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March 4, 1975

SUBJECT: TITLE IX AMENDMENTS TO THE  
EDUCATION ACT

HEW, after receiving public comment on Title IX Amendments to the Education Act, has now forwarded their recommendations to the White House for transmittal to the Hill. There has been a great deal of controversy over the Title IX Amendments because they involve sex discrimination in womens' sports. The original recommendations to HEW included provisions such as: if a college had 100 scholarships for men, they must also have 100 scholarships for women, etc. There is a great deal of interest and controversy over these proposed Amendments, and HEW has said that they have submitted their recommendations to the White House.

Secretary Weinberger has stated that he submitted the Title IX Amendments to the White House last week. When will the President be transmitting these to the Congress?

GUIDANCE: The White House did receive the Title IX Amendments and recommendations from Secretary Weinberger last Friday. These are now being reviewed by the staff and the recommendations will be forwarded to the President within the very near future. However, at this time, I cannot project any time frame for submitting these to the Hill.

JGC

April 11, 1975

SUBJECT:

HOUSE COMMITTEE APPROVES \$6.8 BILLION  
FOR AID TO EDUCATION

The House Appropriations Committee yesterday approved \$6.8 billion for aid to education. The higher funding levels, according to Committee, are needed to prevent cutbacks in present programs swollen by inflation.

What's your reaction to the Appropriations Committee's request for \$6.8 billion for education?

GUIDANCE: As you may know, the level approved by the House Appropriations Committee is more than \$661 million above President Ford's budget proposal, and the President's proposal was \$300 million over the previous year's budget.

I would just remind you that the President has stated that he will do everything possible to keep the budget deficit at \$60 billion, and since this appropriation has to go to the full House and on through the other remaining legislative processes, I don't think it needs any further comment at this time.

JGC

April 17, 1975

SUBJECT:

HOUSE APPROVED \$7.8 BILLION  
APPROPRIATIONS BILL FOR EDUCATION

The House yesterday approved a \$7.8 billion appropriations bill for Education. This is \$1.3 billion above President Ford's request.

What's the President's reaction to the House-passed education appropriation bill?

**GUIDANCE:** In its action yesterday in passing the Appropriations Bill for Education, the Congress added more than \$1.3 Billion to President Ford's budget request in budget authority. If this bill is enacted, it will increase spending in the next fiscal year by over \$300 million and in the subsequent fiscal year, it will increase spending by almost \$600 million.

In taking this action, the House failed to accept the President's budget proposal to reform the impact aid program and the emergency school aid program. These reforms were intended to focus federal assistance in local school districts where the need is greatest. In addition, the House-passed bill would curtail the basic education opportunity grant program for assisting students in need in colleges and universities. Furthermore, the bill as approved by the House would unnecessarily provide additional federal capital contributions to direct government loan programs when similar assistance is already available through federally guaranteed loans which utilize private capital.

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In taking this action, the House failed to accept the President's budget proposal to reform the impact aid program and the emergency school aid program. These reforms were intended to focus federal assistance in local school districts where the need is greatest. In addition, the House-passed bill would curtail the basic education opportunity grant program for assisting students in need in colleges and universities. Furthermore, the bill as approved by the House would unnecessarily provide additional federal capital contributions to direct government loan programs when similar assistance is already available through federally guaranteed loans which utilize private capital.

July 15, 1975

SUBJECT:

EDUCATION APPROPRIATIONS  
BILL OVER BUDGET

The House and Senate will meet this week to vote on final passage of the Education Appropriations Act. The bill is approximately \$1.2 billion over the President's Budget.

What's your reaction to the Education Appropriations Bill and will the President sign it even though it's considerably over his proposed Budget?

GUIDANCE: Our indications are that the Education Appropriations Bill is more than \$1 billion over the President's Budget. We are hopeful that when the House and Senate vote on this Appropriations Bill this week that they will reconsider the Bill and reject these higher funding levels. We are hopeful that the Bill will be recommitted.

July 15, 1975

SUBJECT: EDUCATION APPROPRIATIONS  
BILL OVER BUDGET

The House and Senate will meet this week to vote on final passage of the Education Appropriations Act. The bill is approximately \$1.2 billion over the President's Budget.

