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MEMORANDUM  
OF CALL

TO: \_\_\_\_\_

☐ YOU WERE CALLED BY—

☐ YOU WERE VISITED BY—

OF (Organization) \_\_\_\_\_

☐ PLEASE CALL —→

PHONE NO.  
CODE/EXT. \_\_\_\_\_

☐ WILL CALL AGAIN

☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL

☐ WISHES AN APPOINTMENT

MESSAGE

*1*  
*8/26/66*  
*W. J. ...*

*FI*

*SF 91 (weird ty/fm citation .  
Subj: - FI no SF mention, bluecard to CF  
some weird citation)  
CF - nothing*

RECEIVED BY

DATE

TIME

*2 of 3 - can't tell on 4*

STANDARD FORM 63  
REVISED AUGUST 1967  
GSA FPMR (41 CFR) 101-11.6

GPO : 1969-0-48-10-60241-1 323-800

63-108

THE WHITE HOUSE  
WASHINGTON

4/15/75

JS  
handle

Don R.)

Will see Sec.  
W. if it is thought  
necessary.

I suggest we  
get some input from  
et al if desirable.  
Otherwise 2 in from MB

THE WHITE HOUSE  
WASHINGTON

April 12, 1975

MR. PRESIDENT:

The attached memo has been staffed and has generated the following comments:

Cannon:	Concur with OMB - propose specific authorizations
Marsh:	Concur with OMB - propose specific authorizations
Friedersdorf:	Concur with OMB - propose specific authorizations
Buchen:	Concur with OMB - propose specific authorizations. Feels two additional factors in support of OMB position should be noted: (1) I believe both the House and Senate Rules require that committees in reporting out authorizing legislation, evaluate the cost impact of the programs created -- therefore, there would be a dollar figure in existence around which pressure groups can rally; and (2) many Senators and Congressmen (primarily members of the Conservative bloc) take strong objection to open-ended authorizations.

Don



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

ACTION

APR 9 1975

MEMORANDUM FOR: THE PRESIDENT  
FROM: JAMES T. LYNN  
SUBJECT: Dollar level amounts in authorizing legislation

Secretary Weinberger, in his attached memorandum, argues that executive branch agencies should not be required to submit authorizing legislation containing specific dollar amounts. The Secretary prefers, instead, that we revert to the past practice of requesting the indefinite "such sums" in new or replacement authorizing legislation.

Last Fall the agencies were instructed that the dollar amounts to be included for future years must be consistent with the projections in the 1976 Budget - which generally means the same dollar level of funding for the "out" years.

Background

Traditionally, the executive branch has proposed "such sums" authorizations and the Congress has often enacted excessive authorization levels, on a piecemeal basis. This has generated unrealistic expectations and pressures for "full funding" by constituent groups. The basic objective of the decision to change the executive branch approach was to end this damaging practice of the authorizing committees by providing them with a coherent set of specific dollar proposals for consideration in dealing with their constituencies.

HEW arguments for "such sums"

The arguments advanced by Secretary Weinberger for a return to the traditional "such sums" approach are essentially these:

- authorizing committees believe it is a political necessity to set high authorization amounts if they are to hold their own in the new forum for debating trade-offs among programs that is provided by the new congressional budget process.

- proposing flat figures for all years of a multi-year Act will not change the outcome and will only add another negative argument for the interest groups; i.e., that we are actually cutting back in the "out" years, since we are not taking inflation into account in our figures.
- the effect of our flat out-year approach, if successful, would be to require re-opening of statutes frequently, thereby increasing the opportunities for possibly even higher authorizations and other undesirable amendments by the Congress.

In sum, Secretary Weinberger states that while the "such sums" tactic has not been a great success, the new tactics will worsen the outcome, based on HEW's experience so far in the 94th Congress.

