

Ronald Reagan Presidential Library Digital Library Collections

This is a PDF of a folder from our textual collections.

Collection: Deaver, Michael
Folder Title: [Women] General (2)
Box: 62

To see more digitized collections
visit: <https://reaganlibrary.gov/archives/digital-library>

To see all Ronald Reagan Presidential Library inventories visit:
<https://reaganlibrary.gov/document-collection>

Contact a reference archivist at: reagan.library@nara.gov

Citation Guidelines: <https://reaganlibrary.gov/citing>

National Archives Catalogue: <https://catalog.archives.gov/>

WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name DEAVER, MICHAEL: FILES

Withdrawer

KDB 8/30/2011

File Folder [WOMEN] GENERAL (2)

FOIA

F97-0066/19

Box Number 64

COHEN, D

188

DOC NO	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
1	LETTER	TO M. DEAVER RE THE ATTACHED	1	8/4/1983	B6
2	LETTER	TO SEN. WARNER RE IMMIGRATION SITUATION OF A FEMALE CONSTITUENT	2	8/3/1983	B6

Freedom of Information Act - [5 U.S.C. 552(b)]

B-1 National security classified information [(b)(1) of the FOIA]

B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]

B-3 Release would violate a Federal statute [(b)(3) of the FOIA]

B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]

B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]

B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]

B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]

B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

THE WHITE HOUSE
WASHINGTON

September 6, 1983

*Bail
for women
file*

MEMORANDUM FOR MICHAEL K. DEEVER

FROM:

CRAIG L. FULLER *CS*

SUBJECT:

Actions Recommended in Congresswoman Fielder's
Letter

The letter Congresswoman Bobbi Fiedler sent to Jim Baker was very thoughtful and reviewed a number of issues and possible actions. However; I think we should look very carefully at the specific recommendations since I do not believe we can endorse completely the suggestions in the letter. (The summary below is taken from the four page letter of August 27, 1983.)

Statement of the Problem

1. Entrance to the job market, particularly management positions.
2. Professional women suffer a pay gap when compared with men.
3. Women want to "compete for upward mobility."

Recommended Actions

1. Better understand the broad context of views of American women.
2. Coordinate all OMB and Justice Department decisions to avoid additional economic disenfranchisement and impediments to legal equity.
3. Make clear that the President is working to enforce women's civil rights and their protection under the law.
4. Take bold and dramatic action on legal equity initiatives.

5. Announce executive action on at least 3 or 4 significant agency practices and regulations, to be implemented within 30 days.
6. Appoint a special assistant to the President to serve as a watchdog and insure that these "new initiatives" are implemented on a fast track.
7. Meet with the Governors on the 50 States Project and request that all research on state codes be completed within 90 days.
8. Link to the 50 States Project compliance a modest federal incentive grant program for increasing enforcement of equal pay and equal opportunity.
9. Ask senior administration women to serve as a subgroup of advisors to the President--this group would help the administration find the proper language to communicate with the modern American woman.

cc: James A. Baker III
Ed Meese III
Richard G. Darman

Congress of the United States
House of Representatives
Bobbi Fiedler

August 27, 1983

The Honorable James A. Baker, III
Chief of Staff and Assistant to the President
1216 Bissonett Avenue
Houston, Texas 77005

Dear Jim:

In sharing with you some ideas for implementing the President's legal equity initiatives, I'd like to make three points on the gender gap: 1) my perception of why women are responding as they are; 2) the political message I believe the President should bring to American women; 3) specific actions which might be most effective in demonstrating the President's commitment to legal equity.

One of the most important messages I hope to convey is a better understanding of the broad context of views of American women. While women's economic position in our society is improving, the "62 cents on the dollar" pay gap and the difficulties of breaking into male-dominated management are continuing, major problems in the job marketplace.

