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Chief of state

Chief Executive - executive + command. Responsible for administration of gov. "take care that the laws be faithfully executed." OMB E.O.

Counsel-in-Chief

Foreign Affairs - Pointon 26. Move into discussion of need for support. Also support w/ refs from Federalist.

Legislative - acts + state of the Union (on basis for proposing a program).

Ending - Truman quote, as Pointon: "the essence of the Presidency." Remember in his centennial.

Discussion of limits: relations with judiciary (from Marshall quote to limit to FDR - now judicial restraint); relations with Congress

Cabinet gov - incompatibility clause → no system of responsibility to Congress.

Holmes quote - executive, as all the is, but one on which we have staked our all.

- limited grant of legis powers - enumerated
- full grant of exec powers. Myers v. U.S., 272 U.S. 52, 128
can't limit exec, duties, responsibilities
- brief language does not suggest breadth of responsibilities
- has worked, achieved its purposes, in practice. most imp: remove blame of states, as in case of Fed.
- Holmes: not black + white, but shades of gray.
- Every in case: Hamilton.

we have [begin testing]. Given the situation
not power would restore France voluntarily,
and we have supported it.

Pole is under-in-chief. Most answer
responsibility. c-c 447. No Prez who has
stood at D-Day beaches, entertained million for
Victory, can but tumble at the end. But
must be prepared.

Content of foreign office. Remotes 26. Prez
must, as long as. [Get foreign legislative
speech]

Foreign doesn't capture role of office. Men
have said this: [Forward]. Burden of office
is great, but guide as Lincoln's guide.

get quotes of Congress can't → Prez role.
Cz has taken more active. That
carries with a responsibility of
legislative when policy is set. Not
issue of who Prez v. who Cz. Challenge
will go both. Some in need to
act responsibly in support of U.S.

Prez needs support of people + Congress.

Live in dangerous world, and it is
not made less so by refusing to
recognize it as such.

Jefferson: foreign affairs "executive altogether"

Am often asked, by students: ———.

Answer is in the laws of our previous Prez. No
wide pattern. Not to be something but to do
something.

465 -
"hold...
word of
the
community"

[SPEECH] ←

4TH DOCUMENT of Level 1 printed in KWIC format.

Public Papers of the Presidents

Constitutional Amendment on Prayer in Schools and
Institutions

Message to the Congress Transmitting the Proposed Amendment

19 Weekly Comp. Pres. Doc. 370

March 8, 1983

LENGTH: 792 words

... since Benjamin Franklin's eloquent request that prayer be observed by the Constitutional Convention:

I have lived, Sir, a long time, and the longer I live, the more convincing proofs I see of this truth -- that God governs in the affairs of men. ... I also believe that without his concurring aid we shall succeed in this political building no better than the Builders of Babel: We shall be divided by our little partial local interests; our projects will be confounded, and we ourselves ...

John Roberts

1ST DOCUMENT of Level 1 printed in KWIC format.

Public Papers of the Presidents

National Association of Evangelicals

Remarks at the Association's 42d Annual Convention in
Columbus, Ohio.

March 6, 1984

LENGTH: 3859 words

... back in our schools.

We stand on firm historical and constitutional ground. During the Constitutional Convention, Benjamin Franklin rose to say that -- he said, "The longer I live, the more convincing proofs I see that God governs in the affairs of men. Without His concurring aid, we shall succeed in this political building no better than the builders of Babel." And he asked "Have we now forgotten this powerful Friend? Or do we imagine we no longer need His assistance?" And then Franklin moved that the Convention ...

Proclamation 4858 of September 16, 1981

Citizenship Day and Constitution Week, 1981

By the President of the United States of America

A Proclamation

Daniel Webster once wrote, "We may be tossed upon an ocean where we can see no land—nor, perhaps, the sun or stars. But there is a chart and a compass for us to study, to consult, and to obey. The chart is the Constitution."

September 17, 1981, marks the 194th anniversary of our Constitution. Its Framers scarcely could have conceived of the timelessness of the document they so carefully drafted. They prepared a Constitution to meet the needs of a fledgling nation. Yet today, amid the complexities of the twentieth century, that same Constitution, with only several amendments, serves a nation whose territory spans a continent and whose population exceeds two hundred and twenty-five million. With the passing of each year, it becomes increasingly evident that, in the words of Chief Justice John Marshall, our Constitution will "endure for ages to come."

The Constitution establishes the Congress, the Executive, and the Judiciary, and through a deliberate allocation of authority, it defines the limits of each upon the others. It particularizes the liberties which, as free men and women, we insist upon, and it constrains both Federal and State powers to ensure that those precious liberties are faithfully protected. It is our blue-print for freedom, our commitment to ourselves and to each other.

It is by choice, not by imposition, that the Constitution is the supreme law of our Land. As we approach the bicentennial of this charter, each of us has a personal obligation to acquaint ourselves with it and with its central role in guiding our Nation. While a constitution may set forth rights and liberties, only the citizens can maintain and guarantee those freedoms. Active and informed citizenship is not just a right: it is a duty.

In recognition of the paramount importance of the Constitution to our Nation, and in recognition of all who have attained the status of United States citizens, the Congress by joint resolution on February 29, 1952 (36 U.S.C. Section 153), designated September 17th as Citizenship Day, and by joint resolution of August 2, 1956 (36 U.S.C. Section 159), requested the President to proclaim the week beginning September 17th and ending September 23rd of each year as Constitution Week.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, call upon appropriate Government officials to display the flag of the United States on all Government buildings on Citizenship Day, September 17, 1981. I urge Federal, State and local officials, as well as leaders of civic, educational and religious organizations to conduct ceremonies and programs that day to commemorate the occasion.

I also proclaim the week beginning September 17th and ending September 23rd, 1981 as Constitution Week, and I urge all Americans to observe that

week with appropriate
and other suitable pro-

IN WITNESS WHEREOF,
Sept., in the year of
Independence of the

Proclamation 4859 of

National Cystic F

By the President of the

A Proclamation

Cystic fibrosis is an
respiratory and diges-
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victim and family. Th
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week of September
brosis Week.

NOW, THEREFORE
of America, do here
ber 26, 1981, as Na
the United States to
activities.

IN WITNESS WHEREOF,
day of September in

week with appropriate ceremonies and activities in their schools, churches and other suitable places.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of Sept., in the year of our Lord nineteen hundred and eighty-one, and of the Independence of the United States of America the two hundred and sixth.

RONALD REAGAN

Proclamation 4859 of September 17, 1981

National Cystic Fibrosis Week

By the President of the United States of America

A Proclamation

Cystic fibrosis is an hereditary, metabolic disease primarily affecting the respiratory and digestive systems. Tragically, the disease attacks the young. It imposes enormous economic, physical and emotional burdens on both victim and family. The disease is the leading genetic killer of young Americans; yet, its cause and cure are unknown. In addition, there is no test for determining who is a carrier—and there are up to 10 million symptom-free individuals who might pass cystic fibrosis on to their children.

Nevertheless, there is ample reason for hope. There have been important advances in the treatment of cystic fibrosis. Twenty-five years ago, children affected by the disease seldom reached school age. Today, half of those afflicted with the disease will live into their twenties, and the quality of life during these additional years has been significantly improved.

Supported by the National Institutes of Health and private voluntary agencies, researchers throughout the world are focusing their efforts on cystic fibrosis. Improved methods of diagnosis, detection, treatment and control are being examined and attention, as never before, is being paid to this cruel disease.

Since early diagnosis can prolong life, public awareness is critical. To increase this awareness and commemorate the progress being made in controlling cystic fibrosis, and to emphasize the need for a continued effort to defeat it, the Congress has, by Senate Joint Resolution 62, designated the week of September 20 through September 26, 1981, as National Cystic Fibrosis Week.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby proclaim the week of September 20 through September 26, 1981, as National Cystic Fibrosis Week. I call upon the people of the United States to observe that week with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of September in the year of our Lord nineteen hundred and eighty-one,

the intervening forty-one years, recognized the forcible incorporation of the Baltic states into the Soviet Union.

As a nation, we remain dedicated to the furtherance and preservation of the fundamental human rights and freedoms of all people and take note on this special day of our hope that the blessings of liberty will one day be part of the national life of the courageous people of Estonia, Latvia, and Lithuania.

The Congress of the United States by Senate Joint Resolution 201 has authorized and requested the President to proclaim June 14 as Baltic Freedom Day.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby designate June 14, 1982, as Baltic Freedom Day. I call upon the people of the United States to reaffirm their belief and hope that the citizens of Latvia, Lithuania, and Estonia and of all nations will one day achieve through peaceful means the goals of democratic freedom and self-determination.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of June, in the year of our Lord nineteen hundred and eighty-two, and of the Independence of the United States of America the two hundred and sixth.

