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WITHDRAWAL SHEET

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File Folder: Jim Cicconi File ~~OA 10514~~ *Box 6*

Date: 3/1/99

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. memo	Cicconi to Baker re refugee negotiations with Cuba 1 p.	12/12/84	P5
2. memo	Cicconi to Baker re auto industry contract negotiations 1 p.	9/6/84	P5
3. memo	Cicconi to Baker re yesterday's judicial selection meeting (2 p. <i>(partial)</i>)	8/17/84	P6, F6/B6
4. memo	Cicconi to Baker re copper petition 2 p.	8/17/84	P5
5. memo	Cicconi to Baker re secondary market legislation 1 p.	7/6/84	P5 <i>103</i> <i>1-15/00</i>

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P-1 National security classified information [(a)(1) of the PRA].
- P-2 Relating to appointment to Federal office [(a)(2) of the PRA].
- P-3 Release would violate a Federal statute [(a)(3) of the PRA].
- P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA].
- P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA].
- P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA].

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

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

- F-1 National security classified information [(b)(1) of the FOIA].
- F-2 Release could disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA].
- F-3 Release would violate a Federal statute [(b)(3) of the FOIA].
- F-4 Release would disclose trade secrets or confidential commercial or financial information [(b)(4) of the FOIA].
- F-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA].
- F-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA].
- F-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA].
- F-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA].

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THE WHITE HOUSE

WASHINGTON

December 12, 1984

MEMORANDUM FOR JAMES A. BAKER, III

FROM: JAMES W. CICCONI 

SUBJECT: Refugee Negotiations with Cuba

For your information:

I have recommended to NSC that we not attempt to publicly associate the President with any agreement that results from current refugee negotiations with Cuba. Instead, I have suggested that we low-key the matter here, and let the State Department handle explanations and questions. I have also asked NSC to encourage the State Department to brief a group of Cuban-American leaders once the negotiations are concluded.

There is a good deal of suspicion in the Cuban-American community about these negotiations, and it is hard for us to tell at this point whether their outcome will be popular. Therefore, at this stage I think it best to let the State Department handle the initial explanatory phase. It is for this reason, also, that I turned off a WH briefing Faith had scheduled while the negotiations were in progress.

Faith understands and agrees with this approach.

THE WHITE HOUSE

WASHINGTON

December 7, 1984



MEMORANDUM FOR THE FILE

FROM: JAMES W. CICCONI *JWC*
SUBJECT: Meeting with Representatives of Federal Express

On December 4, 1984, Jim Baker and I met with Senator Howard Baker, and Nat Breed and Fred Smith of Federal Express. The meeting was held at the request of Senator Baker.

Federal Express was interested in the granting of U.S. landing rights to Nippon Cargo Airlines (NCA). Their expressed hope was that Japan would reciprocate by allowing Federal Express similar landing rights in that country. They argued that treaty obligations dictated the granting of rights to NCA, and that it could prove embarrassing if Prime Minister Nakasone raised the subject with the President.

The group indicated that they were not seeking help, but instead sought to convey their side of an issue that has become contentious. JAB thanked them for their views.

Following the meeting, Jim Baker indicated to me that no action should be taken on the subject.

bcc: James A. Baker, III

THE WHITE HOUSE

WASHINGTON

December 7, 1984



MEMORANDUM FOR THE FILE

FROM: JAMES W. CICCONI 
SUBJECT: Meeting on FAA Noise Regulations

On December 4, 1984, Jim Baker and I met with Jeb Bush and former Congressman Bill Cramer at their request.

They raised the subject of the impact of FAA noise regulations on certain small airlines operating in Florida. A particular example cited was that of George Bachelor, whose airline operates between Miami, which is legislatively exempt from the rules, and Puerto Rico, which is not. Since "hush kits" have not yet been approved by the FAA, Bachelor would have to cease operations on January 1, 1985 unless granted a temporary exemption.

Jim Baker explained several times that the White House could not become involved in any exemption decision, and that the matter rested solely with the FAA and the Secretary of Transportation. The group indicated that they would seek a meeting with Secretary Dole, despite the fact that JAB indicated he could not assist them in such a request.

Jim Baker indicated afterward that his office should not contact DOT or the FAA regarding this request.

bcc: James A. Baker, III

THE WHITE HOUSE
WASHINGTON

September 21, 1984

MEMORANDUM FOR JAMES A. BAKER, III
JACK SVAHN

FROM: LEE L. VERSTANDIG *lee*

SUBJECT: NUCLEAR DEPOSITORY SITES

9/25
J.C. + B.N.: *Please include*
in my trip file for
the Rep. trip.
Tham
JAB

In view of the President's upcoming visits to the South, I call your interest to the issue of high-level nuclear waste dump siting which has received prominent media attention in the region. Mississippi Governor Bill Allain has pushed for a promise that he would have veto assurances over any proposed siting within his state. Two salt domes in south Mississippi are among nine sites in six states being considered for the nation's first nuclear waste repository.

Governor Allain claimed in a press report, September 19, 1984 that he "will mail a letter to President Reagan today for the same nuclear waste veto that Walter Mondale already has promised to give Mississippi." As of today, I am not aware of any letter from Governor Allain received at the White House regarding nuclear waste.

Governor Allain also claims to have documentation of veto assurances given to Louisiana, first by President Carter and then by President Reagan. (The assurance may have been given by President Reagan when he was a candidate in 1980.) Governor Allain's action prompted Congressman Lott and Senator Cochran to publicly state that they too desire not to have a nuclear waste dump sited in Mississippi.

Other Governors are likely to make similar demands for assurances of dump site veto authority. The states considered for high-level nuclear waste dump sites are: Louisiana, Mississippi, Nevada, Texas, Utah and Washington. While the President will designate a site, the Nuclear Waste Policy Act of 1981 does grant a veto power to each state that can only be overridden by both Houses of Congress.

