds should be spent in any unsafe nursing home receiving Federal funds. He supports the Department of Health, Education, and Welfare's improvement campaign to upgrade the quality of care provided.

The President stated on July 24, 1975: "The Department of Health, Education, and Welfare has set high standards of nursing home care and safety that must be met by nursing homes participating in the Medicare and Medicaid programs. The enforcement of these standards is one of my Administration's highest priorities."

Presidential Documents
Vol. 11, No. 30, p. 774

On January 19, 1976 in his State of the Union address the President expressed his concern about the effect of the cost of long term care on families. He said, "Hospital and medical services in America are among the world's best but the cost of a serious and extended illness can quickly wipe out a family's lifetime savings. Increasing health costs are of deep concern to all and a powerful force pushing up the cost of living."

Presidential Documents
Vol. 12, No. 4, p. 47

On April 29, 1976, addressing the Texas Nursing Home Association in Houston, the President said about HEW's proposed regulations on reimbursement for nursing homes: "I ... know that your organization has raised a good many questions about HEW's 1972 regulations. I am sure you are not the only organization, because I am informed that other State organizations comparable to you have done likewise.

It does appear to me -- and I have talked to the Secretary of HEW about it -- that there is an overzealous interference attempted by those regulations, and I hope we can do something affirmatively to change them."

Presidential Documents
Vol. 12, No. 18, p. 749



Administration Action

In his State of the Union address on January 19, 1976 the President proposed catastrophic health insurance for everybody covered by Medicare. The President said, "the burden of a catastrophic illness can be borne by very few in our society. We must eliminate this fear from every family. ...To finance this added protection, fees for short-term care will go up somewhat, but nobody after reaching age 65 will have to pay more than \$500 a year for covered hospital or nursing home care nor more than \$250 for one year's doctors' bills."

Presidential Documents
Vol. 12, No. 4, p. 47

This legislation, the Medicare Improvements of 1976, was sent to the Congress on February 10, 1976.

In the message accompanying the Medicare Improvements of 1976 the President spoke of the development of an ombudsman program for persons in nursing homes: "Five percent of our older men and women require the assistance provided by skilled nursing homes and other long term care facilities. To assist these citizens, an ombudsman process, related solely to the persons in these facilities, is being put into operation by the National Network on Aging. We believe that this program will help to resolve individual complaints, facilitate important citizen involvement in the vigorous enforcement of Federal State and local laws designed to improve health and safety standards, and to improve the quality of care in these facilities."

Presidential Documents
Vol. 12, No. 7, p. 170

SCM
5/24/76



ISSUE: Nursing Manpower

Administration Position

On April 28, 1976, in Houston in answer to a question on funding for the Nurse Training Act, the President said:


"About six or eight years ago. . . a nurses training program was established with certain Federal funding to help and assist local hospitals or nurses homes or nurses training facilities.

"It seems to me as I recollect the facts that that aid program has very substantially met the need and the demand for nurses, except for those that require a certain specialty. A good many of the facilities for nurses training have been constructed. Most of the basic nurses training programs have been put on a financially sound basis with local, State and Federal assistance.

"The area that seems to need the greatest help from the Federal Government's point of view is in the specialty area, and in that area my view as of now would be to support that kind of assistance in the future."

Presidential Documents
Vol. 12, No. 18, p. 739

SCM
4/24/76



Administration Position

On April 3, 1976, in response to a question on what the President proposed for rural health care needs, he said, "In the first place, in the last five years there has been a tremendous increase in medical school education facilities... We are expanding our medical schools. We have many, many more doctors being trained all over the country. We have a number of new medical schools. So the support of doctors will increase.

The problem is how to get them out into the rural communities. I am told that...more and more of [the medical students]... are indicating that they want to move to our small towns and into rural America. That is one trend that I think will help solve the problem...

But the other problem of how to get our Federal Funds for health care properly distributed -- I recommended a change from the 26 categorical grant programs that we now have in the Federal Government for health care in one block grant program."

Presidential Documents



ISSUE: Social Security

Administration Position

The Social Security system is a sound, successful program which will continue to provide Americans with income resources when they retire. However, there is a need to preserve the financial integrity of Social Security by increasing payroll contributions to the system and eliminating a "flaw" in the current law's benefit formula which overcompensates for inflation.

The President's message to the Congress on Social Security, June 17, 1976, summarized his position:

I am today submitting to the Congress a legislative proposal that will correct a serious flaw in the Social Security system. This proposal is one of three components of my 1977 budget and legislative program intended to insure a secure and viable Social Security system. My strong personal commitment to Social Security embraces both a genuine concern for the 32 million persons who currently depend on Social Security benefits for income, and an unyielding dedication to protect the financial integrity of the system for the millions of workers who will depend on it in the future.

My program to insure the integrity of the Social Security system, as outlined in January of this year, includes:

First, a full cost-of-living increase (6.4%) for all beneficiaries, scheduled to take effect in checks sent out in July of this year.

Second, an increase in Social Security payroll contributions by three-tenths of one percent for both employees and employers. This increase would remedy the immediate, short-term financing problem facing Social Security. It would stop the drain on the trust funds -- which are now expected to pay out about \$4 billion more in benefits each year than they take in. This correction would cost no employee more than \$1 per week in additional contributions. (Proposal sent to Congress on February 10, 1976.)

Third, legislation to correct a serious flaw in the Social Security benefit structure which, if left unchanged, would undermine the principles of Social Security and create severe long-range financial pressures on the system. My proposal would eliminate this flaw and be a major step towards resolving the long-range financial problem. It would help stabilize the system and permit sufficient time for careful and thorough analysis of the remaining future financial pressures.

. . . The proposal I am submitting today corrects an inadequate method of adjusting benefit payments which, over time, could mean that many new retirees would receive Social Security benefits in excess of the highest earnings they ever received. Such a result was never intended and is clearly undesirable, both from the standpoint of the individual and the excessive costs to the system.

. . . The correction of the flaw will be a major step toward bringing the system back into financial balance over the long-term (it eliminates about half the projected long-range deficit). But it is not the complete solution and we should not pretend that it is. The Social Security Trustees estimate that even with this legislation, sizeable long-term financial pressures remain.

There is sufficient time, however, to analyze this situation and to correct it. If action is taken promptly on my proposals the system will not be in jeopardy. But this should not delay our efforts to identify the further steps needed to protect the system's permanent financial integrity. Over the next few years I intend to work with the Congress in resolving these problems.

Presidential Documents

In defense of increasing the rate of payroll contributions to offset the current financial drain on Social Security, the President has said:

. . . there are three or four alternatives. You can start tapping the general fund, which I oppose. You can raise the wage ceiling which some propose. I don't think that is the best answer.

. . . the Congress in an election year has rejected that proposal, but that is only putting off the inevitable. They have got to find an answer under our current beneficiary formula. It is inevitable, something has to be done.

I thought we ought to face up to it this year even though it is an election year, and I regret that the Congress is not facing up to it. That is the honest and realistic thing to do.

Presidential Documents Vol. 12, No. 12, p. 403

Also, ". . . the argument is often made that that is a very regressive tax, and it can be argued that, but that is only half of the argument. Because when the benefits are paid after the person retires, that regressiveness is reversed.

The beneficiaries in the lower income spectrum get more than the people who are in the higher income area. So although they pay more, they in turn on retirement get more. So I think it is the best solution."

Presidential Documents
Vol. 12, No. 12, p. 394

6/22/76



ISSUE: Spinal Cord Injury

Administration Position

The President is aware of the great need for research and advancement in the field of central nervous system regeneration as well as the extraordinary financial burdens that such injuries place on both victims and their families.

The President stated on April 10, 1976: "I can assure you that whatever funds the VA or the National Institute of Health or any other agency of the Federal Government can come up with a program, there will be no hesitancy as far as I am concerned in recommending the funds they request."