What's your reaction to the Education Appropriations Bill and will the President sign it even though it's considerably over his proposed Budget?

GUIDANCE: Our indications are that the Education Appropriations Bill is more than \$1 billion over the President's Budget. We are hopeful that when the House and Senate vote on this Appropriations Bill this week that they will reconsider the Bill and reject these higher funding levels. We are hopeful that the Bill will be recommitted.

July 23, 1975

SUBJECT:

EDUCATION BILL (H.R. 5901)  
AWAITING PRESIDENT'S  
SIGNATURE

Will the President sign H.R. 5901, the Education  
Appropriation Act?

GUIDANCE: As you know, this appropriation is \$1.35 billion over the President's budget request. That is causing a great deal of concern to the President and his advisors.

In addition, there are provisions for continuing the impact aid programs in their present form, whereas we had proposed reform of the Impact Aid program. The President had proposed increasing the amount of funds granted directly to students and decreasing the amounts made available to institutions. Congress did just the opposite.

Therefore, I think it is safe to say that there is considerable concern about the funding levels of the bill, and also concern about several other provisions of the bill.

The President's advisors are in the final process of reviewing this legislation and will be making their recommendations to the President very soon. The last day for action is July 30th.



September 9, 1975

SUBJECT: EDUCATION APPROPRIATIONS ACT  
VETO OVERRIDE

On July 25th, President Ford cast his 35th veto, vetoing the Education Appropriation Act of 1976 (H.R.5901). The cost of this bill is \$7.9 billion, and is approximately \$1.5 billion over budget.

There will be a vote today to override the President's veto of the Education Appropriation Act. Does the President really expect to sustain this veto?

GUIDANCE: This bill is \$1.5 billion over the President's February Budget. The mounting Federal deficit for fiscal year '76 and '77 resulting from this kind of excess, will be paid for by inflation. And inflation hits the poor and elderly on fixed incomes most of all. It also hits education, too, both the students and the educational institutions.

As you are well aware, the President, drew his deficit line earlier this year, at \$60 billion. Failure of Congress to act thus far on the President's legislative proposals has already breached this line. Congress, in its April concurrent budget resolution, drew their deficit line higher, at \$68.8 billion. This line is surely breached substantially unless Congress, beginning now, takes positive action to prevent it. Unless Congress takes new efforts at expenditure control, they will be forced into voting for even higher deficits in its second concurrent budget resolution, on which it expects to act by November 1st.

This bill not only adds to the deficit for FY '76, (\$350 million), but it will boost by over \$800 million in 1977 (\$837 million); \$125 million in the transition quarter, and more beyond.

Therefore, sustaining the President's veto on this bill and taking another hard look at the sound reasons for that veto--both the \$1.5 billion excess over the President's Budget and programmatic shortcomings--is not only sound but essential unless we want to gamble with double digit inflation and its inevitable companion, even worse recession.

(More)

What provisions of the bill is the President particularly concerned about?

GUIDANCE: The bill is \$479 million over the budget on impact aid. As the President's Message said, "no single program is more bankrupt than the Impact Aid Program." Starting with President Eisenhower, every Chief Executive has recommended reform or abolition of Impact Aid. The issue isn't whether the Federal Government should aid local school districts where military or other Federal employees and their families don't pay taxes like others who use the schools. Of course we should. The issue is whether we should keep pouring Federal taxpayers' dollars into school districts--including some of the richest in the country--where our military and Federal employees pay local taxes like everyone else. For example, Montgomery County, Maryland--the richest county in the country--last year received \$7 million even though parking lots in the county's local high schools are overflowing with student cars and the thousands of Federal employees who live there virtually all live in private housing and pay their taxes.

The bill also provides \$150 million more than the President's Budget request for elementary and secondary education.

In the area of student assistance, the original request was for \$1.6 billion in student loan funds. This bill is \$368 million above that request.

PART 4—REMEDIES

§ 1712. Formulating remedies; applicability

In formulating a remedy for a denial of equal educational opportunity or a denial of the equal protection of the laws, a court, department, or agency of the United States shall seek or impose only such remedies as are essential to correct particular denials of equal educational opportunity or equal protection of the laws.

