

# Ronald Reagan Presidential Library Digital Library Collections

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(Federal Government: Declaration of Independence and the  
Constitution)  
**Case File Number(s):** 536000-540311  
**Box Number:** 3

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## WHITE HOUSE STAFFING MEMORANDUM

DATE: 1/6/88

ACTION/CONCURRENCE/COMMENT DUE BY: 2:00 1/7/88

SUBJECT: OP-ED ON THE 22nd AMENDMENT

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	GRISCOM	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HOBBS	<input type="checkbox"/>	<input type="checkbox"/>
MILLER - OMB	<input type="checkbox"/>	<input type="checkbox"/>	HOOLEY	<input type="checkbox"/>	<input type="checkbox"/>
BALL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KING	<input type="checkbox"/>	<input type="checkbox"/>
BAUER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RANGE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 POWELL	<input type="checkbox"/>	<input type="checkbox"/>	RISQUE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CRIBB	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
CRIPPEN	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CULVAHOUSE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
DAWSON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SS	<input type="checkbox"/>	<input type="checkbox"/>
DONATELLI	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

## REMARKS:

Please provide your comments/recommendations directly to Marion Blakey's office with an info copy to my office by 2:00 Thursday, January 7. Thank you.

## RESPONSE:

## WHITE HOUSE STAFFING MEMORANDUM

DATE: 1/6/88

ACTION/CONCURRENCE/COMMENT DUE BY:

1988 JAN 11 AM 7:00 1/7/88

SUBJECT: OP-ED ON THE 22nd AMENDMENT

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	GRISCOM	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HOBBS	<input type="checkbox"/>	<input type="checkbox"/>
MILLER - OMB	<input type="checkbox"/>	<input type="checkbox"/>	HOOLEY	<input type="checkbox"/>	<input type="checkbox"/>
BALL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KING	<input type="checkbox"/>	<input type="checkbox"/>
BAUER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RANGE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<del>BAUER</del> POWELL	<input type="checkbox"/>	<input type="checkbox"/>	RISQUE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CRIBB	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
CRIPPEN	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CULVAHOUSE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
DAWSON	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
DONATELLI	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

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## RESPONSE:

Cmew  
JNO

Rhett Dawson  
Ext. 2702

# WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence  
Received (YY/MM/DD) 1/1Name of Correspondent: Rhett B. Dawson☐ MI Mail Report

User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: Op-Ed on the 22<sup>nd</sup> Amendment

## ROUTE TO:

## ACTION

## DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CUHou</u>	ORIGINATOR	<u>8810106</u>			<u>8810107</u> RO
	Referral Note:	<u>JBS signature</u>			
<u>CUat 28</u>	D	<u>8810106</u>			<u>8810107</u> RO
	Referral Note:	<u>Jan 7 88 JBS memo to Marion Blahney</u>			
<u>CUat 29</u>	S	<u>8810107</u>			<u>8810107</u> RO
	Referral Note:				
	Referral Note:				
	Referral Note:				

## ACTION CODES:

A - Appropriate Action  
C - Comment/Recommendation  
D - Draft Response  
F - Furnish Fact Sheet  
to be used as Enclosure

I - Info Copy Only/No Action Necessary  
R - Direct Reply w/Copy  
S - For Signature  
X - Interim Reply

## DISPOSITION CODES:

A - Answered  
B - Non-Special Referral  
C - Completed  
S - Suspended

## FOR OUTGOING CORRESPONDENCE:

Type of Response = Initials of Signer  
Code = "A"  
Completion Date = Date of Outgoing

Comments: Reply directly to Marion Blahney with an info copy to Rhett Dawson

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

### CLASSIFICATION SECTION

No. of Additional Correspondents: \_\_\_\_\_ Media: \_\_\_\_\_ Individual Codes: \_\_\_\_\_

Prime Subject Code: \_\_\_\_\_ Secondary Subject Codes: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### PRESIDENTIAL REPLY

Code	Date	Comment	Form
C	_____	Time: _____	P. _____
DSP	_____	Time: _____	Media: _____

