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ACTION

THE WHITE HOUSE

WASHINGTON

October 30, 1975

MEMORANDUM FOR JIM CANNON

FROM: KATHLEEN RYAN *KAR.*

SUBJECT: Agency for Consumer Protection - H.R. 7575

It was decided at this morning's staff meeting that a Presidential statement on Department and Agency Consumer Representation Plans should be issued before the debate on H.R. 7575 scheduled for November 5, 1975.

A whip count was taken with 180 opposing the bill.

Attached is a memorandum for your signature for Vern Loen through Max Friedersdorf with the follow up information requested for Minority Leader John Rhodes.

Pat Delaney has provided me with letters from the National Federation of Independent Business and the Quality Bakers of America Cooperative, Inc., indicating their opposition to the bill. They are attached for overall coordination and for use by Vern, if you want to pass them on.



Attachments

NATIONAL



FEDERATION OF INDEPENDENT BUSINESS

490 L'Enfant Plaza East, S.W. / Suite 3206 / Washington, D.C. 20024 / (202) 554-9000

HOME OFFICE: SAN MATEO, CALIFORNIA; LEGISLATIVE OFFICE: WASHINGTON, D.C.

WILSON S. JOHNSON, President

JAMES D. "Mike" McKEVITT
Washington Counsel

March 24, 1975

Mr. Jack Calkins
Deputy to Counselor Hartmann
First Floor, West Wing
The White House
Washington, D.C. 20500

Dear Jack:

It now appears that the legislation providing for an Agency for Consumer Advocacy will be considered on the Senate floor soon after the completion of the Easter Recess.

The National Federation of Independent Business, which has a membership of over 412,000 small and independent business firms, recently completed a Mandate to all its members regarding the creation of an independent agency to represent consumer interests. The results were overwhelmingly opposed to the creation of such an agency; twelve percent for and eighty-four percent against, with only four percent indicating they had no opinion. I am enclosing a copy of those portions of our Mandates for October and December 1974 which posed the question and reported the survey results.

In view of this overwhelming opposition to creation of this agency, we hope the Administration will indicate opposition to the reported legislation in the Senate and will, in fact, recommend to the Congress a program which will meet the needs of consumer advocates without the creation of another agency and bureaucracy.

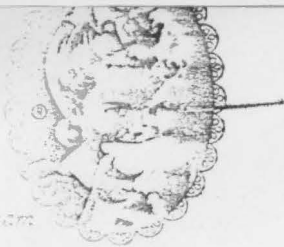
Assuring you that NFIB will appreciate and support enthusiastically any effort by the White House to defeat any attempt to create an independent consumer agency, I am

Sincerely yours,


James D. "Mike" McKEVITT



ks



Quality Bakers of America
Cooperative, Inc.

*Paul
Pat
J. Pat*

*Receives
Delaney
Cannon*

OFFICE OF
THE PRESIDENT

May 16, 1975

Mr. William Kendall,
Head of Senate Liaison Staff
White House
Washington, D. C.

Dear Mr. Kendall:

We were more than pleased with the final vote on the Farm Bill upholding President Ford's veto.

As you will remember, I was one of the Baking Industry leaders who visited with you on April 17, 1975 representing the Baking Industry.

We gathered our forces together and visited the attached list of House Members on May 6, 1975. Attached is a copy of our ABA Position Paper.

At any rate, bakers representing all areas of the U.S.A. contacted the attached list personally and thousands of letters and phone calls were made by bakers who could not attend.

We thought you would be interested in the support the Baking Industry put forth in defeating the Farm Bill.

We are now turning our attention to the Consumer Protection Act. We think this bill is not in the interest of the American consumer and will be glad to send bakers from all over the U.S.A. to Washington D.C. to visit members of Congress if and when President Ford makes a final decision on this legislation.

If you are interested we would appreciate your directing us to the man in the White House who is responsible for liaison with Congress on this impending legislation.



Best regards,

Robert L. Schaus

Robert L. Schaus
President and
Chairman of National Affairs Committee
American Bakers Assoc. & Independent
Bakers Assoc. of America

RLS:jh (enc.)

THE WHITE HOUSE

WASHINGTON

October 30, 1975

MEMORANDUM FOR VERN LOEN

THROUGH: MAX FRIEDERSDORF

FROM: JIM CANNON

SUBJECT: Agency for Consumer Protection - H.R. 7575

The follow-up information you requested on regulatory reform and inflation impact analysis for Minority Leader John Rhodes is attached.

I understand that a Presidential statement on the Department and Agency Consumer Representation Plans is planned on, or before, Tuesday, November 4. These plans will then be published mid-November in the Federal Register.

On June 18, 1975, Paul O'Neill testified before Jack Brooks' Committee on the consumer bill. Instead of giving detailed testimony, Paul read from the President's April letter to Committee Chairmen. In so doing, he emphasized the President's fundamental objection to the concept of establishing a new consumer agency instead of reforming existing institutions.

Attachments



The President, at the conclusion of his July 10 meeting with the Independent Regulatory Commissions, emphasized four program follow-up actions on which he wanted the Commissions to concentrate. They were: (1) better analysis of the economic consequences of regulations; (2) reduction in delays of regulatory proceedings; (3) improved consumer representation; and (4) a greater emphasis on competition. The following activities have taken place since then with regard to improved consumer representation.

- (1) Six of the agencies (ICC, FTC, FPC, FCC, SEC, CPSC) have responded in detail to a number of questions on the topic which were contained in the Moss Questionnaire sent out by the House Interstate and Foreign Commerce Committee.
- (2) The ICC has installed a Consumer Complaint "Hotline", established a Consumer Information Center, provided for rapid responses to questions concerning the costs and liabilities associated with household moving, and accepted, in principle, the notion of institutionalizing the Office of Public Counsels.
- (3) The CAB has established a separate consumer advocacy office which has full status as a party, capable of participating in Board proceedings.
- (4) The FPC has agreed to open up its Advisory Committees, which deal with the Natural Gas Survey, to members of the consuming public. FPC has also taken note of a low rating of its formal consumer complaint handling services and intends to establish improvements in this area.
- (5) The FCC has established an "Actions Alert" system by which a summary of weekly Commission actions will be mailed to a large list of public interest groups. It has scheduled a series of Regional Commission meetings and will hold a number of "open" Commission meetings in Washington, at which time public interest groups will be invited to present their views on important issues.



- (6) The FTC now has authority to reimburse certain interested parties for legal, expert witness and travel fees associated with their participation in Commission rulemaking proceedings. In addition, FTC has re-designed its trade rulemaking procedures to insure that the views of consumer groups are solicited in order to assist the Commission in its evaluation of the benefits and costs of proposed rules.
 - (7) The CPSC now publishes a public calendar which gives advance notice of all Commission and Advisory Committee activities. The Commission maintains an open door policy for all of its meetings and internal staff discussions. There is a telephone Hotline and new procedures giving the public the right to petition the Commission on a wide variety of actions. The petitions must be acted upon within a certain specified deadline.
 - (8) The NRC is developing a procedure to verify the cost and economic impact data submitted by applicants with interested public parties and other affected industries.
 - (9) The Office of Consumer Affairs is using the data developed in a Consumer Representation study of a number of Federal Agencies (including several Independent Regulatory Commissions) to identify consumer representation shortcomings and offer improvement opportunities to the Commissions. OCA is working with 17 Executive Agencies to implement specific improvement plans requested by the President.
- 

INFLATION IMPACT STATEMENTS

On November 28, 1974, the President issued Executive Order No. 11821, calling on all executive branch agencies to ensure that possible inflationary impacts of major proposals for legislation and for promulgation of regulations or rules have been carefully evaluated. The objective of this order was not to establish a cumbersome legal device like the National Environmental Protection Act. It was from the outset to increase Government decisionmakers' awareness of the broad economic consequences of their actions. It was a cautious step to deal with a basic problem of contemporary government--that the scope of an agency's regulatory impact extends beyond the scope of economic understanding. Today's safety and health regulations have broad economic effects, and economic regulations have safety and health affects.

The President's inflation impact requirement compels executive agencies to consider the broad effects of their major regulatory proposals. They must consider impacts in the areas of cost, productivity, competition, employment, scarce materials or services and energy.

The inflation impact initiative has been implemented gradually because of its government-wide application and possible effects on agency decisionmaking. OMB Circular A-107, implementing the Executive order, was issued on March 28. Seven months later, all of 24 participating departments and agencies have established analytical procedures and criteria required by the OMB circular. The implementation process has been carefully tailored to meet agencies' unique requirements, because the ultimate test of its success is whether better, more circumspect decision-making is established.

Most agencies have completed inflation impact analyses (statements). Some, like the Department of Agriculture and FEA have completed numerous analyses of proposed regulations and legislation. The independent regulatory agencies have not participated in the formal inflation impact procedures thus far.

OMB and the Council on Wage and Price Stability are currently conducting an evaluation of the inflation impact initiative. The results of this evaluation, along with a review of outstanding quality analyses, will be presented to participating executive agencies and to the independent regulatory agencies at an upcoming workshop session early in November. This kind of exchange is essential to improving the quality of agency economic analyses. More importantly, it permits an evolutionary approach to achieve our objective of timely and careful consideration of the economic consequences of major proposals.

APRIL 17, 1975

Office of the White House Press Secretary

THE WHITE HOUSETEXT OF A LETTER FROM THE PRESIDENT
TO THREE MEMBERS OF CONGRESS

April 17, 1975

Dear Mr. Chairman:

In the interest of protecting the American consumer, I am directing department and agency heads, in coordination with the Domestic Council, to review Executive branch procedures to make certain that consumer interests receive full consideration in all Government actions.

To be frank, I recognize the legitimate public and Congressional concerns that departments and agencies be more responsive to the interests of consumers. This must be changed. Therefore, I am asking agency heads to examine the specific efforts they are making now to represent the consumer in their agencies' decisions and activities and to work with Virginia Knauer, my Special Assistant for Consumer Affairs, in instituting additional efforts which the agencies can undertake to better represent consumer interests.

In examining their present procedures and in establishing new ones, department and agency heads will follow these guidelines:

All consumer interests should receive a fair chance to be heard in the Government decision making process; and

The costs and administrative requirements of Federal rules and regulations on the private sector should be held to a minimum.

Regulatory reform is one of the most important vehicles for improving consumer protection. Outdated regulatory practices lead to higher prices and reduced services. I urge the Congress to enact a number of specific legislative proposals in this regard, including the bill I submitted in January to establish a Regulatory Review Commission. I renew my request to the Congress to repeal outdated fair trade laws which raise prices and to reform many of the existing banking laws and regulations which penalize small savers. I will soon request legislation to overhaul our system of transportation regulation to allow freer competition, improved services, and lower prices.

I also intend to ask the chairmen and members of the independent regulatory agencies to meet with me to discuss ways they can make immediate improvements in the regulatory process. I am determined that the public will receive the most efficient and effective public service at the least cost.

In view of the steps that are being taken by the Executive department to make Government-wide improvements in the quality of service to the consumer, I am requesting that the Congress postpone further action on S. 200, which would create a new Federal Agency for Consumer Advocacy.

more

(OVER)

I do not believe that we need yet another Federal bureaucracy in Washington, with its attendant costs of \$60 million for the first three years and hundreds of additional Federal employees, in order to achieve better consumer representation and protection in Government. At a time when we are trying to cut down on both the size and the cost of Government, it would be unsound to add another layer of bureaucracy instead of improving the underlying structure.

It is my conviction that the best way to protect the consumer is to improve the existing institutions of Government, not to add more Government.

I look forward to working with you, the members of your Committee, and the Congress in advancing the interests of all consumers within our existing departments and agencies.

Sincerely,

GERALD R. FORD

The Honorable Abraham A. Ribicoff
Chairman
Senate Government Operations Committee
United States Senate
Washington, D.C. 20510

The Honorable Jack Brooks
Chairman
House Government Operations Committee
House of Representatives
Washington, D.C. 20515

The Honorable Harley O. Staggers
Chairman
House Interstate and Foreign Commerce Committee
House of Representatives
Washington, D.C. 20515

#

Consumer Protection

THE WHITE HOUSE
WASHINGTON

November 1, 1975

MEMORANDUM FOR: PAUL THEIS
FROM: JIM CANNON
SUBJECT: Statement by the President

Attached is a draft statement by the President for your editing, review and approval. It is to be released after Monday morning's Cabinet meeting on consumer protection.

Thank you very much.

Attachment

cc: Bill Baroody
Kathleen Ryan
Paul O'Neill



DRAFT

STATEMENT BY THE PRESIDENT

November 3, 1975

I have just concluded a Cabinet meeting and received an interim report from Virginia Knauer and Jim Lynn on the status of the Departmental Consumer Representation Plans, and I am pleased with the good progress made to date.

Last April I requested each of the departments and agencies in the Executive Branch to analyze their entire decision-making process to determine where additional consumer input might be desirable and to make Federal agencies more responsive to the needs of the American consumer.

All of the departments are now finalizing their proposed plans, and these will be published this month in the Federal Register. Following publication there will be a major effort to disseminate plans to all interested consumers as well as other interested groups.

I have instructed each organization to move ahead immediately with putting these plans into effect.

In January we intend to hold a series of public meetings in ten cities across the country to explain how



these plans will work for the benefit of consumers and to encourage suggestions for ways to make the departments and agencies of the Federal government more effective and responsive to public concerns.

At this time I ask Congress to postpone further consideration of H.R. 7575, which would create an Agency for Consumer Protection, until we can resolve by better administration what Congress is attempting to accomplish by more and more new laws.

