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Office of the Director

2218



Washington, D.C. 20547

37 KAR 16 P2: 28

MAR 1 5 1984

1140 20051

Dear Bud:

I was pleased to attend the March 13 National Security Council meeting on President Mitterrand's up-coming visit, and to FG006-12 participate in the discussion of how it should be handled. This letter will outline what the USIA will attempt to achieve through this visit.

Cultural Talks: While we hold these regularly with our other major allies, we have never had them with the French. We hope to reach agreement with the French that there be a presidential announcement during this visit that the talks be established. Our own counterparts at the French Foreign Ministry, Ministry of Culture and Ministry of Education agree on the need for the talks. A decision to announce the talks is pending at the presidential level in France.

The talks could lead to an expansion of our bilateral exchanges program, and to a better focus of the programs on subjects of mutual concern, such as terrorism, protectionism, Central America, etc. A presidential announcement of the talks would give them an impetus vital to their eventual success.

Charles Salzmann: I have met him on several occasions and will renew my acquaintance during this visit, as he will be accompanying Mitterrand. He is an old friend of Mitterrand and a key advisor on questions of image and also on French communications policies in the Third World. I will bring him up to date on the major programs we have initiated to provide training to Third World journalists and communications people since I last saw him.

Statue of Liberty emphasis. We are in agreement that it will be important to include references to the 100th anniversary of the announcement of the gift of the Statue of Liberty to us by the French, in toasts and other public statements made during the visit. While the Statue was unveiled in 1886, the announcement of the gift was made in 1884, so it is appropriate to commemorate this at this time. The Agency will see to it that these commemorative statements receive wide publicity.

NSC#8402218

The Honorable

Robert C. McFarlane
Assistant to the President
for National Security Affairs
The White House

Limited Official Use

Bill of Rights Exhibit: The idea of exhibiting our Bill of Rights and Constitution in France in 1989 on the 200th anniversary of their Bill of Rights is an exciting one which fits the President's democracy initiative perfectly. This exhibit would have major impact in France and in Europe. However, we have decided not to press the project in the context of this visit, as the feasibility of moving this precious document will have to be studied carefully. So far the idea has not been brought up officially with the Director of the National Archives. My thought is that the request to him to study this should come from you, if you agree that it is a good idea. We should, of course, make it clear to the Archives that the preservation and the security of the document is our paramount concern, while pointing out that the exhibit would be in our national interest, if it is possible with the proper and careful safeguards.

I stand ready to supply you with any additional information you may need on the above or other subjects related to the Mitterrand visit if you wish, and look forward to cooperating with you to make the visit a success.

Sincerely,

Charles Z. Wick

Director

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MCFARLANE

FROM WICK, C

DOCDATE 15 MAR 84

MITTERRAND, FRANCOIS KEYWORDS FRANCE VISIT USIA SUBJECT WICK RECOMS RE MITTERRAND VISIT DUE 22 MAR 84 STATUS S FILES ACTION: APPROPRIATE ACTION FOR CONCURRENCE FOR INFO FOR ACTION COBB RAYMOND LENCZOWSKI FORTIER SOMMER MATLOCK TYSON KIMMITT COMMENTS REF# LOG 8401067 NSCIFID (MR) ACTION REQUIRED DUE COPIES TO ASSIGNED

THE WHITE HOUSE

WASHINGTON April 17, 1984

ACTION

MEMORANDUM FOR THE PRESIDENT

ROBERT C. MCFARLANE ZHY FROM:

Protocol to the Convention Between the United SUBJECT:

States and the French Republic with Respect to

Taxes on Income and Property

F-I010-03 F6006-12

Issue

Whether to transmit to the Senate for advice and consent to ratification, the Protocol to the Convention Between the United States and the French Republic with Respect to Taxes on Income and Property.

Facts

The original Protocol was signed on July 28, 1967, and has been amended by the Protocols of October 12, 1970, and November 24, 1978. The present Protocol was signed at Paris on January 17, 1984.

Discussion

The principal reason for further amending the Convention is the recently enacted French wealth tax which could adversely affect Americans living in France. The Protocol exempts from this tax foreign assets owned by United States citizens temporarily resident in France. The Protocol also provides an exemption from tax at source on interest, and it includes rules for limiting the benefits of the Convention to residents of the United States or France. We hope that the Senate will give early and favorable advice and consent to its ratification.

Recommendation

OK

That you sign the letter to the Senate forwarding the Protocol to the Convention.

Attachments

Tab A - Letter to the Senate

Tab B - Protocol Document

Tab C - Letter from George Shultz

0 *8402854

Prepared by: Tyrus W. Cobb

cc: Vice PResident

NATIONAL SECURITY COUNCIL

ACTION

April 12, 1984

MEMORANDUM FOR ROBERT C. McFARLANE

BIGNED

FROM:

TYRUS W. COBB

SUBJECT:

Protocol to the Convention Between the United States and the French Republic with Respect to

Taxes on Income and Property

Attached at Tab I is a memo from you to the President, recommending that he transmit the Protocol to the Convention Between the United States and the French Republic with Respect to Taxes on Income and Property to the Senate for its advice and consent to ratification.

Paul Thompson concurs.

RECOMMENDATION

That you sign the memo to the President at Tab I.

Approve 2NL

Disapprove ____

Attachments

Tab I - Memo to the President

Tab A - Letter to the Senate

Tab B - Second Protocol Document

Tab C - Letter from George Shultz

DEPARTMENT OF STATE WASHINGTON

April 5, 1984

The President:

I have the honor to submit to you, with a view to its transmission to the Senate for advice and consent to ratification, a Protocol to the Convention between the United States of America and the French Republic with respect to taxes on income and property of July 28, 1967, as amended by the Protocols of October 12, 1970 and November 24, 1978. The present Protocol was signed at Paris on January 17, 1984.

