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Ronald Reagan Library

Collection Name ROBERTS, JOHN G.: FILES

Withdrawer

CAS 8/25/2005

File Folder [JGR/APPOINTEE CLEARANCES - 05/03/1983-05/04/1983]

FOIA

F05-139/01

Box Number 3

COOK

5 KDB

Doc No	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
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3	MEMO	BARRY RUBIN TO JACK CARLEY, RE RESTRICTIONS ON OUTSIDE ACTIVITY OF A COMMISSIONER (PARTIAL FIRST PAGE)	3	7/19/1982	B6	1132
4	LETTER	GERALD NORTON TO HOWARD CANNON RE INFORMATION SUPPLIED FOR CONFIRMATION HEARING	6	7/20/1978	B6	231
5	LETTER	LEON ULMAN TO H. CANNON RE POTENTIAL CONFLICTS OF INTEREST	6	ND	B6	232
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7	LETTER	L. ULMAN TO WARREN MAGNUSON RE POTENTIAL APPOINTEE	4	6/1/1977	B6	234

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

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

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Doc No	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
8	LETTER	DAVID KIRSTEIN TO J. JACKSON WALTER RE NOMINEE'S FINANCIAL INTERESTS	3	9/28/1981	B6	235
9	MEMO	ROBERTS TO MICHAEL STEIN, RE SEELEY G. LODWICK	1	4/22/1983	B6	1133
10	LETTER	LODWICK TO STEIN	3	4/22/1983	B6	1134
11	STATEMENT	BANK STATEMENT RE LODWICK FAMILY FINANCIAL HOLDINGS FOR 12/1/81-2/28/82	4	ND	B6	236
12	STATEMENT	BANK STATEMENT RE LODWICK FAMILY FINANCIAL HOLDINGS FOR 3/1/82-5/31/82	5	ND	B6	237
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Doc No	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
16	FORM	FINANCIAL DISCLOSURE REPORT (SF278)	4	ND	B6	241
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THE WHITE HOUSE

WASHINGTON

May 3, 1983

APPOINTMENT PROCESS PERSONAL INTERVIEW RECORD

DATE OF INTERVIEW: Numerous Meetings in April

CANDIDATE: Seeley G. Lodwick

POSITION: Commissioner, U.S. International Trade Commission

INTERVIEWER: John G. Roberts *JGR*

Comments

Seeley G. Lodwick is to be nominated a Commissioner of the International Trade Commission (ITC). Under 19 U.S.C. § 1330(c)(5), "[n]o commissioner shall actively engage in any business, vocation, or employment other than that of serving as a commissioner." [REDACTED]

FOIA(b)(6) [REDACTED] The Office of Government Ethics (per Jane Ley) has concurred in this determination.

The ITC enabling statute provides that "Not more than three of the commissioners shall be members of the same political party, and in making appointments members of different political parties shall be appointed alternately as nearly as may be practicable." Two of the three sitting commissioners are Republicans, so Lodwick would fill the Republican quota. Since the last two appointments went to Republicans, Lodwick should not be appointed until the appointment of a non-Republican commissioner. Joe Ryan of Presidential Personnel advises me that two independent nominees are ready to be sent up, and if confirmed they can be appointed immediately prior to Lodwick.

FOIA(b)(6) [REDACTED]

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Collection Name

Roberts, John

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[JGR/APPOINTEE CLEARANCES - 05/03/1983-05/04/1983]

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2 LETTER

3 4/22/1983 B6

230

SEELEY LODWICK TO MICHAEL STEIN

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

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UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, D.C. 20436

April 29, 1983

John G. Roberts, Esq.
Associate Counsel to the President
The White House
Washington, D.C. 20500

Re: Seeley G. Lodwick

Dear Mr. Roberts:

We have reviewed Mr. Lodwick's letter of April 22, 1983, describing his farm holdings and his intended activities as trustee of the William G. Lodwick trust. Based on the representations made in the letter, we determine that Mr. Lodwick's activities would not be contrary to the provisions of 19 U.S.C. § 1330(c)(5).

Although consideration of a waiver under 18 U.S.C. § 208(b) is somewhat premature prior to Mr. Lodwick's confirmation, we note that the Commission has infrequently conducted investigations regarding the kinds of agricultural products raised on the properties in which Mr. Lodwick holds an interest.

If I can be of further assistance in this matter please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael P. Mabile", is written below the word "Sincerely,".

Michael P. Mabile
Deputy Ethics Counselor

cc: Jane Ley, Esq.
Office of Government Ethics

THE WHITE HOUSE
WASHINGTON

April 22, 1983

MEMORANDUM FOR MICHAEL STEIN
GENERAL COUNSEL
INTERNATIONAL TRADE COMMISSION

FROM: JOHN G. ROBERTS
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Seeley G. Lodwick

I attach for your information a copy of a memorandum from the Office of the General Counsel, Federal Trade Commission, concerning 15 U.S.C. § 41, an analogue of 19 U.S.C. § 1330(c)(5). I also attach a copy of a letter from the General Counsel of the Civil Aeronautics Board concerning, in part, the applicability of 49 U.S.C. § 1321(b) -- also an analogue of 19 U.S.C. § 1330(c)(5) -- in the context of an FCC licensee who relinquished daily operation of his stations but, under FCC rules, retained ultimate control of them.

