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MEMORANDUM

THE WHITE HOUSE

WASHINGTON

November 1, 1982

FOR: EDWIN L. HARPER

FROM: MICHAEL M. UHLMANN  
STEPHEN H. GALEBACH

SUBJECT: Outline of Radio Speech on American Family

Herewith a proposed outline:

I. Introduction

- A. Affirm the key role of the family -- The family is at the center of our lives; it is the focal point for the nurture of children, the development of bonds among people, the care of the sick or incapacitated, the inculcation of spiritual and moral values.
- B. The family is the most successful economic support unit ever known to man -- No government has ever approached the compassionate and efficient way in which families care for people.
- C. General principle -- Families do not need the government to create them or sustain them. But government should recognize the role of the family and not create hindrances to families.
- D. It is crucial today that, as the Republican Platform insisted in 1980, "all domestic policies, from child care and schooling to Social Security and the tax code, must be formulated with the family in mind."

II. We have already addressed some of the worst hindrances to families.

- A. Marriage tax penalty -- 1981 tax bill saves up to \$300 per year for typical two-earner married couples.
- B. IRA accounts -- We have increased the availability of IRA's for both spouses who work outside the home and spouses who work as homemakers.
- C. We have dramatically increased the tax credit for child day care, helping working mothers to raise children while supporting their basic economic needs.

D. Most important of all, we have taken the wind out of the sails of inflation.

1. During the previous Democratic administration, taxes on an average family earning \$20,000 per year rose by \$2,000, mostly as the result of inflation pushing people into higher tax brackets. Inflation was pricing most families right out of the market for single-family homes.
2. We have now reduced the inflation rate from 12.4% to under 5%.
3. Our tax cuts and indexing of income taxes have compensated for bracket creep, to prevent families from being pushed into even higher rates of taxation.
4. And, at the same time, we have laid the groundwork for an economic recovery that will enable all people to meet the financial needs of their families.

III. Our goal is to restore to families the proper ability to shape their decisions without Washington getting in the way.

- A. We have laid the foundation for a sound economy that will restore the ability of average-income working people to make basic choices about their families without being boxed in by government-created inflation and tax increases.
  1. Families need the economic ability to make real choices about where they will raise their children, how they will save for their future, what schools are best suited for their children's education, and how much time parents wish to spend with their children to nurture, guide, and educate them.
  2. We must guarantee the opportunity for both spouses to take jobs if they wish, but also not create such economic pressures by inflating and overtaxing that we drive into the workforce a spouse who wishes to work full-time at the vital task of raising a family.
- B. In education -- Our tuition tax credit bill will give more families an effective choice over their children's education -- and improve both public and private education by injecting a dose of competition.

- C. For the handicapped -- We have taken important steps to allow home care for handicapped children, elderly persons, and others who before were forced to stay in institutions in order to be eligible for federal medical benefits. Example: Katie Becket case in Iowa.
- D. Adoption and foster care remain vital means to build individuals into families, to show that no child today is unwanted.
- E. For the elderly -- The First Lady's foster grandparent program builds up more familial ties, bridging gaps between generations.
- F. We must make sure that fundamental decisions about the life of each family continue to be made by the parents, not by federal judges or government bureaucrats.

IV. Conclusion -- Praise the continuing strength of American families and the contributions they make to raising and supporting new generations of Americans. Themes:

- A. Community values that give America strength take root in the home.
- B. In times of great challenge, families preserve our heritage as a nation and strengthen the moral fiber and spiritual commitment of our people.

**OFFICE OF POLICY DEVELOPMENT**

**STAFFING MEMORANDUM**

DATE: 10/19/82 ACTION/CONCURRENCE/COMMENT DUE BY: 10/25/82

SUBJECT: Radio Speech on American Family

	ACTION	FYI		ACTION	FYI
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✓ PORTER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TURNER	<input type="checkbox"/>	<input type="checkbox"/>
BARR	<input type="checkbox"/>	<input type="checkbox"/>	D. LEONARD	<input type="checkbox"/>	<input type="checkbox"/>
BOGGS	<input type="checkbox"/>	<input type="checkbox"/>	OFFICE OF POLICY INFORMATION		
BRADLEY	<input type="checkbox"/>	<input type="checkbox"/>	✓ HOPKINS	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CARLESON	<input type="checkbox"/>	<input type="checkbox"/>	COBB	<input type="checkbox"/>	<input type="checkbox"/>
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ADMINISTRATION	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

THE WHITE HOUSE

WASHINGTON

October 18, 1982

MEMORANDUM FOR STEVE GALEBACH

FROM:

*for* EDWIN L. HARPER *by* E. Ruck

SUBJECT:

Radio Speech on American Family

Would you please work with Kevin Hopkins and put together an outline of a potential Presidential radio speech on the American family. It could highlight the impact of the economy on the family.

cc: Kevin Hopkins

## THE WHITE HOUSE

WASHINGTON

November 2, 1982

FOR: EDWIN L. HARPER  
FROM: MICHAEL M. UHLMANN  
SUBJECT: Comments on Issues Outline

Lift Regulatory Burden

The policy goals are clear, at least implicitly, but I'm not altogether sure about what you expect in the way of institutional rearrangements with EOP. Neither I nor CCLP has been formally involved with the de-regulation exercise. I have been heavily involved informally, but the main action has taken place within OMB in cooperation with the Veep's Task Force. If the OMB/VP operation stays pretty much the same, there really isn't alot of room for us to play an operational role.

For example:

- o DOJ would love to have the Regulatory Reform bill on the CCLP menu. They feel that OMB's dominion over the issue produced highly unsatisfactory results. I don't mind getting into the middle on this, but would prefer the status quo if the new effort turned out to be just another exercise in which our office becomes a tail on the DOJ dog.
- o Was Davis-Bacon formally considered by CCEA, or was the debate housed entirely within the Veep's Task Force? I see no useful role to be performed here by CCLP.
- o Impediments to R&D/trade. I gather from what you said yesterday that this matter will be overseen by CCCT. I can work the legal side of the account with Wendell if you'd like.
- o Financial Institutions Reform. This has been fairly tightly held by OMB/VP, with (I infer, but I do not know) input by CCEA. What role do you envision for me or CCLP?