#### SIGNATURE CODES:

##### CPn - Presidential Correspondence

- n - 0 - Unknown
- n - 1 - Ronald Wilson Reagan
- n - 2 - Ronald Reagan
- n - 3 - Ron
- n - 4 - Dutch
- n - 5 - Ron Reagan
- n - 6 - Ronald
- n - 7 - Ronnie

##### CLn - First Lady's Correspondence

- n - 0 - Unknown
- n - 1 - Nancy Reagan
- n - 2 - Nancy
- n - 3 - Mrs. Ronald Reagan

##### CBn - Presidential & First Lady's Correspondence

- n - 1 - Ronald Reagan - Nancy Reagan
- n - 2 - Ron - Nancy

#### MEDIA CODES:

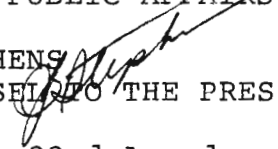
- B - Box/package
- C - Copy
- D - Official document
- G - Message
- H - Handcarried
- L - Letter
- M - Mailgram
- O - Memo
- P - Photo
- R - Report
- S - Sealed
- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study

THE WHITE HOUSE

WASHINGTON

January 7, 1988

MEMORANDUM FOR MARION BLAKEY  
SPECIAL ASSISTANT TO THE PRESIDENT AND  
DIRECTOR OF PUBLIC AFFAIRS

FROM: JAY B. STEPHENS   
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: Op-Ed on the 22nd Amendment

Counsel's Office has reviewed the above-referenced op-ed and we have noted our comments and concerns directly on the attached draft.

Attachment

cc:Rhett B. Dawson


THE WHITE HOUSE

WASHINGTON

January 7, 1988

MEMORANDUM FOR JAY B. STEPHENS

FROM:

ROBERT M. KRUGER 

SUBJECT:

Op-Ed on the 22nd Amendment

Marion Blakey has requested our comments on the attached op-ed piece calling for repeal of the 22nd Amendment. The piece was prepared in response to a request by the Scripps-Howard newspaper chain for an op-ed reflecting the President's position. It is to be signed by a member of the White House senior staff and is expected to receive wide circulation.

The op-ed argues, as the President has previously, that the 22nd amendment infringes upon a core principle of democracy -- the right of the people to freely select their leaders. As indicated on the draft, I have some difficulty with the assertion in the last paragraph on page three that history suggests that repeal of the 22nd Amendment is inevitable. I am unaware of any historical precedents to support this assertion -- the example of George Washington's decision to step down after two terms seems to have little or nothing to do with the likelihood of repeal. I am also confused by the point of the final paragraph on page four. That paragraph suggests that the 22nd Amendment represents a lack of trust in the judgement of the American people. The problem with this argument, of course, is that the American people passed the 22nd Amendment -- any lack of trust is an exercise of their good judgement.

These comments are incorporated on the attached memorandum to Marion Blakey for your review and signature.

Attachment


*M.C. / Nancy  
Blouse reads  
JB*

## WHITE HOUSE STAFFING MEMORANDUM

DATE: 1/6/88

ACTION/CONCURRENCE/COMMENT DUE BY: 2:00 1/7/88

SUBJECT: OP-ED ON THE 22nd AMENDMENT

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	GRISCOM	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HOBBS	<input type="checkbox"/>	<input type="checkbox"/>
MILLER - OMB	<input type="checkbox"/>	<input type="checkbox"/>	HOOLEY	<input type="checkbox"/>	<input type="checkbox"/>
BALL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KING	<input type="checkbox"/>	<input type="checkbox"/>
BAUER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RANGE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 POWELL	<input type="checkbox"/>	<input type="checkbox"/>	RISQUE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CRIBB	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
CRIPPEN	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CULVAHOUSE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
DAWSON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SS	<input type="checkbox"/>	<input type="checkbox"/>
DONATELLI	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

## REMARKS:

Please provide your comments/recommendations directly to Marion Blakey's office with an info copy to my office by 2:00 Thursday, January 7. Thank you.

