

**The original documents are located in Box 22, folder “Mass Transit - Labor Protective Agreements (6)” of the James M. Cannon Files at the Gerald R. Ford Presidential Library.**

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[Sept. 1976]

THE WHITE HOUSE  
WASHINGTON

JMC

We need a sense of timing  
from Cheney. If a decision is  
near, we can hold our replies.  
But if a decision is delayed, we  
may want to frame a reply in  
the interim.

Allen



8:00

THE WHITE HOUSE  
WASHINGTON

Mr. Cannon:

Allen thinks is probably  
what you sent to Cheney. We  
have looked and cannot find a  
cover memo.

File  
BC

k

THE WHITE HOUSE

WASHINGTON

September 2, 1976

MEMORANDUM FOR THE PRESIDENT

FROM: JIM CANNON

SUBJECT: Implementation of Your Decisions  
Regarding Section 13c of the Urban  
Mass Transportation Act

The Departments of Transportation and Labor have agreed to guidelines which cover the decisions you reached in four areas:

- setting forth time limits;
- multi-year certifications;
- granting of a single certificate for a single Federal grant;
- publishing regulations.

The fifth issue and the one over which there is most disagreement, negative declaration, remains unresolved. At your meeting with Bill Coleman and Bill Usery you indicated resolution of this issue could await completion of certain studies in September.

The two Departments do not want to have their agreement on the four points (Tab A) made public at this time, for different reasons:

DOT believes the negative declaration issue can and should be resolved in its favor in the next few weeks. DOT feels that if we go public on four issues and leave out the most controversial one, we will seem to be indecisive.



Under Secretary of Labor Mike Moskow believes that we should postpone making the new guidelines public until after a period of informal consultation with union officials, and between management and union officials. DOL does not believe the negative declaration issue should be addressed at this time.

Bill Usery is out of the country, and Moskow advises that Usery is strongly opposed to the negative declaration.

Both Coleman and Moskow agree that if we do not go public on the most sensitive issue we will still make the unions mad, but get little or no praise from the transition operators, city and county officials and others who oppose l3c.

The fact that Labor and Transportation have agreed on four issues has already leaked to some of the interested parties.

The long delay from the time of your meeting with Coleman and Usery (August 2, 1976) until now has heightened this controversy.

RECOMMENDATION

That you reaffirm your decision of July 20 (Tab B), inform Secretary Usery after he returns (Sunday), and issue a clear statement resolving this matter (Tab C).



THE WHITE HOUSE

WASHINGTON

September 2, 1976

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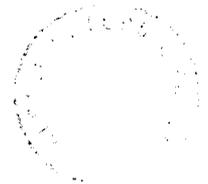
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RECOMMENDATION

That you reaffirm your decision of July 20 (Tab B), inform Secretary Usery after he returns (Sunday), and issue a clear statement resolving this matter (Tab C).



NOTE: 13(c) is in Cheney's hands, and Cheney will speak with Usery.

dictated by JMC, 9/3/76

13C

THE WHITE HOUSE  
WASHINGTON

Date 9/3

TO: *Jim Cannon*  
FROM: DAVID LISSY

*Mike Moskow reports he met with McCallister on the 13C problem and assured him the matter would receive top level attention and not be decided at the staff level.*

*ML*

*Done -  
OK  
Thank you*



090324



DL

**Southern California Rapid Transit District**  
425 South Main St., Los Angeles, California 90013  
Telephone: (213) 972-6655

BYRON E. COOK  
President

September 17, 1976

Honorable Gerald R. Ford  
President of the United States  
The White House  
Washington, D.C. 20515

Dear Mr. President:

For more than a year transit operators throughout the country have been seeking a resolve to their problems with Section 13(c) of the Urban Mass Transportation Act of 1964, as amended.

In June of this year, the Domestic Council initiated a study of this matter. You asked that the Secretaries of Labor and Transportation advise you of their recommendations for improving the administration of Section 13(c).

It is my understanding that both reports are in the hands of your Executive Director of the Domestic Council, and that a final decision will be forthcoming.

The Southern California Rapid Transit District strongly favors implementation of the five major provisions outlined in the Department of Transportation's report. Particularly, the District urges your support of the "negative declaration" recommendation as it would apply to operating assistance grants pursuant to Section 5 of the Urban Mass Transportation Act of 1964, as Amended.

The amendment to the Urban Mass Transportation Act of 1964, which you signed into law in November of 1974, has provided vitally needed operating assistance to transit properties nationwide. It would be unfortunate if the full spirit of that legislation were jeopardized due to procedural weaknesses in the labor protective arrangements of the Act.

SEP 21 1976

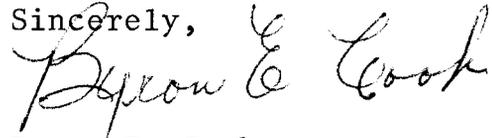
Hon. Gerald R. Ford

-2-

9/20/76

In order that the full benefits of federal aid to public transportation can be realized, I urge your support of the Domestic Council's recommendations.

Sincerely,



Byron E. Cook  
President, Board of Directors  
Southern California  
Rapid Transit District

cc: James M. Cannon  
William T. Coleman, Jr.  
William J. Usery, Jr.  
Bill Stokes, APTA  
Senator Alan Cranston  
Senator John Tunney



**SOUTHERN CALIFORNIA  
RAPID TRANSIT DISTRICT**

425 SOUTH MAIN • LOS ANGELES, CALIFORNIA 90013

Honorable Gerald R. Ford  
President of the United States  
The White House  
Washington, D.C. 20515

THE WHITE HOUSE  
WASHINGTON

Sept. 22, 1976

TO: DICK CHENEY

FROM: JIM CANNON Jmc

I keep getting calls about 13(c).

Did you ever get a solution to  
this from Secretary Usery?