A top priority of this Administration has been a sure and sound national economic recovery. And I think most of the figures for the past six months reflect this movement.

I am fearful that if this Agency were created now, and were to carry forward its mandate, it would hinder our economic recovery. I am sure the steps we have taken will prove to be responsive to the American consumer, while providing the benefits of a continued upswing in the economy.



INFORMATION

THE WHITE HOUSE

WASHINGTON

November 4, 1975

MEMORANDUM FOR JIM CANNON

FROM: KATHLEEN RYAN *KAR*

SUBJECT: H.R. 7575 - Cabinet Responses

Your memorandum of October 23, to heads of agencies requested that they call the Chairman and ranking minority member of each of the Committees that they work closely with and inform them of what effect H.R. 7575 would have on their department. The following are their responses:

AGRICULTURE

Secretary Butz talked to:

Rep. Paul Findley (R. Ill) against the bill
Rep. James Jeffords (R. Vt) very much in doubt, against if amendments don't pass
Rep. Charles Rose (D. NC) against the bill
Rep. John Myers (R. Ind) against the bill

Others John Foltz talked to:

Rep. Bill Steiger (R. Wis) no commitment
Rep. Tim Hall (D. Ill) in doubt
Rep. Paul Simon (D. Ill) for the bill
Rep. Peter Peyser (R. NY) for the bill
Rep. Ray Thornton (D. Ark) leaning in favor of the bill
Rep. Millicent Fenwick (R. NJ) leaning for the bill, especially with her SBA exemption
Rep. George Shipley (D. Ill) against the bill
Rep. Abner Mikva (D. Ill) Waivering
Rep. Sidney Yates (D. Ill) waivering
Rep. Dan Rostenkowski (D. Ill) waivering



COMMERCE

Jim Sparling, Office of the Secretary calls made to:

: Chairman Harley Staggers, House Committee on Interstate

and Foreign Commerce - "Not settled on the issue, but will give it thought."

Ranking Minority Member Sam Devine - could not reach, can assure us he will vote against.

Chairman Lennore Sullivan, Merchant Marine and Fisheries Committee - "Just don't know for certain; probably leaning for it."

Minority Member Philip Ruppe - will oppose.

Chairman Olin Teague, House Science and Technology Committee
"Absolutely against; unalterably opposed."

Ranking Minority Member Congressman Mosher - leaning for.

HEW

Stephen Kurzman spoke with:

Bill Alberger, A.A. to Congressman Al Ullman, Chairman House Ways & Means Committee - he would pass the message along to Ullman, didn't give any reaction.

Helen Ward, A.A. to Congressman Schneebeli, ranking minority member of House Ways & Means Committee. He opposes the bill and was sent materials.

Chairman Carl Perkins, House Education & Labor Committee - no reaction on the bill, materials were sent.

Marguerite Furfari, A.A. to Chairman Harley Staggers, House Interstate & Foreign Commerce Committee - no reaction.

Lou Berry, minority counsel House Interstate and Foreign Commerce Committee - said Congressman Sam Devine, ranking minority member of House Interstate & Foreign Commerce Committee - was probably against the bill.

HUD

Sol Mosher reports:

Rep. William Barrett, Chairman Housing Subcommittee - thinks H.R. 7575 is terrible, but there is a great deal of labor support for it, and he will probably have to vote in favor.

Rep. Garry Brown (R. Mich) Committee Banking, Currency and Housing - opposed to the bill, and helping Rep. Sam Steiger line up members against it. Brown says that as of last night they have 200 members opposed.

EPA

John Quarles spoke with:

Rep. Burt Talcott - opposed.

Rep. Marvin Esch - opposed.

Rep. Sam Devine - opposed.

Rep. Jim Broyhill - probably opposed.
Rep. Jim Hastings - probably opposed.
Rep. Phil Ruppe - probably opposed.
Rep. Bob Jones - probably opposed.

TRANSPORTATION

John Barnum spoke with:

Chairman Harley Staggers, House Committee on Interstate & Foreign Commerce - will probably vote for it.
Rep. Sam Devine - against the bill.
Rep. Bill Harsha - against the bill.
Rep. Glenn Anderson - knew nothing about it.

LABOR

Secretary Dunlop delivered a personal letter to Chairman Carl Perkins and Rep. Al Quie on the Committee on Education and Labor.

JUSTICE

Doug Marvin tells me that:

Rep. Ed Hutchinson will oppose the bill.
Chairman Peter Rodino, House Judiciary Committee is a strong advocate of the bill. He will have the Attorney General call the Chairman.

FEA

Frank Zarb has talked with the committee chairmen and ranking minority members he is responsible for. He will talk with you about it at tomorrow morning's staff meeting.

TREASURY

Stephen Gardner will call.

INTERIOR

Assistant Secretary John Kyl will call.

Kleppe called Chairman Haley and Joe Skubitz. Both are in accordance with the Administration's position of opposition to the bill.



U.S. DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

WASHINGTON

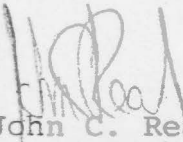
November 4, 1975

MEMORANDUM FOR KATHLEEN RYAN

The attached letter was handcarried to Chairman Perkins this evening. An identical letter has been delivered to Congressman Quie, Ranking Minority Member of the Committee on Education and Labor.

As I mentioned to you, we preferred this procedure to calling the Members. We will attempt to discover their reaction to the letter tomorrow.

Attachment


John C. Read
Counselor to the
Secretary

U. S. DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

WASHINGTON

Honorable Carl D. Perkins
Chairman
Committee on Education and Labor
House of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

This letter expresses my strong opposition to H.R. 7575 which would establish a consumer protection agency.

The proposed bill, as it relates to the Department of Labor, would not, in our judgment, achieve its intended purposes of consumer protection and could seriously impede the effective and efficient administration of our programs.

The major functions of the Department of Labor include the enforcement of labor standards (Fair Labor Standards Act, Age Discrimination in Employment Act, Davis-Bacon, Equal Pay Act, Service Contract Act, Occupational Safety and Health Act, Executive Order 11246). Such activities would likely be within the intended scope of the proposed legislation. The activities of the proposed agency would involve substantial delays in the implementation of our programs and create substantial additional costs for our Department and the new agency. These additional costs and delays are unnecessary to protect the interests of consumers.

The Department of Labor already considers a wide variety of interests, including those of consumers in taking major actions to enforce its various programs. Apart from the requirements for public comment which are generally applicable to our programs, the Department is mandated under Executive Order 11821 to prepare analyses of inflationary impact for proposed major rules and legislation. Adding a new larger Federal bureaucracy to the previously existing structure would not, in our judgment, serve the best interests of the consumers of the various programs we administer, nor the consumers of the United States, generally.

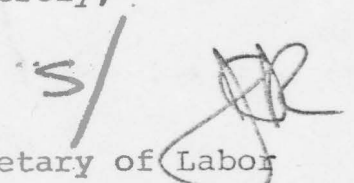


We also note the possible duplication of existing programs embodied in section 10 of the proposed Act which authorizes the administrator to gather information required to protect the health and safety of consumers. Information concerning such matters is already routinely collected in connection with this Department's Occupational Safety and Health program and the programs of other agencies which impact on the health and safety. This provision is illustrative of the administrative duplication which the proposed legislation creates.

We would note that the President has already indicated his strong opposition to this legislation and his intention to veto it. We are greatly concerned at the additional layers of bureaucracy which the bill would establish, the increased costs and the adverse impact that the bill would have upon our programs. For the foregoing reasons, I strongly oppose this legislation.

The Office of Management and Budget advises that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,


Secretary of Labor

Consumer

THE WHITE HOUSE

WASHINGTON

March 5, 1976

MEMORANDUM FOR: MAX FRIEDERSDORF
THROUGH: VERN LOEN *VL*
FROM: TOM LOEFFLER *T.L.*
SUBJECT: Administration Witnesses
to testify on Consumer
Representation Plans

For your information, attached is a copy of a news release issued by the House Government Operations Committee. On Tuesday, March 9, at 10 a.m. Administration witnesses are scheduled to testify on the President's "Consumer Representation Plans" before Chairman Ben Rosenthal's Subcommittee on Commerce, Consumer, and Monetary Affairs.

Attach.

cc: Jim Lynn
Jim Cannon *✓*
Paul O'Neill
Bill Baroody
Virginia Knauer
Jim Cavanaugh
Alan Kranowitz



MAJORITY MEMBERS

JACK BROOKS, TEX., CHAIRMAN
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JOHN E. MOSS, CALIF.
DANTE B. FASCELL, FLA.
TORBERT H. MACDONALD, MASS.
WILLIAM S. MOORHEAD, PA.
WM. J. HANDALL, MO.
BENJAMIN S. ROSENTHAL, N.Y.
JIM WRIGHT, TEX.
FERNAND J. ST GERMAIN, R.I.
FLOYD V. HICKS, WASH.
DON FUQUA, FLA.
JOHN CONYERS, JR., MICH.
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JAMES V. STANTON, OHIO
LEO J. RYAN, CALIF.
CARDISS COLLINS, ILL.
JOHN L. BURTON, CALIF.
RICHARDSON PREYER, N.C.
MICHAEL HARRINGTON, MASS.
ROBERT F. DRINAN, MASS.
EDWARD MEZVINSKY, IOWA
BARBARA JORDAN, TEX.
GLENN ENGLISH, OKLA.
ELLIOTT H. LEVITAS, GA.
DAVID W. EVANS, IND.
ANTHONY MOFFETT, CONN.
ANDREW MAGUIRE, N.J.
LES ASPIN, WIS.

NINETY-FOURTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT OPERATIONS

2157 Rayburn House Office Building

Washington, D.C. 20515

MINORITY MEMBERS

FRANK HORTON, N.Y.
JOHN N. ERLENBORN, ILL.
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JOEL PRITCHARD, WASH.
EDWIN B. FORSYTHE, N.J.
ROBERT W. KASTEN, JR., WIS.
WILLIS D. GRADISON, JR., OHIO

MAJORITY—225-5051
MINORITY—225-5074

FOR RELEASE: Immediate
March 4, 1976

NEWS RELEASE

FOR FURTHER INFORMATION:
COMMERCE, CONSUMER AND MONETARY
AFFAIRS SUBCOMMITTEE - 225-4407

HEARING

HEARING

HEARING

ADMINISTRATION WITNESSES TO TESTIFY ON CONSUMER REPRESENTATION PLANS

Virginia Knauer, Joan Braden and other administration witnesses will testify next week at a continuation of hearings into the costs and potential effectiveness of President Ford's proposed consumer representation plans, according to Chairman Jack Brooks of the House Government Operations Committee. The hearings will be held by the Commerce, Consumer and Monetary Affairs Subcommittee, whose chairman is Congressman Benjamin S. Rosenthal of New York.

The hearing will be held on Tuesday, March 9, at 10:00 A.M. in Room 2322 of the Rayburn House Office Building.

Rosenthal said that the hearing would examine the likely costs of the consumer representation plans and their impact on the policies and programs of certain key Federal departments and agencies. The New York Congressman also said he would release at the hearing a General Accounting Office report on the full costs of the administration's 10 regional conferences used to announce the consumer plans.

Witnesses scheduled to testify are:

Virginia Knauer, Special Assistant to the President for Consumer Affairs
Joan Braden, Consumer Affairs Coordinator, Department of State
Warren Brecht, Assistant Secretary of Treasury (Administration)
Judith T. Connor, Assistant Secretary of Transportation (Consumer Affairs)
Constance Newman, Assistant Secretary of HUD (Consumer Affairs)
Paul H. O'Neill, Deputy Director, Office of Management and Budget
Hazel Rollins, Director of Consumer Affairs, Federal Energy Administration
Nancy Steorts, Special Assistant to Secretary of Agriculture, Consumer Affairs

Members of the Commerce, Consumer and Monetary Affairs Subcommittee are:

Benjamin S. Rosenthal (NY), Chairman

Cardiss Collins (Ill)
Robert F. Drinan (Mass)
Elliott H. Levitas (Ga)
David W. Evans (Ind)
Anthony Moffett (Conn)
Andrew Maguire (NJ)
Edward Mezvinsky (Iowa)
Jack Brooks (Tex) Ex officio

Garry Brown (Mich)
Willis D. Gradison, Jr. (Ohio)
John N. Erlenborn (Ill)
Frank Horton (NY) Ex officio

THE WHITE HOUSE
WASHINGTON

April 12, 1976

Dawn
Mary
Thank
Jim

MEMORANDUM: ARTHUR QUERN
FROM: DAWN D. BENNETT *g*
RE: S. 644 Consumer Product Safety
 Commission Improvements Act of 1976

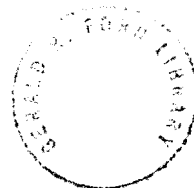
As per your request of April 12, 1976:

The main purposes of the Act are to:

- * extend authorization of appropriations for the Consumer Product Safety Act, and other acts administered by the CPSC;
- * eliminate the regulation of tobacco and its products, as well as ammunition and firearms, from the CPSC's jurisdiction;
- * strengthen the prohibited acts and enforcement section of the CPS Act;
- * authorize the CPSC to conduct civil litigation through its own legal representative; and
- * amend the CPS Act and the other three acts administered by the CPSC (Federal Hazardous Substances Act, Flammable Fabrics Act and Poison Prevention Packaging Act of 1970) to provide uniformity of administration on Federal preemption of State and local requirements.