For the United States, the principal purpose of the Protocol is to exempt from the French wealth tax the assets owned outside France by United States citizens temporarily resident in France. Temporary residence is defined as not more than five years.

The Protocol also provides an exemption from tax at source on interest derived from one country by residents of the other. The existing Convention provides such an exemption in selected cases, but permits a ten percent tax in other cases.

Other provisions of the Protocol amend certain articles of the Convention and add an article limiting the benefits of the Convention to residents of the two countries.

The President,

The White House.

The Protocol will enter into force on the first day of the second month following the exchange of instruments of ratification. Its provisions will apply:

- a) as regards taxes withheld at source, to amounts payable on or after the date of entry into force of the Protocol;
- b) as regards other taxes on income, for taxable years beginning on or after the date of entry into force of the Protocol;
- c) as regards the wealth tax, to capital owned on or any time after the first of January 1982.

A technical memorandum explaining in detail the provisions of the Protocol is being prepared by the Department of the Treasury and will be submitted to the Senate Committee on Foreign Relations.

The Department of the Treasury, with the cooperation of the Department of State, was primarily responsible for the negotiation of the Protocol. It has the approval of both Departments.

Respectfully submitted,

TO THE SENATE OF THE UNITED STATES:

I transmit herewith for Senate advice and consent to ratification a Protocol to the Convention between the United States of America and the French Republic with respect to taxes on income and property of July 28, 1967, as amended by the Protocols of October 12, 1970, and November 24, 1978. The present Protocol was signed at Paris on January 17, 1984. I also transmit the report of the Department of State on the Protocol.

The principal reason for further amending the Convention is the recently enacted French wealth tax which could adversely affect Americans living in France. The Protocol exempts from this tax foreign assets owned by United States citizens temporarily resident in France. The Protocol also provides an exemption from tax at source on interest, and it includes rules for limiting the benefits of the Convention to residents of the United States or France.

I recommend that the Senate give early and favorable consideration to the Protocol and give advice and consent to its ratification.

THE WHITE HOUSE,

PROTOCOL TO THE CONVENTION BETWEEN
THE UNITED STATES OF AMERICA AND THE FRENCH REPUBLIC
WITH RESPECT TO TAXES ON INCOME AND PROPERTY OF
JULY 28, 1967 AS AMENDED BY THE PROTOCOLS OF
OCTOBER 12, 1970 AND NOVEMBER 24, 1978

The President of the United States of America and the President of the French Republic, desiring to amend the Convention between the United States of America and the French Republic with respect to taxes on income and property of July 28, 1967 as amended by the Protocols of October 12, 1970 and November 24, 1978, have agreed upon the following provisions:

Article 1

- 1. The preamble of the Convention is amended to read as follows:

 "The President of the French Republic and the President
 of the United States of America, desiring to conclude a
 convention for the avoidance of double taxation of income and
 capital and the prevention. . . " (the rest is not modified).
- 2. Subparagraph (1)(b) of Article 1 is completed by adding the following:
 - "(iii) the wealth tax (l'impot sur les Grandes Fortunes)."

Article 2

Paragraph (3) of Article 5 is deleted.

Article 3

Article 10 is replaced by the following article:

"Article 10

Interest

- (1) Interest derived and beneficially owned by a resident of a Contracting State shall be taxable only in that State.
- (2) Notwithstanding that under Article 3 of the Convention a permanent establishment in one of the Contracting States of an enterprise of the other Contracting State is not a resident of the first-mentioned State, a permanent establishment in the United States of a French bank or financial or credit institution shall be treated by France solely for purposes of paragraph 1 of this Article for purposes of French taxes as if it were a resident of the United States, provided that the

indebtedness in respect of which the interest is paid is effectively connected with such permanent establishment in the ordinary course of its business.

- (3) The term 'interest' as used in this Convention means income from indebtedness of every kind, whether or not secured by mortgage, and whether or not carrying a right to participate in the debtor's profits, and in particular, income from government securities, and income from bonds or debentures, including premiums or prizes attaching to such securities, bonds or debentures. Penalty charges for late payment shall not be regarded as interest for the purposes of the Convention.
- (4) The provisions of paragraph 1 shall not apply if the beneficial owner of the interest, being a resident of a Contracting State, carries on business in the other Contracting State, in which the interest arises, through a permanent establishment situated therein, or performs in that other State independent personal services from a fixed base situated therein, and the interest is attributable to such permanent establishment or fixed base. In such case the provisions of Article 6 or Article 14, as the case may be, shall apply.
- (5) Interest shall be deemed to arise in a Contracting State when the payor is that State itself or a political subdivision, local authority, or resident of that State. Where, however, the person paying the interest, whether he is a resident of a Contracting State or not, has in a Contracting State a permanent establishment or a fixed base in connection with which the indebtedness in respect of which the interest

is paid was incurred, and such interest is borne by such permanent establishment or fixed base, then such interest shall be deemed to arise in the State in which the permanent establishment or fixed base is situated.

- (6) Where, by reason of a special relationship between the payor and the beneficial owner or between both of them and some other person, the amount of the interest, having regard to the debt-claim for which it is paid, exceeds the amount which would have been agreed upon by the payor and the beneficial owner in the absence of such relationship, the provisions of this Article shall apply only to the last-mentioned amount. In such case the excess part of the payments shall remain taxable according to the laws of each Contracting State, due regard being had to the other provisions of the Convention.
- (7) A Contracting State may not impose any tax on interest paid by a resident of the other Contracting State, except insofar as:
 - (a) the interest is paid to a resident of the first-mentioned State;
 - (b) the interest is attributable to a permanent establishment or a fixed base of the beneficial owner of the interest situated in the first-mentioned State; or
 - (c) the interest arises in the first-mentioned State and is not paid to a resident of the other State."

