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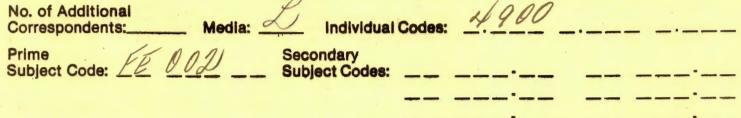
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PRESIDENTIAL REPLY

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WASHINGTON

February 7, 1985

Dear Lloyd:

Thank you for your letter of January 10, containing suggestions for a Presidential initiative to prompt discussion on the need for structural reform of the Constitution. You suggested a Presidential advisory committee or mention by the President of the subject in a speech or press conference.

I am not certain that an advisory committee would add much to the work currently being done by the private groups, with which you are, of course, fully familiar. I will, however, keep alert for an opportunity to have this subject considered for inclusion in future Presidential remarks.

Thank you for your suggestions which, as usual, are insightful.

Sincerely,

Orig. signed by FFF

Fred F. Fielding Counsel to the President 2

Lloyd N. Cutler, Esquire Wilmer, Cutler & Pickering 1666 K Street, N.W. Washington, D.C. 20006

FFF:JGR:aea 2/7/85 bcc: FFFielding JGRoberts Subj Chron

WASHINGTON



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January 30, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS

SUBJECT:

Presidential Initiative Regarding Need for Structural Reform as Part of the Celebration of the Bicentenary of the Constitution

Lloyd Cutler has written you with suggestions on Presidential initiatives to stimulate discussion on the need for structural reform of the Constitution. He has two ideas: (1) a Presidential commission and (2) Presidential comment on the subject in a speech or press conference. The former strikes me as ill-advised. Not only are there several groups already studying the matter, but I do not think we want this President to commemorate the Bicentennial of the Constitution by suggesting in a formal way that it should be significantly changed. I recommend simply thanking Cutler for his suggestions and noting that they -- particularly the second -- will be carefully considered.

Attachment

WILMER, CUTLER & PICKERING

1666 K STREET, N. W. WASHINGTON, D. C. 20006

CABLE ADDRESS: WICRING WASH., D. C. INTERNATIONAL TELEX: 440-239 TELEX: 89-2402 TELEPHONE 202 872-6000

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LLOYD N. CUTLER DIRECT LINE (202) 872-6100

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January 10, 1985

The Honorable Fred F. Fielding Counsel to the President The White House 20500 Washington, D.C.

Dear Fred:

In our talk after the meeting last Monday on presidential and congressional terms, I promised to submit some thoughts on the possibility of some presidential initiative to stimulate discussion of the need for structural reform as part of the celebration of the bicentenary of the Constitution.

One possibility would be for the President to appoint a commission on his own initiative, or to propose a statute appointing such a commission, to analyze whether there are structural weaknesses in the decision-making process and, if so, what statutory or constitutional changes, if any, would be desirable to correct these weaknesses. Such a commission could be authorized to conduct hearings and to file a report during 1987. It could be asked to consider questions like the line-item veto, the balance-the-budget amendment, the lengthening of congressional and presidential terms, limits on number of terms, etc.

Alternatively, the President could refer in some future address or press conference to the need for such an analysis and could commend the private groups now engaged in such activities, including Charlie Bartlett's group and the Committee on the Constitutional System of which Senator Kassebaum, Douglas Dillon and I are co-chairmen. At the same time he could put in a plug for the ideas that appeal to him most, such as the four-year congressional term and the line-item veto.

Best regards,

Llovd N. Cutler

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PRESIDENTIAL REPLY

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WASHINGTON

January 23, 1985

Dear Mr. Wilson:

Thank you for your recent letter to Counsel to the President Fred F. Fielding, requesting permission to reprint the Seal of the President on the cover of the forthcoming 9th edition of The Book of the Presidents.

The Executive Order governing use of the Presidential Seal, as initially issued, authorized use of the Seal in, inter alia, "books . . . incident to a description or history of . . . the Presidency," but limited such use "exclusively to the text" and included an express prohibition against reproduction of the Seal on the cover of any such volume. The Executive Order was amended in 1976 to delete the "text only" limitation and the prohibition against use of the Seal on the cover of appropriate books and other publications.

Accordingly, we believe your request falls within the present guidelines of the Executive Order, and are pleased to forward the enclosed color print of the Seal for your use with <u>The</u> <u>Book of the Presidents</u>, on the understanding that the express disclaimer of "official review or sponsorship" set forth in your letter will indeed be prominently included at the beginning of the volume.

Thank you again for writing, and for your courtesy in seeking permission ahead of time.

Sincerely,

Peter J.' Rusthoven Associate Counsel to the President

Mr. Vincent Wilson, Jr. American History Research Associates Box 140 Brookeville, Maryland 20833

Enclosure

WASHINGTON

Anib neared "

1/22

January 22, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM:

PETER J. RUSTHOVEL

SUBJECT:

Request for Use of Presidential Seal on The Book of Presidents

Sprint Norm of Sprint but surpli two det is he for two is he deadene Oll he deadene is the office Vincent Wilson, Jr., publisher since 1962 of The Book of the Presidents, has asked permission to put the Seal of the N President on the cover of the book's forthcoming 9th edition. According to Wilson, the Seal appeared on the cover for ten years, but was removed after a request for continued permission was denied by the Office of then-Counsel to the President John W. Dean following the publication of Executive Order No. 11649. (Among the background materials submitted by Wilson is a letter to a lawyer in Dean's office named Fred Fielding; the response from Mr. Fielding, if any, is not included.)

