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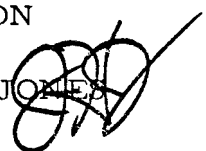
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THE WHITE HOUSE
WASHINGTON

June 5, 1975

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR: JIM CANNON
FROM: JERRY H. JONES 
SUBJECT: White House Conferences

Your memorandum to the President of May 29 on the above subject has been reviewed and the following noted:

I. Handicapped

A. Call a White House Conference on the Handicapped as requested by Congress. Approved.

B. When should the White House Conference on the Handicapped be held. Call the Conference for December 1976. Approved with the following notation:

-- Why not Nov. After election and before Thanksgiving.

II. Education

Call a White House Conference on Education. Disapproved.

III. Substitute Activities

B. If you decide not to call a White House Conference on Education, HEW should be asked to develop for your consideration suggested substitute activities. Approved.

Please follow-up with the appropriate action.

Thank you.

cc: Don Rumsfeld

THE PRESIDENT HAS SEEN *dy.*
THE WHITE HOUSE

WASHINGTON

May 29, 1975

MEMORANDUM FOR: THE PRESIDENT
FROM: JIM CANNON *Jane*
SUBJECT: White House Conferences

This memorandum presents for your decision the issues in calling two White House Conferences which have been separately authorized but not mandated by Congress. The Conferences authorized are:

- White House Conference on the Handicapped in 1976.
- White House Conference on Education in 1977.

Attached are Secretary Weinberger's comments and suggestions on the Handicapped (Tab A) and the Education (Tab B) Conferences. We have combined these into one decision paper because of the similarity of the issues.

BACKGROUND

A. Handicapped

On December 7, 1974, P.L. 93-516, the Rehabilitation Act Amendments of 1974, became law. Title III of the act authorized up to \$3.4 million for a White House Conference on the Handicapped, and requested that the President call the Conference within two years of enactment.

As you will recall, you originally vetoed the Rehabilitation Act on October 29, 1974, and later, due to the controversy over the veto and inevitable override, allowed it to become law without your signature.

The authorizing legislation states that the purpose of a White House Conference on the Handicapped would be "to stimulate a national assessment of problems facing individuals with handicaps and develop recommendations to solve such problems."

B. Education

P.L. 93-380 authorizes, it does not mandate, a 1977 White House Conference on Education. The legislation provides for a 35 member National Conference Committee and generally enables a Conference patterned after the first White House Conference on Education held in 1956.

ISSUES

The basic issues to be resolved are:

- A. Whether to call a White House Conference on the Handicapped.
-- if so, when?
- B. Whether to call a White House Conference on Education.
- C. Whether to substitute a set of specific Administration activities for one or both of the above.
-- this has been suggested by Secretary Weinberger in regard to the Education Conference and Paul O'Neill has raised this approach as a possible substitute for both Conferences.

DISCUSSION

In general, such White House Conferences tend to produce few substantive results while automatically generating pressures for higher funding regardless of need.

White House Conferences, however, can provide a forum for the presentation of views to the President and at the same time can give the President an opportunity to indicate his interest in the particular topic.

OPTIONS

I. Handicapped

- A. Whether to call a White House Conference on the Handicapped.
 - 1. Call a White House Conference on the Handicapped as requested by the Congress.

Pro: Would be consistent with the intent of Congress in authorizing and requesting such a Conference.

Would provide a visible opportunity for the Administration and the handicapped community to share views with each other.

Con: Would generate requests and expectations for increased Federal funds when none are likely to be forthcoming.

Could focus on criticism rather than the positive efforts the Administration is making for the handicapped.

B. When to hold the Conference if there is to be one.

1. Hold the White House Conference in October 1976.

Pro: Could permit the Conference and the election to be tied together positively; would create maximum visibility for the Conference.

Con: Could result in politicization of the Conference.

Would allow inadequate lead time to prepare for the Conference.

2. Call the White House Conference for December 1976.

Pro: This timing would meet the Congressional mandate, would allow maximum time for Conference preparations, and would depoliticize the Conference.

Con: A post-election Conference could be anti-climactic and compete with pre-inaugural and Christmas activities.

3. Seek a legislative amendment to postpone the Conference until 1977.

Pro: Would allow additional time for the States and Federal Government to plan for the Conference and remove it from association with the election.

Con: Could be expensive to delay the Conference. Also, the necessary preliminary meetings would likely still coincide with the campaign.

II. Education

Whether to call a White House Conference on Education for 1977.

Pro: It would be symbolic of the Administration's interest in education.

New issues such as collective bargaining by teachers, declining enrollments, the transition from school to world of work might benefit from national discussion.

Con: Only major result will be a call for more Federal funds.

Past Conferences have served as a forum for criticism of Federal programs and Administrative policies.

III. Substitute Activities

If you decide against holding one or both of these Conferences, HEW should be asked to develop for your consideration a suggested list of activities whereby Administration interest could be documented and "grass roots" discussion of the issues would be enabled.

Pro: Offers a positive alternative to Conferences.

Could usefully promote discussion of issues.

Emphasizes importance of getting views from outside Washington.

Con: All of the risks of a Conference (criticizing current programs and asking for more Federal funds) can be present on a limited scale.

Will not have the stature nor the focus of a full scale Conference.

If you argue against holding a Conference because of cost or lack of results, the same criticism may be leveled against the substitute activities.