RONALD REAGAN

Proclamation 4949 of June 23, 1982

Citizenship Day and Constitution Week, 1982

By the President of the United States of America

A Proclamation

Chief Justice John Marshall wrote, "the people make the Constitution, and the people can unmake it. It is the creature of their own will, and lives only by their will." It is appropriate, therefore, that we set aside September 17, 1982, the 195th anniversary of the Constitution, to celebrate Citizenship Day and to begin Constitution Week.

The Constitution provides the structure of our federal system and a system of checks and balances that applies equally to each branch of government, to relations between the states and the Federal Government, and, as importantly, to each of us. It protects the rights of all Americans to "life, liberty and the pursuit of happiness" and limits governmental authority to ensure these liberties are faithfully protected—both by and from the state.

But in the end it is each citizen who is responsible for protecting the liberties set forth in the Constitution and Bill of Rights. Therefore, while Citizenship Day is a day of celebration, it is also a day of remembrance and dedication. This is particularly so in view of this time in our history. Two hundred years ago, with freedom assured by victory at the Battle of Yorktown, our forefathers began the process culminating in the adoption of the Constitution on September 17, 1787.

On this day and to this "compact" future." And, as we must remember that an obligation.

In recognition of the paramount role of Congress, by joint resolution, September 17th and 1956 (36 U.S.C. 159) September 17th and Week.

NOW, THEREFORE, I, Ronald Reagan, President of the United States of America, call upon the people of the United States to reaffirm their belief and hope that the citizens of Latvia, Lithuania, and Estonia and of all nations will one day achieve through peaceful means the goals of democratic freedom and self-determination.

I also proclaim this day as Citizenship Day and Constitution Week, and I urge the people to stress the importance of the form of government and documents surrounding its bicentennial and the purpose of this Charter.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of June, in the year of our Lord nineteen hundred and eighty-two, and of the Independence of the United States of America the two hundred and sixth.

Proclamation 4950 of June 23, 1982

National NCO/PO Week, 1982

By the President of the United States of America

A Proclamation
Time has not altered the role of our Armed Forces since they were laid in 1776. For men and women who have served as commissioned Officers and Sergeants at Arms, the bone of the Armed Forces.

We all should recognize the debt made to the Nation by the men and women to the Nation as so old and older than the Nation. The long list of recipients of the Medal of Honor.

On this day and throughout this week, we should reaffirm our commitment to this "compact" which gives "stability to the present and certainty to the future." And, as we approach the 200th anniversary of the Constitution, we must remember that an active and informed citizenry is not just a right; it is an obligation.

In recognition of the place the Constitution holds in our Nation, and the paramount role our citizens play in maintaining the United States, the Congress, by joint resolution on February 29, 1952 (36 U.S.C. 153), designated September 17th as Citizenship Day, and by joint resolution of August 2, 1956 (36 U.S.C. 159), requested the President to proclaim the week beginning September 17th and ending September 23rd of each year as Constitution Week.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, call upon appropriate Government officials to display the flag of the United States on all Government buildings on Citizenship Day, September 17, 1982. I urge Federal, State and local officials, as well as leaders of civic, educational and religious organizations to conduct ceremonies and programs that day to commemorate the occasion.

I also proclaim the week beginning September 17th, 1982 as Constitution Week, and I urge all Americans to observe that week with programs that stress the importance of the Constitution to our individual freedoms and form of government. I call upon all citizens to join in studying the events and documents surrounding the adoption of our Constitution in 1787 so that its bicentennial may be celebrated with renewed learning of the history and purpose of this Charter of Freedom.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of June, in the year of our Lord nineteen hundred and eighty-two, and of the Independence of the United States of America the two hundred and sixth.

RONALD REAGAN

Proclamation 4950 of June 30, 1982

National NCO/Petty Officer Week, 1982

*By the President of the United States of America
A Proclamation*

Time has not altered the basic duties and responsibilities of the majority of our Armed Forces personnel since the very foundation of our country was laid in 1776. For more than two hundred years, the American men and women who have so proudly served—and are currently serving—as Non-commissioned Officers and Petty Officers have been regarded as the backbone of the Armed Forces of the United States.

We all should recognize the great sacrifices and significant contributions made to the Nation by our fellow citizens whose traditional role of service to the Nation as soldiers, sailors, airmen, marines, and coast guardsmen is older than the Nation itself. Their spirit and devotion to duty is evident in the long list of recipients of the Medal of Honor and other decorations of

Proclamation 5085 of August 29, 1983

Citizenship Day and Constitution Week, 1983

By the President of the United States of America
A Proclamation

There can be no more precious possession than United States citizenship. As the Columbus, Ohio, *Dispatch* so fittingly stated many years ago:

"In the darkness that has settled over so much of the world and which shadows the existence of men in places where individual liberty still struggles to live, the United States of America has become the source of hope and aid to the millions of oppressed who once knew freedom and the hated enemy of the overlords of darkness who would destroy it wherever they can."

The Constitution provides a framework for our continuous striving to make a better America. It provides the basic balance between each branch of government, limits the power of that government, and guarantees to each of us as citizens our most basic rights. The Constitution, however, is only the outline of our system of government. It is through each individual citizen living out the ideals of the Constitution that we reach for a full expression of those ideals. Therefore, while we celebrate Citizenship Day and Constitution Week, let us rededicate ourselves to a full realization of the potential of the great country which the Founding Fathers struggled to create more than two hundred years ago.

Not only during this week, but throughout the year, we should continue to seek that "more perfect union" which will establish justice and insure domestic tranquility for each of us and our future generations through the Constitution.

In recognition of the importance of our Constitution and the role of our citizenry in shaping our government, the Congress, by joint resolution of February 29, 1952 (36 U.S.C. 153), designated September 17th of each year as Citizenship Day and authorized the President to issue annually a proclamation calling upon officials of the government to display the flag on all government buildings on that day. The Congress also, by joint resolution of August 2, 1956 (36 U.S.C. 159), requested the President to proclaim the week beginning September 17th and ending September 23rd of each year as Constitution Week.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, call upon appropriate government officials to display the flag of the United States on all government buildings on Citizenship Day, September 17, 1983. I urge Federal, State and local officials, as well as leaders of civic, educational, and religious organizations to conduct ceremonies and programs that day to commemorate the occasion.

I also proclaim the week beginning September 17th and ending September 23rd, 1983 as Constitution Week, and I urge all Americans to observe that week with appropriate ceremonies and activities in their schools, churches and other suitable places.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of August, in the year of our Lord nineteen hundred and eighty-three,

and of the Independence of the United States of America the two hundred and eighth.

RONALD REAGAN

Proclamation 5086 of September 1, 1983

Death of American Citizens on Board Korean Airlines Flight

*By the President of the United States of America
A Proclamation*

As a mark of respect for the American citizens and all those who died violently on board the Korean Airlines flight which was ruthlessly shot down by Soviet fighters between Sakhalin and Monoron Islands on September 1, 1983, I hereby order, by virtue of the authority vested in me as President of the United States of America, that the flag of the United States shall be flown at half-staff upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions through Sunday, September 4, 1983. I also direct that the flag shall be flown at half-staff for the same length of time at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of September, in the year of our Lord nineteen hundred and eighty-three, and of the Independence of the United States of America the two hundred and eighth.

RONALD REAGAN

Proclamation 5087 of September 6, 1983

Fire Prevention Week, 1983

*By the President of the United States of America
A Proclamation*

This great Nation of ours, the richest and most technologically advanced in the world, continues to lead all major industrialized countries in per capita deaths and property loss from fire.

Each year thousands of American lives are lost, billions of dollars in property are needlessly destroyed, and thousands of persons are permanently disfigured or disabled by burn injuries from preventable fires.

Obviously, we must continue to address fire prevention as a national priority, and I strongly urge each citizen to make a personal commitment to aid in the reduction of this senseless and tragic waste of precious lives, property, and natural resources from fire. Through a concentrated effort our

Nation can substantially reduce deaths and property loss from fire.

Since most deaths and property loss from fire occur in the home, fire escape plans should be developed for all homes. Fire escape plans should consider the needs of all lives in residences, ho

An indispensable ingredient in fire fighting is the courage of the fire fighter. Firefighting is a noble profession, and we are indebted to the brave men and women of our Nation so bravely—of the cost of their own lives.

We must also applaud the efforts of the Fire Protection Association, the International Association of Firefighters, the National Fire Protection Association, the National Fire Service Institute, and other organizations, the National Fire Protection Association, for their dedication to fire losses. These dedicated organizations and their members are the backbone of our fire and support.