The Administration opposes the bill because it:

- * authorizes appropriations far in excess of the President's request for 1976 and 1977;
- * authorizes 12 new supergrade positions for the agency, contrary to the President's position that supergrade spots should be assigned to a government-wide pool in order that they be allocated among agencies in the most efficient and equitable basis;



* prohibits clearance of non-career commission executive personnel by the White House - contrary to the President's discretion over the remainder of the Executive Branch; and

* fails to remove Sec. 27(k) (legislative and budgetary by-pass) of the CPS Act as advocated by the Director of OMB in his 7-6-75 letter to the House Minority Leader.

The bill should be on the House floor tomorrow (Tuesday).

If there is anything else that you need to know, please give me a call.



cc: Dawn Bennett

THE WHITE HOUSE
WASHINGTON

May 6, 1976

MEMORANDUM FOR: MAX FRIEDERSDORF ✓
THROUGH: CHARLES LEPPERT, JR. *Ch.*
FROM: TOM LOEFFLER *T.L.*
SUBJECT: Congressman John McColister (R. -Nebr.)
Recommendation for Presidential
Action on S. 644

In a conversation with the Congressman, he asked that the President be informed that he recommends signature of S. 644, the Consumer Product Safety Commission. John acknowledged the fact that he voted against the legislation during House consideration, however, upon further reflection, he feels that the merits of the legislation outweigh certain faults in the bill.

The bill arrived at the White House on April 29. The final date for action is May 11.



THE WHITE HOUSE

ACTION

WASHINGTON

Last Day: May 11

May 10, 1976

MEMORANDUM FOR

THE PRESIDENT

FROM:

JIM CANNON

SUBJECT:

S. 644 - Consumer Product Safety
Commission Improvements Act of 1976

Attached for your consideration is S. 644, sponsored by Senators Moss and Magnuson, which amends the Consumer Product Safety Act by clarifying and extending the powers, jurisdiction and independence of the Consumer Product Safety Commission and authorizes appropriations for the Commission through FY 1978.

A detailed analysis of the provisions of the enrolled bill is provided in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Counsel's Office (Lazarus) and I recommend approval of the enrolled bill and the proposed signing statement which has been cleared by the White House Editorial Office. (Smith)

RECOMMENDATION

That you sign S. 644 at Tab A.

That you approve the signing statement at Tab B.

Approve _____

Disapprove _____





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

MAY 5 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 644 - Consumer Product Safety
Commission Improvements Act of 1976
Sponsor - Sen. Moss (D) Utah and Sen. Magnuson (D)
Washington

Last Day for Action

May 11, 1976 - Tuesday

Purpose

To amend the Consumer Product Safety Act (CPSA) by clarifying and extending the powers, jurisdiction, and independence of the Consumer Product Safety Commission (CPSC) and by authorizing appropriations for CPSC through fiscal year 1978.

Agency Recommendations

Office of Management and Budget	Approval
Consumer Product Safety Commission	Approval
Civil Service Commission	Approval
Department of Health, Education, and Welfare	Approval(Informally)
Environmental Protection Agency	No objection(Informally)
Department of Commerce	No objection
General Services Administration	No objection(Informally)
Department of Justice	Defers

Discussion

The major provisions of S. 644 are described below:

Limits on CPSC's jurisdiction and other restrictions

S. 644 would

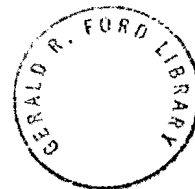
- exclude pesticides, tobacco and tobacco products,
and firearms, ammunition, or ammunition components

from the jurisdiction of the Commission. CPSC's jurisdiction to regulate fireworks would be preserved.

- direct that no consumer product safety standards may be based upon any sampling plan, except for standards applicable to fabric or product flammability or to glass containers.
- require CPSC to transmit to its congressional authorizing committees its proposed product safety regulations 30 days prior to adoption (a "notify and wait" provision).
- stipulate that any potential adverse impact on the elderly or handicapped be considered in the promulgation of a consumer product safety rule.

In addition the enrolled bill would amend the Federal Tort Claims Act to allow civil suits against the United States where the Commission or an employee is charged with misrepresentation or deceit, or gross negligence in the exercise of, or failure to exercise, a discretionary function. No claim could be brought which did not arise before January 1, 1978. In the case of a claim based on the performance or non-performance of a discretionary function, the court must find, as a matter of law and based upon all relevant considerations, that such action or inaction is unreasonable. Claims awarded or agreed to under this provision are to be paid from the general funds of the Treasury and not from CPSC appropriations.

In its views letter the Justice Department objects to this provision because the standards on which liability for discretionary action are predicated, i.e., "gross negligence" and "unreasonableness" are (1) inconsistent and (2) depart significantly "from the normal tort standard of 'negligent or wrongful act of omission'." The Department further notes that it is a "well-established doctrine that discretionary governmental functions would not be challenged through the guise of a tort action," and concludes that there is "no need to rewrite the law of governmental liability to cover isolated instances where adequate remedies exist by litigation in the court of claims or by private relief legislation."



A second troublesome provision would provide that courts may award the costs of civil suits brought under the CPSA, including reasonable attorney fees and reasonable expert witness fees. Notwithstanding prohibitions in existing laws, such costs could be assessed against the United States where it is party to the suit. The Justice views letter argues that it is unduly simplistic to claim that because the loser asserts an erroneous position, he should be responsible for the entire costs of both sides of a suit. The Department believes that the monetary costs of litigation act as a sufficient bar to frivolous suits and defenses and thus the present balance of litigation incentives and deterrents should not be upset.

Preemption of State laws

S. 644 would amend the Federal Hazardous Substance Act, the Poison Prevention Packaging Act, the Flammable Fabrics Act and the CPSA to provide that any non-identical State or local laws may be preempted when a Federal regulation pursuant to these laws is in effect. Exceptions to this provision are permitted where (1) Federal, State or local governments require products which they procure for their own use to comply with a higher standard than the Federal requirement -- so long as there is no conflict between the two requirements, and (2) a State or local government desires to put into effect a standard that is higher than a Federal safety standard and CPSC determines that such exemption does not unduly burden interstate commerce. In addition, fireworks are categorically excluded from the preemption provision, so that States may set whatever fireworks regulations they wish. The preemption provision is strongly supported by a broad cross-section of labor, consumer, and industry groups (e.g., the U.S. Chamber of Commerce, American Apparel Manufacturers Association, Consumer Federation of America, Communications Workers of America, Marcor and Sears) because it would provide needed uniform standards and thus protection from diverse and inconsistent State product safety regulations.

Expanded CPSC powers

Among the new and expanded powers granted to the Commission, the enrolled measure would

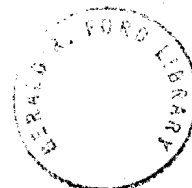
- authorize the Commission or the Attorney General to seek a preliminary injunction to restrain the distribution of a product which presents a substantial hazard. Before seeking such an injunction,

a prior action to compel the repurchase, repair, or replacement of a product must have been initiated.

- permit the Commission to provide, subject to strict privacy and disclosure standards, accident and investigatory reports to other Federal or State health, safety, or consumer protection agencies.
- establish new procedures and timetables for the development (either by third parties or by the Commission) and promulgation of consumer product safety standards.
- authorize the Commission to make advance payments to third parties selected to develop such product safety standards and to lease space in the District of Columbia in connection with safety education seminars conducted by the Commission.
- provide that risks of injury associated with a consumer product may be regulated under the CPSA, if the Commission finds it in the public interest, even if such risks could otherwise be regulated under the Federal Hazardous Substance Act, the Poison Prevention Packaging Act or the Flammable Fabrics Act.
- prohibit clearance of the appointment of any Commission employee (other than a Commissioner) by the Executive Office of the President.

S. 644 would also authorize 12 new supergrade staff positions. These positions would be in addition to those GS 16 through 18 positions now provided to the Commission from the Civil Service's government-wide pool. In its views letter, the Civil Service Commission notes its general opposition to legislation authorizing spaces outside the supergrade pool, which Congress set up with the expressed intent of ensuring the allocation of supergrade positions among agencies on the most efficient and equitable basis.

The most controversial feature in the bill is the provision to permit the Commission to represent itself in a civil action (other than injunctive actions or appeals to the Supreme Court) if the Attorney General declines, within a 45-day period following a request, to represent the Commission. With respect to a criminal action, existing law -- which requires that the CPSC obtain the concurrence of the Attorney General before instituting such an action -- is retained.



Justice's opposition to the civil litigation provision is based on the belief that a further "diminution of the Department's ability to perform its basic and traditional function of coordinating Government litigation" would result. In contrast, the CPSC views letter asserts that in cases requiring a rapid response, e.g., temporary injunctions, the existing requirement to work through the Attorney General can be a cumbersome process which sometimes hampers CPSC enforcement of the law.

Appropriations Authorizations

S. 644 would authorize 1976, transition quarter, 1977, and 1978 appropriations in excess of the Administration's requests, as shown below.

	(\$ in millions)			
	<u>1976</u>	<u>TQ</u>	<u>1977</u>	<u>1978</u>
S. 644 Authorization	\$51	\$14	\$60	\$68
Administration Requests	\$37	\$ 9	\$37	\$37

The authorization levels contained in S. 644 were protested by Director Lynn in letters last July to the Senate and House Minority leaders. These letters also urged repeal of Section 27 (k) of the CPSA, which mandates simultaneous submission to Congress and OMB of all budget requests and legislative recommendations. The enrolled bill does not repeal this Section.

Analysis

As noted earlier, there are a number of undesirable or controversial provisions in the enrolled bill -- permitting certain civil suits against the United States; authorizing the court to award the costs of suit, including attorney and expert witness fees; establishing 12 new supergrade positions outside the government-wide pool; authorizing excessive appropriations; preempting non-identical State and local product safety laws by Federal statute; and granting CPSC independent civil litigation authority.

In our view, only the last two of these provisions are key issues. With respect to the first four:

- The authority to bring a civil suit against the United States because of negligence or fraud on

the part of the Commission is limited, since no claim could be brought after January 1, 1978.

- The authority for the court to award the costs of suit including attorney and expert witness fees will not necessarily encourage frivolous suits as Justice fears, since a potential plaintiff would normally be constrained by the fact that he could be saddled with his costs in bringing the suit, if he should lose.
- The authority to create 12 new supergrade positions outside the pool is, in the view of the Civil Service Commission, not "sufficient reason for a veto in view of the precedents in this regard and in view of the retention of CSC purview in other personnel matters."
- The authorization levels proposed in S. 644, even if enacted, are ultimately controlled by the appropriation process. For example, the 1976 appropriation for the Commission is \$39.6 million, in contrast to the \$51 million authorization level proposed in the enrolled bill.

With respect to the two key issues -- Federal preemption of State product safety laws and the granting of independent civil litigation authority to CPSC:

As a general rule, the Administration has been reluctant to seek preemption of State laws. Although several Federal health and safety laws do preempt State statutes, it should be noted that the preemption provision in S. 644 would have the effect, in some cases, of narrowing rather than broadening existing preemption provisions contained in other Federal product safety acts. There is broad support for this bill's provision by industry, consumer and organized labor. These groups view the proposed bill as an essential piece of legislation that would provide uniform standards and protection from the many existing and conflicting State product safety laws. It is particularly important to companies with a nationwide market. Given this breadth of support for this provision, the existing mixed situation regarding Federal preemptive statutes, and the fact that the bill narrows Federal preemption in some cases, we believe that the provision is acceptable.

The authority for CPSC to litigate on its own behalf does, as claimed by Justice, constitute a further erosion of the Department's role as the Government's lawyer. However, the granting of civil litigation authority to CPSC would not be a precedent; SEC, FPC, ICC and other independent agencies have as great or greater litigation freedom. Moreover, the Justice Department has not, to date, refused to litigate a civil case for the Commission, when requested.

On balance, we do not believe that the undesirable provisions of the bill present serious enough problems to warrant disapproval and, therefore, recommend that you approve S. 644.

James M. Frey
Assistant Director
for Legislative Reference

Enclosures

The Consumer Product Safety Commission was established in 1974 to protect consumers from unreasonable risk of injury from ^{the} use of hazardous products. A

Today, I am signing a bill which will enable the Commission to more effectively carry out this important mandate.

The Consumer Product Safety Commission Improvements Act of 1976 expands the Commission's authority by permitting the issuance of preliminary injunctions to ^{prohibit} ~~stop~~ distribution of products which present a substantial hazard, and by establishing new procedures and timetables ^{within which} ~~for the promulgation of~~ consumer safety standards ~~must~~ ^{be promulgated}.

Further, the Act ^{authorizes} ~~allows for~~ Federal preemption of State product safety laws in certain enumerated circumstances. This will not only guarantee ^{that} ~~consumers~~ ^{adequate} protection, but will free industry from the costly burden of attempting to comply with a bewildering patchwork of State and local safety standards.

If consumer product regulation is to have real meaning, adequate tools must be provided the Commission responsible for protecting the American consumer. The Act I am signing today provides such tools.



WITHDRAWAL SHEET (PRESIDENTIAL LIBRARIES)

FORM OF DOCUMENT	CORRESPONDENTS OR TITLE	DATE	RESTRICTION
Memo	Cover memo for the Domestic Council from the Presidential Personnel Office regarding the Consumer Product Safety Commission (1 page)	N.D.	C

File Location:

James M. Cannon Files, Box 9, "Consumers (8) (10/30/75-10/30/76)" / SMD/ 2/19/2015

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THE WHITE HOUSE
WASHINGTON

MEMORANDUM FOR THE PRESIDENT

THROUGH: RICHARD B. CHENEY

FROM: DOUGLAS P. BENNETT

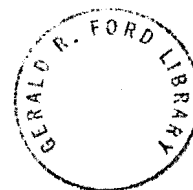
SUBJECT: Consumer Product Safety Commission
(PAS, Level IV)

The expiration of Richard Simpson's term has left a vacancy on the Consumer Product Safety Commission (Legis., Tab A). There are presently two Republicans and two Democrats on the Commission which is bi-partisan. This will be a full seven year term.