The Department of Energy has suggested that any correspondence sent to the White House on this subject be referred to them for response.

THE WHITE HOUSE

WASHINGTON

September 19, 1984

TO: JAB III

When asked, Gov. Thornburgh
will answer questions on
steel per the attached.

Also, please look at the
last page of his letter
to the President (also att'd).
As you know, the major hurdle
we face in the near future is
how we translate our decision
into quick, tangible relief.

JC



The President has properly addressed the steel import issue by holding imports to 18½% of the market.

His decision will provide a breathing spell that the industry needs. The President's refusal to accept the ITC's recommendation is clearly in order and is consistent with the Governor's September 5 letter to the President that the ITC did not go far enough.

The President's decision is comprehensive and the enforcibility provisions are consistent with the Governors position.



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE GOVERNOR
HARRISBURG

THE GOVERNOR

September 5, 1984

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

Dear Mr. President:

On May 9, 1984, I testified before the U.S. International Trade Commission (ITC) in support of Pennsylvania's ailing steel industry. I did not then ask for any bailout of this troubled industry nor any blank check for protectionism. On the other hand, I stated my firm belief that serious injury had occurred to our domestic steel industry from foreign competition and that it needs and deserves time to respond to the challenge of modernization without being handicapped by unfair competitive practices from abroad.

The ITC agreed that the steel industry had been harmed and found, on June 12, 1984, that remedies were required for five of the nine steel product categories subject to the proceedings. I again communicated with the Commission and asked then that it fashion a remedy that would be truly effective, pointing out that tariffs had not been very effective in the past. The ITC on July 11, 1984, recommended quotas for more than 90 percent of all the products for which it recommended remedies. Since that time, as you know, steel imports have risen to over one-third of the total amount utilized within the United States.

As you review the ITC's recommendations to determine the appropriate and final solution, I urge you to consider the serious possibility that some or all of the four product categories which the Commission felt should not be restricted could be used to frustrate any opportunity for our steel industry to modernize in a fair trade environment. The vast majority of the costs in steel production are incurred before the steel assumes any specific identity within one of the nine product lines. Foreign producers, therefore, could easily divert much of their excess steel productions into other products in order to avoid whatever quota relief might be imposed on the restricted categories. In fact, some products such as steel sheet coil can be easily converted into other lines (tubular, for example) well after their initial production process.

The Honorable Ronald Reagan
Page Two

I am very concerned that while unfair imports might be reduced in some areas by the ITC-recommended relief of product line quotas, the overall gains to our domestic steel industry could be offset by corresponding increases in foreign exports in some of the categories not constrained in the ITC's recommendations.

In my view, the only way to prevent foreign producers from subverting the remedies recommended by the ITC is to utilize the numerous trade mechanisms available to your administration to produce a more comprehensive solution. In particular, I would suggest that serious consideration be given to the use of orderly marketing agreements, broadly applied in terms of products and countries, for a sufficient period of time to provide our domestic producers with a "breathing spell."

However, I am less concerned about the specific type of relief and restrictions than I am about the overall effectiveness of the final result. Our steel industry clearly needs a period of relief which could be brought about by any number and combination of multilateral trade mechanisms.

On behalf of the working men and women of Pennsylvania and an industry committed to meeting the challenges of a new era of international competitiveness, I thank you for your consideration of this matter. I ask only for an effective remedy which preserves free but fair trade.

Sincerely,

Dick Thornburgh
Governor

This is, of course, the same thing we're told privately by steel executives. We must avoid a "textile-type situation", where we claim we're taking effective steps, but they seem to have no impact on the percentage of imports.

THE WHITE HOUSE

WASHINGTON

September 13, 1984

MEMORANDUM FOR JAMES A. BAKER, III

FROM: James Cicconi 
SUBJECT: Civil Rights Meeting in Nashville

For your information:

By coincidence, the U.S. Civil Rights Commission will be holding a meeting today in Nashville with representatives of their regional advisory councils. These councils have, for the most part, been critical of the Administration's civil rights policies.

There is only a small chance that the press will ask the President about criticism from this meeting, but thought you should at least be forewarned. (Pendleton and Chavez had no idea the President would be in Nashville when they set up this meeting. In fact, they may have scheduled it there to minimize the negative press such a session would have drawn if held in Washington.)

cc: Larry Speakes

NO COMMENT
WHAT SO EVER ON
THIS FROM WH OR
(CAMPAIGN)

TO L C

THE WHITE HOUSE
WASHINGTON
September 6, 1984

✓
CALL LAKE
DONE 9/7
BACK TO KZ
PLS.

File

MEMORANDUM FOR JAMES A. BAKER, III

FROM: JAMES W. CICCONI *[Signature]*

SUBJECT: Auto Industry Contract Negotiations

In today's CCEA meeting, Don Regan strongly argued that the White House should avoid any and all comment on the auto industry's contract negotiations with the UAW. As the September 14 contract expiration with Ford and GM draws near, we can expect further pressure for comment (especially given the previous remark about the need for restraint).

Our analysts feel that, at this point, the signs are positive for an agreement. Both sides seem serious, and have avoided controversial public statements. Any White House comments, though, would be unwise, and perhaps harmful, for the following reasons:

1. There is almost no likelihood of the type of inflationary agreement that would harm the economy. Thus, there is not a strong national interest argument to justify comment;
2. The new union leadership cannot afford to look like it is bending to pressure. Thus, any appearance of leaning toward the companies would probably cause the UAW to dig in; and
3. The union itself is in a delicate position, because their active support of Mondale might cause a strike to be viewed as politically motivated. Any public comment by the Administration could take them off the hook.