JOHN, H. ROUSSELOT  
26TH DISTRICT, CALIFORNIA

COMMITTEES:  
BANKING AND CURRENCY  
POST OFFICE AND CIVIL SERVICE  
JOINT ECONOMIC COMMITTEE

Congress of the United States  
House of Representatives

Washington, D.C. 20515

SEP 22 11 30 AM '76  
September 20, 1976

cc: Hope  
McConahey  
Quern

WASHINGTON OFFICE:  
1706 LONGWORTH BUILDING  
202-225-4206

DISTRICT OFFICE:  
735 W. DUARTE ROAD  
SUITE 403  
ARCADIA, CALIFORNIA 91006  
213-447-8125

Mr. James Cannon  
Director  
The Domestic Council  
The White House  
Washington, D.C. 20500

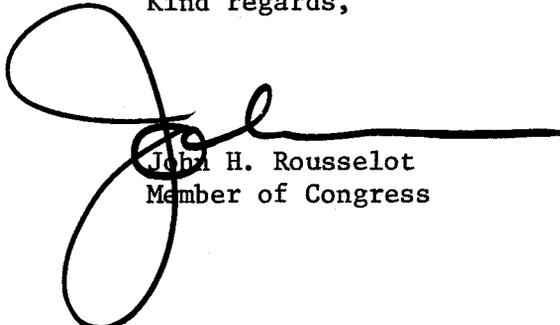
Dear Jim:

It is hoped that you have had an opportunity to review Supervisor Pete Schabarum's letter to the President regarding 13(c).

Although Pete's letter deals specifically with the issue of the negative declaration, it would be appreciated if you would provide me with a status report on the 13(c) issue.

Jim, I am most grateful for your assistance.

Kind regards,



John H. Rousselot  
Member of Congress

JHR:tp  
Enclosure



092211



BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES  
856 HALL OF ADMINISTRATION / LOS ANGELES, CALIFORNIA 90012

(213) 974-4111

PETER F. SCHABARUM  
SUPERVISOR, FIRST DISTRICT

September 14, 1976

Honorable Gerald R. Ford  
President of the United States  
The White House  
Washington, D.C. 20515

Dear Mr. President:

For more than a year transit operators throughout the country have been seeking a resolve to their problems with Section 13(c) of the Urban Mass Transportation Act of 1964.

In June of this year, with your help and direct involvement, the Domestic Council issued a report outlining four provisions. You asked the Secretaries of Labor and Transportation to advise you by June 10, 1976 as to the feasibility of the Domestic Council's recommendations.

It is my understanding that both reports are in the hands of your Executive Director of the Domestic Council, Mr. James Cannon. I further understand, as expected, the Department of Labor is against the regulations, and in particular, the recommendation dealing with a negative declaration.

Almost 90 percent of the nation's transit operations are operated either directly or indirectly by locally-elected officials. The Department of Labor's stand against a negative declaration in essence says that local elected officials cannot be trusted to declare that Federal grants will not have an adverse impact on transit employees. The Domestic Council's proposal would shift the present burden of proof of adverse impact from local transit operators to the unions. This, Mr. President, in my opinion is as it should be.

The Department of Transportation concurs in the recommendations of the Domestic Council; only the Department of Labor, who throughout the years has been in the business of protecting labor unions, has balked.

Honorable Gerald R. Ford  
Page 2  
September 14, 1976

The Department of Transportation has granted millions of dollars to transit districts nationwide. However, the nation is still without a viable transit system in many cities. The problem simply put is, in Los Angeles County two out of three dollars are provided by the taxpayers. Out of these same three dollars, 85 percent is for salaries and benefits. Mr. President, our tax dollars are paying for union pork-barreling and not for improved transportation.

Speaking as a local elected official who must subsidize our transit operation with tax dollars, as well as a former member of our local transit district, I urge you to issue an Executive Order which includes all the recommendations of the Domestic Council as well as those of the Department of Labor.

Sincerely yours,

PETE SCHABARUM  
Supervisor, First District

PS:dsc





**MARTIN J. CARR**  
**SENIOR DEPUTY**

**PETER F. SCHABARUM**  
**SUPERVISOR, FIRST DISTRICT**  
**COUNTY OF LOS ANGELES**

**856 HALL OF ADMINISTRATION**  
**LOS ANGELES, CALIF. 90012**  
**974-1003**

cc: Hope  
Lissy  
McConahey



**BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES**

856 HALL OF ADMINISTRATION / LOS ANGELES, CALIFORNIA 90012

(213) 974-4111

976 SEP 15 3 12 PM '76

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September 14, 1976

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President of the United States  
The White House  
Washington, D.C. 20515

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C94112

Honorable Gerald R. Ford  
Page 2  
September 14, 1976

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PS:dsc



*Chris*

THE WHITE HOUSE  
WASHINGTON

Sept. 22, 1976

TO: DICK CHENEY

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SEP 22 1976  
September 20, 1976

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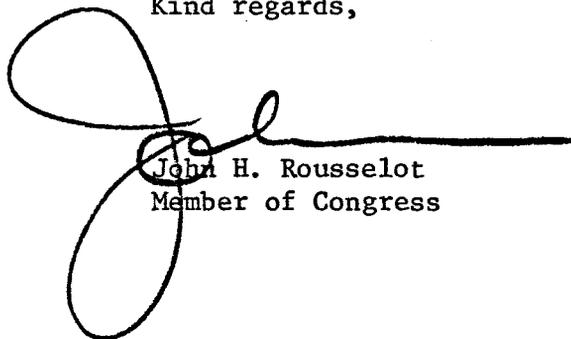
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Member of Congress

JHR:tp  
Enclosure



0902-10



BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

856 HALL OF ADMINISTRATION / LOS ANGELES, CALIFORNIA 90012

(213) 974-4111

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Sincerely yours,

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Supervisor, First District

PS:dsc



THE WHITE HOUSE

ACTION

WASHINGTON

September 22, 1976

MEMORANDUM FOR: JIM CANNON  
FROM: JUDY HOPE *JH*  
DAVID LISSY *DL*  
SUBJECT: UMTA Section 13(c)

Twelve transit officials from cities across the country have sent separate telegrams to the President urging changes in 13(c) procedures, and stressing the need for the "negative declaration" concept in connection with operating subsidies. Pete Schabarum (L.A.) wrote the President on the same subject on September 14.

