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Ronald Reagan Library

Collection Name

Withdrawer

File Folder

CORRESPONDENCE, MISCELLANEOUS (02/16/1984 - 03/08/1984)

RBW 8/30/2005

FOIA

F05-139/01

Box Number

COOK

36RW

DOC NO	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
1	MEMO	JOHN G. ROBERTS TO FRED F. FIELDING RE. CORRESP. FROM CONGRESSMAN FWD. CONSTITUENT REQUEST FOR MEETING WITH THE PRESIDENT (PARTIAL)	1	2/28/1984	B6	614
2	LETTER	FRED F. FIELDING RE. REQUESTED MEETING WITH PRESIDENT REAGAN (OPEN IN WHOLE)	1	2/28/1984	B6	615
3	LETTER	FRED FIELDING TO CONGRESSMAN RE. REQUESTED MEETING WITH PRESIDENT REAGAN (OPEN IN WHOLE)	1	2/28/1984	B6	616

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

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

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

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

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

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

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

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

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

E.O. 13233

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

THE WHITE HOUSE

WASHINGTON

February 6, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Takeover by Texaco of Getty Oil
and Finder's Fee to Grant MacDonald

Grant MacDonald, a self-styled "International Financial Advisor" from Toronto, has asked you to place a hold on the proposed Texaco takeover of Getty Oil until he is paid the \$1 million finders fee allegedly owed him for presenting Reserve Oil to Getty. Getty acquired Reserve in 1980.

Our office should not become involved in this matter. I recommend referring MacDonald's correspondence to the FTC General Counsel for appropriate handling. A memorandum accomplishing that is attached for your review and signature, as is a letter to MacDonald noting the action we have taken.

Attachment

THE WHITE HOUSE

WASHINGTON

February 6, 1984

MEMORANDUM FOR JOHN H. CARLEY
GENERAL COUNSEL
FEDERAL TRADE COMMISSION

FROM: FRED F. FIELDING *Orig. signed by FFF*
COUNSEL TO THE PRESIDENT

SUBJECT: Takeover by Texaco of Getty Oil
and Finder's Fee to Grant MacDonald

The attached correspondence is submitted for whatever action you consider appropriate. We have no recommendation whatsoever and no continuing interest in this matter.

Many thanks.

Attachment

FFF;JGR:aea 2/6/84

cc: FFFielding/JGRoberts/Subj/Chron



OFFICE OF
GENERAL COUNSEL

FEDERAL TRADE COMMISSION
WASHINGTON, D. C. 20580

February 24, 1984

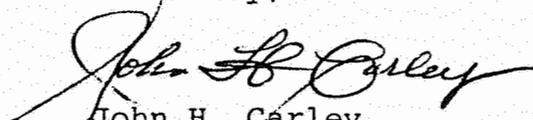
Grant D. MacDonald II
33 Harbour Square
Suite 3239
Toronto, Ontario
Canada M5J2G2

Dear Mr. MacDonald:

Your letter of January 29, 1984 to Fred Fielding, Counsel to the President, has been referred to me. I have also received your letter dated February 16, 1984.

The Federal Trade Commission has enforcement jurisdiction with respect to corporate mergers and stock tender offers only for the purpose of determining whether they violate Section 7 of the Clayton Act, 15 U.S.C. § 18, or Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, both of which are designed to prevent injury to competition. As I understand your letter and assuming the contentions to be provable in a court of law, the practices alleged do not constitute a basis on which the Commission could or should properly seek to enjoin or delay a transaction such as that between Texaco, Inc., and Getty Oil Company. What you have described is a purely private matter in which the Commission has no role to play. As you may be aware, the Commission on February 13, 1984, accepted and put on the public record for public comment a consent agreement with Texaco, Inc., placing certain conditions upon its acquisition of the stock of Getty Oil Company.

Sincerely,


John H. Carley
General Counsel

cc: Fred Fielding, Esq.