Attachments

FEDERAL TRADE COMMISSION
WASHINGTON, D. C. 20580

OFFICE OF THE GENERAL COUNSEL

19 JUL 1982

MEMORANDUM

TO : Jack Carley
FROM : Barry Rubin *Barry Rubin*
SUBJECT : Restrictions on Outside Activity
of a Commissioner



Section 1 of the Federal Trade Commission Act,
15 U.S.C. § 41, prohibits a commissioner from engaging
in "any other business, vocation or employment."

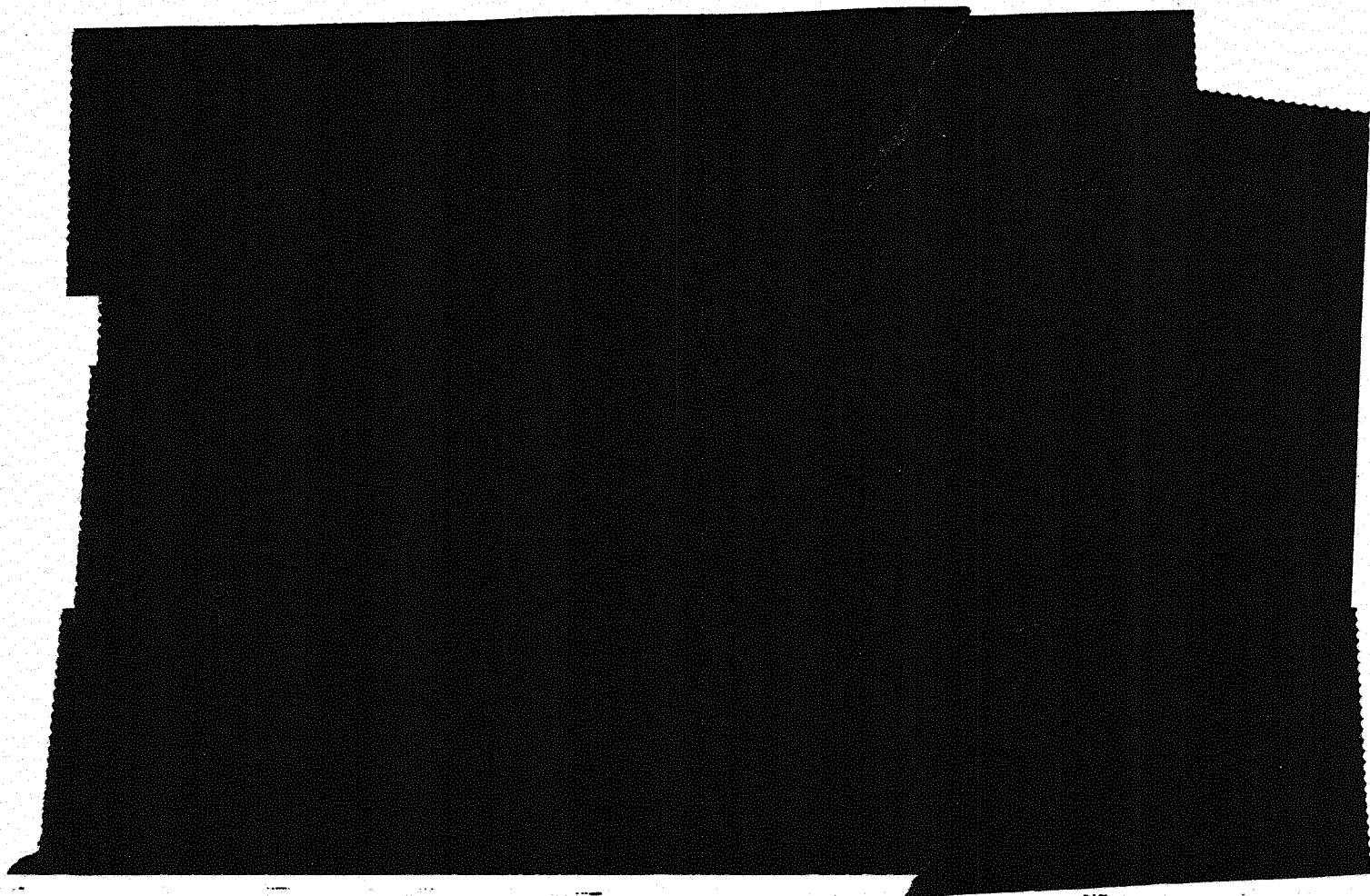
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4 LETTER

6 7/20/1978 B6

231

GERALD NORTON TO HOWARD CANNON RE
INFORMATION SUPPLIED FOR CONFIRMATION
HEARING

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232

LEON ULMAN TO H. CANNON RE POTENTIAL
CONFLICTS OF INTEREST

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6 LETTER

3 12/9/1977 B6

233

L ULMAN TO WARREN MAGNUSON RE
POTENTIAL APPOINTEE

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

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L. ULMAN TO WARREN MAGNUSON RE
POTENTIAL APPOINTEE

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ATTACHMENT E

Department of Justice
Washington, D.C. 20530

29 SEP 1976

Honorable Frank E. Moss
Chairman, Subcommittee for Consumers
Senate Committee on Commerce
Washington, D. C. 20510

Dear Senator Moss:

This is in response to your letter of September 20, 1976, asking that we reconsider one aspect of our opinion regarding potential conflict of interest problems or other legal impediments to the service of Thaddeus Garrett as a Member of the Consumer Product Safety Commission. Specifically, you question the statement in our September 13 letter to Senator Magnuson that Mr. Garrett's service as an associate pastor of the Wesley Temple A.M.E. Zion Church in Akron, Ohio, "would seem to constitute engaging in another 'business, vocation, or employment,' which is prohibited by 15 U.S.C. § 2053(c)."