We are holding these items for reply and seek your guidance on the nature of our reply.



*Pending 13-C*

THE WHITE HOUSE  
WASHINGTON

Sept. 24, 1976

TO: JIM CAVANAUGH

FROM: JIM CANNON

SUBJECT: 13(c)

Dick has had 13(c) for several weeks. Can you help us find out where it stands?

Thanks.

cameron



*Ant on 10/1/76*

THE WHITE HOUSE  
WASHINGTON

DECISION

September 27, 1976

*J. Ann  
Zeller*

MEMORANDUM FOR: JIM CANNON  
FROM: JUDITH RICHARDS HOPE  
SUBJECT: UMTA 13(c)

*JRH*

I attach a quick list of persons writing the White House in the present mail/telegram campaign urging 13(c) action.

David Lissy and I are awaiting your guidance before responding.

Attachment

cc:  
Jim Cavanaugh  
David Lissy



092718

[ca. 9/27/76]

Correspondence regarding UMTA Section 13(c)      COMPUTER

<u>Received</u>	<u>Addressor</u>
9-13-76	1 Glenn Anderson. (MC-California) referred to DOT 2 John Tower (Senate-Texas) referred to DOT
9-16-76	3 B. R. Stokes, Ex. Director of American Public Transit Association
9-21-76	4 Doug Kelm, Chairman of the Metropolitan Transit Commission of St. Paul, Minnesota
9-22-76	5 Fred H. Thoma, Omaha Transit Authority
9-23-76	Phoenix Transit System, Phoenix, Arizona
	6 Clare Loudenslager, Lansing Capital Area Transportation Authority
	David Arnett, River City, Kentucky Transit Authority
	Board of Director, Duluth Transit Authority
	Worcester Regional Transit Authority
	William R. Blue, Flint Mass Transportation Authority
	C. R. Walsh, Tacoma Transit System
	7 Paul F. McGinnis, Wichita Metropolitan Transit Authority
	James H. Harris, III, Nashville Metropolitan Transit Authority
	8 David L. Yunich, New York Metropolitan Trans- portation Authority
9-24-76	Leonard Ronis, Greater Cleveland Regional Transit Authority
	Alfred E. Smith, Chattanooga Area Regional Transportation Authority
	Robert A. Osborne, Bay County Metropolitan Transportation Authority (Michigan)
	Bob Salmon, Topeka Metropolitan Transit Authority
	William R. Blue, Flint Mass Transportation Authority
	T. O. Price, San Diego Transit Corporation



Correspondence regarding UMTA Section 13(c) direct to Mrs. Hope

<u>Date</u>	<u>Addressor</u>
9-14-76	Peter F. Schabarum, Supervisor, Board of Supervisors County of Los Angeles (envelope addressed to President) letter addressed to President ✓
	Peter F. Schabarum, (same letter as one prior to this listing but envelope addressed to Richard Cheney)
	Peter F. Schabarum, (same letter as last two but the envelope addressed to Steve McConahey)
9-16-76	B. R. Stokes, American Public Transit Association
9-20-76	William R. Blue, General Manager, Flint Mass Trans- portation Authority (mailgram)
9-20-76	Frank A. Kleinhenz, City of Albuquerque, Albuquerque Transit System (mailgram)
9-20-76	San Diego Transit Corporation (mailgram) ✓
9-20-76	Richard J. Simonetta, Ex. Dir., Cumberland-Dauphin- Harrisburg Transit Authority (mailgram)
9-20-76	Bob Salmon, Gen. Manager, Topeka Metropolitan Transit Authority (mailgram)
9-20-76	Paul F. McGinnis, Ex. Dir., Wichita Metropolitan Transit Authority <del>xxxxxxx</del> (letter)
9-20-76	Clinton W. Kanaga, Kansas City Area Transportation Authority (mailgram)
9-20-76	South Coast Area Transit, Ventura, California (mailgram)
9-20-76	Alfred E. Smith, Chairman, Chattanooga Area Regional Transportation Authority (mailgram)
9-21-76	Robert A. Osborne, Gen. Manager, Bay County Metropolitan Transportation Authority (Michigan) (mailgram)
9-21-76	Clare Loudenslager, Ex. Dir., Capital Area Transportation Authority, Lansing, Michigan (mailgram)
9-21-76	Chairman Forchielli, Allentown, Penna.
9-22-76	Fred H. Thoma, Chairman of the Board, The Transit Authority of the City of Omaha (mailgram)
9-22-76	Fred H. Thoma, Chairman of the Board, The Transit Authority of the City of Omaha (mailgram)
9-22-76	Gerald E. Mayo, President, Board of Trustees, Central Ohio Transit Authority

THE WHITE HOUSE  
WASHINGTON  
September 30, 1976

MEMORANDUM FOR: RICHARD B. CHENEY  
FROM: JAMES M. CANNON  
SUBJECT: UMTA Section 13(c)

For the last 10 days to 2 weeks the transit industry, as well as State and local officials, have been conducting a mail-telegram-telephone campaign urging White House action on 13(c), stressing the need to implement the negative declaration concept.

We have now received approximately 50 inquiries, including letters or telegrams from: John Tower, Bud Shuster, Del Clawson, Bob Lagomarsino, Pete Schabarum, Marilyn Lloyd, and Cliff Allen.

Thus far, we have not responded but I feel some response should be transmitted by Monday, October 4, at the latest.

May I have your views on the direction of that response?

Comment:



THE WHITE HOUSE

WASHINGTON

September 30, 1976

MEMORANDUM FOR: JIM CANNON  
FROM: JUDITH RICHARDS HOPE   
SUBJECT: UMTA 13(c)

I attach a draft memorandum on this issue from you to Dick Cheney, which I recommend you transmit.