Pub.L. 93-380, Title II, § 213, Aug. 21, 1974, 88 Stat. 516.

Effective Date. Section effective on and after sixtieth day after Aug. 21, 1974, see section 2(c) of Pub.L. 93-380, set out as a note under section 241b of this title. Legislative History. For legislative history and purpose of Pub.L. 93-380, see 1974 U.S.Code Cong. and Adm.News. p. —.

§ 1713. Priority of remedies

In formulating a remedy for a denial of equal educational opportunity or a denial of the equal protection of the laws, which may involve directly or indirectly the transportation of students, a court, department, or agency of the United States shall consider and make specific findings on the efficacy in correcting such denial of the following remedies and shall require implementation of the first of the remedies set out below, or of the first combination thereof which would remedy such denial:

- (a) assigning students to the schools closest to their places of residence which provide the appropriate grade level and type of education for such students, taking into account school capacities and natural physical barriers;
- (b) assigning students to the schools closest to their places of residence which provide the appropriate grade level and type of education for such students, taking into account only school capacities;
- (c) permitting students to transfer from a school in which a majority of the students are of their race, color, or national origin to a school in which a minority of the students are of their race, color, or national origin; *OPEN ENROLLMENT*
- (d) the creation or revision of attendance zones or grade structures without requiring transportation beyond that described in section 1714 of this title;
- (e) the construction of new schools or the closing of inferior schools;
- (f) the construction or establishment of magnet schools; or
- (g) the development and implementation of any other plan which is educationally sound and administratively feasible, subject to the provisions of sections 1714 and 1715 of this title.

Pub.L. 93-380, Title II, § 214, Aug. 21, 1974, 88 Stat. 517.

Effective Date. Section effective on and after sixtieth day after Aug. 21, 1974, see section 2(c) of Pub.L. 93-380, set out as a note under section 241b of this title. Legislative History. For legislative history and purpose of Pub.L. 93-380, see 1974 U.S.Code Cong. and Adm.News. p. —.

§ 1714. Transportation of students—Limitation to school closest or next closest to place of students' residence

(a) No court, department, or agency of the United States shall, pursuant to section 1713 of this title, order the implementation of a plan that would require the transportation of any student to a school other than the school closest or next closest to his place of residence which provides the appropriate grade level and type of education for such student.

Health risks; impingement on educational process

(b) No court, department, or agency of the United States shall require directly or indirectly the transportation of any student if such transportation poses a risk to the health of such student or constitutes a significant impingement on the educational process with respect to such student.

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**School population changes resulting from population changes**

(c) When a court of competent jurisdiction determines that a school system is desegregated, or that it meets the constitutional requirements, or that it is a unitary system, or that it has no vestiges of a dual system, and thereafter residential shifts in population occur which result in school population changes in any school within such a desegregated school system, no educational agency because of such shifts shall be required by any court, department, or agency of the United States to formulate, or implement any new desegregation plan, or modify or implement any modification of the court approved desegregation plan, which would require transportation of students to compensate wholly or in part for such shifts in school population so occurring.

Pub. L. 93-380, Title II, § 215, Aug. 21, 1974, 88 Stat. 517.

**Effective Date.** Section effective on and after sixtieth day after Aug. 21, 1974, see section 2(c) of Pub.L. 93-380, set out as a note under section 241b of this title.

**Legislative History.** For legislative history and purpose of Pub.L. 93-380, see 1974 U.S.Code Cong. and Adm.News. p. —.

**§ 1715. District lines**

In the formulation of remedies under section 1712 or 1713 of this title, the lines drawn by a State, subdividing its territory into separate school districts, shall not be ignored or altered except where it is established that the lines were drawn for the purpose, and had the effect, of segregating children among public schools on the basis of race, color, sex, or national origin.

Pub.L. 93-380, Title II, § 216, Aug. 21, 1974, 88 Stat. 518.

**Effective Date.** Section effective on and after sixtieth day after Aug. 21, 1974, see section 2(c) of Pub.L. 93-380, set out as a note under section 241b of this title.