## RESPONSE:

Rhett Dawson  
Ext. 2702



2 pm

REPEAL THE 22nd AMENDMENT

Political parties are generally called to task for their failures, but in looking back I believe Republicans could have done without one of their successes. The 22nd Amendment, placing a constitutional limit on the number of years a President can serve, should be repealed.

The 22nd Amendment was the work of men and women with honorable intentions. At the end of World War II, many were shocked to learn that Franklin Delano Roosevelt was gravely ill when elected to a fourth term in 1944. They genuinely believed a two-term limit was in the best interest of the Nation, but the potential costs of the 22nd Amendment appear to be far in excess of any perceived gain.

President Reagan expects upon leaving office to begin a national movement to repeal the 22nd Amendment. He supports repeal of the two-term limit -- not for himself, but for his successors. And I believe President Reagan and other opponents of the 22nd Amendment will eventually be successful, because reason and history are on their side.

Throughout the 200-year history of our government, amendments to the Constitution have generally expanded the rights of individuals, especially the right to vote. For example, the 19th amendment extended suffrage to women; the 26th, to Americans between the ages of 18 and 21.

The 22nd Amendment is unique. It actually restricts the fundamental right of our citizens to choose a President. And as the historian Henry Steele Commager wrote some years ago: "Imposing a restriction on the freedom to repeatedly elect a president is to violate the essential principle of democracy -- that people have a right to exercise a free and untrammelled ballot...."

Fate is not kind-hearted or consistent. Cataclysmic events do not correspond perfectly with the American election cycle. FDR's second term ended as Hitler, Mussolini, and Tojo were imposing their will on innocent people of Europe and Asia; reluctantly, Roosevelt accepted the nomination for a third term.

Today the 22nd Amendment could bar from office a two-term President in the midst of a national or international crisis, no matter how strongly the people supported his reelection. That is one reason Sam Rayburn, the late Speaker of the House of Representatives, opposed the 22nd Amendment. "I do not know," he said at the time, "and neither do you know, whether a time may

come when one man may be the individual to carry on in an hour of great strain and stress -- and danger."

A clear effect of the 22nd Amendment has been a transfer of power and authority from the executive branch to the legislature. The Constitution places no limits on the length of time a Senator or Representative may serve in Congress. The 22nd Amendment therefore gives Congressmen alone the opportunity to acquire tenure and build experience. And in the past two decades, Congress has taken advantage of its members' "permanence" by thwarting successive Presidents who sought to rein-in federal spending.

What history?

How is this relevant; how does it support our assertion that history suggests repeal is inevitable?

History suggests repeal of the 22nd Amendment is inevitable. I recognize that proponents of the two-term limit rarely march into rhetorical battle without invoking the spirit of George Washington, who stepped down after only two terms and said he hoped to set an example for his predecessors. But Washington, our first president in the Age of Kings, not the Age of Television. He sought to prevent the establishment of a monarchy in an age when democracy was an experiment and most Americans did not have the right to vote for a President at all. In its third century, America is not at risk of creating a monarchy.

The lesson Washington imparted is that the Presidency should change hands in an orderly manner, in accordance with the wishes of the electorate. That lesson today argues for repeal of the 22nd Amendment.

? { <sup>the first</sup> For <sup>of our history</sup> 160 years, the American people were <sup>unconditionally</sup> trusted to select a President. It is time to trust the people again. }

# # #

## WHITE HOUSE STAFFING MEMORANDUM

DATE: 1/6/88

ACTION/CONCURRENCE/COMMENT DUE BY:

2:00 1/7/88

SUBJECT: OP-ED ON THE 22nd AMENDMENT

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	GRISCOM	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HOBBS	<input type="checkbox"/>	<input type="checkbox"/>
MILLER - OMB	<input type="checkbox"/>	<input type="checkbox"/>	HOOLEY	<input type="checkbox"/>	<input type="checkbox"/>
BALL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KING	<input type="checkbox"/>	<input type="checkbox"/>
BAUER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RANGE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
██████████ POWELL	<input type="checkbox"/>	<input type="checkbox"/>	RISQUE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CRIBB	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
CRIPPEN	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CULVAHOUSE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
DAWSON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SS	<input type="checkbox"/>	<input type="checkbox"/>
DONATELLI	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

## REMARKS:

Please provide your comments/recommendations directly to Marion Blakey's office with an info copy to my office by 2:00 Thursday, January 7. Thank you.