Presidential Documents
Vol. 12, No. 16, p. 641

The President stated on May 21, 1976 that this country needs to "renew its commitment to basic research on disorders of the nervous system so that the millions of disabled with such problems as spinal cord injury, epilepsy, stroke, cerebral palsy, and multiple sclerosis can have a good life again."

Presidential Meeting with
Roger Frank -- 5/21/76

The President stated on May 22, 1976: "We had gotten the Veterans Administration, where many of these cases are treated, more money and we are putting a greater emphasis on that program in the VA. I hope we can broaden our efforts. We will do all we can funding-wise, and otherwise to help in the kind of a case you mention."

Presidential Documents
Vol. 12, No. 22, p. 924

ISSUE: Swine-type influenza

Administration Position

On March 24, 1976, the President announced his plans for a nationwide immunization program against a swine-type strain of influenza. This virus was of great concern within the medical community because it is similar to the one that caused a worldwide deadly flu epidemic in 1918-19 in which 548,000 Americans died as well as 20 million around the world. The President said, "I have consulted with members of my Administration, Secretary Mathews and Dr. Cooper and leading members of the health community and public officials about the implications of this new appearance of swine flu. I have been advised that...unless we take effective counteraction, there could be an epidemic of this dangerous disease...Let me state clearly at this time no one knows exactly how serious this threat could be. Nevertheless, we cannot afford to take a chance with the health of our nation."

Presidential Documents
Vol. 12, No. 13, p. 484

Administration Action

On March 25, 1976, the President asked the Congress for a special appropriation of \$135 million prior to their April recess to ensure the production and distribution of sufficient vaccine. "The facts that have been presented to me in the last few days have come from many of the best medical authorities in this country...The facts do suggest...that there is a need for action now... Extraordinary measures are necessary because of the short time period available to assure adequate vaccine production and to mobilize the nation's health care delivery system...I urge the Congress to act immediately to pass this special supplemental appropriation separately."

Presidential Documents
Vol. 12, No. 13, pp. 484-85

On April 1, 1976, the President issued a memorandum for the heads of the departments and agencies to assure the completion of the nationwide influenza immunization program in an appropriate, orderly, and timely manner. He said, "The Secretary of Health, Education and Welfare, David Mathews, will take the lead in this effort, but it is essential that all federal department and agency heads give him their full cooperation in carrying out this

program." The President indicated national influenza immunization plan objectives: testing and production of sufficient quantities of vaccine to immunize the entire population; encouraging the nation's health professionals to fully support the program; ensuring public awareness for the necessity of inoculation against this type of influenza; the efficient and timely distribution of the vaccine, medical supplies and equipment throughout the country; and ongoing surveillance to determine any disease trends and additional efforts. The President stated, "Our goal is to ensure that the flu vaccine is available at public health facilities, hospitals, schools, and physicians' offices throughout the country and that a maximum number of Americans avail themselves of it."

Presidential Documents
Vol.12, No.14, p.525

The legal problem of indemnifying vaccine manufacturers against claims for injuries arising out of the government's program initiated the need for hearings before the Rogers' Subcommittee on Interstate and Foreign Commerce on June 28, regarding the Administration's proposed legislation. The Subcommittee failed to take legislative action to indemnify manufacturers of the vaccine and advised that the legal concerns of manufacturers be resolved by agreement and contract. The President met with Secretary Mathews and Assistant Secretary Cooper on July 9 to discuss the effects of this continuing legal problem. Program justification was reemphasized and the President stated at a news conference on July 19, "We are going to find a way, either with or without the help of Congress to carry out their program that is absolutely essential, a program that was recommended to me unanimously by 25 or 30 of the top medical people in this particular field. So we are going to find a way, and I think we will eventually do it, and I expect the full cooperation of the industry and all other parties involved."

Presidential Documents
Vol. , No. , p.

SCJ
7/21/76

On July 23, 1976, the President sent a letter to Congressman Paul Rogers, Chairman of the Subcommittee on Interstate and Foreign Commerce addressing the problem of indemnifying vaccine manufacturers. The President urged Congressman Rogers to act immediately on his legislative proposal that would enable the government to assume a proper share of risks resulting from the program, but not those resulting from negligence of the manufacturer. "We cannot accept the fact that the health of all Americans can be placed in jeopardy by a failure to take action on this important legislation."

Presidential Documents
Vol. 12, No. 30, p. 1204

On August 4, 1976, the President sent a letter to the Speaker of the House of Representatives and Senator Mike Mansfield urging them to enact the indemnity legislation needed to ensure that the swine flu program move ahead swiftly. "The threat of swine flu is genuine. Data from both the scientific and medical communities support the need for an inoculation program. Clinical tests conducted to date show that the vaccine is both safe and effective. There is no excuse now to let this program -- a program that could affect the lives of many, many Americans -- be delayed any longer."

Presidential Documents
Vol. 12, No. 32, p. 1244

The President signed S. 3735, the "National Swine Flu Immunization Program of 1976" into law on August 12, 1976. The legislation will permit the Federal Government to assure appropriate liability protection for those manufacturing, distributing and administering the vaccine and will provide a claims procedure for persons who might be injured. The President stated, "I strongly reaffirm my commitment to this program and I have directed the Secretary of HEW to move as expeditiously as possible to insure that we keep our original commitment of making this vaccine available to all Americans."

Presidential Documents
Vol. 12, No. 33, p. 1257

SCJ
9/3/76

The National Influenza Immunization Program (NIIP) began operation on October 1, 1976 following the shipment of 25.1 million doses of swine flu vaccine to the states and territories. The Program was interrupted briefly by reports of deaths which occurred after individuals received the vaccination. Thorough investigation by the CDC confirmed that the deaths were coincidental and were in no way related to the injection itself.

SCJ
10/18/76



Issue: Welfare Reform

Administration Position

There is a need for a rationalization of our current collection of programs designed to assist the poor. In an era when we have come face to face with the fact that government's resources are limited we must find a simpler more responsive and accountable means of helping those in need.

In his State of the Union address on January 19, 1976 the President said about welfare that "...government at all levels is not doing the job well. Too many of our welfare programs are inequitable and invite abuse. Worse, we are wasting badly needed resources without reaching many of the truly needy. Complex welfare programs cannot be reformed overnight. Surely we cannot simply dump welfare into the laps of the 50 States, their local taxpayers or private charities, and just walk away from it. Nor is it the right time for massive and sweeping changes while we are still recovering from a recession. Nevertheless, there are still plenty of improvements we can make."

Presidential Documents
Vol. 12, No. 4, p. 48-49

On May 3, 1976 in Birmingham, Alabama the President said: "I have never believed that a guaranteed annual income was the answer to any of our problems. But, that doesn't mean under any circumstances that I am in agreement with our present welfare program. When you add up all of the welfare programs we have, including food stamps, I think it is a mess and something has to be done about it."

Presidential Documents
Vol. 12, No. 19, p.816

Administration Action

In his State of the Union address on January 19, 1976 the President said "I will ask Congress for Presidential authority to tighten up rules for eligibility and benefits."

Presidential Documents
Vol. 12, No. 4, p. 49

The President will submit later this year the "Income Assistance Simplification Act," legislation granting him authority to adjust various income assistance programs to make these programs more consistent, equitable and efficient. All changes proposed under this authority would be subject to review and disapproval by the Congress.

The proposed Income Assistance Simplification Act will include:

- Program Coverage. Authority will be sought only for modifications to Federal and Federally assisted means-tested programs which provide benefits to individuals in cash or "in kind", e.g. Food Stamps, AFDC, and SSI.
- Scope of Authority. The Act would give the President authority to modify administrative procedures, eligibility requirements, benefit levels, and program administration authority.
- Congressional Control. The Act would preserve Congressional authority over all proposed modifications since the Congress would have an opportunity for review and disapproval.
- Duration of Authority. Five years.

On April 30, 1976 in Lubbock, Texas the President said: "We are in the process right now, at the highest level in HEW and other affected agencies, trying to decide whether you can really sufficiently improve a hodge-podge program or whether you ought to go to something like a family assistance program.

