

The original documents are located in Box 1, folder “Abortion (1)” of the James M. Cannon Files at the Gerald R. Ford Presidential Library.

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THE WHITE HOUSE
WASHINGTON
May 7, 1975

*Art -
Frank -
Who was
"spokesman"?*

MEMORANDUM FOR: JIM CANNON
FROM: ART QUERN *[Signature]*
SUBJECT: Meeting with ACLU Representatives

On Monday, May 5, Pam Needham and I met with two representatives of the American Civil Liberties Union to hear their comments regarding Federal abortion policies.

Specifically, they are concerned that a 1971 Executive Order is still being followed by Federal personnel and is in direct conflict with the more recent 1973 Supreme Court abortion ruling.

In that Executive Order President Nixon directed that any abortions on military bases should be performed in accordance with relevant State laws.

Despite the Supreme Court's ruling that State laws cannot limit abortions (at least in the first trimester), some States still enforce restrictive abortion laws. These are in the process of being tested and struck down in court.

The ACLU contends that the Executive Order requiring Federal employees to adhere to State law is in violation of the Supreme Court where these laws limit abortions. Their solution is for the President to rescind the Executive Order and to allow unrestricted abortions on military installations and Indian health service facilities.

Our initial reaction was that this is a matter more for the courts. Certainly it could be a potentially volatile issue if the President were involved.

At any rate, the ACLU people went to the Washington Star and the attached story resulted.

Our intent is to keep this process as low key as possible. We've asked for a report from Defense on their policies and will wait to hear from them before going further.

We'll keep you informed as options develop.



THE WHITE HOUSE

WASHINGTON

May 15, 1975

The Issues

MEMORANDUM FOR: JIM CANNON
FROM: ART QUERN
SUBJECT: ACLU Inquiry Re Abortion Policy

You inquired as to who was the "spokesman" referred to in the Washington Star story regarding a meeting with ACLU representatives on the subject of abortion.

John Carlson was the "spokesman." After the ACLU representatives contacted the Star, the reporter contacted the White House Press Office. John called me and I reported that we could say we were studying the materials they had left with us and were looking into the questions they had raised. John conveyed this to the reporter.

FADA

*Abortion
Policy*

Question

In a TV interview last week, your wife said she approved of the Supreme Court Ruling on abortion. Do you agree?

Answer

As you know, when I was a Member of the Congress, I co-sponsored a constitutional amendment that would permit each State to enact its own laws regarding abortion. I felt that this was a matter better decided at the State level, not in Washington. I continue to believe this is true.

Background

As Minority Leader, the President co-sponsored a constitutional amendment which would permit the States to enact abortion legislation. He also opposed, in 1972, a Michigan referendum that would have permitted abortion on demand in that State.



Richard D. Parsons
August 15, 1975



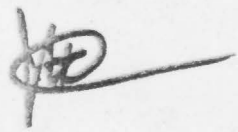
Abortion 279

THE WHITE HOUSE
WASHINGTON

November 10, 1975

MEMORANDUM FOR: JIM CAVANAUGH
FROM:  JERRY H. JONES 

You have the action on providing a memorandum to the President on the status of our abortion policy.

S.I.
See attached


cc: Jim Connor



THE WHITE HOUSE

WASHINGTON

November 10, 1975

MEMORANDUM FOR THE PRESIDENT

FROM: PHIL BUCHEN *P.*

SUBJECT: Abortion Policy

It has been suggested that you should change your policy from following the Supreme Court decision to the position of following state law as stated in President Nixon's order to the Defense Department in 1971.

Such a change would not be legally supportable. The Supreme Court ruling established a Constitutional right which necessarily supersedes any contrary rule under state law or executive order.

I do not know how strongly this suggestion has been pressed, but would like an opportunity to discuss it with you if it is to be seriously considered.

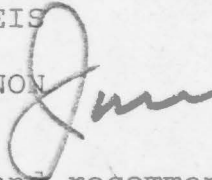


THE WHITE HOUSE
WASHINGTON

November 17, 1975

MEMORANDUM FOR: PHIL BUCHEN
MAX FRIEDERSDORF
BOB GOLDWIN
ROBERT HARTMANN
JIM LYNN
JACK MARSH
RON NESSEN
PAUL THEIS

FROM: JIM CANNON



Attached for your comments and recommendations is a memorandum to the President, for his approval, on his position on abortion.

I would appreciate it if you would send your comments to Sarah Massengale, Ext. 6776, Room 220, by close of business Thursday, November 20.

Thank you.

Attachment



RECEIVED
JUL 29 1976
CENTRAL FILES

THE WHITE HOUSE
WASHINGTON

DECISION

MEMORANDUM FOR: THE PRESIDENT
FROM: JIM CANNON
SUBJECT: POSITION OF THE PRESIDENT ON ABORTION

This memo is to seek your approval of the attached papers which were prepared in response to a request by Knight newspapers for a statement on your position on abortion. Knight newspapers intends to run a story on the Presidential contenders' positions on abortion.

The "Administration position" is for release to the newspaper. The "Questions and Answers" are for background use by our press office if direct questions on these subjects are posed.

These have been approved by Phil Buchen's staff.

I recommend that you approve the position statement and questions and answers.

_____ APPROVE

_____ DISAPPROVE



ADMINISTRATION POSITION ON ABORTION

The President's position is that the law of the land must be upheld as interpreted by the Supreme Court in their 1973 decisions on the Roe v. Wade and Doe v. Bolton.

The President also has indicated that he personally feels that abortion is an issue better decided at the State level rather than in Washington.



BACKGROUND QUESTIONS AND ANSWERS

Q: The President has said he would support a Constitutional amendment that would allow each state to make its own laws concerning abortion. Does he still feel this way?

A: The President feels that this is a matter better decided at the state level. As you know, while in Congress, House Minority Leader Ford cosponsored an amendment to allow each state to make its own laws regulating abortion.

Q: Is the President pro or anti abortion?

The President supports the Supreme Court decision. The President's major concern is that a remedy be available for persons where abortion becomes necessary because of serious illness or a case of criminal attack of some kind.

Q: Does the President support abortion-on-demand?

A: In 1972 the President opposed a Michigan State referendum for abortion-on-demand.

Q: The Defense Department has announced a change in its abortion practice. What is that?

A: The Department of Defense has ordered all military facilities to comply with the Supreme Court decision on abortion in those instances where the law of the state in which the facility is located is inconsistent with the Supreme Court decision.

DOD will provide abortions as a normal medical service in its hospitals but will not reimburse individuals for abortions performed outside of military hospitals.

Q: Will HEW also change its practice?

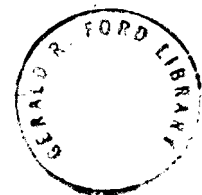
A: In light of DOD's action, HEW will review its present Public Health Service and Indian Health Service policy.



[1976]

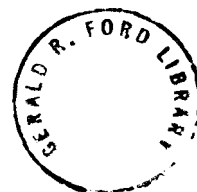
file

- Q. Within the context of a states' rights amendment on abortion, do you believe a state should be allowed to pass a law which would require the saving of the life of the unborn child over the life of the mother?
- A. I would not approve of such a state statute, and I made it clear in my statement to Mr. Cronkite that I feel that abortion should be available in cases of the mother's serious illness, incest or rape.



Q. Then, in regard to the mother's illness, it would not have to be a matter of life and death?

A. That is right, but it would be serious.



Q. Who decides on the seriousness?

A. I would think a physician, subject to reasonable standards set by the state.



Q. What about the mother's mental illness?

A. Best left to the states.



Q. Would you draw a distinction between statutory and forcible rape?

A. I think that is a decision that should be thought through and decided by the state.



- Q. Within the context of your support for a states' rights amendment, what is your position on abortion when there is medical evidence that the child will be born with a serious deformity or when it is certain that the child will die either shortly after birth or within a few years (e.g., Tay-Sachs is an example of a disease which means certain death to the child by about age 2 years)?
- A. This must be decided on an individual basis.



To ~~Smith~~

[Co. Jan. 1976]
\$4 B over Budget
file
abortion

JOINT EXPLANATORY STATEMENT OF THE
COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the further conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 68 to the Bill (H.R. 14232) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending September 30, 1977, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

TITLE II--DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

General Provisions

Amendment No. 68: Reported in technical disagreement. The managers on the part of the House will offer a motion as follows:

Restore the matter stricken by said amendment amended to read as follows:

"Sec. 209. None of the funds contained in this Act shall be used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term."

~~Amendment No. 68~~, Section 209 of the House bill contained a prohibition against the use of funds contained in this Act to pay for or to promote or encourage abortions. The Senate bill deleted this provision.

Having met in further conference, agreement has been reached on the issue of whether or not Federal funds may be used to finance abortions. Most certainly, this is a difficult, emotionally-charged issue--one which many believe should be dealt with by the appropriate legislative committees.