Mr. Garrett has informed us orally that he has regular responsibilities as associate pastor, including officiating at church services on two or three Sundays each month and at occasional wedding and funeral ceremonies on Saturdays or Sundays. Such activities by an ordained minister -- which Mr. Garrett is -- seem to us to constitute engaging in a "vocation" within the ordinary meaning of that word. They are the type of activities, for example, of which many persons make a professional career. We do not believe that 15 U.S.C. § 2053(c) is nevertheless inapplicable in the present context merely because Mr. Garrett receives no compensation for his work.

The Committee reports and debates on the Consumer Product Safety Act of 1972 are silent as to the legislative purpose in prohibiting Members from engaging in any outside

business, vocation, or employment. This provision was first contained in draft legislation submitted in 1970 as part of the Final Report of the National Commission on Product Safety, which was established to study the need for Federal legislation in the area. See Hearings on the Consumer Product Safety Act before the Subcommittee on Commerce and Finance of the House Interstate and Foreign Commerce Committee, 92d Cong., 1st & 2d Sess. 319, 503 (1972). The Final Report contains no discussion of the recommended provision, and it was apparently adopted without question by the Congress in the legislation that was finally enacted. Any analysis of legislative intent must therefore be speculative and, indeed, somewhat artificial.

The prohibition in 15 U.S.C. § 2053(c) was no doubt borrowed by the National Commission from comparable provisions in statutes governing other independent regulatory agencies. See, e.g., 15 U.S.C. § 41 (FTC); 16 U.S.C. § 792 (FPC); 47 U.S.C. § 154(b) (FCC); 49 U.S.C. § 11 (ICC). Unfortunately, there are no published opinions construing these provisions which might be of help here.

We have not undertaken an exhaustive study of the legislative history of these earlier statutes, although we did unearth a statement in the Senate debates concerning the comparable provision in the Interstate Commerce Act, which was apparently the grandfather of them all, to the effect that Commissioners were to have "no other business . . . thus necessitating . . . an income limited to the amount named in the bill." 17 Cong. Rec. 3477 (1886). We do not read this to mean that limiting a Commissioner's income to his authorized salary is necessarily the only purpose of the ICC provision, however. For one thing, it does not even effectively limit a Commissioner's income to his Government salary, because Commissioners may still receive income from securities of companies not regulated by the ICC. 49 U.S.C. § 11. In any event, we do not attach much significance to this fleeting reference in the legislative history of an essentially unrelated act passed almost 90 years ago in view of the fact that there is no indication that later Congresses, including that which passed the Consumer Product Safety Act, ever gave any thought to the precise meaning of the prohibition. We think it equally if not

more plausible that those who voted for the later provisions, and perhaps even the ICC provision as well, believed that members of independent regulatory commissions should be prohibited from engaging in any outside business, vocation, or employment in order to minimize professional diversions and thereby to focus their energies on official duties. Under this interpretation, even uncompensated outside activities of such a nature must be prohibited, since they too might detract from a member's performance of his official duties. ✓

The Supreme Court has stated that one of the justifications for establishing regulatory commissions comprised of members having a fixed statutory term is to foster independence and to enable the members to develop expertise during their tenure. Humphrey's Executor v. United States, 295 U.S. 602, 625-26 (1935). Limiting outside activities of members, whether compensated or not, is consistent with this purpose.

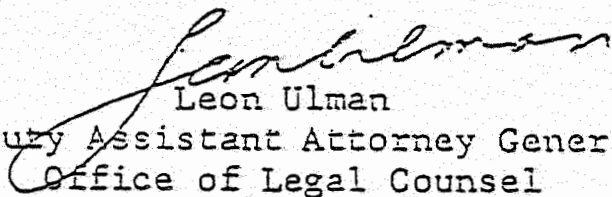
Our conclusion that the prohibition in 15 U.S.C. § 2053(c) applies to uncompensated outside activities also finds support in the fact that the President is authorized to remove any Member of the Consumer Product Safety Commission "for neglect of duty or malfeasance in office." 15 U.S.C. § 2053(a). This section too reflects a concern that Members not be distracted from their official responsibilities.

Finally, we have been advised on an informal basis by several of the other independent regulatory agencies that the matter of compensation would not be regarded as controlling in determining whether outside activities by members would violate comparable prohibitions against engaging in any other business, vocation, or employment. In fact, we were informed that a member of one such agency who also happened to be a minister was orally advised under circumstances quite similar to those involved here that he should cease servicing his congregations when he became a member, and we understand that he did so.