**Legislative History.** For legislative history and purpose of Pub.L. 93-380, see 1974 U.S.Code Cong. and Adm.News. p. —.

**§ 1716. Voluntary adoption of remedies**

Nothing in this subchapter prohibits an educational agency from proposing, adopting, requiring, or implementing any plan of desegregation otherwise lawful, that is at variance with the standards set out in this subchapter nor shall any court, department, or agency of the United States be prohibited from approving implementation of a plan which goes beyond what can be required under this subchapter, if such plan is voluntarily proposed by the appropriate educational agency.

Pub.L. 93-380, Title II, § 217, Aug. 21, 1974, 88 Stat. 518.

**Effective Date.** Section effective on and after sixtieth day after Aug. 21, 1974, see section 2(c) of Pub.L. 93-380, set out as a note under section 241b of this title.

**Legislative History.** For legislative history and purpose of Pub.L. 93-380, see 1974 U.S.Code Cong. and Adm.News. p. —.

**§ 1717. Reopening proceedings**

A parent or guardian of a child, or parents or guardians of children similarly situated, transported to a public school in accordance with a court order, or an educational agency subject to a court order or a desegregation plan under title VI of the Civil Rights Act of 1964 in effect on August 21, 1974, and intended to end segregation of students on the basis of race, color, or national origin, may seek to reopen or intervene in the further implementation of such court order, currently in effect, if the time or distance of travel is so great as to risk the health of the student or significantly impinge on his or her educational process.

Pub.L. 93-380, Title II, § 218, Aug. 21, 1974, 88 Stat. 518.

**Effective Date.** Section effective on and after sixtieth day after Aug. 21, 1974, see section 2(c) of Pub.L. 93-380, set out as a note under section 241b of this title.

**Legislative History.** For legislative history and purpose of Pub.L. 93-380, see 1974 U.S.Code Cong. and Adm.News. p. —.

§ 1718. Limitation on court orders; termination of orders conditioned upon compliance with fifth and fourteenth amendments; statement of basis for termination orders; stay of termination orders

Any court order requiring, directly or indirectly, the transportation of students for the purpose of remedying a denial of the equal protection of the laws may, to the extent of such transportation, be terminated if the court finds the defendant educational agency has satisfied the requirements of the fifth or fourteenth amendments to the Constitution, whichever is applicable, and will continue to be in compliance with the requirements thereof. The court of initial jurisdiction shall state in its order the basis for any decision to terminate an order pursuant to this section, and the termination of any order pursuant to this section shall be stayed pending a final appeal or, in the event no appeal is taken, until the time for any such appeal has expired. No additional order requiring such educational agency to transport students for such purpose shall be entered unless such agency is found not to have satisfied the requirements of the fifth or fourteenth amendments to the Constitution, whichever is applicable.

Pub.L. 93-380, Title II, § 219, Aug. 21, 1974, 88 Stat. 518.

**Effective Date.** Section effective on and after sixtieth day after Aug. 21, 1974, see section 2(c) of Pub.L. 93-380, set out as a note under section 241b of this title. **Legislative History.** For legislative history and purpose of Pub.L. 93-380, see 1974 U.S.Code Cong. and Adm.News, p. —.

#### PART 5—DEFINITIONS

##### § 1720. Definitions

For the purposes of this subchapter—

(a) The term "educational agency" means a local educational agency or a "State educational agency" as defined by section 881(k) of this title.

(b) The term "local educational agency" means a local educational agency as defined by section 831(f) of this title.

(c) The term "segregation" means the operation of a school system in which students are wholly or substantially separated among the schools of an educational agency on the basis of race, color, sex, or national origin or within a school on the basis of race, color, or national origin.

(d) The term "desegregation" means desegregation as defined by section 2000c(b) of Title 42.

(e) An educational agency shall be deemed to transport a student if any part of the cost of such student's transportation is paid by such agency.

Pub.L. 93-380, Title II, § 221, Aug. 21, 1974, 88 Stat. 518.