Women yearn for a chance to compete for upward mobility. This is part of American women's new vision, and it's both an economic and civil rights issue. Upward movement has become the focus and goal for working women, as well as for those filling roles as housewives and mothers, who recognize that when the time comes to move into jobs after their children are grown, they want to feel assured that the American way of life offers them the same opportunity offered to their male counterparts. Young women want to know that all doors are open to them and that the sky's the limit. Women in their senior years, who may never have been able to achieve more than service-oriented jobs in their lifetimes, hope that opportunities for their children and grandchildren will be considerably improved.

It is important that the President's attitude does not appear to be frozen in time, but reflects the dynamic changes in society today and respects the diverse choices American women of all ages are making.

The opposition flourishes through its use of destructive tactics that create fear and dependency in its followers, while our fundamental philosophy is the promotion of independence and self-sufficiency. Our philosophy matches women's emerging needs and could be communicated by the President in a more personal, direct way. The President could convey that we will not stand for a leadership that suffocates women's

energies, creativity and resolve to achieve these ends, as does the "politics of dependency" proposed by the left.

1 In the crucial areas of the federal budget and civil rights enforcement, it is imperative that the President not be viewed as standing in the way of progress for women. Currently, the left is implying that his policies are doing just that. The White House should coordinate all OMB and Justice Department decisions to ensure that no Administration actions are viewed as creating for women additional economic disenfranchisement and impediments to legal equity. 2 I believe these two areas provide the breeding ground for further attacks from the left. We should have further discussion in-depth regarding these two areas. I simply would like to caution you at this very sensitive time.

3 Beyond defensive action, the President must present a clear message of hope for upward mobility to those women struggling at the lower end of the economic spectrum. Lower inflation-interest rates and higher growth are statistics that are just not perceived as relevant to their lives. But the message of the President working to enforce their civil rights and protection under the law is something that inspires and creates an atmosphere for women's renewed confidence to join the system, not fight it, and move forward on their own.

4 In regard to specific actions, it is urgent that the President alone be viewed as the decision-maker on legal equity initiatives, taking bold and dramatic action, not watered down by the bureaucratic process. The mistake we have made has been to try to resolve specific, smaller issues while failing to capture the attention of the American people over the past two years. Periodic announcements of progress on the "ERA alternative" as now outlined are not enough. A new commitment on President's part and concrete achievements are called for.

5 Therefore, I would recommend that upon immediate review of the Attorney General reports under Executive Order 12336 the President should announce executive action on at least three to four significant agency practices and regulations, to be implemented within 30 days.

6 Further, he could announce the appointment of a special assistant to the President to serve as a "watchdog" and to ensure that his new initiatives go through on the fast track. Ideally, a woman with a strong civil rights record, perhaps a former judge, would aggressively administer the projects. With direct access to the President, she would not officially serve under the Attorney General. Subsequent action based on the Attorney General reports should follow quickly, including legislative proposals to the Congress and additional agency policy changes, again announced by the President within several months.

If the ERA alternative is to work, the 50 States Project is crucial and would seem to require a new approach on the President's part on the question of state's rights. I know how strongly he feels that we should not impose federal will on the states. However, an ERA

August 27, 1983

alternative must address, head on, violation of federal civil rights laws in the fifty states. Therefore, consider the following:

7 The President should convene a meeting of the Governors concerning the 50 States Project, at which he will request that all research on state codes be completed within 90 days. At the end of that period, upon receipt of all reports, the President would bring together the Governors and their Attorneys General to announce the next phase of the project--- a request to the Governors to present plans for implementation of legislative reforms within six to eight months, enough time to encompass a legislative session in their states.

8 It is imperative that the President use the hammer of federal authority to underscore his leadership position for change in the urging of implementation of state reforms, including possible subsequent Justice Department enforcement of civil rights laws or the withholding of federal funds. Another approach might be to link to 50 States Project compliance a modest federal incentive grant program for increasing enforcement of equal pay and equal opportunity laws.