Nevertheless, in an effort to resolve this issue and avoid further delay in meeting the vital needs addressed by programs in this bill, a majority



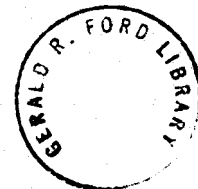
of the Conferees have agreed to a modification of the House bill language.

It is the intent of the Conferees to limit the financing of abortions under the Medicaid program to instances where the performance of an abortion is deemed by a physician to be of medical necessity and to prohibit payment for abortions as a method of family planning, or for emotional or social convenience. It is not our intent to preclude payment for abortions when the life of the woman is clearly endangered, as is the case with multiple sclerosis or renal disease, if the pregnancy were carried to term. Nor is it the intent of the Conferees to prohibit medical procedures necessary for the termination of an ectopic pregnancy or for the treatment of rape or incest victims; nor is it intended to prohibit the use of drugs or devices to prevent implantation of the fertilized ovum.

Furthermore, the proposed language would not interfere with or limit Federal aid to medical schools conducting research into, or teaching of, abortion procedures for therapeutic purposes.

The Congress is aware that there are three cases related to this issue to be heard by the Supreme Court this fall, and wishes to make clear that the Congress in its action upon this particular appropriations bill does not intend to prejudge any constitutional questions involved in those cases.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.



THE WHITE HOUSE
WASHINGTON

INFORMATION

January 6, 1976

MEMORANDUM FOR: THE PRESIDENT
FROM: JIM CANNON
SUBJECT: HEW Policy on Reimbursement for Abortion

This is to inform you that Secretary Mathews will be taking action to clarify some confusion about HEW regulations on abortion. The Secretary has decided to continue the Department's current policy which is to reimburse for abortion as a "family planning service" under Title XIX (Medicaid) and as a "social service" under Title XX (Social Services).

While this decision will mean no change in the current situation, it will probably arouse those who feel most strongly against abortion.

*Jim -
I believe this
is the one actually sent*



THE WHITE HOUSE
WASHINGTON

INFORMATION

January 7, 1976

MEMORANDUM FOR: THE PRESIDENT
FROM: JIM CANNON
SUBJECT: HEW Policy on Reimbursement for Abortion

This is to inform you that Secretary Mathews will be taking action to clarify some confusion about HEW regulations on abortion. The Secretary has decided to continue the Department's current policy which is to reimburse for abortion as a "family planning service" under Title XIX (Medicaid) and as a "social service" under Title XX (Social Services).

The Secretary will withdraw a "notice of proposed rulemaking" published by Secretary Weinberger in December, 1974. Weinberger's proposal would have restricted HEW reimbursement policy to participants eligible for Medicaid only. Secretary Weinberger proposed this in spite of his counsel's advice that that position was the least tenable legally and politically.

While Secretary Mathew's decision will mean no change in the current situation, it will probably arouse those who feel most strongly against abortion.

*Jim -
don't think
this one was
sent*



THE WHITE HOUSE
WASHINGTON

INFORMATION

October 23, 1975

MEMORANDUM FOR: THE PRESIDENT
FROM: JIM CANNON *J. Cannon*
SUBJECT: IMPLEMENTATION OF FEDERAL ABORTION POLICY

This is in response to your request for a status report on the implementation of Federal abortion policy by HEW and DOD.

Until recently the policy at DOD and HEW was carried out in accordance with a 1971 Presidential Order which required the military to comply with state laws. However, continued adherence to the Presidential Order after the 1973 Supreme Court decision on abortion has placed the Federal Government in the position in some instances of obeying restrictive state abortion laws which are clearly unconstitutional.

Therefore, DOD and HEW are modifying their practices pertaining to abortion to resolve this inconsistency and to assure compliance with the Supreme Court decision.

DOD

DOD has announced that abortion will be available in accordance with the Supreme Court decision at all military medical facilities. DOD will not reimburse non-military facilities for abortions.

HEW

HEW is still evaluating its policy implementation. It is likely that the Secretary will decide that abortion will be available in accordance with the Supreme Court decision at all Federal medical facilities (Public Health Service hospitals, Indian Health service facilities, facilities for Federal employees, and St. Elizabeth's).



The issue of using Federal money to pay for abortions, however, is more difficult to resolve. It is likely that the Secretary will decide that the provision of abortion as a reimbursable service will be at the option of each state.

A number of HEW statutory authorizations might allow funding or provision of abortion services. The Department is preparing a memorandum for us on this.

The only two titles primarily involved are Titles XIX and XX of the Social Security Act. Under Title XIX (Medicaid), abortion is a reimbursable service in the states that choose to offer that option; approximately 34 do. The decision whether Title XX (Social Services) family planning money should be available for abortion has not been resolved. It will probably be left open as an option for each state.

In any case, the strict eligibility requirements of both Titles XIX and XX and the limited availability of monies will limit HEW's role in supporting abortion services.

Comment

The General Counsels of HEW and of the White House will work together before a decision is made. We will keep you informed.



ABORTION MEETING
Quern, Massengale, Buchen, Kilberg
January 7, 1976
3:00 p.m.

Ninety-fourth Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Monday, the nineteenth day of January, one thousand nine hundred and seventy-six

An Act

Making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending September 30, 1977, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending September 30, 1977, and for other purposes, namely:

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, \$69,774,000, together with not to exceed \$30,887,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund, and of which \$5,598,000 shall be for carrying into effect the provisions of 38 U.S.C. 2001-2003.

EMPLOYMENT AND TRAINING ASSISTANCE

For expenses necessary to carry into effect the Comprehensive Employment and Training Act of 1973, as amended, and sections 326 and 328 of the Trade Expansion Act of 1962 (19 U.S.C. 1951 and 1961) and sections 236, 237, and 238 of the Trade Act of 1974, (19 U.S.C. 2101) \$3,311,830,000, plus reimbursements, to remain available until September 30, 1978: *Provided*, That this appropriation shall be available for the purchase and hire of passenger motor vehicles, and for construction, alteration, and repair of buildings and other facilities and for the purchase of real property for training centers as authorized by the Comprehensive Employment and Training Act of 1973, as amended, (29 U.S.C. 801 et seq.).

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out title IX of the Older Americans Act, as amended, \$90,600,000, of which \$75,300,000 shall be for section 906(a)(1).

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of benefits and allowances to unemployed Federal employees and ex-servicemen, as authorized by title 5, chapter 85 of the United States Code, of trade adjustment benefit payments and allowances, as provided by law (19 U.S.C. 1941-1944 and 1952; part I, subchapter B, chapter 2, title II of the Trade Act of 1974), and of unemployment assistance as authorized by title II of the Emergency Jobs and Unemployment Assistance

Act of 1974, as amended, \$860,000,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15 of the current year: *Provided*, That, in addition, there shall be transferred from the Postal Service Fund to this appropriation such sums as the Secretary of Labor determines to be the cost of benefits for ex-Postal Service employees: *Provided further*, That amounts received during the current fiscal year from the Postal Service or recovered from the States pursuant to 5 U.S.C. 8505(d) shall be available for such payments during the year.

GRANTS TO STATES FOR UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICES

For grants for activities authorized by the Act of June 6, 1933, as amended (29 U.S.C. 49-49n; 39 U.S.C. 3202(a)(1)(E)); Veterans' Employment and Readjustment Act of 1972, as amended (38 U.S.C. 2001-2013); title III of the Social Security Act, as amended (42 U.S.C. 501-503); sections 312(e) and (g) of the Comprehensive Employment and Training Act of 1973, as amended; and necessary administrative expenses for carrying out 5 U.S.C. 8501-8523, 19 U.S.C. 1941-1944, 1952, and chapter 2, title II, of the Trade Act of 1974, including upon the request of any State, the payment of rental for space made available to such State in lieu of grants for such purpose, \$89,100,000, together with not to exceed \$1,412,700,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund and of which \$239,800,000 shall be available only to the extent necessary to meet increased costs of administration resulting from changes in a State law or increases in the number of unemployment insurance claims filed and claims paid or increased salary costs resulting from changes in State salary compensation plans embracing employees of the State generally over those upon which the State's basic grant was based, which cannot be provided for by normal budgetary adjustments: *Provided*, That any portion of the funds granted to a State in the current fiscal year and not obligated by the State in that year shall be returned to the Treasury and credited to the account from which derived.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund, as authorized by sections 903(d) and 1203 of the Social Security Act, as amended, and for nonrepayable advances to the "Federal unemployment benefits and allowances" account, to remain available until September 30, 1978, \$5,000,000,000.

LABOR-MANAGEMENT SERVICES ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Labor-Management Services Administration, \$48,319,000.