CLEARANCE SHEET

13(c)

DATE: 9-30-76

JMC ACTION

Required by: \_\_\_\_\_

STAFF RESPONSIBILITY JRHope *[Signature]*

SUBJECT: Draft Memorandum to Dick Cheney

UMTA 13(c)

RECEIVED FROM: \_\_\_\_\_ DATE RECEIVED: \_\_\_\_\_

STAFF COMMENTS:

QUERN/MOORE RECOMMENDATION:

- APPROVE
- REVIEW & COMMENT
- DISCUSS

*We need to try again to move this off dead center*  
*[Signature]*

CANNON ACTION:

DATE:

Material Has Been:

- Signed and forwarded
- Changed and signed
- Returned per conversation
- Noted

\_\_\_\_\_  
JIM CANNON

Comment:

JMTA

f.

THE WHITE HOUSE  
WASHINGTON

October 4, 1976

076 Oct 5 1976

MEMORANDUM TO: DICK CHENEY  
FROM: JIM CANNON  
SUBJECT: Response on 13(c)

With your concurrence, this is the response we will use on 13(c).

Usery and Coleman concur.

*Jim C. 10/5/76*  
*D.K. - note*  
*Suggested omission*

10/5/76

THE WHITE HOUSE

WASHINGTON

October 4, 1976

Dear

The President has asked me to respond to your recent (telegram) (letter) (telephone call) regarding procedures under 13(c) of the Urban Mass Transit Act. *[As you may]*

*know,* *Recently* The President directed Secretaries Utery and Coleman to review the 13(c) process to determine how red tape could be cut in granting Federal transit funds while, at the same time, protecting the rights of transit employees.

*[*After careful study,*]* Secretaries Utery and Coleman *Have* reached agreement on four of the five issues which the President asked them to resolve. The fifth, the "negative declaration" issue, is still under review because of *[*complex*]* legal, contractual and perhaps Constitutional questions which it presents.

Thank you for your interest and concern about this vital issue. We believe our progress to date is an important part of the President's effort to simplify Government regulation and make Government more responsive to the people.

Very truly yours,

James M. Cannon



**MARTIN J. CARR**  
**SENIOR DEPUTY**

**PETER F. SCHABARUM**  
**SUPERVISOR, FIRST DISTRICT**  
**COUNTY OF LOS ANGELES**

**856 HALL OF ADMINISTRATION**  
**LOS ANGELES, CALIF. 90012**  
**974-1003**

READING

LAW OFFICES

ROTHSCHILD, BARRY & MYERS

TWO FIRST NATIONAL PLAZA

CHICAGO, ILLINOIS 60603

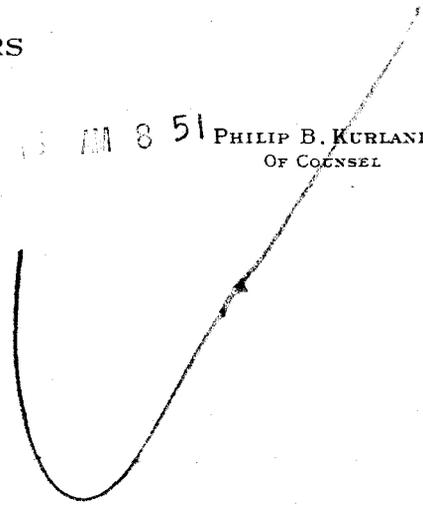
(312) 372-2345

PHILIP B. KURLAND  
OF COUNSEL

EDWARD I. ROTHSCHILD  
NORMAN J. BARRY  
WILLIAM G. MYERS  
MELVIN I. MISHKIN  
JOHN J. COFFEY III  
ALAN L. UNIKEL  
JEROME M. DEVANE  
JOSEPH P. DELLA MARIA, JR.  
ROGER J. GUERIN

1976 OCT 13 AM 8 51

October 4, 1976



Mr. Peter F. Schabarum  
County of Los Angeles  
Board of Supervisors  
856 Hall of Administration  
Los Angeles, California 90012

Dear Mr. Schabarum:

James McDonough, acting Chairman of the Chicago Transit Authority sent telegrams to the entire Illinois Congressional Delegation, the President, the Secretary of Labor, Secretary of Transportation, and the interested members of the White House staff supporting the position taken in your letter of September 14, 1976. In addition, Mr. McDonough spoke personally with Daniel Rostenkowski, the leader of the Cook County Congressional Delegation, and asked for his personal intervention and support of our 13(c) position.

With kindest personal regards,

Sincerely,

*Norman J. Barry*

NJB:ek

*Marty*  
*S*



file

THE WHITE HOUSE

WASHINGTON

October 4, 1976

MEMORANDUM TO: DICK CHENEY  
FROM: JIM CANNON  
SUBJECT: Response on 13(c)

With your concurrence, this is the response we will use on 13(c).

Usery and Coleman concur.



THE WHITE HOUSE

WASHINGTON

October 4, 1976

Dear

The President has asked me to respond to your recent (telegram) (letter) (telephone call) regarding procedures under 13(c) of the Urban Mass Transit Act. As you may know, the President directed Secretaries Utery and Coleman to review the 13(c) process to determine how red tape could be cut in granting Federal transit funds while, at the same time, protecting the rights of transit employees.

After careful study, Secretaries Utery and Coleman reached agreement on four of the five issues which the President asked them to resolve. The fifth, the "negative declaration" issue, is still under review because of complex legal, contractual and perhaps Constitutional questions which it presents.

Thank you for your interest and concern about this vital issue. We believe our progress to date is an important part of the President's effort to simplify Government regulation and make Government more responsive to the people.