#### Arguments for specific dollar levels

While there is merit to Secretary Weinberger's arguments, we continue to believe that the decision made was valid. Obviously, its effects will take time since long-standing practices and political pressures are not easily changed. If maintained over a period of several years, however, we feel that proposing specific authorization levels would:

- move the currently fragmented program/authorization process of the substantive committees closer to the type of overview perspective now being required in the congressional budget/appropriation process by the recent budget reform legislation;
- provide a better basis for exerting public pressure on the special constituencies and authorizing committees and subcommittees to hold authorizations to more realistic levels by indicating explicitly the base levels of resources that could reasonably be expected to be applied to particular programs in future years;
- better discipline the Executive Branch internal program and budget planning and decisionmaking process by forcing an explicit public statement of future year funding authority related to each set of program goals, which the agencies and the President would support;

- force more clearly into public debate any proposals that vary from the Presidentially proposed levels so that ill-defined or open-ended programs will not commit future budgetary resources without public awareness of the possible overall economic and fiscal consequences.

### Recommendation

That we continue to require executive branch agencies to propose specific dollar authorization in new or replacement legislation.

### Decision

Return to "such sums" \_\_\_\_\_

Propose specific authorizations \_\_\_\_\_

HR7.

See me for further discussion \_\_\_\_\_

Attachment

*If necessary I will  
meet with Sec. W.*



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

RZ

MAR 12 1975

MEMORANDUM FOR THE PRESIDENT

An issue of general importance has arisen in presenting HEW's 1975 legislative program to the Congress, and I would appreciate having your guidance on it.

I am advised that OMB has obtained your decision to end the long-continued Administration practice of submitting legislation containing no dollar authorization levels. We have been instructed instead to insert your Budget request figures in our authorization bills, rather than the "such sums as may be appropriated" language that has been sought by Administrations for many years. We have also been instructed to insert the same dollar level of funding for the "out" years in bills authorizing programs for more than one year.

I fully appreciate and concur in the goal sought by this change of tactics. We should make every effort to avoid the increasingly exaggerated amounts set by authorizing committees, which are generating enormous unrealistic expectations among constituent groups and concomitant pressures for "full funding." However, while the effort to obtain "such sums" authorization language in the past has failed to persuade the Congress away from swollen authorizations, I am very concerned that the new tactic will have even worse consequences. Our experience with the new technique so far in the 94th Congress suggests that this is the case. For this reason I strongly recommend that you reconsider the change of tactics and return to the earlier practice of requesting "such sums" language.

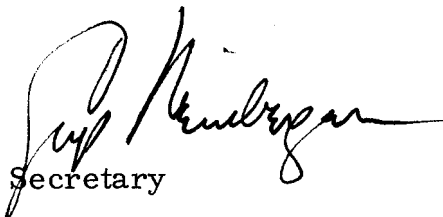
Our experience is that the authorizing committees and subcommittees are so driven by their program constituencies that they believe it is a political necessity to set high authorization levels in their legislation in order to demonstrate their commitment to those constituencies. They reject "such sums" language on the ground



that it would in effect cut them out of the budgeting process altogether. And they now also contend that the Congressional budgeting process created by the Budget and Impoundment Control Act of 1974 provides still another forum in which the trade-offs among programs can be debated.

I believe we should continue to argue as strongly as possible against these pressures at every stage in the process -- before the authorizing, the appropriations and, now, the budget committees. But I think beginning the legislative process with Administration bills expressing a flat Budget figure for all the years of a multi-year Act will not have the desired effect. We will not change the outcome and will only have added another negative argument to the authorizers' barrage of arguments. They will argue that we are seeking, in effect, an automatic cut in all services in the "out" years, given the annual inflation rate. I believe we will be in a stronger position to reduce the authorization levels in the end if we continue our "such sums" opening request.

There are still further variations of the counter-argument that the new tactic arouses. One is that the effect of our flat out-year authorizations would be to require the authorizing committees to re-open the Act in each of the out-years if they, or we, wanted to shift priorities from one program to another. This may appear at first to be an argument in our favor, but when you consider its consequences -- probably even higher authorizations and certainly new categorical program add-ons -- it is not at all an attractive prospect. Again, while the "such sums" tactic has not been a great success by any rational measure, I cannot see how the new tactic will improve the outcome. Indeed, I can only see it worsening it.

  
Secretary

STAFFING

## THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: April 9, 1975

Time:

FOR ACTION:

Phil Buchen *gr*Jim Cannon *gr*Jack Marsh *gr*Max Friedersdorf *gr*

cc (for information):

FROM THE STAFF SECRETARY

DUE: Date: Friday, April 11, 1975

Time: 10:00 a.m.