DECISIONS

I. Handicapped

A. Call a White House Conference on the Handicapped as requested by Congress.

APPROVE NR7
(Lazarus, Marsh, Baroody, Weinberger)

DISAPPROVE _____
(Friedersdorf, O'Neill, Cannon)

B. When should a White House Conference on the Handicapped be held.

_____ 1. Hold the Conference in October 1976.
(Weinberger)

NR7 2. Call the Conference for December 1976.
(Lazarus, O'Neill, Cannon)

_____ 3. Seek legislation to postpone the Conference until 1977.
(Baroody)

_____ 4. Jack Marsh suggests holding the Conference in September 1976.

Why not after the death of handicapped before 1976?

II. Education

Call a White House Conference on Education.

APPROVE _____
(Goldwin, Baroody, Buchen)

DISAPPROVE NR7
(Friedersdorf, O'Neill, Weinberger, Cannon)

III. Substitute Activities

A. If you decide not to call a White House Conference on the Handicapped, HEW should be asked to develop for your consideration suggested substitute activities.

APPROVE _____ DISAPPROVE _____

B. If you decide not to call a White House Conference on Education, HEW should be asked to develop for your consideration suggested substitute activities.

APPROVE NR7 DISAPPROVE _____

Redline

JS



THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON, D. C. 20201

APR 22 1975

RL

MEMORANDUM FOR THE PRESIDENT

cl.

Title III of the Rehabilitation Act Amendments of 1974 authorizes the President to call a White House Conference on Handicapped Individuals within two years of the date of enactment of this law. The purpose is "to stimulate a national assessment of problems facing individuals with handicaps and develop recommendations to solve such problems." This memorandum sets forth the major issues and options which require decisions before Title III can be put into effect. The most critical issue you must decide is whether or not to call the Conference.

Title III of the Rehabilitation Act Amendments of 1974 is entitled "White House Conference on Handicapped Individuals Act." The Act clearly contemplates that the President will call such a Conference and, toward that end, establishes a 28-member National Planning and Advisory Council to plan and conduct such a Conference, with the cooperation of the Secretary of Health, Education, and Welfare and other Federal agencies. The Act mandates no activities or functions by the National Council, or any other person or entity, until the President exercises the authority granted in Section 302(a) to call such a Conference. I am advised by our Office of General Counsel that Congress clearly anticipated and expected that the Conference would be called, but that it is equally clear that the Act does not actually direct the President to call the Conference. Once the decision is made to call the Conference, however, the mandatory provisions of other sections of the Act become operative. The members of the National Council are to be paid for time spent in the performance of their duties; grants are to be made to States (if money is appropriated) to assist in meeting the States' costs of participating in the Conference program; appropriate interim reports and a mandatory final report are to be written; additional necessary handicapped personnel shall be engaged; and other preparatory activities are mandated.

All of the foregoing activities, except the grants to the States, are already authorized under other statutes. Thus, while the Act does not, in so many words, mandate that the Conference be called, the conclusion is inescapable that Congress expected and anticipated that it would be called.

RECOMMENDATION

If I felt you really had any discretion in the matter, I would recommend against holding the Conference because I think that the nature of such "activities" is automatically to generate pressures for higher funding regardless of need. But, as stated above, I do not think Congress has left you any real option. Therefore, I recommend that you avoid charges of flouting Congressional intent and call a Conference.

DECISION

Approved _____ Disapproved _____ Date _____

If you concur with this recommendation, there are three key issues which require an early resolution.

1. The approximate date of the White House Conference.
2. The administrative body which should be assigned operational responsibility for carrying out Title III.
3. The size of the national conference, and budgetary strategy.

ISSUE I - THE APPROXIMATE DATE OF THE WHITE HOUSE CONFERENCE

The statute authorizes the President to call the Conference within two years after the enactment of the law (December 7, 1974). Unless an amendment to extend the timing is introduced and passed, the Conference would need to be held no later than December of 1976.

Option A - Schedule the Conference in December 1976.

- Pro:
1. This timing would meet the Congressional mandate.
 2. Preparatory meetings and Presidential statements highlighting concern for the handicapped could be politically advantageous in an election year.
 3. The activities of the Conference could tie into the Bicentennial themes and celebrations.
 4. Conference space is available in Washington, D. C.
 5. Concrete suggestions on handicapped initiatives which could have a budgetary impact could be reviewed in time for the State of the Union and the President's Budget. However, the law does not require the Administration to respond officially to Conference recommendations until about seven months after the Conference.

- Con:
1. Previous White House Conferences have required a minimum of two years of planning, and it would be difficult to organize the Conference in time unless the White House directed all appropriate agencies to cooperate fully and expeditiously.
 2. It is possible that the combined public attention on the election and the Bicentennial could detract from high visibility of State and national handicapped conference events.
 3. The post election, pre-inaugural and Christmas holiday timing would put constraints on potential delegates and spokesmen and could reduce the public visibility for the Conference events.

Option B - Schedule the Conference just before the 1976 election.

- Pro:
1. Presidential statements and Conference-related activities highlighting the President and concern for the handicapped could be advantageous for the Administration in the election year if there is only a very short gap between the Conference and the election.
 2. Due to time constraints, State conferences could be scheduled after the national White House Conference rather than before as has been done in previous Conferences. The national Conference could be used to set an "agenda for action" by States and localities at their respective meetings and focus the need for resource commitment by other units of government rather than just the Federal Government. This could result in a greater impact on program initiatives at the State and community level.
 3. Conference space is available in Washington, D. C. in October.
 4. The Conference events could tie into the Bicentennial themes and celebrations.
 5. The weather in Washington, D. C. is more predictably better in October than during winter months, thus perhaps facilitating logistics for handicapped participants.
 6. Concrete suggestions on handicapped initiatives which would have a budgetary impact could be reviewed in time for the State of the Union and the President's Budget.
- Con:
1. Previous White House Conferences have required a minimum of two years of planning, and it would be difficult to organize the Conference in time unless the White House directed all appropriate agencies to cooperate fully and expeditiously.