The conclusion that uncompensated services are covered seems quite sound if reference is made to some of the other

situations in which the issue could arise. We assume that there would be agreement, for example, that a Member of the Consumer Product Safety Commission would be prohibited by 15 U.S.C. § 2053(c) from devoting his weekends to practicing law without compensation for a local legal services organization or teaching or consulting on a regular basis for free. In our view, the same rule should apply to the ministry.

Sincerely;


Leon Ulman
Deputy Assistant Attorney General
Office of Legal Counsel

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8 LETTER

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DAVID KIRSTEIN TO J. JACKSON WALTER RE
NOMINEE'S FINANCIAL INTERESTS

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U.S. SENATE,
Washington, D.C., March 30, 1981.

HON. WALTER D. HUDDLESTON,
U.S. Senate, Ranking Minority Member, Subcommittee on Environment, Soil Conservation and Forestry, Committee on Agriculture, Russell Senate Office Building,
Washington, D.C.

DEAR DEE: I would appreciate it if you could arrange for Mr. John B. Crowell, Jr., to answer for the Subcommittee's hearing record, the enclosed questions relating to his nomination as Assistant Secretary of the Department of Agriculture.

Thank you for your assistance.

Sincerely,

GARY HART.

Enclosure.

[The questions and answers thereto follow:]

Question 1. As the Assistant Secretary overseeing the Forest Service, you will have management responsibility for the 22 percent of Colorado's land which is in the national forest system. What is your philosophy for the management of that land?

Answer. We will continue the philosophy of multiple use management.

Question 2. Would there be any conflicts of interest between your current position of general counsel of the company purchasing the most timber from the national forests and a position as Assistant Secretary overseeing the national forests? What steps will you take to avoid any conflicts on matters coming before you which affect Louisiana Pacific?

Answer. Upon being sworn in, I will have divested myself of all stock ownership in Louisiana Pacific Corporation and totally severed employment connections with the Company. I have no assurance nor have I sought any assurance of reemployment by Louisiana Pacific Corporation or any other company. Any appeals to which Louisiana Pacific Corporation is a party will not be resolved by me. I have taken all steps necessary to comply with the Ethics in Government Act of 1978.

Question 3. A federal court recently fined Louisiana Pacific \$1.5 million for anti-competitive practices, which occurred during your tenure as the company's chief legal officer, relating to the purchase of timber from national forest lands in Alaska. Did you have any role in the activities the court found to be illegal, and if so, what was that role?

Answer. I am generally familiar with the cited lawsuit which is a civil antitrust action for treble damages. My involvement in the case was limited to approving selection made by the President of Ketchikan Pulp Company of defense counsel for the Company and thereafter in receiving status reports from such counsel respecting progress in preparation for defense of the case. From time to time preceding and during the trial, I participated with such counsel in a number of meetings and telephone conversations involving trial tactics and strategy.

Question 4. One of the regulations the Administration has targeted for administrative review is the Forest Service's regulations on the land management plans required by the National Forest Management Act of 1976. What is the purpose of this review? What role will the Forest Service play in this review? What effect will the review have on the initial land management plans the Forest Service is now preparing for most national forests?

Answer. The National Forest Management Act (NFMA) was enacted in 1976. It required the development of regulations to set out standards and guidelines for land and resource management planning on 191 million acres of National Forest System lands. The Act requires these plans to be completed by September 30, 1985. For the past 1½ years the Forest Service has been implementing the regulations developed in 1979 pursuant to the NFMA. The Vice President's Task Force on Regulatory Reform has identified these regulations as a possible target for review simply because of the length and complexity of the regulations. I doubt that much substantive change in the regulations is likely to result.

Planning will continue under current regulations during this review. It is expected that the revisions to the regulations will not cause any significant reworking of plans now being developed. The purpose of the review is to simplify the procedures and improve efficiency in planning.

Question 5. What is your position on the Clean Air Act's provisions strictly limiting the amount of additional pollution or visibility impairment of "Class I" wilderness areas (those designated by Congress before 1977)? Do you think Congress should change these provisions?

Answer. In general, I support limiting visibility impairment of the Act. The Act's interpretation of the Act on vistas outside wilderness areas intent by the Congress would be to provide for a review and evaluation of the area.

Question 6. What is your position on the previous area review and evaluation of the Congress?

Answer. For the most part, the point for Congressional consideration as to which lands should provide Congress specific recommendations.

Question 7. In the Colorado conduct 10 wilderness studies under the Wilderness Act of 1964. Will the current regulations and Wilderness Act?

Answer. Yes.

Question 8. The Colorado developed last year statute which had been studied for provisions were included in the Colorado you support these provisions different "release" provision?

Answer. a. Yes, we support the status of roadless areas; in any bills developed in the they are developed.

Question 9. The conference specifically identified five areas of concern by the previous Administration directed that these areas should be reviewed by the Forest Service, under the directive?

Answer. Yes.

Question 10. In the Colorado to administer and interpret the Act in accordance with the guidelines developed in conjunction with the Representatives committee subsequently been included in agency officials. Do you support this?

Answer. Yes.

BIOGRAPHICAL INFORMATION CULTURE FOR INTERNATIONAL

Seeley Lodwick was nominated for International Affairs and

Lodwick was born October 1914 in agricultural economy. He served in the U.S. Marine Corps from 1945 until 1969. Mr. Lodwick has experience in including livestock, both dairy and beans, and wheat.