"After the end of this study -- which probably will be completed the latter part of December -- we will make a decision. But at the moment I don't want to pre-judge exactly what our approach ought to be.

"I can assure you that we are going to try to put the emphasis, number one, on helping those who are in need, period. Number two, we are going to try and have a work incentive part of the program, which I think is basically sound. We are going to, if we could, consolidate the many programs that we have that, really, I think, don't help the beneficiary but actually frustrate the beneficiary.

"So those are some of the guidelines that we are trying to use in making a final determination.

Presidential Documents
Vol. 12, No. 18, p. 777

SCM
5/24/76

JUSTICE, CRIME, CIVIL
RIGHTS AND
COMMUNICATION



ISSUE: AFFIRMATIVE ACTION

Administration Position

President Ford is deeply and personally committed to the goal of eliminating discrimination in employment in both the public and private sectors. He has said:

"Our Nation's strength is based upon the concept of equal opportunity for all our citizens. Decisions motivated by factors not related to the requirements of the job have no place in the employment system of any employer and particularly the Federal Government.

"But more is required than non-discrimination and prohibition of discriminatory practices. What is needed are strong affirmative actions to assure that all persons have an opportunity to compete on a fair and equal basis for employment and advancement in the Federal Government . . . Such actions are under way in the Federal Government. They must be continued and expanded.

"Moreover, men and women of all racial and ethnic backgrounds must be assured a fair opportunity to serve in positions where they can make a maximum contribution and participate in the decision-making process."

Memorandum for Heads of Departments
and Agencies, March 6, 1975.
Presidential Documents
Vol. 11, No. 10, p. 244

The President believes the concept of affirmative action is a moral and political imperative at the Federal level. However, the President is convinced that the use of inflexible, mechanical means of achieving equality of opportunity -- such as quotas -- is inappropriate and, in the long run, detrimental to the overall effort. Rather, he believes that methods must be developed which, while promoting equal opportunity, do not place unreasonable burdens on Federal contractors.

Administration Actions

The President has directed Secretaries Coleman, Dunlop and Mathews and Attorney General Levi to review existing Federal Affirmative Action Programs and to make recommendations as to how the programs can be made to work more effectively without placing unreasonable burdens on Federal contractors.

RDP
1-22-76

ISSUE: American Citizens in Mexican Jails

Administration Position

During a news conference on April 10, 1976, held at Dallas, Texas, President Ford said:

"We, of course, expect every foreign government to work with us in the protection of the rights of American citizens. We have, through the proper channels in this case, indicated our deep concern for the protection of the rights of American citizens in Mexico.

"On the other hand, we repeatedly tell Americans who go to other countries that they have to live up to the laws of those countries. It's a two-way street. We don't condone violence in this country in violation of our laws, and I don't think we should condone violence in other countries in violation of their laws.

"But I can assure you, that through proper channels, we have indicated very strongly that the legitimate rights of all Americans in those countries should be fully protected. And we will continue that policy."

Presidential Documents
Vol. 12, No. 16, p. 624

Administration Actions

The Department of State, through its Consular Section, attempts to assure that the rights of any American citizen arrested abroad are adequately protected and that legal representation is made available. Further, in the case of Mexico, high-level discussions have been undertaken to insure that the President's views on this subject are known and understood by the Mexican Government.

RDP
5-4-76



ISSUE: ANTITRUST

Administration Position

In signing the "Antitrust Improvements Act of 1976," President Ford said:

"I am proud of my Administration's record of commitment to antitrust enforcement. Antitrust laws provide an important means of achieving fair competition. Our nation has become the economic ideal of the free world because of the vigorous competition permitted by the free enterprise system. Competition rewards the efficient and innovative business and penalizes the inefficient.

"Consumers benefit in a freely competitive market by having the opportunity to choose from a wide range of products. Through their decisions in the marketplace, consumers indicate their preferences to businessmen, who translate those preferences into the best products at the lowest prices.

"The Federal Government must play two important roles in protecting and advancing the cause of free competition.

"First, the policy of my Administration has been to vigorously enforce our antitrust laws through the Antitrust Division of the Department of Justice and the Federal Trade Commission. During an inflationary period, this has been particularly important in deterring price-fixing agreements that would result in higher costs to consumers.

"Second, my Administration has been the first one in forty years to recognize an additional way the Federal Government vitally affects the environment for business competition. Not only must the Federal Government seek to restrain private anti-competitive conduct, but our Government must also see to it that its own actions do not impede free and open competition. All too often in the past, the Government has itself been a major source of unnecessary restraints on competition.

. . . .

"Individual initiative and market competition must remain the keystones to our American economy. I am today signing this antitrust legislation with the expectation that it will contribute to our competitive economy."

Administration Actions

Under President Ford, important progress has been made both in strengthening antitrust enforcement and in reforming government economic regulation.

In the last two years, the Federal antitrust enforcement agencies have been strengthened substantially. The resources for the Antitrust Division and the Federal Trade Commission's Bureau of Competition have been increased by over 50 per cent since Fiscal Year 1975. For the Antitrust Division, this has been the first real manpower increase since 1950.

The cause of vigorous antitrust enforcement was aided substantially when the President signed the Antitrust Procedures and Penalties Act of 1974, making violation of the Sherman Act a felony punishable by imprisonment of up to three years for individuals, and by a corporate fine of up to \$1 million.

Also, in December 1975, the President signed legislation repealing Fair Trade enabling legislation. This action alone, according to various estimates, will save consumers \$2 billion annually.

On the second front of reducing regulatory actions that inhibit competition, the President signed the Securities Act Amendments of 1975 and the Railroad Revitalization and Regulatory Reform Act, which will inject strong doses of competition into industries that long rested comfortably in the shade of federal economic regulation. The Administration has also sponsored important legislative initiatives to reduce the regulation of other modes of transportation and of financial institutions.

Finally, on September 30, 1976, the President signed into law the important Antitrust Improvements Act of 1976, enhancing the investigatory powers of the Antitrust Division, requiring advance notification of the Antitrust Division and the Federal Trade Commission of significant corporate mergers and permitting State Attorneys General to commence antitrust suits on behalf of the citizens of their States.

ISSUE: BUSING

Administration Position

President Ford has, on a number of occasions, made it clear that it is his intention as Chief Executive of the United States to see that the laws are faithfully executed, including court orders relating to school desegregation. He has also stated, however, that it is his personal view that there is a better way to achieve quality education for all American youngsters than through court-ordered busing to achieve racial balance.

In submitting a special message to the Congress on the busing issue, the President said:

"To many Americans busing appears the only way to achieve the equal educational opportunities so long denied them. To many other Americans busing appears to restrict their individual freedom to choose the best school for their children to attend.

"It is my responsibility and the responsibility of the Congress to seek a solution to this problem -- a solution true to our common beliefs in civil rights for all Americans, individual freedom for every American in the best public education for our children.

"Today I am submitting to the Congress legislation which I believe offers such a solution. I ask the Congress to join with me in establishing the guidelines for the lower Federal courts to follow. Busing as a remedy ought to be the last resort and it ought to be limited in duration and in scope to correcting the effects of previous violations. These legislative guidelines are drawn within the framework of the Constitution.

"I believe every American community should desegregate on a voluntary basis. Therefore, I am proposing the establishment of a committee composed of citizens who have had community experience in school desegregation and who are willing to assist other communities in voluntarily desegregating their schools.

"Citizens groups I have consulted on both sides of the busing issue have told me such a committee would be a welcome resource to communities which face up to the issue honestly, voluntarily and in the best spirit of American democracy.

"Concern has been expressed that by submitting this bill at this time we risk encouraging those who are resisting court-ordered desegregation sometimes to the point of violence. Let me state here and now that this Administration will not tolerate unlawful segregation. We will act swiftly and effectively against anyone who engages in violence. This Administration will do whatever it must to preserve order and to protect the constitutional rights of our citizens.