2. If State conferences were held before the national Conference, States would have inadequate lead time to plan and conduct large State conferences.
3. Even if State conferences were held after the national Conference, it would be difficult to adequately prepare for a significant national Conference in October unless the White House ensured inter-departmental coordination.
4. Combined public attention on the election and the Bicentennial could detract from high visibility for the White House Conference.
5. While some extra political "grandstanding" would result from handicapped leaders and invited politicians prior to the election, this type of activity is to be expected any time any conference is held.

Option C - Seek a legislative amendment to postpone the White House Conference until 1977.

- Pro:
1. Federal staff, as well as the States, would have additional time to plan for the State and national Conferences.
 2. Congress would be receptive to the request for an extension in the timing.

- Con:
1. It would be more expensive to delay the Conference. Staff salaries alone are estimated at \$375,000 for a one year extension. Other expenses such as travel and hotel accommodations may rise 8% which would cost an additional \$160,000.
 2. The White House Conference on Libraries and Information Systems is scheduled for 1977, and Conferences on Education and Energy are tentatively scheduled for that year also.

SUMMARY OF OPTIONS

- A - Schedule the Conference in December 1976.
- B - Schedule the Conference in October, just before the 1976 election.
- C - Seek a legislative amendment to postpone the White House Conference until 1977.

RECOMMENDATION

The Department recommends Option B.

DECISION

Approve Option B ____ Disapprove Option B ____ Prefer Option ____ Date ____

ISSUE II - THE ADMINISTRATIVE BODY WHICH SHOULD BE ASSIGNED OPERATIONAL RESPONSIBILITY FOR CARRYING OUT TITLE III.

The administrative, technical, and logistical support for the National Planning and Advisory Council and all Title III activities should be provided by a separate Conference staff. A decision is needed on which Federal agency or organizational unit will have overall responsibility for the operations of the White House Conference staff and Council.

Two options are offered for your consideration:

A - Assign responsibility to the Department of Health, Education, and Welfare.

B - Assign responsibility to the Domestic Council.

Option A - Assign responsibility to the Department of Health, Education, and Welfare.

- Pro:
1. Initial staff work on the Conference has already begun in the Department of Health, Education, and Welfare in outlining the flow of events, preparing initial budgets, and identifying potential candidates for the National Advisory Council.
 2. The Department already has responsibility for over 50 programs which deal with the needs of individuals with handicaps, most of which will be involved to some degree in Conference-related activities.
 3. Such placement would meet the statutory mandate that the Secretary have joint authority with the Council to plan and conduct the Conference.
 4. The Department has the administrative and logistical support capability to manage a White House Conference.
- Con:
1. The ability of the Department to obtain critically-needed cooperation and resources from other Federal agencies would be substantially less than if Conference responsibilities resided in the Domestic Council.
 2. The extraordinary amount of Congressional interest in the Conference will generate political pressures on the delegate selection processes and on substantive issues to be discussed

during the Conference. Close collaboration with the White House Legislative Liaison Office will be essential and can best be coordinated if the Conference staff reported to the Domestic Council.

3. It would be less politically attractive to have the White House Conference staff housed within an operating agency than it would be within the political and policy-making arena of the White House.

Option B - Place administrative responsibility within the Domestic Council.

- Pro:
1. Placement in the Domestic Council would be viewed most favorably by the handicapped constituencies as a clear expression of Presidential commitment to and concern for the handicapped. This would be particularly advantageous in an election year.
 2. More than 20 Federal Departments and agencies administer programs for the handicapped, all of which will need to participate in the Conference planning and operations. Placement of coordinative responsibility within the Domestic Council would facilitate the high degree of inter-departmental coordination which will be required to manage the Conference.
 3. The Domestic Council could be extremely instrumental in drawing attention to the general public, State and local government, industry, labor and the media to the needs of the handicapped which could result in attitudinal changes and positive private sector initiatives to assist the handicapped. Such an outcome is important to deflect expectations that the Federal Government must solve all the problems of the handicapped.
 4. Since the Domestic Council does not administer programs for the handicapped, its oversight of Conference planning would be objective and not in competition with vested program interests.
 5. A perennial problem of White House Conferences is that even the most viable and innovative recommendations seldom are implemented. If Conference responsibility were assigned to the Domestic Council, through its leadership it could be an excellent vehicle for directing new policy and program implementation.

6. Previous White House Conferences have required almost daily communication on policy issues with White House staff. Thus, a direct reporting relationship between the Conference Chairman and the White House would enhance communications.
 7. The White House could secure adequate staff support through agency details or through hiring temporary political appointees.
- Con:
1. The Domestic Council does not have the substantive scope of knowledge about the full range of programs and issues related to handicapped individuals.
 2. The Domestic Council has extremely critical and more pressing economic and social issues on which to focus its attention.
 3. The authorizing statute directs a National Planning and Advisory Council, in cooperation with the Secretary of Health, Education, and Welfare and other Federal agencies to plan and conduct the Conference. Thus, the statute assigns operational responsibility to the Secretary of Health, Education, and Welfare.
 4. Organizational placement in the Domestic Council would place program operations within an office which is designed primarily for program facilitation and policy coordination.