PENSION BENEFIT GUARANTY CORPORATION

The Pension Benefit Guaranty Corporation is authorized to make such expenditures within limits of funds and borrowing authority available to such corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 849), as may be necessary in carrying out the program through September 30, 1977 for such corporation.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, \$92,952,000, together with \$250,000 which may be expended from the Special Fund in accordance with Sections 39(c) and 44(j) of the Longshoremen's and Harbor Workers' Compensation Act.

SPECIAL BENEFITS

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by title IV of the Federal Coal Mine Health and Safety Act of 1969, as amended, and title V, chapter 81 of the United States Code; continuation of benefits as provided for under the head "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; and sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and fifty per centum of the additional compensation and benefits required by section 10(h) of the Longshoremen's and Harbor Workers' Compensation Act, as amended, \$317,818,000, together with such amount as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to September 15 of the current year: *Provided*, That in addition there shall be transferred from the Postal Service fund to this appropriation such sums as the Secretary of Labor determines to be the cost of administration for Postal Service employees through September 30, 1977.

Whenever the Secretary of Labor finds it will promote the achievement of the above activities, qualified persons may be appointed to conduct hearings thereunder without meeting the requirements for hearing examiners appointed under 5 U.S.C. 3361. *Provided*, That no person shall hold a hearing in any case with which he has been concerned previously in the administration of such activities.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, \$130,333,000, of which not to exceed \$9,000,000 shall be available for reimbursement to States under section 7(c)(1) of

the Occupational Safety and Health Act of 1970 (29 U.S.C. 656(c) (1)) for the furnishing of consultation services to employers under section 21(c) of such Act (29 U.S.C. 670(c)): *Provided*, That none of the funds appropriated under this paragraph shall be obligated or expended for the assessment of civil penalties issued for first instance violations of any standard, rule, or regulation promulgated under the Occupational Safety and Health Act of 1970 (other than serious, willful, or repeated violations under section 17 of the Act) resulting from the inspection of any establishment or workplace subject to the Act, unless such establishment or workplace is cited, on the basis of such inspection, for 10 or more violations: *Provided further*, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 which is applicable to any person who is engaged in a farming operation and employs 10 or fewer employees.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, \$73,018,000, of which \$5,614,000 shall be for expenses of revising the Consumer Price Index, including salaries of temporary personnel assigned to this project without regard to competitive civil service requirements.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for departmental management and \$1,393,000 for the President's Committee on Employment of the Handicapped, \$49,182,000, together with not to exceed \$1,305,000, to be derived from the Employment Security Administration account, Unemployment Trust Fund.

SPECIAL FOREIGN CURRENCY PROGRAM

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the Department of Labor, as authorized by law, \$70,000, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations to such agency for payments in the foregoing currencies.

GENERAL PROVISIONS

SEC. 101. Appropriations in this Act available for salaries and expenses shall be available for supplies, services, and rental of conference space within the District of Columbia, as the Secretary of Labor shall deem necessary for settlement of labor-management disputes.

This title may be cited as the "Department of Labor Appropriation Act, 1977".

TITLE II—DEPARTMENT OF HEALTH, EDUCATION,
AND WELFARE

HEALTH SERVICES ADMINISTRATION

HEALTH SERVICES

For carrying out, except as otherwise provided, titles III, V, X, XI, and sections 1303, 1304(a) and 1304(b) of the Public Health Service Act, the Act of August 8, 1946 (5 U.S.C. 7901), section 1 of the Act of July 19, 1963 (42 U.S.C. 253a), section 108 of Public Law 93-353, and titles V and XI of the Social Security Act, \$1,016,021,000, of which \$1,200,000 shall be available only for payments to the State of Hawaii for care and treatment of persons afflicted with leprosy: *Provided*, That any amounts received by the Secretary in connection with loans and loan guarantees under title XIII and any other property or assets derived by him from his operations respecting such loans and loan guarantees, including any money derived from the sale of assets, shall be available to the Secretary without fiscal year limitation for direct loans and loan guarantees, as authorized by said title XIII, in addition to funds specifically appropriated for that purpose: *Provided further*, That this appropriation shall be available for payment of the costs of medical care, related expenses, and burial expenses, hereafter incurred, by or on behalf of any person who has participated in the study of untreated syphilis initiated in Tuskegee, Alabama, in 1932, in such amounts and subject to such terms and conditions as prescribed by the Secretary of Health, Education, and Welfare, and for payment, in such amounts and subject to such terms and conditions, of such costs and expenses hereafter incurred by or on behalf of such person's wife or offspring determined by the Secretary to have suffered injury or disease from syphilis contracted from such person: *Provided further*, That when the Health Services Administration operates an employee health program for any Federal department or agency, payment for the estimated cost shall be made by way of reimbursement or in advance to this appropriation: *Provided further*, That in addition, \$40,121,000 may be transferred to this appropriation as authorized by section 201(g) (1) of the Social Security Act, from any one or all of the trust funds referred to therein.

CENTER FOR DISEASE CONTROL

PREVENTIVE HEALTH SERVICES

To carry out, to the extent not otherwise provided, title III of the Public Health Service Act, title XVII of the Public Health Service Act, the Lead-Based Paint Poisoning Prevention Act, the Federal Coal Mine Health and Safety Act of 1969, and the Occupational Safety and Health Act of 1970; including insurance of official motor vehicles in foreign countries; and purchase, hire, maintenance, and operation of aircraft, \$175,228,000: *Provided*, That training of employees of private agencies shall be made subject to reimbursement or advances to this appropriation for the full cost of such training.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out, to the extent not otherwise provided, title IV of the Public Health Service Act with respect to cancer, \$815,000,000.

H. R. 14232—6

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For expenses, not otherwise provided for, necessary to carry out titles IV and XI of the Public Health Service Act with respect to heart, lung, blood vessel, and blood diseases, \$396,661,000.

NATIONAL INSTITUTE OF DENTAL RESEARCH

For expenses, not otherwise provided for, to carry out title IV of the Public Health Service Act with respect to dental diseases, \$55,573,000.

NATIONAL INSTITUTE OF ARTHRITIS, METABOLISM, AND DIGESTIVE DISEASES

For expenses necessary to carry out title IV of the Public Health Service Act with respect to arthritis, rheumatism, metabolic diseases, and digestive diseases, \$209,000,000.

NATIONAL INSTITUTE OF NEUROLOGICAL AND COMMUNICATIVE DISORDERS AND STROKE

For expenses necessary to carry out, to the extent not otherwise provided, title IV of the Public Health Service Act with respect to neurological and communicative disorders and stroke, \$155,500,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For expenses, not otherwise provided for, to carry out title IV of the Public Health Service Act with respect to allergy and infectious diseases, \$141,000,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For expenses, not otherwise provided for, necessary to carry out title IV of the Public Health Service Act with respect to general medical sciences, \$205,000,000.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

To carry out, except as otherwise provided, titles IV and X of the Public Health Service Act with respect to child health and human development, \$145,543,000.

NATIONAL INSTITUTE ON AGING

To carry out, except as otherwise provided, title IV of the Public Health Service Act with respect to aging, \$30,000,000.

NATIONAL EYE INSTITUTE

For expenses necessary to carry out title IV of the Public Health Service Act, with respect to eye diseases and visual disorders, \$64,000,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

To carry out, except as otherwise provided, sections 301, 311, and 472 of the Public Health Service Act with respect to environmental health sciences, \$49,141,000.

H. R. 14232—7

RESEARCH RESOURCES

To carry out, except as otherwise provided, sections 301 and 472 of the Public Health Service Act with respect to research resources and general research support grants, \$137,500,000: *Provided*, That none of these funds shall be used to pay recipients of the general research support grants programs any amount for indirect expenses in connection with such grants.

JOHN E. FOGARTY INTERNATIONAL CENTER FOR ADVANCED STUDY IN
THE HEALTH SCIENCES

For the John E. Fogarty International Center for Advanced Study in the Health Sciences, \$7,992,000, of which not to exceed \$1,400,000 shall be available for payment to the Gorgas Memorial Institute for maintenance and operation of the Gorgas Memorial Laboratory.

NATIONAL LIBRARY OF MEDICINE

To carry out, to the extent not otherwise provided for, section 301 with respect to health information communications and parts I and J of title III of the Public Health Service Act, \$35,234,000.

BUILDINGS AND FACILITIES

For construction of, and acquisition of sites and equipment for, facilities of or used by the National Institutes of Health, where not otherwise provided, \$67,400,000 to remain available until expended.

OFFICE OF THE DIRECTOR

For expenses necessary for the Office of the Director, National Institutes of Health, \$16,234,000.

Funds advanced to the National Institutes of Health management fund from appropriations in this Act shall be available for the expenses of sharing medical care facilities and resources pursuant to section 328 of the Public Health Service Act and for the purchase of not to exceed thirteen passenger motor vehicles for replacement only.

ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION

ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH

For carrying out the Public Health Service Act with respect to mental health, and except as otherwise provided, parts A, B, and D of the Community Mental Health Centers Act (42 U.S.C. 2681, et seq.), the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970, as amended, the Narcotic Addict Rehabilitation Act of 1966, and the Drug Abuse Office and Treatment Act of 1972, \$763,141,000.

SAINT ELIZABETHS HOSPITAL

For expenses necessary for the maintenance and operation of the hospital, including clothing for patients, and cooperation with organizations or individuals in the scientific research into the nature, causes, prevention, and treatment of mental illness, \$60,464,000, or such amounts as may be necessary to provide a total appropriation equal

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to the difference between the amount of the reimbursements received during the current fiscal year on account of patient care provided by the hospital during such year and \$84,244,000.

HEALTH RESOURCES ADMINISTRATION

HEALTH RESOURCES

For carrying out, to the extent not otherwise provided, titles III, VIII, and XV and section 472 of the Public Health Service Act, section 1122 of the Social Security Act and section 222 of the Social Security Amendments of 1972, \$359,008,000 of which \$9,000,000 shall remain available until expended for carrying out section 305 (b) (3) of the Public Health Service Act, without regard to the requirements of section 308 of said Act.

MEDICAL FACILITIES GUARANTEE AND LOAN FUND

For carrying out title XVI of the Public Health Service Act, \$31,000,000 shall be available without fiscal year limitation for the payment of interest subsidies. The total principal amount of loans to be guaranteed or directly made, which may be allotted among the States, pursuant to titles VI and XVI of the Public Health Service Act shall not exceed a cumulative amount of \$1,750,000,000.

PAYMENT OF SALES INSUFFICIENCIES AND INTEREST LOSSES

For the payment of such insufficiencies as may be required by the trustee on account of outstanding beneficial interest or participations in the Health Professions Education Fund assets or Nurse Training Fund assets, authorized by the Department of Health, Education, and Welfare Appropriation Act, 1968, to be issued pursuant to section 302 (c) of the Federal National Mortgage Association Charter Act, \$164,000, and for payment of amounts pursuant to section 744 (b) or 827 (b) of the Public Health Service Act to schools which borrow any sums from the Health Professions Education Fund or Nurse Training Fund, \$3,836,000: *Provided*, That the amounts appropriated herein shall remain available until expended.

HEALTH EDUCATION LOANS

The Secretary is hereby authorized to make such expenditures, within the limits of funds available in the Health Professions Education Fund and the Nurse Training Fund, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year.

ASSISTANT SECRETARY FOR HEALTH

SALARIES AND EXPENSES

For expenses necessary for the Office of the Assistant Secretary for Health, \$22,316,000.

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RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retired pay of commissioned officers, as authorized by law, and for payments under the Retired Serviceman's Family Protection Plan; Survivor Benefit Plan and payments for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C., ch. 55), such amount as may be required during the current fiscal year.

SCIENTIFIC ACTIVITIES OVERSEAS (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses for conducting scientific activities overseas, as authorized by law, \$1,500,000, to remain available until expended: *Provided*, That this appropriation shall be available in addition to other appropriations for such activities, for payments in the foregoing currencies.

EDUCATION DIVISION

OFFICE OF EDUCATION

ELEMENTARY AND SECONDARY EDUCATION

For carrying out, to the extent not otherwise provided, title I, part A (\$2,258,981,000), title I, part B (\$24,769,000), title IV, part C (\$184,522,000), title VII (\$115,000,000), and title IX of the Elementary and Secondary Education Act; title VII of the Education Amendments of 1974; the Environmental Education Act (\$3,500,000); section 417(a)(2) of the General Education Provisions Act; the Communications Act of 1934, as amended; section 842 of Public Law 93-380; the Alcohol and Drug Abuse Education Act; part B of the Headstart-Follow Through Act (\$59,000,000); and Public Law 92-506 as amended, \$2,703,572,000 of which \$10,500,000 shall remain available until September 30, 1978, for carrying out section 842 of Public Law 93-380 and \$15,000,000 for educational broadcasting facilities shall remain available until expended, including \$1,000,000 for carrying out section 392A of the Communications Act of 1934, as amended: *Provided*, That of the amounts appropriated above the following amounts shall become available for obligation on July 1, 1977, and shall remain available until September 30, 1978: title I, part A (\$2,258,981,000), title I, part B (\$24,769,000), title IV, part C (\$184,522,000) of the Elementary and Secondary Education Act and section 417(a)(2) of the General Education Provisions Act (\$1,250,000): *Provided further*, That amounts appropriated in Public Law 94-94 for carrying out title I of the Elementary and Secondary Education Act in the fiscal year 1977 shall be available for carrying out section 822 of Public Law 93-380. For carrying out title IV of the Elementary and Secondary Education Act an additional \$9,478,000 for fiscal year 1978: *Provided*, That none of such funds may be paid to any State for which the allocation for fiscal year 1978 exceeds the allocation for comparable purposes for fiscal year 1977.

SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

For carrying out title I of the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), \$768,000,000 of which \$52,500,000 shall be for payments under section 6, and \$715,500,000 shall be for pay-

ments under sections 2, 3, and 4 in accordance with subsection 5(c) (1) and (2) of said Act and for payments under subparagraphs (A), (B), (C), and (D) of section 305 of the Education Amendments of 1974.

For carrying out the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), \$25,000,000, which shall remain available until expended, shall be for providing school facilities as authorized by said Act of September 23, 1950: *Provided*, That, with the exception of up to \$6,000,000 for repairs for facilities constructed under section 10, none of the funds contained herein for providing school facilities shall be available to pay for any other section of the Act of September 23, 1950, until payment has been made of 100 per centum of the amounts payable under section 5 and subsections 14(a) and 14(b): *Provided further*, That, of the funds provided herein for carrying out the Act of September 23, 1950, no more than \$8,000,000 may be used to fund section 5 of said Act: *Provided further*, That, notwithstanding section 421A(c)(2)(A) of the General Education Provisions Act, the Commissioner of Education is authorized to approve applications for funds to increase school facilities in communities located near the Trident Support Site, Bangor, Washington, on such terms and conditions as he may reasonably require without regard to any provision in law.

EMERGENCY SCHOOL AID

For carrying out title IV of the Civil Rights Act of 1964 and the Emergency School Aid Act, \$274,700,000, of which \$35,750,000 shall be for section 708(a) and \$137,600,000 shall be for section 706(a) of the Emergency School Aid Act.

EDUCATION FOR THE HANDICAPPED

For carrying out, to the extent not otherwise provided, the Education of the Handicapped Act, as amended by Public Law 94-142, except for sections 607 and 618 \$467,625,000: *Provided*, That of this amount, \$315,000,000 for part B and \$12,500,000 for section 619 shall become available for obligation on July 1, 1977, and shall remain available until September 30, 1978: *Provided*, That the appropriations for "Education for the handicapped" contained in title I, chapter VI of Public Law 94-303 (Second Supplemental Appropriations Act, 1976) is amended by adding at the end thereof "to remain available until September 30, 1977": *Provided further*, That funds contained in this title for "Special benefits for disabled coal miners" shall remain available for benefit payments from July 1, 1976 through September 30, 1977.

OCCUPATIONAL, VOCATIONAL, AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, parts B and C (\$844,000,000) and section 104(b) of the Vocational Education Act of 1963, as amended (20 U.S.C. 1241-1391), and the Adult Education Act of 1966, \$932,053,000, including not to exceed \$31,500,000 for research and training under part C of said 1963 Act: *Provided*, That of the amounts appropriated above the following amounts shall become available for obligation on July 1, 1977, and shall remain available until September 30, 1978: part B (\$475,000,000), part C (\$18,000,000) and section 104(b) (\$4,316,000) of the Vocational Education Act of 1963 and \$80,500,000 for the Adult Education Act.

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HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, title IV and section 966 of the Higher Education Act, the Emergency Insured Student Loan Act of 1969, the Mutual Educational and Cultural Exchange Act of 1961, and section 22 of the Act of June 29, 1935, as amended (7 U.S.C. 329), \$352,170,000, of which \$325,000,000 for subsidies on guaranteed student loans shall remain available until expended.

LIBRARY RESOURCES

For carrying out, to the extent not otherwise provided, titles I (\$56,900,000) and III (\$3,337,000) of the Library Services and Construction Act (20 U.S.C., ch. 16); and title IV, part B (\$154,330,000) of the Elementary and Secondary Education Act, \$214,567,000: *Provided*, That the amount appropriated above for title IV, part B of the Elementary and Secondary Education Act shall become available for obligation on July 1, 1977, and shall remain available until September 30, 1978.