A strike would occur only in the unlikely event that the GM and Ford contracts expire on September 14 without an agreement. However, the impact of a strike would not be severe. For one thing, any strike would probably be relatively short (2 to 4 weeks) before an agreement was reached. Also, a strike would be selective (i.e. targeted on a specific unit of the company's overall operation, such as a GM large car assembly plant).

All of the above, of course, reinforces Regan's argument for strict neutrality in the auto talks.

THE WHITE HOUSE

WASHINGTON

August 21, 1984

MEMORANDUM FOR JAMES A. BAKER, III

FROM: James Cicconi *in*
SUBJECT: Public Broadcasting Amendments Act

This legislation authorizes funding levels for public broadcasting from 1987 through 1989. According to public broadcasters, the funding is at the minimum level at which operations could be sustained. They also point out that funding would still be below 1978 levels.

OMB. on the other hand, is very concerned that the funds authorized are still much higher than our budgeted figures. The comparison is as follows:

<u>Fiscal Year</u>	<u>Legislation</u>	<u>RR Budget</u>
1987	\$238 M	\$100 M
1988	253 M	85 M
1989	270 M	70 M

As a result of the above, plus other, lesser concerns, the Administration has told the House that it was strongly opposed to this legislation. Commerce will probably recommend a veto, and OMB may do the same.

The legislation passed quickly and unanimously in the Senate, with 55 co-sponsors. The vote was 302-89 in the House. However, a better indication of veto strength there is a vote on a floor amendment to reduce funding, which failed 176-217.

This bill has been received at the WH, with a decision due by August 29. OMB has not yet circulated a views memo, though that will be done shortly.

THE WHITE HOUSE
WASHINGTON

JAB:

Jack Steel asked me to pass this
along to you.

bh

Barbara Hayward

OFFICE OF THE VICE PRESIDENT
WASHINGTON

Barbara:

Would you please give the attached to Mr. Baker?

J. A. B. knows Marty Levine and is familiar with the Association for Community Television. She phoned me about the situation and asked if I would pass the word on to the Vice President and Jim Baker, to urge the President not to veto the bill.

Regards,
Jack Steel

August 15, 1984



ASSOCIATION FOR COMMUNITY TELEVISION

4513 Cullen Boulevard
Houston, Texas 77004
(713) 748-8888

August 14, 1984

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Chairman of the Board

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President of the Board

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Vice President—Awareness

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SSY PARDOE

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LIARD WALBRIDGE

ANK WOZENCRAFT

The Honorable Ronald L. Reagan
The President
The White House - West Wing
Washington, D. C., 20500

Dear Mr. President:

Personally, and on behalf of the Board of the Association for Community Television, the community support group for Houston's public television station KUHT/Channel 8, and the hundreds of citizens in this community who give thousands of volunteer hours to help Channel 8 continue its programming in this area, I earnestly ask your approval of S. 2436, the Public Broadcasting Amendments Act of 1984.

Senator Goldwater introduced this bill and was joined by 55 co-sponsors in the Senate. (The House approved the legislation 302-91). It received strong bipartisan support and the funding levels in this bill represent the minimum Federal support necessary for the survival of public television during the rest of the 1980's.

The value of this legislation is that it will help to educate and inform our citizens: The Chemical People, MacNeil/Lehrer NewsHour, NOVA, PBS Adult Learning Service programs, etc. It will serve our children: Sesame Street, Mister Rogers' neighborhood, Reading Rainbow, 3-2-1 Contact, etc. It will help local and regional program efforts: job re-training, in-school services, cultural heritage programs, etc. It will help to generate private funds for public broadcasting.

Mister President, think what good will come for all Americans, nationwide, with the vital public-private partnership embodied in this legislation. We urgently request your approval.

Sincerely yours,

Marty Levine

Marty Levine (Mrs. Max)
Chairman, Board of ACT

cc: James A. Baker

STATION MANAGERS, REGIONAL NETWORKS
: PETER FANNON AND ALL NAPTS STAFF
TE: AUGUST 10, 1984
: CONGRESSIONAL APPROVAL OF REAUTHORIZATION BILL

URGENT

URGENT

URGENT

LAST NIGHT (8/9) THE SENATE APPROVED S.2436--THE PUBLIC BROADCASTING AMENDMENTS ACT OF 1984. THIS REPRESENTS FINAL CONGRESSIONAL APPROVAL OF THE REAUTHORIZATION FOR CPB AND NTIA/FACILITIES. THE BILL NOW GOES TO PRESIDENT REAGAN FOR HIS SIGNATURE.

S.2436, AS NOW ADOPTED BY BOTH THE HOUSE AND SENATE, INCLUDES ALL THE PROVISIONS OF THE HOUSE BILL (H.R.5541)--PUBLIC BROADCASTING COMMENDED FUNDING LEVELS FOR CPB AND FACILITIES (PTFP), ADJUSTMENT OF THE PTFP FOR INCREASED FINANCING OF REPLACEMENT EQUIPMENT, REPEAL OF THE UNRELATED BUSINESS INCOME TAX PENALTY, AND AMENDMENT OF PART OF THE CPB 10% FORMULA.

PLEASE ADVISE YOUR STAFF, BOARD, AND SUPPORTERS OF THIS WONDERFUL NEWS. AND PLEASE WATCH YOUR MAIL FOR NECESSARY NEXT STEPS AS THE BILL GOES TO THE PRESIDENT.

D



4513 Cullen Boulevard
Houston, Texas 77004
(713) 748-8888

August 13, 1984

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Mr. Jack Steel
Office of the Vice President
P. O. Box 61999
Houston, Texas 77208

Dear Jack,

The Legislation to which I have been referring is H. R. 5541. The funding levels are identical to those in the Senate's bill (S. 2436) which was co-sponsored by 55 Senators - truly bipartisan - and adopted by unanimous consent.