Very truly yours,

James M. Cannon



THE WHITE HOUSE  
WASHINGTON  
October 4, 1976

*final  
draft  
10/4 4:15*

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final 4:00  
10/4

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James M. Cannon



THE WHITE HOUSE  
WASHINGTON  
October 6, 1976

*Handwritten initials and signature:*  
HL  
Hed

MEMORANDUM FOR: JIM CANNON  
THROUGH: ART QUERN  
FROM: JUDITH RICHARDS HOPE *JRH*  
SUBJECT: UMTA 13(c)--Considerations on the  
Announcement of Simplified Procedures

We are preparing approximately 100 letters for your signature in response to the 13(c) inquiries we have had in the last several weeks. As you know, these letters will indicate that four of the five 13(c) issues have been resolved, but will not outline the changes.

The four changes are significant to the transit industry and have been approved by the Secretary of Labor. They represent reform of regulations which several prior Administrations have been unable to change.

We should therefore give appropriate attention to the announcement of these changes.

I recommend that, on or before October 20, Secretary Usery announce the four changes which have been agreed upon, giving deserved credit to the President for achieving these results. The specific guidelines which have been drafted and ok'd could be issued then, together with a copy of Usery's statement.

On October 20 in San Francisco, Secretary Coleman is speaking to the Annual Convention of the American Public Transit Association, the group most concerned with 13(c) reform. There will be 2,500-3,000 transit officials there including local and county officials.

Bill Coleman could speak in greater detail about the reformed procedures to the APTA Convention. Copies of the statement and the new guidelines could be available there.



Issue 1. How should this announcement be made?

- A. Send the draft letter: have no formal announcement \_\_\_\_\_.
- B. Approve the proposed Usery/Coleman announcement \_\_\_\_\_.
- C. Disapprove the proposed Usery/Coleman announcement \_\_\_\_\_.

Issue 2. If you approve a formalized announcement, then your draft letter should either:

- A. be revised to be a more general response.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

or,

- B. be held until we can state in it that the improved 13(c) procedures have just been announced.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

THE WHITE HOUSE

WASHINGTON

October 6, 1976

UMTA  
J

MEMORANDUM FOR: JIM CANNON

THROUGH: ART QUERN

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SUBJECT: UMTA 13(c)--Considerations on the  
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100621

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Approve \_\_\_\_\_ Disapprove \_\_\_\_\_



file  
J.R.H.

THE WHITE HOUSE  
WASHINGTON  
October 19, 1976

MEMORANDUM FOR: JIM CANNON  
FROM: JUDITH RICHARDS HOPE   
SUBJECT: Urban Mass Transportation Act, Section 13(c)

I attach a list of the Congressional people who have contacted us within the last month or so in connection with 13(c). You may wish to inform these people that significant steps have been taken to resolve a number of the problems in connection with the administration of this section.

I suggest the following talking points:

1. The President asked Secretaries Usery and Coleman for their joint recommendations to simplify procedures under Section 13(c) of the UMTA Act, while still protecting legitimate employee interests.
2. Their joint recommendations have resulted in four major accomplishments in the administration of the 13(c) process.
  - (1) Simple guidelines to govern 13(c) have been agreed upon. These guidelines will be published shortly.
  - (2) Under these guidelines the Department of Labor will require only a single certification for a given UMTA grant decision, thereby reducing paperwork, delay, and the number of times local transit operators must come to the Federal Government for approval.
  - (3) The guidelines will set time limits for the 13(c) process so that approvals can be obtained more quickly.



10/19/76

- (4) The guidelines will include provisions for re-certifications or "piggy-backing" certifications based on existing agreements between transit labor and management. This should help cut the red tape in the 13(c) process.
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Conable, Barber A. Jr. New York (225-3615)

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~~Symington, Stuart Missouri (224-6154)~~

~~Bolling, Richard Missouri (225-4535)~~

~~Lloyd, Marilyn Tennessee (225-3271)~~

Lagomarsino, Robert J. California (225-3601)

Frenzel, Bill Minnesota (225-2871)

Rogers, Paul G. Florida (225-3001)

Martin, James G. North Carolina (225-1976)

Clawson, Del California (225-3576)

Devine, Samuel L. Ohio (225-5355)

~~Allen, Clifford Tennessee (225-4311)~~



THE WHITE HOUSE

WASHINGTON

October 19, 1976

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At this point, a number of major issues have been resolved and we expect that these efforts will result in the publication of guidelines to help simplify the 13(c) process. The "negative declaration" issue which you raised is still under review because of complex legal questions which it presents.

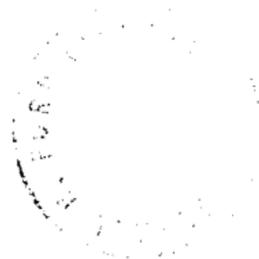
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Sincerely,

James M. Cannon  
Assistant to the President  
for Domestic Affairs

Mr. Byron E. Cook  
President  
Board of Directors  
Southern California Rapid Transit  
District  
425 South Main Street  
Los Angeles, California 90013

THE WHITE HOUSE



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Board of Directors  
Southern California Rapid Transit  
District  
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Board of Directors  
Southern California Rapid Transit  
District  
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Los Angeles, California 90013

JMC:bmr



October 19, 1976

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October 19, 1976

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Board of Directors  
Southern California Rapid Transit  
District  
425 South Main Street  
Los Angeles, California 90013

JMC:bmr





**Southern California Rapid Transit District**  
425 South Main St., Los Angeles, California 90013  
Telephone: (213) 972-6655

BYRON E. COOK  
President

September 17, 1976

Honorable Gerald R. Ford  
President of the United States  
The White House  
Washington, D.C. 20515

Dear Mr. President:

For more than a year transit operators throughout the country have been seeking a resolve to their problems with Section 13(c) of the Urban Mass Transportation Act of 1964, as amended.

In June of this year, the Domestic Council initiated a study of this matter. You asked that the Secretaries of Labor and Transportation advise you of their recommendations for improving the administration of Section 13(c).

It is my understanding that both reports are in the hands of your Executive Director of the Domestic Council, and that a final decision will be forthcoming.

The Southern California Rapid Transit District strongly favors implementation of the five major provisions outlined in the Department of Transportation's report. Particularly, the District urges your support of the "negative declaration" recommendation as it would apply to operating assistance grants pursuant to Section 5 of the Urban Mass Transportation Act of 1964, as Amended.