NOW, THEREFORE, I, Ronald Reagan, President of the United States of America, do hereby proclaim September 6, 1983, as Fire Prevention Week.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of September, in the year of our Lord nineteen hundred and eighty-three, and of the Independence of the United States of America the two hundred and eighth.

Proclamation 5088 of September 13, 1983

National School Lunch Week, 1983

*By the President of the United States of America
A Proclamation*

The National School Lunch Program provides nutritious and well-balanced meals to children in our Nation. The school lunch program is a vital link between the Federal Government and the children of our Nation. It provides available the food, fun, and nutritional assistance for our Nation's youth.

The youth of America demonstrate the awareness and responsibility that we all share in promoting a healthy and productive Nation.

Over 23 million lunches are served each day in the country. This effort

*Amend: 5/31/84
To Archie: 5/31/84
Stewart*

CITIZENSHIP DAY AND CONSTITUTION WEEK, 1984

- - - - -

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

September 17, 1984, marks the 177th anniversary of the signing of our Constitution. As the bicentennial of this dynamic and timeless document nears, all Americans should become reacquainted with its role as our great country's guiding beacon. With this document as its blueprint, this Nation has become the finest example in history of the principle of government by law, in which every individual is guaranteed certain inalienable rights. Exemplifying this precept, a newly naturalized citizen once wrote:

"After our arrival here we very soon realized that the U.S.A. is really a wonderland: It is the first one among the few countries in the world where liberty, justice, democracy, and happiness are not only not empty slogans, but real benefits for all; where the Constitution is still as valid as it was in those days when the people of the U.S.A. ordained and established it in order to secure the blessings of liberty for themselves and their posterity. It was just natural that our next wish could not be other than to become a citizen of this wonderful country.

"And now, a few minutes after we solemnly pledged allegiance to the flag of the United States, we have just one more wish, that may God give us a long life, and ability to help at our very best in holding this flag straight up, flying as free and clear forever as it has been doing from the beginning of this country."

The Constitution provides a framework for our continuous striving to make a better America. It provides the basic balance between each branch of government, limits the power of that government, and guarantees to each of us as citizens our

most basic rights. The Constitution, however, is only the outline of our system of government. It is through each individual citizen living out the ideals of the Constitution that we reach for a full expression of those ideals. Therefore, while we celebrate Citizenship Day and Constitution Week, let us rededicate ourselves to a full realization of the potential of the great country which the Founding Fathers struggled to create more than two hundred years ago.

Once each year, on September 17, all four pages of the original signed Constitution are placed on public exhibition in the Rotunda of the National Archives building in Washington, D.C. I encourage all Americans to take the opportunity to view this document, which embodies our national commitment to freedom.

In recognition of the importance of our Constitution and the role of our citizenry in shaping our government, the Congress, by joint resolution of February 29, 1952 (36 U.S.C. 153), designated September 17th of each year as Citizenship Day and authorized the President to issue annually a proclamation calling upon officials of the government to display the flag on all government buildings on that day. The Congress also, by joint resolution of August 2, 1956 (36 U.S.C. 159), requested the President to proclaim the week beginning September 17th and ending September 23rd of each year as Constitution Week.

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I also proclaim the week beginning September 17 and ending September 23, 1984, as Constitution Week, and I urge all Americans to observe that week with appropriate ceremonies and activities in their schools, churches and other suitable places.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of May, in the year of our Lord nineteen hundred and eighty-four, and of the Independence of the United States of America the two hundred and eighth.

Ronald Reagan

Executive Order 12291—Federal Regulation February 17, 1981

By the authority vested in me as President by the Constitution and laws of the United States of America, and in order to reduce the burdens of existing and future regulations, increase agency accountability for regulatory actions, provide for presidential oversight of the regulatory process, minimize duplication and conflict of regulations, and insure well-reasoned regulations, it is hereby ordered as follows:

Section 1. Definitions. For the purposes of this Order:

(a) "Regulation" or "rule" means an agency statement of general applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the procedure or practice requirements of an agency, but does not include:

(1) Administrative actions governed by the provisions of Sections 556 and 557 of Title 5 of the United States Code;

(2) Regulations issued with respect to a military or foreign affairs function of the United States; or

(3) Regulations related to agency organization, management, or personnel.

(b) "Major rule" means any regulation that is likely to result in:

(1) An annual effect on the economy of \$100 million or more;

(2) A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

(3) Significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

(c) "Director" means the Director of the Office of Management and Budget.

(d) "Agency" means any authority of the United States that is an "agency" under 44 U.S.C. 3502(1), excluding those agencies specified in 44 U.S.C. 3502(10).

(e) "Task Force" means the Presidential Task Force on Regulatory Relief.

Sec. 2. General Requirements. In promulgating new regulations, reviewing existing

regulations, and developing legislative proposals concerning regulation, all agencies, to the extent permitted by law, shall adhere to the following requirements:

(a) Administrative decisions shall be based on adequate information concerning the need for and consequences of proposed government action;

(b) Regulatory action shall not be undertaken unless the potential benefits to society from the regulation outweigh the potential costs to society;

(c) Regulatory objectives shall be chosen to maximize the net benefits to society;

(d) Among alternative approaches to any given regulatory objective, the alternative involving the least net cost to society shall be chosen; and

(e) Agencies shall set regulatory priorities with the aim of maximizing the aggregate net benefits to society, taking into account the condition of the particular industries affected by regulations, the condition of the national economy, and other regulatory actions contemplated for the future.

Sec. 3. Regulatory Impact Analysis and Review.

(a) In order to implement Section 2 of this Order, each agency shall, in connection with every major rule, prepare, and to the extent permitted by law consider, a Regulatory Impact Analysis. Such Analyses may be combined with any Regulatory Flexibility Analyses performed under 5 U.S.C. 603 and 604.

(b) Each agency shall initially determine whether a rule it intends to propose or to issue is a major rule, *provided that*, the Director, subject to the direction of the Task Force, shall have authority, in accordance with Sections 1(b) and 2 of this Order, to prescribe criteria for making such determinations, to order a rule to be treated as a major rule, and to require any set of related rules to be considered together as a major rule.

(c) Except as provided in Section 8 of this Order, agencies shall prepare Regulatory Impact Analyses of major rules and transmit

them, along with all notices of proposed rulemaking and all final rules, to the Director as follows:

(1) If no notice of proposed rulemaking is to be published for a proposed major rule that is not an emergency rule, the agency shall prepare only a final Regulatory Impact Analysis, which shall be transmitted, along with the proposed rule, to the Director at least 60 days prior to the publication of the major rule as a final rule;

(2) With respect to all other major rules, the agency shall prepare a preliminary Regulatory Impact Analysis, which shall be transmitted, along with a notice of proposed rulemaking, to the Director at least 60 days prior to the publication of a notice of proposed rulemaking, and a final Regulatory Impact Analysis, which shall be transmitted along with the final rule at least 30 days prior to the publication of the major rule as a final rule;

(3) For all rules other than major rules, agencies shall submit to the Director, at least 10 days prior to publication, every notice of proposed rulemaking and final rule.

(d) To permit each proposed major rule to be analyzed in light of the requirements stated in Section 2 of this Order, each preliminary and final Regulatory Impact Analysis shall contain the following information:

(1) A description of the potential benefits of the rule, including any beneficial effects that cannot be quantified in monetary terms, and the identification of those likely to receive the benefits;

(2) A description of the potential costs of the rule, including any adverse effects that cannot be quantified in monetary terms, and the identification of those likely to bear the costs;

(3) A determination of the potential net benefits of the rule, including an evaluation of effects that cannot be quantified in monetary terms;

(4) A description of alternative approaches that could substantially achieve the same regulatory goal at lower cost, together with an analysis of this potential benefit and costs and a brief explanation of the legal reasons why such alternatives, if proposed, could not be adopted; and

(5) Unless covered by the description required under paragraph (4) of this subsection, an explanation of any legal reasons why the rule cannot be based on the requirements set forth in Section 2 of this Order.

(e)(1) The Director, subject to the direction of the Task Force, which shall resolve any issues raised under this Order or ensure that they are presented to the President, is authorized to review any preliminary or final Regulatory Impact Analysis, notice of proposed rulemaking, or final rule based on the requirements of this Order.

(2) The Director shall be deemed to have concluded review unless the Director advises an agency to the contrary under subsection (f) of this Section:

(A) Within 60 days of a submission under subsection (c)(1) or a submission of a preliminary Regulatory Impact Analysis or notice of proposed rulemaking under subsection (c)(2);

(B) Within 30 days of the submission of a final Regulatory Impact Analysis and a final rule under subsection (c)(2); and

(C) Within 10 days of the submission of a notice of proposed rulemaking or final rule under subsection (c)(3).