The funding levels in H. R. 5541 represent the minimum federal support necessary for the survival of public television during the rest of the 1980's.

The funding levels for the Corporation for Public Broadcasting (CPB) which receives the funds from Congress and then distributes them to the stations, are down below 1978!!

The funding levels in H. R. 5541 for CPB represent only 20% of total system revenue needs. For the remainder, the system must look to a mix of state and local government support (neither available to us), business grants and viewer support (public broadcasting ranks second only to United Way in the success of its individual solicitations).

If CPB does not receive the amounts proposed in the bill, our national programming schedule would have to be severely curtailed. This would affect programs such as Sesame Street, Nova, Great Performances, MacNeil/Lehrer, Evening at Pops, and Live from Lincoln Center.

Hundreds of citizens in this community give thousands of volunteer hours to help Channel 8, KUHT, continue its programming in this area. However, even with a successful TV Auction which raised nearly one million dollars this year, and membership support providing over two million, with generous underwriting support from the business community and other fund-raising events (Tennis Tournament, Champagne tasting, Fun Run etc.) we still must look to the Federal government for additional help.

Senator Goldwater was the "father" of this bill. Among his comments in the Senate he said: "Public broadcasting is a powerful vehicle for the advancement of balanced quality programming and excellence in education both for young people and adults."

Senator Packwood's comments included: "In 1981 we cut back on Federal support for public broadcasting as part of our overall Federal belt tightening. At the same time, we encouraged alternatives to Federal funding and allowed public stations to raise money through commercial ventures. Three years of experience has demonstrated that alternative financing structures are not developed to the point where they can substitute for strong Federal support. Therefore, while the funding levels may appear to be high, these levels are what is needed."

Senator Hollins: "Public broadcasters have done their job well. They are responsive to their communities' needs. They provide important information that both informs and entertains. They deserve to be supported."

Jack, I deeply appreciate your offer to help convince the administration. Enclosed is the CPB Report which just arrived in my mail. It is the latest information I have on the progress of this legislation. I hope that if it does get to the President, he will not veto it. At this point, we are asking for appropriation, with funding to be authorized at a future date. I will keep you posted.

Yours most appreciatively,

A handwritten signature in cursive script that reads "Marty".

Marty Levine



CORPORATION
FOR PUBLIC
BROADCASTING

August 6, 1984 Volume III, Number 32

REPORT

1111 16th Street NW Washington DC 20036 (202) 293-6160

LEGISLATIVE ACTION. The House passed H.R. 6028, the Regular FY 1985 Appropriations bill for Labor, Health and Human Services, and Education by a vote of 329 to 91 on August 1. The CPB appropriation for FY 1987 was not included in the bill because H.R. 5541, the bill reauthorizing CPB funding for Fiscal Years 1987 through 1989 has not yet been enacted. A \$238 million FY 1987 appropriation was, however, included in the full Senate Appropriation Committee's mark-up June 29. The Senate now must consider the bill.

The Regular Supplemental Appropriations bill, H.R. 6040, was also passed by the House August 1, by a vote of 304 to 116. This version includes CPB's supplemental appropriation at the reduced levels of \$7.5 million for FY 1984, \$20.5 million for FY 1985 and \$29.5 million for FY 1986. The full Senate Appropriations Committee approved H.R. 6040 on August 2, including CPB's full supplemental appropriation of \$15 million for FY 1984, \$23 million for FY 1985 and \$32 million for FY 1986. The bill will go to the Senate floor the week of August 6.

The Conference Committee on H.R. 5712 -- the Commerce, Justice State and Judiciary FY 1985 Appropriations bill -- approved a conference report for H.R. 5712 containing an FY 1985 appropriation of \$24 million for the Public Telecommunications Facilities Program on August 2. The conference report must now be approved by the House and Senate.

...

THE WHITE HOUSE

WASHINGTON
August 17, 1984



MEMORANDUM FOR JAMES A. BAKER, III

FROM: James Cicconi *in*

SUBJECT: Yesterday's Judicial Selection Meeting

Per your request, the following is a summary of the action taken in yesterday's Judicial Meeting:

1. 3rd Circuit: Mansmann is ready to go, but is being held in order to be sent up with Whittlesey. Sen. Roth's wife was discussed, and is felt to be qualified, but may be held for a rumored departure of a Delaware judge from the Circuit next year.

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3. 9th Circuit: Laxalt's suggestion, Brunetti, was felt to be qualified by DOJ. However, Herrington asked for a "hold" till Tuesday in order to check on him.

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5. Dist of Mass: Wolf and Young were approved.
 6. Dist of NJ: Rodriguez, one of Gov. Kean's aides, was approved.
 7. S.D. of Fla: Sorrentino was decided against. No action was taken on the other suggestions from Sen. Hawkins until we can talk further with her. For one thing, we need to be sure she will find Dick Hauser acceptable.
 8. W.D. of La: Walter and Little were approved per suggestion of the delegation.
 9. W.D. of Tex: Smith was approved per Sen. Tower's suggestion.

10. N.D. of Ohio: Though Markus was felt to have superior credentials, Alice Batchelder was chosen. Markus will be kept in mind, though, due to the possibility of ABA problems with Batchelder.
11. S.D. of Ohio: Weber was approved per the delegation's list.
12. N.D. of Ill: Ann Williams, a black, was felt to be very well qualified by DOJ based on her years in the US Attorney's office. Percy is reviewing her qualifications, and Herrington asked for a chance to do the same. (Since she is viewed as more of a moderate, John may come back to the committee with concerns.)
13. Dist of Mont: Diane Barz, suggested by WH Personnel, was placed on hold since she was not on the delegation's list. We will check with them re whether she is acceptable.
14. Dist of Nev: Laxalt's suggestion of McKibben was approved, though Herrington asked for a hold till next Tuesday.