SUMMARY OF OPTIONS

A - Assign responsibility to the Department of Health, Education, and Welfare.

B - Place administrative responsibility within the Domestic Council.

RECOMMENDATION

The Department recommends Option B.

DECISION

APPROVE _____ DISAPPROVE _____ PREFER OPTION _____ DATE _____

ISSUE III - SIZE OF THE NATIONAL CONFERENCE AND BUDGETARY STRATEGY

Previous White House Conferences have cost considerably more than the amounts authorized by P. L. 93-516 for the Conference on Handicapped Individuals: an amount of \$2,000,000 plus an amount not to exceed \$25,000 for each State and territory. The maximum authorization would total about \$3,400,000. This is far short of the seven or eight million dollars spent on each of the previous Conferences when costs were substantially lower than they are now. However, because of the current economic conditions and the tight budgetary constraints under which the Federal Government must operate, it is important that a policy decision be made on how much, if any, additional money should be requested for this Conference. No funds have, as yet, been requested by the Administration or appropriated by Congress for this purpose.

In the development of the budget there must be a resolution of two key cost items: Whether expenses of the delegates will be paid by the Federal Government, and, if so, the size of the national Conference delegation. A third sub-issue related to decisions on the above two is the method by which funds will be identified to support the Conference initiatives.

Sub-Issue A - Payment of Expenses of Delegates

Historically, recent White House Conferences have included the payment of travel and expenses for official delegates: White House Conference on Youth, White House Conference on Aging, White House Conference on Nutrition, and the planned Conference for Libraries and Information Systems. Because the delegates are official guests of the Government, and because there is an expectation that delegate expenses be paid, it is important that a decision be made whether or not delegates to the handicapped conference will be reimbursed for expenses. The White House Conference on Aging in 1961, however, did not pay delegate expenses but grants were given to States to pay for either State conferences and/or delegate attendance. Most attendees were responsible for paying their own fare. The same was true for the White House Conference on Children. However, it should be pointed out that the composition of the 1961 Aging Conference and the 1970 Children's Conference had few minorities, handicapped, and virtually no poor people. There was, in effect, no attempt to get an appropriate cross-section of the constituency.

The following options are offered for your consideration:

- A - Reimburse official delegate expenses.
- B - Require that each delegate pay his or her own expenses.
- C - Award States the maximum \$25,000 authorized by law and allow them to pay delegate expenses from their grants if they so desire.

Option A - Reimburse official delegate expenses.

- Pro:
1. The statute mandates attendance by economically disadvantaged, minorities, rural, and handicapped persons. Such delegates probably could attend only if their expenses were paid.
 2. Because recent White House Conferences have reimbursed delegate expenses, there is a precedent for doing so.
 3. Logistics for the Conference would be much more easily handled if all delegates stayed in the same hotel. Obviously, we cannot dictate where delegates stay if they are paying their own expenses. There is a particular problem in identifying accessible facilities for the handicapped, and negotiations must begin soon for specific hotels to remodel or plan for accessibility as well as reserve rooms in a Bicentennial year.
 4. By controlling delegate attendance and travel we can ensure that the official delegate representation meets the demographic, social, economic and handicapped breakdown which Congress intends.
 5. There are economies of scale by block booking of hotels at conference rates. If such block booking is not guaranteed, hotels will charge the Conference approximately \$200,000 rent on meeting rooms and ballrooms.

- Con:
1. The travel and per diem cost would be approximately \$800 per delegate.
 2. If a decision were made to pay delegate expenses, due to cost constraints, the Conference would be substantially smaller in size than previous White House Conferences.

Option B - Require that each delegate pay his or her own expenses.

- Pro:
1. It would be possible to finance the national Conference at a cost lower than the authorized maximum of \$2 million.
 2. More people could be invited and thus there could be a substantially larger number of attendees.

- Con:
1. An appropriate cross-representation of the constituency would be unable to attend, as many of the handicapped are poor, unemployed or under-employed, or must travel with companions in which case a delegate would have to pick up expenses for two persons.
 2. If the Conference is scheduled for 1976, the lack of expense-reimbursement could become a political issue among the constituency.
 3. All the the pro arguments under Option A would become negative factors if Option B is selected.

Option C - Award States the maximum \$25,000 authorized by law and allow them to pay delegate expenses from their grants if they so desire.

- Pro:
1. Details involved in travel and housing arrangements to be handled by Conference staff would be minimized.
 2. This option would result in a reduction in total Conference costs. If States are required to pay expenses of delegates from their authorized amount of \$25,000, it is estimated that Federal expenditures would be reduced by some \$1.2 million.

- Con:
1. Given an option, some States may decide to reimburse delegate expenses, while others might not. This would seriously affect the type of delegates able to attend (only those who could afford it or receive reimbursement from private sources would be able to attend). This would negatively affect balanced representation.
 2. If all States opted to pay delegate expenses, varying State rules on expenses as well as distance traveled, would result in unequal spending per delegate and affect the amount of money available to the States to fulfill other requirements with respect to State conferences.
 3. It would be more difficult to guide the selection of delegates by the States which could result in charges of racial, sexual, economic, and other types of discrimination in the selection of delegates and reflect negatively on the Conference's commitment to balanced representation.