Below are listed seven candidates who are qualified and recommended to fill the vacancy:

Barbara Burns, (Resume, Tab B) 46, a Republican from the District of Columbia. Since 1973, Miss Burns has served as Assistant to the Secretary of Interior and Director, Office of International Affairs. Prior to this position, she spent four years as Deputy Assistant Secretary for Consumer Affairs at HEW where she developed an interest and expertise in the field. In 1972, she served as the first woman on the nominating committee of the American Stock Exchange. She was recommended by Jeanne Holm.

Brian Conboy, (Resume, Tab C) a Republican residing in the District of Columbia. Mr. Conboy has served as Special Counsel to Senator Javits and Special Counsel to the Minority, Senate Committee on Government Operations since 1971. An attorney with four years experience at Justice, Mr. Conboy also worked as former Senator Charles Goodell's Administrative Assistant. As counsel to Senator Javits, Conboy has been involved in a wide range of policy matters, including consumer protection. His knowledge of the legislative process relating to the consumer field would be of value to the CPSC. He has the support of Senator Javits and Charles Goodell.



Joseph A. Farrell III, (Resume, Tab D) 46, a Republican residing in the District of Columbia. Mr. Farrell has served since 1969 as Administrative Assistant to Senator Percy. He has both an engineering background and the managerial ability to handle the job. Congressmen Michel and Cohen support Farrell.

Thaddeus A. Garrett, Jr., (Resume, Tab E) 28, a Republican from the Fourteenth Congressional District of Ohio represented by Congressman Seiberling. Since 1975, Garrett has served the Vice President as Special Assistant in the areas of urban affairs, minority affairs and legislative affairs. He is a member of the White House Task Force on Urban Problems. From 1971 to 1975 he was chief assistant and advisor to Congresswoman Shirley Chisholm. An ordained Methodist minister, he served, while in college, as a legislative assistant to former Congressman Bill Ayres. Mr. Garrett is an articulate young man and is supported strongly for this position by the Vice President. His support is broad-based, including endorsements from Clarence Mitchell, Senators Thurmond, Brooke, Taft, Packwood, and Magnuson, Congressmen Clarence Brown, Shirley Chisholm and others, as well as Governor Edwards of South Carolina.

Gwendolyn H. Gregory, (Resume, Tab F) 37, a Republican residing in the District of Columbia. She is Director, Office of Policy Communication, Office for Civil Rights at HEW. She is an attorney and served on a special detail to the White House (prior to joining HEW) to assist in desegregation of schools. She spent six years in private law practice in Denver before coming to Washington. Although her background is not in the field of consumer affairs, Miss Gregory is a strong and competent individual who would serve well as a commissioner of the CPSC. She is supported for such an appointment by Senator Griffin, former Secretary Weinberger and HUD Under Secretary Rhinelander.

Dorothy Parker, (Resume, Tab G) 60, a Republican from the Tenth Congressional District of Virginia represented by Congressman Fisher. Having established a sound reputation as an attorney practicing for 25 years, Mrs. Parker is currently serving as Minority Counsel to the Senate Judiciary Subcommittee on Constitutional Amendments and to its Subcommittee on Refugees and Escapees. She is fully familiar with the Congressional Committees to whom the CPSC is responsible and during her years as a practicing attorney, dealt extensively with the promulgation of regulations. She is strongly supported by Senators Fong and Eastland, and has the endorsements of Senators Curtis and Kennedy.

Robert I. Weiner, (Resume, Tab H) an Independent from the Second Congressional District of Maryland, age 42. Since 1967 Mr. Weiner

has been President and Senior Consultant of a consulting engineering firm specializing in safety, environmental and systems engineering work. He is the author of CPSC's safety standards and is thoroughly familiar with the problems of the Commission. Mr. Weiner has demonstrated an appreciation for the concerns of both industry and the consumer, and he is supported by Senators Mathias, Beall and Buckley and Congressman Addabbo.

Decision:

Approve Burns

• Approve Conboy

Approve Farrell

Approve Garrett

Approve Gregory

Approve Parker

Approve Weiner

ntor, or retailer of a consumer product solely by reason of receiving or transporting a consumer product in the ordinary course of its business as such a carrier or forwarder.

CONSUMER PRODUCT SAFETY COMMISSION

Establishment.

SEC. 4. (a) An independent regulatory commission is hereby established, to be known as the Consumer Product Safety Commission, consisting of five Commissioners who shall be appointed by the President, by and with the advice and consent of the Senate, one of whom shall be designated by the President as Chairman. The Chairman, when so designated, shall act as Chairman until the expiration of his term of office as Commissioner. Any member of the Commission may be removed by the President for neglect of duty or malfeasance in office but for no other cause.

Chairman.

Terms.

(b)(1) Except as provided in paragraph (2), (A) the Commissioners first appointed under this section shall be appointed for terms ending three, four, five, six, and seven years, respectively, after the date of the enactment of this Act, the term of each to be designated by the President at the time of nomination; and (B) each of their successors shall be appointed for a term of seven years from the date of the expiration of the term for which his predecessor was appointed.

(2) Any Commissioner appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. A Commissioner may continue to serve after the expiration of his term until his successor has taken office, except that he may not so continue to serve more than one year after the date on which his term would otherwise expire under this subsection.

Restrictions.

(c) Not more than three of the Commissioners shall be affiliated with the same political party. No individual (1) in the employ of, or holding any official relation to, any person engaged in selling or manufacturing consumer products, or (2) owning stock or bonds of substantial value in a person so engaged, or (3) who is in any other manner pecuniarily interested in such a person, or in a substantial supplier of such a person, shall hold the office of Commissioner. A Commissioner may not engage in any other business, vocation, or employment.

(d) No vacancy in the Commission shall impair the right of the remaining Commissioners to exercise all the powers of the Commission, but three members of the Commission shall constitute a quorum for the transaction of business. The Commission shall have an official seal of which judicial notice shall be taken. The Commission shall annually elect a Vice Chairman to act in the absence or disability of the Chairman or in case of a vacancy in the office of the Chairman.

(e) The Commission shall maintain a principal office and such field offices as it deems necessary and may meet and exercise any of its powers at any other place.

Functions.

(f)(1) The Chairman of the Commission shall be the principal executive officer of the Commission, and he shall exercise all of the executive and administrative functions of the Commission, including functions of the Commission with respect to (A) the appointment and supervision of personnel employed under the Commission (other than personnel employed regularly and full time in the immediate offices of commissioners other than the Chairman), (B) the distribution of business among personnel appointed and supervised by the Chairman and among administrative units of the Commission, and (C) the use and

RETURN TO:

the Commission and by such regulatory decisions, findings, and determinations as the Commission may by law be authorized to make.

(1) The Chairman, subject to the approval of the Commission, shall appoint an Executive Director, a General Counsel, a Director of Engineering Sciences, a Director of Epidemiology, and a Director of Information. No individual so appointed may receive pay in excess of the annual rate of basic pay in effect for grade GS-18 of the General Schedule.

Executive
Director.

(2) The Chairman, subject to subsection (f) (2), may employ such other officers and employees (including attorneys) as are necessary in the execution of the Commission's functions. No full-time officer or employee of the Commission who was at any time during the 12 months preceding the termination of his employment with the Commission compensated at a rate in excess of the annual rate of basic pay in effect for grade GS-14 of the General Schedule, shall accept employment or compensation from any manufacturer subject to this Act, for a period of 12 months after terminating employment with the Commission.

5 USC 5332
note.
Additional
employees.

(h) (1) Section 5314 of title 5, United States Code, is amended by adding at the end thereof the following new paragraph:

Ante, p. 110.

“(59) Chairman, Consumer Product Safety Commission.”

(2) Section 5315 of such title is amended by adding at the end thereof the following new paragraph:

Ante, p. 149.

“(97) Members, Consumer Product Safety Commission (1).”

PRODUCT SAFETY INFORMATION AND RESEARCH

Sec. 5. (a) The Commission shall—

(1) maintain an Injury Information Clearinghouse to collect, investigate, analyze, and disseminate injury data, and information, relating to the causes and prevention of death, injury, and illness associated with consumer products; and

(2) conduct such continuing studies and investigations of deaths, injuries, diseases, other health impairments, and economic losses resulting from accidents involving consumer products as it deems necessary.

(b) The Commission may—

(1) conduct research, studies, and investigations on the safety of consumer products and on improving the safety of such products;

(2) test consumer products and develop product safety test methods and testing devices; and

(3) offer training in product safety investigation and test methods, and assist public and private organizations, administratively and technically, in the development of safety standards and test methods.

(c) In carrying out its functions under this section, the Commission may make grants or enter into contracts for the conduct of such functions with any person (including a governmental entity).

Grants or
contracts.

(d) Whenever the Federal contribution for any information, research, or development activity authorized by this Act is more than minimal, the Commission shall include in any contract, grant, or other arrangement for such activity, provisions effective to insure that the rights to all information, uses, processes, patents, and other developments resulting from that activity will be made available to the public without charge on a nonexclusive basis. Nothing in this subsection shall be construed to deprive any person of any right which he may have had, prior to entering into any arrangement referred to in this subsection, to any patent, patent application, or invention.

Public
information.

BARBARA M. BURNS

Home: Six Pomander Walk Business Phone: (202) 343-3101
Washington, D. C. 20007
(202) 333-4661

Date of Birth: July 4, 1929 - Evanston, Illinois

Education: New Trier Township High School, Winnetka, Ill: 1943-47
(Diploma); Smith College, Northampton, Mass: 1947-51
(B. A., American Studies); University of London, London,
England: Summer, 1956 (Diploma, 18th Century Architecture);
Evanston Business College, Evanston, Ill: Winter 1958 (Diploma);
Chicago Kent College of Law, Chicago, Ill: Fall Semester, 1958;
Adult Education Courses: 1953 - World Politics; 1958 - French
Conversation; Aspen Institute Executive Seminars: Summer 1972.

Experience:

1973 - Present Assistant to the Secretary of Interior and Director, Office of
International Activities, Department of the Interior, Washington,
D. C.

1969 - 1973 Deputy Assistant Secretary for Consumer Services, Department
of Health, Education and Welfare, Washington, D. C.

1966 - 1969 Director of Conferences for Corporation Executives and Editor
of the SAIS Review, The School of Advanced International Studies
of the Johns Hopkins University, Washington, D. C.

1963 - 1966 Special Assistant to Hon. Roger L. Stevens, Chairman of the
John F. Kennedy Center and Special Assistant to the President
on the Arts, The White House, Washington, D. C.

1962 - 1963 Administrative Assistant to Hon. John Clifford Folger, Chairman
of Folger, Nolan, Fleming & Co., Inc., Washington, D. C.

1960 - 1962 Executive Assistant to the Assistant Chairman (Mrs. Clare
Williams Shank) of the Republican National Committee,
1625 Eye Street, N. W., Washington, D. C.

1959 - 1960 Personal Secretary to Senator Jacob K. Javits (Rep. - N. Y.).

Jan. to July 1959 Researcher and Secretary to Hon. Robert E. Hampton, Director
of the Presidential Appointments Office, The White House,
Washington, D. C.

Experience Continued:

1952 - 1958

Worked in private industry in Chicago in the fields of international exchange scholarships, advertising and law.

Political
Affiliation:

Republican. Vice-President and one of the founders of the Georgetown Republican Club, 1964; Sustaining Member of the Republican National Committee; Member of the National Federation of Republican Women and D. C. League of Republican Women, 1960-64.

Memberships:

Washington Junior League (Professional Chairman on Volunteer Service Board, 1965-66; Professional Chairman on Board of Directors, 1966-67; Member of Project Research Committee, 1967-68, and Advisory Planning Committee, 1968-69; elected to Nominating Committee, 1969-70.)
Smith College Club of Washington
Smithsonian Society of Associates
National Cathedral Association
Corcoran Gallery of Art
Friends of the John F. Kennedy Center for the Performing Arts (Co-Chairman of the Second International Choral Festival, 1969)
1925 F Street Club, The Sulgrave Club.

Professional
Associations:

Member, Executive Committee of Consumer Council, American National Standards Institute; 1970-73; Vice Chairman of Council, 1972-73.
Member, Advisory Committee (1972) and newly elected Director of Association for Consumer Research, 1972-73.
Member, Nominating Committee of the American Stock Exchange: 1972 (first woman to serve in this capacity).
Listed in Who's Who of American Women and Who's Who in Government, The World Who's Who of Women.

August 28, 1972

MAJOR ACTIVITIES
of
THE OFFICE FOR CONSUMER SERVICES
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
1969-1972

HEW's Office for Consumer Services (CS) was officially established as a direct result of the Department's awareness of the importance of responding to the needs of the consumers it serves. Located in the Office of the Secretary, CS acts not only as a policy adviser to the Secretary on consumer matters but also as a catalyst to affect the development of effective consumer programs and policies by agencies throughout the Department.

When it was established CS was given the following mandates: "To promote the interests of the people of the United States as consumers of goods and services; to include the consumer interest in the formation of the Department's programs; to coordinate the consumer aspects of HEW's programs with related functions of other agencies; to encourage, support and, when appropriate, to participate in activities of both public and private organizations developed to protect, inform, or serve the consumer; and to collect available information on the consumer aspects of the Department, disseminating such information in meaningful terms to the consumer."