Civil Rights

I don't see why "Blacks" should be a separate heading from "Civil Rights." Is the former reference taken from a part of the memo in which political/interest group considerations are raised?

The reference to "quality education for minorities" is intriguing. Has this been systematically briefed or discussed? There is much to be done under the banner of educational reform, but who if anyone is taking a comprehensive look at the problem?

### Immigration

The key issues here, as you know, are (a) how much political capital are we prepared to spend on this in the Lame Duck, and (b) (failing passage in the Lame Duck) next year? Today's results will tell part of the tale, but I don't know of anyone over here who has the stomach to pull this issue back into the White House.

As you are also aware, the pending version of the House bill would be horrendously expensive (\$2-4 billion over our preference during the next 5 FY's).

### Social Issues

Two items are missing from your list on which our legal staff has invested considerable time: tuition tax credits and issues related to the handicapped. Neither is, of course, a CCLP matter except indirectly, but the most nettlesome parts of both are inextricably tied to lawyers' disputes.

### Crime

Each of the first three items on your list has a possible budget impact:

- o OMB and DOJ are now squabbling over the FY 83 amounts for the organized crime bill. DOJ would like as much of the estimated \$200 million up front, but unless you feel strongly about it, I think we should watch from the sidelines for the time-being.
- o The compromise reached by Meese, Thurmond, Specter, Hughes, DOJ/OMB called for ca. \$90 million new money in FY 83. Joe Wright is up to speed on this, and I don't think they have any major problems.
- o We have a victims' task force study underway, which is due to report by roughly the end of the year. No one within the Administration is keen on establishing a Victims' Compensation Fund, but there are all sorts of interest groups for whom such a fund is sacred. Once the issue rattles around in Congress, anything can happen, but certainly nothing to impact on FY 83. FY 84 might be a possibility if Congress gets ultra-compassionate, but even that is a bit iffy at this point. In short, we should



keep an eye on possible mischief, but no cause for alarm yet.

The fourth item on the list has a typo. It should read: "Reform of criminal justice process."

#### Anti-trust Barriers

I have not been apprised of any stirrings on the broader issue of horizontal merger rules. What's in issue here beyond the particular matter of R&D consortia? If the broader issue is to be addressed, I would like to have it housed within CCLP.

*5 - attach to memo*

OFFICE OF POLICY DEVELOPMENT

STAFFING MEMORANDUM

DATE: 11/2/82 ACTION/CONCURRENCE/COMMENT DUE BY: 12:00 TODAY

SUBJECT: Issues Outline

	ACTION	FYI		ACTION	FYI
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BARR	<input type="checkbox"/>	<input type="checkbox"/>	D. LEONARD	<input type="checkbox"/>	<input type="checkbox"/>
BOGGS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OFFICE OF POLICY INFORMATION		
BRADLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	HOPKINS	<input type="checkbox"/>	<input type="checkbox"/>
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DENEND	<input type="checkbox"/>	<input type="checkbox"/>	PROPERTY REVIEW BOARD	<input type="checkbox"/>	<input type="checkbox"/>
FAIRBANKS	<input type="checkbox"/>	<input type="checkbox"/>	OTHER		
FERRARA	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
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UHLMANN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
ADMINISTRATION	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Assistant Directors:

Please comment on your sections of the Issues Outline by noon today. Your sections are attached.

Thanks.  
Please return this tracking sheet with your response

*E. Rock*  
E. ROCK

Edwin L. Harper  
Assistant to the President  
for Policy Development  
(x6515)

mu

- A. Crime
1. Organized crime and narcotics control
  2. Law Enforcement Assistance
  3. Victims of Crime
  4. Reform of crime of justice process

MB/mu

- B. Blacks
1. Education (IV C3)
  2. Civil Rights (III C)
  3. Minority Business

mu/WG

- D. Remove Unnecessary Anti-trust Barriers
1. R&D joint venture clarification.
  2. Clarify horizontal merger rules.

m.u.

- C. Lift Regulatory Burden.
  - 1. Pass Omnibus Deregulation Bill.
  - 2. Achieve specific objectives for accomplishment by '84 with a progress report from a President's task force.
    - a. Davis-Bacon
    - b. Impediments to R&D and Trade.
    - c. Financial Institutions Reform
    - d. Other specifics from DeMuth.

mu

- C. Civil Rights
  - 1. Issue policy statement during the winter.
  - 2. Move to consolidate OFCCP and other federal civil rights activities in the EEOC.
  - 3. Provide an emphasis program of quality education for minorities leading to technical careers.
  - 4. Invigorate Equal Pay for Equal Work law enforcement.

mu

E. Immigration

mu

- D. Social Issues
  - 1. Abortion
  - 2. Voluntary school prayer

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

November 3, 1982

FOR: VELMA MONTOYA  
FROM: MICHAEL M. *Muhlmann*  
SUBJECT: Response to "A Democratic Alternative"

Crime

Interestingly, the eight specific items under this heading are a pale imitation of what is in fact our anti-crime program. We have devoted a fair amount of high-profile energy to the problem of crime -- most recently, with the President's introduction of a massive program on organized crime and narcotics. The cumulative effect of our efforts since taking office has been to identify the Administration with the hard line on crime. We are defining the terms of debate on this issue, and unless we fall on our noses we will for the duration force the opposition into discussions of mere detail. As long as we keep the issue front and center, the Dems will be unable to outflank us. (The ACLU is their interest group, remember.)

The high points of our program include

o The most comprehensive program of legislative change ever proposed by a modern President. Included are the following major proposals:

- Reform of sentencing procedures and abolition of parole to ensure swifter, surer, more even-handed punishment.
- Reform of the bail system to protect the public against those who are likely to commit crimes when released prior to trial or pending appeal.
- A constitutionally acceptable bill to permit capital punishment for certain serious crimes.
- Reform of the exclusionary rule, to permit introduction of evidence where the arresting officer was acting in reasonable good faith.
- Tightening of appellate procedures whereby federal courts have been unduly liberal in second-guessing state criminal judges and juries.

- Reform of drug-trafficking laws to increase penalties and permit easier seizure of criminal assets and proceeds.
- Limitation of the insanity defense to situations where the accused was genuinely incapable of knowing what he was doing.