4. Individualized or State planning for travel and housing plans for delegates from across the country would result in significantly lessened degree of coordination at the national Conference, e.g., arrival and departure times, location of delegates, etc.
5. Each of the individual State grants would require a post-Conference audit and possible Government claim for refund if violations of expenditure guidelines are noted.

SUMMARY OF OPTIONS

- A - Reimburse official delegate expenses.
- B - Require that each delegate pay his or her own expenses.
- C - Award States the maximum \$25,000 authorized by law and allow them to pay delegate expenses from their grants if they so desire.

RECOMMENDATION

The Department recommends Option c.

DECISION

Approve Option c _____ Disapprove Option c _____ Prefer Option _____ Date _____

If the decision is made to pay travel and expenses of the official delegates (Option A of Sub-Issue A), then consideration must be given to the size of the Conference delegation.

The size of the official delegation will be determined by the level of representation and public participation desired by the Administration. The authorizing statute specifies that ". . . the Conference shall bring together individuals with handicaps and members of their families and representatives of Federal, State and local governments, professional experts, and members of the general public recognized by individuals with handicaps as being knowledgeable about problems affecting their lives." Particular Congressional interest has been expressed that minorities, the aging, the rural, and the economically disadvantaged handicapped be appropriately represented. Thus, in developing delegate selection criteria, all of the above factors must be taken into consideration, particularly the broad scope of physical and mental disabilities which must be represented including, but not limited to, the following:

orthopedic	arthritis and metabolic disorders
neurological	psychiatric
hearing impaired	mental retardation
visually impaired	cardiovascular
	cerebral palsy, epilepsy, etc.

From past Conference experience, the Executive Branch has found that the best way to diffuse Congressional pressure from influencing delegate selection is to allow each Congressman and Senator one delegate of their own choice. That alone adds 535 to the list.

For purposes of comparison, the 1971 White House Conference on Aging had 3,574 official delegates, the 1970 White House Conference on Children had 7,000 delegates, and the 1977 White House Conference on Libraries and Information Systems will have approximately 500 official delegates.

Sub-Issue B - What should be the size of the Conference delegation?

Option A - Invite 1000 official delegates (paid), and 500 observers.

- Pro:
1. The budget authorization level could cover the entire cost of the Conference.
 2. The Conference size would be smaller than previous Conferences and, consequently, more manageable.

3. There would be a more precise focus on issues and opportunity for dialogue than if the delegation were much larger.

- Con:
1. Less than 20 persons per State could attend, thus limiting the representational nature of each delegation and thus limiting the potential for follow-up actions at the State and local level after the Conference.
 2. There would be a reduced opportunity for the expression of differing points of view within the categorical disabilities.
 3. A Conference of this size would be smaller than any previous one which could result in reduced interest on the part of the public media, the Congress, and the constituency.

Option B - Invite 1500 official delegates (paid), and 500 observers.

- Pro:
1. The size of the Conference would remain below previous Conferences, but would expand representations, thus increasing the content of discussion.
 2. Issues would be more thoroughly examined, and recommendations would become more comprehensive.
 3. The opportunity for greater numbers of subordinate discussion sessions would be increased.
 4. The potential for follow-up at State and local level would be positively affected through an increased size of the delegations and by the attendance of legislators and selected State/local officials who could be invited as observers.
 5. Greater interest would be generated in the working press and the Congress.
 6. There would be the flexibility to allow each Congressman and Senator one delegate of his/her choice.

- Con: 1. It would require a legislative amendment to increase the existing authorization level by at least \$550,000 and/or to reprogram existing funds from appropriate agencies. (Overhead costs for each non-paid observer and guest would be about \$300.)
2. There would be increased pressure on the staff to develop and implement a larger Conference within the recommended deadline.

Option C - Invite 2000 official delegates (paid), and 1000 observers.

- Pro: 1. The size of the Conference would more closely approximate previous Conferences.
2. Subordinate sessions during the Conference would be significantly increased in number and diversity of issues.
3. Congressional and media interest would be favorably affected if the Conference were this large.
4. More diverse representation would be realized, thus ensuring broad coverage of the issues and recommendations of each categorical group of disabled persons.
5. The total cost would more nearly reflect the actual expenses a White House Conference requires, although, to date, Congress has never provided a sufficient line-item appropriation to cover Congressionally-mandated conferences.
- Con: 1. It would require a significant upward adjustment to existing authorization level or an extensive reprogramming of existing funds from appropriate agencies. Approximately \$1.1 million above the currently authorized maximum of \$3.4 would be required.
2. There would be continuous and serious pressure on staff and participants to meet requirements imposed by the Conference deadline.
3. There would be extensive logistical problems created by unusually large numbers of disabled participants, and total number of guests, relative to existing facilities presently extant, or under construction, in the Federal District.

4. The content of the discussions at general plenary sessions, and subordinate meetings, would not be sufficiently enhanced.

SUMMARY OF SUB-ISSUE B OPTIONS

- A - Invite 1000 official delegates (paid), and 500 observers.
- B - Invite 1500 official delegates (paid), and 500 observers.
- C - Invite 2000 official delegates (paid), and 1000 observers.

RECOMMENDATION

The Department recommends Option A.

DECISION

Approve Option A ____ Disapprove Option A ____ Prefer Option ____ Date ____

Sub-Issue C - Method through which the Administration will secure funds to support Title III activities.