1984 FEB 24 10 31

THE WHITE HOUSE

WASHINGTON

February 6, 1984

MEMORANDUM FOR JOHN H. CARLEY
GENERAL COUNSEL
FEDERAL TRADE COMMISSION

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Takeover by Texaco of Getty Oil
and Finder's Fee to Grant MacDonald

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Many thanks.

FFF;JGR:aea 2/6/84

cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

February 6, 1984

Dear Mr. MacDonald:

This is written in response to your letter of January 29, 1984, requesting that I place a hold on the proposed takeover of Getty Oil by Texaco until you are paid a finders fee of \$1 million.

I have referred your correspondence to John H. Carley, General Counsel of the Federal Trade Commission, for whatever action he considers appropriate. Any further correspondence on this question should be directed to Mr. Carley.

Sincerely,

Orig. signed by FFF

Fred F. Fielding
Counsel to the President

Mr. Grant D. MacDonald II
33 Harbour Square
Suite 3239
Toronto, Ontario
CANADA M5J 2G2

FFF:JGR:aea 2/6/84
bcc: FFFielding/JGRoberts/Subj/Chron

To John
Date 2/16 Time 10:35

WHILE YOU WERE OUT

M Yasak Mac
of Ronald
Phone lls 116/84
Area Code Number Extension

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT	<input type="checkbox"/>

RETURNED YOUR CALL

Message: Depaco
takeover

416/363-0574
(per Kathy)
Dea
Operator

THE WHITE HOUSE

WASHINGTON

February 6, 1984

Dear Mr. MacDonald:

This is written in response to your letter of January 29, 1984, requesting that I place a hold on the proposed takeover of Getty Oil by Texaco until you are paid a finders fee of \$1 million.

I have referred your correspondence to John H. Carley, General Counsel of the Federal Trade Commission, for whatever action he considers appropriate. Any further correspondence on this question should be directed to Mr. Carley.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Grant D. MacDonald II
33 Harbour Square
Suite 3239
Toronto, Ontario
CANADA M5J 2G2

FFF:JGR:aea 2/6/84
bcc: FFFielding/JGRoberts/Subj/Chron

WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

B 9003-11
JR!

- O - OUTGOING
 - H - INTERNAL
 - I - INCOMING
- Date Correspondence Received (YY/MM/DD) 1 / 1 /

Name of Correspondent: Grant Mac Donald

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Recovery by Reparo of Getty Oil and his funder's fee

ROUTE TO:	ACTION	DISPOSITION
Office/Agency (Staff Name)	Action Code Tracking Date YY/MM/DD	Type of Response Code Completion Date YY/MM/DD
<u>W Holland</u>	ORIGINATOR <u>84, 02, 02</u>	<u>1 1</u>
<u>WAT18</u>	<u>D 84, 02, 03</u>	<u>S 84, 02, 13</u>
	Referral Note: _____	<u>1 1</u>
	Referral Note: _____	<u>1 1</u>
	Referral Note: _____	<u>1 1</u>
	Referral Note: _____	<u>1 1</u>

- ACTION CODES:**
- A - Appropriate Action
 - C - Comment/Recommendation
 - D - Draft Response
 - F - Furnish Fact Sheet to be used as Enclosure
 - I - Info Copy Only/No Action Necessary
 - R - Direct Reply w/Copy
 - S - For Signature
 - X - Interim Reply

- DISPOSITION CODES:**
- A - Answered
 - B - Non-Special Referral
 - C - Completed
 - S - Suspended

FOR OUTGOING CORRESPONDENCE:

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

Comments: _____

Keep this worksheet attached to the original incoming letter.
 Send all routing updates to Central Reference (Room 75, OEOb).
 Always return completed correspondence record to Central Files.
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

Grant Daniel MacDonald II

International Financial Advisor

(416) 363-0574

33 Harbour Sq.

Suite 3239

Toronto, Ontario

Canada M5J 2G2

Presently Advicing on \$431 billion

Texaco takeover may have overlooked FIRA clout

By PAUL TAYLOR

When the top executives of Texaco Inc. of White Plains, N.Y.,

decided to make their \$10-billion (U.S) takeover bid for Getty Oil Co. of Los Angeles, they probably were not concerned about what the Canadian Government might think of the deal.