16. E.D. of Tenn: Edgar was approved per Sen. Baker's suggestion.

On other subjects, it was agreed that Meese and Fielding would speak with Bill Casey to explain the reason for failure to push harder on Sporkin's nomination. (Goldwater and Denton are opposed, and the former has threatened a hearing on Casey if we go forward.)

Also, it was agreed that we would not show Sen. Byrd a list of our proposed judicial nominees, but would instead have Howard Baker explore the subject with him in general terms.

THE WHITE HOUSE
WASHINGTON

August 17, 1984

MEMORANDUM FOR JAMES A. BAKER, III

FROM: JAMES W. CICCONI 

SUBJECT: Copper Petition

Background

As you know, the International Trade Commission investigated a 201 petition filed by the copper industry, and found substantial injury. The ITC could not agree on a remedy, though, splitting between tariffs, quotas, and no relief.

Options are currently being reviewed by a working group of the Trade Policy Committee, which expects to forward recommendations to the President by September 4. A decision must be made by September 14.

Analysis

There seems to be agreement, at least internally, that tariffs or quotas should be avoided. Either action would raise the price of copper for U.S. fabricators, driving much of their business to foreign competitors. Lehman Li of OPD noted in a recent memo that U.S. copper fabricators employ 106,000 people, versus 28,000 employed by copper producers. He also pointed out that fabrication employment is largely located in Indiana, Pennsylvania, New York, Illinois, California, and Connecticut; copper production employment is mostly in Arizona, Utah, and New Mexico.

Our options boil down to this:

1. Impose quotas or tariffs.
2. Attempt to negotiate production restraints among copper producing nations.
3. Do nothing.

The domestic copper producers are advocating the negotiation with other nations of production restraints in order to raise world copper prices (the only action they feel would truly help U.S. producers in the long-run).

This idea has some attraction, but runs into several problems:

- it is unlikely that Chile, a major producer which continues to undercut world prices, would agree to production restraint;
- there are fears of aiding a cartelization among copper producers; and
- we would have to commit to some sort of action (quota or tariff) if the negotiations fail.

U.S. copper fabricators prefer no relief. However, if faced with a choice, they would probably prefer production restraints to quotas or tariffs.

Current Situation

At this point, almost all departments represented on the working group favor no relief. The alternative of production restraints is opposed in principle by a majority; others are opposed because of the very low probability of success.

We have asked that the group, regardless of its recommendation, fully assess the consequences for the U.S. copper industry if no relief is granted. We have also requested a detailed report on the prospects for successful production restraint negotiations, and the implications of that course of action.

THE WHITE HOUSE
WASHINGTON
7/11/84

JAB:

RAYMOND HAYE OF LTV CORPORATION WOULD
LIKE TO COME IN TO SEE YOU ON JULY 23
OR 24. IT IS IN REFERENCE TO THE ITC
DECISION ON STEEL. DO YOU WANT TO
SEE HIM, OR HAVE JIM CICONNI HANDLE?

BH

Marty: 775-3915

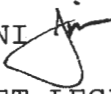
Jim - Mr. Baker said
he would appreciate
your meeting with
Raymond Haye for him.
Thanks
Barbara

THE WHITE HOUSE
WASHINGTON



July 6, 1984

MEMORANDUM FOR JAMES A. BAKER, III

FROM: JAMES W. CICCONI 
SUBJECT: SECONDARY MARKET LEGISLATION

I hope you will try to take a close look at the attached bill report upon your return. A Presidential decision will need to be made on Tuesday.

SBA recommends the bill be signed. Treasury and OMB recommend veto. There are no direct budget implications, but OMB argues that there would undoubtedly be pressure for more loans in the future since this will make them more attractive.

As you know from your previous meetings with small business reps, they are totally committed to this bill, which was one of their top legislative priorities.

If we were to veto this bill, we would risk alienating small business at a time when they are being courted actively by the Democrats. In addition, we would probably have a difficult time sustaining a veto on the Hill since the bill passed both Houses by voice vote. Needless to say, a messy override fight would not be helpful before the convention.

I think this is an instance where we should swallow hard, and then sign.

WHITE HOUSE STAFFING MEMORANDUM

DATE: 7/5/84 ACTION/CONCURRENCE/COMMENT DUE BY: c.o.b. FRIDAY, 7/6/84

SUBJECT: Enrolled Bill S. 2375 - Small Business Secondary Market Improvements Act
of 1984

ACTION FYI		ACTION FYI	
VICE PRESIDENT	☐ ☐	McMANUS	☒ ☐
MEESE	☐ ☒	MURPHY	☐ ☐
BAKER	☒ ☒	OGLESBY	☒ ☐
DEAVER	☐ ☒	ROGERS	☐ ☐
STOCKMAN	☐ ☐	SPEAKES	☐ ☒
DARMAN	☐ ☒	SVAHN	☒ ☐
FELDSTEIN	☐ ☐	VERSTANDIG	☒ ☐
FIELDING	☒ ☐	WHITTLESEY	☒ ☐
FULLER	☒ ☐		☐ ☐
HERRINGTON	☐ ☐		☐ ☐
HICKEY	☐ ☐		☐ ☐
McFARLANE	☐ ☐		☐ ☐

REMARKS:

Please provide any comments/recommendations on the attached enrolled bill by c.o.b. FRIDAY, JULY 6, as well as the signing statement or VETO MESSAGE.