Option A - Request amendment to the FY 1976 Budget for the maximum authorized level (\$3.4 million) and reprogram existing 1975 funds to support immediate staffing requirements until a 1976 appropriation is obtained.

- Pro:
1. This represents the maximum authorized level in the statute and thus reflects Congressional interest in a separately budgeted activity.
 2. An amendment is necessary as it is not possible to fund the State and national White House Conference activities from within existing program budget levels.
 3. Staffing could begin immediately.
- Con:
1. This funding level represents only a minimal resource commitment to the provisions of Title III and would need to be supplemented by the resources from other Federal agencies, particularly for staff detailees.
 2. The resulting Conference would be more limited in scope and participation than previous White House Conferences.

3. An additional request for \$3.4 million would violate the Administration's "no new-spending" policy.

Option B - Do not request any new funds for Title III activities; rather ask OMB to reprogram from existing resources in Departments other than HEW since HEW's budget already has been cut substantially by OMB.

- Pro:
1. The Federal budget would not have to be increased beyond the original FY 1975 level.
 2. This would be consistent with the Administration's "no new-spending" policy.

- Con:
1. The constituencies representing the interests of the handicapped, as well as the Federal agencies whose programs serve the handicapped, would strongly oppose reprogramming if any of the funds were obtained from the already minimal handicapped program budgets.
 2. The Administration's commitment to handicapped individuals would be negatively perceived by the constituencies and Congress if it were unwilling to commit "new money" to support Title III.
 3. Even if a supplemental request were made for \$3.4 million, Federal agencies would need to provide additional resources for staff, etc., some of which could be reprogrammed.
 4. OMB would have a difficult task in identifying sources for reprogramming.

Option C - Request a legislative amendment to raise the level of authorization and submit an amendment to the 1976 budget request to cover maximum anticipated expenses.

- Pro:
1. This option would result in a budget which more accurately reflects the actual costs of a White House Conference which is information Congress should be aware of when it considers appropriation levels for subsequent White House Conferences.

2. There would be a positive reaction from constituent groups and would eliminate the Administration's vulnerability from those groups who would resent a reprogramming of funds now earmarked for services to the handicapped.
3. Administratively, it would be much easier to manage a consolidated budget rather than to depend in large measure on the tapping of funds from other agencies.
4. The mandated inter-Departmental coordination would be more readily forthcoming if the Conference staff is not put in the position of imposing major taps on agency resources.

- Con:
1. The Federal budget would need to be increased to include the additional amount.
 2. A legislative change in the authorization level would be needed.
 3. Of concern would be the delay in getting Congressional approval for such a substantial request.

SUMMARY OF SUB-ISSUE C OPTIONS

- A - Request amendment to the FY 1976 Budget for the maximum authorized level (\$3.4 million) and reprogram existing 1975 funds to support immediate staffing requirements until a 1976 appropriation is obtained.
- B - Do not request any new funds for Title III activities; rather ask OMB to reprogram from existing resources in Departments other than HEW since HEW's budget already has been cut substantially by OMB.
- C - Request a legislative amendment to raise the level of authorization and submit an amendment to the 1976 budget request to cover maximum anticipated expenses. (Approximately \$5 million.)

RECOMMENDATION

The Department recommends Option B.

DECISION

Approve Option B ___ Disapprove Option B ___ Prefer Option ___ Date _____

As soon as decisions are made on the above, we should move expeditiously to select the Chairman, membership for the 28-member National Planning and Advisory Council, and the core staff. We are prepared to forward to you for consideration the names and resumes of viable candidates for these positions.


Secretary

Attachment
Title III, Rehabilitation Act of 1974

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such rules and regulations as he may prescribe. In the conduct of such audits he and his duly authorized representatives shall have access to any relevant books, documents, papers, accounts, and records of such activities as he deems necessary.

White House
Conference on
Handicapped
Individuals Act.

TITLE III—WHITE HOUSE CONFERENCE ON
HANDICAPPED INDIVIDUALS

SHORT TITLE

29 USC 701
note.

SEC. 300. This title may be cited as the "White House Conference on Handicapped Individuals Act".

FINDINGS AND POLICY

29 USC 701
note.

SEC. 301. The Congress finds that—

(1) the United States has achieved great and satisfying success in making possible a better quality of life for a large and increasing percentage of our population;

(2) the benefits and fundamental rights of this society are often denied those individuals with mental and physical handicaps;

(3) there are seven million children and at least twenty-eight million adults with mental or physical handicaps;

(4) it is of critical importance to this Nation that equality of opportunity, equal access to all aspects of society and equal rights guaranteed by the Constitution of the United States be provided to all individuals with handicaps;

(5) the primary responsibility for meeting the challenge and problems of individuals with handicaps has often fallen on the individual or his family;

(6) it is essential that recommendations be made to assure that all individuals with handicaps are able to live their lives independently and with dignity, and that the complete integration of all individuals with handicaps into normal community living, working, and service patterns be held as the final objective; and

(7) all levels of Government must necessarily share responsibility for developing opportunities for individuals with handicaps;

and it is therefore the policy of the Congress that the Federal Government work jointly with the States and their citizens to develop recommendations and plans for action in solving the multifold problems facing individuals with handicaps.