"The purpose of submitting this legislation now is to place the debate on this controversial issue in the halls of the Congress, a responsible and orderly debate within the Democratic process and not on the streets of our cities.

"I will now sign the two messages -- one to the House and one to the Senate -- which will be delivered today along with the proposed legislation."

Presidential Documents
Vol. 12, No. 26, pps. 1079-1080

Administration Actions

On November 20, 1975, the President directed the Secretary of Health, Education, and Welfare and the Attorney General to work with his White House staff to develop better methods of achieving quality education within an integrated environment for all children.

The President also personally met with a number of individuals from outside of government to get the broadest possible perspective on this issue.

On June 24, 1976, the President submitted to Congress his proposal, entitled "The School Desegregation Standards and Assistance Act of 1976." This Act would:

1. Require that a court in a desegregation case determine the extent to which acts of unlawful discrimination have caused a greater degree of racial concentration in a school or school system than would have existed in the absence of such acts.
2. Require that busing and other remedies in school desegregation cases be limited to eliminating the degree of student racial concentration caused by proven unlawful acts of discrimination.

3. Require that the utilization of court-ordered busing as a remedy be limited to a specific period of time consistent with the legislation's intent that it be an interim and transitional remedy. In general, this period of time will be no longer than five years where there has been compliance with the court order.
4. Establish a National Community and Education Committee which will assist, encourage and facilitate community involvement in the school desegregation process. This Committee will be composed of citizens from a wide range of occupations and backgrounds, with particular emphasis on individuals who have had personal experience in school desegregation activities. Committee members will assist on request communities which are, or will be, engaged in the desegregation of their schools by sharing ideas and recommendations for anticipating and resolving conflicts.

In addition to providing advice and technical assistance, the Committee will be authorized to provide grants to community groups for the development of constructive local participation that will facilitate the desegregation process. The Committee will be composed of not less than 50 nor more than 100 members. Ten of those, appointed by the President for fixed terms, will serve as an Executive Committee and will appoint the balance of the Committee.

ISSUE: CRIME

Administration Position

The President has identified crime as a major domestic concern and he has addressed himself to the issue on numerous occasions.

Most recently, in a speech before the International Association of Chiefs of Police, he said:

"In my crime message to the Congress, I called for a comprehensive Federal Criminal Code to serve as a model for State and local Governments. I called for mandatory minimum sentences for certain Federal crimes and for violent repeat offenders.

"I called for legislation increasing the number of Federal judges.

"I called for the compensation of the victims of Federal crime.

"The Congress has done nothing. Too many politicians today are underestimating the public concern about crime. Just as the police identify career criminals, American voters will examine their ballots in November and identify those candidates who have demonstrated indifference or permissiveness toward crime, and they should.

"I serve notice today that a top priority of the first 100 days, beginning with Inauguration Day for the Ford Administration next January, will be the rallying of America behind Federal anti-crime legislation.

"I ask every police chief in America and every citizen to join in that crusade."

President's Remarks before
International Association of Chiefs
of Police, Miami, 9-27-76
Presidential Documents
Vol. 12, No. 40, p. _____



In his State of the Union Message of January 19, 1976, the President said:

"Protecting the life and property of the citizen at home is the responsibility of all public officials but is primarily the job of local and State law enforcement authorities.

"Americans have always found the very thought of a Federal police force repugnant and so do I. But there are proper ways in which we can help to ensure domestic tranquility as the Constitution charges us.

* * *

"As President I pledge the strict enforcement of Federal laws and -- by example, support, and leadership -- to help State and local authorities enforce their laws. Together we must protect the victims of crime and ensure domestic tranquility."

Presidential Documents
Vol. 12, No. 4, p. 49

The President, in a special message to the Congress on crime on June 19, 1975, set forth a program for dealing with this issue at the Federal level.

Presidential Documents
Vol. 11, No. 25, pp. 652-661

Administration Actions

In the crime message, the President recommended, among other things: modification of the proposed Criminal Justice Reform Act of 1975 to impose mandatory minimum sentences for violent criminal offenders; the enactment of effective handgun controls; and the extension of the Law Enforcement Assistance Administration through 1981. Legislation implementing each of these recommendations has been submitted to the Congress by the Administration. The President's crime message is summarized below.

While acknowledging that the Federal role in the fight against crime is a limited one, the President sets forth three important responsibilities of the Federal government in this vital area:

- Providing leadership to State and local governments by improving the quality of Federal laws and the criminal justice system.
- Enacting and vigorously enforcing laws covering criminal conduct that cannot be adequately regulated at the State or local level.
- Providing financial and technical assistance to State and local governments and law enforcement agencies, and thereby enhancing their ability to enforce the law.

I. PROVIDING FEDERAL LEADERSHIP

A. Improving the Quality of Federal Laws

Noting that Federal criminal laws should be a model upon which State and local governments can pattern their own laws, the President recommends to the Congress the enactment of a comprehensive criminal code.

In codifying the Federal criminal law, the President recommends that criminal fines be increased from a maximum of \$10,000 to a maximum of \$100,000 if the defendant is an individual, and \$500,000 if the defendant is an organization.

The President also recommends the enactment of mandatory minimum sentences for persons who:

- (1) commit Federal offenses involving the use of a dangerous weapon,
- (2) commit such extraordinarily serious offenses as aircraft hijacking, kidnapping and trafficking in hard drugs, and
- (3) are repeat offenders who commit Federal crimes that cause or have the potential to cause personal injury to others. Limited exceptions to the imposition of mandatory minimum sentences would be set forth in the statute.

The President recommends that Federal appeals courts be given limited authority to review sentences imposed by Federal trial court judges.

B. Improving the Federal Criminal Justice System

In addition to reform of the criminal law, the President believes that we must improve the manner in which our criminal justice system operates. In the message, he makes numerous suggestions and recommendations designed to improve the quality of the Federal criminal justice system. These include:

1. Establishment of "career criminal" programs designed to assure quick identification and prosecution of persons who repeatedly commit serious offenses.

2. Continuation and expansion of programs designed to divert certain first offenders into rehabilitation prior to trial.
3. Creation by the Congress of additional Federal District Court judgeships and expansion of the criminal jurisdiction of United States Magistrates.
4. Upgrading of prison facilities, including the replacement of large, outdated prisons with smaller, more modern ones.
5. Directing that the Attorney General, as Chairman of the Cabinet Committee on Crime Prevention and Rehabilitation, ensure that the Federal government is making the best possible use of its resources in the area of offender rehabilitation.
6. Enactment by the Congress of legislation to provide limited compensation to victims of Federal crimes who suffer personal injury.

Additionally, the President calls upon employers, including Federal agencies, to keep open minds on the hiring of persons formerly convicted of crimes.

II. BETTER LAWS AND ENFORCEMENT

- A. The President is unalterably opposed to Federal registration of guns or gun owners. He has directed the Attorney General to prepare legislation prohibiting the manufacture, assembly or sale of "Saturday Night Specials." The President also proposes to strengthen current law so as to strike at the illegal commerce in handguns and to emphasize the responsibility of dealers to adhere to the law. He has also ordered the Treasury Department's Bureau of Alcohol, Tobacco and Firearms to double its investigative efforts in the nation's ten largest metropolitan areas and to immediately employ and train an additional 500 firearms investigators for this priority effort.
- B. The President believes there are several other areas in which Federal law and enforcement can be improved to strike at those who have made crime a business. Laws relating to organized crime, consumer fraud, white-collar crimes and protection of civil rights can and should be improved.

- C. The President also has directed the Domestic Council to conduct a comprehensive, priority review of the Federal effort in the treatment and prevention of drug abuse to ensure that Federal programs and policies are appropriate to meet the current and mounting threat.

III. PROVIDING FINANCIAL AND TECHNICAL ASSISTANCE

The Federal government must continue to help State and local governments in carrying out their law enforcement responsibilities. Therefore, the President will submit to the Congress a bill that will continue the Law Enforcement Assistance Administration through 1981.