As one Texaco spokesman put it: "We really haven't had time to examine all the ramifications of our offer. Everything has happened so fast."

But, eventually, Texaco will have to seek the approval of the federal Cabinet and the Foreign Investment Review Agency because some of Getty's oil and gas assets are in Canada. In the past, FIRA has insisted there must be some benefit to Canada before approving a takeover by foreign interests.

Observers believe

Texaco should be able to reach some sort of agreement with Ottawa. There is, however, a risk that the takeover could be delayed by the need to obtain FIRA's approval.

"And if this deal is held up, it would represent a classic case of the tail wagging the dog," said Denis Mote, an analyst with the Montreal-based investment firm of Levesque

Beaubien Inc.

Getty's Canadian assets are small when measured against the total size of the corporation. Getty's Canadian holdings include 100 per cent of Canadian Reserve Oil and Gas Ltd., a Calgary-based oil and gas company that is worth between \$600-million and \$1-billion.

The company produces about 12,000

barrels of crude oil and 30 million cubic feet of natural gas a day from properties in Alberta, British Columbia and Saskatchewan.

Ironically, Getty only recently completed the process of taking over Canadian Reserve. It obtained the company in 1980 when it bought control of the U.S. parent, Reserve Oil and Gas Co. of Denver. But it took

almost three years to get FIRA approval and another few months to complete the merger.

At the time it obtained FIRA's permission for the takeover, Getty promised it would spend a specific amount on exploration and development in Canada over an extended period of time. It also promised to sell half of the subsidiary to Canadian investors within five years.

Texaco will have to follow through with these commitments if it is successful in its bid for Getty Oil. There is a good chance it will have to meet additional Canadianization commitments.

Analysts said Texaco has several options. For instance:

□ Texaco could try to sidestep potential problems with FIRA by selling Canadian Reserve to a Canadian company or group of investors.

□ It might try to sell Canadian Reserve to Texaco Canada Inc. of Toronto. In return, it could promise to increase the level of Canadian ownership of Texaco Canada. (Texaco currently owns 90 per cent of Texaco Canada.)

□ Or, it could continue to operate Canadian Reserve as a separate division.

ever. In particular, "there are not many Canadian companies or investors that can afford or are willing to pay top dollar for oil and oil gas properties at this time," said Peter Carpenter, an analyst with McLean McCarthy and Co. Ltd. of Toronto. As a result, Texaco could have a hard time finding a buyer for Canadian Reserve.

As well, Texaco might be extremely reluctant to increase

the level of Canadian ownership in Texaco Canada. "Texaco has always kept a tight rein over its subsidiaries. So it would be very unlike Texaco to agree to give up some of its control over Texaco Canada," said Mr. Carpenter.

Texaco itself said it has not yet decided what it is going to do. As a Texaco spokesman explained: "It's much to early for us to have reached any decisions."

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Ronald Reagan Library

Collection Name

ROBERTS, JOHN: FILES

Withdrawer

RB 8/5/2005
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File Folder

CORRESPONDENCE, MISCELLANEOUS (02/01/1984 -
02/15/1984)

FOIA

F05-139/01
COOK

Box Number

35RW

DOC Document Type

NO Document Description

*No of
pages*

Doc Date

*Restric-
tions*

1 MEMO

2 2/8/1984 B6

601

JOHN G. ROBERTS TO PETER J. RUSTHOVEN RE.
MATTHEWS CASE

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

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E.O. 13233

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

THE WHITE HOUSE

WASHINGTON

February 8, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Correspondence With Bob Jones III

You will recall that Bob Jones III, President of Bob Jones University, wrote Morton Blackwell, seeking White House intervention in a private case pending before the INS. Blackwell referred the letter to us, and on December 20 we advised Mr. Jones that White House policy precluded intervention on behalf of private parties concerning matters pending before agencies with adjudicative functions. On December 27 Jones sent you a hostile reply, criticizing the Administration's insensitivity to the interests of Fundamental Christians. I drafted a response for your signature, which you held in abeyance pending receipt of Morton Blackwell's views on Jones's intemperate reply.