The amendment to the Urban Mass Transportation Act of 1964, which you signed into law in November of 1974, has provided vitally needed operating assistance to transit properties nationwide. It would be unfortunate if the full spirit of that legislation were jeopardized due to procedural weaknesses in the labor protective arrangements of the Act.



Hon. Gerald R. Ford

-2-

9/20/76

In order that the full benefits of federal aid to public transportation can be realized, I urge your support of the Domestic Council's recommendations.

Sincerely,

ORIGINAL SIGNED BY

Byron E. Cook

**Byron E. Cook**

**President, Board of Directors  
Southern California**

**Rapid Transit District**

cc: James M. Cannon  
William T. Coleman, Jr.  
William J. Usery, Jr.  
Bill Stokes, APTA  
Senator Alan Cranston  
Senator John Tunney



13-C

THE WHITE HOUSE  
WASHINGTON

October 19, 1976

1976 OCT 20 AM 7 32

MEMORANDUM FOR THE FILE

FROM: JUDITH RICHARDS HOPE  
SUBJECT: UMTA Section 13(c)

Art Quern has just informed me (3:20 p.m.) that Jim Cannon has given him the go-ahead to permit Secretary Bill Coleman to announce tomorrow (at the APTA Convention in San Francisco) that agreement has been reached on four of the five 13(c) issues. Secretary Coleman may also enunciate what these four items are: establishing simple guidelines, multi-year certifications, Piggy-backing of certifications on standard operating assistance-type grants, and setting time limits.

I have passed this word on to Secretary Coleman as well as to Paul Ehrhardt at UMTA, who is writing the Secretary's speech. With respect to the "negative declaration issue," I told both of them that was still under review because of the complicated legal issues which it raises.

(Note: I find Larry Yud of DOL already announced this this morning to APTA's 13(c) subcommittee.)

cc:  
Art Quern  
David Lissy

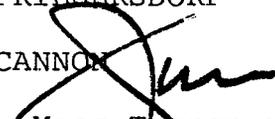
Tuesday  
Dirt for 5, 13c og-11  
written for



UPTA

THE WHITE HOUSE  
WASHINGTON

October 22, 1976

MEMORANDUM TO: MAX FRIEDERSDORF  
FROM: JIM CANNON   
SUBJECT: Urban Mass Transportation Act,  
Section 13(c)

It seems to me that it would be more appropriate for you to talk with the members of Congress about our program on 13(c). However, if you like, I will be glad to have our staff do it.

Attachments



THE WHITE HOUSE

WASHINGTON

October 19, 1976

MEMORANDUM FOR: JIM CANNON

FROM: JUDITH RICHARDS HOPE 

SUBJECT: Urban Mass Transportation Act, Section 13(c)

I attach a list of the Congressional people who have contacted us within the last month or so in connection with 13(c). You may wish to inform these people that significant steps have been taken to resolve a number of the problems in connection with the administration of this section.

I suggest the following talking points:

1. The President asked Secretaries Usery and Coleman for their joint recommendations to simplify procedures under Section 13(c) of the UMTA Act, while still protecting legitimate employee interests.
2. Their joint recommendations have resulted in four major accomplishments in the administration of the 13(c) process.
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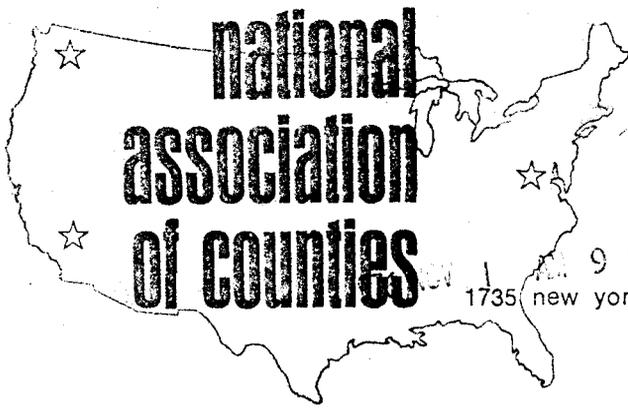
10/19/76

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Devine, Samuel L. Ohio (225-5355)  
Allen, Clifford Tennessee (225-4311)





INFORMATION  
13c

9 07

1735 new york avenue, n.w., washington, d.c. 20006

(202) 785-9577

October 27, 1976

The Honorable William J. Usery, Jr.  
Secretary of Labor  
200 Constitution Avenue N.W.  
Washington, D.C. 20210

Dear Mr. Secretary:

The National Association of Counties appreciates the efforts you and members of your staff have recently undertaken to prepare draft guidelines for the improved administration of Section 13(c) of the Urban Mass Transportation Act.

While we have not yet had an opportunity for a thorough review of the proposed draft guidelines, we did want to take this opportunity to thank you for the work to date.

We recognize the importance of the work that still lies ahead, in reviewing the proposed guidelines and working toward effective implementation of improved procedures. And we pledge our continued efforts to work as closely as possible with you in seeking equitable arrangements for all involved.

Sincerely,

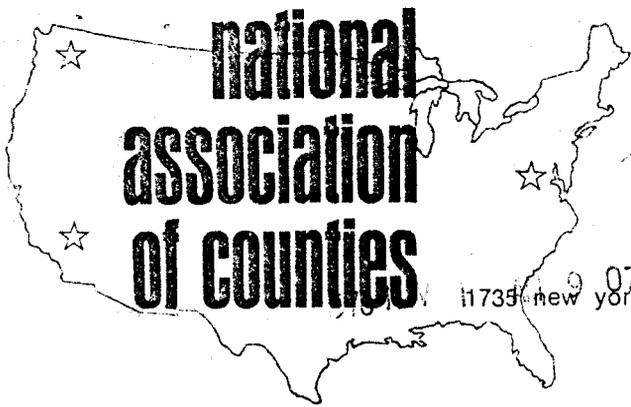
Pete Schabarum, Chairman  
NACo 13(c) Task Force

PS/jca

cc: Moscow Hope  
DeLury McConahey  
Yud Lissy  
✓Cannon



11016



1735 New York Avenue, N.W., Washington, D.C. 20006

(202) 785-9577

October 27, 1976

The President  
The White House  
Washington, D.C. 20500

Dear Mr. President:

On behalf of the National Association of Counties, let me express our appreciation for the significant recent progress within your Administration in dealing with the very serious concerns we have represented to you regarding implementation of Section 13(c) of the Urban Mass Transportation Act.