SPECIAL PROJECTS AND TRAINING

For carrying out the Special Projects Act (Public Law 93-380) and section 422(a) of the General Education Provisions Act, \$47,493,000.

EDUCATIONAL ACTIVITIES OVERSEAS (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be in excess to the normal requirements of the United States, for necessary expenses of the Office of Education, as authorized by law, \$2,000,000, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations to such office, for payments in the foregoing currencies.

SALARIES AND EXPENSES

For carrying out, to the extent not otherwise provided, the General Education Provisions Act, and the Education Amendments of 1974, including rental of conference rooms in the District of Columbia, \$115,784,000.

HIGHER EDUCATION FACILITIES LOAN AND INSURANCE FUND

For the payment of such insufficiencies as may be required by the trustee on account of outstanding beneficial interest or participations in assets of the Office of Education authorized by the Department of Health, Education, and Welfare Appropriation Act, 1968, to be issued pursuant to section 302(c) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(c)), \$2,119,000, to remain available until expended, and the Secretary is hereby authorized to make such expenditures, within the limits of funds available in the Higher Education Facilities Loan and Insurance Fund, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation as provided by section 104 of the Government Corporation Control Act (31 U.S.C. 849) as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such fund.

OFFICE OF THE ASSISTANT SECRETARY FOR EDUCATION

SALARIES AND EXPENSES

For necessary expenses to carry out sections 402 and 406 of the General Education Provisions Act, \$20,446,000, of which not to exceed \$1,500 may be for official reception and representation expenses.

SOCIAL AND REHABILITATION SERVICE

PUBLIC ASSISTANCE

For carrying out, except as otherwise provided, titles I, IV, X, XI, XIV, XVI, XIX, and XX of the Social Security Act, and the Act of July 5, 1960 (24 U.S.C., ch. 9) \$18,040,850,000, of which \$56,500,000 shall be for child welfare services under part B of title IV.

For making, after June 30 of the current fiscal year, payments to States under titles I, IV, X, XIV, XVI, XIX and XX, respectively, of the Social Security Act, for the last three months of the current fiscal year (except with respect to activities included in the appropriation for "Work incentives"); and for making after July 31 of the current fiscal year, payments for the first quarter of the succeeding fiscal year; such sums as may be necessary, the obligations incurred and the expenditures made thereunder for payments under each of such titles to be charged to the subsequent appropriations therefor for the current or succeeding fiscal year.

In the administration of titles I, IV (other than part C thereof), X, XIV, XVI, XIX, and XX, respectively, of the Social Security Act, payments to a State under any such titles for any quarter in the period beginning July 1, 1976, and ending September 30, 1977 may be made with respect to a State plan approved under such title prior to or during such period, but no such payment shall be made with respect to any plan for any quarter prior to the quarter in which a subsequently approved plan was submitted.

Such amounts as may be necessary from this appropriation shall be available for grants to States for any period in fiscal year 1976 and the period July 1, 1976 through September 30, 1976 subsequent to March 31, 1976.

WORK INCENTIVES

For carrying out a work incentives program, as authorized by part C of title IV of the Social Security Act, including registration of individuals for such program, and for related child care and other supportive services, as authorized by section 402(a)(19)(G) of the Act, including transfer to the Secretary of Labor, as authorized by section 431 of the Act, \$370,000,000, which shall be the maximum amount available for transfer to the Secretary of Labor and to which the States may become entitled pursuant to section 403(d) of such Act, for these purposes.

PROGRAM ADMINISTRATION

For expenses necessary for the administration of public assistance programs, \$62,895,000.



SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance, the Federal Disability Insurance, the Federal Hospital Insurance, and the Federal Supplementary Medical Insurance Trust Funds, as provided under sections 217(g), 228(g), 229(b), and 1844 of the Social Security Act, and sections 103(c) and 111(d) of the Social Security Amendments of 1965, \$6,713,902,000.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Coal Mine Health and Safety Act of 1969, as amended, including the payment of travel expenses either on an actual cost or commuted basis, to an individual for travel incident to medical examinations, and to parties, their representatives and all reasonably necessary witnesses for travel within the United States, Puerto Rico, and the Virgin Islands, to reconsideration interviews and to proceedings before administrative law judges, \$913,897,000: *Provided*, That after July 31, such amounts for benefit payments as may be necessary may be charged to the subsequent year appropriation.

Whenever the Commissioner of Social Security finds it will promote the achievement of the provisions of title IV of the Federal Coal Mine Health and Safety Act of 1969, as amended, qualified persons may be appointed to conduct hearings thereunder without meeting the requirements for administrative law judges appointed under 5 U.S.C. 3105, but such appointments shall terminate not later than March 31, 1978: *Provided*, That no person shall hold a hearing in any case with which he has been concerned previously in the administration of such title.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out the Supplemental Security Income program under title XVI of the Social Security Act, section 401 of Public Law 92-603, and section 212 of Public Law 93-66, including payment to the social security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, \$5,895,122,000: *Provided*, That for carrying out these activities after July 31, such sums as may be necessary shall be available, the obligations and expenditures therefor to be charged to the appropriation for the succeeding fiscal year.

LIMITATION ON SALARIES AND EXPENSES

For necessary expenses, not more than \$2,561,773,000 may be expended as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: *Provided*, That such amounts as are required shall be available to pay travel expenses either on an actual cost or commuted basis, to an individual for travel incident to medical examinations, and to parties, their representatives and all reasonably necessary witnesses for travel within the United States, Puerto Rico, and the Virgin Islands to reconsideration interviews and to proceedings before administrative law judges under titles II, XVI, and XVIII of the Social Security Act: *Provided further*, That \$25,000,000 of the foregoing amount shall be apportioned for use pursuant to section 3679 of the Revised Statutes



(31 U.S.C. 665), only to the extent necessary to process workloads not anticipated in the budget estimates and to meet mandatory increases in costs of agencies or organizations with which agreements have been made to participate in the administration of titles XVI and XVIII and section 221 of title II of the Social Security Act, and after maximum absorption of such costs within the remainder of the existing limitation has been achieved: *Provided further*, That such amounts as may be required may be expended for administration within the United States of the social insurance program of the United Kingdom, under terms of an agreement wherein similar services will be provided by the United Kingdom in that country for administration of the social insurance program of the United States.

LIMITATION ON CONSTRUCTION

For acquisition of sites, construction and equipment of facilities and for payments of principal, interest, taxes, and any other obligations under contracts entered into pursuant to the Public Buildings Purchase Contract Act of 1954 and the Public Buildings Amendments of 1972, \$14,400,000, to be expended as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein, and to remain available until expended.

SPECIAL INSTITUTIONS

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101-105), \$3,012,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For carrying out the National Technical Institute for the Deaf Act (20 U.S.C. 681, et seq.), \$12,675,000.

GALLAUDET COLLEGE

For carrying out the Model Secondary School for the Deaf Act (80 Stat. 1027) and for the partial support of Gallaudet College authorized by the Act of June 18, 1954 (68 Stat. 265), \$40,840,000 of which \$15,575,000 shall be for construction and shall remain available until expended: *Provided*, That if requested by the college, such construction shall be supervised by the General Services Administration.

HOWARD UNIVERSITY

For the partial support of Howard University, \$82,409,000, of which \$2,500,000 shall be for construction and shall remain available until expended: *Provided*, That if requested by the university, such construction shall be supervised by the General Services Administration.

ASSISTANT SECRETARY FOR HUMAN DEVELOPMENT

HUMAN DEVELOPMENT

For carrying out, except as otherwise provided, section 426 of the Social Security Act, the Act of April 9, 1912 (42 U.S.C. 191), the Older Americans Act of 1965, as amended, the Child Abuse Preven-

tion and Treatment Act, the Runaway Youth Act, the Community Services Act of 1974, sections 106, 107 and 306 of the Comprehensive Employment and Training Act of 1973, the Rehabilitation Act of 1973, as amended, the International Health Research Act of 1960, the Developmental Disabilities Services and Facilities Construction Act, as amended, and the White House Conference on Handicapped Individuals Act, \$1,896,023,000, of which \$740,000,000 shall be for activities under section 110(a) of the Rehabilitation Act of 1973; \$309,000 shall be for section 110(b) of such Act; and \$30,058,000 shall be for grants under part C of the Developmental Disabilities Services and Facilities Construction Act, as amended, together with not to exceed \$600,000 to be transferred from the Federal Disability Insurance Trust Fund and the Federal Old-Age and Survivors Insurance Trust Fund as provided by section 201(g)(1) of the Social Security Act: *Provided further*, That the level of operations for the nutrition services for the elderly program shall be \$225,000,000 per annum.

DEPARTMENTAL MANAGEMENT

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights \$29,685,000, together with not to exceed \$919,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from any one or all of the trust funds referred to therein.