In 1969 he assumed the position of Director, Division, ASCS. In 1970 he became Executive Assistant to the President. Mr. Lodwick became Director of International Administration, Washington, D.C., in 1979 until his nomination as Assistant Secretary of the Interior by President Ronald Reagan. Mr. Lodwick is married to Mrs. Mary Lodwick.

U.S. SENATE,
Washington, D.C., March 30, 1981.

Subcommittee on Environment, Soil Conservation,
Agriculture, Russell Senate Office Building,

would arrange for Mr. John B. Crowell, Jr.,
in record, the enclosed questions relating to
the Department of Agriculture.

GARY HART.

to follow:]

overseeing the Forest Service, you will
22 percent of Colorado's land which is in
philosophy for the management of that

of multiple use management.
of interest between your current position
leasing the most timber from the national
forests overseeing the national forests? What
in matters coming before you which affect

ve divested myself of all stock ownership
ly severed employment connections with
ave I sought any assurance of reemploy-
any other company. Any appeals to which
ill not be resolved by me. I have taken all
in Government Act of 1978.

ed Louisiana Pacific \$1.5 million for anti-
ring your tenure as the company's chief
nber from national forest lands in Alaska.
e court found to be illegal, and if so, what

he cited lawsuit which is a civil antitrust
nt in the case was limited to approving
kan Pulp Company of defense counsel for
status reports from such counsel respect-
the case. From time to time preceding and
h counsel in a number of meetings and
tics and strategy.

Administration has targeted for adminis-
trations on the land management plans
nent Act of 1976. What is the purpose of
vice play in this review? What effect will
agement plans the Forest Service is now

ment Act (NFMA) was enacted in 1976. It
set out standards and guidelines for land
1 million acres of National Forest System
completed by September 30, 1985. For the
n implementing the regulations developed
ce President's Task Force on Regulatory
as a possible target for review simply
e regulations. I doubt that much substan-
result.

ulations during this review. It is expect-
ill not cause any significant reworking of
f the review is to simplify the procedures

the Clean Air Act's provisions strictly
ion or visibility impairment of "Class I"
gress before 1977)? Do you think Congress

Answer. In general, I support the provisions of the Clean Air Act relative to limiting visibility impairment for areas designated as wilderness as of the effective date of the Act. The Act contains substantial flexibility. I am concerned that interpretation of the Act could be too strict. For example, designation of integral vistas outside wilderness areas does not appear to be required. A clarification of intent by the Congress would be helpful.

Question 6. What is your position on the wilderness recommendations which were submitted by the previous Administration following the Forest Service's roadless area review and evaluation (RARE II), but which have not yet been acted on by Congress?

Answer. For the most part the RARE II recommendations provide a good starting point for Congressional consideration. We expect Congress to continue its consideration as to which lands should be designated as wilderness. As requested, we will provide Congress specific recommendations on individuals bills.

Question 7. In the Colorado Wilderness Act of 1980, the Forest Service directed to conduct 10 wilderness studies "in accordance with subsections 3(c) and 3(d) of the Wilderness Act of 1964." Will the Forest Service, in conducting these studies, follow the current regulations and practices established under sections 3(c) and 3(d) of the Wilderness Act?

Answer. Yes.

Question 8. The Colorado delegation and other interested members of Congress developed last year statutory provisions on the "release" of national forest lands which had been studied for possible wilderness designation RARE II. These provisions were included in the Colorado, New Mexico, and Alaska wilderness bills. Do you support these provisions? Would you support the inclusion of the same or different "release" provisions in any additional legislation based on RARE II?

Answer. a. Yes, we support the objectives of these provisions in seeking to resolve the status of roadless areas; b. We expected that release language will be included in any bills developed in the 97th Congress. We will respond to these proposals as they are developed.

Question 9. The conference report accompanying the Colorado Wilderness Act specifically identified five areas which had been recommended for wilderness designation by the previous Administration but were rejected by Congress. The conferees directed that these areas should be made available for non-wilderness multiple use. Will the Forest Service, under the new Administration, continue to follow this directive?

Answer. Yes.

Question 10. In the Colorado Wilderness Act, Congress directed the Forest Service to administer and interpret the provisions of the Wilderness Act relating to grazing in accordance with the guidelines on grazing policy and practices which were developed in conjunction with the Colorado bill and included in the House of Representatives committee report accompanying the bill. These guidelines have subsequently been included in the Forest Service Manual and are being followed by agency officials. Do you support these guidelines and their continued implementation?

Answer. Yes.

BIOGRAPHICAL INFORMATION OF SEELEY G. LODWICK, UNDER SECRETARY OF AGRICULTURE FOR INTERNATIONAL AFFAIRS AND COMMODITY PROGRAMS—DESIGNATE

Seeley Lodwick was nominated for the position of Under Secretary of Agriculture for International Affairs and Commodity Programs on March 17, 1981.

Lodwick was born October 19, 1920 in Evanston, Illinois. He received his B.S. degree in agricultural economics from Iowa State University in 1942. He served in the U.S. Marine Corps from 1942 to 1945, when he was discharged as a lieutenant. From 1945 until 1969 Mr. Lodwick was engaged in various farming activities, including livestock; both dairy and beef, along with hogs; and grains—corn, soybeans, and wheat.

