

THE WHITE HOUSE
WASHINGTON

MINUTES OF THE CABINET MEETING WEDNESDAY, JUNE 25, 1975

The President convened the meeting at 2:10 p.m. He congratulated Secretary Hills for her work in gathering votes to sustain the veto of the Housing Bill. He indicated that all the members of the Cabinet did a good job, and he particularly complimented Jack Marsh and Max Friedersdorf for their efforts.

The President noted that this was the first Cabinet Meeting for Secretary Hathaway, and he welcomed him. He also noted that it was John Scali's last Cabinet Meeting, and he indicated that there would be time at the end of the meeting for Ambassador Scali to make any remarks he felt appropriate.

The President then introduced Doug Bennett, the new Director of the White House Personnel Office, to the Members of the Cabinet and indicated that Doug would soon be around to see them in order to explain the functions of his office.

The President noted that there had been a number of reports recently of confusion and inconsistency in the operations of different bureaucracies. He was particularly concerned with some articles he had read discussing the contract compliance functions of HEW and the Labor Department and the impact of fund cutoffs in this area. He stressed the need to enforce governmental regulations in the right way. Some people in the bureaucracy, he noted, do not know how to deal with the public. They lack concern or consideration for the positions which individuals find themselves in when they confront a governmental bureaucracy. He then asked Jim Cannon for comments.

Jim Cannon noted a report in the previous Saturday's paper which stated that a hospital had been subjected to two conflicting interpretations of regulations, one by HEW, the other by OSHA. OSHA, it appears, required that plastic liners be used in all wastebaskets; HEW inspectors, on the other hand, demanded that such liners be removed because they constituted a potential fire hazard. A second problem involved the cutoff of funds for heart research to a university in the Washington area because the university had not met numerical goals in the equal opportunity area.



Secretary Weinberger indicated that he thinks that his Department has solved the short-range problem of fund cut-offs. There are only two approved affirmative action plans. However, HEW has developed a short form approach which will continue funds in the short run to universities and institutions which have not yet produced approved plans. This approach would have the universities indicate that they were moving toward compliance and would reach compliance within a short period of time. Secretary Weinberger pointed out, however, that there was a danger of court involvement in such an approach because the courts tend to intervene whenever HEW plans become too flexible. The Secretary indicated that the major problem in his mind was the Department of Labor's regulations, which he indicated were too rigid. There was no way, in his opinion, in which a university could comply. Changes were needed, and they had to be done in 60 days. The current situation, he stressed, is absurd.

On the specific issue of the wastebasket liners, Secretary Weinberger indicated that the problem was that the hospital had used the wrong kind of liners in its baskets rather than one agency requiring liners and the other rejecting them.

Secretary Dunlop indicated that as far as he could tell, OSHA has no regulations on plastic liners, but said that he will pursue the specifics of this case. In the area of affirmative action he stressed that there were problems of perception, and that these were serious ones. For example, it was necessary to raise questions about the status of the statute versus the Executive Order. He asked, how can we get out of the absurdity of regulations without it being perceived as a public retreat from the commitment to equal employment opportunity? A second problem was how to coordinate the activities of the EEOC with the Departments and Agencies. Third, the universities are not as distinct as Secretary Weinberger would think. The rules for affirmative action probably make as little sense in the construction industry as they do in a university.

Secretary Coleman indicated that there is a reason for a distinction between the private and public sector in terms of equal employment. Government standards, he argued, should be higher.

The President then called on Attorney General Levi to brief the Cabinet on the crime message, which the Attorney General did. The President indicated that thus far he had been pleased with the reaction to the crime message.



The President then turned to the third item on the agenda, a discussion of the legislative clearance responsibility of OMB. He asked why it took so long. Jim Lynn began the discussion by referring to Circular A-19. The clearance function, he noted, covered bills originating in the Executive Branch, those sent down from the Hill, plus the testimony of government officials before the Congress. The problem he faced was the late submission of material to OMB. The agencies, he claimed, were using up much of the time that should have been available to the Cabinet review of agency responses. He urged them to assure that there is sufficient time within their own departments for them to review material. There is also a need, he said, for quick response to submissions of other agencies. The President, he noted, has only ten days in which to decide whether or not to sign an enrolled bill. Secretary Schlesinger suggested that perhaps a 48 hour suspense rule, that is, one which if an agency did not reply within 48 hours, its views would be taken as supportive, might be applied. Lynn indicated that they tried to do this now, but it is not a desirable way to go.

The President then went on to a discussion of the Vietnamese refugee situation. He indicated that initially it had been handled through the White House and the State Department, but now it was being transferred to HEW. He called on Secretary Weinberger to give a status report of the refugee situation. The Secretary gave the report and complimented the Departments of Defense, State and Justice for their efforts. The biggest problem now is to get more volunteer agencies and to get them more active in helping to resettle the Vietnamese refugees.

The President called then on Secretary Coleman for his views on the railroad situation. Secretary Coleman's discussion divided the railroad situation into two parts; the problems of the Northeast and Midwest, and the rest of the country.

At the end of the meeting the President called on Attorney General Levi, who reintroduced some of the discussion on affirmative action in education. The Attorney General claimed that any distinction between goals and quotas is a dishonest one and that it is corrupting. Secretary Weinberger in agreement called for a fundamental revision of our approach. Secretary Kissinger supported the Attorney General's views. The Attorney General called for further Cabinet discussions on the issue, and the President agreed.

The President then called upon Ambassador Scali for his final remarks. In those remarks the Ambassador thanked the President for the opportunity to serve and indicated the importance of continuing our interest in the UN.

The President adjourned the meeting at 3:20 p.m.