In addition to these major legislative initiatives, a number of significant administrative steps have also been taken:

- o Establishment within each of the 94 districts of a Law Enforcement Coordinating Committee, consisting of federal, state, and local prosecutors -- purpose is to avoid duplication, encourage cooperation, and target limited resources against highest-priority targets.
- o Establishment of South Florida Task Force, under leadership of the Vice-President, to stymie drug-trafficking in that area. Multi-agency cooperation on both federal and state levels has already had significant deterrent effect.
- o Success of South Florida Task Force will be duplicated elsewhere. Last month, the President announced a major program to combat organized crime and narcotics trafficking -- task forces will be established in 12 regions of the country, composed of officers from all federal law enforcement agencies. In addition, a national commission on organized crime will be established.

### Women's Issues

Major components of the Democrats' alternative are explicitly or implicitly at odds with the policies of the Administration: increased funding for health care; enactment of ERA; comparable worth.

The Social Security issue is under review by the Greenspan Commission.

Legislation was passed (with Administration support) this year which established greater equity for military spouses.

The reference to job training and placement for homemakers is obscure. I assume it is a back-door reference to targeted tax credits for women re-entering the workforce. If so, the Administration is opposed.

On our own efforts in this area, Kevin has previously prepared an omnium gatherum. The last time I looked, it was up to date, but I believe that three items may have post-dated its writing: (1) establishment within EOP of the WH Coordinating

Council on Women;; (2) introduction of and Administration support for Bob Dole's omnibus bill to eliminate many sex-discriminatory provisions in the federal code; (3) progress on the 50 States Project. As Emily is more up to speed on these developments than I am, I defer to her on the best way to update Kevin's summary.

OFFICE OF POLICY DEVELOPMENT

**STAFFING MEMORANDUM**

DATE: 10/28/82 ACTION/CONCURRENCE/COMMENT DUE BY: 11/3/82

SUBJECT: Response to the Democratic Alternative

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REMARKS:



THE WHITE HOUSE  
WASHINGTON

October 27, 1982

MEMORANDUM FOR VELMA MONTOYA

FROM: EDWIN L. HARPER 

SUBJECT: Response to the Democratic Alternative

Attached is a copy of a "A Democratic Alternative" outlining the democratic alternatives to the Reagan program.

Would you, working with the other staff and Kevin Hopkins, develop a substantive response to this alternative. Our responses for each bulleted item should not be much longer than the bulleted item itself.

As a separate memorandum, I would be interested in any items in this alternative which you feel we should consider including in the Administration's program. May I have this by November 3.

## SMALL BUSINESS

The Democratic caucus in the House of Representatives has issued seven major policy statements outlining Democratic alternatives. Their recommendations include the following:

### LONG-TERM ECONOMIC POLICY

- Instituting a broad-based investment program to revitalize manufacturing industries and expand high technology growth industries, including private and public investment in new plant and equipment, in discovering and developing new technologies, in educating and training workers, and in rebuilding the national infrastructure.

- Overhauling the federal income tax system to make it fairer and simpler, to encourage savings, and to lessen the burden on middle income taxpayers.

- Managing the transition taking place in America's workforce as jobs become fewer in the manufacturing sectors and new job opportunities open up in growing, high technology sectors.

- Creating an Economic Cooperation Council to monitor domestic and international economic trends, to foster a partnership among businesses, labor, and government, and to help develop the political consensus necessary to implement the bold policies demanded by the future.

### HOUSING

- Recommitting America to the national goal of decent, affordable housing for every citizen.

- Renewing the depressed housing industry by offering homeownership assistance (especially to young, first-time home buyers), emergency mortgage protection, and the strengthening of thrift institutions that provide the majority of home mortgages.

- Adopting a housing credit policy that enables the middle class — especially the first-time home buyers — to overcome the barriers to home ownership.

- Assuring the production of an adequate supply of housing, particularly rental housing.

- Funding adequately programs that meet special needs of elderly and low income fam-

- Renewing the entrepreneurial spirit in American small business, which has led to so much innovation and growth in our economy.

- Removing provisions of the tax code which favor large corporations at the expense of small businesses and controlling the many incentives for big business to acquire small firms.

- Providing that a fair share of federal research and development contracts go to small businesses and enforcing vigorously the Robinson-Patman Act, that prohibits unfair price-discrimination against small businesses.

- Eliminating unnecessary paperwork and regulation as they apply to small businesses.

- Establishing export trading companies to enable small business to compete effectively in export markets.

- Establishing credit assistance for small businesses especially new firms which have no credit track record and in particular those owned by women and racial minorities.

### WOMEN'S ECONOMIC ISSUES

- Reforming Social Security to enable women to get a fair share of retirement benefits and establishing equity for military spouses in the military pension system.

- Instituting job training and placement for homemakers to enable them to enter or re-enter the labor force.

- Pursuing the goal of equal pay for equal work for jobs of comparable value to society and fostering business ownership among women.

- Funding adequately maternal and child health programs, child immunization, and Medicaid.

- Enacting and ratifying of the Equal Rights Amendment.

## THE ENVIRONMENT

- Recommitting America to a common sense approach to protecting our environment and recognizing that environmental protection and economic growth must be partners.

- Formulating a comprehensive policy for the disposal of hazardous wastes.

- Implementing the Toxic Substances Control Act to insure that new chemicals introduced by industry receive prompt and thorough evaluation by EPA. Insuring the prudent management of toxic substances in the workplace through federal technical support if that is necessary to insure both safety and jobs.

- Facilitating interim storage of nuclear materials through federal initiative and the establishment of federal rules.

- Revitalizing agricultural research and development to promote resource conservation, and fostering low-cost conservation measures to save our threatened cropland.

- Fighting for enforcement and effective funding of the Clean Air Act and Clean Water Act so that they operate in a reasonable and effective fashion.

## CRIME

- Establishing Federal leadership in a long-term, intensified effort to reduce crime.

- Strengthening the attack on organized crime by augmenting federal authority to deal with such crimes as "contract" murder, murder for hire, interstate fencing and transportation of stolen property (such as automobile parts).

- Mandating penalties for federal crimes committed with firearms.

- Improving the flow of information among enforcement officials so that inquiries to federal agencies from local law enforcers can be answered promptly.