**Effective Date.** Section effective on and after sixtieth day after Aug. 21, 1974, see section 2(c) of Pub.L. 93-380, set out as a note under section 241b of this title. **Legislative History.** For legislative history and purpose of Pub.L. 93-380, see 1974 U.S.Code Cong. and Adm.News, p. —.

#### PART 6—MISCELLANEOUS PROVISIONS

##### § 1721. Separability of provisions

If any provision of this subchapter or of any amendment made by this subchapter, or the application of any such provision to any person or circumstance, is held invalid, the remainder of the provisions of this subchapter and of the amendments made by this subchapter and the application of such provision to other persons or circumstances shall not be affected thereby.

Pub.L. 93-380, Title II, § 223, Aug. 21, 1974, 88 Stat. 519.

**Effective Date.** Section effective on and after sixtieth day after Aug. 21, 1974, see section 2(c) of Pub.L. 93-380, set out as a note under section 241b of this title. **Legislative History.** For legislative history and purpose of Pub.L. 93-380, see 1974 U.S.Code Cong. and Adm.News, p. —.

September 16, 1975

SUBJECT:

EMERGENCY SCHOOL AID FOR  
BOSTON AND LOUISVILLE

In the President's press conference today, he said Boston had already received funds to assist them in desegregating, and he thought Louisville had also. Many questions have arisen as to the amount of money given to Boston and Louisville. The following should answer this.

Under the Emergency School Aid program, \$215 million is available for supplies and services in schools which are desegregating. Of this amount, the following has been allocated:

Boston	\$4,956,000
Louisville	\$1,258,000

Not to be confused with the Emergency School Aid program is the Elementary and Secondary Education Act. Title I of this Act provides \$1.9 billion to school districts based on the number of low income children in the area. This money is also used for supplies and services.

JGC

## "QUALITY EDUCATION"

Q. You have said that you favor a "quality" education for all Americans. How do you propose to achieve this for children of ghetto areas without busing and without reverting to the unconsitutional system of seperate but equal schools?

A. We are dealing here with two seperate concepts.

First, I am dedicated to the constitutional principle of desegregated schools. And we are looking for ways less disruptive than busing to achieve this constitutional imperative.

Second, I also believe that every American child is entitled to a good education. But a good education is not easily achieved. In fact, recent studies have raised questions about many of the factors we once considered enough -- money, smaller classes, and so forth. I have, therefore, asked the appropriate people in my administration to look into this subject and to make recommendations.

BUSING

Q. Do you favor a constitutional amendment to prohibit busing of school children to remedy the effects of past discrimination?

A. As I have stated in the past, I do not favor a constitutional amendment for that purpose.

But I am always willing to listen to the opinions of others and will be meeting soon with Sen. John Tower, who does favor such an amendment, to hear his views.



THE WHITE HOUSE

WASHINGTON

June 10, 1976

MEMORANDUM FOR RON NESSEN  
FROM: JIM SHUMAN  
SUBJECT: NEA BRIEFING BOOK

The attached Question and Answer Briefing Book has been prepared for the President's interview tomorrow morning with the president of the National Education Association.

The questions were submitted in advance. They are being asked of all the Presidential candidates. They will be asked, I'm told in numerical order. The NEA asked for an hour. We gave them a half-hour, but the President could extend the time for a few additional questions, if he desires.

The taped interview will be shown at the NEA convention in three weeks, as will similar interviews with other candidates.

In your discussion with the President prior to the interview you should suggest he make the following points:

1. That he remembers well the meeting he had with the NEA Board on May 2, 1975. (A copy of his remarks is attached.)
2. To call NEA members TEACHERS, not educators. They are very sensitive on this point.

3. To put a positive spin on his replies. Our position is often at variance with the goals of NEA official policy (but perhaps not at variance with the views of all their members.) In his answers, the President should indicate he is in sympathy with NEA's goals, but that limitations in money or areas government should legitimately enter often preclude providing us exactly the support the question seems to demand. I think the Q & A's submitted point in that direction, but a reminder to the President may be helpful.

If asked about busing, the President should say as little as possible. The tape will not be shown for three weeks. If pressed, not that his administration is looking into busing, and note that he undoubtedly will have specific recommendations by the time the tape is shown.