GENERAL DEPARTMENTAL MANAGEMENT

For expenses not otherwise provided, necessary for general departmental management, including hire of six medium sedans, \$89,511,000 together with not to exceed \$12,872,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from any one or all of the trust funds referred to therein.

POLICY RESEARCH

For carrying out, to the extent not otherwise provided, research studies under section 232 of the Community Services Act of 1974 and section 1110 of the Social Security Act, \$20,000,000.

GENERAL PROVISIONS

SEC. 201. None of the funds appropriated by this title to the Social and Rehabilitation Service for grants-in-aid of State agencies to cover, in whole or in part, the cost of operation of said agencies, including the salaries and expenses of officers and employees of said agencies, shall be withheld from the said agencies of any States which have established by legislative enactment and have in operation a merit system and classification and compensation plan covering the selection, tenure in office, and compensation of their employees, because of any disapproval of their personnel or the manner of their selection by the agencies of the said States, or the rates of pay of said officers or employees.

SEC. 202. Funds appropriated in this Act to the American Printing House for the Blind, Howard University, the National Technical Institute for the Deaf, and Gallaudet College shall be awarded to these institutions in the form of lump-sum grants and expenditures made therefrom shall be subject to audit by the Secretary of Health, Education, and Welfare.

SEC. 203. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount equal to as much as the entire cost of such project.

SEC. 204. None of the funds contained in this title shall be available for additional permanent positions in the Washington area if the total authorized positions in the Washington area is allowed to exceed the proportion existing at the close of fiscal year 1966.

SEC. 205. Appropriations in this Act for the Health Services Administration, the National Institutes of Health, the Center for Disease Control, the Alcohol, Drug Abuse, and Mental Health Administration, the Health Resources Administration and Departmental Management shall be available for expenses for active commissioned officers in the Public Health Service Reserve Corps and for not to exceed two thousand eight hundred commissioned officers in the Regular Corps; expenses incident to the dissemination of health information in foreign countries through exhibits and other appropriate means; advances of funds for compensation, travel, and subsistence expenses (or per diem in lieu thereof) for persons coming from abroad to participate in health or scientific activities of the Department pursuant to law; expenses of primary and secondary schooling of dependents in foreign countries, of Public Health Service commissioned officers stationed in foreign countries, at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools available in the locality are unable to provide adequately for the education of such dependents, and for the transportation of such dependents between such schools and their places of residence when the schools are not accessible to such dependents by regular means of transportation; rental or lease of living quarters (for periods not exceeding 5 years), and provision of heat, fuel, and light, and maintenance, improvement, and repair of such quarters, and advance payments therefor, for civilian officers, and employees of the Public Health Service who are United States citizens and who have a permanent station in a foreign country; purchase, erection, and maintenance of temporary or portable structures; and for the payment of compensation to consultants or individual scientists appointed for limited periods of time pursuant to section 207(f) or section 207(g) of the Public Health Service Act, at rates established by the Assistant Secretary for Health, or the Secretary where such action is required by statute, not to exceed the per diem rate equivalent to the rate for GS-18; not to exceed \$9,500 for official reception and representation expenses related to any health agency of the Department when specifically approved by the Assistant Secretary for Health.

SEC. 206. No part of the funds contained in this title may be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to force on account of race, creed, or color the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent.

SEC. 207. (a) No part of the funds contained in this title shall be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to require the abolishment of any school so desegregated; or to force on account of race, creed, or color the transfer of students to or from

a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district, or school.

(b) No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 208. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, and which offers the courses of study pursued by such student, in order to comply with title VI of the Civil Rights Act of 1964.

SEC. 209. None of the funds contained in this Act shall be used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term.

TITLE III—RELATED AGENCIES

ACTION

OPERATING EXPENSES, DOMESTIC PROGRAMS

For expenses necessary for Action to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, \$108,200,000.

COMMUNITY SERVICES ADMINISTRATION

COMMUNITY SERVICES PROGRAM

For expenses of the Community Services Administration, \$511,170,000.

CORPORATION FOR PUBLIC BROADCASTING

PUBLIC BROADCASTING FUND

For payment to the Corporation for Public Broadcasting, as authorized by the Public Broadcasting Financing Act of 1975, an amount which shall be available within limitations specified by said Act, for the fiscal year 1977, \$103,000,000; for the fiscal year 1978, \$107,150,000; and for the fiscal year 1979, \$120,200,000: *Provided*, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties and similar forms of entertainment for government officials or employees: *Provided further*, That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity excluding from participation in, denying the benefits of, or discriminating against any person in the United States, on the basis of race, color, national origin, religion, or sex.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor-Management Relations Act, 1947 (29 U.S.C. 171-180, 182), including expenses of the Labor-Management Panel and boards of inquiry appointed by



the President; hire of passenger motor vehicles; and rental of conference rooms in the District of Columbia; and for expenses necessary pursuant to Public Law 93-360 for mandatory mediation in health care industry negotiation disputes, and for convening factfinding boards of inquiry appointed by the Director in the health care industry, \$20,328,000.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

SALARIES AND EXPENSES

For necessary expenses of the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91-345), \$492,575.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141-167), and other laws, \$77,776,000: *Provided*, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 per centum of the water stored or supplied thereby is used for farming purposes.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary for carrying out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151-188), including emergency boards appointed by the President, \$3,606,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission, \$6,280,000.

RAILROAD RETIREMENT BOARD

PAYMENTS TO RAILROAD RETIREMENT TRUST FUND

For payment to the Railroad Retirement Account, as provided under sections 15(b) and 15(d) of the Railroad Retirement Act of 1974, \$250,000,000.

REGIONAL RAIL TRANSPORTATION PROTECTIVE ACCOUNT

For payment of benefits under section 509 of the Regional Rail Reorganization Act of 1973, to remain available until expended, including not to exceed \$100,000 for payment to the Railroad Retirement Board for administrative expenses, \$40,000,000.

LIMITATION ON SALARIES AND EXPENSES

For expenses necessary for the Railroad Retirement Board, \$33,723,000, to be derived from the railroad retirement accounts: *Provided*, That \$500,000 of the foregoing amount shall be apportioned for use pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665), only to the extent necessary to process workloads not anticipated in the budget estimates and after maximum absorption of the costs of such workloads within the remainder of the foregoing limitation has been achieved: *Provided further*, That notwithstanding any other provision in law, no portion of this limitation shall be available for payments of standard level user charges pursuant to section 210(j) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(j); 45 U.S.C. 228a-r).

SOLDIERS' AND AIRMEN'S HOME

OPERATION AND MAINTENANCE

For maintenance and operation of the United States Soldiers' and Airmen's Home, to be paid from the Soldiers' and Airmen's Home permanent fund, \$15,373,000: *Provided*, That this appropriation shall not be available for the payment of hospitalization of members of the Home in United States Army hospitals at rates in excess of those prescribed by the Secretary of the Army upon recommendation of the Board of Commissioners of the Home and the Surgeon General of the Army.

TITLE IV—GENERAL PROVISIONS

SEC. 401. Appropriations contained in this Act, available for salaries and expenses, shall be available for services as authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS-18.

SEC. 402. Appropriations contained in this Act available for salaries and expenses shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901-5902).

SEC. 403. Appropriations contained in this Act available for salaries and expenses shall be available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

SEC. 404. No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, a grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institution of higher education who has engaged in conduct on or after August 1, 1969, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curriculum, or to prevent the faculty, administrative officials, or students in such institution from engaging

in their duties or pursuing their studies at such institution.

SEC. 405. The Secretary of Labor and the Secretary of Health, Education, and Welfare are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: *Provided*, That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 406. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 407. No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 408. The Secretary of Labor and the Secretary of Health, Education, and Welfare are each authorized to make available not to exceed \$7,500 from funds available for salaries and expenses under titles I and II, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed \$2,500 from funds available for "Salaries and expenses, Federal Mediation and Conciliation Service".

SEC. 409. None of the funds appropriated by this Act shall be used to pay for any research program or project or any program, project, or course which is of an experimental nature, or any other activity involving human participants, which is determined by the Secretary or a court of competent jurisdiction to present a danger to the physical, mental, or emotional well-being of a participant or subject of such program, project, or course, without the written, informed consent of each participant or subject, or his parents or legal guardian, if such participant or subject is under eighteen years of age. The Secretary shall adopt appropriate regulations respecting this section.

This Act may be cited as the "Departments of Labor and Health, Education, and Welfare Appropriation Act, 1977".

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

THE WHITE HOUSE

WASHINGTON

January 16, 1976

File

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR:

PHIL BUCHEN
JIM CANNON

FROM:

JIM CONNOR *CC*

SUBJECT:

Abortion

The President reviewed your memorandum of January 15 on the above subject and approved Statement 1 as amended:

"As President I am bound by my oath of office to uphold the law of the land as interpreted by the Supreme Court in its 1973 decisions on abortion. In those decisions the Court ruled 7-2 that States could not interfere with a woman's decision to have an abortion the first three months.