S. 2375:

VETO MESSAGE:

APPROVAL _____

DISAPPROVAL _____

APPROVAL _____

DISAPPROVAL _____

RESPONSE:

Richard G. Darman
Assistant to the President
Ext. 2702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

JUL 5 1984

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 2375 - Small Business Secondary
Market Improvements Act of 1984
Sponsors - Sen. Weicker (R) Connecticut and 3 others

Last Day for Action

July 10, 1984 - Tuesday

Purpose

To improve the operation of the secondary market for loans guaranteed by the Small Business Administration.

Agency Recommendations

Office of Management and Budget	Disapproval (Veto message attached)
Department of the Treasury	Disapproval (Veto message attached)
Securities and Exchange Commission	Cites serious concerns
Department of Justice	No objection (Informally)
Small Business Administration	Approval (Signing statement attached)

Discussion

The congressional intent in enacting S. 2375 is to provide a statutory basis for, as well as to improve the operation of, the Small Business Administration's (SBA) secondary market program, which was established administratively in 1972. The secondary market program is part of an SBA loan guarantee program, whereby SBA guarantees long-term loans made by lenders to small businesses that might not otherwise be able to obtain the loans. The secondary market program, in turn, permits the lender to sell the SBA-guaranteed portion of a loan to another investor, rather than retaining the loan in his portfolio. Once sold, the lender then has additional funds with which to make other loans to small businesses.

S. 2375 would facilitate the increased pooling of these loans for secondary market sales by guaranteeing prompt payment of principal and interest in the case of default on a loan in the pool. This will enhance the attractiveness of SBA-guaranteed loans as investments.

Major Provisions of S. 2375

In addition to providing a statutory basis for SBA's existing secondary market program, and requiring SBA to facilitate and promote secondary market operations, S. 2375 would:

- authorize SBA to (1) guarantee blocks (pools or trusts) of SBA-guaranteed loans and (2) approve arrangements made by lenders for the sale of such pools or trusts;
- authorize an agent of SBA to collect fees from issuers of pools or trusts to cover the agent's costs for registration and issuance of such pools or trusts in the form of trust certificates;
- require SBA to establish a central registry to facilitate transactions in the secondary market and to better determine the marketplace value of the trust certificates; and
- require the disclosure of information by issuers of trust certificates to investors to permit prudent decisions on such investments.

SBA would also be required to report annually to Congress on the volume and other financial characteristics (e.g., interest rates) of SBA-guaranteed loans sold in the secondary market.

Finally, S. 2375 provides SBA with authority to regulate brokers and dealers in SBA-guaranteed loans and trust certificates issued pursuant to this enrolled bill. SBA would be required, however, to consult with the Securities and Exchange Commission (SEC) before promulgating regulations governing the exercise of such authority.

Agency Views

-- Securities and Exchange Commission

The SEC has expressed serious concerns about the authority given to SBA to regulate broker-dealers trading in SBA-guaranteed loans and trust certificates. SEC believes that this regulatory authority is contrary to three primary objectives of the SEC and the Vice President's Task Group on Regulation of Financial Services: (1) functional regulation -- e.g., persons in the securities business should be regulated by only the SEC; (2) consolidation of overlapping and duplicative regulation; and (3) elimination of excessive regulations within and between agencies.

In its enrolled bill views letter, the SEC advises that it has "serious concerns about the bill and believes that whether the President signs it into law should depend on a determination of

whether the benefits of this legislation outweigh the costs of imposing an additional regulatory authority over registered broker-dealers engaged in this ancillary activity."

-- Small Business Administration

SBA recommends approval of S. 2375. SBA believes that the pooling of guaranteed loans into large units, and the Government guarantee of the timely payment of principal and interest, will substantially increase secondary market liquidity in SBA-guaranteed loans. This enhanced liquidity should provide small businesses with greater access to capital. Informally, SBA also stresses that this additional secondary market guarantee will not of itself increase Federal expenditures, nor will it significantly increase contingent liabilities, since only loans that have already been guaranteed will be pooled. In short, SBA believes that this secondary market guarantee program will increase the private funds available for small business investment by overcoming the current costliness of trading small, individual loans.

In testimony before the Congress, SBA estimated that currently less than 25 percent of its guaranteed loans are sold through the secondary market. This has, nevertheless, enabled financial institutions to increase their lending to small businesses by an estimated \$400 million in recent years. SBA believes that your approval of S. 2375 will greatly facilitate an expanded secondary market, to the benefit of small businesses throughout the Nation.

In its enrolled bill views letter, SBA states that an appropriate ceremony publicizing the signing of this enrolled bill would give the President a chance to recognize the contribution of new jobs by the small business sector and the efforts of this Administration to create a better business climate. SBA has prepared a signing statement for your consideration, which is attached to its views letter. In light of the veto recommendations on this bill, however, we do not believe that a signing ceremony would be appropriate should you decide to approve the enrolled bill.

-- Department of the Treasury

The Treasury Department recommends disapproval of the enrolled bill. Treasury notes that S. 2375 is contrary to Administration policy to reduce Federal activity in the secondary financial market. More specifically, Treasury finds S. 2375 objectionable because it will result in (1) pressure for an expansion in the volume of SBA-guaranteed loans, (2) unnecessary and undesirable Government preemption of private market credit functions, and (3) a market for direct Government securities -- i.e., the pools or

trusts of SBA-guaranteed loans -- which will compete directly with Treasury and other Federally-based securities in the bond markets.

Finally, Treasury believes that S. 2375 is directly contrary to Administration policy to consolidate financing of obligations backed by the full faith and credit of the United States through the Federal Financing Bank.

Treasury has prepared a veto message, which is attached to its enrolled bill views letter.

Conclusion

We share Treasury's concern about the potential for increased Federal involvement in the secondary market; this is the principal reason the Administration opposed this legislation while it was before the Congress. S. 2375 is simply contrary to the Administration's continuing efforts to reduce Federal involvement in the private credit market.