As he announces these initiatives, the President could highlight several key points. Without apology, he might communicate that over the last two years it has been necessary to address his full attention to the most critical economic issue: reversing the deteriorating quality of life for all Americans. Now with the economy improving, the present climate of opinions and events requires a new focus and attention to equity and civil rights.

The President could remind us of his long-standing personal involvement in civil rights in the labor movement. He might also provide more of an historical perspective on legal equity problems, which have not begun or increased during the Reagan Administration, but have a long history of neglect by prejudice-dominated state legislatures and Congresses.

9 Finally, I would say that the White House desperately needs several top-level women, such as Secretaries Heckler and Dole, Nancy Risque and Faith Whittlesley, for example, to serve as a subgroup of advisors to the President. I would be happy to contribute in any way, at any level. This small advisory group would not need to come to the public's attention but could address what the White House lacks right now: the proper language to communicate to the modern American woman. One person's implementation of policy cannot substitute for the political advice of women out in the field.

The demographic and societal trends behind the gender gap do not reflect women as an oppressed class, but rather as an emerging power with great potential. Republicans have a golden opportunity to offer women a philosophy of government and a framework for their futures that works.

Page 4

The Honorable James A. Baker, III
August 27, 1983

With policies that expand the economy and with effective civil rights law enforcement, we can offer greater equality of opportunity for every woman, a greater degree of economic self-determination for herself and her family, and enhancement of the diversity of choice in life which she is now demanding.

I am convinced that with increased understanding, resolve to communicate and commitment to act, the President can succeed in bridging "the gap."

Sincerely,

A handwritten signature in cursive script, appearing to read "Bobbi".

BOBBI FIEDLER
Member of Congress

BF:dj

PVI

THE WHITE HOUSE
WASHINGTON

August 9, 1983

MEMORANDUM FOR FRED RYAN

FROM: JAMES K. COYNE *JKC*
SUBJECT: New Jersey Schedule Proposal for Women

On October 21 there is an opportunity for President Reagan to focus attention on two substantive women's issues in New Jersey: management of women-owned businesses and child care. One event would be a keynote address for the kick-off conference for Women Business Owners. The conference is sponsored by the Small Business Administration and has had previous attendance of 1,000 women business owners. (See attached schedule proposal request from Jim Sanders).

The other event would be presidential attendance at the Camden, New Jersey child care luncheon. As you know, this office has co-sponsored three successful luncheons thus far, and we have plans for eight to ten more this Fall.

The combination of the two events would highlight the President's concern for issues affecting women today - women business owners integration into the American economy; and child care support as it impacts working women of all income levels.

I would recommend that the child care luncheon in Camden be the first stop (12:30 - 1:30), followed by the President's address to the business women (2:30 - 3:15). We have flexibility with both agendas throughout the day.

I think you will agree that a day in New Jersey, addressing concerns expressed by women would be worthy of Presidential attendance.

Thank you.

cc: ✓ Michael K. Deaver
Craig Fuller
Lee Atwater



SMALL BUSINESS ADMINISTRATION
WASHINGTON

OFFICE OF THE ADMINISTRATOR

DATE: August 8, 1983
TO: CRAIG FULLER
FROM: JAMES C. SANDERS
RE: ATTACHED SCHEDULE PROPOSAL

The attached schedule proposal
is sent for your consideration.

cc: Jim Coyne

PRESIDENTIAL SCHEDULE PROPOSAL

EVENT: Kick-off conference for National
Series of Conferences for Women
Business Owners
U. S. Small Business Administration

LOCATION AND DATE: Two day conference: Oct. 21-22, 1983

Friday, Oct. 21, 1983
Dinner and/or Keynote Address
Somerset Hilton
Somerset, New Jersey

OR

Saturday, Oct. 22, 1983
Lunch and/or Keynote Address
Somerset Hilton
Somerset, New Jersey

PURPOSE: To focus attention on Administration
support of Women Entrepreneurs; on
successful government/private sector
partnerships; emphasize job
retention/creation aspects of
successful women-owned firms.