In order to weld all of HEW's consumer services into an effective synergism and to build a consumer focus into appropriate Department programs, in August 1971 the Secretary established, at the request of CS, the Department's new and unique Consumer Council. CS organized this Council, chairs its meetings and serves as its administrative arm. The Council's 16 members represent HEW's agency heads as well as the staff offices in the Office of the Secretary and are empowered to make policy recommendations on consumer issues to the Secretary. Among the Council's activities during its first year of existence have been the following:

- Defining the HEW consumer and delineating his priority needs to which HEW should be responding. These, in turn, have been incorporated into a proposed Departmental Consumer Strategy which outlines guidelines and mandates to create new or improved methods of achieving long-term goals



and specific short-term objectives in five major areas: consumer protection, consumer participation, consumer education, communication with consumers and the use of volunteers in consumer programs.

- Preparing an inventory of HEW's consumer related programs.
- Examining the effectiveness of the Department's consumer-related efforts.
- Studying appropriate methods by which the consumer can participate in HEW's plans and actions.
- Coordinating efforts for the consumer throughout the Department.

Through the efforts and assistance of CS, FDA began holding regular informal meetings with consumer representatives during 1972. These meetings have created an ongoing, mutually beneficial dialogue, one result of which was that FDA issued proposed regulations for more fully opening its files to the public according to the Freedom of Information Act.

CS has developed and implemented a highly successful pilot project for technical assistance to low-income consumers at the neighborhood level in three cities: the Roxbury area of Boston, West Side San Antonio and Washington, D.C.'s Model Neighborhood. Through a CS Consumer Consultant outstationed with city or delegate agencies in each of the neighborhoods, integrated programs of consumer services have been developed by community consumer groups in response to the needs of the community. A few specific accomplishments include:

- West Side barrio residents in San Antonio were saved \$39,000 during the first nine months of this project. This sum represents money recovered or unfair debts forgiven and does not include either the results of pre-transaction counselling or changes in the practices of certain barrio merchants who have learned their victims are no longer helpless.
- CS' Consumer Consultant in Boston has helped to rescue a floundering credit union and broaden the base of the low-income credit union movement in Roxbury, assisted community

groups to develop a variety of consumer education projects and established a network of consumer advocacy offices throughout the Boston Model Neighborhood.

In the District of Columbia the CS Consumer Consultant, working with the United Planning Organization (UPO), has trained the staffs of UPO Consumer Centers operating in the D.C. Model Neighborhood and organized four UPO Neighborhood Development Centers into a prescription drug buying club for neighborhood residents.

In 1971 CS initiated and continues to coordinate a Departmental series of consumer publications on the selection and use of products and services relating to health, safety and education. These booklets have been prepared with the assistance and advice of experts in government, business, professional and consumer groups so that the final publications will provide accurate, current information and will be written in simple, direct language understandable to readers of varied income and education levels.

Four booklets are nearing completion and should be available in the fall:

- Nursing Homes: describing kinds of nursing homes for different needs, alternatives to nursing homes and standards for selecting a nursing home.
- Medicines in the Home: presenting information helpful in selecting over-the-counter drugs and prescription medicines, labeling, storing, and generic vs. brand name drugs.
- Mental Health Services: telling what Community Mental Health Centers do, how consumers can use them and explaining who's who among mental health practitioners (psychologists, marriage counsellors, psychiatrists, etc.).
- Dental Care: dealing with such topics as how to brush teeth, who's who among dental practitioners and the role of nutrition in dental health.

Four more brochures have been undertaken. These cover the following topics:

- Flammable Fabrics: explaining which textile products are the most and the least flammable; what products have flame-retardant finishes and their safety.
- Eye Care: describing common eye diseases and how to save eye health as well as vision.
- Nutrition: discussing vitamins, health foods and how to get nutritional information from labels.
- Paint: dealing with the problems of lead-based paint, how to avoid buying it and how to cover over painted items.

CS played a substantial role in the development of the five State nursing home ombudsman demonstration projects recently funded by HEW's Health Services and Mental Health Administration. These projects will test methods of carrying out the President's mandate for an effective means of redressing the grievances of nursing home patients and their families at the State and local levels. In a related area CS was successful in stimulating the development of systems for consumer participation in the inspections which States must make at least annually of Medicaid- and Medicare-certified nursing homes.

Assistance to States, local governments and non-profit groups in developing proposals and locating funding for consumer projects has been one of CS' major activities. CS has also helped HEW agencies monitor the progress of their grant and contract projects in the consumer field, e.g., the Office of Education's grant to Consumers Union for the development of consumer education materials for incorporation into school curricula from pre-school through adult education and the Social and Rehabilitation Service's grant to the Georgia Consumer Services Project.

CS has also been influential in the formulation of HEW consumer policy. A CS representative participates in each management meeting held by the Secretary of Health, Education, and Welfare every six weeks with each agency head to review progress of priority programs and resolve policy issues. In addition, CS has reviewed and reported to the Secretary on all consumer-related legislation affecting HEW and prepared briefing and decision papers for the Secretary and other top Departmental officials on consumer aspects of major HEW initiatives, e.g., the role of consumer education in Welfare Reform and HEW's proposed Consumer Safety Administration. CS also has played a



substantive part in the formulation of HEW communications and public affairs policy, and a member of its staff sits on the Communications Council of HEW's Assistant Secretary for Public Affairs.

Other important activities of CS include:

- Testimony on behalf of prescription drug price ~~posting before~~ regulatory bodies in Boston and New York City.
- Presentation of a series of consumer education programs for the Department's employees located in Southwest Washington, D.C.
- Participation on governmental and private committees such as the Consumer Council of the American National Standards Institute, the Advertising Council's Nutritional Awareness Campaign, the Interagency Committee on Product Information, the Nominating Committee of the American Stock Exchange and the Membership Committee of the Association for Consumer Research.

Currently CS is in the midst of a number of undertakings of special interest:

- Development of a guide to potential sources of funding for consumer programs throughout HEW.
- Compilation of a catalogue of Federally funded, low-income consumer programs throughout the U.S.
- Establishment of experimental consumer program in which ACTION's volunteers will provide information and referral services within selected Social Security District Offices.
- Expansion of the Office of Education's consumer education efforts, particularly those relating to the poor and linguo-cultural minorities and to the mandates of the Higher Education Amendments.
- Solicitation of consumer nominees to participate on the Secretary's policy advisory committees.
- Preparation of a biweekly news column which appears in the HEW Newsletter and contains items of practical and current information for HEW employees.

BRIAN CONBOY
4848 Rodman Street, N.W.
Washington, D.C. 20016

PROFESSIONAL

- 1971 - present Special Counsel to U.S. Senator Jacob K. Javits, U.S. Senate, Washington, D.C., and Special Counsel to the Minority, U.S. Senate Committee on Government Operations.
Responsible in designated domestic policy areas for the analysis of legal, public policy and political questions in all phases of the legislative process, and for the development of specific bills and amendments, and their negotiation with congressional offices and committees, executive branch agencies and public and private organizations. These areas have included all matters within the Government Operations Committee on which the Senator is a senior member, as well as matters within the Judiciary and Commerce Committees. Included have been budget and impoundment control, energy conservation, allocation, research and development and nuclear safeguards, evaluation and reform of the federal regulatory system, consumer protection, intergovernmental relations, regional and urban planning, criminal justice issues, drug abuse control and campaign reform; also OMB oversight.
- 1969 - 1970 Administrative Assistant to U.S. Senator Charles E. Goodell, U.S. Senate, Washington, D.C.; previously Legislative Assistant. Principal assistant and chief of staff; responsible for all policy and administrative matters, including political, legislative and press functions, constituent operations and field office activities; State Campaign Director - 1970 New York Senate Campaign.
- 1966 - 1969 Special Prosecutor, Attorney General's Organized Crime Drive, U.S. Department of Justice, Washington, D.C.
Responsibilities included planning and coordinating organized crime intelligence and case operations in various judicial districts; supervising and directing grand jury, F.B.I., I.R.S. and other federal agency investigations of labor racketeering, conspiracy, pension, insurance and tax fraud, perjury, bribery and corrupt practices violations; preparation of pleadings and other legal memoranda, and representing the United States in cases both in the District Courts and Courts of Appeal.
- 1965 (Oct-Dec) Special Liaison, U.S. Department of Justice to the President's Commission on Law Enforcement and the Administration of Justice, Washington, D.C.
Analyzed implications of the Commission's recommendations.

Brian Conboy, page two

1963-1965 Legal Advisor to the Director, The National Security Agency, U.S. Department of Defense, Washington, D.C. (Military Service)
 While serving in the U.S. Army (Captain-USAR), prepared opinions as to the administrative and legal sufficiency of personnel and disciplinary actions pending against civilian and military employees in the U.S. and abroad.

1963 Admitted to Practice - New York State
1968 Admitted to Practice - U.S. Supreme Court

 Member: American Bar Association
 Bar Association of the City of New York

 Lecturer: American Association of Political Consultants

EDUCATION

Fordham University School of Law
Lincoln Center
New York, N.Y., LL.B., 1963

Fordham College
New York, N.Y., A.B., 1960; Dean's Scholarship,
Editor-in-Chief, campus newspaper

PERSONAL DATA

Office Address	Office of Senator Jacob K. Javits 326 Old Senate Office Building Washington, D.C.
Telephone	202-225-6542 (O); 202-244-1778 (H)
Marital Status	Married; no children
Date of Birth	June 3, 1938

REFERENCES

On request

RESUME

JOSEPH A. FARRELL, III
618 E Street, N.E.
Washington, D.C. 20002

Birthdate: June 29, 1929
Birthplace: Long Beach, California

Telephone

Home: (202) 547-3580
Office: (202) 224-7937

Present Position

Administrative Assistant to
Senator Charles H. Percy

Education

Brown University, 1946-48
B.S., U.S. Naval Academy, 1952 (Electrical, Marine and Mechanical Engineer)
U.S. Navy Advanced Course in Reactor Engineering, 1958
Naval Nuclear Power Unit, Knolls Atomic Power Site, 1958
Fleet Ballistic Missile and Warhead and Polaris Navigational
Command Course, U.S. Guided Missile School, 1962

Publications

Naval Training Course for General Electric S3G Reactor Prototype;
original edition.

An Arctic Strategy for Nuclear Powered Submarines (command thesis).

Awards

Cited in employment text.

Skills

Executive management; nuclear reactor engineering; community
development.

Languages

Spanish - FSI 3+

Clearance

Final Top Secret

Leadership: Steady and progressive demonstration of capabilities have been demonstrated in four diverse management arenas; these are: technological and military leadership in the Navy; programmatic overseas management and leadership of highly motivated and independent Peace Corps volunteers as Peace Corps Director of Honduras; personnel selection, placement, evaluation management as Director of Peace Corps' complex Office of Selection; and political and legislative leadership in the Office of Senator Charles H. Percy of Illinois

Organization and Management of Manpower Resources: Demonstrated ability to inventory resources and make allocations to program objectives, in the Navy, with the Peace Corps and in statewide and national politics. The preparations for and carrying out the first Atlantic to Pacific polar voyage while Chief Engineer on the Seadragon, the planning and implementation of the \$10,000,000 overhaul and refueling of the Swordfish as Chief Engineer, and the training and organization of both crews as Executive Officer (second in command) for the Polaris submarine Woodrow Wilson are the most significant examples while in the Navy.

As Peace Corps Director in Honduras, I began the practice of program goal identification and critical path analysis by Government of Honduras officials, Peace Corps Volunteers, and Peace Corps staff members. This practice led to a quantum improvement in program effectiveness. Similar practices were instituted in expanding the School Partnership Program.

As Director of Selection, using PERT and PPBS techniques, the effectiveness of the Selection system has increased markedly at the same time manpower and funds have been saved.

Finally, as Senator Percy's chief of staff and campaign manager, my most significant task has been to recruit and direct highly creative people to stimulate them to seek solutions to complicated national problems and to give them major responsibility and freedom, still working harmoniously toward common objectives for the Senator.

Community Development: The largest Peace Corps program in Honduras was community development. Like all Peace Corps programs in Latin America at that time, the program was predicated on the theory of self help and was virtually unstructured. A careful analysis of actual and potential resources and the environmental forces pointed toward the need for program structure, bi-national identification of goals and objectives, more sophisticated planning and support, and direct involvement of the Hondurans as supervisors of and co-workers with the Peace Corps Volunteers. In a year's time, there were several quantifiable examples that all the original goals had been achieved. Subsequently, practically all Peace Corps community development programs around the world have assumed these methods. The Honduras experiment gave impetus to these changes.

Academy, by experience in nuclear-powered submarines and ballistic missiles included theoretical studies and operational application of the following disciplines: -

Classical Physics
Nuclear Physics
Advanced Mathematics
Thermodynamics
Water Chemistry
Strength of Materials
Nuclear Safety

Electronics
Electricity
Fluid Dynamics
Computers
Ballistics
Inertial Navigation

Employment

July, 1969 - Present: Administrative Assistant to Senator Charles H. Percy of Illinois, Chief of staff to the Senator, responsible to him for coordinating all staff work. This includes: serving as the Senator's chief political advisor; overseeing the work of 6 major departments and the work of Percy staff on the Foreign Relations Committee, the Government Operations Committee and the Committee on Nutrition and Human Needs; frequent Percy spokesman to the media on political matters; surrogate speaking appearances in the Senator's behalf; representing the Senator at official and social events; providing leadership and management of a staff of over 70 people with a budget of over \$1,250,000.