We have now received Blackwell's views. Blackwell offered no guidance on whether or how to respond to Jones. Instead, he seemed to concur in Jones's views, at least to the extent of remarking that they are shared by conservative religious leaders, and not suggesting that they are groundless. He also enclosed briefing materials on a wide variety of religious issues.

I have updated the draft reply, which I still believe should be sent. It may only precipitate further denunciations from Mr. Jones, but I do not think his letter should go unanswered.

Attachments

THE WHITE HOUSE

WASHINGTON

February 10, 1984

Dear Mr. Jones:

I am writing in reply to your letter of December 27, 1983. That letter was written in response to my own of December 20, in which I advised you that White House policy did not permit staff members to intervene on behalf of private parties concerning matters those parties have pending before agencies with adjudicative functions. Pursuant to this policy, I was compelled to decline your request that the White House intervene on behalf of Dr. Peter Ng with respect to his application before the Immigration and Naturalization Service.

In your letter of December 27 you rejected the stated purpose of the White House policy -- to maintain public confidence in the impartial administration of our laws -- on the ground that "the American public has lost that confidence a long time ago." You also suggested that my letter was evidence of alleged Administration insensitivity to the interests of Fundamental Christians.

With respect, I cannot share your view that the American public has lost confidence in the impartial administration of our laws. In any event, even if the public has lost such confidence, it will hardly be restored by White House interference in the adjudicative responsibilities of agencies on behalf of those who are fortunate enough to secure the support of influential individuals such as yourself.

I must also object to your suggestion that my response to Dr. Ng's case reflects Administration insensitivity to the interests of Fundamental Christians. The White House policy prohibiting intervention on behalf of private parties with respect to matters those parties have pending before agencies with adjudicative functions is applied in an even-handed fashion without regard to the beliefs or other characteristics of the individual involved.

FFF:JGR/kl
FFF:elding
JGR:Roberts ✓
Subj.
Chron.

THE WHITE HOUSE
WASHINGTON

February 8, 1984

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Nor do I share your view that this Administration has been insensitive to the interests of Fundamental Christians. In my view, the Administration has done much to advance the interests of Fundamental Bible-believing Christians. That which has been done, incidentally, has not been done to gain political support from that group, but because it was right. By the same token, political considerations will not move us to do that which is not right.

I am sorry that you do not agree with us concerning the desirability of a policy that precludes White House interference in private matters pending before agencies with adjudicative responsibilities. I hope and trust, however, that you will view this disagreement for what it is, and not as evidence of broad insensitivity on the part of this Administration to the interests of Fundamental Christians.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Bob Jones III
President, Bob Jones University
Greenville, SC 29617

cc: The Honorable Strom Thurmond
The Honorable Carroll Campbell

bcc: Morton C. Blackwell

FFF:JGR:aea 2/8/84

bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

February 13, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS *JGR*

SUBJECT:

Suggested Presidential Draft Regarding
James V. Allday and His National
Knife Magazine Fundraising Effort

On January 26, 1984, you sent a memorandum to Anne Higgins concerning the request from James V. Allday, editor and publisher of National Knife Magazine, that the President co-sponsor or endorse a fundraising drive by the magazine for the benefit of the families of the servicemen killed in the Beirut bombing. We advised Higgins that the President could not be a co-sponsor of the fundraising drive, but that he could write a letter commending Allday for his efforts. Higgins's office has now submitted a draft letter for our review.