We recognize clearly the important effort which lies ahead, in analyzing the proposed draft guidelines and working toward effective implementation of improved procedures.

We are also pleased that the Administration will continue to press toward development of a legal base for speedy application of the negative declaration concept to 13(c).

Thank you, Mr. President. We look forward to working closely with members of your Administration in the work that remains ahead of us.

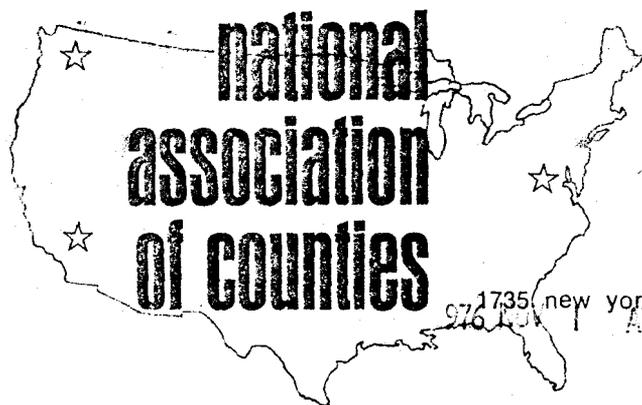
Respectfully yours,

Pete Schabarum, Chairman  
NACo 13(c) Task Force

PS/jca

cc: Coleman	Cannon
Hooker	Hope
Patricelli	McConahey
McManus	Lissy





1735 new york avenue, n.w., washington, d.c. 20006  
976 NOV 1 AM 9 07

(202) 785-9577

October 27, 1976

The Honorable William T. Coleman  
Secretary of Transportation  
400 7th Street S.W.  
Washington, D.C. 20590

Dear Mr. Secretary:

On behalf of the National Association of Counties, I wish to applaud your leadership and thank you deeply for your efforts to improve the administration of Section 13(c) of the Urban Mass Transportation Act.

As you know, the National Association of Counties has been urging administrative improvements along the lines you recently outlined at the American Public Transit Association meeting.

We recognize clearly the important effort which lies ahead, in analyzing the proposed draft guidelines and working toward effective implementation of improved procedures.

We are also pleased that you will continue to develop a legal base for speedy application of the negative declaration concept to 13(c).

Thank you, Mr. Secretary. We look forward to working closely with the Department in the work that remains ahead of us.

Sincerely,

*Pete Schabarum*  
Pete Schabarum, Chairman  
NACo 13(c) Task Force

PS/jca

cc: Hooker                      Hope  
    Patricelli                  McConahey  
    McManus                    Lissy  
    Cannon



THE WHITE HOUSE

WASHINGTON

October 27, 1976

Dear Congressman McCollister:

I am writing in response to your recent inquiry regarding procedures under 13(c) of the Urban Mass Transportation Act. As you know, the President has directed Secretaries Usery and Coleman to review the 13(c) process to determine how red tape could be cut in granting Federal transit funds while, at the same time, protecting the rights of transit employees.

On October 20, the Department of Labor announced that all the major issues except one have been resolved.

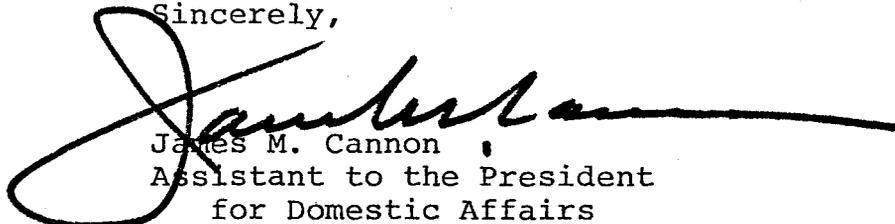
The major accomplishments to date are:

- Simple guidelines to govern 13(c) have been agreed upon. These guidelines will be officially published shortly.
- Under these guidelines the Department of Labor will require only a single certification for a given UMTA grant decision, thereby reducing paperwork, delay, and the number of times local transit operators must come to the Federal Government for approval.
- The guidelines will set time limits for the 13(c) process so that approvals can be obtained more quickly.
- The guidelines will include provisions for recertification or "piggy-backing" certifications based on existing agreements between transit labor and management. This should help cut the red tape in the 13(c) process.

One issue, "negative declaration," is still under review because of complex legal questions which it presents.

Thank you for your interest and concern about these important issues related to the 13(c) procedures. We believe our progress to date is an important part of the President's effort to simplify Government regulation and make Government more responsive to the people.

Sincerely,



James M. Cannon  
Assistant to the President  
for Domestic Affairs

Honorable John Y. McCollister  
U.S. House of Representatives  
Washington, D.C.



134

THE WHITE HOUSE

WASHINGTON

November 15, 1976

Gentlemen:

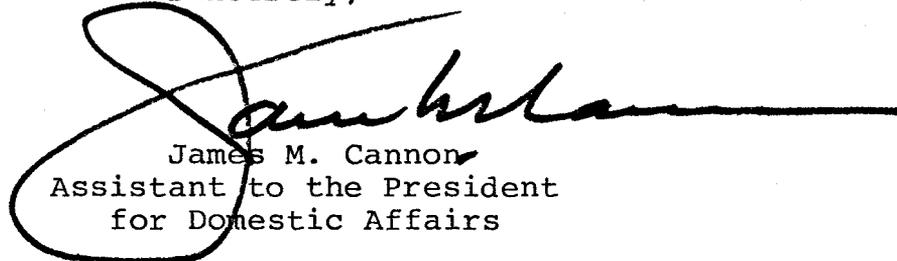
This is in reply to your recent resolution regarding procedures under 13(c) of the Urban Mass Transportation Act. As you know, the President directed Secretaries Uesery and Coleman to review the 13(c) process to determine how red tape could be cut in granting Federal transit funds while, at the same time, protecting the rights of transit employees.