I managed Senator Percy's 1972 campaign for reelection in Illinois. In this campaign the Senator achieved a record breaking win, taking all 102 counties in the state and rolling up a plurality of over 1,100,000 votes. The campaign staff grew to 200 paid employees, 22,000 volunteers and raised and expended almost \$2,000,000. I also presided over Senator Percy's nascent run for President from January, 1973 until August, 1974.

July, 1967 - July, 1969: Director of Selection for the Peace Corps. The Office of Selection is the largest office in the Peace Corps, and is responsible for all activities from application to being sent overseas as a Volunteer. First non-psychologist to hold this position. Directed complete reorganization of this Office and the shift to automation.

September, 1966 - July, 1967: Director, School Partnership Program. Had responsibility for implementing the President's request to expand this program from the existing 100 school partnerships which had been established in two years to 1000 partnerships in one year. In this program, American students raise \$1,000 for construction costs for a rural, self-help school overseas. Promoted to the Senior Staff. In December, 1966, Mr. Vaughn assigned me the responsibility for coordinating the first joint Peace Corps/VISTA

program, where Peace Corps would select 300 college junior applicants for the first phase of their training in a summer VISTA work experience in community development. Further, while in this job, I founded the Peace Corps Fellows Program in April, 1967.

March, 1966 - August, 1966: Director, Overseas Operations, Peace Corps Partnership Exchange Program. Responsible for negotiating agreements with foreign governments to bring 800 qualified Volunteers into the United States as part of the Exchange Peace Corps. The Congress, however, shifted this program from the Peace Corps to the Department of State.

September, 1964 - March, 1966: Director, Peace Corps, Honduras. Supervised expansion of the program from the smallest in Central America to the largest program in Central America/West Indies Region. The Peace Corps evaluation and comments by the then Regional Director for Latin America stated that this program went "from a shambles to one of the two or three best in Latin America."

December, 1963 - September, 1964: BLUE Executive Officer of USS WOODROW WILSON (SSBN 624). As such, I was second in command of an organization of 23 officers and 250 enlisted personnel and had responsibility for the entire organization and training of a new construction Fleet Ballistic Missile Submarine. I was the first officer in my class selected for this duty. Awarded letter of commendation upon commissioning.

October, 1962 - December, 1963: Attended the Fleet Ballistic Missile and Polaris Navigation Command Course at the U.S. Guided Missiles School, Dam Neck, Virginia.

April, 1961 - September, 1962: Chief Engineer of USS SWORDFISH (SSN 579). During this tour of duty, I was in charge of the first refueling of a nuclear submarine in the Pacific Fleet and the third in the history of the Navy. In addition, I had prime responsibility for the complete overhaul of this submarine. Selected for Lieutenant Commander in October, 1961.

1959 - April, 1961: Commissioned and served in the Navy's seventh nuclear submarine, USS SEADRAGON (SSN 584). Held all Department Head billets while on board. Acted as Chief Engineer during the first Atlantic to Pacific transit via the Northwest Passage and North Pole. Awarded the Navy Unit Commendation and a letter of commendation from Commander, Submarine Force, U.S. Pacific Fleet, for performance of duty on this trip. Responsible for the first polar evaluation of the MK-I inertial navigation system. Received letter of commendation for this project. Later, while weapons officer, successfully conducted warshot firing evaluation of the Navy's newest anti-submarine torpedo. Awarded a letter of commendation for this project. Qualified for command of a submarine while on board.

June, 1958 - December, 1958: Completed training at the Naval Nuclear Power Training Unit, Knolls Atomic Power Site, West Milton, New York.

THADDEUS GARRETT, JR.
Special Assistant to the Vice President
of the United States

- Appointed Special Assistant to the Vice President April 1, 1975 (Advisor to the Vice President on urban affairs, minority affairs, legislative affairs, and the Productivity Commission). Member of special White House Task Force on Urban Problems.
- Currently serving as an elected member of the State Board of Education of Ohio, representing the state's 14th Congressional District (elected to a four year term in 1972).
- An ordained minister in the A.M.E. Zion (Methodist) Church.
- Served as Chief Assistant and Advisor to U.S. Congresswoman Shirley Chisholm (1971 - 1975).
- Served as Legislative Assistant to former U.S. Congressman William H. Ayres (1967 - 1970 while in college).
- Served as Special Assistant to the U.S. House Education and Labor Committee (simultaneously with service to Congressman Ayres).
- Taught American History at Buchtel High School in Akron, Ohio and Government Seminar at the University of Akron (1970).
- Served as Public Consumer Affairs Consultant to the Welcome Radio Corporation of Ohio (1973 - 1974).
- Other activities or assignments related to government include service as an aide to former Republican National Chairman Ray Bliss, Vice Chairman of the Akron, Ohio Human Relations Commission, and National Chairman of the Y.M.C.A. Youth-In-Government Program.
- Graduate of the John R. Buchtel High School in Akron, Ohio.
- Graduate of the University of Akron in Akron, Ohio (B.A. in Education); participated in the Oxford and Cambridge Universities Inter-collegiate Debates.
- Howard University Graduate School of Religion, Allen University (Doctorate of Divinity).
- Born May 18, 1948 in Akron, Ohio
Single
Excellent Health



(F)

1975

GWENDOLYN HELEN GREGORY

PERSONAL INFORMATION

Born: September 28, 1937 Age: 37
Marital Status: Single
Address: Office for Civil Rights
Department of Health, Education and Welfare
Washington, D.C. 20201
2615 P Street N.W. (home)
Washington, D.C. 20007
Telephone: 202/245-6241 202/338-7963 (home)

EDUCATION

University of Denver, Denver, Colorado 1959 B.A.
Majors: Theatre
Education
University of Denver College of Law 1963 J.D.

PROFESSIONAL EXPERIENCE

1973- Director, Office of Policy Communication,
Present Office for Civil Rights (OCR), Department of Health,
Education and Welfare (HEW), Washington, D.C.

OCR has the responsibility for HEW's enforcement of seven civil rights statutes and executive orders with jurisdiction over 11,000 school districts, 2800 colleges and universities and 31,000 hospitals, nursing homes and welfare agencies. OCR has an annual budget of approximately \$25 million and employees 900 individuals.

I have overall responsibility for OCR liaison with Congress, State and local Governments as well as special interest and community groups. In addition to my policy communication duties, I have directed HEW's policy formulation under Title IX of the Education Amendments of 1972, which prohibits sex discrimination in most Federally assisted education programs and activities.

My specific responsibilities in the liaison field include leadership of a staff which performs the following functions:

a) performing all liaison functions with members of Congress concerning new initiatives of OCR, enforcement activities relating to particular recipients of

Federal funds (eg particular school districts or colleges). I meet with members of Congress and committee and Congressional staff to resolve specific civil rights crises and, in the broader sense, to provide input into both OCR and Congressional policy-making on civil rights matters.

b) drafting of all statements and briefing materials for Congressional committee appearances on civil rights matters by the OCR Director and the HEW Secretary. Advise Director and Secretary on matters of particular concern to committee members and other members of Congress. Represent HEW in connection with legislation, proposed or pending.

c) coordinate, monitor and report on legislative actions and liaison with State and local Government as well as special interest and community groups. Meet with persons such as the Director of the NAACP, President of the National Organization for Women, President of the American Council on Education and numerous others to communicate OCR policy on civil rights matters and to get the assistance of such organizations in the development of such policy.

I have directed HEW's task force which drafted the regulation to implement Title IX of the Education Amendments of 1972. In that capacity, I performed the following functions:

a) meet with HEW Secretary, Director OCR, the General Counsel, and the Assistant Secretaries for Education and Planning and Evaluation to develop Title IX policy. I met, together with Secretary Weinberger and Director Holmes, with the President to discuss his approval of the regulation, as required by the statute.

b) During the almost three year period in which I have directed Title IX policy formulation, I have been involved extensively with the media including participation on NBC's Today Show, and on TV and radio talk and news shows in Washington, D.C., New York City, Boston, Miami, Los Angeles, San Francisco, St. Louis, Denver and others. I conducted a schedule of press and public briefings in 12 cities across the country in the summer of 1974 to promote understanding of the proposed Title IX regulation which was published in June, 1974 and to encourage the filing of comments by the public. During that time, I appeared before some 3500 members of the public, on some 80 television and radio programs and was personally interviewed or covered by 71 newspapers.

c) HEW received almost 10,000 comments from the public. I organized and directed a group of regional and Washington OCR personnel, who analyzed all the comments and prepared issue papers for the Director, Assistant Secretaries, the Secretary and the President; leading ultimately to the final regulation as approved by the Secretary and by the President.

71 - 1973 Confidential Assistant to Director,
Office for Civil Rights, HEW, Washington, D.C.

I acted as "alter-ego" and "trouble-shooter" for the Director in all matters involving sensitive policy issues covering the entire range of OCR programs, interests and activities. I coordinated all OCR operations in the implementation of the 1971 U.S. Supreme Court decision involving Southern school desegregation, including acting as policy advisor to the Director and coordinator of that policy with the appropriate OCR operations divisions and regional offices.

In 1972 the Congress passed Title IX of the Education Amendments of 1972. The Office of Management and Budget gave to HEW the responsibility of drafting a uniform regulation to implement the statute, to be used as a model for all government agencies which fund education programs. I was designated by the Director to coordinate the policy formulation for that regulation. My responsibilities are described above more fully.

g 1970 - Special Detail to the White House
71

In Summer, 1970 the Congress passed the Emergency School Assistance Program (ESAP) which provided funds for school districts which were in the process of desegregating their school systems. During the Summer and Fall of 1970 the Department of Justice and HEW were engaged in extensive desegregation efforts, working with school districts to develop acceptable plans. The Deputy Assistant to the President for Domestic Affairs was designated by the President to coordinate all the operations for the White House.

In August, 1970 I was detailed to the White House to assist the Deputy Assistant in this coordination operation. I acted as liaison between HEW and the Department of Justice and the White House and worked with the White House Congressional Office to coordinate Congressional notifications of ESAP grants and to assist Members of Congress in their work with

school districts in the desegregation effort.

y 1969 - Trial Lawyer, Food and Drug Administration;
1970 HEW, Washington, D.C.

As a trial lawyer for FDA, I handled administrative hearings and represented the Government in conjunction with U.S. Attorneys in matters arising under the Food and Drug Act, which included cases involving ineffective drugs, contaminated food etc. I assisted the Assistant General Counsel in the preparation for appeal to the U.S. Court of Appeals of the precedent-setting case which established the power of administrative law judges to grant summary judgments, without a hearing on the facts, in appropriate cases. I represented FDA in the first administrative hearing involving food additives.

ot 1963 - Lawyer in Private Practice,
y 1969 Denver, Colorado

I was a partner in the firm of Gregory and Gregory and associated with the firm of Lynch, MacIntosh and Lynch. My practice included real estate, banking, corporate matters and estates. I conducted all the trial work for the firm of Gregory and Gregory. I argued several cases before the U.S. Court of Appeals for the 10th Circuit and before the Colorado Supreme Court, and conducted numerous jury trials and trials to the court in State and local courts throughout the State of Colorado and in the U.S. District Court for the District of Colorado. My clients included a national bank, an industrial bank, several large real estate and investment corporations, executives of airline companies and construction companies. In addition, I represented numerous other individuals in both civil and criminal (misdemeanors and felonies) matters.

PUBLICATIONS AND MAJOR SPEECHES

The Rule Against Perpetuities Applies to Charities, DICTA (University of Denver Law Journal) 1962.

Making the Affirmative Action Plan Work. The Journal of College and University Law Fall, 1973.

Major speeches before National conventions of: American Council on Education, American Association of College and University Attorneys, American Association of Law Schools, American Medical Association, National Collegiate Athletic

Association, Chief State School Officers Association and others. 1972-1975.

HONORS AND AWARDS

Secretary's Special Citation presented by HEW Secretary Caspar Weinberger 1974; Who's Who in American Women 1972-present; Kappa Beta Pi Legal Honorary; Board of Editors University of Denver Law Journal 1961-63; scholarship University of Denver College of Law 1961-1963; Pattison Oratory Award - University of Denver College of Law 1961; Zeta Phi Eta Speech Honorary; Outstanding Senior Theatre Student Award - University of Denver 1959; member of cast of first theatrical presentation produced by the Department of Defense and the American Association of Schools of the Theatre - under auspices of the Department of Defense toured Japan, Korea, Phillipines, Okinawa, Guam for two months 1958.

REFERENCES

Caspar W. Weinberger
Secretary
Department of Health, Education and Welfare

J. Stanley Pottinger
Assistant Attorney General
Department of Justice
Washington, D.C.

Peter E. Holmes
Director
Office for Civil Rights
Department of Health, Education and Welfare
Washington, D.C.

Judge Mitchel B. Johns
Judge, District Court
City and County of Denver
City and County Building
Denver, Colorado

Joseph Blake, Esq.
6225 17th Avenue Parkway
Denver, Colorado

Daniel F. Lynch
Editor, Rocky Mountain Journal
Denver, Colorado

DOROTHY PARKER

Address: 1600 South Joyce Street, Arlington, Virginia 22202

Married: Benjamin M. Parker, February 12, 1962

Education: Columbia Law School, LL.B., 1938 - changed to J.D.
Barnard College, B.A., 1936 .

Professional Status: Admitted to the Bar of the State of New York, 1938. Also a member of the Bars of the Supreme Court of the United States, the United States Courts of Appeals for the Second Circuit and the District of Columbia, the United States Court of Claims and the United States District Court for the District of Columbia.