SUBJECT:

Lynn memo (4/9/75) re: Dollar level  
amounts in authorizing legislation

ACTION REQUESTED:

☐ For Necessary Action☒ For Your Recommendations☐ Prepare Agenda and Brief☐ Draft Reply☒ For Your Comments☐ Draft Remarks

REMARKS:

4/11 Cannon - Concur w/ OMB  
specific dollar authorization  
(per Warren H.)

4/11 - Called M. and F. WCB

4/12 - Marsh - propose spec authorizations (OMB position)

4/12 Friedersdorf - " " " " "

4/12 w/P

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Jerry H. Jones  
Staff Secretary

---

THE WHITE HOUSE  
WASHINGTON

Staff to:

✓ Bucken  
✓ Cannon  
✓ Marsh  
✓ Friedersdorf  
~~Seidman?~~

THE WHITE HOUSE  
WASHINGTON

4.9.75

TO: Jerry Jones

For Your Information \_\_\_\_\_

For Appropriate Handling ✓

You may want to get Buchen  
+ Marsh/Friedland's views  
before sending fwd.

RDZ

Robert D. Linder

THE WHITE HOUSE  
WASHINGTON

April 11, 1975

MEMORANDUM FOR:

JERRY JONES

FROM:

MAX L. FRIEDERSDORF *M. L.*

SUBJECT:

Lynn memo (4/9/75) re: Dollar level  
amounts in authorizing legislation

The Office of Legislative Affairs concurs with subject memo.

## THE WHITE HOUSE

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WASHINGTON

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Jerry H. Jones  
Staff Secretary



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

ACTION

APR 9 1975

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Last Fall the agencies were instructed that the dollar amounts to be included for future years must be consistent with the projections in the 1976 Budget - which generally means the same dollar level of funding for the "out" years.

Background

Traditionally, the executive branch has proposed "such sums" authorizations and the Congress has often enacted excessive authorization levels, on a piecemeal basis. This has generated unrealistic expectations and pressures for "full funding" by constituent groups. The basic objective of the decision to change the executive branch approach was to end this damaging practice of the authorizing committees by providing them with a coherent set of specific dollar proposals for consideration in dealing with their constituencies.

HEW arguments for "such sums"

The arguments advanced by Secretary Weinberger for a return to the traditional "such sums" approach are essentially these:

- authorizing committees believe it is a political necessity to set high authorization amounts if they are to hold their own in the new forum for debating trade-offs among programs that is provided by the new congressional budget process.



- proposing flat figures for all years of a multi-year Act will not change the outcome and will only add another negative argument for the interest groups; i.e., that we are actually cutting back in the "out" years, since we are not taking inflation into account in our figures.
- the effect of our flat out-year approach, if successful, would be to require re-opening of statutes frequently, thereby increasing the opportunities for possibly even higher authorizations and other undesirable amendments by the Congress.

In sum, Secretary Weinberger states that while the "such sums" tactic has not been a great success, the new tactics will worsen the outcome, based on HEW's experience so far in the 94th Congress.

#### Arguments for specific dollar levels

While there is merit to Secretary Weinberger's arguments, we continue to believe that the decision made was valid. Obviously, its effects will take time since long-standing practices and political pressures are not easily changed. If maintained over a period of several years, however, we feel that proposing specific authorization levels would:

- move the currently fragmented program/authorization process of the substantive committees closer to the type of overview perspective now being required in the congressional budget/appropriation process by the recent budget reform legislation;
- provide a better basis for exerting public pressure on the special constituencies and authorizing committees and subcommittees to hold authorizations to more realistic levels by indicating explicitly the base levels of resources that could reasonably be expected to be applied to particular programs in future years;
- better discipline the Executive Branch internal program and budget planning and decisionmaking process by forcing an explicit public statement of future year funding authority related to each set of program goals, which the agencies and the President would support;

- force more clearly into public debate any proposals that vary from the Presidentially proposed levels so that ill-defined or open-ended programs will not commit future budgetary resources without public awareness of the possible overall economic and fiscal consequences.

Recommendation

That we continue to require executive branch agencies to propose specific dollar authorization in new or replacement legislation.