- Keeping dangerous criminals off the streets by permitting judges to consider danger to the community in setting conditions of pre-trial release.

- Developing consistent sentencing in the federal system.

- Allowing the Internal Revenue Service to share its information on white collar and organized crime figures with state and local law enforcement agencies.

- Transferring surplus or abandoned federal facilities to state and localities for use as prisons and getting the federal government out of the business of subsidizing new prison construction.

## NATIONAL SECURITY

- Demanding a comprehensive top-to-bottom evaluation of our national security needs, an activity that has not been undertaken since the early 1960s.

- Restoring a policy of nuclear non-proliferation to the priority position it has enjoyed in recent years.

- Calling for serious strategic arms negotiations consistent with maintenance of overall parity with the Soviet Union and seeking a major mutual, balanced and verifiable freeze on the testing, production, and deployment of nuclear warheads and delivery systems.

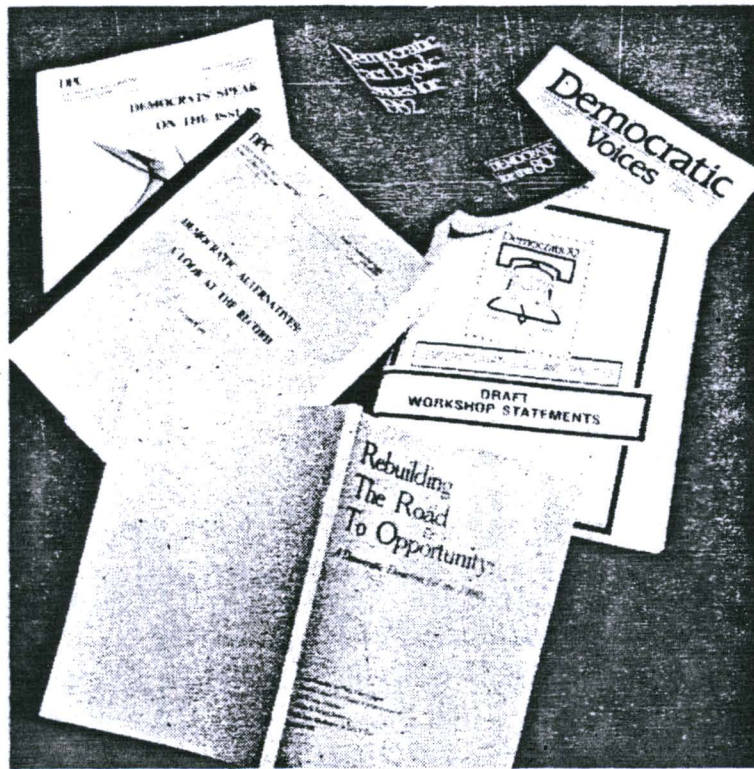
- Strengthening the conventional forces of the United States including readiness, air- and sea-lift capacity, training, and manpower.

- Assigning sole responsibility for the rapid deployment force to one branch of the service: The United States Marine Corps.

- Calling for a major series of steps in the direction of energy security including a greatly-expanded coal exporting industry, modernization of system that transports energy domestically, encouraging domestic production of oil and gas, advanced in solar technology.

- Demanding that our allies bear their fair share of the common defense in recognition of the fact that America's share of the cost of defending our allies has freed up the capital that enables them to challenge us in our own domestic market.

# A Democratic Alternative



DEMOCRATS HAVE THE IDEAS — NEED THE VOTES

# THE REAGAN RECORD

The administration "will take the blame, or the credit — I think the credit — for what happens to the economy."

Secretary of the Treasury Donald Regan  
New York Times, 2/1/82

## DEMOCRATS SUPPORT JOBS FOR AMERICANS — PROTECTION FOR THE UNEMPLOYED

Provide jobs for 200,000 Americans making vitally needed repairs in our roads and bridges and for 300,000 workers in the construction industry building houses for Americans.

### RECORD HIGH UNEMPLOYMENT

- 48-Year Record 11.3 million workers were unemployed in September 1982 — the largest number since 1934.
- 42-Year Record 10.1% of the civilian labor force was unemployed in September 1982 — the highest rate since 1940.
- All-Time Record 6.6 million workers were employed only part-time, due to economic reasons, in September 1982 — an all-time record. (These workers would have worked full-time if such employment had been available.)

### RECORD LOW CAPACITY UTILIZATION

- All-Time Record The capacity utilization rate for the auto industry declined to a seasonally adjusted 43.7% in January 1982, the lowest rate on record.

### RECORD DECLINE IN PROFITS

- 30-Year Record After-tax corporate profits declined 28.8% from the first-quarter of 1981 to the first quarter of 1982 — the sharpest four quarter decline since 1951.

### RECORD HIGH BUSINESS FAILURES

- 50-Year Record Business failures have increased so far in 1982 at the highest rate since 1932.
- 50-Year Record The number of business failures so far in 1982 has exceeded the highest for any single year since 1932.

### **RECORD HIGH MORTGAGE RATES, AND FORECLOSURES**

All-Time Record      The average home mortgage rate increased to 18.63% during the week of October 9, 1981 — the highest rate on record.

All-Time Record      The mortgage loan foreclosure rate in the second quarter of 1982 was the highest rate on record.

### **RECORD LOWS IN THE HOUSING INDUSTRY**

All-Time Record      New private housing starts dropped to 1,084,200 in 1981, the lowest one-year total on record.

All-Time Record      Sales of new single-family homes dropped to 436,000 in 1981, the lowest one-year total on record.

### **RECORD LOWS IN THE AUTO INDUSTRY**

20-Year Record      Domestic auto production dropped to 6,252,329 in 1981, the lowest on-year total since 1961.

### **RECORD DECLINES IN THE NEW WORTH OF THRIFTS**

All-Time Record      The net worth of U.S. savings and loan associations declined for 17 consecutive months from January of 1981 to May of 1982 — the longest continuous decline on record.

### **RECORD HIGH CORPORATE MERGERS**

All-Time Record      Mergers and acquisitions increased to 2,315 in 1981 — the highest number on record.