BACKGROUND: At the June 22 NFIB Conference the
President instructed SBA to conduct
"Series of Conferences across country
that will reach thousands of present
and potential women business owners."

Attendance at previous N.J. WBO
Conferences:
Average - 1,000

POSSIBLE FOLLOW-UP: Meeting with Women Business Owner
Leaders, New Jersey Governor.

RECOMMENDED BY: James C. Sanders, Administrator
Small Business Administration
653-6605

THE WHITE HOUSE

WASHINGTON

May 5, 1983

SCHEDULE PROPOSAL

TO: FRED RYAN, DIRECTOR
PRESIDENTIAL APPOINTMENTS AND SCHEDULING

FROM: JAMES K. COYNE, SPECIAL ASSISTANT TO THE
PRESIDENT, PRIVATE SECTOR INITIATIVES

REQUEST: Presidential visit to Kindustry child care
center in Camden, New Jersey.

PURPOSE: To demonstrate the President's commitment to
the private sector approach to quality child
care. Also, to compliment the Greater Camden
Movement, a coalition of over 100 business
leaders in the Camden area created to address
the needs of Southern New Jersey, which has
experienced economic hardships.

BACKGROUND: In response to the President's State of the
Union address calling for increased private
sector initiative activity in child care, the
Greater Camden Movement, in cooperation with
the Campbell Soup Company and Kinder-Care,
opened the first private sector child care
center in the tri-state area of New Jersey,
Pennsylvania and Delaware in March. Kinder-Care
is the world's largest child care firm with 775
centers in 38 states. The center is an outgrowth
of an idea proposed by female workers of the
Campbell Soup Company. The center operates
totally with private sector support.

The center can accomodate 100 children and
current enrollment is 42. Campbell Soup
Company, which currently employs 3,000 people
in Camden, subsidizes the care costs for
their employees on a 50-50 basis. Cooper Hospital
and RCA also participate in the program.

The unit includes an infant room, learning centers,
laundry, kitchen, and indoor/outdoor playground.

The Greater Camden Movement is willing to host
a luncheon at the Day Care site, to address the
issues of available, accessible and affordable
quality child care for employees in the tri-state
area. The White House Office of Private Sector
Initiatives has been serving as a co-sponsor of
these seminars. Others seminars are planned for
Nashville, Portland, and Hartford.

PREVIOUS PARTICIPATION: None at this site. The President has continually expressed the need for quality child care for working parents.

DATE: Open, late June or July

DURATION: 20 minutes.

LOCATION: Kindustry Child Care Center, located several hundred yards from the Campbell Soup Company, Campbell Place, Camden, New Jersey. Campbell Soup Company has a helicopter pad.

PARTICIPANTS: Secretary Margaret Heckler
Governor Kean (R-New Jersey)
Melvin Primas, Mayor of Camden, New Jersey (young, first-term, Black)
Approximately 150 CEO's from major businesses, representing the Greater Camden Movement
Kevin Halpern, Chairman, Greater Camden Movement and CEO of Cooper Medical Center
Gordon McGovern, President and CEO, Campbell Soup Company
John T. Dorrance, Jr., Chairman of the Board Campbell Soup Company

OUTLINE OF EVENTS: -- President lands at Campbell Soup Company Helicopter pad and is greeted by representatives of the Greater Camden Movement
-- President is escorted to Kindustry
-- Brief tour of facilities
-- Meets several children
-- Address luncheon meeting of Greater Camden Movement Seminar on Child Care
-- President departs

REMARKS REQUIRED: Major speech

MEDIA COVERAGE: Full press coverage.