The bill will authorize \$6.8 billion for the Law Enforcement Assistance Administration to continue its work through 1981. Further, the bill will increase LEAA's annual funding authorization of \$1.25 billion to \$1.3 billion so that additional funds may be made available to urban areas with high crime rates. Finally, the bill will place additional emphasis on improving State and local court systems.

ISSUE: Death Penalty

Administration Position

In his remarks at the Federal Bar Association Dinner in Miami, Florida, the President said:

"I favor the use of the death penalty in the Federal criminal system in accordance with proper Constitutional standards. The death penalty in appropriate instances should be imposed upon the conviction of sabotage, murder, espionage and treason. Of course, the maximum penalty should not be applied if there is duress or impaired mental capacity or similar extenuating circumstances. But in murders involving substantial danger to the national security, or when the defendant is a coldblooded hired killer, the use of capital punishment is fully justified."

Presidential Documents
Vol. 12, No. 8, p. 218

Administration Action

The Department of Justice has submitted legislation to the Congress to reinstate the death penalty as an available sanction in these limited circumstances.

The Justice Department proposal is incorporated in S. 1, a bill to revise, reform and recodify the Federal criminal law, which is under active consideration in the Senate.

Administration Actions

President Ford signed into law a bill increasing from one to three years' imprisonment the penalty for criminal violation of the Sherman Act and maximum fines from \$50,000 to \$100,000 for individuals and \$1 million for corporations.

The Administration requested increased appropriations for 83 people and approximately \$3 million for the Antitrust Division and 95 people and \$3.1 million for the Federal Trade Commission's support in increasing the effectiveness of antitrust enforcement.

The President has also secured repeal of "Fair Trade" laws and has proposed a narrowing of the antitrust immunities for ICC and CAB rate bureaus and collusive agreements.

ISSUE: Decriminalization of Marihuana

Administration Position

In response to an inquiry concerning his view on marihuana, the President stated:

"There is a great controversy in the scientific world as to whether or not the use to a substantial degree of marihuana is good or bad for a person's health. Until there is a higher degree of unanimity among the scientific world that marihuana is not harmful to the individual, I do not think we should decriminalize marihuana.

"I think that we should do as the White House Domestic Council review recommended, that we should concentrate our efforts at the Federal level on hard drugs, the trafficker and the others.

"But, I re-emphasize, I do not believe in the decriminalization of marihuana under the present circumstances."

Remarks of the President and
Question and Answer Session
University of New Hampshire
Durham, New Hampshire
February 8, 1976
Presidential Documents
Vol. 12, No. 7, p. 161


Administration Actions

The National Institute on Drug Abuse in the Department of Health, Education, and Welfare has undertaken a number of studies and experiments to determine precisely what effect marihuana has on humans. The results of these studies and experiments are published annually by the Secretary of HEW in Marihuana and Health. The fifth such report was released by the Department on February 12, 1976.

In addition to the scientific research, Federal law enforcement agencies are reorienting their enforcement activities to give priority to hard drugs.

RDP

2/12/76



ISSUE: Drug Abuse

President Ford, on April 27, 1976, addressed himself to the problem of drug abuse in America in a special message to the Congress. On signing the drug message, the President said:

"For nearly a year I have been devoting increasing attention to a problem which strikes at the very heart of our national well-being, drug abuse. I have initiated and then endorsed a major study of this issue. I have met with foreign heads of state, Members of Congress and members of my Cabinet to express my deep concern and the need for action, and I have publicly spoken about this as one of the most serious and tragic problems our country faces.

"Today I am sending to the Congress a special Message on Drug Abuse which outlines, in very frank terms, the severity of this problem and which proposes definitive steps which must be taken to meet the challenge posed by the worsening drug situation.

"I am requesting the Congress to enact specific legislation to improve our ability to put the traffickers who sell drugs into prison. I am also calling for a renewed commitment to a program that balances the law enforcement effort with the provisions of humane and effective treatment for drug abusers.

"Finally, since our ability to control the supply of illegal drugs in this country depends to a very large degree on the interest and the capability of foreign governments in controlling drugs which originate in or move through their territory, I renew this government's commitment to providing support for foreign allies in this fight."

Presidential Documents
Vol. 12, No. 18,

The drug message spells out a number of specific steps the President is taking to strengthen the overall Federal drug program and calls on the Congress to act in several areas. Specifically, the President proposes action in the following areas:

Strengthening Laws

- Requiring minimum mandatory prison sentences for persons convicted of high-level trafficking in heroin and similar narcotic drugs.

- Enabling judges to deny bail in the absence of compelling circumstances if a defendant arrested for trafficking heroin or dangerous drugs is found (1) to have previously been convicted of a drug felony; (2) to be presently free on parole; (3) to be a non-resident alien; (4) to have been arrested in possession of a false passport; or (5) to be a fugitive or previously convicted of being a fugitive.
- Raising the value of property used to smuggle drugs which can be seized by administrative, as opposed to judicial, action (from \$2,500 to \$10,000).
- Extending the above forfeiture provision to include cash or other personal property found in the possession of a narcotics violator if the property is determined to have been used (or be intended for use) in connection with an illegal drug transaction.
- Requiring masters of ships -- including pleasure vessels -- arriving in the United States to report immediately to Customs upon arrival, rather than 24 hours as is now required.
- Expand Customs' authority to search for cash and other monetary instruments being smuggled out of the country.

Improving Program Management

- Establishing two new Cabinet committees to provide direction for, and coordination of, Federal drug programs and activities. The Cabinet Committee for Drug Law Enforcement will be chaired by the Attorney General and will include the Secretaries of the Treasury and Transportation. The Cabinet Committee for Drug Abuse Prevention, Treatment and Rehabilitation will be chaired by the Secretary of Health, Education, and Welfare and will include the Secretaries of Defense and Labor and the Administrator of the Veterans Administration.
- Directing the Secretary of HEW and the Attorney General to develop plans to improve coordination between the treatment and criminal justice system, so drug users in the criminal justice system are identified and provided with treatment and rehabilitation services.

- Directing the new Cabinet Committee on Drug Abuse Prevention, Treatment and Rehabilitation to give high priority to identifying specific ways to improve job opportunities for former addicts.
- Directing the Secretary of the Treasury and the Commissioner of the Internal Revenue Service, in consultation with the Attorney General and the Administrator of the Drug Enforcement Administration, to develop a tax enforcement program aimed at major drug traffickers.

Enhancing International Cooperation

- Intensifying diplomatic efforts at all levels in order to encourage the greatest possible commitment from other governments to this mutual problem, and continuing to provide technical and equipment assistance, formal training of foreign enforcement officials, and assistance through cooperative enforcement efforts of U. S. agents stationed abroad.
- Directing the Secretary of State, the Attorney General and the Ambassador to the United Nations to expand their discussions of drug control with foreign leaders.
- Assigning responsibility for liaison with the Mexican Commission proposed by Mexican President Echeverria to the Cabinet Committee on International Narcotic Control, and directing the Chairman of the CCINC to immediately form an Executive Committee to meet with its Mexican counterpart to discuss ways in which our government can collaborate more effectively with Mexico.
- Urging the Congress to expedite approval of the 1971 Convention on Psychotropic Substances, an international treaty which would provide a system for the control of synthetic drugs similar to that which exists for narcotic drugs.

Administration Actions

The President has endorsed the White Paper on Drug Abuse, which called for: (1) more selectivity and targeting of resources; (2) better intra- and inter-agency management; (3) recognition of the vital but limited role the Federal government can play; and (4) more visible Presidential leadership.

In line with the recommendations contained in the White Paper, the President's FY 1977 budget requests additional resources for:

- the growing problem of amphetamine and barbiturates abuse;
- an additional 7,000 community treatment slots;
- better targeting of law enforcement efforts at high-level traffickers;
- improving job opportunities for ex-addicts; and
- maximizing the effectiveness of border interdiction forces.