(f)(1) Upon the request of the Director, an agency shall consult with the Director concerning the review of a preliminary Regulatory Impact Analysis or notice of proposed rulemaking under this Order, and shall, subject to Section 8(a)(2) of this Order, refrain from publishing its preliminary Regulatory Impact Analysis or notice of proposed rulemaking until such review is concluded.

(2) Upon receiving notice that the Director intends to submit views with respect to any final Regulatory Impact Analysis or final rule, the agency shall, subject to Section 8(a)(2) of this Order, refrain from publishing its final Regulatory Impact Analysis or final rule until the agency has responded to the Director's views, and incorporated those views and the agency's response in the rulemaking file.

(3) Nothing in this subsection shall be construed to as displacing the agencies' responsibilities delegated by law.

(g) For every rule for which an agency publishes a notice of proposed rulemaking, the agency shall include in its notice:

(1) A brief statement setting forth the agency's initial determination whether the proposed rule is a major rule, together with the reasons underlying that determination; and

(2) For each proposed major rule, a brief summary of the agency's preliminary Regulatory Impact Analysis.

(h) Agencies shall make their preliminary and final Regulatory Impact Analyses available to the public.

(i) Agencies shall initiate reviews of currently effective rules in accordance with the purposes of this Order, and perform Regulatory Impact Analyses of currently effective major rules. The Director, subject to the direction of the Task Force, may designate currently effective rules for review in accordance with this Order, and establish schedules for reviews and Analyses under this Order.

Sec. 4. Regulatory Review. Before approving any final major rule, each agency shall:

(a) Make a determination that the regulation is clearly within the authority delegated by law and consistent with congressional intent, and include in the *Federal Register* at the time of promulgation a memorandum of law supporting that determination.

(b) Make a determination that the factual conclusions upon which the rule is based have substantial support in the agency record, viewed as a whole, with full attention to public comments in general and the comments of persons directly affected by the rule in particular.

Sec. 5. Regulatory Agendas.

(a) Each agency shall publish, in October and April of each year, an agenda of proposed regulations that the agency has issued or expects to issue, and currently effective rules that are under agency review pursuant to this Order. These agendas may be incorporated with the agendas published under 5 U.S.C. 602, and must contain at the minimum:

(1) A summary of the nature of each major rule being considered, the objectives and legal basis for the issuance of the rule, and an approximate schedule for completing action on any major rule for which the

agency has issued a notice of proposed rulemaking;

(2) The name and telephone number of a knowledgeable agency official for each item on the agenda; and

(3) A list of existing regulations to be reviewed under the terms of this Order, and a brief discussion of each such regulation.

(b) The Director, subject to the direction of the Task Force, may, to the extent permitted by law:

(1) Require agencies to provide additional information in an agenda; and

(2) Require publication of the agenda in any form.

Sec. 6. The Task Force and Office of Management and Budget.

(a) To the extent permitted by law, the Director shall have authority, subject to the direction of the Task Force, to:

(1) Designate any proposed or existing rule as a major rule in accordance with Section 1(b) of this Order;

(2) Prepare and promulgate uniform standards for the identification of major rules and the development of Regulatory Impact Analyses;

(3) Require an agency to obtain and evaluate, in connection with a regulation, any additional relevant data from any appropriate source;

(4) Waive the requirements of Sections 3, 4, or 7 of this Order with respect to any proposed or existing major rule;

(5) Identify duplicative, overlapping and conflicting rules, existing or proposed, and existing or proposed rules that are inconsistent with the policies underlying statutes governing agencies other than the issuing agency or with the purposes of this Order, and, in each such case, require appropriate interagency consultation to minimize or eliminate such duplication, overlap, or conflict;

(6) Develop procedures for estimating the annual benefits and costs of agency regulations, on both an aggregate and economic or industrial sector basis, for purposes of compiling a regulatory budget;

(7) In consultation with interested agencies, prepare for consideration by the President recommendations for changes in the agencies' statutes; and

(8) Monitor agency compliance with the requirements of this Order and advise the President with respect to such compliance.

(b) The Director, subject to the direction of the Task Force, is authorized to establish procedures for the performance of all functions vested in the Director by this Order. The Director shall take appropriate steps to coordinate the implementation of the analysis, transmittal, review, and clearance provisions of this Order with the authorities and requirements provided for or imposed upon the Director and agencies under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, and the Paperwork Reduction Plan Act of 1980, 44 U.S.C. 3501 *et seq.*

Sec. 7. Pending Regulations.

(a) To the extent necessary to permit reconsideration in accordance with this Order, agencies shall, except as provided in Section 8 of this Order, suspend or postpone the effective dates of all major rules that they have promulgated in final form as of the date of this Order, but that have not yet become effective, excluding:

(1) Major rules that cannot legally be postponed or suspended;

(2) Major rules that, for good cause, ought to become effective as final rules without reconsideration. Agencies shall prepare, in accordance with Section 3 of this Order, a final Regulatory Impact Analysis for each major rule that they suspend or postpone.

(b) Agencies shall report to the Director no later than 15 days prior to the effective date of any rule that the agency has promulgated in final form as of the date of this Order, and that has not yet become effective, and that will not be reconsidered under subsection (a) of this Section:

(1) That the rule is excepted from reconsideration under subsection (a), including a brief statement of the legal or other reasons for that determination; or

(2) That the rule is not a major rule.

(c) The Director, subject to the direction of the Task Force, is authorized, to the extent permitted by law, to:

(1) Require reconsideration, in accordance with this Order, of any major rule that an agency has issued in final form as of the date of this Order and that has not become effective; and

(2) Designate a rule that an agency has issued in final form as of the date of this Order and that has not yet become effective as a major rule in accordance with Section 1(b) of this Order.

(d) Agencies may, in accordance with the Administrative Procedure Act and other applicable statutes, permit major rules that they have issued in final form as of the date of this Order, and that have not yet become effective, to take effect as interim rules while they are being reconsidered in accordance with this Order, *provided that*, agencies shall report to the Director, no later than 15 days before any such rule is proposed to take effect as an interim rule, that the rule should appropriately take effect as an interim rule while the rule is under reconsideration.

(e) Except as provided in Section 8 of this Order, agencies shall, to the extent permitted by law, refrain from promulgating as a final rule any proposed major rule that has been published or issued as of the date of this Order until a final Regulatory Impact Analysis, in accordance with Section 3 of this Order, has been prepared for the proposed major rule.

(f) Agencies shall report to the Director, no later than 30 days prior to promulgating as a final rule any proposed rule that the agency has published or issued as of the date of this Order and that has not been considered under the terms of this Order:

(1) That the rule cannot legally be considered in accordance with this Order, together with a brief explanation of the legal reasons barring such consideration; or

(2) That the rule is not a major rule, in which case the agency shall submit to the Director a copy of the proposed rule.

(g) The Director, subject to the direction of the Task Force, is authorized, to the extent permitted by law, to:

(1) Require consideration, in accordance with this Order, of any proposed major rule that the agency has published or issued as of the date of this Order; and

(2) Designate a proposed rule that an agency has published or issued as of the date of this Order, as a major rule in accordance with Section 1(b) of this Order.

(h) The Director shall be deemed to have determined that an agency's report to the Director under subsections (b), (d), or (f) of this Section is consistent with the purposes of this Order, unless the Director advises the agency to the contrary:

(1) Within 15 days of its report, in the case of any report under subsections (b) or (d); or

(2) Within 30 days of its report, in the case of any report under subsection (f).

(i) This Section does not supersede the President's Memorandum of January 29, 1981, entitled "Postponement of Pending Regulations", which shall remain in effect until March 30, 1981.

(j) In complying with this Section, agencies shall comply with all applicable provisions of the Administrative Procedure Act, and with any other procedural requirements made applicable to the agencies by other statutes.

Sec. 8. Exemptions.

(a) The procedures prescribed by this Order shall not apply to:

(1) Any regulation that responds to an emergency situation, *provided that*, any such regulation shall be reported to the Director as soon as is practicable, the agency shall publish in the *Federal Register* a statement of the reasons why it is impracticable for the agency to follow the procedures of this Order with respect to such a rule, and the agency shall prepare and transmit as soon as is practicable a Regulatory Impact Analysis of any such major rule; and

(2) Any regulation for which consideration or reconsideration under the terms of this Order would conflict with deadlines im-

posed by statute or by judicial order, *provided that*, any such regulation shall be reported to the Director together with a brief explanation of the conflict, the agency shall publish in the *Federal Register* a statement of the reasons why it is impracticable for the agency to follow the procedures of this Order with respect to such a rule, and the agency, in consultation with the Director, shall adhere to the requirements of this Order to the extent permitted by statutory or judicial deadlines.