RECOMMENDED BY: Coyne/Heckler

PROJECT OFFICER: Coyne/Henkel

Note: A videotape of the Center is available for viewing

WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name

DEAVER, MICHAEL: FILES

Withdrawer

KDB 8/30/2011

File Folder

[WOMEN] GENERAL (2)

FOIA

F97-0066/19

COHEN, D

Box Number

64

188

DOC Document Type

NO Document Description

No of Doc Date Restric-
pages tions

1 LETTER

1 8/4/1983 B6

TO M. DEAVER RE THE ATTACHED

Freedom of Information Act - [5 U.S.C. 552(b)]

B-1 National security classified information [(b)(1) of the FOIA]

B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]

B-3 Release would violate a Federal statute [(b)(3) of the FOIA]

B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]

B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]

B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]

B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]

B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name

DEAVER, MICHAEL: FILES

Withdrawer

KDB 8/30/2011

File Folder

[WOMEN] GENERAL (2)

FOIA

F97-0066/19

COHEN, D

Box Number

64

188

DOC Document Type

NO Document Description

No of Doc Date Restriction
pages *tions*

2 LETTER

2 8/3/1983 B6

TO SEN. WARNER RE IMMIGRATION SITUATION
OF A FEMALE CONSTITUENT

Freedom of Information Act - [5 U.S.C. 552(b)]

B-1 National security classified information [(b)(1) of the FOIA]

B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]

B-3 Release would violate a Federal statute [(b)(3) of the FOIA]

B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]

B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]

B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]

B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]

B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

WHITE HOUSE STAFFING MEMORANDUM

DATE: August 2 ACTION/CONCURRENCE/COMMENT DUE BY: Thursday, August 4

SUBJECT: ADMINISTRATION POSITION ON GROVE CITY V. BELL (TITLE IX)

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	☐	☐	HARPER	☒	☐
MEESE	☐	☒	HERRINGTON	☐	☐
BAKER	☐	☒	JENKINS	☐	☐
DEAVER	☐	☒	McMANUS	☐	☐
STOCKMAN	☐	☐	MURPHY	☐	☐
CLARK	☐	☐	ROGERS	☐	☐
DARMAN	☐	☒	ROLLINS	☒	☐
DUBERSTEIN	☐	☒	VERSTANDIG	☐	☐
FELDSTEIN	☐	☐	WHITTLESEY	☐	☐
FIELDING	☒	☐	BRADY/SPEAKES	☐	☐
FULLER	☒	☐	_____	☐	☐
GERGEN	☒	☐	_____	☐	☐

REMARKS:
 Craig, can you determine who is on top of this issue and arrange to consult with others as may be appropriate. Whatever way we are coming out on this, we ought to be prepared in advance.

NOTE: According to Elizabeth, the action by Justice is to be taken by August 8th.

RESPONSE:



THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

Received
1983 JUL 30 PM 4:29

MEMORANDUM FOR:

Richard Darman
Assistant to the President and
Deputy to the Chief of Staff

FROM:

Elizabeth H. Dole 

SUBJECT:

Title IX

The President's recent emphasis on education, as well as the concern about impact of Administration policies on women, highlight the importance of a case now pending before the Supreme Court. The Administration must file its brief in Grove City v. Bell by August 8.

The case relates to Title IX, the comprehensive federal law prohibiting sex discrimination in schools. That law has helped ensure that women and girls have equal opportunities in counseling and testing, enrollment, educational curricula, and athletics. Significant advances have been made for women since its passage in 1972.

I hope you will focus immediately on the Administration's position, for the interest and the visibility accorded by the press, civil rights and women's groups, is significant.

There are two basic issues before the Court. The first question, whether Pell Grants to students trigger Title IX enforcement, has been consistently supported by the Administration. In March 1982, the Department of Justice filed a brief in the Third Circuit Court of Appeals on behalf of the Department of Education which argued in strong terms that Pell Grants to a college's students were sufficient to subject its programs to Title IX. The Court of Appeals agreed. Apparently, the Department of Justice will take that position again at the Supreme Court level.