The draft is consistent with the guidelines in our January 26 memorandum, as it praises in a general way Allday's efforts to benefit the Marine Relief Fund but does not involve the President in the specifics of the fundraising scheme. As noted in our memorandum, we should prepare a letter to Allday explaining that the President cannot be listed as a co-sponsor of his drive. It seems best to me to send that letter with the commendatory message prepared by Higgins's office, to avoid confusion. A memorandum to Patricia Gleason, who worked on the matter for Higgins, and a letter to Allday from you, is attached. If you agree, you should sign the letter and have both items sent to Allday by Higgins.

Attachment

THE WHITE HOUSE

WASHINGTON

February 13, 1984

MEMORANDUM FOR PATRICIA GLEASON
STAFF ASSISTANT
OFFICE OF WHITE HOUSE CORRESPONDENCE

FROM: FRED F. FIELDING *Orig. signed by FFF*
COUNSEL TO THE PRESIDENT

SUBJECT: Suggested Presidential Draft Regarding
James V. Allday and His National
Knife Magazine Fundraising Effort

Counsel's Office has reviewed the draft message from the President to James V. Allday submitted with your memorandum of February 3, and has no objection to it from a legal perspective. We do, however, recommend changing "generosity" in the first line to "efforts" and "their very worthy goal" in the penultimate line to "this very worthy endeavor."

As noted in my memorandum of January 26 to Anne Higgins, I have prepared a letter to Allday explaining that the President should not be listed as a co-sponsor of his fundraising scheme. That letter should be sent to Allday along with the Presidential message prepared by your office.

Attachment

FFF:JGR:aea 2/14/84

cc: FFFielding/JGRoberts/Subj/Chron

cc: Richard G. Darman

THE WHITE HOUSE

WASHINGTON

February 14, 1984

Dear Mr. Allday:

Thank you for your telegram advising the President of the laudable efforts of National Knife Magazine to aid the families of the servicemen who gave their lives in Beirut. In that telegram you requested that the President support your efforts and permit his name to be listed as a co-sponsor.

The President has found it necessary to adhere to a policy of generally not becoming involved in charitable fundraising to the extent of permitting his name to be listed as a co-sponsor. This policy is necessary in light of the vast number of requests the President receives, and the inability of the White House to monitor private fundraising efforts, which would be necessary were the President to be listed as a co-sponsor or otherwise closely associated with any particular fundraising effort.

I am certain you will understand that our inability to grant your request that the President be listed as a co-sponsor does not in any sense constitute an adverse reflection on your praiseworthy efforts. Indeed, it is my understanding that the President has signed a message expressing his appreciation for these efforts.

With best wishes,

Sincerely,

Orig. signed by FFF

Fred F. Fielding
Counsel to the President

Mr. James V. Allday
Editor and Publisher
National Knife Magazine
P.O. Box 21070
Chattanooga, TN 37421

FFF:JGR:aea 2/14/84

cc: FFFielding/JGRoberts/Subj/Chron

bcc: Richard G. Darman

2/3/84

Mr. Allday:

Thank you for your generosity on behalf of the families who have lost loved ones in Beirut.

Our Nation pays homage to all those who have given their last full measure of devotion in service to our cherished peace and freedom. As you know, the Beirut Marine Relief Fund has been established for the families of members of the United States Marine Corps, Army and Navy who have died in Beirut. I am proud to commend you and all those involved in your effort for the support you are giving their very worthy goal.

Thank you again and God bless you.