(b) The Director, subject to the direction of the Task Force, may, in accordance with the purposes of this Order, exempt any class or category of regulations from any or all requirements of this Order.

Sec. 9. Judicial Review. This Order is intended only to improve the internal management of the Federal government, and is not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers or any person. The determinations made by agencies under Section 4 of this Order, and any Regulatory Impact Analyses for any rule, shall be made part of the whole record of agency action in connection with the rule.

Sec. 10. Revocations. Executive Orders No. 12044, as amended, and No. 12174 are revoked.

RONALD REAGAN

The White House,
February 17, 1981.

[Filed with the Office of the Federal Register, 3:19 p.m., February 17, 1981]

Address Before a Joint Session of the Congress on the Program for
Economic Recovery
February 18, 1981

Mr. Speaker, Mr. President, distinguished Members of Congress, honored guests, and fellow citizens:

Only a month ago I was your guest in this historic building, and I pledged to you my cooperation in doing what is right for this

Nation that we all love so much. I'm here tonight to reaffirm that pledge and to ask that we share in restoring the promise that is offered to every citizen by this, the last, best hope of man on Earth.

Some will argue, I know, that reducing tax rates now will be inflationary. A solid body of economic experts does not agree. And tax cuts adopted over the past three-fourths of a century indicate these economic experts are right. They will not be inflationary. I've had advice that in 1985 our real production in goods and services will grow by 20 percent and be \$300 billion higher than it is today. The average worker's wage will rise in real purchasing power 8 percent, and this is in after-tax dollars. And this, of course, is predicated on a complete program of tax cuts and spending reductions being implemented.

The other part of the tax package is aimed directly at providing business and industry with the capital needed to modernize and engage in more research and development. This will involve an increase in depreciation allowances, and this part of our tax proposal will be retroactive to January 1st.

The present depreciation system is obsolete, needlessly complex, and economically counterproductive. Very simply, it bases the depreciation of plant machinery and vehicles and tools on their original cost, with no recognition of how inflation has increased their replacement cost. We're proposing a much shorter write-off time than is presently allowed—a 5-year-write-off for machinery, 3 years for vehicles and trucks, and a 10-year write-off for plant. In fiscal year 1982 under this plan, business would acquire nearly \$10 billion for investment; by 1985, the figure would be nearly 45 billion.

These changes are essential to provide the new investment which is needed to create millions of new jobs between now and 1985 [1986], and to make America competitive once again in the world market. These won't be make-work jobs. They are productive jobs, jobs with a future.

I'm well aware that there are many other desirable and needed tax changes, such as indexing the income tax brackets to protect taxpayers against inflation; the unjust discrimination against married couples if both are working and earning; tuition tax credits; the unfairness of the inheritance tax, especially to the family-owned farm and the family-owned business; and a number of

others. But our program for economic recovery is so urgently needed to begin to bring down inflation that I'm asking you to act on this plan first and with great urgency. And then, I pledge I will join with you in seeking these additional tax changes at the earliest date possible.

American society experienced a virtual explosion in government regulation during the past decade. Between 1970 and 1979, expenditures for the major regulatory agencies quadrupled. The number of pages published annually in the *Federal Register* nearly tripled, and the number of pages in the *Code of Federal Regulations* increased by nearly two-thirds. The result has been higher prices, higher unemployment, and lower productivity growth. Overregulation causes small and independent business men and women, as well as large businesses to defer or terminate plans for expansion. And since they're responsible for most of the new jobs, those new jobs just aren't created.

Now, we have no intention of dismantling the regulatory agencies, especially those necessary to protect environment and assure the public health and safety. However, we must come to grips with inefficient and burdensome regulations, eliminate those we can and reform the others.

I have asked Vice President Bush to head a Cabinet-level Task Force on Regulatory Relief. Second, I asked each member of my Cabinet to postpone the effective dates of the hundreds of new regulations which have not yet been implemented. Third, in coordination with the Task Force, many of the agency heads have already taken prompt action to review and rescind existing burdensome regulations. And finally, just yesterday I signed an Executive order that for the first time provides for effective and coordinated management of the regulatory process.

Much has been accomplished, but it's only a beginning. We will eliminate those regulations that are unproductive and unnecessary by Executive order where possible and cooperate fully with you on those that require legislation.

The final aspect of our plan requires a national monetary policy which does not allow money growth to increase consistently

Proclamation 4829 of March 23, 1981

Small Business Week, 1981

By the President of the United States of America

A Proclamation

Two centuries ago in this country, small business owners—the merchants, the builders, the traders—rebelled against excessive taxation and government interference and helped found this Nation. Today we are working to bring about another revolution, this time against the intolerable burdens inflation, over-regulation, and over-taxation have placed upon the Nation's 12 million small businesses, which provide the livelihood for more than 100 million of our people.

To revitalize the Nation, we must stimulate small business growth and opportunity. Small business accounts for over 60 percent of our jobs, half of our business output, and at least half of the innovations that keep American industry strong. The imagination, skills, and willingness of small business men and women to take necessary risks symbolize the free enterprise foundation of the American economy and must be encouraged.

I urge all Americans who own or work in a small business to continue their resourcefulness and successes, for these efforts contribute so much to the entrepreneurial spirit which made this Nation great. It is with justifiable pride that the American small business man can point to himself as the backbone of our Nation.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby proclaim the week beginning May 10, 1981, as Small Business Week. I call upon every American to join me in this tribute.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of March, in the year of our Lord nineteen hundred eighty-one, and of the Independence of the United States of America the two hundred and fifth.

RONALD REAGAN

Proclamation 4830 of April 2, 1981

Law Day, U.S.A., 1981

By the President of the United States of America

A Proclamation

America was founded on the principles of liberty and the rule of law. And throughout our Nation's history, the preservation of individual rights has

been dependent upon the dedication of our people to liberty and the institutionalization of its principles in the law of the land.

Our forefathers' dedication to liberty is clearly expressed in this Nation's great Charters of Freedom: the Declaration of Independence, the Constitution and the Bill of Rights. These documents, which are the very foundation of American law, guarantee certain inalienable rights and privileges to every citizen. Among these are: freedom of speech, freedom of the press, freedom of religion, freedom of contract, the right to assemble and petition, the right of property ownership, and the right to due process of law.

This year marks the Nation's twenty-fourth annual celebration of Law Day, U.S.A.—a special day for reflection on our heritage of individual freedom and for rededication to maintaining, through law, the principles of liberty which govern this land.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, invite the American people to celebrate Friday, May 1, 1981, as Law Day, U.S.A., and to mark its observance with programs and ceremonies as befits our great heritage of liberty under law.

I urge clergymen of all faiths to bring to public attention through sermons and suitable programs the moral and ethical dimensions of law and liberty.

I also urge schools, civic, service and fraternal organizations, public bodies, libraries, the courts, the legal profession, all media of public information and interested individuals and organizations to participate in the observance through programs which will focus on the Law Day 1981 theme: Law—the Language of Liberty. To that end, I call upon all public officials to display the flag of the United States on all government buildings on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of April, in the year of our Lord nineteen hundred and eighty-one, and of the Independence of the United States of America the two hundred and fifth.

RONALD REAGAN

Proclamation 4831 of April 8, 1981

Victims Rights Week, 1981

By the President of the United States of America

A Proclamation

For too long, the victims of crime have been the forgotten persons of our criminal justice system. Rarely do we give victims the help they need or the attention they deserve. Yet the protection of our citizens—to guard them from becoming victims—is the primary purpose of our penal laws. Thus, each new victim personally represents an instance in which our system has failed to prevent crime. Lack of concern for victims compounds that failure.

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IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of April, in the year of our Lord nineteen hundred and eighty-two, and of the Independence of the United States of America the two hundred and sixth.

RONALD REAGAN

Proclamation 4931 of April 16, 1982

Law Day U.S.A., 1982

*By the President of the United States of America
A Proclamation*

The United States serves the world as a model of representative democracy, individual freedom and equal justice for all. These three goals of our Nation, guaranteed by the Constitution and the Bill of Rights and guarded by the dedication of our people, ensure that the United States will continue to be a beacon of liberty to oppressed peoples around the globe.

Law Day U.S.A. stands in sharp contrast to "May Day" observances conducted in the Communist world. We have only to look at recent events in Poland to be reminded of the difference between the rule of force and the rule of law. While freedom has been repressed in many lands since Law Day was first observed 25 years ago, it has steadily grown in our own, with increasing respect for the rights of all members of our society. It is thus fitting that the theme of Law Day, 1982, is "A Generation of Progress."