As a matter of personal philosophy, however, my belief is that a remedy should be available in cases of serious illness or rape. Personally I do not favor abortion on demand.

I feel that abortion is a matter better decided at the State level. While House Minority Leader, I co-sponsored a proposed amendment to the Constitution to permit the individual States to enact legislation governing abortion."

Please follow-up with appropriate action.

cc: Dick Cheney



file
copy

THE WHITE HOUSE
WASHINGTON

2/2/76

Erskine Memurda -
Lark Pearson -

74!

Jim



THE WHITE HOUSE
WASHINGTON

TO: *Jim Cannon*
FROM: Robert A. Goldwin *Bob*

COMMENTS:

Kristol on

Abortion



THE Public Interest

EDITORIAL OFFICES: 10 East 53 Street, New York, N. Y. 10022

Editors: IRVING KRISTOL • NATHAN GLAZER

Associate Editor: PAUL WEAVER

January 28, 1976

Mr. Robert Goldwin
Room 170
Old Executive Office Building
Washington, D.C. 20500

Dear Bob:

This letter concerns itself with abortion,, of all things. It has become a rather important issue in the Democratic primaries, and I assume that it will be some kind of issue in the election itself. I do think it important, therefore, that the President take an unequivocal position on the subject and that he do so as soon as possible. The reason for speed is two-fold. First, once the President takes a position, all the Democratic candidates are going to be forced to take a position, and this will make life very difficult for them in their primaries. Secondly, one does not want the President's position on abortion to appear to be "political" -- i.e., simply a vote-getting ploy. I don't think it should be; I hope it won't be; and it certainly must not seem to be.

My own view on abortion is identical with that of the late Alex Bickel's, as expressed in an article in The New Republic (of all places) immediately after the Supreme Court decision. In a heterogeneous society such as ours, it's folly to try to dictate to the citizenry a national policy on such a controversial moral issue. The President, therefore, should support a constitutional amendment which returns the issue of abortion to the states. The states can, then, if they wish, devolve decision-making on this issue to local communities. This is what we did on the question of alcohol. National prohibition did not work, and a national prohibition of prohibition would, in my view, be wrong. We have "dry" states and "wet" states, "dry" counties and "wet" counties, and the system seems to work rather well. At least the issue of liquor itself has been defused. I think this should be our national attitude with regard to abortion. And, in view of the Supreme Court's opinion, unfortunately, a constitutional amendment is required.



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Mr. Robert Goldwin

1/28/76

If the President were to take this position very soon, and if he were to state it in a calm and utterly decisive way, he would get it "out of the way," so far as his own campaign is concerned. He will also put it "in the way" of the Democratic candidates, for whose constituencies it is a much more controversial issue.

So that's my view, for what it's worth.

Best,

Irving

Irving Kristol

IK:rl



[Ca. Aug. 1976]

18. ABORTION

1972 Republican Platform:

Since 1969, we have increased the Federal support for family planning threefold. We will continue to support expanded family planning programs and will foster research in this area so that more parents will be better able to plan the number and spacing of their children should they wish to do so. Under no circumstances will we allow any of these programs to become compulsory or infringe upon the religious conviction or personal freedom of any individual.

Ford Position: The President is personally opposed to abortion on demand and believes that the 1973 Supreme Court decision went too far in that direction. He is also opposed to a constitutional amendment which would totally prohibit abortion. The President would support a constitutional amendment giving to the states the authority to make regulations for abortion within that state. Such moral and deeply personal issues should not be settled as a matter of national policy, but rather should be decided by the people close to home in their own states.

Administration Actions:

- DOD complies with the Supreme Court decision and provides abortions as a normal medical service in its hospitals.
- HEW has its public health service facilities complying with the Supreme Court decisions and provides abortions as normal medical procedure.
- HEW reimburses states for abortions under medicaid and social services.

*Need legal
just picture
for
them*

Opponents Positions

1976 Democratic Platform

We fully recognize the religious and ethical nature of the concerns which many Americans have on the subject of abortion. We feel, however, that it is undesirable to attempt to amend the U.S. Constitution to overturn the Supreme Court decision in this area.



Carter

Carter has expressed personal opposition to abortion. "The government shouldn't encourage it" (Washington Post, January 24, 1976). Carter has come out in favor of a "national statute" that would "restrict the practice of abortion in our country" (Chicago Tribune, January 28, 1976; Washington Post, January 23, 1976). His proposal provides "better education, better family planning, making better contraceptive devices available and providing for better adoption procedures to minimize abortions" (Washington Star, January 25, 1976). He does not favor a Constitutional amendment

18. ABORTION (Cont.)

to prohibit all abortions or to give states local option authority. He would work with religious leaders and others to minimize need for abortions.

Reagan

Reagan believes abortion should be done only to save the life of the mother, not under any other circumstances. He favors a Constitutional amendment that would ban abortions altogether, giving states the power to make exceptions in extraordinary cases.

Draft Language:



Alternatives

(From Catholic Conference)

The 1973 abortion opinions of the U.S. Supreme Court (Roe v. Wade, Doe v. Bolton) in effect denied the possibility of any legal protection for the right to life of the unborn child during the entire time of pregnancy. By definition in Roe and Doe, maternal health is interpreted broadly to include socio-economic reasons and reasons of convenience. Roe and Doe effectively established a new national policy of permissive abortion in which more than one million legal abortions now take place each year, with anticipation of reaching 2.4 million by 1980.

The most recent decisions of the U.S. Supreme Court (Danforth v. Planned Parenthood of Central Missouri, Bellotti v. Baird, Singleton v. Wulff) have re-enforced the Court's commitment to a policy of permissive abortion and have denied spouses and parents of teenaged girls rights and prerogatives natural to the family unit. These opinions, based on an erroneous conceptualization of family life, constitute an abandonment of support for the family as a basic social institution that has been a foundation of our law and social policy.

In order to re-establish a legal structure that protects unborn human life and restores the possibility of enacting laws restricting the practice of abortion, it is necessary to amend the Constitution. The Republican Party favors a continuance of the public dialogue on abortion and supports the efforts of those who seek enactment of a Constitutional amendment to restore protection of the right to life for unborn children.

* * *

Abortion is a moral and deeply personal issue which should not be settled by a national political decision. In this respect, the 1973 Supreme Court decision and recent decisions have gone too far in laying down inflexible national rules. The way abortion is treated should be decided by the people in their own states, close to their homes. [We are determined to protect the rights of the unborn child.]

* * *



(From Senator Dole -- Ellen McCormick's suggestion)

We oppose the widespread practice of abortion-on-demand as well as the use of federal funds to pay for abortions. We ~~protect~~⁵ the Supreme Court's intrusion into the family structure through its denial of the parents' right to guide their minor children. We favor a Constitutional amendment to resolve these issues.

* * *

(Meahar draft)

The question of abortion is one of the most difficult and controversial of our time. We believe it is fundamentally a moral issue and each woman must deal with it on that basis. There are those in our Party who favor support for the Supreme Court decision which allows abortion on demand. There are others who feel most deeply that the Supreme Court's decision must be

18. ABORTION (Cont.)

changed by a Constitutional amendment prohibiting all abortions. Others recommend a Constitutional amendment allowing each State the right to determine legality of abortions. We have been unable to reach any consensus on this important issue, except that there is no consensus. Thus, in honesty, we take no position, believing that all should be free to support actively whichever position their conscience dictates.



MEMORANDUM

THE WHITE HOUSE
WASHINGTON

INFORMATION

August 20, 1976

MEMORANDUM FOR: Jim Cannon
FROM: Dick Parsons
SUBJECT: Abortion



You asked me to review the recent Supreme Court actions in the area of abortion and to give you my views on the latitude the Court has left the Legislative and Executive Branches of government to condition a minor child's right to an abortion on the consent of her parents.

CASE REVIEW

In 1973, in the case of Roe v. Wade, the Supreme Court held that the "right of privacy ... [guaranteed by the Constitution] ... is broad enough to encompass a woman's decision whether or not to terminate her pregnancy" and that "for the stage prior to approximately the end of the first trimester, the abortion decision and its effectuation must be left to the medical judgment of the pregnant woman's attending physician," without interference from the State.

On July 1 of this year, in the case of Planned Parenthood v. Danforth, the Court held that a State may not constitutionally impose a blanket parental consent requirement as a condition for an unmarried minor's abortion during the first 12 weeks of pregnancy. The Court reasoned that the State could not delegate to a third person a veto power over another's decision to seek an abortion which the State itself does not have.