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F JIM CAVANAUGH

TO TERRY O'DONNELL FOR THE PRESIDENT

INFO RON NESSEN  
PAUL O'NEILL

UNCLAS RH61262

MEMORANDUM FOR TERRY O'DONNELL/COPY TO RON NESSEN PAUL O'NEILL

SUBJECT: HIGHER EDUCATION

THE PRESIDENT BELIEVES THAT NO STUDENT SHOULD BE DENIED ACCESS TO A POST-SECONDARY EDUCATION BECAUSE OF FINANCIAL BARRIERS. THOSE WITH GREATEST FINANCIAL NEED SHOULD RECEIVE FEDERAL GRANTS. THOSE WHOSE NEED IS NOT AS GREAT, BUT STILL SIGNIFICANT, SHOULD BE AIDED IN THEIR EFFORTS TO BORROW FUNDS TO MEET THE COSTS OF HIGHER EDUCATION.

THE PRESIDENT'S SUPPORT OF GRANTS AND LOANS REFLECTS HIS BELIEF THAT HIGHER EDUCATION AID SHOULD BE FOCUSED ON INDIVIDUALS RATHER THAN INSTITUTIONS. IN THIS WAY THE STUDENT--THE CONSUMER IN THE EDUCATION PROCESS--CAN EXERCISE INDIVIDUAL CHOICE ON THE BASIS OF THE KIND OF EDUCATION HE WANTS.

IN FY 77 THE PRESIDENT HAS MADE BUDGET REQUESTS TOTALING \$1.379 BILLION FOR THE BASIC EDUCATIONAL OPPORTUNITY GRANT PROGRAM. THE PROGRAM IS EXPECTED TO SERVE 1.3 MILLION NEEDY STUDENTS. THE PRESIDENT HAS COMMITTED THE ADMINISTRATION TO FULL FUNDING OF THIS PROGRAM IF ITS STRUCTURE IS NOT ALTERED BY CONGRESS.

OTHER FY 77 ADMINISTRATION ACTION IS AS FOLLOWS:  
--A FUNDING LEVEL OF \$44 MILLION FOR THE STATE STUDENT INCENTIVE GRANT PROGRAM. THIS IS THE SAME FIGURE CONGRESS RECOMMENDS.  
--\$400 MILLION IN SUBSIDIES FOR LOANS MADE UNDER THE GUARANTEED STUDENT LOAN PROGRAM. THIS IS IN LINE WITH CONGRESSIONAL ACTION AND REPRESENTS OVER \$1 BILLION IN

\*\*\*\*\* W H S R C O M M E N T \*\*\*\*\*

CAVANAUGH

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PAGE 21

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\*\*\*\*\*U N C L A S S I F I E D\*\*\*\*\*S COPY

LOANS DURING THE 76-77 ACADEMIC YEAR TO APPROXIMATELY  
1 MILLION STUDENTS.

--\$258 MILLION FOR THE COLLEGE WORK-STUDY PROGRAM. CONGRESS  
FUNDING LEVEL IS \$428 MILLION.

--\$118 MILLION FOR THE DEVELOPING INSTITUTIONS PROGRAM  
(OVER HALF GOES TO HISTORICALLY BLACK COLLEGES). THIS IN  
LINE WITH CONGRESSIONAL LEVEL.

--\$62 MILLION FOR SPECIAL PROGRAMS FOR THE DISADVANTAGED. THE  
FY 76 APPROPRIATION WAS \$78.3 MILLION AND CONGRESS CAN BE EXPECTED  
TO MEET OR INCREASE THAT FIGURE FOR FY 77.

--PROPOSED ELIMINATION OF THE SUPPLEMENTAL EDUCATION  
OPPORTUNITY GRANT PROGRAM. CONGRESS, HOWEVER, WILL CONTINUE  
AT LEAST AT FY 76 FUNDING LEVEL OF \$243 MILLION.

--NO NEW CAPITAL CONTRIBUTIONS FOR THE NATIONAL DIRECT STUDENT  
LOAN PROGRAM. CONGRESS WILL CONTINUE AT LEAST FY 76  
FUNDING LEVEL OF \$332 MILLION.