Wilson's letter, a long tale of a man victimized by unfair treatment given the other uses of the Seal he has seen (particularly in a competing volume published by the White House Historical Association), was staffed to me for direct response. Notwithstanding my sense that Wilson's personal feelings of being a man abused are exaggerated, his request for use of the Seal on an historical volume devoted to the Presidency strikes me as meritorious, since (1) the current provisions of the Executive Order, as amended, authorize use of the Seal in historical works on, inter alia, the Presidency, and generally give you power to authorize use for other historical purposes, and (2) Wilson offers to include a disclaimer that the Seal is reproduced for historical purposes and "is not intended to indicate any kind of official review or sponsorship."

The only thing that gives me pause is the past history of the matter, in which you were to some degree involved. Accordingly, attached in draft form for your review is the direct response I propose to send. If in fact there is nothing about the Counsel's Office dealings with Wilson a decade ago that indicates his request should be denied, please advise and I will send the attached letter in final form. Alternatively, if there is some special reason to deny this request, please let me know and I will attempt an appropriate turndown letter.

Thank you.

Attachment



January 22, 1985

Dear Mr. Wilson:

Thank you for your recent letter to Counsel to the President Fred F. Fielding, requesting permission to reprint the Seal of the President on the cover of the forthcoming 9th edition of The Book of the Presidents.

The Executive Order governing use of the Presidential Seal, as amended since its initial issuance, currently authorizes uses of the Seal in "books . . . incident to a description or history of . . . the Presidency"; also, the Counsel to the President may authorize other uses for "historical, educational, or newsworthy" purposes. We believe your request falls within the present guidelines of the Executive Order, and are pleased to forward the enclosed color print of the Seal for your use with The Book of the Presidents, on the understanding that the express disclaimer of "official review or sponsorship" set forth in your letter will indeed be prominently included at the beginning of the volume.

Thank you again for writing, and for your courtesy in seeking permission ahead of time.

Sincerely,

Peter J. Rusthoven Associate Counsel to the President

Mr. Vincent Wilson, Jr. American History Research Associates Box 140 Brookeville, Maryland 20833

Enclosure

AMERICAN HISTORY RESEARCH ASSOCIATES

Jan 14, 1985

Mr. Fred Fielding Counsel's Office The White House Washington, D.C.

Dear Mr. Fielding:

I am writing to request a color photo of the Presidential seal and permission to reproduce it, once again, on the cover of the forthcoming 9th edition of <u>The Book of the Presidents</u>. As detailed in the enclosed copy of a letter sent to Presidential Counsel John Dean in 1972, the Presidential seal was for then years on the cover of the first several editions of this book. My appeal to Mr. Dean was rejected, and I removed the seal from subsequent editions. But in recent years I have seen the seal on the cover of a number of books, which suggests that:

- 1. Executive Order 11649 has been modified or revoked;
- 2. E.O. 11649 is being interpreted more liberally; or
- 3. E.O. 11649 is, in effect, being ignored by both publishers and the Government.

In any event, since the case of my using the seal remains a compelling one, I am writing now in the hope that my appeal may be seriously considered in the full context of the particulars relating to my book, as outlined in the letter to Mr. Dean.(Of course, it is now clear that, in the fall of 1972, Mr. Dean had reason enough to give little time or consideration to such an appeal.)

There is no other book on the Presidents or the Presidency that has the unique combination of circumstances relative to the use of the seal and to the matter of unfair competition from a <u>White House</u> publication <u>ante</u> E.O. 11649, or that has a history(ten years) of such solidly established usage of the seal -- with written permission from the White House plus the tacit approval of five Presidents.

To remove any possibility that readers would misconstrue the appearance of the seal on the cover, I propose that the following disclaimer be printed in a prominent place on page

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2 of The Book of the Presidents:

The Seal of the President of the United States is reproduced in this book for historical purposes only. The presence of the Seal in this publication is not intended to indicate any kind of official review or sponsorship.

Enclosed also is a copy of a 1971 letter to you on this subject, and a copy of a 1960s brochure which presents critical appraisals of the book, as then published with the original cover.

<u>The Book of the Presidents</u> continues to be used in many libraries, schools and colleges throughout the U.S. And <u>The Book of the Presidents</u> continues to face unfair cmpetition from the <u>White House</u> Historical Association's book on the Presidents, but I have long since abondoned any effort to try to stop that still questionable publishing effort. However, in the light of the above, and with the primacy -- and propriety -- of the use of the seal on the cover of <u>The Book of the Presidents</u> a matter of record, it seems that history has conspired to put the White House now in the position where it can, at one stroke, help to right two wrongs --simply by affirming the claims of primacy and individual initiative. I will be grateful for your consideration.

Sincerely,

Vincent Wils

Vincent Wilson, Jr.

Encl.

Mr. John W. Dean III, Counsel to the Pres

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As author and publisher of The Book of the Presidents, I am writing to request:

- 1. Revision of the absolute prohibition of ithe use of the Pres Seal on all bookcovers, in Sec. 1.b. of Exec Order 11649; and in the meantime.
- 2. An exception to that probibition, because of the unique circumstances relating to the use of the seal on the cover of The Book of the Pres.

On November 10, Ms. Molds of your office explained to me why Ex Order 11649 was written so as to prohibit use of the Seal on the cover of a book. According to her, the prohibition was to avoid such usages as:

1. Distortions or misrepresentations of the Seal

2. Use of the Seal on books dealing only marginally with the Presidency,

3. Use of the Seal to suggest official approval,

4. Any undignified or obviously inappropriate uses. instances

How resolve the contradiction? For the sake of all historians, I suggest:

1. That the Executive Order be revised -- to prohibit only misuses (which seems to have been the intention), and to require permission from the White House; and

2. That an advisory committee of historians, writers and pyblshers be established, to assist in evaluating the proposed usages submitted.

I would be willing to serve, without compensation, on such a committee, as would many other writers and historians.