However, the Department sidestepped the second issue in its appellate brief; that is, if Pell Grants trigger Title IX enforcement, then how broadly in the institution does that enforcement requirement apply? It has been a longstanding regulatory policy (since the rules were first promulgated in 1975) that Title IX compliance is required for programs which receive or benefit from federal funds. The Department of Justice, however, has attempted to narrow the breadth of program coverage to include only those programs which directly receive funds (i.e. for student assistance, only the student aid office would be covered). The failure of the Administration to appeal earlier court cases (Richmond and Hillsdale College) and various remarks in briefs that have been filed on other cases, support this narrow interpretation of Title IX.

August 1, 1983

TO: MIKE DEEVER

FROM: CRAIG L. FULLER

☒ FYI

☐ Comment

☐ Action

*will
have*

THE WHITE HOUSE
WASHINGTON

August 1, 1983

MEMORANDUM FOR ED MEESE

FROM: CRAIG L. FULLER 
SUBJECT: Women's Issues Outline

As I discussed with you last week, I held a meeting to review our positions on the various "women's issues." The meeting was designed to review with those drafting testimony for Senator Dole's hearing on Tuesday, August 2nd the decisions made. The Women's Issues Outline is meant to be used as a device for keeping track of where we are with these issues.

We did not review the issues listed in the attachment as "Non-ERISA Proposals" and will return to those at the appropriate time.

Decisions come from documents marked by the President or the summary by Mike Uhlmann of decisions you made. Our group interpreted some of the decisions you made to indicate the Administration's position on specific elements of S. 19 or S. 888. Recommendations and options come from material assembled by the Department of Labor on S. 19 and S. 888.

At the conclusion of the meeting on Friday, it was determined that Buc Chapoton would offer testimony on ERISA related provisions of S. 19 and S. 888. The Administration would indicate that is continuing to work on the details involved in codifying the Norris decision. It is anticipated that the Administration's positions on non-ERISA related issues will be communicated, in part, at the next meeting Mike Deaver has called with the Congresswomen on August 3rd.

WOMEN'S ISSUES OUTLINE

Updated 7/29/83

I. Norris Codification

1. Scope of Benefit Coverage

DECISION: Apply Norris principle to all non-wage compensation covered by ERISA or pension plan provisions of IRC.

[ERISA will not cover public employees/IRC will cover public employees.]

[We must still determine whether or not we wish to cross reference to Title 7 under EEOC.]

2. Treatment of Accruals

DECISION: Clarify that using sex-merged tables is an acceptable means of complying with non-discrimination requirements.

[We recognize that as soon as the codification of Norris is undertaken, questions are raised about the accruals (e.g. topping-up) and these must be faced. These issues remain under review.]

3. Plan Funding

OPTIONS: Clarify that sex-based tables can be used in setting plan costs, or submit no legislation on funding.

[same note as in #2 provides]

II. ERISA PROVISIONS/S. 19 and S. 888

1. Age and service requirements

DECISION: Lower minimum age of participation under ERISA from 25 to 21/22-21.

2. Maternity/paternity leave

DECISION: Concur with S. 19 and protect an individual from incurring a break in service for

the period immediately following childbirth. In addition, expand to assure full 12 months regardless of when child is born.

3. Assignment/alienation of benefits

DECISION: Permit divorce courts to assign pension rights.

4. Separation of non-participant spouse's annuity

RECOMMENDATION: Support the general approach of separating the annuities of the participant and non-participant spouse. Seek to minimize administrative burdens.

5. One-year rule

DECISION: Support the provision in S. 19 allowing some participants to have survivor payments paid even in the event of divorce.

6a. Forfeitability of pension benefit: where annuity is normal mode of benefit distribution

DECISION: Oppose the S. 888 provision that would mandate the provision of a survivor annuity under defined benefit plans for spouses of participants who are at least ten years vested and who die before their annuities have begun.