## RESPONSE:



THE WHITE HOUSE  
WASHINGTON

January 8, 1988

OK w/ed - 1/8

53626350

Received US FEED2

1988 JAN -8 PM 1:07

MEMORANDUM FOR RHETT B. DAWSON

FROM: MARION C. BLAKEY *mc*

SUBJECT: Draft Op-Ed on the 22nd Amendment

Attached for clearance is an Op-Ed on the 22nd Amendment, for signature by Frank Donatelli. Frank has approved the attached version, and we have received comments from all White House and agency reviewers. *comments*

Due to the tight deadline Scripps-Howard is facing, please let me know as soon as this is cleared. The editors need the attached this afternoon.

Thank you.

January 8, 1988

REPEAL THE 22nd AMENDMENT

by Frank J. Donatelli

Political parties are generally called to task for their failures, but in looking back I believe Republicans could have done without one of their successes. The 22nd Amendment, placing a constitutional limit on the number of years a President can serve, should be repealed.

The 22nd Amendment was the work of men and women with honorable intentions. At the end of World War II, many were shocked to learn that Franklin Delano Roosevelt was gravely ill when elected to a fourth term in 1944. They genuinely believed a two-term limit was desirable, but the potential costs of the 22nd Amendment appear to be far in excess of any perceived gain.

President Reagan expects upon leaving office to raise the issue of repealing the 22nd Amendment. He supports repeal of the two-term limit -- not for himself, but for his successors. And I believe President Reagan and other opponents of the 22nd Amendment will eventually be successful, because reason and history are on their side.

---

Mr. Donatelli is Assistant to the President for Political and Intergovernmental Affairs

Throughout the 200-year history of our government, amendments to the Constitution have generally expanded the rights of individuals, especially the right to vote. For example, the 19th amendment extended suffrage to women; the 26th, to Americans between the ages of 18 and 21.

The 22nd Amendment is unique. It actually restricts the fundamental right of our citizens to choose a President. And as the historian Henry Steele Commager wrote some years ago: "Imposing a restriction on the freedom to repeatedly elect a president is to violate the essential principle of democracy -- that people have a right to exercise a free and untrammelled ballot...."

Fate is not kind-hearted or consistent. Cataclysmic events do not correspond perfectly with the American election cycle. FDR's second term ended as Hitler, Mussolini, and Tojo were imposing their will on innocent people of Europe and Asia; reluctantly, Roosevelt accepted the nomination for a third term.

Today the 22nd Amendment could bar from office a two-term President in the midst of a national or international crisis, no matter how strongly the people supported his reelection. That is one reason Sam Rayburn, the late Speaker of the House of Representatives, opposed the 22nd Amendment. "I do not know," he said at the time, "and neither do you know, whether a time may

come when one man may be the individual to carry on in an hour of great strain and stress -- and danger."

A clear effect of the 22nd Amendment has been a transfer of power and authority from the executive branch to the legislature. The Constitution places no limits on the length of time a Senator or Representative may serve in Congress. The 22nd Amendment therefore gives Congressmen alone the opportunity to acquire seniority and build extensive bases of power and influence.

The public interest demands an executive and a legislature that are responsive to the people. One unintended consequence of the 22nd Amendment is that the voters do not have an opportunity to express -- through the ballot box -- their views of a second-term Administration. Conversely, a second-term President has no opportunity to take his case directly to the people and secure a mandate for a specific agenda. Many pollsters and pundits have tried, but there is no substitute for an election when it comes to expressing an opinion about a political party.