Promulgating a new Executive Order may take time; in the meantime, I request that an exception to Sec. 1.b. be made for The Book of the Pres for the following reasons. Since first published in 1962, the book has achieved national recognition and established itself as an authritative small volume on the U.S.Pres:

its

Z.In October 1963, U.S.I.A. sent 633 copies to/I formation Centess in over 100 countries;

- F. Historians, teachers and critics have given the book professional recognition (see brochure enclosed);
 - 3. Hundreds of U.S. schools and libraries have selected the book;
 - 4. National shrines and historical sites throughout the U.S. have for years offered the book to the public.

With over 200,000 copies in print, the book has established its #14/ own identity, and it is, of course, known by its cover; after ten years, the reputation and the cover are inextricably related.

Besides these facts about the history of the book and the recognition it has won for itself -- and its cover, there are other compelling reasons why the book should continue to use the Pres Seal on its cover:

1. In 1962, before the first edition was published, the White House granted me permission, in writing, to use the Pres Seal;

2. Use of the Pres Seal on the cover has, in effect, been approved personally by five U.S. Presidents -- Hoover, Truman, Kennedy, Johnson and Nimon. Each of these Presidents autographed a copy of The Book of the Presidents for me, and their signatures on the book certainly imply approval of the use of the Pr3s Seal. In signing, each President had an opportunity to observe the cover and judge the appropriateness of that particular use of the Seal. As Sec.1(a) of the Exec Order states, the <u>first</u> use of the Seal permitted is "Use by the President..." And five Presidents have already given their tacit approval to this particular use of <u>their</u> Seal. (In law, is not a signature generally recognized as the ultimate testimonial of formal personal approval? I do not mean to distort: the book was not presented to any of the five Presidents "for approval," but each of these five did review the book, so that each of their signatures may, for this purpose, be reasonably construed as an endorgisement.)

There is also a special reason for the White House to give some extra measure of consideration to this request: the untold losses suffered by The Book of the Presidents (amounting to thousands, perhaps hundreds of thousands of dollars) because of the unfair competition of the White House Hist Aassoc's similar book on the Presidents -- a book published below cost because of Ahidden subsidies(donations of servcies of the staff of the National Geographic) of a highly questionable n ature. The wrongs are detailed in my letters to Pres Nixon and Charles Stuart, on file in the White House..

Finally, there is the matter of taste, of appropriateness -- in the use of the Seal on the cover of The Book of the Prew. Not only has no one ever complained, but art critics, historians, reviewers, teachersm AND GOVERNMENT OFFICIALS HAVE DESCRIBED THE BOOK AS "beautifully presented," handsomest, ""excellent," "distinguiwed and attractive," "useful as it is beautiful," etc.

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What more can I say? <u>Before</u> using the Seal I obtained formal permission from the White House; since, five Presidents have given tacit pproval of this usage, and the book has time and again won approval and prashe free recognized authrities in both art and history. Produced by private funds, it has been selected by the Government to tell the story of U.S. Presidents in countries throughout the world. -- All these facts se t the usage of the Seal on the cover of The Book of the Pres quite apart, usage on any other book, new or old. I suspect that no other book can muster such compelling reasons, so that, even if you should not change the Exec Order -- and I pray you will, granting an exception to The Bookof the Pres would not put your office in an indefensible position.

I do not seek special favors or awards, even though it is conceiveable that some resident of the White House might choose to honor a book on the Presidency that has been so well received generally. But it is to me shocking and patentily unjust for the White House to propose that the book merits, not to be honored, but to be stripped of the cover that, over the past ten years, has become its emblem and its face to the world. Sadly, history is too full of tales of innocent men hung because of loosely written and regidly enforced laws. In the matter at hand, the absolute prohibition is patently an oversimplified solution to a complex question; and the fault is simply compounded if such a prohibition is enforced with total inflexibility. Rather it would seem that any law or ruld -- and especially an absolute one -required those interpreting and enforcing it to maintain an open mind and a measure of compassion for those who may be entirely innocent of the evils that the law was intended to prohibit. And this is of the first importance in a case which has mitigating circumstances that the drafters of the Order could not possibly have anticipated.

FIRST CLASS MAN

October 15, 1971

Mr. Fred F. Fielding The White House Washington, D.C.

Dear Mr. Fielding:

Enclosed is a copy of the current edition of <u>The</u> <u>Book of the Presidents</u>, which was first published in 1962. As I mentioned to you on the phone, the book has won a place as the leading privatley published small book on the U.S. Presidents: it has been selected, to be offered to the public, by all of the historic sites associated with former Presidents, such as Ash Lawn, Monticello, Mt. Vernon, etc; it is used in hundreds of U.S. libraries, schools and colleges; and it was chosen by U.S.I.A. for distribution to ints Information Centers in capitals and principal cities throughout the world.

I also mentioned to you the grossly unfair competition provided by the White House Historical Association's book on the U.S. Presidents. Enclosed also is a copy of the letter I sent to President Nixon, and another to Charles Stuart, which give the details of the problem. I call this to your attention because, even if my book should not qualify to use the seal under the regulation to be published, I feel that my particular situation provides compelling reasons for the White House to consider it as a special case. However, I trust it will not come to that. My book has long been recognized for its scholarly and artistic merit(See enclosed brochure), and, in spite of the unfair competition of the White House Historican Association book, my book has continued to be a popular success. In addition, the White House must give some recognition to the fact that the Historical Association book is obviously derivative: even though my copyright does not cover the idea of the book, primacy is usually given its due in all areas of human endeavor.

I will be happy to give you any further information that I can, and I will be most grateful if you will send me a copy of the regulations when they are published.

Sincerely,

Vincent Wilson, Jr.