Article 4

In Article 14, the second sentence of paragraph (4) is amended to read as follows:

"(4). . . In no event, however, shall that provision result in France exempting under Article 23 more than 50 percent of the earned income from a partnership accruing to a resident of France. . . ."

Article 5

In Article 15, paragraph (3) is replaced by the following paragraph:

"(3) Notwithstanding the preceding provisions of this
Article, remuneration derived by a resident of a Contracting
State in respect of employment as a member of the regular
complement of a ship or aircraft operated in international
traffic may be taxed only in that State."

Article 6

A new Article 15 A is added which reads as follows:

"Article 15 A

Artistes and Athletes

(1) Notwithstanding the provisions of Articles 14 and 15, income derived by a resident of a Contracting State as an entertainer, such as a theatre, motion picture, radio, or television artiste, or a musician, or as an athlete, from his personal activities as such exercised in the other Contracting State, may be taxed in that other State, except where the amount of the gross receipts derived by such entertainer or athlete, including expenses reimbursed to him or borne on his behalf, from such activities does not exceed ten thousand United States dollars (\$10,000) or its equivalent in French francs for the taxable year concerned.

entertainer or an athlete in his capacity as such accrues not to the entertainer or athlete but to another person, that income of that other person may, notwithstanding the provisions of Articles 6 and 14, be taxed in the Contracting State in which the activities of the entertainer or athlete are exercised, unless it is established that neither the entertainer or athlete nor persons related thereto participate directly or indirectly in any profits of that other person in any manner, including the receipt of deferred remuneration, bonuses, fees, dividends, partnership distributions, or other distributions."

Article 7

In Article 17, paragraph (1) is amended as follows:

The phrase "other accredited educational institution" is replaced
by the phrase "other accredited educational or research institution",
and the phrase "such educational institution" is replaced by the
phrase "such educational or research institution."

Article 8

- 1. Subparagraphs (a) and (b) of paragraph (3) of the exchange of letters of November 24, 1978 are deleted.
- 2. Article 19 is amended by adding the following paragraph (5): "(5) (a) Contributions paid by, or on behalf of, an individual resident of a Contracting State, who is not a citizen of that State, to pension, profit-sharing, and other retirement plans that are recognized for tax purposes in the other Contracting State will be treated in the same way for tax purposes in the first-mentioned State as contributions

paid to pension, profit-sharing and other retirement plans that are recognized for tax purposes in that first-mentioned State, provided that the competent authority of the first-mentioned State agrees that the plans correspond to pension, profit-sharing or other retirement plans recognized for tax purposes by that State.

(b) Payments received by the beneficiary in respect of the plans referred to in (a) will be included in income for tax purposes of the State of residence, to the extent that they are not exempt under Article 23, when and to the extent that such payments are considered gross income by the other Contracting State."

Article 9

Article 22 is amended as follows:

- 1. Paragraph (1) is replaced by the following paragraph:
 "(1) Items of income of a resident of a Contracting State,
 wherever arising, not dealt with in the foregoing Articles of
 this Convention shall be taxable only in that State."
- 2. Subparagraph (b) of paragraph (4) is deleted.

Article 10

A new article 22 A is added which reads as follows:

"Article 22 A

Capital

(1) Capital represented by real property or interests in real property or by shares or rights in a corporation or a body corporate the assets of which consist principally of real property or interests in real property may be taxed in

the Contracting State where such real property is situated. For the purposes of this provision, real property pertaining to the industrial, commercial or agricultural operation of such corporation or body corporate or to the performance of independent personal services shall not be taken into account.

- (2) Capital represented by furniture and fixtures may be taxed in the Contracting State in which they are situated.
- (3) Capital represented by movable property forming part of the assets of a permanent establishment of a business or pertaining to a fixed base used for the performance of independent personal services may be taxed in the Contracting State where the permanent establishment or the fixed base is situated.
- (4) Capital of a resident of a Contracting State represented by ships and aircraft operated in international traffic and movable property pertaining to the operation of such ships and aircraft shall be taxable only in that State.
- (5) Capital represented by shares or rights forming part of a substantial interest in the capital of a corporation which is a resident of a Contracting State may be taxed in that State. A person is considered to have a substantial interest if he or she owns, alone or with related persons, directly or indirectly, shares or rights the total of which gives right to at least 25 percent of the corporate earnings.
- (6) All other elements of capital of a resident of a Contracting State are taxable only in that State.
- (7) Notwithstanding the provisions of the preceding paragraphs of this Article, for the purposes of taxation with respect to the wealth tax referred to in subparagraph

(1)(b)(iii) of Article 1 of an indivadual resident of France who is a citizen of the United States and not a French national, the assets situated outside of France that such a person owns on the first of January of each of the five years following the calendar year in which he becomes a resident of France shall be excluded from the base of assessment of the taxes referred to in subparagraph (1)(b)(iii) of Article 1 relating to each of those five years. If such an individual loses the status of resident of France for a duration of at least three years and then again becomes a resident of France, the assets situated outside of France that such a person owns on the first of January of each of the five years following the calendar year in which he again becomes a resident of France shall be excluded from the base of assessment of the taxes referred to in subparagraph (1)(b)(iii) of Article | relating to each of those five years."