In addition, this Administration is taking action to deal with the mounting threat of drugs in other areas. The President has spoken personally to Presidents Echeverria of Mexico and Lopez-Michelsen of Colombia and with Prime Minister Demeril of Turkey in an effort to strengthen cooperation among all nations involved in the fight against illicit drug traffic. Attorney General Levi has recently discussed mutual drug control problems with the Attorney General of Mexico, and the President has directed Secretary of State Kissinger to express to the Mexican government his personal concern that we explore opportunities for improved control.

Administration Position

In his special message to the Congress on Crime on June 19, 1975, President Ford said:

"Criminals with handguns have played a key role in the rise of violent crime in America. Hundreds of policemen have been killed in the past decade through the use of handguns by criminals. The most effective way to combat the illicit use of handguns by criminals is to provide mandatory prison sentences for anyone who uses a gun in the commission of a crime.

"In addition, the federal government can be of assistance to state and local enforcement efforts by prohibiting the manufacture of so-called "Saturday Night Specials" that have no apparent use other than against human beings and by improving Federal firearms laws and their enforcement.

"At the same time, however, we must make certain that our efforts to regulate the illicit use of handguns does not infringe upon the rights of law-abiding citizens. I am unalterably opposed to federal registration of guns or the licensing of gun owners. I will oppose any effort to impose such requirements as a matter of Federal policy."

Presidential Documents
Vol. 11, No. 25, pp. 658-659

In his State of the Union Message of January 19, 1976, the President said:

"Another major threat to every American's person and property is the criminal carrying a handgun. The way to cut down on the criminal use of guns is not to take guns away from the law-abiding citizen, but to impose mandatory sentences for crimes in which a gun is used, make it harder to obtain cheap guns for criminal purposes, and concentrate gun control enforcement in high crime areas.

"My budget recommends 500 additional Federal agents in the 11 largest metropolitan high crime areas to help local authorities stop criminals from selling and using handguns."

Presidential Documents
Vol. 12, No. 4, pps. 43-53, incl.

More recently, the President emphasized his belief that law-abiding citizens should have the right to keep and bear arms free from Federal restraint. He said:

"The law-abiding citizens of this country should not be deprived of the right to have firearms for their own protection, and if you want to go hunting, you should not have to go down and register your firearms with some Federal official."

REMARKS OF THE PRESIDENT AT THE
MAIN POST OFFICE, Gulfport, Mississippi
September 26, 1976
Presidential Documents
Vol. 12 , No. 40, p. _____

Administration Actions

In July 1975, the President recommended to Congress a four-part program, consisting of:

1. legislation requiring the imposition of a mandatory minimum term of imprisonment for any person convicted of using or carrying a handgun in the commission of Federal offenses;
2. legislation banning the importation, domestic manufacture and sale of cheap, highly concealable handguns -- known as "Saturday Night Specials" -- which have no apparent use other than against human beings;
3. legislation strengthening current law to strike at the illegal commerce in handguns and to emphasize the responsibility of gun dealers to adhere to the law; and
4. expansion, by the Bureau of Alcohol, Tobacco and Firearms, of its firearms investigative efforts in the nation's ten largest metropolitan areas through the immediate employment and training of an additional 500 firearms investigators.

ISSUE: Illegal Aliens

Administration Position

President Ford stated on February 7, 1976:

"We have anywhere from 6 million to 8 million illegal aliens in this country, which is roughly the total amount of unemployment in numbers in this country. It's a very serious matter, and let me tell you what we are trying to do about it.

"Number one, we are working very closely in a new program with the Mexican Government. That is one point of entry where there has been this tremendous increase. The cooperation that we are developing with the Mexican Government, I think, will produce some results in stopping the flow on the one hand.

"When I was in Mexico about 18 months ago, I personally talked to President Echeverria about it.

"Number two . . . we have recommended additional employees for the Immigration and Naturalization Service so that they can do a better job of finding illegal aliens on the one hand and seeking to get them deported on the other hand."

Presidential Documents
Vol. 12, No. 7, p. 140

On April 10, 1976, the President said:

"The Rodino bill has not come out of the committee. It is controversial. There are some who think it puts too much of a burden on the employer and some social agencies feel that it is discriminatory in part in the procedures that are used. Others think this is the most effective way to ferret out and find those illegal aliens that ought to be deported.

"If I have to tilt, I will tilt toward the bill, but I recognize it is extremely controversial, and we will see what happens when it gets down to the White House. I am not making any firm commitments until we see the final bill, but it could be a way to help solve this problem."

Presidential Documents
Vol. 12, No. 16, pps. 625-6

Administration Actions

President Ford created the Domestic Council Committee on Illegal Aliens on January 6, 1975, to develop, coordinate and present policy issues that cut across agency lines to provide better programs for dealing with the illegal aliens problem.

The Department of Justice has contracted a \$1 million study to determine the numbers, location and economic impact of illegal aliens.

The Secretary of State established an Inter-Agency Committee for Study of Problems Related to Illegal Mexican Migration into the United States.

RDP
5-4-76

ISSUE: JOB SECURITY (LAST HIRED, FIRST FIRED)

Administration Position

The question of whether long-standing seniority rules should be changed to counter past discriminatory practices is extremely complex. In many cases it involves the continuing employment rights of both those who have worked hard and long to earn them, and those who have been denied that opportunity. The courts are now considering cases involving these conflicts of rights. Since each case is different, such court action appears the appropriate way of resolving the issue.

The fact is, however, that an unstable economy is the enemy of equal opportunity. Equality of opportunity can be sustained only in the context of economic stability. Therefore, the most important thing the Administration can do in this area is to ensure a stable, growing economy that allows all -- black and white, men and women -- to realize their full potential.

Administration Actions

The Equal Employment Opportunity Commission in conjunction with the Equal Employment Opportunity Coordinating Council is examining the issue of seniority in lay-offs. More generally, however, the President is attempting to restore to America the kind of economic stability and growth which will render consideration of this issue moot.

RDP
12/13/75

ISSUE: JUVENILE DELINQUENCY

Administration Position

In his September 27 speech before the International Association of Chiefs of Police, the President stated:

"We hear more about the rights of juvenile offenders than about the rights of their victims. Forty-five percent of all violent crime is now perpetrated by juveniles. If they are big enough to commit vicious crimes against society, they are big enough to be punished by society.

"Too many violent and street-wise juveniles are using their age as a cloak of immunity. Detention may not help the juvenile, but it will certainly help his potential victims."

President's Remarks before
International Association of Chiefs
of Police, Miami, 9-27-76
Presidential Documents
Vol. 12, No. 40, p. _____

In his special message to the Congress on crime of June 19, 1975, the President said:

"I know that grave questions have been raised by qualified experts about the ability of the corrections system to rehabilitate offenders. These are important and serious questions. They go to the very heart of the corrections system. While the problem of criminal rehabilitation is difficult, we must not give up on our efforts to achieve it, especially in dealing with youthful offenders. Crime by young people represents a large part of crime in general. The 1973 statistics indicate that 45 per cent of persons arrested for all crimes are under 18 years of age. Whatever the difficulty, we must continue our efforts to rehabilitate offenders, especially youthful offenders. To do less would be to write off great numbers of young people as unsalvageable before they have even come of age. I have directed the Attorney General, as Chairman of the Cabinet Committee on Crime Prevention and Rehabilitation, to work in close cooperation with the Secretary of Labor, the Secretary of Health, Education, and Welfare and other concerned agencies of the Executive Branch to ensure that the Federal government is making the best possible use of its resources in this crucial area."

Presidential Documents
Vol. 11, No. 25, p. 658.

Administration Action

Federal efforts in dealing with juvenile delinquency are operated primarily by the Law Enforcement Assistance Administration (LEAA) in the Department of Justice. Through its existing bloc and discretionary grant programs, LEAA contributes funds to State and local governments and other agencies for juvenile delinquency programs. Approximately \$140 million annually has been devoted to projects focusing on delinquency prevention, court services and residential facilities.