Experience:

1974 - Minority Counsel - United States Senate Committee on the Judiciary, Subcommittee on Refugees and Escapees

3/70 - 1974 Minority Counsel - United States Senate Committee on the Judiciary, Subcommittee on Constitutional Amendments

3/65 - 1970 Department of Health, Education, and Welfare.
Vice Chairman, Exchange Visitors Waiver Review Board
Office of General Counsel:
1. Special Assistant to Assistant General Counsel
2. Special Assignment, Division of Civil Rights
3. Branch Chief, Adult Education & Library Division and Division of Research in Education

Remarried Feb. 1962 - moved to Virginia. Gradually wound up law practice in New York.

1948 - 1964 Law firm, Dorothy Bowen Appel, New York, N. Y.

1945 - 1948 Partner in law firm with Alexander Appel, New York, N. Y.
(Alexander Appel died April 9, 1948)

1945 Executive Assistant to Director, UNRRA Clothing Collection, New York, N. Y.

1942 - 1945 U. S. Office of Censorship - Consultant

Dorothy Parker.

Page 2

- 1942 Independent Citizens' Committee to Re-Elect Mayor La Guardia,
 Executive Director, New York, N. Y.
- 1940 - 1942 Court Press, Inc., law printers. Technical advisor
- 1940 Emanuel Balt, trial practice. Business manager, New York
 LAW JIST
- 1938 - 1940 Dorothy Roslyn Bower - Private practice of law in New York,
 N. Y..



ROBERT I. WEINER, P.E., C.S.P.



EDUCATION:

B.M.E. .New York University 1954 (Aero.)

M.M.E. .New York University 1957 (Aero.)

- . Post Graduate Work- Applied Mechanics, Princeton University 1958-59

LICENSES, CERTIFICATES & LISTINGS:

- . Registered Professional Mechanical Engineer by State of Maryland #5317
- . Certified Safety Professional, C.S.P. #3793 by National Board of Certified Safety Professionals, Park Ridge, Ill.
- . Biography Listed in "American Men of Science", 1967
- . Biography Listed in "Who's Who In The East", 1970

BORN: October 21, 1933

RESIDENCE: Chartwell Court, Owings Mills, Maryland 21117

TEACHING AFFILIATIONS:

- . Essex College, Baltimore, Maryland 1973
Associate Professor of Technology
- . University of Maryland, College Park, Maryland 1968-70
Professorial Lecturer of Mathematics
- . Loyola College of Baltimore 1960-66
Professorial Lecturer of Mathematics & Engineering Sciences

HONORS:

- . Academic Scholarship, New York University 1951-54
- . Grumann Aircraft Employee Scholarship, Graduate School New York University 1954-57
- . Chance Voight Design Prize, New York University 1954
- . U. S. Navy Certificate of Commendation for Engineering Excellence 1970
- . Letters of Commendation for Outstanding Engineering & Safety Analysis Work From:
 - . National Commission on Product Safety
 - . Atomic Energy Commission
 - . Naval Radiological Defense Laboratory
 - . Naval Facilities and Engineering Command
 - . Sanders Nuclear Corporation
 - . Atlantic-Richfield Corp. (Numec Division)
 - . Environmental Protection Agency

Since 1967 Mr. Weiner has been President and Senior Consultant of Weiner Associates, Inc., a consulting engineering firm specializing in safety, environmental and systems engineering work for government, industry, and the legal and insurance communities. He has written and/or consulted on many new safety standards among which are "Gas Fired Floor Furnaces", "Book Matches", "Swimming Pool Slides" and "Playground Equipment".

Mr. Weiner's experience extends over the last 20 years as an engineer for Grumann Aircraft, Curtiss Wright Corp., the U. S. Navy, Martin Marietta Corp., and Hittman Associates. He has managed large government and commercial programs and diversified groups of engineering and production personnel at the 100 man level in safety analyses, environmental engineering, and electronics production work.

The firm is located in suburban Baltimore, Maryland and does business on a national and international basis.

Over the years our clients have included the following agencies, corporations and law firms:

U. S. Government

- | | |
|---|---------------------------------------|
| . National Commission on Product Safety | . NASA - Goddard Space Flight Center |
| . Bureau of Product Safety--FDA | . NASA - Marshall Space Flight Center |
| . Consumer Product Safety Commission | . Department of Transportation |
| . The U. S. Atomic Energy Commission | . HUD |
| . The U. S. Navy | . U. S. Air Force |

National Institutes of Health

Corporations, Trade Assns. & Laboratories

- . Atlantic-Richfield
- . Sanders Associates
- . Cambridge Nuclear Corp.
- . The American Gas Assn.
- . The Gas Appliance Mfg. Assn.
- . The National Swimming Pool Inst.
- . Arthur D. Little Corp.
- . Martin-Marietta Corp.
- . Johnson & Johnson
- . Canadian-Pacific Railroad
- . Baltimore & Ohio Railroad
- . Heublein Corp.
- . Neotec Corp.
- . National Parks & Recreation Assn.
- . Numec
- . Penn-Central Railroad
- . Black & Decker
- . The Singer Corporation
- . Sears, Roebuck Corporation
- . Johns Hopkins Univ. Applied Physics Lab.
- . General Electric
- . Lockheed
- . Sanders Nuclear Corp.
- . AVCO
- . Monsanto Research Corp.
- . Smirnoff Beverage & Import Co.
- . Aquaslide 'N' Dive Corp.
- . American Society for Testing & Materials

Law Firms

- . Sacks, Sacks & Tvass, Norfolk, Va.
- . Hertz & Matthews, Arlington, Virginia
- . Greenstein, Cowan & Frey, Honolulu, Hawaii
- . J. Capps, Esq., Washington, D. C.
- . Schiffman & Minnenberg, Washington, D. C.
- . Kirkwood, Kaplan, Russin & Vecchi, Washington, D.C.
- . Savage, Jones, Tingle & Schwartzman, Baltimore, Md.
- . E. L. Goldman, Esq., Washington, D.C.
- . Liss & Guarro, Washington, D.C.
- . G. Bason, Esq., Washington, D.C.
- . Azrael & Gann, Baltimore, Md.
- . Jack Olender, Esq., Washington, D.C.

PATENTS:

1. Martin Company, ID-129, "An Isotopically Powered, Closed Cycle Mechanical, Acoustic Navigation Beacon for Marine Use", Pending.
2. Martin Company, ID-248, "A Compact Pulsed Nuclear Powered Signal Beacon and Radiation Weapon", Granted March 27, 1967, No. 3,309,622.
3. (RIWA-Pt-67.1/SN) "The Weiner Decelerator Capsule", July 1967. Assigned to Sanders Nuclear Corporation.
4. (NU-087-67) "Re-entry Intact Generator for Space Electric Power", November 1967. Assigned to NUMEC.
5. Electric traction system for preventing uncontrolled wheel acceleration. Patent application Serial No. 238,123 - March, 1972. Inventor Henri Hoge and R. I. Weiner.
6. Unique method of heating beverages and liquid foods and apparatus therefore. Patent application Serial No. 285,591. August, 1972. Inventors R. I. Weiner, Henri Hoge and B. I. Dussan, V.

PAPERS AND ARTICLES DELIVERED BY INVITATION AT NATIONAL TECHNICAL AND LEGAL SOCIETY MEETINGS

1. "The Re-entry of Nuclear Rockets into the Earth's Atmosphere", R. I. Weiner. Delivered at the ATS/ANS/IAS Nuclear Propulsion Conference, August 15 - 17, 1962, Monterey, California. Published in proceedings of this meeting.
2. "The Effects of Various Aerospace Safety Philosophies on the Design of Advanced Nuclear Electric Space Power Plants", R. I. Weiner. Delivered at the Third Biennial Aerospace Power Systems Conference, September 1 - 4, 1964. Philadelphia, Pennsylvania.
3. "Progress in Launch Approval and Systems Management for Navy Nuclear Space Missions", R. I. Weiner, G. Hagey and M. Starr. Delivered at the Second International Conference on Nucleonics in Aerospace, July 12-14, 1967, Columbus, Ohio. Published in Proceedings of Meeting.
4. "An Evaluation of the Present Standards and Consumer Safety of Gas-Fired Gravity and Fan-Type Floor Furnaces", R. I. Weiner and staff. Delivered before the National Commission on Product Safety, U. S. Senate Chambers, February, 1969, and before the Gas Association, New York, New York, March, 1969.
5. "A Survey of the Re-entry Behavior of Plutonium Dioxide Microspheres", D. W. Pyatt, P. P. Ostrowski and R. I. Weiner. Delivered at the Annual Meeting of the American Nuclear Society, June 15 - 19, 1969.
6. "Some Comments on Product Safety and How to Achieve It, Past, Present, and Future", R. I. Weiner. Delivered at the American Trial Lawyers Association's National Meeting, July 29, 1969.
7. "Study of Burn Hazard in Human Tissue and Its Implication on Consumer Product Design", B. I. Dussan V. and R. I. Weiner. Delivered at the ASME

September 30, 1976

Office of the White House Press Secretary

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

After careful reflection, I am signing into law today H.R. 8532 -- the Hart-Scott-Rodino Antitrust Improvements Act of 1976. This bill contains three titles, two of which my Administration has supported and one -- the "parens patriae" title -- which I believe is of dubious merit.

COMPETITION AND ANTITRUST POLICIES

I am proud of my Administration's record of commitment to antitrust enforcement. Antitrust laws provide an important means of achieving fair competition. Our nation has become the economic ideal of the free world because of the vigorous competition permitted by the free enterprise system. Competition rewards the efficient and innovative business and penalizes the inefficient.

Consumers benefit in a freely competitive market by having the opportunity to choose from a wide range of products. Through their decisions in the marketplace, consumers indicate their preferences to businessmen, who translate those preferences into the best products at the lowest prices.

The Federal Government must play two important roles in protecting and advancing the cause of free competition.

First, the policy of my Administration has been to vigorously enforce our antitrust laws through the Antitrust Division of the Department of Justice and the Federal Trade Commission. During an inflationary period, this has been particularly important in deterring price-fixing agreements that would result in higher costs to consumers.

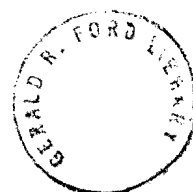
Second, my Administration has been the first one in forty years to recognize an additional way the Federal Government vitally affects the environment for business competition. Not only must the Federal Government seek to restrain private anti-competitive conduct, but our Government must also see to it that its own actions do not impede free and open competition. All too often in the past, the Government has itself been a major source of unnecessary restraints on competition.

I believe that far too many important managerial decisions are made today not by the marketplace responding to the forces of supply and demand but by the bureaucrat. Government regulation is not an effective substitute for vigorous competition in the American marketplace.

In some instances government regulation may well protect and advance the public interest. But many existing regulatory controls were imposed during uniquely transitory economic conditions. We must repeal or modify those controls that suppress rather than support fair and healthy competition.

During my Administration, important progress has been made both in strengthening antitrust enforcement and in reforming government economic regulation.

more



In the last two years, we have strengthened the Federal antitrust enforcement agencies. The resources for the Antitrust Division and the Federal Trade Commission's Bureau of Competition have been increased by over 50 percent since Fiscal Year 1975. For the Antitrust Division, this has been the first real manpower increase since 1950. I am committed to providing these agencies with the necessary resources to do their important job.

This intensified effort is producing results. The Antitrust Division's crackdown on price-fixing resulted in indictment of 183 individuals during this period, a figure equalled only once in the 86 years since enactment of the Sherman Act. The fact that the Division presently has pending more grand jury investigations than at any other time in history shows these efforts are being maintained.

To preserve competition, the Antitrust Division is devoting substantial resources to investigating anti-competitive mergers and acquisitions. At the same time, the Division is litigating large and complex cases in two of our most important industries -- data-processing and telecommunications.

The cause of vigorous antitrust enforcement was aided substantially when I signed the Antitrust Procedures and Penalties Act of 1974, making violation of the Sherman Act a felony punishable by imprisonment of up to three years for individuals, and by a corporate fine of up to \$1 million.

Also, in December 1975, I signed legislation repealing Fair Trade enabling legislation. This action alone, according to various estimates, will save consumers \$2 billion annually.

On the second front of reducing regulatory actions that inhibit competition, I have signed the Securities Act Amendments of 1975 and the Railroad Revitalization and Regulatory Reform Act, which will inject strong doses of competition into industries that long rested comfortably in the shade of federal economic regulation.

My Administration has also sponsored important legislative initiatives to reduce the regulation of other modes of transportation and of financial institutions. An important element of my regulatory reform proposals has been to narrow antitrust immunities which are not truly justified. Although Congress has not yet acted on these proposals, I am hopeful that it will act soon. All industries and groups should be subject to the interplay of competitive forces to the maximum extent feasible.

A measure of my commitment to competition is the Agenda for Government Reform Act which I proposed in May of this year. This proposal would require a comprehensive, disciplined look at ways of restoring competition in the economy. It would involve in-depth consideration of the full range of federal regulatory activities in a reasonable -- but rapid -- manner that would allow for an orderly transition to a more competitive environment.

This competition policy of regulatory reform and vigorous antitrust enforcement will protect both businessmen and consumers and result in an American economy which is stronger, more efficient and more innovative.

more



HART-SCOTT-RODINO ANTITRUST IMPROVEMENTS ACT OF 1976

I believe the record of this Administration stands as a measure of its commitment to competition. While I continue to have serious reservations about the "parens patriae" title of this bill, on balance, the action I am taking today should further strengthen competition and antitrust enforcement.