While the enrolled bill does not represent a direct budget threat, since it does not appropriate funds or authorize appropriations, the indirect budget threat is real. The rapid and sizable growth in the secondary market for SBA-guaranteed loans that is envisioned by the supporters of S. 2375 will create significant pressures to increase the size of SBA's primary loan guarantee program, which in turn will result in growing Federal borrowing in the credit market. Finally, we believe that the concern raised by the SEC about extending regulatory authority to SBA is a valid one. Accordingly, we join Treasury in recommending your disapproval of S. 2375.

We have revised the veto message prepared by Treasury to also reflect the concerns expressed by the SEC, and it is attached for your consideration.

S. 2375 was passed by voice vote in both the House and Senate.



For
David A. Stockman
Director

Enclosures

TO THE SENATE:

I am returning without my approval S. 2375, a bill "To amend the Small Business Act to improve the operations of the secondary market for loans guaranteed by the Small Business Administration."

The bill would authorize the Small Business Administration (SBA) to issue trust certificates backed by pools of the Federally-guaranteed portions of loans made by banks and other lending institutions under the Small Business Act, and to guarantee timely payment of principal and interest on such trust certificates. The full faith and credit of the United States would also be expressly pledged to payment of such amounts.

This legislation would lead to a significant increase in the interest rate subsidy to small businesses, pressure for an expansion in the volume of SBA-assisted loans, and an unnecessary Government preemption of private market functions. Moreover, this legislation could transform the secondary market for SBA-guaranteed obligations into a market for direct Government securities which, despite their similarity to Treasury securities, would be financed in the securities market at a much higher interest rate than Treasury securities and would compete directly with Treasury securities and other Federally guaranteed obligations. The expansion of the SBA guarantee program and market financing of the proposed trust certificates would run

directly counter to this Administration's efforts to curtail Federal credit assistance and to finance, where feasible, all obligations which are backed by the full faith and credit of the United States through the Federal Financing Bank.

Rather than financing small business credit needs with 100 percent guaranteed Government securities in the bond market, the Administration seeks to encourage the development of private markets for the financing of small business loans and to remove any regulatory impediments which may inhibit such development.

I am also concerned about the provision in S. 2375 that would give the Small Business Administration authority to regulate brokers and dealers in SBA-guaranteed loans and the trust certificates that would be issued pursuant to this bill. Such authority is directly contrary to this Administration's efforts to consolidate overlapping and duplicative regulation and to eliminate excessive regulation within and between agencies.

Accordingly, I must disapprove S. 2375.

SUGGESTED SIGNING STATEMENT FOR THE PRESIDENT

The signing into law of S. 2375 is an especially auspicious occasion because it shows that Government can listen to and act upon advice from the private sector.

This legislation had its origin as a recommendation from a private sector committee commissioned by Jim Sanders, the Administrator of the Small Business Administration to explore various ways to improve small business's access to capital. The committee consisted of a distinguished group of businessmen drawn from various institutions who finance small business. They recommended the enactment of legislation to permit the pooling of SBA guaranteed loans and the issuance of certificates representing all or part of the pool. Based upon their expertise in the financial field they projected it would enhance the efficiency of the guaranteed loan program by increasing the liquidity of the lender, enabling him to make further loans to the small business sector by leveraging the amount of debt capital available in the marketplace. Because of the existence of a ready market for these loans, the lenders are encouraged to make longer term, larger loans at a more favorable rate of interest.

This concept was fashioned into legislation, supported by both Republican and Democrats in both chambers and passed on to me in about 20 months after this original recommendation was made. For Washington, that is a pretty prompt response on a call to action.

This legislation will benefit small business and therefore the economy at large since small business is our main provider of new jobs and the vanguard of the economic recovery. It expands the private sector partnership between financial institutions and the Federal Government to include the investment community as well. By permitting the institutional investors to buy these attractive "pools" from banks and other lenders, it frees up the funds under the lending limit and permits the money to be recycled into additional loans - at a more attractive rate of interest.

In this way some of our largest businesses, like insurance companies and pension funds, can help finance small business, the most dynamic sector of our economy.

It is with pleasure, therefore, that I sign this legislation which will improve our partnership with the private sector and help our liveliest growth sector become even more productive.

THE WHITE HOUSE
WASHINGTON

13 Jan. 1984

TO: JAB III

The attached may well be
discussed in today's
Judicial Meeting.

Fred says that there are
some problems with this.

JC

WHITE HOUSE STAFFING MEMORANDUMDATE: 1/10/84 ACTION/CONCURRENCE/COMMENT DUE BY: --SUBJECT: CASEY RECOMMENDATION RE STANLEY SPORKIN TO DISTRICT COURT OF D.C.

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	☐	☐	JENKINS	☐	☐
MEESE	☐	☒	McFARLANE	☐	☐
BAKER	☐	☒	McMANUS	☐	☐
DEAVER	☐	☒	MURPHY	☐	☐
STOCKMAN	☐	☐	OGLESBY	☐	☐
DARMAN	☐ P	☐ SS	ROGERS	☐	☐
FELDSTEIN	☐	☐	SPEAKES	☐	☐
FIELDING	☒	☐	SVAHN	☐	☐
FULLER	☐	☐	VERSTANDIG	☐	☐
GERGEN	☐	☐	WHITTLESEY	☐	☐
HERRINGTON	☐	☒	<u>OSBORNE</u>	☐	☒
HICKEY	☐	☐	<u> </u>	☐	☐

REMARKS:

RESPONSE:

WILLIAM J. CASEY

7 January 1984

Dear Mr. President,

I believe that the designation of Stanley Sporkin, now General Counsel at the CIA, to fill the vacancy on the Federal District Court for the District of Columbia would be widely recognized as a distinguished and richly deserved appointment. After graduating from law school, Mr. Sporkin clerked for three years with the Chief Judge of the District Court for the District of Delaware. He then served twenty years with the Securities and Exchange Commission (SEC) culminating with eight years as Director of the Division of Enforcement. The caliber of his performance, his dedication, and his impact on standards in the securities markets resulted in his receiving all the major awards and honors available to a member of the Federal career service--the President's Award for Distinguished Federal Civilian Service, the Rockefeller Award for Public Service, the National Civil Service League's Special Achievement Award, the Securities and Exchange Commission's Distinguished Service Award and Supervisory Excellence Award, and the rank of Meritorious Executive in the Senior Executive Service.