On October 20, the Department of Labor announced that all the major issues except one have been resolved. Copies of the proposed regulations dealing with the issues which have been resolved are now available through the office of the Secretary of Labor.

One issue, that of "negative declaration," is still under review because of complex legal questions which it presents.

Thank you for your interest and concern about these important issues related to the 13(c) procedures. We believe our progress to date is an important part of the President's effort to simplify Government regulation and make Government more responsive to the people.

Sincerely,



James M. Cannon  
Assistant to the President  
for Domestic Affairs

Board of Supervisors  
County of San Bernardino  
County Civic Building  
175 West Fifth Street  
San Bernardino, California 92415

MINUTES OF THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY, CALIFORNIA

RE: TRANSPORTATION: GEN'L: REQUEST MODIFICATION TO CURRENT PROCEDURES CONCERNING  
TRANSPORTATION LABOR PROTECTIVE AGREEMENTS - SECTION 13(c): RESOLUTION #R-76-292

On motion of Supervisor Townsend, dully seconded by Supervisor Smith and carried, the following resolution of the Board of Supervisors of the County of San Bernardino, State of California, is hereby adopted:

RESOLUTION NO. R-76-292

Resolution urging President Ford to issue an executive order to modify current procedures regarding Transportation Labor Protective Agreements, Section 13(c).

WHEREAS, the County of San Bernardino, California, supports public transit as a member of a joint powers entity entitled "Omnitrans" which acts as the operator of the public transit system; and

WHEREAS, the County of San Bernardino, California, supports this public transit system through its use of local transportation funds derived from local sales tax revenues; and

WHEREAS, the use of the local transportation funds is authorized for the support of transit system or for the construction and improvement of county highway facilities; and

WHEREAS, funds available for the construction and improvements of county highways have been reduced due to inflation caused by higher materials costs, increased labor costs, and increased administration costs created by Federal red tape; and

WHEREAS, it is desirous to use a greater portion of local transportation funds for the construction and improvement of county highway facilities sorely needed for the protection of the traveling public and the movement of goods within the County of San Bernardino; and

WHEREAS, Urban Mass Transportation funding has been withheld pending adoption of the National Model Agreement by Omnitrans as negotiated by and between the American Public Transit Association and various labor organizations; and

WHEREAS, the current procedures utilized by the Secretary of Labor in the administration of the Transportation Labor Protection Agreement, Section 13(c) are highly restrictive and relieve locally elected officials of their ability to deal directly with transit labor problems;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of San Bernardino County:

Urges President Ford to issue an executive order which would put into effect procedural changes currently under review that would streamline the procedures of Section 13(c) and most importantly adopt the concept of implementation of negative declaration procedure for operating assistance projects.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Bernardino, State of California, by the following vote:-

AYES: SUPERVISORS: Townsend, Smith, Hansberger  
NOES: SUPERVISORS: None  
ABSENT: SUPERVISORS: Mayfield

STATE OF CALIFORNIA  
COUNTY OF SAN BERNARDINO ss.

I, LEONA RAPOPORT, Clerk of the Board of Supervisors of San Bernardino County, California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by said Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board of its meeting of  
OCTOBER 25, 1976

Dated: 10/28/76

LEONA RAPOPORT  
Clerk of said Board.

cc: President Ford  
Senator Tunney  
Senator Cranston  
NACO

Eduard Schenk  
Duty

CLERK, BOARD OF SUPERVISORS

COUNTY OF SAN BERNARDINO  
COUNTY CIVIC BUILDING  
2ND FLOOR, 175 WEST FIFTH STREET  
SAN BERNARDINO, CALIFORNIA 92415



The President  
The White House  
Washington, D.C. 20500

USA

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THE WHITE HOUSE  
WASHINGTON

1976 NOV 12 PM 5 08 Date November 12, 1976

TO: JIM CANNON

FROM: JUDITH RICHARDS HOPE  
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- For your information  
 For your appropriate Handling  
 For your review and comment  
 Return to me  
 Return to file  
 Return to central files
- 

Comments:

Letter for the San Bernardino County  
Board of Supervisors--UMTA 13(c)

*I recommend sign.*

*A Moon*



*111505*

THE WHITE HOUSE  
WASHINGTON

DEC 2 1976 11 8 54

December 2, 1976

MEMORANDUM FOR:

JIM CANNON

FROM:

DAVID LISSY *DL*

SUBJECT:

13C

I called Mike Moskow Thursday morning and asked him to report back to me by Monday as to how DOL intends to implement the decisions on the 13 C issue. Mike bristled at any suggestion that DOL would not take appropriate action but, in fact, this is a case where due deliberate speed could equate to non-action before January 20.

Mike said he believed DOL intended to publish proposed new rules at the end of December and then call for formal comments. If that happens, there will be no final action possible during this Administration. I have asked Mike to determine if there is any legal impediment to actual immediate implementation of the already announced decisions.

*Handled - 13c*

*Thanks -*

*Is DOT*

*in frame?*

*Jim*

*John*

THE WHITE HOUSE  
WASHINGTON

076 LLS 00 12 2 40

December 22, 1976

MEMORANDUM FOR: JIM CANNON

FROM: DAVID LISSY *DL*

SUBJECT: 13C

Mike Moskow confirmed today that DOL will send the 13C package to the Federal Register by the end of this month. Mike indicated that DOL has been consulting with NACO, APTA, the unions and other interested parties.

cc:

Art Quern  
Judy Hope  
Steve McConahey