S/RR

Mr. James V. Allday
Editor and Publisher
National Knife Magazine
PO Box 21070
Chattanooga, Tennessee 37421

THE WHITE HOUSE

WASHINGTON

February 13, 1984

MEMORANDUM FOR PATRICIA GLEASON
STAFF ASSISTANT
OFFICE OF WHITE HOUSE CORRESPONDENCE

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Suggested Presidential Draft Regarding
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cc: FFFielding/JGRoberts/Subj/Chron

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With best wishes,

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. James V. Allday
Editor and Publisher
National Knife Magazine
P.O. Box 21070
Chattanooga, TN 37421

FFF:JGR:aea 2/14/84
cc: FFFielding/JGRoberts/Subj/Chron

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

- O - OUTGOING
- H - INTERNAL
- I - INCOMING
Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Patricia Gleason

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Draft of suggested Presidential draft re: James V. All day and his National Knife Magazine fundraising effort

ROUTE TO:	ACTION	DISPOSITION		
Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response Code	Completion Date YY/MM/DD
<u>WH06</u>	ORIGINATOR	<u>1 1</u>		<u>1 1</u>
	Referral Note:			
<u>WH013</u>	—	<u>1 1</u>		<u>1 1</u>
	Referral Note:			
	—	<u>1 1</u>		<u>1 1</u>
	Referral Note:			
	—	<u>1 1</u>		<u>1 1</u>
	Referral Note:			
	—	<u>1 1</u>		<u>1 1</u>
	Referral Note:			

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 - R - Direct Reply w/Copy
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FOR OUTGOING CORRESPONDENCE:
 Type of Response = Initials of Signer
 Code = "A"
 Completion Date = Date of Outgoing

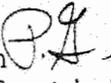
Comments: _____

Keep this worksheet attached to the original incoming letter.
 Send all routing updates to Central Reference (Room 75, OEOb).
 Always return completed correspondence record to Central Files.
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

February 3, 1984

TO: Fred Fielding
FROM: Patricia Gleason 
Office of Presidential Correspondence

Pursuant to your January 26 memorandum to Anne Higgins concerning James V. Allday and his National Knife Magazine fundraising effort, attached is a draft of a suggested Presidential letter. As you requested, we submit for your review.

Thank you.

2/3/84

Mr. Allday:

Thank you for your generosity on behalf of the families who have lost loved ones in Beirut.

Our Nation pays homage to all those who have given their last full measure of devotion in service to our cherished peace and freedom. As you know, the Beirut Marine Relief Fund has been established for the families of members of the United States Marine Corps, Army and Navy who have died in Beirut. I am proud to commend you and all those involved in your effort for the support you are giving their very worthy goal.

Thank you again and God bless you.

S/RR

Mr. James V. Allday
Editor and Publisher
National Knife Magazine
PO Box 21070
Chattanooga, Tennessee 37421

THE WHITE HOUSE

WASHINGTON

February 15, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Suggestion to Mrs. Reagan Concerning
Presidential Warrants

Stephen L. Mathis of Los Angeles wrote the First Lady in November, suggesting that the President issue "warrants" or endorsements to companies, in exchange for contributions to charitable endeavors. Mathis's idea would be for the President to do what the U.S. Olympic Committee has done, viz., sell endorsements to raise funds for a laudable purpose. The First Lady's Office never responded to Mathis's sincere if misguided letter, and Mathis wrote again on February 1, asking for a response. Sheryl Eberly has now referred both letters to you, asking that you respond.

What Mathis is suggesting is precisely what we generally try to avoid in handling the numerous requests we receive for Presidential participation in charitable fundraising. Selling the prestige of the office -- even for a noble cause -- is demeaning to the Presidency and should not be countenanced. It would also be unfair for the President to anoint one company over its competitors, simply because that company gave money to a charity favored by the President. And it would be similarly unfair for the President to use his office to prefer one charity over others equally worthy.

The attached draft reply to Mathis thanks him for the idea but explains why we do not think it appropriate.

Attachment

THE WHITE HOUSE

WASHINGTON

February 15, 1984

Dear Mr. Mathis:

Your letters of November 18, 1983 and February 1, 1984 to the First Lady have been referred to this office for consideration and response. In those letters you suggested that the President issue "warrants" or endorsements to deserving companies in exchange for charitable contributions.