This 25th celebration of Law Day U.S.A. is also significant in view of this particular moment in our history. Two hundred years ago our forefathers, having fought and won the Battle of Yorktown, began the final process of establishing our federal system—the cornerstone of our Republic. This process, beginning with the end of the Revolutionary War, progressed through the Articles of Confederation and culminated with the adoption of the Constitution by the Convention of States on September 17, 1787. Thus, Law Day U.S.A., 1982, celebrates not only 25 years of progress, but also 200 years of progress.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, proclaim Saturday, May 1, 1982, as Law Day U.S.A. and invite the American people to mark the observance with programs that stress the importance of the Constitution to our individual freedoms and our form of government.

I urge the clergy of all faiths to bring the moral and ethical dimensions of the law to public attention through sermons and suitable programs.

I call upon students and teachers at all levels to study and teach the events and documents that led to the adoption of the Constitution in 1787 and its ratification on June 21, 1788, so that the 200th Anniversary of our Constitution might be marked by learned discourse on the history and purpose of this great Charter of Freedom.

I also call upon public officials to display the flag of the United States on all government buildings open on May 1, 1982.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of April, in the year of our Lord nineteen hundred and eighty-two, and of the Independence of the United States of America the two hundred and sixth.

RONALD REAGAN

Editorial Note: The President's remarks of Apr. 16, 1982, on signing Proclamation 4931 are printed in the *Weekly Compilation of Presidential Documents* (vol. 18, p. 487).

Proclamation 4932 of April 16, 1982

Prayer for Peace, Memorial Day, 1982

*By the President of the United States of America
A Proclamation*

Since the end of the Civil War, Memorial Day has been the time when we honor the American men and women who gave up their lives on the field of battle. We do this in recognition of the enormous sacrifice they have made to preserve our liberty and, also, of the responsibility we bear to transmit liberty to future generations.

Memorial Day is an opportunity to remember that those who died in the defense of our country were serving an even higher cause. For all through our history, America has been a beacon to other peoples, serving as a source of political inspiration, a haven for the poor and oppressed, and a friend to nations in distress. Today, as so often in the past, we stand as a guarantor of peace. In full accord with our national ideals and responsibilities, we are prepared to assist countries threatened by economic upheaval or international violence. And we stand ready to work together with other nations to remove the sources of conflict and insecurity and build a firm foundation for peace in the future.

In recognition of those Americans to whom we pay tribute today, the Congress, by joint resolution of May 11, 1950 (64 Stat. 158), has requested the President to issue a proclamation calling upon the people of the United States to observe each Memorial Day as a day of prayer for permanent peace and designating a period on that day when the people of the United States might unite in prayer.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby designate Memorial Day, Monday, May 31, 1982, as a day of prayer for permanent peace, and I designate the hour beginning in each locality at 11 o'clock in the morning of that day as a time to unite in prayer. I urge the press, radio, television, and all other information media to cooperate in this observance.

I also request the Governors of the United States and the Commonwealth of Puerto Rico and the appropriate officials of all local units of government to direct that the flag be flown at half-staff during this Memorial Day on all buildings, grounds, and naval vessels throughout the United States and in all areas under its jurisdiction and control, and I request the people of the

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*By the President of
A Proclamation*

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the week of April 10 through April 16, 1983, as National Mental Health Week.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby designate the week beginning on April 10, 1983, as National Mental Health Week. I call upon health professionals, educators, communications media, the business community, individuals, and public and private organizations concerned with the welfare of their fellow citizens to seek and encourage better understanding of mental disorders and to honor those whose studies, treatment, and support have brought palpable gains and welcome hope to the mentally ill.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of April, in the year of our Lord nineteen hundred and eighty-three, and of the Independence of the United States of America the two hundred and seventh.

RONALD REAGAN

Proclamation 5052 of April 15, 1983

Law Day U.S.A., 1983

By the President of the United States of America
A Proclamation

Our Founding Fathers were guided by a belief in the dignity of the individual when they framed our system of government. The Constitution and the Bill of Rights guarantee the blessings of liberty to all, regardless of race, religion, or national origin. These cherished documents bequeath to all Americans the right to equal justice under law and the means to safeguard this right through the legal system.

Today marks our Nation's twenty-sixth annual celebration of Law Day, a day set aside for all Americans to reflect on our legal heritage, the rights we enjoy under our democracy, and the role of law in our society. The theme of this year's Law Day observance is "Sharing in Justice," highlighting both the rights and the responsibilities of each citizen as a participant in shaping and protecting our laws and system of justice.

Each new generation of Americans inherits as a birthright the legal protections secured, protected, and expanded by the vigilance and sacrifice of preceding generations. These rights—freedom of speech, trial by jury, personal liberty, a representative and limited government, and equal protection of the laws, to name but a few—give every citizen a vested interest in American justice.

Active participation in our system serves to protect these interests and preserve them for future generations. It is participation that begins in our own neighborhoods, at town meetings, and during open sessions of city government. Meaningful sharing and participation in our system of justice must start where one is affected most: close to home. This is the basis and strength of our Federal system. Sharing in justice also means working for objectives within the legal system, voting thoughtfully and intelligently, ex-

LAW DAY U.S.A., 1984

- 5175 -

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION

May 1, 1984 is Law Day U.S.A., a time to affirm the essential role of the rule of law in the development and preservation of our free society.

This year's Law Day theme, "Law Makes Freedom Work," captures the essence of our heritage as a Republic. Our unique experience demonstrates that law and freedom must be indivisible partners. For without law, there can be no freedom, only chaos and disorder; and without freedom, law is but a cynical veneer for injustice and oppression.

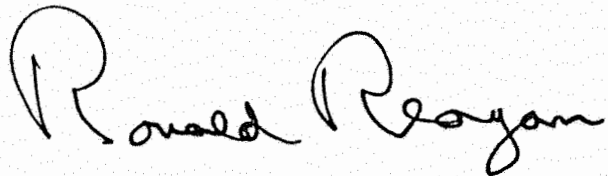
The guarantees of freedom embodied in our Constitution and the Bill of Rights are a continuing legacy, enhancing the lives of our citizens and serving as an inspiration to people around the world. One of our Nation's strongest principles is that voluntary adherence to the rule of law expands, rather than limits, the opportunities for freedom.

For twenty-seven years, we have set aside this day as a time for reflection upon and celebration of the vital bond between liberty and the rule of law that gives life to our national goals and ideals. It is also an opportunity for all Americans to improve their understanding and appreciation of the contribution law makes to the preservation of freedom.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, in accordance with Public Law 87-20 of April 7, 1961, do hereby proclaim Tuesday, May 1, 1984 as Law Day U.S.A. I urge the people of the United States to use this occasion to renew their commitment to the rule of law and to reaffirm our dedication to the partnership of law and

liberty. I also urge the legal profession, schools, civic, service and fraternal organizations, public bodies, libraries, the courts, the communications media, business, the clergy, and all interested individuals and organizations to join in efforts to focus attention on the need for the rule of law. I also call upon all public officials to display the flag of the United States on all government buildings open on Law Day, May 1, 1984.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of April, in the year of our Lord nineteen hundred and eighty-four, and of the Independence of the United States of America the two hundred and eighth.

A handwritten signature in cursive script that reads "Ronald Reagan". The signature is written in dark ink and is centered on the page.

The Declaration of Independence not only proclaimed our freedom from Great Britain, it also set forth the principles for which the Founding Fathers were willing to pledge their lives, fortunes, and sacred honor: "that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness." The battles of the Revolution secured the independence proclaimed in the Declaration; it remained for the revolutionaries to put the ideals of liberty into practice. History has recorded many tragic episodes that bear witness to President Filmore's caution "that revolutions do not always establish freedom." Our's did, largely because it was (shortly followed) by the framing of the Constitution, what the great American historian George Bancroft termed "the most cheering act in the political history of mankind."

One of our more able statesmen and constitutional lawyers, Daniel Webster, once wrote: "We may be tossed upon an ocean where we can see no land -- nor, perhaps, the sun or stars. But there is a chart and a compass for us to study, to consult, and to obey. The chart is the Constitution." For nearly two hundred years the Constitution has endured, with relatively few amendments, as a blueprint for freedom.

In commemorating the bicentennial of the Constitution we celebrate not simply the historical event that took place in Philadelphia on September 17, 1787, but the process by which we govern ourselves today.