Decision

Return to "such sums" \_\_\_\_\_

Propose specific authorizations \_\_\_\_\_

See me for further discussion \_\_\_\_\_

Attachment



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

RL

MAR 12 1975

MEMORANDUM FOR THE PRESIDENT

An issue of general importance has arisen in presenting HEW's 1975 legislative program to the Congress, and I would appreciate having your guidance on it.

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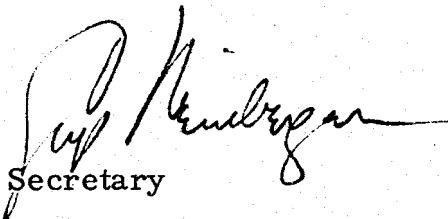
I fully appreciate and concur in the goal sought by this change of tactics. We should make every effort to avoid the increasingly exaggerated amounts set by authorizing committees, which are generating enormous unrealistic expectations among constituent groups and concomitant pressures for "full funding." However, while the effort to obtain "such sums" authorization language in the past has failed to persuade the Congress away from swollen authorizations, I am very concerned that the new tactic will have even worse consequences. Our experience with the new technique so far in the 94th Congress suggests that this is the case. For this reason I strongly recommend that you reconsider the change of tactics and return to the earlier practice of requesting "such sums" language.

Our experience is that the authorizing committees and subcommittees are so driven by their program constituencies that they believe it is a political necessity to set high authorization levels in their legislation in order to demonstrate their commitment to those constituencies. They reject "such sums" language on the ground

that it would in effect cut them out of the budgeting process altogether. And they now also contend that the Congressional budgeting process created by the Budget and Impoundment Control Act of 1974 provides still another forum in which the trade-offs among programs can be debated.

I believe we should continue to argue as strongly as possible against these pressures at every stage in the process -- before the authorizing, the appropriations and, now, the budget committees. But I think beginning the legislative process with Administration bills expressing a flat Budget figure for all the years of a multi-year Act will not have the desired effect. We will not change the outcome and will only have added another negative argument to the authorizers' barrage of arguments. They will argue that we are seeking, in effect, an automatic cut in all services in the "out" years, given the annual inflation rate. I believe we will be in a stronger position to reduce the authorization levels in the end if we continue our "such sums" opening request.

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## ACTION REQUESTED:

☐ For Necessary Action☒ For Your Recommendations☐ Prepare Agenda and Brief☐ Draft Reply☒ For Your Comments☐ Draft Remarks

## REMARKS:

Agree with OMB. Two additional factors in support of their position should be noted:

(1) I believe both the House and Senate Rules require that committees, in reporting out authorizing legislation, evaluate the cost impact of the programs created -- therefore, there would be a dollar figure in existence around which pressure groups can rally; and (2) many Senators and Congressman (primarily members of the Conservative bloc) take strong objection to open-ended authorizations.

Ken Lazarus

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Staff Secretary



EXECUTIVE OFFICE OF THE PRESIDENT  
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#### Recommendation

That we continue to require executive branch agencies to propose specific dollar authorization in new or replacement legislation.

#### Decision

Return to "such sums" \_\_\_\_\_

Propose specific authorizations \_\_\_\_\_

See me for further discussion \_\_\_\_\_

Attachment





THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE  
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MAR 12 1975

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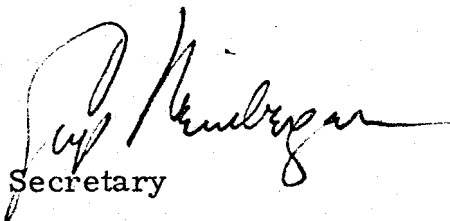
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Secretary

THE WHITE HOUSE

WASHINGTON

April 15, 1975

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR:

JIM LYNN

FROM:

JERRY H. JONES

SUBJECT:

Dollar Level Amounts in  
Authorizing Legislation

Your memorandum to the President of April 9 on the above subject has been reviewed and "propose specific authorizations" was approved with the following notation:

-- Will see Sec. W. if it is thought necessary.

I suggest we get some input - Quie et al. if desirable.

Otherwise I'm for OMB.

Please follow-up with the appropriate action.

Thank you.

cc: Don Rumsfeld