### **RECORD HIGH TRADE DEFICIT**

All-Time Record      The U.S. merchandise trade balance declined to a \$7.1 billion deficit in August of 1982 — the highest one-month deficit on record.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

November 4, 1982

FOR: EDWIN L. HARPER  
FROM: MICHAEL M. UHLMANN  
SUBJECT: Outline for Radio Talk on Women

Attached is another draft for the radio talk on women.

Also attached is a superb speech given by Connie Marshner on "The New Traditional Woman". This speech is being widely hailed by a number of socially conservative groups. (We stole the notion of women as transmitting civilization to future generations from the first sentence of Connie's speech.)

## Outline of Radio Speech on Women

1. Today, we are all more aware of the important and multiple roles which women play in the life of our society. I salute their singular contributions. I have also become increasingly aware of problems created by changing role of women.
2. We have seen fundamental changes in past 30 years.
  - o More and more women are working outside the home. Half of all women over 16 now work outside home.
  - o Some are working outside the home by choice. Women are finding new and welcome opportunities for self-fulfillment in diverse fields. (Statistics on increasing participation of women in some key blue and white collar occupations.)
  - o Many women are working outside home because inflation has made it necessary for them to become wage-earners to support families.
  - o Additional growth in female workforce has come from divorced spouses. (Statistics on families headed by women.) Child care and child support are essential for these women. (Cite Administration initiative on child care and child support.)
  - o Women must have equal opportunity. Must receive equal pay for equal work. Progress is being made.
  - o We must continue to eliminate policies which discriminate against women who work outside home. Progress is being made. (Cite accomplishments.)
3. Even as these changes are occurring, women continue to play role in family life. This includes women who work inside home and those who work outside home. It includes married women and those who are single head of households.
  - o The burdens of maintaining strong family ties often fall most heavily upon women. The hard work essential to and the social significance of maintaining strong families are too often undervalued by society ... not by their sons, daughters, or husbands.
  - o As mothers, women want to play central role in raising, nurturing children and in forming their character and values, but compete, with T.V., peers, drug culture, etc.



4. For all women -- whether in role of housewife or worker outside home -- economic health of our nation is of critical importance. (Discuss particular problems of young families who cannot afford first homes because of interest rates. Discuss threat of inflation to retired women on fixed incomes.)

o Administration is making progress on inflation and interest rates.

**OFFICE OF POLICY DEVELOPMENT**

**STAFFING MEMORANDUM**

DATE: 10/27/82 ACTION/CONCURRENCE/COMMENT DUE BY: 11/4/82

SUBJECT: Outline for Radio Talk on Women

	ACTION	FYI		ACTION	FYI
HARPER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	DRUG POLICY	<input type="checkbox"/>	<input type="checkbox"/>
PORTER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TURNER	<input type="checkbox"/>	<input type="checkbox"/>
BARR	<input type="checkbox"/>	<input checked="" type="checkbox"/>	D. LEONARD	<input type="checkbox"/>	<input type="checkbox"/>
BOGGS	<input type="checkbox"/>	<input type="checkbox"/>	OFFICE OF POLICY INFORMATION		
BRADLEY	<input type="checkbox"/>	<input type="checkbox"/>	HOPKINS	<input type="checkbox"/>	<input type="checkbox"/>
CARLESON	<input type="checkbox"/>	<input type="checkbox"/>	COBB	<input type="checkbox"/>	<input type="checkbox"/>
DENEND	<input type="checkbox"/>	<input type="checkbox"/>	PROPERTY REVIEW BOARD	<input type="checkbox"/>	<input type="checkbox"/>
FAIRBANKS	<input type="checkbox"/>	<input type="checkbox"/>	OTHER		
FERRARA	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GALEBACH	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GARFINKEL	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GUNN	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
B. LEONARD	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
LI	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
MONTOYA	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
ROCK	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
ROPER	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
SMITH	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
UHLMANN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
ADMINISTRATION	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please see attached comments!

Please return this tracking sheet with your response

Edwin L. Harper  
 Assistant to the President  
 for Policy Development  
 (x6515)

THE WHITE HOUSE  
WASHINGTONOFFICE OF  
POLICY DEVELOPMENT

1982 OCT 26 P 5:12

October 26, 1982

FOR: EDWIN L. HARPER  
FROM: MICHAEL M. UHLMANN  
SUBJECT: Outline for Radio Talk on Women

Here is Bill's draft, as revised by me. Without a specific target or occasion anything of this nature is bound to be fluffy if not vacuous. We have attempted to bridge the gap between women who by choice or necessity find themselves in the workforce, and those who find fulfillment as wives and mothers. Both groups are cited for the contributions they are making or will make to the social order, and an effort is made to sympathize with some of the problems each faces.

It is, in short, the kind of statement that might be issued during a Presidential campaign: unavoidably fluffy if one's purpose is to avoid alienating anyone, but by the same token, it is unlikely to please anyone very much.

The fluff is avoidable.

I realize that this goes beyond the pale of legal scholarship, but this is really weak!

Pls try again.

Talk to some more women.

Next draft due 11.7.82.

mf

Outline of Radio Speech on Women in American Society

Tell a story to illustrate the change or the understanding of modern woman's career.

1. Today, we are more aware of the important and multiple roles which women play in the life of our society. We recognize and salute the singular contribution that women are making in their work -- both inside and outside the home.

2. We have seen fundamental changes in the past 30 years. *It could say that he is increasingly aware of problems created by changing role of women in our society.*

statistics? Asking for trouble? This is where emphasis should be. Are you kidding! Futurism, true but a little abstract for most.

o More and more women are working outside the home -- some by choice, some by necessity.

Brought about in part by technical advances which have reduced time necessary for household work. *what about personal fulfillment which comes from exercising*

Also brought about by economic pressures that *on caption* have made it necessary for more women to become wage-earners to support family. Comparison! *Lower income wrought by interrupted career.*

o Women will help transform the workplace -- enriching it with their talents and civilizing it as they have the home.

o Women may also play a part in returning wage-earning work back into the home. Technology is making this possible. This will strengthen family and should be encouraged.

o Women must have equal opportunity. Must receive equal pay for equal work. Progress is being made.

o We must continue to eliminate policies which are unfair to women who work outside the home. Progress is being made. (Cite accomplishments.)