AUTHORITY OF PRESIDENT, COUNCIL, AND SECRETARY

29 USC 701 note.

SEC. 302. (a) The President is authorized to call a White House Conference on Handicapped Individuals not later than two years after the date of enactment of this title in order to develop recommendations and stimulate a national assessment of problems, and solutions to such problems, facing individuals with handicaps. Such a conference shall be planned and conducted under the direction of the National Planning and Advisory Council, established pursuant to subsection (b) of this section, and the Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") and each Federal department and agency shall provide such cooperation and assistance to the Council, including the assignment of personnel, as may reasonably be required by the Secretary.

National Plan-
ning and Advi-
sory Council.
Establishment.

(b) (1) There is established a National Planning and Advisory Council (in this title referred to as the "Council"), appointed by the

Secretary, composed of twenty-eight members of whom not less than ten shall be individuals with handicaps appointed to represent all individuals with handicaps, and five shall be parents of individuals with handicaps appointed to represent all such parents and individuals. The Council shall provide guidance and planning for the Conference.

Membership.

(2) Any member of the Council who is otherwise employed by the Federal Government shall serve without compensation in addition to that received in his regular employment.

(3) Members of the Council, other than those referred to in paragraph (1), shall receive compensation at rates not to exceed the daily rate prescribed for GS-18 under section 5332, title 5, United States Code, for each day they are engaged in the performance of their duties (including traveltime); and, while so serving away from their homes or regular places of business, they shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as the expenses authorized by section 5703, title 5, United States Code, for persons in Government service employed intermittently.

Compensation.

5 USC 5332 note.

Travel expenses.

(4) Such Council shall cease to exist one hundred and twenty days after the submission of the final report required by section 302(e).

Termination date.

(c) For the purpose of ascertaining facts and making recommendations concerning the utilization of skills, experience, and energies, and the improvement of the conditions of individuals with handicaps, the Conference shall bring together individuals with handicaps and members of their families and representatives of Federal, State, and local governments, professional experts, and members of the general public recognized by individuals with handicaps as being knowledgeable about problems affecting their lives.

(d) Participants in the White House Conference, and in conferences and other activities leading up to the White House Conference at the local and State level are authorized to consider all matters related to the purposes of the Conference set forth in subsection (a), but shall give special consideration to recommendations for:

Recommendations.

(1) providing education, health, and diagnostic services for all children early in life so that handicapping conditions may be discovered and treated;

(2) assuring that every individual with a handicap receives appropriately designed benefits of the educational system;

(3) assuring that individuals with handicaps have available to them all special services and assistance which will enable them to live their lives as fully and independently as possible;

(4) enabling individuals with handicaps to have access to usable communication services and devices at costs comparable to other members of the population;

(5) assuring that individuals with handicaps will have maximum mobility to participate in all aspects of society, including access to all publicly-assisted transportation services and, when necessary, alternative means of transportation at comparable cost;

(6) improving utilization and adaptation of modern engineering and other technology to ameliorate the impact of handicapping conditions on the lives of individuals and especially on their access to housing and other structures;

(7) assuring individuals with handicaps of equal opportunity with others to engage in gainful employment;

(8) enabling individuals with handicaps to have incomes sufficient for health and for participation in family and community life as self-respecting citizens;

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(9) increasing research relating to all aspects of handicapping conditions, stressing the elimination of causes of handicapping conditions and the amelioration of the effects of such conditions;

(10) assuring close attention and assessment of all aspects of diagnosis and evaluation of individuals with handicaps;

(11) assuring review and evaluation of all governmental programs in areas affecting individuals with handicaps, and a close examination of the public role in order to plan for the future;

(12) resolving the special problems of veterans with handicaps;

(13) resolving the problems of public awareness and attitudes that restrict individuals with handicaps from participating in society to their fullest extent;

(14) resolving the special problems of individuals with handicaps who are homebound or institutionalized;

(15) resolving the special problems of individuals with handicaps who have limited English-speaking ability;

(16) allotting funds for basic vocational rehabilitation services under part B of title I of the Rehabilitation Act of 1973 in a fair and equitable manner in consideration of the factors set forth in section 407(a) of such Act; and

(17) promoting other related matters for individuals with handicaps.

29 USC 730.

29 USC 787.

Report to President.

Availability to public.

Recommendations, transmittal to President and Congress.

(e) A final report of the White House Conference on Handicapped Individuals shall be submitted by the Council to the President not later than one hundred and twenty days following the date on which the conference is called, and the findings and recommendations included therein shall be immediately made available to the public. The Council and the Secretary shall, within ninety days after the submission of such final report, transmit to the President and the Congress their recommendations for administrative action and legislation necessary to implement the recommendations contained in such report.

RESPONSIBILITIES OF COUNCIL AND SECRETARY

29 USC 701 note.

SEC. 303. (a) In carrying out the provisions of this title, the Council and the Secretary shall—

(1) request the cooperation and assistance of such other Federal departments and agencies as may be appropriate, including Federal advisory bodies having responsibilities in areas affecting individuals with handicaps;

(2) render all reasonable assistance, including financial assistance, to the States in enabling them to organize and conduct conferences on handicapped individuals prior to the White House Conference on Handicapped Individuals;

(3) prepare and make available necessary background materials for the use of delegates to the White House Conference on Handicapped Individuals;

(4) prepare and distribute such interim reports of the White House Conference on Handicapped Individuals as may be appropriate; and

(5) engage such individuals with handicaps and additional personnel as may be necessary without regard to the provisions of title 5, United States Code, governing appointments in the competitive civil service, and without regard to chapter 57 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at rates of pay not to exceed the rate prescribed for GS-18 under section 5332 of such title.