In 1969 he assumed the responsibility of Director, Conservation and Land Use Division, ASCS. In 1970 he became Secretary of the Commodity Credit Corporation, and Executive Assistant to the Administrator of ASCS. Leaving that post in 1973, Mr. Lodwick became Director, Government Relations, American Farm Bureau Federation, Washington, D.C., and served in this capacity until 1976 when he was named Assistant Administrator for ASCS in the Department of Agriculture. From 1979 until his nomination Mr. Lodwick served as Iowa Administrator for Senator Roger W. Jepsen (R-Iowa).

Mr. Lodwick is married to Helen (Pat) Barbre and they have three daughters.

UNITED STATES OF AMERICA,
OFFICE OF GOVERNMENT ETHICS,
OFFICE OF PERSONNEL MANAGEMENT,
Washington, D.C., March 18, 1981.

Hon. JESSE A. HELMS,
Chairman, Committee on Agriculture, Nutrition and Forestry,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Seeley G. Lodwick. President Reagan has nominated Mr. Lodwick for the position of Under Secretary for International Affairs and Commodity Programs, Department of Agriculture.

We have reviewed the report and obtained advice from the Department of Agriculture concerning any possible conflict in light of the agency's functions and the nominee's proposed duties. Copies of letters from the agency and Mr. Lodwick concerning this matter are attached to his report. We note that by his letter, Mr. Lodwick has made various commitments in order to resolve issues relating to potential conflicts of interest. We concur with the agency concerning a waiver under 18 U.S.C. § 208(b). Such a determination is necessary and appropriate in this case, and we have been advised that it will be forthcoming.

Subject to effectuating the commitments referred to above and the waiver determination, we believe that Mr. Lodwick will be in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

J. JACKSON WALTER, Director.

Enclosure.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., March 5, 1981.

Hon. J. JACKSON WALTER,
Director, Office of Government Ethics,
Washington, D.C.

DEAR MR. WALTER: Enclosed is a copy of the SF-278, Financial Disclosure Report, for Seeley G. Lodwick, nominee for the position of Under Secretary of Agriculture for International Affairs and Commodity Programs, which I have signed as this Department's designated official under the Ethics in Government Act of 1978. Also enclosed is Mr. Lodwick's letter to you of this date detailing the steps he has agreed to take in order to avoid the possibility of any actual or apparent conflict of interest between his personal financial interests and the duties he will perform as Under Secretary. I believe that, on the basis of the financial interests disclosed in the SF-278, and considering the steps which Mr. Lodwick has agreed to take, the report discloses no conflict of interest under applicable laws and regulations.

While the information contained in the report discloses no present conflicts of interest between Mr. Lodwick's personal financial interests and the duties he will perform as Under Secretary of Agriculture, it is nonetheless apparent to me that matters will routinely arise during Mr. Lodwick's tenure as Under Secretary which, when viewed alongside his agricultural interests, could well rise to actual or apparent conflicts of interest. The types of activities in which the Under Secretary is called upon to participate personally and substantially on a regular basis, any of which could give rise to at least an appearance of conflict of interest, include, among others, advice with respect to export sales of U.S. agricultural commodities, or embargoes on such sales; questions regarding imports of meat products from foreign countries; and decisions regarding loan rates and target prices for corn, soybeans and other agricultural crops.

Because the types and numbers of such matters are so varied and extensive, I recommend that serious consideration be given to issuance of a determination for Mr. Lodwick, under the provisions of 18 U.S.C. 208(b), that his financial interests in agricultural production areas are not so substantial as to be deemed likely to affect the integrity of his services to the Government as Under Secretary of Agriculture. While Mr. Lodwick has, in my view, taken all the steps which should be expected of him to avoid the possibility of any conflict of interest or appearance thereof, I believe that issuance of such a determination would foreclose the possibility that any such matters would preclude his performance of the full range of duties assigned to the Under Secretary of Agriculture for International Affairs and Commodity Programs.

Sincerely,

JOHN W. FOSSUM,
Director of Personnel and Designated Agency Official.

Enclosures.

Hon. J. JACKSON WALTER,
Director, Office of Government Ethics,
Washington, D.C.

DEAR MR. WALTER: The purpose of this letter is to take in order to avoid the possibility of a conflict of interest between my personal financial interests and the duties I will perform as Under Secretary of Agriculture for International Affairs and Commodity Programs.

As indicated on my SF-278, I am the owner of the Williams family land in Lee County, Iowa. This land is operated on a crop share basis with the Seeley G. Lodwick trust, and have received a portion of the proceeds from this trust property. I have actively participated in the management of this land in confirmation as Under Secretary of Agriculture for International Affairs and Commodity Programs. I will resign my position as Under Secretary of Agriculture for International Affairs and Commodity Programs, and in no event will I receive a return of eight percent (8 percent) of the value of my assets, during the period of my tenure as Under Secretary.

I also own, jointly with my wife, a portion of the Williams family land, Inc., also located in Lee County, Iowa, which is managed by my wife and I. I will abstain from all active participation in the management of this land and will continue to receive a portion of the proceeds from this property, and in no event will I receive a return of eight percent (8 percent) of the value of my assets, during the period of my tenure as Under Secretary.

