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THE WHITE HOUSE

WASHINGTON

December 31, 1975

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR: JAMES M. CANNON  
FROM: JAMES E. CONNOR  
SUBJECT: Letter from Governor Bennett  
of Kansas of December 22, 1975

The President has requested that the attached letter from Governor Bennett be sent to you for action with a copy to Jim Lynn.

Please follow-up with the appropriate action.

cc: Dick Cheney  
Jim Lynn

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THE WHITE HOUSE  
WASHINGTON

Dec. 31

Staff Secretary:

The President has seen this letter.  
He would like the original sent to  
Jim Cannon with a copy to Jim Lynn.

Dorothy

P.S. I don't know why Jim Falk sent  
this letter to me.

THE WHITE HOUSE  
WASHINGTON

Date December 29, 1975

TO: DOROTHY DOWNTON

FROM: JIM FALK

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         For your information

  xx   For your appropriate handling

         For your review and comment

         Return to me

         Return to file

         Return to central files

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Comments: The attached was directed to  
Mr. Falk and also opened by him.

We are forwarding it to you for  
your handling.

Thanks.

STATE OF KANSAS



OFFICE OF THE GOVERNOR  
State Capitol  
Topeka

ROBERT F. BENNETT  
Governor

December 22, 1975

PERSONAL

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

Dear Mr. President:

First of all may I thank you for being willing to share two and a half hours of your most valuable time in meeting with the Governors on the state of the states. As the chief executive of Kansas now going through our small budget process with a somewhat friendly legislature I can appreciate what a sacrifice of time last Thursday had to be.

You will recall that nearly each Governor emphasized over and over again the costly federal restrictions and requirements that were quietly and insidiously eating away at the limited state dollars. On my return I received from the Chancellor of our University a courtesy copy of a letter from Ms. Susan Fratkin, the Director of Special Programs of the National Association of State Universities and Land-Grant Colleges, which illustrates, in one small area, the difficulties we are encountering with the faceless bureaucracy.

I realize that you do not have time to be concerned with this minutia and normally I would not trouble you with it. At the same time I am also convinced that you want to do something to cut government costs and I thought you might find this report of interest.

The Honorable Gerald R. Ford  
December 22, 1975  
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Olivia joins me in sending to you and the entire Ford family our very best wishes for a joyous holiday season and for a happy and productive (and victorious) new year.

Very sincerely,



Robert F. Bennett  
Governor of Kansas

RFB:pc

NATIONAL ASSOCIATION  
OF STATE UNIVERSITIES  
AND LAND-GRANT COLLEGES

*I hope the attached material  
will be of interest to you.*

One

SUSAN FRATKIN, Director of Special Programs  
One Dupont Circle, N.W., Suite 710 - Washington, D. C. 20036

December 10, 1975

Mr. Bernard E. DeLury  
Assistant Secretary  
for Employment Standards  
U.S. Department of Labor  
200 Constitution Avenue  
Washington, D.C. 20210

Dear Mr. DeLury:

On behalf of the National Association of State Universities and Land-Grant Colleges, we submit the following response to the proposed affirmative action obligations for disabled veterans and veterans of the Vietnam era, as published in the Federal Register, October 22, 1975. This Association, through its Veterans Affairs Committee, has taken an active role in furthering the education of veterans as well as in strongly supporting the training and employment of all veterans, including the disabled and those of the Vietnam era. We have strongly supported the concepts set forth in the Vietnam Era Veterans' Readjustment Assistance Act of 1974.

The promulgation of these Guidelines, to further augment mandatory requirements established in 1972, raises many questions, several of which have been addressed by the American Council on Education in their response. We concur with and support their statement, but wish to give emphasis to some further issues.

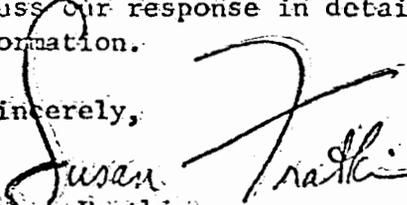
We are strongly concerned over the promulgation of yet another set of Guidelines for affirmative action, and more importantly, with the extensive duplication and requirements mandated herein which go far beyond those placed upon our institutions by other Federal agencies in similar regulations and guidelines. While other agencies, EEOC and IRS, are satisfied with the maintenance of records for a period of two years, these proposed regulations would require that we maintain employment records for disabled and Vietnam era veterans for three years. Furthermore, we have just responded to guidelines for affirmative action for the handicapped; yet, the disabled are also included here as a separate handicapped category, while the handicapped guidelines appeared to be sufficiently inclusive already. It would certainly seem that greater administrative consistency could be found in a restructuring of the existing definitions under the handicapped guidelines to cover whatever technical differences in disability may exist.

The most serious question, however, is, will affirmative action continue to be meaningful (or even understandable and administrable) if each group, singled out, has its own set of regulations? We already have affirmative action requirements based on race, religion, sex, national origin, handicapped, and now, disabled and Vietnam era veterans, with the EEOC, the Office for Civil Rights, and the Office of Federal Contract Compliance each individually enforcing these regulations. We have previously expressed our dismay at the overlapping jurisdictions of Federal agencies and now further confusion is being created by extending separate affirmative action requirements to yet another group, disabled and Vietnam era veterans. Who will determine the relative priorities of all those groups involved? Will it be the State employment agency who will, as a result of these Guidelines become involved in the internal employment policies of our institutions, or the OCR, or the EEOC? Furthermore, it would appear that previously legislated veterans preferences already create a favored position for veterans (and additionally for disabled veterans) as a class without further regulations being required.

Once again process is emphasized over program. Institutions will be obligated to 1) develop special quarterly reports on veterans for submission to the State employment service, 2) develop separate affirmative action plans for veterans, as well as identify individuals specifically charged with the task of monitoring compliance to the degree that they "should be made to understand that their work performance is being evaluated on the basis of their affirmative action efforts and results...", 3) maintain personnel files containing "a comparison of the qualifications of the disabled veteran...and the person selected as well as a description of the accommodations considered", and 4) schedule special meetings and arrange sensitivity sessions. It is imperative that our objection to these specific items be recognized as an objection to unnecessary and undesirable requirements which will in all likelihood result in excessive costs for institutions. Furthermore, the reporting system which has been instituted by the Government, EEO-6, but not yet implemented, does not accommodate the handicapped or veterans, and they must be reported separately, creating further administrative burdens for institutions. We are very concerned that the ensuing multiplicity of regulations is bad Government, but more so, it is worse administration.

We appreciate the opportunity afforded us to respond to these proposed Guidelines and offer the assistance of the Association's Equal Opportunity Committee to further discuss our response in detail and/or to provide you with additional information.

Sincerely,

  
Susan Fratkin  
Director of Special Programs

Attachments