History suggests repeal of the 22nd Amendment is inevitable. I recognize that proponents of the two-term limit rarely march into rhetorical battle without invoking the spirit of George Washington, who stepped down after only two terms and said he hoped to set an example for his predecessors. But Washington was our first president in the Age of Kings, ~~not the Age of~~  
~~Television~~. He sought to prevent the establishment of a monarchy

in an age when democracy was an experiment and most Americans did not have the right to vote for a President at all. In its third century, America is not at risk of creating a monarchy.

The lesson Washington imparted is that the Presidency should change hands in an orderly manner, in accordance with the wishes of the electorate. That lesson today argues for repeal of the 22nd Amendment.

For the first 160 years of our history, the American people unconditionally were trusted to select a President. It is time to trust the people again.

# # #



## WHITE HOUSE STAFFING MEMORANDUM

DATE: 1/6/88

ACTION/CONCURRENCE/COMMENT DUE BY:

2:00 1/7/88

SUBJECT: OP-ED ON THE 22nd AMENDMENT

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	GRISCOM <i>See comm.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HOBBS	<input type="checkbox"/>	<input type="checkbox"/>
MILLER - OMB	<input type="checkbox"/>	<input type="checkbox"/>	HOOLEY	<input type="checkbox"/>	<input type="checkbox"/>
BALL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KING	<input type="checkbox"/>	<input type="checkbox"/>
BAUER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RANGE <i>OK</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> POWELL	<input type="checkbox"/>	<input type="checkbox"/>	RISQUE <i>see comm.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CRIBB <i>see note</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
CRIPPEN	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CULVAHOUSE <i>see changes</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
DAWSON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Blakey</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DONATELLI	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

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## RESPONSE:

THE WHITE HOUSE

WASHINGTON

January 6, 1988

Received SS  
1988 JAN -6 PM 3:10

MEMORANDUM FOR RHETT B. DAWSON

FROM: MARION C. BLAKEY *MCB*  
SUBJECT: Draft Op-Ed on the 22nd Amendment

The editors of Scripps-Howard Newspapers have asked for an Op-Ed in support of the President's position on the 22nd Amendment. Due to the tight deadline we are facing, I would appreciate receiving comments on the attached no later than 2:00 p.m. Thursday, January 7.

When this has completed the staffing process, it will be signed by a senior White House official and placed in a number of Scripps-Howard newspapers across the country.

Thank you.

DRAFT:RODOTA:1/6/88

2 pm

REPEAL THE 22nd AMENDMENT

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For 160 years, the American people were trusted to select a President. It is time to trust the people again.

# # #

## WHITE HOUSE STAFFING MEMORANDUM

Received SS

DATE: 1/6/88

ACTION/CONCURRENCE/COMMENT DUE BY:

2:00 1988 JAN -7 AM 10:22

SUBJECT: OP-ED ON THE 22nd AMENDMENT

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	GRISCOM	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HOBBS	<input type="checkbox"/>	<input type="checkbox"/>
MILLER - OMB	<input type="checkbox"/>	<input type="checkbox"/>	HOOLEY	<input type="checkbox"/>	<input type="checkbox"/>
BALL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KING	<input type="checkbox"/>	<input type="checkbox"/>
BAUER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RANGE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> POWELL	<input type="checkbox"/>	<input type="checkbox"/>	RISQUE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CRIBB	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
CRIPPEN	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CULVAHOUSE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
DAWSON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SS	<input type="checkbox"/>	<input type="checkbox"/>
DONATELLI	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

## REMARKS:

Please provide your comments/recommendations directly to Marion Blakey's office with an info copy to my office by 2:00 Thursday, January 7. Thank you.

## RESPONSE:

see suggested changes / RB

DRAFT:RODOTA:1/6/88

2 pm

REPEAL THE 22nd AMENDMENT

Political parties are generally called to task for their failures, but in looking back I believe Republicans could have done without one of their successes. The 22nd Amendment, placing a constitutional limit on the number of years a President can serve, should be repealed.

The 22nd Amendment was the work of men and women with honorable intentions. At the end of World War II, many were shocked to learn that Franklin Delano Roosevelt was gravely ill when elected to a fourth term in 1944. They genuinely believed a two-term limit was in the best interest of the Nation, but the potential costs of the 22nd Amendment appear to be far in excess of any perceived gain.