Mr. Sporkin's work at the SEC made him very well known and highly esteemed in the legal and accounting profession and in the financial community across the nation. In 1981 he left the SEC to become General Counsel for the Central Intelligence Agency. His ability and dedication was quickly recognized by the Executive Committee at CIA with the Meritorious Officer Award in 1983.

He worked under my immediate supervision at both the Securities and Exchange Commission and the Central Intelligence Agency and I have the highest regard for his character, his legal and managerial ability, his understanding of people and their affairs, and his personal qualities.

At the CIA he very quickly made a distinct and critical contribution in revising the unsatisfactory Executive Order in force when you became President. His negotiating skills were critical in satisfying concerns about the Executive Order in the Intelligence Community, in the Executive Departments and in the Congress. Largely through his efforts you were presented with an Executive Order that has meant a great deal to the Intelligence Community in eliminating unnecessary restrictions which had impaired its effectiveness.

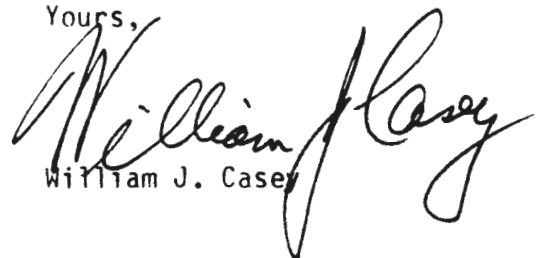
Sporkin was a tower of strength dealing with the so-called Boland Amendment which, as you recall, precluded the Government from spending any money for the purpose of overthrowing the Government of Nicaragua. As soon as the law was passed in late 1982, Stan acted to take the steps necessary to bring the Agency's operations in line with the Amendment's restrictions. He provided our operations people with detailed counselling on how to meet the Amendment's requirements and to be able to subsequently prove our compliance to the Congress. It was largely because of Stan's foresight that the Agency and the Administration were able to effectively counter the subsequently made but unfounded allegations that the Agency was not in compliance with the Amendment.

Sporkin is a lifelong Republican. His father still serves as a judge in Philadelphia and, at the age of 88, is the oldest judge in the Pennsylvania Court system. Stan's lifelong ambition is to serve as a judge himself and he has admirably equipped himself to render outstanding service in that capacity.

His work at the SEC was characterized by a special ability which qualifies him exceptionally for outstanding judicial service, to accurately strike and maintain the delicate balance between the critical interests of national policy and the responsibilities of government officials to protect the rights of the American public.

In my observation of Sporkin and, I believe, in the perception of the legal profession and the interested public around the country, what comes through is a nice balance of insistence on strict adherence to and enforcement of the law, a strong sense of justice, and a sensitivity to the human and personal interests involved.

Yours,



William J. Casey

The President
The White House
Washington, D. C. 20500

Mr. Sporkin, General Counsel of the Central Intelligence Agency since May 1981, has had a long career in public service. After graduating from law school, he clerked three years for Judge Caleb M. Wright, Chief Judge of the District Court for the District of Delaware, from 1957 to 1960. Mr. Sporkin then entered the private practice of law in Washington, D.C., with the law firm of Haley Wallenberg and Bader. In 1961 Mr. Sporkin joined the United States Securities and Exchange Commission, initially to work on the SEC's special study of securities markets. In 1963 at the conclusion of his special assignment, Mr. Sporkin became a staff member of the SEC. Between 1963 and 1974 Mr. Sporkin held positions with increasing responsibilities culminating in his appointment as Director of the Division of Enforcement in 1974. Mr. Sporkin held that position until May 1981 when he joined the CIA.

Mr. Sporkin was born in Philadelphia on 7 February 1932. He received his B.A. degree in 1953 from Pennsylvania State University, where he was elected to Phi Beta Kappa. He graduated from Yale Law School in 1957. Mr. Sporkin was admitted to the Pennsylvania and Delaware Bars in 1958 and the District of Columbia Bar in 1963, and was admitted to practice before the U.S. Supreme Court in 1964. He is also a Certified Public Accountant and serves as an Adjunct Professor of securities law at Howard University School of Law.

In 1979 Mr. Sporkin was a recipient of the President's Award for Distinguished Federal Civilian Service, the highest honor that can be granted to a member of the federal career service. He received in 1978 the Rockefeller Award for Public Service from the Woodrow Wilson School of Public and International Affairs at Princeton University and in 1976 the National Civil Service League's Special Achievement Award. He has also been presented the Securities and Exchange Commission's Distinguished Service Award and Supervisory Excellence Award. In 1979 Mr. Sporkin was given the Alumnus of the Year Award by Pennsylvania State University. In 1981 Mr. Sporkin received the rank of the Meritorious Executive in the Senior Executive Service for sustained superior accomplishment in management of programs of the United States Government and for noteworthy achievement of quality and efficiency in the public service.

Mr. Sporkin and his wife, the former Judith Sally Imber of Philadelphia, are the parents of three children, Elizabeth, Daniel and Thomas.