Article 11

Article 23 is amended to read as follows:

"Article 23

Relief from Double Taxation

- (1) In accordance with the provisions and subject to the limitations of the law of the United States (as it may be amended from time to time without changing the general principle hereof), the United States shall allow to a citizen or a resident of the United States as a credit against the United States income tax:
 - (a) the income tax paid to France by or on behalf of such citizen or resident; and

(b) in the case of a United States corporation owning at least 10 percent of the voting stock of a corporation which is a resident of France and from which the United States corporation receives dividends, the income tax paid to France by or on behalf of the distributing corporation with respect to the profits out of which the dividends are paid.

For the purposes of this paragraph, the taxes referred to in subparagraph (1)(b)(i) and paragraph 3 of Article 1 shall be considered income taxes.

(2) In the case of France:

- (a) income referred to below derived by a resident of France shall be exempt from the French taxes mentioned in subparagraph (1)(b)(i) of Article 1:
 - (i) income (other than income referred to in paragraph (2)(b) of this Article) which is taxable in the United States under this Convention other than by reason of the citizenship of the taxpayer; and
 - (ii) in the case of an individual who is a citizen of the United States:
 - (a) income which would be exempt from United States tax under Articles 17 or 18 if the recipient were not an individual who is a citizen of the United States; and
 - (b) income dealt with in paragraph (1) of Article 19 to the extent attributable to services performed while his principal place

of employment was in the United States, and alimony and annuities dealt with in paragraph (2) of Article 19.

- under Articles 9, 11 or 15 A, France shall allow to a resident of France a tax credit corresponding to the amount of tax levied by the United States under this Convention other than by reason of citizenship. Such tax credit, not to exceed the amount of French tax levied on such income, shall be allowed against taxes mentioned in subparagraph (1)(b)(i) and paragraph (3) of Article 1 of the Convention in the bases of which such income is included.
- (c) Notwithstanding the provisions of subparagraphs (a) and (b), French tax may be computed on income chargeable in France by virtue of this Convention at the rate appropriate to the total of the income chargeable in accordance with French law.
- (d) As regards capital taxable in the United States under Article 22 A that is also taxable in France, France shall allow to a resident of France a tax credit corresponding to the amount of tax levied by the United States on such capital. Such tax credit, not to exceed the amount of French tax levied on such capital, shall be allowed against the wealth tax referred to in subparagraph (1)(b)(iii) of Article 1 of the Convention in the bases of assessment of which such capital is included.
- (3) In the case of an individual who is both a resident of France and a citizen of the United States:

- (a) The amount of the tax credit referred to in subparagraph (b) of paragraph (2) shall be equal to the amount of tax which the United States would be entitled to levy in respect of the item of income if the individual deriving the income were not a citizen of the United States, but shall not exceed the amount of French tax levied on such item of income;
- (b) The United States shall allow as a credit against United States tax the income tax paid to France after the credit referred to in paragraph 2(b). However, the credit so allowed against United States tax shall not reduce that portion of the United States tax that is creditable against French tax in accordance with paragraph 2(b).
- (c) Income referred to in paragraph 2 and income that, but for the citizenship of the taxpayer, is exempt from United States tax under the Convention, shall be considered income from sources within France to the extent necessary to give effect to the provisions of paragraph 3(b). This provision shall apply only to the extent that an item of income is included in gross income for purposes of determining French tax. No provision of this paragraph (3)(c) relating to source of income shall apply in determining credits against United States tax for foreign taxes other than those referred to in subparagraph (1)(b)(i) and paragraph (3) of Article 1.
- (4) If for any taxable year a partnership of which an individual member is a resident of France so elects, for United States tax purposes,

- (a) any income which solely by reason of paragraph

 (4) of Article 14 is not exempt from French tax under
 this Article shall be considered income from sources
 within France; and
- applies shall reduce (but not below zero) the amount of partnership earned income from sources outside the United States which would otherwise be allocated to partners who are not residents of France. For this purpose the reduction shall apply first to income from sources within France and then to other income from sources outside the United States.

If the individual member of the partnership is both a resident of France and a citizen of the United States, this provision shall not result in a reduction of United States tax below that which the taxpayer would have incurred without the benefit of deductions or exclusions available solely by reason of his presence or residence outside the United States.

(5) A resident of a Contracting State who maintains one or several abodes in the territory of the other Contracting State shall not be subject in that other State to an income tax according to an "imputed" income based on the rental of that or those abodes."

Article 12

A new Article 24 A is added which reads as follows:

"Article 24 A

Limitation on Benefits

- (1) A person (other than an individual) which is a resident of one of the Contracting States shall not be entitled under this Convention to relief from taxation in the other Contracting State unless:
 - (a) more than 50 percent of the beneficial interest in such person (or, in the case of a corporation, more than 50 percent of the number of shares of each class of the corporation's shares) is owned, directly or indirectly, by any combination of one or more of:
 - (i) individuals who are residents of the United States;
 - (ii) citizens of the United States;
 - (iii) individuals who are residents of France;
 - (iv) corporations as described in subparagraph (b); and
 - (v) the Contracting States.
 - (b) it is a corporation in whose principal class of shares there is substantial and regular trading on a recognized stock exchange in one of the Contracting States; or
 - (c) the establishment, acquisition and maintenance of such person and the conduct of its operations did not have as one of its principal purposes the purpose of obtaining benefits under the Convention.
- (2) For the purposes of paragraph (1)(b), the term 'a recognized stock exchange' means:

- (a) any stock exchange registered with the Securities and Exchange Commission as a national securities exchange for the purposes of the Securities Exchange Act of 1934 and the NASDAQ system owned by the National Association of Securities Dealers Inc.;
- (b) the French stock exchanges (Bourses de Valeurs); and
- (c) any other stock exchange agreed upon by the competent authorities of the Contracting States."