5 USC 101 et

seq.

5 USC 5701,

5331.

5 USC 5332

note.

(b) In carrying out the provisions of this title, the Secretary shall employ individuals with handicaps.

DEFINITION

Sec. 304. For the purpose of this title, the term "State" includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands. 29 USC 701 note.

STATE PARTICIPATION

Sec. 305. (a) From the sums appropriated pursuant to section 306 the Secretary is authorized to make a grant to each State, upon application of the chief executive thereof, in order to assist in meeting the costs of that State's participation in the Conference program, including the conduct of at least one conference within each such State. 29 USC 701 note. Infra.

(b) Grants made pursuant to subsection (a) shall be made only with the approval of the Council.

(c) Funds appropriated for the purposes of this subsection shall be apportioned among the States by the Secretary in accordance with their respective needs for assistance under this subsection, except that no State shall be apportioned more than \$25,000 nor less than \$10,000. State apportionment.

AUTHORIZATION OF APPROPRIATIONS

Sec. 306. There are authorized to be appropriated, without fiscal year limitations, \$2,000,000 to carry out the provisions of this title and such additional sums as may be necessary to carry out section 305. Sums so appropriated shall remain available for expenditure until June 30, 1977. 29 USC 701 note. Supra.

Approved December 7, 1974.

LEGISLATIVE HISTORY:

SENATE REPORT No. 93-1297 accompanying S. 4194 (Comm. on Labor and Public Welfare).
CONGRESSIONAL RECORD, Vol. 120 (1974):
Nov. 26, considered and passed House and Senate.

B



THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON, D. C. 20201

MAY 14 1975

MEMORANDUM FOR THE PRESIDENT

You are authorized by the Education Amendments of 1974 "to call and conduct a White House Conference on Education in 1977...to stimulate a national assessment of the condition, needs and goals of education..." This memorandum asks whether you wish to call such a conference.

RL
BACKGROUND

P.L. 93-380, Title VIII, Section 804 authorizes a 1977 White House Conference on Education. It establishes a National Conference Committee composed of 35 members (15 to be appointed by you, 10 by the President pro tempore of the Senate and 10 by the Speaker of the House). This committee shall provide guidance and planning for the conference, shall make a final report of findings and recommendations to you and to the Congress, and shall receive assistance from the Commissioner of Education. The committee is authorized to provide assistance for pre-conference activities (see below) and to appoint a staff.

The legislation provides for a conference patterned after the first White House Conference on Education, held in 1956. Prior to that conference, citizen groups at the State and local level were extensively involved in a series of pre-conference activities. The funds appropriated for the 1977 conference "shall be apportioned among the States by the Commissioner in accordance with their respective needs for assistance...except that no State shall be apportioned more than \$75,000 nor less than \$25,000."

Participants at local, State and Federal levels are authorized to consider "all matters relevant to the purposes of the conference." But, the national conference particularly "shall give special consideration to" ten specified areas including educational opportunity, school finance and the adequacy, effectiveness and relevance of various kinds of education for people from pre-school through adult ages.

DISCUSSION

The legislation authorizes, it does not mandate, holding the conference. Therefore, the decision to issue the call is up to you.

The Assistant Secretary for Education and the Commissioner of Education recommend that the conference be held. Educators around the country at all levels are looking forward to it. They regard the conference as symbolic of the importance of education to the country and the Administration and also as a badly needed channel of communications with policy makers and the public. Failure to call the conference would also result in some criticism from the Congress and perhaps some move to nominate their representatives to the National Conference Committee.

Among the arguments in favor of holding the conference are the following.

- The entire educational enterprise is faced with challenges not faced before which might benefit from national discussion. Examples are declining enrollments at the elementary-secondary level, the increasing proportions of college students over age 35, and the spread of collective bargaining.
- The conference, particularly the State and local pre-conference activities, could stimulate grassroots involvement with the educational system.
- Several of the topics marked for special attention are closely related to your initiative to bring education and work together. This subject could become one of the focal points of the conference.
- Experience with the State Education Weeks which the Office of Education has been sponsoring indicates that the States are interested in describing their accomplishments. The conference could be encouraged to devote some attention to the exchange of information on what works in education.

In the past, however, White House Conferences have not always been particularly effective or constructive. Too often they have provided a forum for criticism of the Administration and of the Federal government and a visible

platform for demands by interest groups for more and larger spending programs. The outcome is often a "laundry list" of things someone else, often the Federal government, should do about the problem.

RECOMMENDATION

Because a White House Conference on Education in 1977 is likely to assume such a critical and demanding tone, the Secretary of Health, Education and Welfare recommends against calling the conference.

If you decide against holding the White House Conference, it might be advisable to plan a series of other activities to highlight your interest in and concern for education. These might include speeches, continuing small meetings for exchange of views with interest groups, and smaller conferences focused on particular topics such as the education and work initiative.

If you decide that the White House Conference on Education should be held in 1977, then it will be necessary to consider, and discuss with key people in Congress, how it can be channeled into the most constructive format. It will also be necessary to issue an announcement that a White House Conference on Education will be held in the summer of 1977, that it will be preceded by local and State conferences during the period January 1976 to May 1977, and that the National Conference Committee is to be appointed in the summer of 1975.

DECISION

I do not wish to call a White House Conference on Education in 1977 _____

Prepare suggestions for alternate activities to demonstrate my interest in education _____

I want to call and conduct a White House Conference on Education in 1977 _____


Secretary