3. Even as these changes are occurring, women continue as wives and mothers, keeping the family intact. *Female heads of household? Married women w children who are working?*

Inflation is of interest to all women is a better economy

o The burdens of maintaining strong family ties often fall most heavily upon women. The hard work essential to and the social significance of maintaining strong families are too often undervalued by society -- not by their sons & daughters + husband

o As mothers, women *want to* play central role in raising, nurturing children and in forming their character and values, *but compete with TV, peers, drug culture etc.*

I don't know many women (mentioned at Radcliffe or not) who talk of themselves as transmitters of civilization & humanity.

o It is today's women who will transmit civilization and humanity to future generations and by their response to the challenges of life determine whether America will continue to be strong and free.

## High Court To Hear Reverse Discrimination Case

We have an excellent opportunity in the coming weeks to take a stand against one of the most unfair and widely-condemned instances of court-mandated reverse discrimination.

Four months ago we alerted you that a new and significant wave of "reverse discrimination" cases was coming to a head in numerous courts throughout the nation. The issue presented is whether quota-type remedies should apply to layoffs as well as hiring.

Last week the Supreme Court agreed to consider this reverse discrimination issue, voting to hear an appeal by Boston police and firefighters unions challenging a lower federal court judge's order that layoffs, forced by budget cutbacks, should be carried out on the basis of race rather than seniority. The judge entered this order to preserve racial quotas imposed in hiring-discrimination suits brought in the mid-1970's. The layoff order directly conflicts with a Massachusetts statute requiring that layoffs of public employees be determined by seniority.

This case has broad ramifications. In numerous cities throughout the country, lower courts, in order to maintain racial quota systems, have recently required the layoffs of white teachers, firemen, and policemen in violation of their contract seniority rights. These court decisions are being challenged by public employee unions, and trade unions are also gravely concerned since these decisions threaten the integrity of collective-bargaining agreements. American Federation of Teachers President Albert Shanker, attacking a recent court order requiring Boston to layoff hundreds of white teachers, said that, if upheld, "it will be the first time in U.S. history that a federal court, acting in the name of the Constitution, has ruled that people must lose their jobs on the basis of race."

The Administration should consider filing an amicus brief on the unions' side. This form of reverse discrimination activity is contrary to the Administration's philosophy on civil rights and runs counter to the overwhelming sense of fair play embraced by the American people. The divisiveness of quotas can be no better illustrated than in this case which pits two traditional allies against each other -- organized labor and civil rights organizations.

Office of Policy Development  
November 8, 1982

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

November 10, 1982

TO: OFFICE OF PRESS SECRETARY

VIA: EDWIN L. HARPER

FROM: WILLIAM P. BARR

SUBJECT: Women in the Army

The Office of the Secretary of the Army has provided me with the following information concerning the attached November 9 Post article.

Secretary Marsh has approved two recommendations contained in a "Report on the Women in the Army" -- a study initiated shortly after this Administration took office.

The pertinent parts of the report are being provided to DACOWITS (Defense Advisory Committee on Women in the Services) which is meeting at Ft. Bragg this week. During the rest of this week, DACOWITS will be briefed on the recommendations approved by the Secretary.

After DACOWITS has been fully briefed, the Secretary will make public the pertinent parts of the report and will issue a statement.

The recommendations approved by the Secretary are as follows:

1. Women will not be assigned to jobs that involve a high likelihood of direct combat. E.g., front-line engineering jobs involving laying mines or stringing wire in forward areas.
2. All recruits -- both men and women -- will be given physical tests. Adjustments will be made to the test results to take into account likely strength increases after physical conditioning. These tests will be used to determine whether recruits qualify for certain jobs. (The Army already gives mental tests to determine recruits' qualification for jobs.)

The Post article suggests that the Army does not have scientific data to support its conclusions. The Army denies that this is the case. They claim that they have solid evidence which has been reviewed by a number of scientists.

The Post article reports that at a briefing Dr. Margaret Scheffelin charged that the study "was nothing but a snow job." The Army informs me that the briefing officer then asked Dr. Scheffelin if she had reviewed the Army's supporting data. She said that she had not, but that she was "entitled to her opinion anyway."

Secretary Marsh requests that we avoid discussing this matter until he has released the report and his statement.

# Army Fails to Prove Its Claim on Women Dropouts

By Pete Earley

Washington Post Staff Writer

FAYETTEVILLE, N.C., Nov. 8—The Army today said it had no scientific evidence to back up its claim that many women have been leaving the armed services because they were assigned to tasks that were too physically difficult for them to perform.

That acknowledgment came at the semi-annual meeting of the Defense Advisory Committee on Women in the Services (DACOWITS), whose members include the nation's highest-ranking women soldiers. It fueled speculation among the 200 women present that the Pentagon and Reagan administration are trying to reduce the number of women in the Army and force them into more traditional military jobs.

In August, the Army said it was lowering its recruitment goals for

women based on a 15-month study, initiated shortly after Reagan took office, on what role women should play in the Army.

At that time, Lt. Gen. Maxwell R. Thurman, deputy chief of Army personnel, said the study showed women soldiers had a much higher attrition rate than male soldiers because women soldiers often were assigned tasks beyond their physical capabilities.

By requiring all recruits to take a physical test when they entered the Army, he said it would now be able to reduce attrition and make sure soldiers were assigned jobs they could perform.

Later, the Army acknowledged that the physical tests, in effect, will bar most women from 76 percent of Army jobs and limit most female recruits to jobs that traditionally have been held by women.

During often critical questioning from DACOWITS members today, Thurman and William D. Clark, deputy assistant secretary of the Army for manpower and reserve affairs, acknowledged that the study's conclusions about female attrition were based, as Clark put it, on "reasonable judgments" by experienced commanders. He said no scientific studies were done, although the Army did refer to internal reports and a 1976 General Accounting Office study that concluded that the Army needed to improve its system of assigning women soldiers.

"Your study is nothing but a snow job," charged Dr. Margaret Scheffelin, an education researcher for the California State Department of Education and a DACOWITS member. Based on the data described at the briefing, Scheffelin said, the Army

appeared to have used a very small sample to make a sweeping judgment—a charge that the study's director, Col. Charles A. Hines, said was inaccurate.

The Army had promised to make the study available to the public in September, but that deadline, like two others, passed without any document being released. More recently, the Army said it should be available in mid-November but several DACOWITS members said they doubted a thorough report will be released.