Article 13

In Article 25, the following sentence is added at the end of paragraph (4):

"Any agreement reached shall be implemented notwithstanding any time limits or other procedural limitations in the domestic law of the Contracting States."

Article 14

In Article 26, the second sentence of paragraph (1) is amended to read as follows:

"... concerned with the assessment, collection, or administration of, or the enforcement or prosecution in respect of, or the determination of appeals in relation to, the taxes which are the subject of the Convention."

Article 15

1. This Protocol will be subject to ratification. The instruments of ratification will be exchanged in Washington. It shall enter into force on the first day of the second month following the exchange of the instruments of ratification.

- 2. The provisions of this Protocol shall apply:
 - (a) as regards taxes withheld at source, to amounts payable on or after the date of entry into force of this Protocol;
 - (b) as regards other taxes on income, for taxable years beginning on or after the date of entry into force of this Protocol;
 - (c) as regards the wealth tax, to capital owned on or any time after the first of January 1982.

Article 16

- 1. This Protocol shall remain in force as long as the Convention of July 28, 1967, as amended by the Protocols of October 12, 1970 and November 24, 1978, remain in force.
- 2. In Article 32, paragraph 1 is amended by substituting a semicolon for the period at the end of subparagraph (c) and by adding a subparagraph (d) which reads as follows:
 - "(d) as regards the wealth tax, to capital owned on the first of January of the calendar year following the year in which notice is given."

IN WITNESS WHEREOF, the undersigned, duly authorized thereto, have signed this Protocol.

Done at Paris this 17th day of Munary 1984, in duplicate, in the English and French languages, both texts being equally authoritative.

FOR THE PRESIDENT OF THE UNITED STATES OF AMERICA:

FOR THE PRESIDENT OF THE FRENCH REPUBLIC:

Evan G. Galbraith Ambassador Extraordinary and Plenipotentiary of the

United States of America

Jacques Delors
Minister for the Economy,
Finance and the Budget

National Security Council The White House

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RECEIVED 06 APR 84 15

TO

PRESIDENT

FROM SHULTZ, G

DOCDATE 05 APR 84

KEYWORDS. FRANCE

DISPATCH

ECONOMICS

TREATIES

CM

SUBJECT.	PROTOCOL TO CONVE		FRANCE W/ RESPE	CT TO TA	XES ON INCOME	1
ACTION:	PREPARE MEMO FOR	MCFARLANE I	DUE: 09 APR 84 S	TATUS S	FILES	
	FOR ACTION	FOR	CONCURRENCE		FOR INFO	
	COBB	ROBINSON	MCMINN		FORTIER	
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THE WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

INCOMING

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DATE RECEIVED: JUNE 29, 1984 NAME OF CORRESPONDENT: MAJOR GENERAL	1984 JUL 12 AM 7: 39 OFFICE OF DEFENSE
SUBJECT: WRITES IN APPRECIATION FOR OMAHA BEACH CELEBRATION	
ROUTE TO: OFFICE/AGENCY (STAFF NAME)	ACTION DISPOSITION ACT DATE TYPE C COMPLETED CODE YY/MM/DD RESP D YY/MM/DD
EDWARD HICKEY, JR REFERRAL NOTE: REFERRAL NOTE:	ORG 84/06/29 EH A84/07/20
REFERRAL NOTE: REFERRAL NOTE:	
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REFER QUESTIONS AND ROUTING UPDATES TO CENTRAL REFERENCE (ROOM 75, OEOB) EXT. 2590 KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS MANAGEMENT.

Dear General Sproul:

Thank you for your letter of June 28, 1984, to President Reagan regarding the Omaha Beach ceremony and his remarks at Normandy American Cemetery on June 6.

The President was honored by the opportunity to pay tribute to those great Americans who are buried there today and to be among those, such as yourself, who participated so very bravely forty years ago. It was indeed a memorable occasion and the President was pleased that you and Mrs. Sproul could be there.

Your pleasure with Secretary Weinberger's announcement of the reactivation of the 29th Infantry Division is indeed understandable and the announcement on June 6 was especially appropriate.

On behalf of President Reagan, thank you for your letter and your kind words.

Sincerely,

EDWARD V. HICKEY, JR. Assistant to the President

Major General Archibald A. Sproul, USA (Ret.) Virginia International Company 2815 North Augusta Street Post Office Box 2006 Staunton, Virginia 24401



Virginia International Company

2815 N. Augusta Street P.O. Box 2006 Staunton, Virginia 24401 (703) 886-3425 Telex: 822-443

Arch A. Sproul Chairman of the Board

June 28, 1984

The Honorable Ronald Reagan President of the United States The White House 1600 Pennsylvania Avenue Washington, D. C. 20500

Dear President Reagan:

I would like to thank you for the invitation which my wife and I had to the Omaha Beach celebration. I must say that it was one of the greatest experiences I have had and your speech should be recorded as another Lincoln's Gettysburg address. I don't believe there was a dry eye in the audience of over 20,000 people.

I must say that I enjoyed the Fortieth Anniversary much more than I did as a Captain commanding an Assault Company on June 6, 1944. I was very proud to be among those invited as I left many very close friends on the beach of Normandy and buried in that cemetary.

I am delighted that Secretary of Defense Casper Weinberger announced in Washington on June 6th the reorganization of the 29th Infantry Division which I commanded prior to its deactivation.

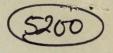
I remain

Most respectfully yours,

Arch A. Sproul

Maj. Gen., U.S.A., Ret.