The Juvenile Justice and Delinquency Prevention Act of 1974 required additional Federal involvement in the area of juvenile delinquency. An Office of Juvenile Justice and Delinquency Prevention was established in LEAA to coordinate all juvenile delinquency programs and to initiate new projects through a categorical grant program. This office is now in operation and has received numerous grant proposals from interested State, local and other agencies for possible projects.

New projects which are in operation, or planned in the near future, include removing "status offenders" from institutions, increased delinquency prevention and delinquency diversion. Twenty-five million dollars has been appropriated to the OJJDP to enable it to initiate these activities.

The Department of HEW is also involved in juvenile delinquency, with the Runaway Youth Program in the Office of Human Development. This program currently utilizes about \$15 million in Federal funds annually.

At the President's direction, the Cabinet Committee on Crime Prevention and Rehabilitation is attempting to ensure that these programs are having the maximum positive effect.

RDP
9-30-76



ISSUE: Native Americans

Administration Position

The President stated on January 4, 1975: "My Administration is committed to the furthering of self-determination of Indian communities without terminating the special relationships between the Federal Government and the Indian people."

Presidential Documents
Vol. 11, No. 2, p. 18

This policy rejects two extreme approaches of the past: (1) paternalism, under which the Federal Government dominates decision-making in programs conducted within Indian communities and (2) termination, under which Indian people would have to lose the protection of Federal trusteeship responsible for their natural and financial resources to gain some measure of control over their future.

Before signing a proclamation declaring October 10-16, 1976, as "Native American Awareness Week, 1976," the President said:

"The Administration's support for Indian programs is not just rhetoric. We back up our words with action.

"Eight years ago, the Bureau of Indian Affairs -- its budget was \$262 million. Today it is \$777 million. The Indian health budget was \$113 million; today, \$425 million. Our manpower training budget for Indian people is four times bigger than it was only four years ago. The record of support for Indian programs and for the protection of Indian trust rights is clear and precise. America wants those policies to continue, and I can assure you that they will."

Presidential Documents
Vol. 12, No. 42, p. 1479

Administration Actions

On January 4, 1975, the President signed into law S. 1097, the Indian Self-Determination and Educational Assistance Act, which increases the ability of Indian tribes to plan and manage the programs serving their communities (P.L. 93-638). Regulations implementing this law have been published in the Federal Register.

The President's budget for Fiscal Year 1976 includes appropriations to the full extent authorized in the Indian Financing Act of 1974 for direct loans, guaranteed loans, interest subsidies and business development grants for Indians. With respect to the Bureau of Indian Affairs law enforcement efforts, the budget was more than doubled from the \$10 billion spent in Fiscal Year 1975.

On January 2, 1976, the President signed into law a bill amending the Alaska Native Claims Settlement Act of 1971 to rectify inequities, authorize additional benefits for native corporations (including some land belonging to the Tongass National Forest) and provide other benefits.

ISSUE: Needs of the Federal Court System/Judiciary Salaries

Administration Position

The President stated on July 13, 1975:

"Despite the importance of the Judiciary, I think we on the outside do recognize that many of the problems that you face and that you tackle go unnoticed and unreported. Too often, we pay attention only when Federal court decisions are controversial or the problems of court management become overwhelming.

"This Administration supports the recommendations for additional district and circuit court judgeships, which judicial conference studies show are needed. Legislation to create these judgeships needs swift bipartisan action.

"The number of Federal judges and adequate salaries are important issues. But other problems also need attention.

"In my crime message, I strongly supported legislation to expand the jurisdiction of the United States magistrates.

"Action on the scope and process of Federal jurisdiction -- including the range of diversity jurisdiction, the advisability of three-judge courts, possible avenues of Federal-State cooperation and related proposals -- all could help to reduce case-loads.

"The Administration also is aware of the need to consider the judicial impact of any new legislation, and we will examine the potential for litigation arising from our proposals. Too often, Federal laws have been passed without adequate consideration of their effect on Federal courts."

Presidential Documents
Vol. 11, No. 29, pp. 746-747

In his State of the Union address, the President said:

"Additional Federal judges are needed, as recommended by me and the Judicial Conference."

Presidential Documents
Vol. 12, No. 4, p. 49

Administration Actions

The President has requested a comprehensive review of Administration efforts on judicial improvements and an examination of the full spectrum of problems facing the judiciary, including judicial salaries and benefits.

ISSUE: Privacy

Administration Position

The President said on October 9, 1974: "Renewed national efforts to strengthen protections for personal privacy should begin in Washington. We should start by enacting uniform fair information practices for the agencies of the Federal Government. This will give us invaluable operating experience as we continue to examine and recommend needed actions at the State and local level and in the private sector.

"The immediate objective should be to give every citizen the right to inspect, challenge and correct, if necessary, information about him contained in Federal agency records and to assure him a remedy for illegal invasions of privacy by Federal agencies accountable for safeguarding his records. In legislation, the right of privacy, of course, must be balanced against equally valid public interests in freedom of information, national defense, foreign policy, law enforcement, and in a high quality and trustworthy Federal work force."

Presidential Documents
Vol. 10, No. 41, p. 1250

Administration policy is to reduce unwarranted and unnecessary government intrusion into the privacy of individuals and to establish specific safeguards to maintain the right of privacy.

Administration Actions

The President signed into law the Family Educational Rights and Privacy Act guaranteeing student and parent access to school records and restricting disclosures of such records.

Issuance of an Executive Order restricting White House access to income tax returns.

Appointment of several special committees, including one chaired by the Vice President, to investigating alleged abuses by agencies with intelligence gathering functions.

ISSUE: POST CARD REGISTRATION


Administration Position

The President opposes enactment of the so-called Voter Registration Act (authorizing persons to register, by post card, to vote in Federal elections) because such a bill would increase the potential and likelihood for fraud and because it would impinge on the traditional responsibility of the States to register voters. Moreover, at a time when all levels of government are attempting to restrain spending, the creation of a new Federal bureaucracy, with authority to spend huge sums of taxpayers' money, seems most imprudent.

The President signed into law a landmark statute, the Privacy Act of 1974, to safeguard the privacy rights of individuals who, for one reason or another, are subjects of records maintained by Federal agencies and establishing a Privacy Protection Study Commission.

Promulgation of Agency guidelines for the implementation of the Privacy Act on September 27, 1975.

RDP
2/12/76



ISSUE: Repeal of Fair Trade Laws

Administration Position

The President stated on April 28, 1975: "Another element of our program is pending legislation in the Congress, which would end the so-called fair trade laws. Federal law today now permits States to allow manufacturers to dictate the price of their product and drives up the cost on such items as books, cosmetics, shoes and hardware. These depression-era laws, which costs consumers an estimated \$2 billion a year, should be laid to rest, along with the NRA Blue Eagle of the same period."

"In addition, I will propose changes in other laws which restrain competition and deny buyers substantial savings. The Robinson-Patman Act is a leading example of such laws. It discourages both large and small firms from cutting prices, and it also makes it harder for them to expand into new markets and to pass on to consumers the cost savings on large orders."

Presidential Documents
Vol. 11, No. 18, p. 457

Administration Actions

The Administration supported legislation that repealed State Fair Trade laws and it was signed into law by the President on December 12, 1975. The Domestic Council Review Group on Regulatory Reform is currently studying Robinson-Patman revision.

FLM
1/7/76

ISSUE: SPANISH SPEAKING AMERICANS

Administration Position

The Ford Administration is firmly committed to improving the quality of life for the 16 million Americans of Hispanic descent. This includes greater job opportunities and more responsible jobs, greater opportunity to participate in the elective process and greater opportunity to participate in government generally. Each year, the third week of September is proclaimed "National Hispanic Heritage Week." In doing so in 1975 and again in 1976, the President said:

"Men and women of Hispanic origin -- Mexican Americans, Puerto Ricans, Cubans and other Spanish Speaking Americans -- have contributed significantly to the growth of America. They have served with courage and distinction in our Armed Forces. In endeavors as varied as music, architecture, medicine, law, education, literature and religion, Hispanic-Americans have contributed wisdom, beauty and spiritual strength."