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on the

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> LOUIS UNTERMEYER, Consultant in Poetry, Library of Congress

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IOHN TYLER

"The institutions under which we live, my countrymen, secure each person in the perfect enjoyment of all his rights." —INAUGURAL ADDRESS, 1841

J OHN TYLER, a tall Virginia gentleman, was the first Vice-President to complete the unexpired term of a President, but it is almost certain that the Whigs would never have chosen him as their Vice-Presidential candidate had they known he was to serve all but a month of Harrison's term. For by 1840 "Honest John" Tyler had clearly demonstrated that he was not a party man: during his years in Washington as a nominally Democratic Congressman and Senator he had followed such an independent course fighting the Missouri Compromise, fighting high tariffs, fighting Jackson that it finally led him, by 1833, out of the Democratic party altogether; yet his views on states' rights and on strict construction of the Constitution would never permit him to be at home with the Whigs. But the Whigs had nominated him, and, after Harrison's death, they had to live with him —as their Chief Executive.

It is not surprising that Tyler's years in the White House were tempestuous ones. When his stand on states' rights led him to veto a bill for a Bank of the United States, every member of Harrison's original Cabinet except Webster promptly resigned, and Webster, as Secretary of State, was at the time deeply involved in settling the northeastern boundary dispute with Great Britain. Tyler further alienated the Whigs by repudiating the spoils system and refusing to replace some Democratic ministers abroad. Throughout his term he was unable to work in harmony with the Whig majority in Congress, who were led by Henry Clay, the actual political leader of the party. They did agree with Tyler, however, on the annexation of Texas, which was accomplished in the final days of Tyler's term. But in the election of 1844 only an irregular Democratic convention nominated Tyler, and he withdrew before election. At a time when political parties were emerging as powers on the national political scene, John Tyler left the White House, a President without a party.

THE UNITED STATES DURING TYLER'S ADMINISTRATION

26





BY GEORGE P. A. HEALY

NATIONAL COLLECTION OF FINE ARTS THE SMITHSONIAN INSTITUTION

John Jyler

BORN: Greenway, Virginia, March 29, 1790 BDUCATED: Graduated from William and Mary College 1807 MARKED: Lettia Christian 1813 (Died 1842) Julia Cardner 1844 CARRER: Lawyer 1809– Member of Congress 1816-21 Member of Virginia Legislature 1823-25 Governor of Virginia 1825-28 U. S. Senator 1827-36 Vice-President March 4-April 4, 1841 President 1841-45 Member of Confederate Congress 1861-62 DIED: Richmond, Virginia, January 18, 1862

27

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a gallery portrait (eight are in color) combines with the signature, the quotation, the interpretive sketch, the biographical facts and the unique map of the United States to provide a rounded view of the man and the times.

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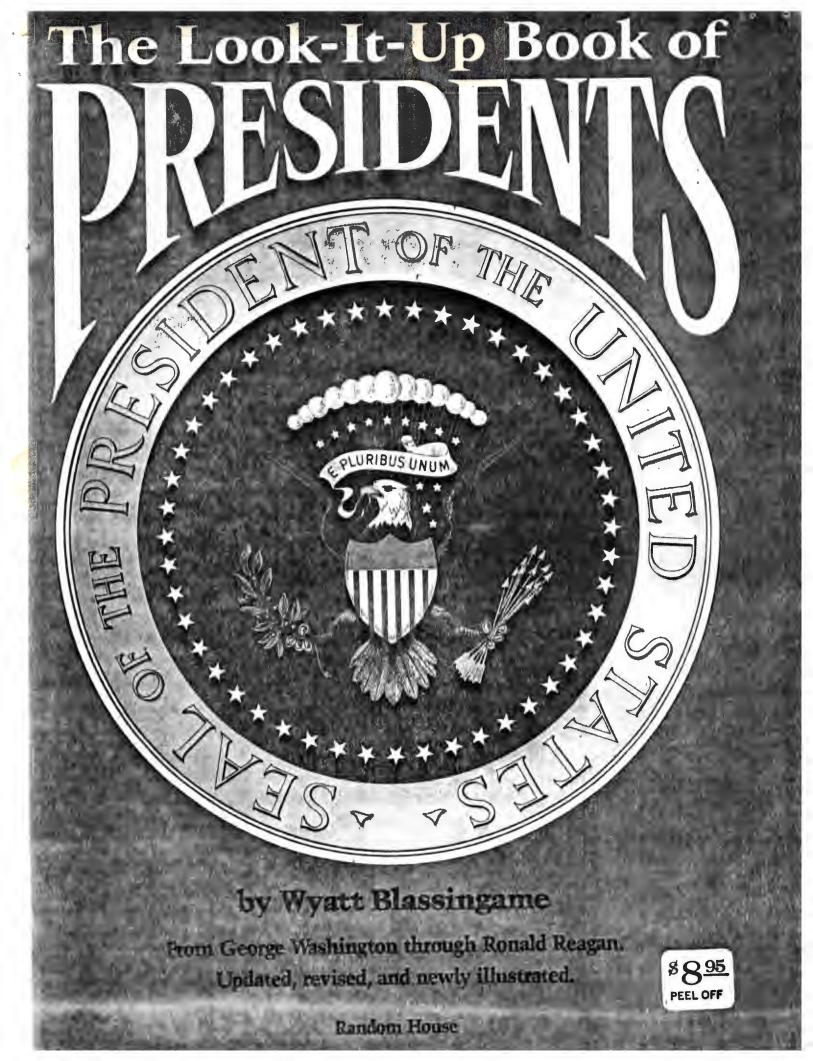
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MRS. DOROTHY PHILLIPS, Curator of The Corcoran Gallery of Art



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WASHINGTON

February 12, 1985

Dear Mr. Ohmann:

I simply wanted to acknowledge and thank you for your recent letter requesting that the President endorse the concept of a single, six-year Presidential term.

As I am sure you know, a number of prominent Americans have also expressed strong support for this proposal. While the President understands and has given serious consideration to the arguments advanced for a six-year term, he does not plan, as explained at a recent meeting with several proponents of the idea, to endorse it in the near future.

Thank you again for writing.