THE WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

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MANAGEMENT.

DISPATCH

RECEIVED 05 JUL 84 16

TO

PRESIDENT FROM VERNIER PALLIEZ, B DOCDATE 02 JUL 84

W/ATTCH FILE (C)

KEYWORDS. FRANCE

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AMBASSADE DE FRANCE AUX ETATS UNIS

a - 1 .

My dear Mª Reagan,

nour I troroughly eypyed the harbene, you and M: President gave just orday in howaux of the Diplomatic Corps.

The at was there was very 6 her ful and 3 particularly appreciated the warmth and precidiness of the reception.

and the very good unisic contributed to make that evening quite enemotable.

With appreciation for your gracions nos petality and hest wishes.

Sin eerely.

Deuise Vernier Tolliez.



U.S. National Archives & Records Administration

Current Status Details for CTRH RECID: 231920 MAIN SUBCODE: CO051

Current Status	None
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Status Date	2010-03-11
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Notes	Trasnsferred to CO056

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1	None	2010-03-11	dbarrie		Trasnsferred to CO056

EN ACCITION

SCHEDULE PROPOSAL

THE WHITE HOUSE

FREDERICK J. RYAN, Director

ROBERT M. KIMMITT

Leader Raymond Barre.

WASHINGTON

TO:

FROM:

REQUEST:

PURPOSE:

April 29, 1985

Presidential Appointments and Scheduling

Photo opportunity with French Opposition

To provide opportunity for important conservative figure to meet President.

The President has already met with opposition leaders Chirac and Giscard. Barre is viewed as a probable Presidential candidate in 1988.

PREVIOUS PARTICIPATION:

BACKGROUND:

None.

DATE & TIME:

May 28-31 or June 24-28 DURATION: 10 minutes

LOCATION:

Oval Office

PARTICIPANTS:

The President, Secretary Shultz, Robert C.

McFarlane

OUTLINE OF EVENTS:

Photo opportunity. Brief exchange of

remarks.

REMARKS REQUIRED:

NSC will provide.

MEDIA COVERAGE:

Photo opportunity.

PROPOSED "PHOTO":

The President and Mr. Barre sitting across

from each other in the Oval Office.

RECOMMENDED BY:

Robert C. McFarlane/State

OPPOSED BY:

None.

CONFIDENTIAL Declassify on: OADR

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THE WHITE HOUSE

236204

WASHINGTON

February 27, 1984

CO 051

JL003

F0009

F-6006-12

MEMORANDUM FOR THE PRESIDENT

THROUGH:

THE EXECUTIVE CLERK'S OFFICE

FROM:

ROBERT C. McFARLANE

SUBJECT:

Convention Between the United States and France

on Transfer of Sentenced Persons

Attached for your signature is a letter to the Senate, forwarding a Convention between the U.S. and France on the transfer of sentenced persons.

The Convention is similar to those currently in force with Bolivia, Canada, Mexico, Panama, Peru and Turkey, and consistent with a treaty with Thailand which you recently transmitted to the Senate. It would permit citizens of either nation who had been convicted in the courts of the other country to serve their sentences in their home country; in each case, the consent of the offender as well as the approval of the authorities of the two Governments, would be required.

The Treaty may be implemented under Public Law 94-144; no new legislation will be proposed.

Recommendation

OK

No

MAR 0 1 1984

SIGNED

That you sign the letter to the Senate forwarding the Convention.

Attachments

Tab A - Letter to the Senate

Tab B - Convention Document

Tab C - Letter from George Shultz

NATIONAL SECURITY COUNCIL

ACTION

February 27, 1984

MEMORANDUM FOR ROBERT C. McFARLANE

SIGNED

FROM:

TYRUS W. COBB

SUBJECT:

Convention Between the United States and France

on Transfer of Sentenced Persons

Attached at Tab I is a memo to the President recommending that the President transmit the Convention Between the United States of America and the Republic of France on the Transfer of Sentenced Persons to the Senate for its advice and consent to ratification.

Paul Thompson concurs.

RECOMMENDATION

That you sign the memo to the President at Tab I.

Approve RMC

Disapprove ____

Attachments

Tab I - Memo to the President

Tab A - Letter to the Senate

Tab B - Convention Document

Tab C - Letter from George Shultz

TO THE SENATE OF THE UNITED STATES:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Convention Between the United States of America and France on the Transfer of Sentenced Persons, which was signed at Washington on January 25, 1983.

I transmit also, for the information of the Senate, the report of the Department of State with respect to the treaty.

The Convention would permit citizens of either nation who had been convicted in the courts of the other country to serve their sentences in their home country; in each case the consent of the offender as well as the approval of the authorities of the two Governments would be required.

This Convention is significant because it represents an attempt to resolve a situation which has inflicted substantial hardships on a number of citizens of each country and has caused concern to both Governments. The Treaty is similar to those currently in force with Bolivia, Canada, Mexico, Panama, Peru and Turkey. I recommend that the Senate give favorable consideration to this Convention at an early date.

CONVENTION BETWEEN
THE UNITED STATES OF AMERICA
AND
THE REPUBLIC OF FRANCE
ON THE
TRANSFER OF SENTENCED PERSONS

The Government of the United States of America and the Government of the Republic of France,

Desiring to enable persons under sentence, with their consent, to serve their sentences of deprivation of liberty in the country of which they are nationals in such a way as to facilitate their reintegration into society,

Have resolved to conclude the present Convention.