My wife owns separately a portion of the Williams family land, which is managed by my wife and I. I will abstain from all active participation in the management of this land during my tenure as Under Secretary.

I will also, during my tenure as Under Secretary, abstain from any active participation in any particular matter concerning farming or agriculture on lands owned by the Williams family, which are managed by my wife and I, and land separately owned by my wife.

I also own, jointly with my wife, a portion of the Williams family land, which is managed by my wife and I. I will abstain from all active participation in the management of this land during my tenure as Under Secretary. During my tenure as Under Secretary, I will receive a portion of the proceeds from this property, and in no event will I receive a return of eight percent (8 percent) of the value of my assets, during the period of my tenure as Under Secretary. I will also, during my tenure as Under Secretary, abstain from any active participation in any particular matter concerning farming or agriculture on lands owned by the Williams family, which are managed by my wife and I, and land separately owned by my wife.

I also own a one-sixth interest in the Williams family land, which raises, finishes, and markets hogs. I have an office in this concern, but I am not a Director. While I now participate in the management of this land, such involvement during my tenure as Under Secretary of Agriculture for International Affairs and Commodity Programs, and in no event will I receive a return of eight percent (8 percent) of the value of my assets, during the period of my tenure as Under Secretary.

Neither I nor any of my family members have any financial interest in the Williams family land, which raises, finishes, and markets hogs. I have an office in this concern, but I am not a Director. While I now participate in the management of this land, such involvement during my tenure as Under Secretary of Agriculture for International Affairs and Commodity Programs, and in no event will I receive a return of eight percent (8 percent) of the value of my assets, during the period of my tenure as Under Secretary.

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1133

ROBERTS TO MICHAEL STEIN, RE SEELEY G.
LODWICK

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

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

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

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LODWICK TO STEIN

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

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MARCH 5, 1981.

STATES OF AMERICA,
OF GOVERNMENT ETHICS,
OF PERSONNEL MANAGEMENT,
Washington, D.C., March 18, 1981.

and Forestry,

Ethics in Government Act of 1978, I
filed by Seeley G. Lodwick. Presi-
ne position of Under Secretary for
Department of Agriculture.

vice from the Department of Agri-
of the agency's functions and the
om the agency and Mr. Lodwick
rt. We note that by his letter, Mr.
rder to resolve issues relating to
agency concerning a waiver under
ssary and appropriate in this case,
ing.

red to above and the waiver deter-
n compliance with applicable laws

J. JACKSON WALTER, Director.

PARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., March 5, 1981.

R-278, Financial Disclosure Report,
of Under Secretary of Agriculture
ams, which I have signed as this
s in Government Act of 1978. Also
e detailing the steps he has agreed
ual or apparent conflict of interest
duties he will perform as Under
cial interests disclosed in the SF-
ck has agreed to take, the report
ws and regulations.

discloses no present conflicts of
interests and the duties he will
nonetheless apparent to me that
enure as Under Secretary which,
ould well rise to actual or appar-
n which the Under Secretary is
tially on a regular basis, any of
of conflict of interest, include,
of U.S. agricultural commodities,
imports of meat products from
tes and target prices for corn,

are so varied and extensive, I
issuance of a determination for
, that his financial interests in
as to be deemed likely to affect
nder Secretary of Agriculture.
aps which should be expected of
erest or appearance thereof, I
d foreclose the possibility that
of the full range of duties as-
rnational Affairs and Commod-

JOHN W. FOSSUM,
Designated Agency Official.

Hon. J. JACKSON WALTER,
Director, Office of Government Ethics,
Washington, D.C.

DEAR MR. WALTER: The purpose of this letter is to inform you of the steps I intend to take in order to avoid the possibility of any actual or apparent conflict of interest between my personal financial interests and the duties I will perform if confirmed to be Under Secretary of Agriculture for International Affairs and Commodity Programs.

As indicated on my SF-278, Financial Disclosure Report, I own an interest, as one of the beneficiaries of the William G. Lodwick trust, in 1200 Acres of farmland in Lee County, Iowa. This land is used to raise corn, soybeans, and wheat, and is operated on a crop share basis. In recent years, I have received beneficial distributions from this trust property. I have also served as trustee of the William G. Lodwick trust, and have received a trustee's fee for this service; in this manner, I have actively participated in the management of the farming operation. Upon my confirmation as Under Secretary for International Affairs and Commodity Programs, I will resign my position as trustee of this trust. I will also abstain from all active participation in the management of these farming operations during my tenure as Under Secretary, and will receive only my proportional share of the trust distributions. In no event will my income from the trust exceed an annual rate of return of eight percent (8 percent) of the value of my proportional share of the trust assets, during the period of my Government service as Under Secretary.

I also own, jointly with my sister, 480 Acres of farmland known as LaCrew Acres, Inc., also located in Lee County, Iowa. This land is used to raise primarily corn and soybeans, and is managed by a third party. During my tenure as Under Secretary, I will abstain from all active participation in the management of this farm property, and will continue to receive only my proportional share of the income from the property, and in no event will my income exceed an annual rate of return of eight percent (8 percent) of the value of my ownership interest in this property.