Sincerely,

Peter J. Rusthoven Associate Counsel to the President

Mr. Carl F. Ohmann 5000 Olive Drive Concord, California 94521

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War declared on U.S. tax boost

Kenneth Eskey Scripps-Howard News Service WASHINGTON — A coalition led by industrialist J. Peter Grace and organized by the U.S. Chamber of Commerce says it will mobilize public opposition next year if Congress tries to force a tax increase of any kind on the Reagan administration.

Richard Lesher, president of the Chamber, says the coalition of business and conservative groups will propose a series of budget cuts in the next few weeks aimed at holding down government spending in 1985 and beyond.

One proposal under consideration

would limit cost-of-living increases for Social Security recipients and federal pensioners to 60 percent of the inflation rate. Another would raise the eligibility age for Medicare from 65 to 67 by the year 2027

Lesher said many of the proposals will be taken from the more than 2,400 cost-cutting recommendations submitted to President Reagan early this year by Grace and 160 other corporate executives who served on the Grace Commission.

Grace is chairman and CEO of W.R. Grace & Co., which launched a multimillion dollar advertising campaign Nov. 6 attacking the federal deficit.

J.W. Marriott, chief executive officer of the Marriott Corp., warned that tax reform could become a euphemism for tax increases next year. "This coalition will not permit a disguised tax increase to slip by unnoticed during the tax-reform process," he said.

Grace said yesterday that businessmen are not trying to cut necessary programs for the poor. "We're only going to get the fraud out," he said.

He made it clear that he held Congress, not President Reagan, responsible for the string of \$200 billion budget deficits confronting the country over the next five

years.

"They call for tax increases to cover up deficits," he said. "That's easier than explaining to some particularly vocal special interest why their pet boondoggle should not be expanded.

"Tax increases are a congressional cop-out to avoid the hard political decisions that inevitably surround proposed spending cuts. We've got to cut federal spending. Not just reduce the rate of growth, but make actual cuts."

Grace ran through a long string of "wasteful" programs.



Congress

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ow that the election is out of the way, what do we have a right to expect from the next Congress? Answer: A much better performance than we got from the old Congress.

I wouldn't call the 98th Congress a do-nothing Congress. It did a few worthwhile things. But I certainly would call it a do-little Congress, even a do-too-little Congress. It sidestepped too many issues that needed action.

Examples? Here are two simple sawe ones. How much longer can this nation go without an immigration policy? How much longer can Congress condone its own extravagant pensions? 0

out-dated and full of holes, was essentially suspended by Jimmy Carter.

out-dated and tially suspended by a Nothing has replaced it. The key to reform v Herzoli Bill. A car Kored am The key to reform was the Simpson-Mazzoli Bill. A carefuly drafted Son-Mazzoll Bill. A carefully to some measure, it offered amnesty to some illegal aliens but tried to staunch the in-flow with sanctions against employers who hire illegal aliens in the fu-E

> Given the political alignment, Simpson-Mazzoli probably was the best compromise attainable, if there had been a willingness in Congress to compromise.

President Reagan endorsed immigration reform but didn't push it. To placate the Hispanic lobby, House Speaker Tip O'Neill sat on Simpson-Mazzoli throughout 1983. He promised to permit a vote on it this year but kept postponing the date until it bacame a casualty of election-year in-

Now all the work that went into Simpson-Mazzoli - the studies, the reports, the congressional hearings must be done over again.

But this nation needs an immigration policy. If the members of the new Congress come home from vacation next summer without having adopted one, they should be tarred and feathered and ridden out of town on a rail, Republicans and Democrats alike.

As for those scandalous congressional pensions, the old Congress simply ignored them. Let's watch to see whether the new Congress does likewise.

Did you know that for his six years in Congress, three in the House and three in the Senate, Richard Nixon draws a pension of \$30,186 a year? And that's on top of his pension as a former president.

Ex.Sen. Harrison Williams collects congressional pension of \$42,888 while in prison for bribery.

of us must work 20 years of more before we become eligible for a pension. And 65 is the typical retire-

ment age. (outroffeous) / For members of congress it's different. A single term of six years in the Senate qualified George Murphy for a pension of \$14,652 a year. And former members of Congress can start collecting at age 50.

Walter Mondale, who served 12 years in the Senate and four as vice president, gets \$32,616 annually. Gerald Ford receives \$64,800 a year as an Pless Mr. Preside ex-congressman in addition to his presidential pension.

Members of Congress contribute 8 per cent of their salary to their pension fund, but the system is so skewed that the typical ex-congressman recoups his entire contribution within two years of "retirement" - they collect even though they take some other public office. The taxpayers make up the difference. This is terrible

Five former congressmen draw pensions larger than current congressional pay of \$72,600, according to the

National Taxpayers Union. We wont Justice While the 98th Congress rejiggered Social Security, raising the tax and advancing the retirement age in an effort to correct follies of the past, it did nothing about its own overblown

pension system.

Let's not hold our breath waiting for the 99th Congress to act. tlets act.

For most Americans, this post-election hiatus offers a welcome respite from pros and cons, Democrats and Republicans, images and issues. But we here at the National Mental Health Center know the dark side to this story. According to our research, an estimated ten percent of the population has been tragically hooked on politics over the last decade. These people are about to be plunged into a difficult period of withdrawal.

The political junkies, we have learned in our well-funded studies, are not like the rest of Americans. They are citizens who have known all the Democratic candidates featured in the New Hampshire primary. They can list the names of six pollsters along with their margin of error, match at least three advertisers to candidates and four campaign managers with their hometowns. They have spent, lo, these many months strung out on daily doses of poll statistics, and increasing their tolerance for rhetoric

We write in response to the article by William Safire (Nov. 10).

Why Reagan won

We agree that "Reagan's prairie fire did not whip across the land because of any one man's charm."