The very notion of self-government was novel when the Framers embarked upon the experiment of the Constitution. James Madison, in the Federalist Papers, found it necessary to urge his fellow citizens not to oppose ratification of the Constitution because of its novelty. Madison argued that it was the glory of the American people that they were not blindly bound to the past but willing to rely on "their own good sense" and experience in charting their course for the future. "To this manly spirit posterity will be indebted for the possession, and the world for the example, of the numerous innovations displayed on the American theater in favor of private rights and public happiness."

Madison's prediction has proved true. We are indebted to the Framers for their brave willingness to govern themselves, and the world is indebted to America for the example it continues to provide of democratic self-government. But while the Framers had to overcome the fear of the new, we must now ~~equally~~ fight against complacency toward the old. There is the danger that a people that has lived with freedom under law for two

centuries may forget how rare and precious that condition is.

An active and informed citizenry is necessary to the effective functioning of our Constitutional system. As Chief Justice John Marshall, who knew a thing or two about the Constitution, once wrote, "the people make the Constitution, and the people can unmake it. It is the creature of their own will, and lives only by their will." All of us have an obligation to study the Constitution and actively participate in the system of self-government it establishes. This is an obligation we owe not only to ourselves and our posterity, but to the Framers, who risked everything for freedom, and to the brave men and women throughout our history who have preserved the Constitution, often at the cost of their lives. There is no better time than this bicentennial period to refamiliarize ourselves with the Constitution, and rededicate ourselves to the values it embodies.

The central challenge confronting the Framers of the Constitution was to create a strong national government without at the same time permitting that government to threaten the liberties so recently won. Experience under the Articles of Confederation had demonstrated the inadequacies of a weak government "destitute of energy," yet the Framers' experience under the colonial rule of George

III had demonstrated the threat posed by strong central government. The challenge was to reconcile those two experiences. As Madison wrote, the difficulty was "combining the requisite stability and energy in government with the inviolable attention due to liberty and to the republican form."

The solution embraced by the Framers was to diffuse the national governmental authority. Power was to be shared among separate institutions -- The Legislature, the Executive, and the Judiciary, -- in order that no single branch could become so powerful as to threaten the liberties of the people. In considering the allocation of authorities in the Constitution, it is important to keep in mind the purpose of this considered allocation -- nothing less than the preservation of liberty. This is what Hamilton meant when he wrote that the unamended Constitution "is itself, in every rational sense, and to every useful purpose, a bill of rights." Our liberties have been preserved in large part because of the allocation of powers in the Constitution.

This central fact -- that the unamended Constitution is itself a bill of rights, and that the allocation of powers in the Constitution is preservative of liberty -- imposes a special obligation on those who hold office under the Constitution. Those officials must not only discharge their responsibilities but must also respect the constitutional restraints on their offices and, equally important, preserve

the constitutional prerogatives of their offices. Any individual President is a trustee of the powers of the office, and cannot yield those powers for expediency or any other purpose. There may be times when a President would prefer to have another branch make a difficult decision or take action vested in the executive, or when a President would be willing to countenance an intrusion on his powers to achieve a particular result. At such times the Chief Executive must recall that powers were allocated in the Constitution not simply for efficiency but to preserve liberty. In defending the Constitutional prerogatives of the office the President is protecting liberty by fulfilling the Framers' design.

The Framers looked primarily to the President to provide the critical element of "energy" in the government. The problem with the government of the Articles of Confederation was that it was "destitute of energy." The drafters of the Constitution redressed that problem by vesting in the Executive "competent powers" to lead the Nation. As Hamilton wrote:

Energy in the executive is a leading character in the definition of good government. It is essential to the protection of the community against foreign attacks; it is not less essential to the steady administration of the laws; to the protection of property against those irregular and high-handed combinations which sometimes interrupt the ordinary course of justice; to the security of liberty against the enterprises and assaults of ambition, of faction, and of anarchy.

The President's popular mandate justified this grant of authority. The President and ~~Other than~~ the Vice President with whom he runs ~~are~~ ^{are} the President is the only officials in our government elected through a process involving all the voters. Only the President can claim to speak for all the people, because, as Hamilton wrote, his selection looks "in the first instance to an immediate act of the people of America." The office of President has "a due dependence on the people, and a due responsibility."

Perhaps the most pervasive responsibility of the President is to administer the executive branch. The Framers of our Constitution were practical men who recognized, as Hamilton wrote, "that the true test of good government is its aptitude and tendency to produce a good administration." The people look ultimately to the President to ensure the efficient performance of duty by the millions of federal employees scattered among the various departments and agencies across the land. I doubt that any of the Framers, prescient as they were, could have imagined the size and scope of today's Federal establishment. They nonetheless afforded the Presidency the tools to meet the responsibility vested in that office "to produce a good administration."

~~The key constitutional authority implementing the President's responsibility for administration of the government is his appointment power.~~

The Constitution provides that the President shall nominate, and by and with the advice and consent of the Senate shall appoint, the officers of the United States.

The Framers gave the President the responsibility to "take Care that the Laws be faithfully executed," and gave him the power to appoint the officers that assist him in discharging that responsibility.

In the landmark case of Myers v. United States, Chief Justice Taft, a former President, wrote that it was a "reasonable implication" from the President's obligation to execute the laws that "he should select those who were to

act for him under his direction in the execution of the laws." The Chief Justice went on to recognize the principle that the President's appointment power carried with it the corollary power to remove those officers in whom he could no longer place his confidence: "as his selection of administrative officers is essential to the execution of laws by him, so must be his power of removing those for whom he can not continue to be responsible." ~~While there are limited circumstances in which officers are not removable by the President, the basic rule is that the President appoints and may remove at will the officers of the United States.~~

This power, as the Framers recognized, is necessary if the President is to be responsible for the faithful execution of the laws and the provision of "a good administration."

The challenge confronting the modern Presidency is to "produce a good administration" when the Federal establishment has grown so far beyond anything the Framers could have imagined. It is an amazing fact that there are more Federal employees in America today than there were people when the Framers drafted the Constitution. Perhaps President Washington could play an active role in supervising the details of the first administration; it is now the responsibility of his successors to create the mechanisms for control and coordination of the executive

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branch. One such mechanism is Executive Order 12291, which I issued during my first month in office. Executive Order 12291 for the first time provided effective and coordinated management of the regulatory process. Under the executive order, all ~~Federal~~ regulations must be reviewed by the Office of Management and Budget before being issued to determine whether their social benefits will exceed their social costs. The Administration has issued a comprehensive statement of regulatory policy, and established procedures to ensure that this policy is reflected in the actions of individual agencies.

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Other initiatives include the recent establishment of the President's Council on Management Improvement, an interagency committee charged with improving management and administration throughout the Government; the continuing efforts of the President's Council on Integrity and Efficiency, established in 1981, to root out fraud, waste, and mismanagement; and the comprehensive review of the functioning of the Government undertaken by the President's Private Sector Survey on Cost Control. Given the size and scope of the Federal bureaucracy, the Framers' admonition that the Executive "produce a good administration" requires careful and continuous attention to regulatory and management reform.

At the same time, however, it is fitting to consider whether the Federal Government is today trying to do too much. The Framers did not vest in the national government the responsibility of solving all the problems that might confront the citizens of the Republic; the early Americans were too jealous of their freedom to sanction such an expansive view of central authority. It is the responsibility of the President not only to manage government efficiently, but also to offer leadership in recognizing that spending by government must be limited to those functions that are the proper responsibility of government, and taxing by government must be limited to providing revenue for legitimate government purposes.

The President has no more important responsibility under the Constitution than the conduct of foreign affairs. As John Marshall noted on the floor of the House of Representatives, "The President is the sole organ of the nation in its external relations, and its sole representative with foreign nations." In the famous Curtiss-Wright decision of 1936, the Supreme Court agreed with Marshall's assessment: "In this vast external realm, the President alone has the power to speak or listen as a representative of the nation." The President's powers in this area derive from the general grant of executive power, and the more specific grants of

authority to make treaties and appoint our ambassadors and receive those of other nations, and his role as Commander in Chief of the armed forces.

The Framers recognized that of the two democratic branches only the Executive possessed the requisite attributes for the successful conduct of foreign relations. Hamilton noted in his description of the executive that "Decision, activity, secrecy, and dispatch will generally characterize the proceedings of one man in a much more eminent degree than the proceedings of any greater member," and John Jay -- himself one of our most successful early diplomats -- argued that "the President will have no difficulty to provide" those qualities, though they were beyond the capability of a basically deliberative body such as Congress. As Hamilton argued, "The qualities...indispensible in the management of foreign negotiations point out the executive as the most fit agent in those transactions..."