President Reagan expects upon leaving office to ~~begin a national~~ *raise the issue of repealing* ~~movement to repeal~~ the 22nd Amendment. He supports repeal of the two-term limit -- not for himself, but for his successors. And I believe President Reagan and other opponents of the 22nd Amendment will eventually be successful, because reason and history are on their side.

Throughout the 200-year history of our government, amendments to the Constitution have generally expanded the rights of individuals, especially the right to vote. For example, the 19th amendment extended suffrage to women; the 26th, to Americans between the ages of 18 and 21.

The 22nd Amendment is unique. It actually restricts the fundamental right of our citizens to choose a President. And as the historian Henry Steele Commager wrote some years ago: "Imposing a restriction on the freedom to repeatedly elect a president is to violate the essential principle of democracy -- that people have a right to exercise a free and untrammelled ballot...."

Fate is not kind-hearted or consistent. Cataclysmic events do not correspond perfectly with the American election cycle. FDR's second term ended as Hitler, Mussolini, and Tojo were imposing their will on innocent people of Europe and Asia; reluctantly, Roosevelt accepted the nomination for a third term.

Today the 22nd Amendment could bar from office a two-term President in the midst of a national or international crisis, no matter how strongly the people supported his reelection. That is one reason Sam Rayburn, the late Speaker of the House of Representatives, opposed the 22nd Amendment. "I do not know," he said at the time, "and neither do you know, whether a time may

come when one man may be the individual to carry on in an hour of great strain and stress -- and danger."

A clear effect of the 22nd Amendment has been a transfer of power and authority from the executive branch to the legislature. The Constitution places no limits on the length of time a Senator or Representative may serve in Congress. The 22nd Amendment therefore gives Congressmen alone the opportunity to acquire *seniority* *extensive base of power & influence.* ~~tenure and build experience. And in the past two decades,~~ ~~Congress has taken advantage of its members' "permanence" by~~ ~~thwarting successive Presidents who sought to rein-in federal~~ ~~spending.~~

History suggests repeal of the 22nd Amendment is inevitable. I recognize that proponents of the two-term limit rarely march into rhetorical battle without invoking the spirit of George Washington, who stepped down after only two terms and said he hoped to set an example for his predecessors. But Washington our first president in the Age of Kings, not the Age of Television. He sought to prevent the establishment of a monarchy in an age when democracy was an experiment and most Americans did not have the right to vote for a President at all. In its third century, America is not at risk of creating a monarchy.



The lesson Washington imparted is that the Presidency should change hands in an orderly manner, in accordance with the wishes of the electorate. That lesson today argues for repeal of the 22nd Amendment.

For 160 years, the American people were trusted to select a President. It is time to trust the people again.

# # #

THE WHITE HOUSE

WASHINGTON

January 7, 1988

Received SC

1988 JAN -7 PM 4:30

MEMORANDUM FOR MARION BLAKEY  
SPECIAL ASSISTANT TO THE PRESIDENT AND  
DIRECTOR OF PUBLIC AFFAIRS

FROM: JAY B. STEPHENS *JBS*  
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: Op-Ed on the 22nd Amendment

Counsel's Office has reviewed the above-referenced op-ed and we have noted our comments and concerns directly on the attached draft.

Attachment

cc:Rhett B. Dawson ✓

DRAFT:RODOTA:1/6/88

2 pm

REPEAL THE 22nd AMENDMENT

Political parties are generally called to task for their failures, but in looking back I believe Republicans could have done without one of their successes. The 22nd Amendment, placing a constitutional limit on the number of years a President can serve, should be repealed.

The 22nd Amendment was the work of men and women with honorable intentions. At the end of World War II, many were shocked to learn that Franklin Delano Roosevelt was gravely ill when elected to a fourth term in 1944. They genuinely believed a two-term limit was in the best interest of the Nation, but the potential costs of the 22nd Amendment appear to be far in excess of any perceived gain.