--ELIMINATION OF THE VETERANS COST OF INSTRUCTION PROGRAM.  
CONGRESS WILL CONTINUE THIS PROGRAM AT AROUND THE FY 76 FUNDING  
LEVEL OF \$23.7 MILLION.

IN FY 76 THE PRESIDENT REQUESTED \$17.5 MILLION FOR THE FUND  
FOR IMPROVEMENT OF POSTSECONDARY EDUCATION WHILE THE CONGRESS  
APPROPRIATED \$13.5 MILLION. IN FY 76 THE PRESIDENT REQUEST \$16.7  
MILLION FOR THE NATIONAL CENTER FOR EDUCATION STATISTICS WHILE  
THE CONGRESS APPROPRIATED \$13 MILLION. IN FY 76 THE PRESIDENT  
REQUESTED \$88 MILLION FOR THE NATIONAL INSTITUTE OF EDUCATION  
WHILE CONGRESS APPROPRIATED \$78 MILLION.

CHG. 13

THE MAJOR RESPONSIBILITY OF THE NATIONAL SCIENCE FOUNDATION  
(NSF) IS SUPPORT OF BASIC RESEARCH. THE LARGE MAJORITY OF THE  
AWARDS ARE MADE TO SCIENTISTS AND ENGINEERS AT COLLEGES AND  
UNIVERSITIES. THE FY 76 BUDGET FOR NSF WAS \$732 MILLION, AND THE  
PRESIDENT IS RECOMMENDING AN 11 PERCENT INCREASE IN FY 77 TO  
\$812 MILLION.

THE ADMINISTRATION HAS SOUGHT TERMINATION OF GI BILL  
BENEFITS FOR NEW ENTRANTS INTO THE ALL VOLUNTEER  
ARMED FORCES. UNDER THE GI BILL IN FY 76 \$3.394 BILLION IN  
BENEFITS FLOWED TO EDUCATIONAL INSTITUTIONS, PRIMARILY COLLEGES  
AND UNIVERSITIES. THE ADMINISTRATION'S PROPOSED IS NOT LIKED IN  
THE EDUCATION COMMUNITY.

0622

THE WHITE HOUSE

WASHINGTON

Fact Sheet on Title IX Regulations

1. Statute: Title IX of the Education Amendments of 1972 (20 U. S. C. sections 1681 et seq.) provides that...

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance....

2. Regulation Process:

Proposed Regulation: HEW published in Federal Register a proposed regulation on June 20, 1974 for comment. More than 9,700 comments were received from institutions, associations, professionals, women's groups, coaches, students, and parents. The comment period closed October 15, 1974.

Congressional Review: The Education Amendments of 1974 (Section 509(a)(2) of P. L. 93-380) require regulations of this nature to be submitted to Congress for 45 days. Pending determination of the constitutionality of the Congressional review of regulation, the President upon final approval would submit under protest the Title IX regulations for Congressional review for the 45 day period.

The HEW Regulation: On February 28, Secretary Weinberger signed Final Title IX Regulation and transmitted them to the President for his final review. The HEW regulation contains 125 pages of text and explanation.

Timing: There can be no projected date for the Presidential response. The White House is endeavoring to analyze the regulation as expeditiously as possible. The proposed effective date of the regulation is July 1, 1975.

3. Scope of Regulation:

The HEW final regulation would assert the Department into nearly all facets of American Education and the operations there of.

The Department outlines the major issues as the following:

- a. Physical Education classes and Sex Education
- b. Domestic Scholarships and Financial Assistance
- c. Foreign Scholarship
- d. Exemption of Private Undergraduate Professional Schools
- e. Pension Benefits
- f. Discrimination in Athletic
- g. Athletics

4. President's Role:

The reason the President is reviewing the regulation is that statute requires his approval of the final. In the coming weeks the President will make an exhaustive review of the problems posed by Title IX. His objectives will be to meet the legal requirements of the statute while considering practical needs of those affected by the regulations.

5. The regulations are not for public release. At this time, the transmission by HEW to the White House institutes an interagency exercise which is exempted under Section B(5) of the Freedom of Information Act.