CHAPTER I

BASIC PRINCIPLES

ARTICLE 1

For the purposes of this Convention:

- (a) the expression "Sentencing State" means the State in which the offender has been sentenced and from which he is being transferred;
- (b) the expression "Administering State" means the State to which the sentenced person is being transferred to serve his sentence;
- (c) the term "sentenced person" means any person who has been sentenced by a court of law in the territory of either State and required to serve, in confinement, a sentence involving deprivation of liberty.

ARTICLE 2

The application of this Convention is subject to the following conditions:

- (a) the offense which leads to a request for transfer would be punishable as a crime under the law of both States;
- (b) the sentenced person is a national of the country to which he is to be transferred;
 - (c) the sentenced person gives his consent;
- (d) the sentence referred to in Article 1 is a final and enforceable one; and
- (e) at the time of the request for transfer the sentenced person has left to serve a period of at least one year.

ARTICLE 3

This Convention shall not apply when the offense for which the offender has been sentenced is a purely military offense.

ARTICLE 4

The transfer of a sentenced person shall be refused:

- (a) if the sentence leading to the request is based on facts that have formed the object of a final judgment in the Administering State;
- (b) if enforcement of the sentence is barred by limitation under the law of either State.

ARTICLE 5

The transfer may be refused:

- (a) if the transfer is considered by the Sentencing State or the Administering State to be such as to jeopardize its sovereignty, its security, its public policy, the basic principles relating to the organization of criminal jurisdiction under its legal system or any other of its essential interests;
- (b) if the competent authorities of the Administering State have decided to abandon, or not to initiate, proceedings based on the same facts;
- (c) if the facts upon which the conviction is based are also the object of proceedings in the Administering State;
- (d) if the sentenced person has not paid any sums, fines, court costs, damages or any other pecuniary penalties imposed upon him by the judgment.

February 15, 1984

The President:

I have the honor to submit a Convention Between the United States of America and the Republic of France on the Transfer of Sentenced Persons which was signed at Washington on January 25, 1983. I recommend that the Convention be transmitted to the Senate for its advice and consent to ratification.

The Convention is similar to those currently in force with Bolivia, Canada, Mexico, Panama, Peru and Turkey and consistent with a treaty with Thailand which you recently transmitted to the Senate. It would permit citizens of either nation who had been convicted in the courts of the other country to serve their sentences in their home country; in each case the consent of the offender as well as the approval of the authorities of the two Governments would be required.

The treaty is intended to relieve the special hardships on prisoners incarcerated far from home, to improve the prospects for rehabilitation of offenders, and also to relieve the strains that can arise in diplomatic and law enforcement relations between the two countries because of the imprisonment of a number of each country's nationals in the institutions of the other. It constitutes part of an ongoing effort to improve relations between the two countries.

The President,

The White House,

The basic terms of the Convention are as follows: The treaty generally applies to a prisoner who has been convicted and sentenced for an offense punishable as a crime in both the Sentencing State and the Administering State (the country to which the offender is to be transferred) provided that the prisoner is a national of the latter, the sentence is final, no appeal is pending, the sentenced person has at least one year left to serve at the time of the request, and the provisions of the sentence, other than the period of detention, have been complied with. The Convention does not apply to purely military offenses. Requests for transfer must be refused if the sentence leading to the request is based on facts that have formed the object of a final judgment in the Administering State or if enforcement of the sentence is barred by limitation under the law of either State.

Each transfer requires the consent of the prisoner. Article 5 lists the circumstances under which the country which imposed the sentence or the country to which the prisoner is to be transferred may refuse a transfer. The reference in paragraph (a) of that Article to "the basic principles relating to the organization of criminal jurisdiction under its legal system" is designed to permit the United States to continue the policy it has developed under existing treaties of affording to the authorities of a state of the United States which has sentenced a foreign national to incarceration an opportunity to refuse transfer of that national. (See, e.g., Article IV para 5 of the Mexican Treaty, TIAS 8718).

When a prisoner has been transferred the following procedures govern his treatment: The original sentence is directly enforceable in the Administering State. Deductions for good behavior in prison and during pre-trial confinement are preserved. The Sentencing State retains the power to grant pardon or amnesty. With these exceptions, the execution of the sentence is to be carried out according to the rules and practices prevailing in the Administering State (Article 9). Any collateral attack on the sentence must proceed through the courts of the country which imposed the sentence (Article 7).

The Treaty may be implemented under Public Law 94-144; no new legislation will be proposed.

Respectfully submitted,

Score P. Shuly

National Security Council The White Housen

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TO

DISPATCH

PRESIDENT

FROM SHULTZ, G DOCDATE 15 FEB 84

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NATIONAL SECURITY COUNCIL

ACTION

March 12, 1984 PP005-01
FG006-12

MEMORANDUM FOR ROBERT M. KIMMITT

FROM:

TYRUS W. COBB TWC

SUBJECT:

Mrs. Reagan's Tea for Mrs. Danielle Mitterrand, Wife of French President Francois Mitterrand -- March 22, 1984, at 10:30 a.m.

Attached at Tab I is a memo from you to James Rosebush, forwarding State's suggested guest list, a bio on Mrs. Mitterrand, and information regarding Mrs. Mitterrand's personal interests for use by Mrs. Reagan during her tea.

RECOMMENDATION

That you sign the memo at Tab I to Rosebush.

Disapprove Approve ____

Attachments

Tab I - Memo to Rosebush

Tab A - State's Suggest Guest List

Tab B - Bio

Tab C - Background Paper

NSC#8401113 + 8401998

NATIONAL SECURITY COUNCIL

MEMORANDUM FOR JAMES G. ROSEBUSH

FROM:

ROBERT M. KIMMITT

SUBJECT:

Mrs. Reagan's Tea for Mrs. Danielle Mitterrand, Wife of French President Francois Mitterrand

-- March 22, 1984, at 10:30 a.m.