President Reagan expects upon leaving office to begin a national movement to repeal the 22nd Amendment. He supports repeal of the two-term limit -- not for himself, but for his successors. And I believe President Reagan and other opponents of the 22nd Amendment will eventually be successful, because reason and history are on their side.

Throughout the 200-year history of our government, amendments to the Constitution have generally expanded the rights of individuals, especially the right to vote. For example, the 19th amendment extended suffrage to women; the 26th, to Americans between the ages of 18 and 21.

The 22nd Amendment is unique. It actually restricts the fundamental right of our citizens to choose a President. And as the historian Henry Steele Commager wrote some years ago: "Imposing a restriction on the freedom to repeatedly elect a president is to violate the essential principle of democracy -- that people have a right to exercise a free and untrammelled ballot...."

Fate is not kind-hearted or consistent. Cataclysmic events do not correspond perfectly with the American election cycle. FDR's second term ended as Hitler, Mussolini, and Tojo were imposing their will on innocent people of Europe and Asia; reluctantly, Roosevelt accepted the nomination for a third term.

Today the 22nd Amendment could bar from office a two-term President in the midst of a national or international crisis, no matter how strongly the people supported his reelection. That is one reason Sam Rayburn, the late Speaker of the House of Representatives, opposed the 22nd Amendment. "I do not know," he said at the time, "and neither do you know, whether a time may

come when one man may be the individual to carry on in an hour of great strain and stress -- and danger."

A clear effect of the 22nd Amendment has been a transfer of power and authority from the executive branch to the legislature. The Constitution places no limits on the length of time a Senator or Representative may serve in Congress. The 22nd Amendment therefore gives Congressmen alone the opportunity to acquire tenure and build experience. And in the past two decades, Congress has taken advantage of its members' "permanence" by thwarting successive Presidents who sought to rein-in federal spending.

What history?

How is this relevant?  
How does it support our assertion that history suggests repeal is inevitable?

History suggests repeal of the 22nd Amendment is inevitable. I recognize that proponents of the two-term limit rarely march into rhetorical battle without invoking the spirit of George Washington, who stepped down after only two terms and said he hoped to set an example for his predecessors. But Washington, our first president in the Age of Kings, not the Age of Television. He sought to prevent the establishment of a monarchy in an age when democracy was an experiment and most Americans did not have the right to vote for a President at all. In its third century, America is not at risk of creating a monarchy.

The lesson Washington imparted is that the Presidency should change hands in an orderly manner, in accordance with the wishes of the electorate. That lesson today argues for repeal of the 22nd Amendment.

7. { <sup>the first</sup> For <sup>of our history</sup> 160 years, the American people were <sup>unconditionally</sup> trusted to select a President. It is time to trust the people again. }

# # #

THE WHITE HOUSE

WASHINGTON

January 7, 1988

MEMORANDUM FOR MARION BLAKEY  
SPECIAL ASSISTANT TO THE PRESIDENT AND  
DIRECTOR OF PUBLIC AFFAIRS

FROM: JAY B. STEPHENS  
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: Op-Ed on the 22nd Amendment

Counsel's office has reviewed the above-referenced op-ed and, as indicated on the draft, has some difficulty with the assertion in the last paragraph on page three that history suggests that repeal of the 22nd Amendment is inevitable. We are unaware of any historical precedents to support this assertion -- the example of George Washington's decision to step down after two terms seems to have little or nothing to do with the likelihood of repeal. We are also confused by the point of the final paragraph on page four. That paragraph suggests that the 22nd Amendment represents a lack of trust in the judgement of the American people. The problem with this argument, of course, is that the American people passed the 22nd Amendment -- any lack of trust is an exercise of their judgement.