We find a more realistic explanation in the fact that millions of voters withdrew their support from the Democratic Party because of deep concern regarding the effects of the ideas of special-interest groups within the party.

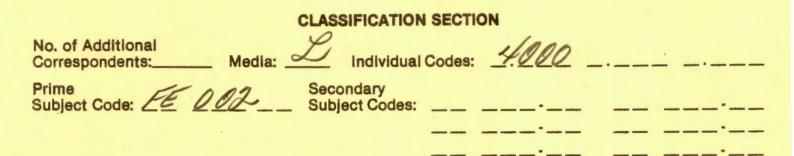
Among the overwhelming ranks of those who deserted the Democratic Party on Nov. 6 were those of us who abhor the godlessness in abortion, homosexuality, pornography, as well as the permissiveness of the "NOW" culture. Obviously, Americans welcomed the opportunity to make known their desire to assist in the reinstating of the laws of God and those of our Constitution, embodying as it does, the language of total freedom. So may it be in America.

. por le gen tan Use. 2 2/984 5000 Olive Drive Concord, Ca. 94521 Your Horard resident Bonold Reagon; 296128 CK Jam witting To you in hopeyou will help us propose a amendment limiting the affice of president of the United States to a single six year term. This is a proposal by a nonpartison Committee, chaired by two prominent Republicons and two prominent Democrats and consisting of some 60 notionally prown leaders of both government ond the pribale Sector We agree with this and would even like to go a little further with it by also including allow Career politicions. It's just getting so welconteven get only new foces in government onymore unless some one dies because af ald age a some other sickness Right now more ord more people don't vote for the simple reason the Condidate hunning against the incumbent doesn't have a chonce because heror the doesn't have the money on bocking by these special interest groups and follyists. I myself would like to see all folly ist and special Intered groups outlowed run for government offices. There just has to be a limit on what a candidate can spend to getreebeted. But the six year limit is the best onswer all the way around. your Horor, please take the time and read these how son mony people feel in your budget certs. Read the Luy Whight editorial . Why are all these penpion untouchable. I like what you have mostly done but shouldn't everyone help by cutting there pensions and benefits also . (Referring to Lug Vrilghts editorial. thorp you for listening. P. 9- Jond the Wifeline onour#12,000.000 yr. M. Colf Ohmonn V pension fetsall tighten 5000 Olive Drive Corrord, Ca. 94521

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WASHINGTON

February 12, 1985

Dear Mr. Tillinghast:

I simply wanted to acknowledge and thank you for your recent letter requesting that the President endorse the concept of a single, six-year Presidential term.

As I am sure you know, a number of other prominent Americans have also expressed strong support for this proposal. While the President understands and has given serious consideration to the arguments advanced for a six-year term, he does not plan, as explained at a recent meeting with several proponents of the idea, to endorse it in the near future.

Thank you again for writing.

Sincerely,

Peter J. Rusthoven Associate Counsel to the President

Mr. Charles C. Tillinghast, Jr. 25 John Street Providence, Rhode Island 02906

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Charles C. Tillinghast, Jr. 25 John street providence, rhode island 02906

Hon. Ronald W. Reagan, President The White House Washington D. C. 20500

Dear Mr. President:

Because I am aware that you already have received many letters urging you to support a single six-year term, I will not labor the various reasons why the single term would constitute a major improvement in American politics. These have been quite adequately set forth by others. I will limit myself to urging that this is a uniquely propitious time to move this concept forward.

You have just received an overwhelming vote of support from the public. The extraordinary standing which you enjoy makes this one of the few times that a change of this sort can realistically be contemplated. It would be a shame to let this uncommon opportunity slip away.

Many distinguished individuals who over the years have served our government outstandingly are urging the single six-year term. I very much hope that it will have your endorsement as well for this is what it needs to succeed. As a member of the Committee for a Single Six-Year Presidential Term, I solicit your support.

Please accept this expression of my highest regards.

Sincerely,

charles e veluphant

January 29, 1985.



WASHINGTON

March 1, 1985

Dear Don:

I am enclosing a draft summary of the Committee on the Constitutional System's review program which Frank Carlucci thought would be of interest to you. Frank has asked me if you would be willing to meet with a few of the Committee's Co-Chairmen to discuss this program. The contact person is:

> Peter Schauffler Coordinator Committee on the Constitutional System 1755 Massachusetts Avenue, N.W. Washington, D.C. 20036

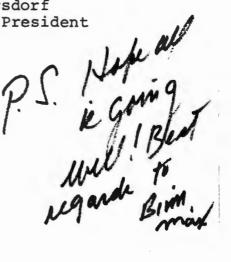
Telephone Number: 202/387-8787

With best personal regards, I am

Sincerely,

Max L. Friedersdorf Assistant to the President

Mr. Donald Kendall Chairman and Chief Executive Officer PepsiCo Purchase, New York 10577



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Committee on the Constitutional System

The Committee is a non-partisan, non-profit corporation devoted to the study and analysis of our Constitutional system as it nears its 200th anniversary in 1987. The Committee's participants include present and former Senators and Congressmen, members of the Cabinet and White House staff, officials of the national and state political parties, state governors, university and college presidents, journalists, lawyers, labor officials, business and financial leaders, and other interested citizens across the nation.

The Committee's co-chairmen are Senator Nancy Landon Kassebaum (R-Kan.), C. Douglas Dillon, former Secretary of the Treasury and Under Secretary of State, and Lloyd N. Cutler, former Counsel to the President.