"The Army developed its conclusions and then began looking for a rationale to support them," charged an Air Force officer who asked not to be identified but whose comments appeared to summarize the feelings of many present.

Retired Air Force Maj. Gen. Jeanne Holm, who was one of the

highest-ranking women in the armed services until she retired, told Thurman that the study had created major morale problems among female troops. She said female soldiers were afraid the military planned to use the study to blame them for its attrition problems. Thurman acknowledged that the Army had done a poor job in presenting the results of the study but he called it "brilliant work."

The harshest criticism of the day came from journalist Sarah McClenon, a former DACOWITS member who served on a committee that was supposed to advise the study team. She said the study's planners never consulted the group and only briefed them after considerable badgering. "We wondered why the hell they even wanted us to help since they never asked for our opinion," she said.



## GOVERNMENT SUPPORT OF THE ARTS

### Budget Trends in Federal Funding for the Arts

#### National Endowment for the Arts:

FY 1981 -- \$159 million

FY 1982 -- \$143 million (we proposed \$88 million)

Proposed FY 1983 -- \$100.8

#### National Endowment for the Humanities:

FY 1981 -- \$151 million

FY 1982 -- \$131 million

Proposed FY 1983 -- \$96 million

### Administration Policy Toward Funding for the Arts

- o The National Endowments for the Humanities and the Arts are searching out ways to have more leverage with federal dollars -- to stimulate local funding sources to supplement the federal support for any particular program.
- o The National Endowment for the Arts is initiating a "Locals Program" to strengthen local arts agencies.

### The Future of Public Broadcasting

- o The Christian Science Monitor recently reported that the Public Broadcasting Service is not only "surviving," but "in terms of program quality and number of viewers, it is thriving."
- o The policy of the Reagan Administration is that public broadcasting should survive and thrive, but with less dependency on federal funding.
- o In the late 1980's the corporation for Public Broadcasting derived 30% of its funding from the federal government; we have reduced this figure to 26%.
- o We have been open to consideration of creative and innovative ways to support public broadcasting, from an experiment in paid advertising now underway, to marketing of excess satellite capacity of National Public Radio, to FCC Chairman Fowler's proposal for charging fees to commercial stations for use of the broadcasting spectrum, as a way to produce funds for public broadcasting.

### Business Support for the Arts

- o In 1981, individuals, corporations, and foundations gave a record \$53.6 billion to charitable organizations, a 12.3% increase over 1980.
- o Contributions specifically to cultural institutions increased by 13.2% from 1980 to 1981.
- o Historically, private support for the arts has represented well over 90% of all support for the arts.

THE WHITE HOUSE

WASHINGTON

November 15, 1982

FOR: EDWIN L. HARPER  
FROM: MICHAEL M. UHLMANN  
SUBJECT: Norris Case

I. Situation

Within the next few weeks, the Administration must decide whether to file an amicus brief in the Norris case. The question in issue is whether to extend the Manhart doctrine to require that employers' pension plans provide equal periodic benefits to similarly situated male and female pensioners.

EEOC successfully argued for this extension of Manhart when the Norris case was heard by the Ninth Circuit. EEOC has now asked the Solicitor General to file an amicus brief in the Supreme Court arguing for affirmance of the Ninth Circuit decision.

II. Facts of the Norris Case

Norris v. Arizona Governing Committee for Tax Deferred Annuity concerns the State of Arizona's deferred compensation plan for its employees, which the Ninth Circuit ruled violates Title VII of the Civil Rights Act of 1964.

The Arizona plan:

- o Is a voluntary deferred compensation plan; employees may opt to have a regular amount withheld from their paychecks, or they may opt not to participate at all.
- o Is funded entirely by employee contributions; the State of Arizona contributes nothing to the plan.

Upon retirement, an employee has three options under the plan:

- o He or she may receive the entire accumulated benefit as a lump sum immediately.
- o He or she may elect to receive a certain sum each year for a fixed term of years.

- o He or she may invest the accumulated benefit in a life annuity contract with any of a number of private companies designated by the State of Arizona. All the companies selected by Arizona use gender-based actuarial tables in computing the monthly amounts to be paid under the life annuity contract. Women receive smaller periodic payments than men, because on the average they live longer than men.

A U.S. district court in Arizona held that the plan violates Title VII, because all the companies designated by Arizona for the life annuity option use gender-based distinctions in making the periodic payments. The Ninth Circuit affirmed.

### III. Supreme Court Precedent

Four years ago in City of Los Angeles v. Manhart, the Supreme Court held that Title VII prohibits employers from requiring female employees to make larger contributions to pension funds than male employees, even if such requirements are actuarially sound based on the greater average life-span of females.

The Manhart decision is susceptible to a broad reading that employers may make no distinction between the sexes based on differing average longevity, either in amounts of contribution or in amounts of benefits in a pension plan. A sizeable majority of lower court decisions (with one notable recent exception in the Sixth Circuit) have applied this broad reading of Manhart.

### IV. Analysis

Extending Manhart to require equal periodic benefits would have serious adverse repercussions for the insurance industry, for employers, and for affected workers. The Manhart decision itself did not require insurance companies to alter their actuarial procedures, and the Supreme Court expressly disavowed any intent to bring about drastic change. But if Manhart is extended to apply to benefits, all employer-funded life insurance, annuity, and other pension plans would have to be radically altered, and private insurance companies that contract with employers would have to change from customary gender-based actuarial tables to a new set of unisex tables. Plans such as the Arizona pension plan in Norris would be de-stabilized, since men would have an incentive to take out their lump sum accrued benefit upon retirement and invest it with a private company at the favorable benefit level based on male actuarial tables, rather than staying with the group plan under a disfavorable unisex rate.

Extending Manhart would have adverse economic consequences as well. If pension benefits must suddenly be equalized, but past employee contributions cannot be retroactively revised, then employers or insurance companies would have to absorb the costs of contributing the necessary amount to "top-up" female benefits to the level of male benefits. Further, if the employer made larger contributions to the retirement of each female employee than to the retirement of each male in order to fund equal periodic benefits for the two classes of employees, this course of action might well be discriminatory under Title VII or the Equal Pay Act.