Attachment

cc: Rhett B. Dawson

## WHITE HOUSE STAFFING MEMORANDUM

Received CC

DATE: 1/6/88

ACTION/CONCURRENCE/COMMENT DUE BY:

1988 JAN -7  
2:00 1/7/88 PM 5:12

SUBJECT: OP-ED ON THE 22nd AMENDMENT

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	GRISCOM	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HOBBS	<input type="checkbox"/>	<input type="checkbox"/>
MILLER - OMB	<input type="checkbox"/>	<input type="checkbox"/>	HOOLEY	<input type="checkbox"/>	<input type="checkbox"/>
BALL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KING	<input type="checkbox"/>	<input type="checkbox"/>
BAUER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RANGE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> POWELL	<input type="checkbox"/>	<input type="checkbox"/>	RISQUE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CRIBB	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
CRIPPEN	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CULVAHOUSE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
DAWSON	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
DONATELLI	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

## REMARKS:

Please provide your comments/recommendations directly to Marion Blakey's office with an info copy to my office by 2:00 Thursday, January 7. Thank you.

RESPONSE:

*Cal/Sami*



# WHITE HOUSE STAFFING MEMORANDUM


DATE: 1/6/88

ACTION/CONCURRENCE/COMMENT DUE BY:

2:00 <sup>Received SS</sup> 1/7/88

1988 JAN -7 PM 6:16

SUBJECT: OP-ED ON THE 22nd AMENDMENT

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	GRISCOM	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HOBBS	<input type="checkbox"/>	<input type="checkbox"/>
MILLER - OMB	<input type="checkbox"/>	<input type="checkbox"/>	HOOLEY	<input type="checkbox"/>	<input type="checkbox"/>
BALL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KING	<input type="checkbox"/>	<input type="checkbox"/>
BAUER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RANGE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> POWELL	<input type="checkbox"/>	<input type="checkbox"/>	RISQUE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CRIBB 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
CRIPPEN	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CULVAHOUSE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
DAWSON	<input type="checkbox"/> P	<input checked="" type="checkbox"/> SS	_____	<input type="checkbox"/>	<input type="checkbox"/>
DONATELLI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

## REMARKS:

Please provide your comments/recommendations directly to Marion Blakey's office with an info copy to my office by 2:00 Thursday, January 7. Thank you.

## RESPONSE:

I understand that the President has made some comments favoring repeal of the 22nd Amendment. Given that this is a matter of major significance I think that we should ask for the Attorney General's personal views on this.

*Ker*

# WHITE HOUSE STAFFING MEMORANDUM

Received SS

DATE: 1/6/88 ACTION/CONCURRENCE/COMMENT DUE BY: 2:00 1/7/88 PM 4:13  
1988 JAN 7 PM 4:13

SUBJECT: OP-ED ON THE 22nd AMENDMENT

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	GRISCOM	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HOBBS	<input type="checkbox"/>	<input type="checkbox"/>
MILLER - OMB	<input type="checkbox"/>	<input type="checkbox"/>	HOOLEY	<input type="checkbox"/>	<input type="checkbox"/>
BALL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KING	<input type="checkbox"/>	<input type="checkbox"/>
BAUER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RANGE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> POWELL	<input type="checkbox"/>	<input type="checkbox"/>	RISQUE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CRIBB	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
CRIPPEN	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CULVAHOUSE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
DAWSON	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
DONATELLI	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

## REMARKS:

Please provide your comments/recommendations directly to Marion Blakey's office with an info copy to my office by 2:00 Thursday, January 7. Thank you.

## RESPONSE:

NR

Gene

RCB - why not Pro

Justice

*Comments on  
pp 1, 2, and 3.*

Rhett Dawson  
Ext. 2702

DRAFT:RODOTA:1/6/88

2 pm

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*Justice wants this deleted. These are civil rights v. questions scope of power and of govt.*

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History suggests repeal of the 22nd Amendment is inevitable. I recognize that proponents of the two-term limit rarely march into rhetorical battle without invoking the spirit of George Washington, who stepped down after only two terms and said he hoped to set an example for his predecessors. But Washington <sup>was something</sup> ~~our~~ <sup>missing</sup> first president in the Age of Kings, not the Age of <sup>High Technology</sup> ~~Television~~. <sup>more</sup> He sought to prevent the establishment of a monarchy in an age when democracy was an experiment and most Americans did not have the right to vote for a President at all. In its third century, America is not at risk of creating a monarchy.

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# # #