The three main components of our Constitutional system are the basic charter, the election laws and the political parties that present candidates for election and serve as the organizing links among the elected officials who conduct the government. This system has served remarkably well for much of our history. But in recent decades the system has displayed characteristics that many regard as threatening the government's ability to perform effectively and responsively in a rapidly changing world. Among these weaknesses are:

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- a. <u>Divided Government</u> (One party holding the Presidency and the other holding a majority in one or both houses of Congress). Divided government has existed 78% of the time from 1969 through 1986 and 62.5% of the time since 1955, compared to less than 25% of the time between 1796 and 1968. In 1900 only 4% of all congressional districts were carried by one party's presidential candidate and the other party's congressional candidate. In 1984, the figure was 45%. Polls show that at least half of all voters now split their ballots between each party's federal candidates.
- b. <u>Diffusion of Policy and Accountability</u>. Legislative policy decisions (including the frequent deadlocks that block any change from the status quo) are reached by shifting majorities built by cross-party coalitions that change from one issue to another. No elected official defends the sum of these inconsistent policy decisions -- typified by the mounting budget deficit -- and each places the blame on the others. Polls show the public is dissatisfied with the governmental institutions -- especially Congress and the bureaucracy -- that legislate and administer this hodgepodge of policies. But the public seldom holds incumbent presidents accountable for these failures, and it hardly ever holds individual legislators responsible. Five of the last seven incumbent presidents

who sought another term were returned to office. Since World War II over 90% of each party's incumbent legislators who sought another term have been reelected, even in years when their party lost the White House.

The Committee is examining the causes of these problems and considering whether their consequences justify some change in any of the system's three main components -- the charter, the election laws, and the political parties. Among the causes being studied are (1) the Constitutional sharing of power between the executive and legislative branches and within the legislative branch, (2) the Constitutional terms in office of the President, Senators and Representatives and the timing of their elections, (3) the explosion of campaign costs and the increasing dependence of candidates on well-financed single-issue interest groups, (4) the laws and party rules for nominating federal candidates, (5) the advent of TV as our primary means of conveying and receiving political information, (6) the rules and procedures of Congress and (7) the division of responsibilities among federal, state and local units of government. Most of these factors contribute to the prevalence of divided government and the lack of cohesiveness among elected officials of the same party.

The Committee recognizes that the constitutional distribution of legislative and executive power and the timing of Congressional and Presidential terms of office have many of the positive virtues the framers foresaw. They require a substantial popular majority to adopt a new legislative policy or abandon an old one. They inhibit the abuse of power by an arbitrary or corrupt executive. They encourage legislative oversight but discourage legislative interference. The Committee seeks to determine whether the serious weaknesses in the present system can be corrected without impairing these important virtues.

The Committee also recognizes the virtues in some of the other factors that contribute to these weaknesses. For example, the reforms of party nominating procedures and congressional rules and the advent of TV have all helped to democratize the political process and to limit the arbitrary exercise of power by party and public officials.

But a democratic political process and coherent government policies need not be incompatible. The Committee's goal is to find out if the system can be tuned to achieve fuller harmony between these principles.

The Committee is considering a number of proposals to achieve this goal. A partial list is attached. They range from proposed changes in party rules to statutes dealing with the conduct and financing of elections to structural amendments of the Constitution itself. The Committee is not now committed to all, some or any of these possibilities. But as this nation approaches the 200th anniversary of its Constitution, we can perform a useful service by analyzing the present structure of our political system and the possible ways of improving it.

This is the task the Committee has set for itself as its contribution to the serious Bicentennial celebration the framers so richly deserve.

APPENDIX

Partial List of Proposals Under Consideration by the Committee on the Constitutional System

A. Changes in Party Rules, Congressional Rules and Federal Statutes

- Amending party rules so as to entitle all winners of the party nominations for the House and Senate, plus the holdover Senators, to seats as voting delegates in the Presidential nominating convention. This would tend to build greater interdependence and closer party cohesion between the presidential and congressional wings of each party.
- Amending the campaign financing laws to create a Congressional Broadcast Fund, similar to the existing Presidential Campaign Fund. This fund would be available to each party and its Congressional candidates in the general election for broadcast expenses, on condition that they not expend any other funds on campaign broadcasts. Half or more of each party's share would go to the party itself, which could place its bets among its candidates so as to maximize its chances to win a majority. This would relieve candidates from excessive dependence on funds from single-issue interest groups and build party loyalty among those elected with the help of party-allocated funds.

D R A F T - 6

- Providing by federal statute that the Presidential elections be conducted two to four weeks before the congressional elections. This might tend to reduce divided government by enabling voters to know which party has been entrusted with the White House before they vote for members of the House and Senate.
- Providing by federal statute that every state must include on its ballot for all federal elections an additional line or lever by which a voter may (but need not) cast his vote for all the candidates of one party for the open federal offices. Less ticket-splitting occurs in states which now have such laws.
- Providing by party legislative rule that, by a 60% vote, the party caucus in each house could bind all party members to vote the party position on up to a stated number of particular bills (e.g. 50) per session. Such a rule would be enforced by automatic loss of any chairmanship or other party office held by a member who votes against the caucus position more than a stated number of times (e.g. 5) per session. This would greatly enhance party legislative loyalty while leaving reasonable scope for party members to make occasional departures on principle from the party caucus position.

B. Constitutional Amendments

- Providing for four-year terms for House members running simultaneously with the Presidential terms and synchronized with eight-year terms for the Senate. (There would be two classes of Senators, instead of the present three, and one class would be elected in each Presidential election.) Simultaneous elections for all or most federal offices every four years would reduce the dependence of candidates on interest group contributions, increase the potential for party government, give incumbents more time to discharge their legislative duties, and lengthen their political time horizons to the same four years as the President's, thereby improving the chances of party cohesion.
- Alternatively, creating a simultaneous five-year term for President and for Members of the Senate and House (or a six-year Presidential term combined with a three-year House term and six-year two-class Senate terms).
- Compensating for the longer terms by allowing a majority of both houses, or the President plus a majority of one house, to call at any time for new national elections for the Presidency and Congress for new full terms. This provision could assist in avoiding or resolving major deadlocks and in removing a weak but non-impeachable President from office.