We appreciate the laudable motive of increasing charitable contributions underlying your idea, and thank you for sharing the idea with us. After careful consideration, however, we have concluded that it would not be appropriate for the President to endorse products in exchange for charitable contributions.

Such a practice would raise fairness concerns, both with respect to the selection of a company to endorse and with respect to the selection of a charity to receive any funds raised by the endorsement. In our free market economy it would be inappropriate for the President to endorse and thereby promote the products of one company over those of competitors, solely on the basis of charitable contributions by that company.

It also strikes us as generally inappropriate for the President to use his office to favor in a systematic way particular charities over others that are equally worthy. While any President and First Lady will have specific charitable causes in which they are interested, and while it is perfectly appropriate -- indeed, desirable -- for them to promote charitable activity, the Office of the Presidency itself should not be used as a fundraising vehicle for specific charitable organizations.

At a more basic level, we could not countenance the granting of Presidential endorsements in exchange for charitable contributions, because such activity would essentially be selling the prestige of the Office. That would be demeaning to the Presidency, no matter how laudable the motive. The President has, on frequent occasions, urged Americans to

support charitable endeavors and charitable organizations of their choice. The President will continue to promote the typically American spirit of voluntarism and caring, but we will not diminish the prestige of the Office of the Presidency by auctioning it off for contributions.

Let me emphasize again that we share your sincere desire to promote charitable contributions, and appreciate having the benefit of your views on this topic.

Sincerely,

Orig. signed by FFE

Fred F. Fielding
Counsel to the President

Mr. Stephen L. Mathis
8667 Holloway Plaza Drive
Los Angeles, CA 90069

FFF:JGR:aea 2/15/84
cc: FFFielding/JGRoberts/Subj/Chron

8667 Holloway Plaza Drive
Los Angeles, California
February 24, 1984

Mr. Fred T. Fuldery
The White House
1600 Pennsylvania Avenue
Washington D.C. 20500

Dear Mr. Fuldery,

Thanking you for your reply
to my letter regarding suggestion
for "Presidential warrants." I
appreciate the courtesy of your
acknowledgement.

Steve L. Matten

THE WHITE HOUSE

WASHINGTON

February 15, 1984

Dear Mr. Mathis:

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Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Stephen L. Mathis
8667 Holloway Plaza Drive
Los Angeles, CA 90069

FFF:JGR:aea 2/15/84
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

February 15, 1984

MEMORANDUM FOR SHERYL L. EBERLY
DEPUTY DIRECTOR OF PROJECTS
OFFICE OF THE FIRST LADY

Orig. signed by FFF

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Suggestion to Mrs. Reagan Concerning
Presidential Warrants

By memorandum dated February 6, 1984, you asked this office to respond to letters to the First Lady from Stephen L. Mathis. Those letters suggested that the President grant endorsements to certain products in exchange for charitable contributions from the companies marketing those products. A copy of my reply is attached. The reply thanks Mathis for his interest but declines to adopt his suggestion, noting that it would be unfair to companies and charities not favored by the President, and that selling the prestige of the Presidency to obtain charitable donations would be demeaning to the Office, no matter how laudable the purpose.

Attachment

FFF:JGR:aea 2/15/84

cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

February 15, 1984

MEMORANDUM FOR SHERYL L. EBERLY
DEPUTY DIRECTOR OF PROJECTS
OFFICE OF THE FIRST LADY

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Suggestion to Mrs. Reagan Concerning
Presidential Warrants

By memorandum dated February 6, 1984, you asked this office to respond to letters to the First Lady from Stephen L. Mathis. Those letters suggested that the President grant endorsements to certain products in exchange for charitable contributions from the companies marketing those products. A copy of my reply is attached. The reply thanks Mathis for his interest but declines to adopt his suggestion, noting that it would be unfair to companies and charities not favored by the President, and that selling the prestige of the Presidency to obtain charitable donations would be demeaning to the Office, no matter how laudable the purpose.