When it came to the defense of the Nation, the Framers were even more unambiguous. Hamilton, who served at General Washington's side during the War of Independence, knew that "the direction of war most peculiarly demands those qualities which distinguish the exercise of power by a single hand. The direction of war implies the direction of the common strength; and the power of directing and

employing the common strength forms a usual and essential part in the definition of the executive authority." In the areas of defense and foreign affairs the Nation must speak with one voice, and only the President is capable of providing that voice.

Denigrate the role of

This is not to ~~say that~~ Congress has ~~no~~ role in the development of foreign policy. On the contrary, the Framers required the assent of two thirds of the Senators to a treaty, and of course only Congress possesses the power to declare war. Even beyond those defined roles the support of Congress has been indispensable to an effective foreign policy throughout our history.

The 1970s saw a rapid rise in Congressional efforts to affect directly the formulation and implementation of foreign policy by the Executive. ~~Over 100 separate~~ prohibitions and restrictions on Presidential authority were enacted in the areas of trade, human rights, arms sales, foreign aid, intelligence operations, and the ~~dispatch of~~ troops in times of crisis. Scholars and officials have differing views on the constitutionality of several of these initiatives. What is important to note, however, is that efforts by Congress to participate in the development of American foreign policy must be accompanied by a recognition of the concomitant responsibility for the development of

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Deployment of U.S. Armed Forces abroad.

bipartisan consensus. We need to restore the honorable American tradition that partisan politics stops at the water's edge. As Congress attempts to augment its foreign policy role it must ensure that the result is not simply that America presents ^{multiple, and perhaps} a discordant ^{voices} cacophony to the world, to the detriment of its security and interests. The President -- "the sole organ of the nation in its external relations" -- must continually seek the means of developing a bipartisan, Legislature-Executive consensus on America's role in the world and the means of safeguarding that role. As Congress increasingly enters the foreign policy realm it too must recognize a greater responsibility for developing such a consensus.

Apart from the President's executive functions, the Constitution accords him a significant role in the legislative process. The President has not merely the power but the duty "from time to time to give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient." The people have grown to expect leadership from the President not only in executing the laws but also in presenting a legislative program to Congress for consideration.

Perhaps the most prominent of the President's legislative powers is his qualified veto power. This power is qualified in the sense that a bill returned by the President with his disapproval can nonetheless be enacted by a two-thirds vote of both Houses. The Framers accorded the President a veto power for two purposes. First, the Framers recognized the "propensity of the legislative department to intrude upon the rights, and to absorb the powers, of the other departments," and provided the President a veto so that he could defend the prerogatives of his office. The second purpose of the veto is as "an additional security against the enactment of improper laws." As Hamilton wrote:

The primary inducement to conferring the power in question upon the executive is to enable him to defend himself; the secondary one is to increase the chances in favor of the community against the passing of bad laws, through haste, inadvertence, or design.

The unique perspective the President can bring to bear in reviewing legislation was recognized by Chief Justice Taft:

The President is a representative of the people just as the members of the Senate and of the House are, and it may be, at some times, on some subjects,

that the President elected by all the people is rather more representative of them all than are the members of either body of the Legislature whose constituencies are local and not countrywide.

The intent of the Framers in providing the President a qualified veto power has been frustrated to a large extent by the development of the Congressional practice of combining various items in a single appropriations bill. The Framers undoubtedly anticipated that Congress would pass separate appropriations bills for discrete programs or activities, and the President would be able to review each program. Until about the time of the ^{Civil} War, ~~Between the States~~, this was the practice of Congress. Since that time, however, Congress has increasingly combined various items of appropriation in omnibus appropriations bills. This practice makes it difficult for the President to discharge the responsibility vested in him by the Framers, because he cannot consider the individual items of appropriations separately but must either veto or approve the package as a whole. The President is thus prevented from using his veto as the Framers intended, "to increase the chances in favor of the community against the passing of bad laws, through haste, inadvertence, or design."

It is for this reason that we have proposed restoring the Framers' original design through a constitutional amendment granting the President line-item veto authority. The constitutions of no fewer than 43 states grant some such authority to the governor, and the experience at the state level suggests a line-item veto would work well at the Federal level.

The powers of the Presidency are limited powers, and the President discharges his constitutional responsibilities in a system according other powers to the coordinate branches of the Legislature and the Judiciary. As the Supreme Court has remarked, there is a "never-ending tension between the President exercising the executive authority in a world that presents each day some new challenge with which he must deal and the Constitution under which we all live and which no one disputes embodies some sort of system of checks and balances." The members of all three branches take an oath to uphold the Constitution, and it is a tribute not only to the genius of the Framers but also to the statesmanship of those who have held office under the Constitution that the system has worked as well as it has.

Thomas Jefferson called the Presidency "a splendid misery." The Framers intended, as Hamilton wrote, that "the executive should be in a situation to dare to act his own opinion with

vigor and decision." The President has at his disposal the advice of learned advisors, and he can consult with the Congress, but the difficult and potentially momentous decisions vested by the Constitution in the Executive are, in the final analysis, his alone to make. Our most tested President, Abraham Lincoln, announced a guide for making those decisions that has not been improved upon:

I desire to conduct the affairs of this Administration that if, at the end, when I come to lay down the reins of power, I have lost every other friend on earth, I shall at least have one friend left, and that friend shall be down inside of me.

As we prepare to commemorate the bicentennial of the Constitution, let us honor the memory of the Framers who drafted our blueprint for freedom, as well as those who, like Lincoln, did not permit their dream to die. But let us also recognize the workings of a greater force. The signers of the Declaration of Independence acted with "a firm reliance on the Protection of Divine Providence," and Madison, reviewing the work of the Constitutional Convention, noted that "It is impossible for the man of pious reflection not to perceive in it a finger of that Almighty hand which has been so frequently and signally

extended to our relief in the critical stages of the revolution." What President Cleveland said on the occasion of the centennial of the Constitution rings even truer today:

When we look down upon 100 years and see the origin of our Constitution, when we contemplate all its trials and triumphs, when we realize how completely the principles upon which it is based have met every national need and national peril, how devoutly should we say with Franklin, "God governs in the affairs of men."

Foreword

THE PRESIDENCY... "a splendid misery," said Thomas Jefferson. He would lament the "loss of friends" caused by its hard decisions. Teddy Roosevelt said it was a chance to make "some kind of a place in history." But he would note that even a President's powers are limited: "Sometimes I wish I could be President and Congress too."

Woodrow Wilson would write of his duties, "... I am staggering under a burden of work which there are not enough hours for me to dispose of. . . ." The scholar-President would later lament, "The more I succeed in directing things the more I am depended on for leadership. . . ." And Harry Truman, blunt as usual, succinct as usual, reflected that "being a President is like riding a tiger. A man has to keep on riding or be swallowed."

Today the office remains what it was for those Presidents: an opportunity, a burden, sometimes a delight, always a tiger.

In those first few days after an inauguration, before an administration settles in, a President and those who work with him will frequently find themselves stopping short, perhaps at the South Portico awaiting the arrival of a foreign leader, or during a walk from the West Wing past the Rose Garden into the residence. Suddenly, inexplicably, the force of history causes them to reflect on the greatness of this office and of the men who have served in it before them. The story of that greatness is found in the pages of this book. A few of our Presidents were greatly gifted; some made notable mistakes; many were good-hearted; most did their best; all were patriots.

Summarizing the intentions of those who have occupied this office, one President, James Buchanan, had this to say: "... I have no other object of earthly ambition than to leave my country in a peaceful and

prosperous condition, and to live in the affections and respect of my countrymen." Those words symbolized the reason for a fledgling Nation's survival and growth: the honesty of her good intentions.

Today, the very basis of those good intentions—the idea of self-government under God—is gravely challenged. Yet, reading these pages, one cannot help but take heart that always, at the moment of great crisis, America has mustered more than good intentions. She has found wise leadership, resolute spirit, and decisive action.

A President must be the source of a good part of that leadership, spirit, and action. The President must speak for America and set her national agenda. And although the President can shape events in this way, he must also respect and reflect the desires of his countrymen. This is the paradox of public office, and especially the high office of the Presidency: One must serve the people but be willing to lead them, too—sometimes in new or controversial directions.

No one suffered more while performing his duties as President, and no one stood more upright, than did Abraham Lincoln. It should not surprise us that it was Lincoln who stated a simple but eloquent criterion for success: "I desire to so conduct the affairs of this Administration that if, at the end, when I come to lay down the reins of power, I have lost every other friend on earth, I shall at least have one friend left, and that friend shall be down inside of me."

There is good advice here, and not just for Presidents. It is good advice for all citizens. One's first duty is always to conscience, which is another way of saying to God and to human freedom. The recognition of this duty inspired those who helped build this Nation, and I am confident it will continue to inspire Americans during the proud centuries and many Presidencies ahead.

Ronald Reagan