- Authorizing the President to include sitting Members of Congress in his
 Cabinet without requiring them to give up their seats. Chief Justice
 Story and President Wilson, among others, have proposed this step as a
 way of building party cohesion between the President and the legislators
 of his own party.
- Authorizing the President to make a "line-item" veto of any appropriation bill, subject to override by <u>majority</u> vote of both houses rather than the two-thirds override for general vetoes. A line-item veto now exists in most of the states, and it would be of at least some assistance in breaking deadlocks on how to reduce deficits.
- A package amendment that would (a) reinstate the constitutionality of a legislative veto of certain Presidential and agency actions, subject to Presidential veto of the legislative veto and in turn to an override by two-thirds of both houses, and (b) reduce the requirement for treaty ratification from two-thirds of the Senate to 60% or to a simple majority of both houses. This mutual exchange of powers would encourage broader delegations of discretionary authority to the executive and greatly facilitate the government's ability to make and perform agreements with other nations.

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C - Comment/Recommendation R - D - Draft Response S -	Info Copy Only/No A Direct Reply w/Copy For Signature Interim Reply	B - Non-Specia FOR OUTGOING Type of Respon	C - Completed
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Keep this worksheet attached to the original incoming letter. Send all routing updates to Central Reference (Room 75, OEOB). Always return completed correspondence record to Central Files. Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

RECORDS MANAGEMENT ONLY

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Prime Subject Code: <u>EE 002</u>	Secondary Subject Codes:	
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SIGNATURE CODES:	MEDIA CODES:	
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n - 5 - Ron Reagan n - 6 - Ronald	L - Letter M - Mailgram	
n-7 - Ronnie	O - Memo	
CLn - First Lady's Correspondence	P - Photo R - Report	
n - 0 - Unknown	8 - Sealed T - Telegram	
n - 1 - Nancy Reagan n - 2 - Nancy	V - Telephone	
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1 5 JUL 1985

Mr. Gabriel Bury 5309 South Cove Lakeland, Florida 33805

Dear Mr. Bury:

This is a response to your letter of February 28, 1985, sent to Ms. Anne Higgins, Special Assistant to the President and Director of Correspondence, concerning the federal judiciary. Your letter has been referred to the Department of Justice, Civil Rights Division of this Department for consideration.

After careful consideration of your letter, we have concluded that the matter which you raise does not appear to involve prosecutable volations of federal criminal civil rights statutes. Accordingly, we are unable to take further action.

I regret that we are unable to be of assistance to you. I suggest that you may wish to consult with private legal counsel as to any legal resource available to you.

Sincerely,

Nm. Bradford Reynolds Assistant Attorney General Civil Rights Division

391

Linda K. Davis Chief Criminal Section

Executive Secretariat

RECEIVED OFFICE OF THE ATTORNEY GENERAL

APR 4 8 22 AM '85

DEPUTY ATTORNEY

GENERAL

THE WHITE HOUSE OFERECITC ESCRETARIAT

REFERRAL

APRIL 2, 1985

TO: DEPARTMENT OF JUSTICE

ACTION REQUESTED: DIRECT REPLY, FURNISH INFO COPY

DESCRIPTION OF INCOMING:

ID: 307409

MEDIA: LETTER, DATED FEBRUARY 28, 1985

TO: ANNE HIGGINS

- FROM: MR. GABRIEL A. BURY 5309 SOUTH COVE LAKELAND FL 33805
- SUBJECT: WANT'S RESPONSE TO PREVIOUS CORRESPONDENCE -ALLEGES FEDERAL JUDGE VIOLATE THE CONSTITUTION AND LAWS OF THE U.S.

PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN TAKEN WITHIN 9 WORKING DAYS OF RECEIPT, PLEASE TELEPHONE THE UNDERSIGNED AT 456-7486.

RETURN CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE (OR DRAFT) TO: AGENCY LIAISON, ROOM 91, THE WHITE HOUSE

> SALLY KELLEY DIRECTOR OF AGENCY LIAISON PRESIDENTIAL CORRESPONDENCE

CL: + CUA' 7.

307409

Ms. Anne Higgins Special Assistant to the President and Director of Correspondence The White House 1600 Pennsylvania Avenue Washington, D.C. 20500

February 28, 1985.

In Re: Your letter of October 4, 1984, and my letter of Oct. 26.

Dear Ms. Higgins:

You are owing me a direct reply to my recent correspondence to the President and my October 26, 1984 letter to you, as well as your apology for your failure to reply it on time.

Would you be so kind to let me know what happened with my recent correspondence to the President and to you? Why my correspondence up to now is ignored?

Organized crime existing within the hierarchy of legal profession and operating within our government is an evil which we cannot afford to tolerate. Why my reports containing allegations of the existence of the organized crime are ignored?

I cannot comprehend how those federal judges who violate the Constitution and laws of the United States at their will can enforce the laws against others. I cannot comprehend why the President and his staff can tolerate such corrupt administration of justice practiced in federal courts. So far nobody denied the existence of the organized crime, nobody produced evidence showing that my allegations are wrong, and nobody accused me of making false allegations of judicial misconduct on part of certain federal judges.

One for making false allegations under oath is guilty of perjury and subject to punishment for such offense. I am making these allegations since March 1976, to the FBI, to the U.S. District Attorney, to the U.S. Department of Justice, to the Federal Judges, etc., and nobody comes forward to deny them and to accuse me of making false allegations.

Public officials are required to avoid even the appearance of impropriety. If it is true, why they are allowed to violate the Constitution and laws of the United States. Federal judges are public officers with vested authority to administer justice. Why then are they allowed to administer injustice for their personal profits? And why the President of the United States and his staff ignores reports of such corrupt administration of justice?

I demand your immediate answer to the above set forth questions. I believe I am entitled to those answers. Thank you.

Sincerely yours,

Gabriel A. Bury

5309 South Cove, Lakeland, Florida 33805

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