This bill contains three titles. The first title will significantly expand the civil investigatory powers of the Antitrust Division. This will enable the Department of Justice not only to bring additional antitrust cases that would otherwise have escaped prosecution, but it will also better assure that unmeritorious suits will not be filed. These amendments to the Antitrust Civil Process Act were proposed by my Administration two years ago, and I am pleased to see that the Congress has finally passed them.

The second title of this bill will require parties to large mergers to give the Antitrust Division and the Federal Trade Commission advance notice of the proposed mergers. This will allow these agencies to conduct careful investigations prior to consummation of mergers and, if necessary, bring suit before often irreversible steps have been taken toward consolidation of operations. Again, this proposal was supported by my Administration, and I am pleased to see it enacted into law.

I believe these two titles will contribute substantially to the competitive health of our free enterprise system.

This legislation also includes a third title which would permit state attorneys general to bring antitrust suits on behalf of the citizens of their states to recover treble damages. I have previously expressed serious reservations regarding this "parens patriae" approach to antitrust enforcement.

As I have said before, the states have authority to amend their own antitrust laws to authorize such suits in state courts. If a state legislature, representing the citizens of the state, believes that such a concept is sound policy, it ought to allow it. I questioned whether the Congress should bypass the state legislatures in this instance. To meet in part my objection, Congress wisely incorporated a proviso which permits a state to prevent the applicability of this title.

In price-fixing cases, this title provides that damages can be proved in the aggregate by using statistical sampling or other measures without the necessity of proving the individual claim of, or the amount of damage to, each person on whose behalf the case was brought. During the hearings on this bill, a variety of questions were raised as to the soundness of this novel and untested concept. Many of the concerns continue to trouble me.

I have also questioned the provision that would allow states to retain private attorneys on a contingent-fee basis. While Congress adopted some limitations which restrict the scope of this provision, the potential for abuse and harassment inherent in this provision still exists.

more



In partial response to my concerns, Congress has narrowed this title in order to limit the possibility of significant abuses. In its present form, this title, if responsibly enforced, can contribute to deterring price-fixing violations, thereby protecting consumers. I will carefully review the implementation of the powers provided by this title to assure that they are not abused.

Individual initiative and market competition must remain the keystones to our American economy. I am today signing this antitrust legislation with the expectation that it will contribute to our competitive economy.

#

Art Quern
With Poisons -
Who is going
to do that for the
President? Justice?

Jim

Sent 10/2
Kb



THE WHITE HOUSE
WASHINGTON

For review
f

976 Nov 1 AM 9 59

October 6, 1976

MEMORANDUM FOR: STAFF SECRETARY

FROM: MAX FRIEDERSDORF *44-6.*

SUBJECT: Enrolled Bill HR 10339 - Farmer to Consumer
Direct Marketing Act of 1976

I submit the following comments as an addendum to HR 10339.

There are strong Congressional pros and cons on this bill.

Congressman Al Quie, Jim Abdnor, and Larry Pressler strongly recommend the bill be signed to provide relief to drought stricken farmers in the midwest.

In addition, the President has received a joint letter from Senators Abourezk, Burdick, McGovern, Proxmire, Humphrey, Culver, Nelson, Mondale and Clark urging the President sign the bill. In the event of a pocket veto these Democratic Senators could be expected to strongly criticize the Administration for its insensitivity to the upper midwest farmers suffering from the drought.

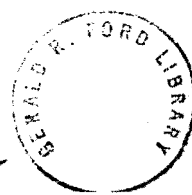
Both Congressman John Rhodes and Guy Vander Jagt have been contacted by the Republican opponent of Congressman Joseph Vigorito (D-Pa.) who maintained that the bill was passed to assist Vigorito's re-election because Vigorito's Republican opponent has charged that in 12 years in Congress Vigorito has not had or sponsored one bill which has been signed into law.

Hyde Murry of the House Agriculture Committee believes the legislation is substantively bad and if the President decided to pocket veto, he would couple the announcement with the statement that he was liberalizing the drought disaster assistance program.

According to Hyde the bill affects four states, Minnesota, Wisconsin, South Dakota and North Dakota and would raise the assistance from \$27.50 per ton of hay to \$50 per ton.

I believe the perception of a pocket veto as anti-farmer would over shadow any announcement of liberalized drought disaster assistance. I recommend approval of the bill.

cc: Jack Marsh, Jim Cannon, Art Quern, Jim Lynn



THE WHITE HOUSE

WASHINGTON

October 7, 1976

TO: JIM

FROM: DAWN

RE: FYI - SOCAP Exchange
in New Orleans

1976 OCT 7 PM 5 12



Nelson

THE WHITE HOUSE
WASHINGTON

October 7, 1976

MEMORANDUM FOR: JAMES CANNON

FROM: DAWN D. BENNETT-ALEXANDER *DB*

RE: 3d Annual Society of Consumer Affairs
Professionals in Business Exchange.
New Orleans, La. September 29 -
October 1, 1976

SOCAP is an organization comprised of consumer affairs representatives from numerous business organizations. Though membership is not limited to large national and multi-national organizations, most of the representatives are of big business i. e. Coca-Cola, Gulf Oil, Western Union, Mattel Toys, K-Mart, etc.

Every year for the past 3 years that the group has been in existence, they have had a yearly Exchange at which companies display their Consumer materials, speakers speak and workshops and case-studies are engaged in by the attendants. I was present at all sessions, all of which were interesting as well as quite informative.

The group was very pleased to have a person from the White House in attendance.

I benefitted greatly from the trip and the interaction with the business faction of consumer affairs people. But alas, all was not hunky dory. I received numerous complaints about the White House Consumer Representation Plan Conferences held last January. I am in touch with Virginia Knauer's Office about the matter and hope that the Conferences to be held after the elections fare much better. Will keep you abreast.



100-76



THE
GEORGE
WASHINGTON
UNIVERSITY

School of Government and Business Administration / Washington, D.C. 20052

cc: Bennett-
Alexander
Quern

Consumer Affairs
Department of
Business Administration
(202)676-6115

076 001 70 13 10 55

Dear Mr. Cannon,

Last year, we made available twenty-five scholarships to Government officials to take a one week course on Marketing Practice. The response was very gratifying, and we were very pleased with the feedback from the participants. Now, once again, we are pleased to announce that an additional session of the same course will be offered during the week of December 13th, and once again, twenty-five scholarships will be made available.

As the enclosed brochures indicate, the course is intended to be useful to those people engaged in the regulation/legislation of Marketing Practice or Consumer Affairs. In the event some of your people have a need for such training, I have enclosed a number of applications, so they may apply. You will want to process these applications quickly, as I am sure that the number of applicants will exceed the available slots.

If I can be of any help, please call me at 676-6204.

Sincerely,

Sal Divita

Sal Divita
Chairman, Department of
Business Administration



1/10/09

**Offered
as a
Public
Service
at
No
Charge**

Short Course on Marketing Practice for Government Officials

December 13-17, 1976

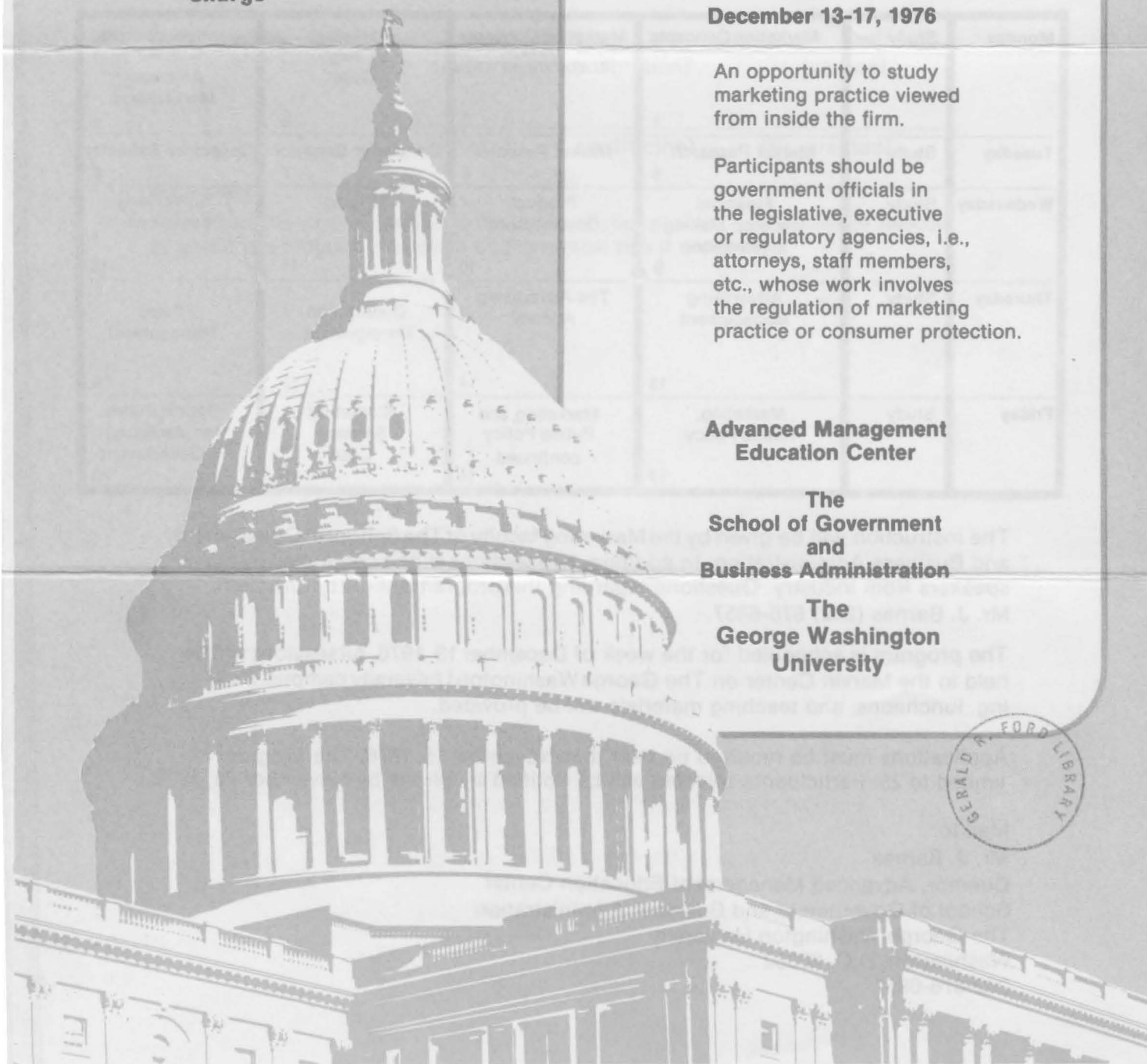
An opportunity to study marketing practice viewed from inside the firm.

Participants should be government officials in the legislative, executive or regulatory agencies, i.e., attorneys, staff members, etc., whose work involves the regulation of marketing practice or consumer protection.

**Advanced Management
Education Center**

**The
School of Government
and
Business Administration**

**The
George Washington
University**



The purpose of this program is to aid the government official who is engaged in the process of regulating marketing practice to achieve a better understanding of the marketing function. It is the long term objective of this program to encourage better understanding between business and government in relation to those issues dealing with consumer protection.

This short course is a non-credit program. All participants will be expected to do the required reading and to participate fully in the discussions. The course will employ various teaching methods including lectures, case method and discussion. The schedule and topics to be covered are as follows:

Weekly Schedule

	8:30	9:30	11:00	11:15	12:45	1:45	3:15	3:30	5:00
Monday	Study	Marketing Concepts	Marketing Concepts		Marketing Strategy Case				Introduction to in the American Marketplace
		1	2		3				4
Tuesday	Study	Market Research	Market Research		Consumer Behavior				Consumer Behavior
		5	6		7				8
Wednesday	Study	Financial Decision Making in Marketing	Product Development		Pricing				Advertising Management
		9	10		11				12
Thursday	Study	Advertising Management	The Advertising Agency		Distribution Management				Sales Management
		13	14		15				16
Friday	Study	Marketing, Public Policy	Marketing and Public Policy continued		Marketing Strategy Case				Opportunities for Marketing in Government
		17	18		19				20

The instruction will be given by the Marketing faculty of The School of Government and Business Administration. In addition, two sessions will be conducted by guest speakers from industry. Questions regarding this program should be directed to Mr. J. Barnes (202) 676-6857.

The program is scheduled for the week of December 13, 1976. All sessions will be held in the Marvin Center on The George Washington University campus. Parking, luncheons, and teaching materials will be provided.

Applications must be received no later than November 15, 1976. The program is limited to 25. Participants selected will be notified by phone by November 26, 1976.

Mail to:
Mr. J. Barnes
Director, Advanced Management Education Center
School of Government and Business Administration
The George Washington University
Washington, D.C. 20052
202-676-6857

Application
Short Course on Marketing Practice
for Government Officials

Name _____

Organization _____

Address _____

Phone _____

Academic Preparation _____
(major) (institution) (Yr. granted)

Graduate Degrees _____
(major) (institution) (Yr. granted)

(major) (institution) (Yr. granted)

Statement.
Please indicate why, in relation to the duties of your position, you should be selected to attend this program. (Continue on the reverse side if necessary.)

**Advanced Management Education Center
School of Government and Business Administration
The George Washington University
Washington, D.C. 20052**

**This program is made possible by unrestricted grants from
the following organizations and is offered at no charge:**

- **Association of National Advertisers**
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