On that same day (July 1, 1976), the Court, in Bellotti v Baird, refused to rule on the constitutionality of a Massachusetts statute which required parental consent as a condition for an unmarried minor's abortion but which also provided that, if one or both parents refused to consent, consent for the abortion could be obtained by order of a judge of the Superior Court for "good cause shown." Instead, the Court sent the case to the Supreme Court of Massachusetts for a definitive ruling on the meaning of the statute, in particular the words "good cause." The Court noted that abstention is appropriate where an unconstituted State statute is susceptible of a construction by the State judiciary "which might avoid in whole or in part the necessity for federal constitutional adjudication, or at least materially change the nature of the problem."

DISCUSSION

I believe the Court has left the Legislative and Executive Branches very little room to maneuver in terms of requiring parental consent for the abortion of an unwed minor. True, the Court refused to hold the Massachusetts law unconstitutional, but I believe this was more a manifestation of the traditional reluctance of the Court to invalidate State laws if there is any way to avoid doing so. It is clear to me that, while the Court is sympathetic to the desirability and utility of parental consultation, it is not inclined to let stand a law which gives a parent the right effectively to require a minor to have a child against her will.

There does appear to be one area, however, which it might profit us to scrutinize more closely. In Danforth, the Court said: "We emphasize that our holding ... [today] ... does not suggest that every minor, regardless of age or maturity, may give effective consent for termination of her pregnancy." * The implication is that, where it could be shown that a particular minor was not capable of giving informed consent to an abortion, some other person having a legal responsibility for the minor, such as a parent, would have to give consent.

I would think it would be constitutionally permissible, therefore, for a State to establish a procedure whereby a physician would be required to notify the parents of any minor who requests an abortion and the parents would be given an opportunity to challenge (probably in court under an expedited procedure) the ability of the child to consent to the abortion. If the court found that the child was not capable of giving consent, then parental consent could be required (or, perhaps, court approval).

In terms of what the appropriate Federal role is, however, I don't see one. The procedure described above would have to be set up on a State-by-State basis, not by the Federal government. There is always the old "constitutional amendment" routine, but, as the President has pointed out, that just is not realistic. The President may, of course, use his office to urge others (in this case the States) to act, but I, for one, would not consider that a particularly useful thing to do in this case.

I should be pleased to discuss this matter with you in detail at your convenience.

* The Court also decided in Danforth that a State could constitutionally require a woman to consent in writing to an abortion, to insure that she is fully aware of the magnitude and consequences of her decision. This would apply to minors as well as adults.

cc: Sarah Massengale



THE WHITE HOUSE

WASHINGTON

January 27, 1976

MEMORANDUM FOR THE FILE

FROM: SARAH MASSENGALE *Sarah Massengale*

SUBJECT: Meeting with representatives of three anti-abortion groups, Thursday, January 22, 1976, 10:45-11:15 a.m.

Participants

Ms. Nellie Grey, March for Life Committee
Ms. Randy Engle, U.S. Coalition for Life
Reverend Harold Brown, Christian Action Council
(Dr. Mildred Jefferson, National Right to Life, was unable to attend)
Philip Buchen
Marjorie Lynch, HEW
Judy Wolf, DOJ
Bobbie Kilberg, Counsel's Office
H. P. Goldfield, Counsel's Office
Judy Hope, Domestic Council
Sarah Massengale, Domestic Council

This meeting was requested by Ms. Grey to be held on the day of the Pro-Life march protesting the 1973 Supreme Court decisions on abortion.

Ms. Massengale indicated that the purpose of the meeting since it had been requested by Ms. Grey was to listen to what the three organization representatives had to say.

Ms. Grey said that a purpose of the meeting was to establish communication and contact with the persons within the Federal Government who could be responsive to the concerns of the various "anti-abortion" or "pro-life" groups. She expressed strong concern about "tax dollars being used to pay for abortions." Ms. Grey indicated that even though the government could not prohibit abortion it was not necessary to encourage and to fund abortions.

In addition to challenging "liberal" state laws in the courts, Ms. Grey wanted to open a dialogue with people at HEW and at Justice who could re-examine the legality of Federal actions (e.g. HEW reimbursement for abortions for Medicaid patients). Ms. Lynch and Ms. Wolf each indicated that they would be willing to talk again with Ms. Grey and her colleagues.

Reverend Brown said that his major concern was the enactment of a "pro-life" amendment to the Constitution but that he realized the proper realm for action on that was the Congress, not the Executive Branch.

Ms. Engle expressed her opposition to: HEW abortion policy, HEW and AID family planning, population control and birth control, policies and programs, fetal research, and sex education in the schools.

The representatives of the Administration listened to the concerns expressed. All present agreed that further communication would be directed to HEW (Ms. Lynch) and Justice (Ms. Wolf).



THE WHITE HOUSE
WASHINGTON

August 30, 1976

9/6/76 File
Sarah
Thanks
[Signature]

MEMORANDUM FOR: JIM CANNON
FROM: SARAH MASSENGALE
SUBJECT: Report in White House news summary of
8/17/76 on Meeting with White House
Staff and Representatives of Anti-
Abortion Groups

Attached is a report reprinted in the White House news summary of 8/17 from Human Events.

The quote from Mrs. Engel is inaccurate. As you can see from my memorandum of January 27, 1976, summarizing the events of the meeting (attached), Mrs. Engel did meet with the Domestic Council Staff on January 22, 1976.

The meeting took place in Phil Buchen's office. The administration people present were:

Phil Buchen
Under Secretary Lynch
Bobbie Kilberg (Buchen's staff)
H.P. Goldfield (Buchen's staff)
Judy Wolf (Justice)
Judy Hope
Sarah Massengale

The anti-abortion forces were represented by:

Ms. Nellie Grey, March for Life Committee
Ms. Randy Engel, U.S. Coalition for Life
Reverend Harold Brown, Christian Action Council

Dr. Mildred Jefferson, also quoted in the Human Events story was invited but unable to attend.

The meeting was held at Mrs. Grey's request. The anti-abortion groups met in Washington on that day for their annual "March for Life" rally at the Capitol and the White House.



The purpose of the meeting was to listen to what each of the three organization representatives had to say. Each spoke and responded to questions from us. We were each careful not to express an opinion (either personal or official) but to limit ourselves to asking questions.

I believe that Mrs. Engel's quote is an incorrect interpretation of a remark made by Bobbie Kilberg. She reported that a frequently cited argument for continuing HEW funding of abortions is that it would be discriminatory to deny the poor this right. She was repeating and not arguing for that position.



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Catholics Cheer Ford— But Why?

By JOHN D. LOFTON JR.

When it comes to talking about the right to life, President Ford makes a good speech. Not a great one, but a good one. And in Philadelphia the other day—just a week or so before the Republican convention—talking to 100,000 Catholics attending the 41st International Eucharistic Congress, Mr. Ford had the bishops and cardinals standing and applauding his attacks on “a rising tide of secularism” and its concomitant, “the increased irreverence for life.”

But the nitty-gritty, bottom-line question as regards the President's position on abortion is not what does he say about the right to life, but what during his two years as the nation's Chief Executive has he done to ensure this right. And when this aspect of the issue is examined, the record of Mr. Ford and his Administration is a dismal one indeed.

In fact, Mrs. Randy Engel, executive director of the U.S. Coalition for Life, goes so far as to label the Ford Administration's record on abortion “an absolute monstrosity.” In an interview, Mrs. Engle, whose organization is made up of 1,200 pro-life groups in the U.S. and abroad, tells me that in January, when she and some other pro-lifers met with the President's Domes-

tic Council, Mr. Ford's men argued for the federal funding of abortion, saying it was discriminatory to deny the poor this right. (This is fascinating because Robert Bork, the solicitor general of the U.S., has argued in a Supreme Court brief that because there is a constitutional right to abortion doesn't mean the American taxpayer has to pay for the abortion.)

Anyway, such HEW-funded Medicaid abortions snuff out the lives of approximately a quarter of a million unborn children, at an annual cost to the taxpayer of about \$50 million.

Mrs. Engel notes that under Mr. Ford's Administration, the Agency for International Development's Office of Population Affairs has doled out millions of taxpayer dollars to such aggressively pro-abortion groups as the International Planned Parenthood Federation, the Population Council, and the U.N.'s Fund for Population Activities.

Mrs. Engel further points out that when the federal government began taking in Vietnamese refugees at four military installations last year, President Ford's HEW Department immediately set up a “family planning program” at two of these posts which resulted in about 100 abortions being performed, abortions financed by the U.S. taxpayer. At the two posts where there was no HEW program, only three abortions were performed.

Dr. Mildred Jefferson, president of the National Right to Life Committee—which has affiliates in all 50 states and the District of Columbia—is also disappointed with President Ford's right-to-life record.

Human Events, 8/21/76 (Cont.)



W.H. news summary
8-17-76