6b. If the survivor coverage is extended to ages before the plan's early retirement age, when should the survivor benefits be paid to the surviving spouse?

DECISION: Oppose S. 888 provision that the plans not be required to pay survivor benefits until the earliest date at which the participant could have obtained benefits under the plan.

[These two proposals are best handled by life insurance and the Administration's testimony will so reflect. If asked, the Administration opposes these elements of S. 888.]

7. Forfeitability of pension benefits: where an annuity is not the normal mode of benefit distribution.

DECISION: Amend ERISA to overturn the implications of the BBS Associates case so that women are put in

a position of being eligible to receive survivor benefits.

8. Spousal consent

DECISION: Support provisions in both bills which require the participant to secure the consent of the spouse, notarized or witnessed by a plan representative, in order to elect out of a joint and survivor annuity.

9. Two year non-accidental death rule

DECISION: Repeal the rule.

10. Permit employers to make lump sum distribution for accounts with less than \$3500.

DECISION: Support.

III. Non-ERISA Proposals

1. IRS Limits

DECISION: Oppose increasing the \$2250 limit to \$4000.

2. Civil Service Retirement System

OPTION: Support S. 888 provision allowing former spouse of a federal civilian employee an annuity if married during at least 10 of the employee's creditable years of service.

3. TJTC for Displaced Homemaker

RECOMMENDATION: Oppose S. 888 provision adding displaced homemakers to the list of eligible persons.

4. Zero Bracket Amount

RECOMMENDATION: Oppose S. 888 provision to increase head-of-household ZBA from \$2300 to \$3400.

5. Child and Dependent Care

RECOMMENDATION: Oppose S. 888 provision because the credit for child care was recently increased.

6. Dependent Care Organizations

OPTIONS: Support/Oppose S. 888 provision allowing dependant care organization to be considered tax-exempt.

7. Child Care Information and Services

RECOMMENDATION: Oppose S. 888 provision to provide an \$8 million grant program to assist community based child care information and referral centers.

8. Non-Discrimination in Insurance

RECOMMENDATION: Oppose S. 888 provision to extend both prospective and retrospective "non-discrimination" to all forms of insurance.

9. Regulatory Reform and Gender Neutrality

OPTIONS: Support/Oppose S. 888 provision to alter gender construction of U.S. Code.

10. Child Support: Collection of past due support from tax refunds

RECOMMENDATION: Oppose S. 888 provision extending current law regarding IRS offsets of tax refunds to non-AFDC persons.

11. Child Support Clearing House

RECOMMENDATION: Oppose S. 888 provision. State function.

12. Strengthen State Child Support Enforcement Procedures

RECOMMENDATION: Oppose S. 888 provisions.

13. Discharge in Bankruptcy

OPTIONS: Support/Oppose S. 888 provision that would prevent child support payments from being discharged in bankruptcy.

14. Allotment of Federal Pay

OPTIONS: Support/Oppose S. 888 provision to establish federal pay allotment procedure with respect to child support payments.

I. Norris Codification

1. Scope of Benefit Coverage

DECISION: Apply Norris principle to all non-wage compensation covered by ERISA or pension plan provisions of IRC.

[ERISA will not cover public employees/IRC will cover public employees.]

[We must still determine whether or not we wish to cross reference to Title 7 under EEOC.]

2. Treatment of Accruals

DECISION: Clarify that using sex-merged tables is an acceptable means of complying with non-discrimination requirements.

[We recognize that as soon as the codification of Norris is undertaken, questions are raised about the accruals (e.g. topping-up) and these must be faced. These issues remain under review.]

3. Plan Funding

OPTIONS: Clarify that sex-based tables can be used in setting plan costs, or submit no legislation on funding.

[same note as in #2 provides]

II. ERISA PROVISIONS/S. 19 and S. 888

1. Age and service requirements

DECISION: Lower minimum age of participation under ERISA from 25 to 21/22-21.