My wife owns separately 120 acres of farmland also located in Lee County, Iowa. This land is managed by my wife, operated by a third party, and used to raise corn, soybeans, and wheat. I will likewise abstain from active participation in the management of this land during my service as Under Secretary.

I will also, during my tenure as Under Secretary, recuse myself from participation in any particular matter which may arise within the Department of Agriculture concerning farming or agricultural production in Lee County, Iowa, where all lands owned by the William G. Lodwick trust and by La Crew Acres, Inc., and the land separately owned by my wife, are located.

I also own, jointly with my sister, 640 Acres of land located in Sherman County, Texas, which is managed and operated on a rental basis. Part of this is pasture for which we receive a cash rent. Part of this land is also used to raise wheat and hay, for which we receive cash plus a percentage of the yield. Here too I will abstain from active participation in the management of these lands during my service as Under Secretary. During my period of service as Under Secretary, I will receive no income from this property which exceeds an annual rate of return of eight percent (8 percent) of the value of my ownership interest. I will likewise recuse myself from participation in any particular matter which may arise within the Department of Agriculture concerning farming or agricultural production in Sherman County, Texas, where these lands are located.

I also own a one-sixth interest in Pork Production, Inc., a firm located in Iowa which raises, finishes, and markets approximately 1,000 hogs per year. I hold no office in this concern, but I do serve as a member of the corporation's Board of Directors. While I now participate in the firm's management, I will abstain from such involvement during my service as Under Secretary and will resign my membership on the Board of Directors upon my confirmation as Under Secretary. My only income from this interest comes in the form of dividends, which I will continue to receive while I serve as Under Secretary.

Neither I nor any of my farming or business interests currently have any indebtedness under or participation in any USDA lending or farm price support programs. Further, no loans or other participation in such programs will be sought during my service as Under Secretary.

With the exception of the passive interests I will retain in the above referenced farming and farm-related operations, I intend to resign from all positions I currently hold. I will also refrain from all active management, and will render no personal services of any kind, in connection with any of the farm properties, agriculture operations, or other business ventures in which I own financial interests, or in

would like to
resume
role as
trustee

would like
to take
active role

return for any income which I receive from such operations during my tenure as Under Secretary of Agriculture.

In addition, I intend to recuse myself, on a case-by-case basis, in any matter in which, in order to avoid the possible appearance of impropriety, it appears to me desirable that I do not personally or substantially participate, despite the lack of any actual conflict of interest. I believe that this general policy, to which I am committed, will avoid not only the occurrence of any actual conflict of interest, but even the possible appearance of any conflict between my duties as an officer of the Government and my personal financial interests, while at the same time enabling me to participate fully in generic policy decisions as Under Secretary of Agriculture for International Affairs and Commodity Programs.

Sincerely,

SEELEY G. LODWICK.

Form Approved OMB No. 5010-107		Page 56
Agency Use Only Date of Filing (month, day, year)		DOE Use Only MAR 5 1981
Date of Appointment/Candidacy		
Date of Termination		

FINANCIAL DISCLOSURE REPORT	
Reporting Status (Check appropriate box) <input type="checkbox"/> Incumbent <input checked="" type="checkbox"/> New Entrant, Nominee, or Candidate	NOTE All schedules must be filed. Enter "None" in areas or across schedule where appropriate.
Reporting Individual's Name LODWICK	First Name and Middle Initial SEELEY G.
Termination Report <input type="checkbox"/>	Last Name LODWICK

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11 STATEMENT

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BANK STATEMENT RE LODWICK FAMILY
FINANCIAL HOLDINGS FOR 12/1/81-2/28/82

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

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

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

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12 STATEMENT

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BANK STATEMENT RE LODWICK FAMILY
FINANCIAL HOLDINGS FOR 3/1/82-5/31/82

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BANK STATEMENT RE LODWICK FAMILY
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BANK STATEMENT RE LODWICK FAMILY
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15 STATEMENT

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BANK STATEMENT RE LODWICK FAMILY
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FINANCIAL DISCLOSURE REPORT (SF278)

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

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

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

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

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

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

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

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

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

E.O. 13233

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

~~70-76~~ ~~EEF~~ ~~For~~:

2

Davis:

67-76:

draw distinction: full time

major

passive investment

more trustee fee

5

- passive

- manager

- no fee

3

6

- which farm?
- what does it grow?
- how affected by ITC work?
- know of past history?
- earned income limitation?
- how much of time involved w/ farm?

W. G. Lechuk Trust: 1200 Acre Long, narrow, large
 steers, water, self wheat

✓ OGE: 208(b)(1) main?

✓ OGE:

involved in farm again?

~~X 9,832~~ ~~Transfer Distribution~~

→ other inc for S interest in trust

- 19 U.S.C. 1330

Thursday A.M. return

from (5 '82 Monday A.M.)

WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name

Roberts, John

Withdrawer

KDB 7/28/2005

File Folder

[JGR/APPOINTEE CLEARANCES - 05/03/1983-05/04/1983]

FOIA

F05-139/01

COOK

Box Number

5 KDB

DOC Document Type

NO Document Description

No of Doc Date Restriction
pages

17 NOTES

2

ND

B6

242

RE REQUIRED FINANCIAL DOCUMENTS

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