NATIONAL HISPANIC HERITAGE WEEK, 1975
A PROCLAMATION, September 8, 1975
Presidential Documents
Vol. 11, No. 37, p. 971

"America's Hispanic heritage was strong even before we achieved our independence. Men and women of Hispanic origin fought in the Revolutionary War and in subsequent conflicts. They have enriched our culture, arts and scholarship. They have used their talents to help America build a society based on ideals of freedom and equality.

"This year is also the sesquicentennial of the Inter-American System, begun 150 years ago with the Congress of Panama. America's Hispanic heritage strengthens the nations of the hemisphere. In celebrating it, we celebrate our mutual commitment to peace and amity."

NATIONAL HISPANIC HERITAGE WEEK, 1976
A PROCLAMATION, September 10, 1976
Presidential Documents
Vol. 12, No. 37, p. 1326

Further, in approving House Joint Resolution 92, concerning the need to improve and better coordinate Federal statistical programs concerning Spanish-surnamed Americans, the President said:

"These Americans represent an important contribution, as well as influence, not only to the enrichment of our society, but to its continuing growth and diversity.

"Mexican-Americans, Puerto Ricans, Cuban-Americans and other Spanish origin Americans have served this Nation with honor in peace as well as in war. To assist them in participating fully in all aspects of American life, more adequate and accurate information is required. Such information gathered through major statistical programs of the Federal Government can help provide the basis for action to assist Americans of Spanish origin or descent in achieving a better life."

Presidential Documents
Vol. 12, No. 25, p. 1060

Administration Actions

In addition to having appointed numerous capable Hispanic Americans to high government offices, President Ford has taken several significant actions manifesting his commitment to Hispanic Americans:

- He advocated and signed legislation extending the protection of the Voting Rights Act to the Spanish speaking.
- He increased from \$42 million to \$70 million Federal assistance for bilingual/bicultural education programs.
- He met with Hispanic American leaders (October 17, 1974), with Spanish-speaking Congressmen (September 4, 1974), and with the National Service Employment Redevelopment Board of Directors (July 17, 1975).

Moreover, the President has directed that the Small Business Administration's Minority Contracting Program be strengthened and made more effective to better serve the needs of the minority business community.

RDP
9-29-76

WOMEN'S RIGHTS

ADMINISTRATION POSITION

President Ford is a strong supporter of women's rights and he has affirmatively addressed himself to this issue on numerous occasions in the past.

ADMINISTRATION ACTIONS

a) Equal Rights Amendment

As a Member of Congress, President Ford was a strong supporter of the Equal Rights Amendment.

Since becoming President, he has spoken out in favor of the ERA on numerous occasions. His most recent statement in support of the Amendment was his August 26, 1976, Women's Equality Day Proclamation. In the Proclamation the President called "upon those States who have not ratified the Equal Rights Amendment to give serious consideration to its ratification and the upholding of our Nation's heritage."

b) Employment and Appointment of Women

The President has made several strong statements regarding his commitment to appoint more women to policy-making positions in his Administration. The first statement was made at a meeting with his women Presidential appointees in August of 1974.

In the President's January 9, 1975, statement on the International Women's Year, he said: "The vast potential of women has only been partially explored. Opening up new doors to approximately half the world's population is vital to solving many of our international problems."

Presidential Documents
Vol. 11, No. 2, p. 30.

The President's March 6, 1975, memorandum to heads of departments and agencies regarding the employment of women and minorities sets the President strongly behind affirmative action to assure that all persons have an opportunity to compete on a fair and equal basis for employment and advancement in the Federal government.

Also, in his April 14, 1975, statement to the IWY Commission, the President reiterated his commitment by saying:

"Statistics on the employment of women in Federal Government demonstrates, I think, the problems that remain in assuring true equal opportunity. . ."

"This Administration, as the records will show, recently reminded the heads of all Federal departments and agencies that a strong affirmative action is needed to see that everyone has the opportunity to compete on a fair and equal basis."

"The Federal government, in my judgment, has a very special responsibility and a special opportunity to set an example and this we intend to do. . ."

Presidential Documents
Vol. 11, No. 16, P. 379.

The most recent statement on employment was made on April 26, 1976, before a group of high-level women in government:

"There have been substantial increases among women serving in elective office, appointive office in the Executive, Legislative and Judicial branches, but we have a long way to go and I pledge that I will continue what we have tried to do, which is to appoint, to nominate more and more women. . ."

c) Enforcement of Laws

The President again said, to IWY Commission members of April 14, 1975:

"Although the growing concern about the special and legal and social problems of women has paved the way for many, many new laws and important court decisions, real change, as I see it, will depend upon the caliber and degree of enforcement."

Presidential Documents
Vol. 11, No. 16, p. 379.

One of the three amendments to the General Revenue Sharing Act proposed by the President was to strengthen the civil rights provisions of the existing statute.

d) Title IX of the Education Amendments of 1972

The President signed the implementing regulations for Title IX on May 27, 1975. The President discussed the opening of new educational opportunities to women in his speech to the Holton Arms graduates. The only published statements of the President regarding Title IX, however, are his letters of July 21, 1975 to Senator Williams and Representative O'Hara in which he expresses concern with allegations that Title IX will destroy intercollegiate athletics. The President does say in those letters that he believes the Regulation is a reasonable implementation of the statute.

With regard to the issue of father-son/mother-daughter events, the President directed the Secretary of Health, Education and Welfare to re-examine the ruling by the Department's Office for Civil Rights that, such events do violate laws prohibiting sex bias.

e) Credit

In August 1974 and October 1974, the President signed two pieces of legislation which included anti-sex discrimination provisions. In signing the most recent of these, the President said:

"Another extremely important provision in this legislation prohibits discrimination on the basis of sex or marital status in the granting or denying of credit. While there has been a voluntary improvement in credit procedures in recent years, women are still too often treated as second-class citizens in the credit world. This legislation officially recognized the basic principle that women should have access to credit on the same terms as men."

Presidential Records
Vol. 10, No. 44, p. 1385.

f) Housing

The President signed the Housing and Community Development Act of 1974 which prohibits discrimination based on sex in the sale, rental or financing of housing.

g) Service Academies

The President signed H.R. 6674 on October 8, 1975. In addition to the bill's authorization, the bill also permits women to be eligible for appointment and admission to the service academies for classes entering in calendar year 1976. Under the bill, women will be subject to the same academic and other relevant standards

- g) for appointment, admission, training, graduation, and commission (except for those minor adjustments required because of physiological differences) applicable to men.

h) Estate and Gift Tax

In the President's tax proposals, he has recommended the elimination of the estate and gift tax on all transfers of assets between spouses (March, 1976). On July 1, 1976, the President made the following remarks with respect to estate tax inequities:

"This problem is not unique to American farm women. It is nothing more or less than a widow's tax, and it is nothing more than a gross injustice."

i) Equality of Rights Under Federal Statute

The President said on July 1, 1976, "Because this Nation is founded on the principle that all citizens share the same rights, what affects the rights of one affects the freedoms of all. . .

More than half a century after women's suffrage became law, much still remains to be done, and all of you are more authoritative than myself on that point. Not just compassion but justice and logic dictate that we remove the inequities that still exist."

To carry out this commitment, the President on July 1, directed the Attorney General to develop, in conjunction with affected Federal agencies, a plan for review of the entire United States Code to identify sex-based provisions not justified in law or supported by wise policy.

j) Child Care

On September 7, 1976, the President signed the Child Day Care Act. Upon signing the bill, the President said:

"Insuring an adequate day care bill for children is an important social service. It protects the well-being of thousands of American children and the economic independence of their working parents."

The President believes that standards for child day care should be developed and enforced at the State level. He does not support the Title XX Federal Interagency Day Care requirements (FIDRC) which are strict, Federally-determined standards. The Child Day Care Act postponed these regulations until October 1, 1977.