2. Maternity/paternity leave

DECISION: Concur with S. 19 and protect an individual from incurring a break in service for

the period immediately following childbirth. In addition, expand to assure full 12 months regardless of when child is born.

3. Assignment/alienation of benefits

DECISION: Permit divorce courts to assign pension rights.

4. Separation of non-participant spouse's annuity

RECOMMENDATION: Support the general approach of separating the annuities of the participant and non-participant spouse. Seek to minimize administrative burdens.

5. One-year rule

DECISION: Support the provision in S. 19 allowing some participants to have survivor payments paid even in the event of divorce.

6a. Forfeiture of pension benefit: where annuity is normal mode of benefit distribution

DECISION: Oppose the S. 888 provision that would mandate the provision of a survivor annuity under defined benefit plans for spouses of participants who are at least ten years vested and who die before their annuities have begun.

6b. If the survivor coverage is extended to ages before the plan's early retirement age, when should the survivor benefits be paid to the surviving spouse?

DECISION: Oppose S. 888 provision that the plans not be required to pay survivor benefits until the earliest date at which the participant could have obtained benefits under the plan.

[These two proposals are best handled by life insurance and the Administration's testimony will so reflect. If asked, the Administration opposes these elements of S. 888.]

7. Forfeiture of pension benefits: where an annuity is not the normal mode of benefit distribution.

DECISION: Amend ERISA to overturn the implications of the BBS Associates case so that women are put in

a position of being eligible to receive survivor benefits.

8. Spousal consent

DECISION: Support provisions in both bills which require the participant to secure the consent of the spouse, notarized or witnessed by a plan representative, in order to elect out of a joint and survivor annuity.

9. Two year non-accidental death rule

DECISION: Repeal the rule.

10. Permit employers to make lump sum distribution for accounts with less than \$3500.

DECISION: Support.

III. Non-ERISA Proposals

1. IRA Limits

DECISION: Oppose increasing the \$2250 limit to \$4000.

2. Civil Service Retirement System

OPTION: Support S. 888 provision allowing former spouse of a federal civilian employee an annuity if married during at least 10 of the employee's creditable years of service.

3. TJTC for Displaced Homemaker

RECOMMENDATION: Oppose S. 888 provision adding displaced homemakers to the list of eligible persons.

4. Zero Bracket Amount

RECOMMENDATION: Oppose S. 888 provision to increase head-of-household ZBA from \$2300 to \$3400.

5. Child and Dependent Care

RECOMMENDATION: Oppose S. 888 provision because the credit for child care was recently increased.

6. Dependent Care Organizations

OPTIONS: Support/Oppose S. 888 provision allowing dependant care organization to be considered tax-exempt.

7. Child Care Information and Services

RECOMMENDATION: Oppose S. 888 provision to provide an \$8 million grant program to assist community based child care information and referral centers.

8. Non-Discrimination in Insurance

RECOMMENDATION: Oppose S. 888 provision to extend both prospective and retrospective "non-discrimination" to all forms of insurance.

9. Regulatory Reform and Gender Neutrality

OPTIONS: Support/Oppose S. 888 provision to alter gender construction of U.S. Code.

10. Child Support: Collection of past due support from tax refunds

RECOMMENDATION: Oppose S. 888 provision extending current law regarding IRS offsets of tax refunds to non-AFDC persons.

11. Child Support Clearing House

RECOMMENDATION: Oppose S. 888 provision. State function.

12. Strengthen State Child Support Enforcement Procedures

RECOMMENDATION: Oppose S. 888 provisions.

13. Discharge in Bankruptcy

OPTIONS: Support/Oppose S. 888 provision that would prevent child support payments from being discharged in bankruptcy.

14. Allotment of Federal Pay

OPTIONS: Support/Oppose S. 888 provision to establish federal pay allotment procedure with respect to child support payments.