The Manhart decision does not require such a disruptive, broad application of the holding. The court stated,

". . . we do not suggest that the statute was intended to revolutionize the insurance and pension industries. All that is at issue today is a requirement that men and women make unequal contributions to an employer-operated pension fund. Nothing in our holding implies that it would be unlawful for an employer to set aside equal retirement contributions for each employee and let each retiree purchase the largest benefit which his or her accumulated contributions could command in the open market. Nor does it all call into question the insurance industry practice of considering the composition of an employer's work force in determining the probable cost of a retirement or death benefit plan." (Emphasis added).

In the Norris case, the State of Arizona essentially made available to employees this "open market" option. The Arizona employees are given a choice of a lump sum payment, a periodic payment over a set term of years, or the group purchase of an annuity through private insurance companies, essentially an open market, which base their annuity payments on gender-based actuarial tables, as is customary in the insurance industry.

#### V. Conclusion

The most reasonable resolution of the Norris case is to hold that the Arizona plan fits within the "open market" exception of Manhart. This result avoids revolutionizing the insurance industry, while not requiring a reversal of the Supreme Court's opinion in Manhart.

As you are aware, a CCLP Working Group has been studying the Manhart problem for a number of months. The general view is that Manhart should not be extended in the manner advocated by the plaintiffs in Norris. Whether the Solicitor should seek reversal is, however, a separate question. The United States is not a party to the action, and intervention at this point would surely raise hackles among organized women's groups.

Most of the arguments we would make are already cogently put forth in a brief due to be filed by Irwin Griswold for the American Council on Life Insurance, and the Working Group consensus is that the Administration would add little if it filed in its own right. DOL has expressed the strongest views on the merits, and may still want to file. Brad Reynolds and I will meet with Secretary Donovan tomorrow afternoon to take his reading. I will fill you in after that meeting on where we stand.

THE WHITE HOUSE

WASHINGTON

November 17, 1982

FOR: EDWIN L. HARPER

FROM: WILLIAM P. BARR  
STEPHEN H. GALEBACH

SUBJECT: SOTU/Peace and National Defense

- o Peace overture to new Soviet leadership; express hope that Soviets will not continue vast military buildup.
- o Propose actual arms reductions.
- o State that new agreements cannot be like past agreements which Soviets have used as cover for buildup. Cite statistics to demonstrate awesome nature of buildup.
- o Then say: "There has been much talk recently about a 'freeze'. Well, the fact is that for the past 20 years, in the face of this awesome Soviet buildup, the United States has had a freeze."
  - JFK authorized 1054 ICBMs; that's what we have today.
  - JFK authorized 41 SLBM subs; we have fewer today because we are retiring them before we can get replacements.
  - JFK authorized over 600 bombers; we have half that number today because they are aging.
- o State that this Administration is committed to working hard for genuine and verifiable arms control agreement but that until one is achieved we must have strength to ensure deterrence and to give Soviets a reason to come to the bargaining table. This means, at a minimum, we must replace aging strategic force with TRIDENT, B-1, and MX; we must build Navy with 75% ships of USSR; we must build enough aircraft to have x% of Soviet air strength.

THE WHITE HOUSE

WASHINGTON

November 17, 1982

FOR: EDWIN L. HARPER

FROM: MICHAEL M. UHLMANN  
WILLIAM P. BAER  
STEPHEN H. GALEBACH

SUBJECT: SOTU/Equal Opportunity

- o Re-emphasize theme of President's NAACP speech in 1981 that economic recovery is the only sure way to enhance opportunity for those at the lower end of the income scale. Expanding the government's social service accounts is not the answer.
- o We pledge equal opportunity in education by means other than busing:
  - Quality education for all Americans -- "back-to-basics" emphasis by D.O.Ed.
  - Individual Education Accounts (IEA's are fine as far as they go, but are no use to families unless they have money to put in them; by increasing the dependent exemption, by contrast, we leave those resources in the family while simultaneously lessening the need for IEA's).
  - Voucherizing educational assistance funds.
  - Refundable tuition tax credits.
  - Continue to explore and experiment with alternatives to busing that broaden choice and opportunity for minority students, e.g. Cuddy plan, magnet schools.
- o We pledge strict enforcement of other civil rights laws toward the end of achieving a truly color-blind society.
  - Do you want to give any sort of hint in the SOTU on what your EEO Working Group is tentatively prepared to suggest?
- o Fold in agenda items from women's issues list, as finalized by us next week.

THE WHITE HOUSE

WASHINGTON

November 17, 1982

FOR: EDWIN L. HARPER

FROM: MICHAEL M. UHLMANN  
WILLIAM P. BARR  
STEPHEN H. GALEBACH

SUBJECT: SOTU/Families

- o We have already addressed some of the inequities of the tax code toward married women: the penalty against couples who are married, the inheritance tax feature giving differential treatment to surviving wives and surviving husbands, and inequities in social security benefits toward surviving wives.
- o We should endorse the idea that the tax code should leave in the hands of families, untaxed, enough of the family income to meet the basic necessities of family members. We should propose steady, modest increases in the dependent deduction to make up for some of the past effect of inflation, and to give a more effective choice to wives whether to work in the marketplace to support the family or to work full-time in the home.
  - The revenue-loss problem needs to be considered, of course, but changing the tax code is one of few ways in which the federal government can in fact ease some of the tensions which adversely affect families. In the past 20 years, there has been a massive shift of federal income tax burden onto families with children. In 1948 the deduction for each dependent was set at \$600. If this had kept up with inflation, it would now be \$4600; instead it is \$1000. As a result, people who do not have dependents face essentially the same average tax rates in 1984 as they did in 1960. People with children face a cumulative increase in taxes. Those with two children face an increase of about 43%; those with four children face a total increase in their average tax rate of a staggering 223%.
- o We should endorse the family as the central, basic unit for providing services to individuals -- giving as examples our action in the Katie Becket case in Iowa to allow handicapped children to receive federal assistance for necessary medical care in the home, rather than requiring them to be placed in institutions to be eligible for aid.



- o We should affirm uses of federal dollars for the handicapped in ways that favor family involvement and prepare handicapped individuals for participation in the community and the workforce.
- o In this same context, we should describe the need to bolster federal enforcement of child support orders and to ensure that federal policy favors rather than disfavors adoption.