The NSC Staff endorses State's suggested guest list for Mrs. Reagan's tea on March 22 with Mrs. Danielle Mitterrand, wife of the French President. Also attached are a bio on Mrs. Mitterrand and some background material for use by Mrs. Reagan.

Attachments

Tab A - Suggested Guest List

Tab B - Bio

Tab C - Background Material





Washington, D.C. 20520



WHITE HOUSE SITUATION ROOM

MEMORANDUM FOR MR. ROBERT C. MCFARLANE THE WHITE HOUSE

SUBJECT: Mrs. Reagan's Tea for Mrs. Danielle Mitterrand,

Wife of French President Francois Mitterrand

March 22, 1984, at 10:30 a.m.

Attached is a background paper for Mrs. Reagan's tea in honor of Mrs. Mitterrand. Biographic data is also included.

Charles Hill Executive Secretary

Attachments:

- 1. Background Paper
- 2. Biographic Data



State's Suggest Guest List for Mrs. Reagan's Tea with Mrs. Mitterrand

U.S.

France

Mrs. Shultz Mrs. Galbraith Mrs. Mitterrand

Mrs. Vernier-Palliez

WITHDRAWAL SHEET

Ronald Reagan Library

Withdrawer Collection Name DLB 3/16/2010 WHITE HOUSE OFFICE OF RECORDS MANAGEMENT (WHORM): SUBJECT FILE File Folder **FOIA** CO 051 (FRANCE) (229000-239999) S10-306 **SYSTEMATIC** Box Number 73 389 No of Doc Date Restric-IDDocument Type tions pages **Document Description** 87781 PAPER 1 3/1/1984 **B**1 **B**3

The above documents were not referred for declassification review at time of processing Freedom of Information Act - [5 U.S.C. 552(b)]

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

BIO

- 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.

BACKGROUND FOR MRS. REAGAN'S TEA FOR MRS. MITTERRAND

Danielle Mitterrand is a private person who often leads a life separate from that of her husband. She shies away from small talk and does not often speak out in public. Reportedly, she does not like to discuss her husband's activities.

As First Lady of France, she has been selective about her participation in official events. She does not accompany her husband on all his travels, but did accompany him to the October 1981 Yorktown celebration. She also entertained Mrs. Reagan in Paris in June, 1982. In September of that year she represented France at the funeral of Princess Grace.

Prior to May 1981, Mrs. Mitterrand was active in Socialist Party causes and made some highly visible political appearances during her husband's presidential campaign. She also served as president of an organization to aid Salvadoran (anti-government) refugees. One month before her husband's election she wrote Maureen Reagan urging help in fighting against violence in Latin America and criticizing U.S. military aid to El Salvador.

In 1982, Mrs. Mitterrand helped found an organization to promote literacy in the Third World. Under her patronage, money was raised for a pilot program in (anti-Soviet) rebel-controlled areas of Afghanistan. She has held up funds for a similar pilot project in El Salvador because of her opposition to alleged actions by the El Salvador Government.

Mrs. Mitterrand's personal interests include

- -- Art: Sculpture, 20th Century painting and the discovery of new, young artists.
- -- Theatre: Very close to her sister (a producer) and brother-in-law, Roger Hanin, a leading French stage and screen actor, she enjoys the theater and movie world.
- -- Technology: Fascinated by the latest in high technology, she also is interested in small scale, "appropriate" technology. She recently aided the establishment of a workshop to make musical instruments using traditional techniques.
 - -- Bookbinding.

Whenever possible, Mrs. Mitterrand flees Paris for the family's small country home in southwest France.

Mrs. Mitterrand had two specific requests for her Washington program: a visit to the East Wing of the National Gallery and a visit to the Air and Space Museum. The visit to the East Wing is to see an architectural work of I. M. Pei, who was recently selected to redesign part of the Louvre.

While Danielle Mitterrand has expressed no personal interest in the issue of drug abuse, it is a issue of major concern to President Mitterrand. The French are committed to an important drug treatment program and increased enforcement efforts.

Attachment:

Biographic Sketch

DISPATCH

TO MCFARLANE FROM HILL, C

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1, rue Bourdaloue, 75009 Paris (France) Téléphone: 285.13.16 - Télex: 290179 F

Mr. Fred F. Fielding Counsel to the President White House 1600 Pennsylvania Avenue, N.W. Washington, DC 20500

239482 cm Paris, April 1984

Dear Mr. Fielding:

Enclosed is your complimentary copy of the new completely revised 1984 edition of French Company Handbook, published in cooperation with the International Herald Tribune.

While French companies have become increasingly active throughout the world, there was, until our first edition in 1981, no handy business and financial guide to them in English.

French Company Handbook brings you detailed information on 81 of the most important of these companies, in addition to other key facts on French industry and finance, the Paris stock exchange (up 56% in 1983), and a practical bilingual dictionary of financial terms.

We are pleased to send you this new reference work, and we would very much welcome your comments regarding your interest in receiving future complimentary annual editions of French Company Handbook. Because we, as publishers, are constantly concerned with assuring the maximum usefulness of this reference work, we would also particularly appreciate your informing us as to whether and how it has increased your knowledge about French companies and been of assistance in your business decisions.

With thanks in advance, we remain

Barton Reichert and Irving Sedar Publishers

P.S. If you would like to order additional copies of French Company Handbook 1984, they may be obtained from Addor Associates, P.O. Box 2128, Westport, Connecticut 06880, tel. (203) 226-9791, at \$40 each. (Checks payable to Addor Associates, Inc.)

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