Attachment

FFF:JGR:aea 2/15/84

cc: FFFielding/JGRoberts/Subj/Chron

PR014-09

WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

- O - OUTGOING
- H - INTERNAL
- I - INCOMING
Date Correspondence Received (YY/MM/DD) 1 1

JR

Name of Correspondent: ~~Sheryl Eberly~~ Stephen Mathis

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Correspondence to Mrs. Reagan regarding the creation of a Presidential Warrant (from Stephen L. Mathis)

ROUTE TO:		ACTION		DISPOSITION	
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response Code	Completion Date YY/MM/DD
WHOLL		ORIGINATOR	DD 840210		1 1
CWAT 18		Referral Note:	DD 8410210		5 840210
		Referral Note:			1 1
		Referral Note:			1 1
		Referral Note:			1 1

ACTION CODES:

- A - Appropriate Action
- C - Comment/Recommendation
- D - Draft Response
- F - Furnish Fact Sheet to be used as Enclosure
- I - Info Copy Only/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

DISPOSITION CODES:

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

FOR OUTGOING CORRESPONDENCE:

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

Comments: Feb 6 84 Sherly Eberly memo to Fred Fuldberg

Keep this worksheet attached to the original incoming letter.
Send all routing updates to Central Reference (Room 75, OEOP).
Always return completed correspondence record to Central Files.
Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

THE WHITE HOUSE
WASHINGTON

February 6, 1984

MEMORANDUM FOR FRED FIELDING

FROM: SHERYL EBERLY *SE*

SUBJECT: Correspondence with Mrs. Reagan regarding
the Creation of a Presidential Warrant

The attached letter recommends that President Reagan issue presidential warrants to suppliers of goods and services to the White House. I would appreciate a response from your office to this gentleman.

Thank you.

Los Angeles, California
February 1, 1984

Sheryl Ann

Mrs. Ronald Reagan
THE WHITE HOUSE
1600 Pennsylvania Avenue. N.W.
Washington, D.C. 20500

COPY *ca*

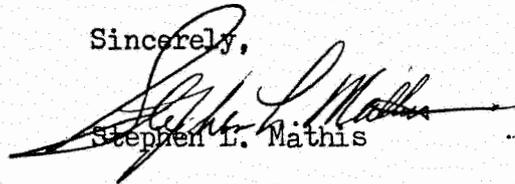
Dear Mrs. Reagan:

Several months ago I sent a letter to you at the White House regarding a suggestion to create a "Presidential Warrant". I would be interested in your response to this suggestion.

I am enclosing a copy of this letter dated November 18, 1983, in the event that it was lost or mislaid or simply not brought to your attention.

Since I feel that this suggestion could be an important contribution I am also sending copies of my letter to several distinguished persons on your staff and in the administration.

Sincerely,


Stephen L. Mathis

Encl.

cc: Ms. Sheila Tate, Press Secretary
Hon. George Bush, Vice President of the United States

November 18, 1983

FILE

COPY

Mrs. Ronald Reagan
THE WHITE HOUSE
Washington, D.C.

Dear Mrs. Reagan:

First, I congratulate you for your meritorious support of charitable causes and organizations. Your personal example is a source of pride for all Americans. It is a credit to your sensitivity and concern for the welfare of others.

I wish to suggest for your consideration, a plan to raise and administer large revenues for charitable causes you choose to support.

My suggestion is to create a "Presidential Warrant". Warrants or endorsements would be given to various goods and services in exchange for funds, contributions and donations of goods and services to charitable causes, organizations, and institutions you choose to support. Or these funds could be used to establish Presidential childrens' hospitals, libraries or communities and facilities for the aged and senior citizens.

The appointment of a Presidential warrant would be given at the President's discretion and would be effective for a four year period or portion thereof, during which that President is in office. They would be renewable at the President's discretion.

Warrants would be given to suppliers of goods and services to the White House and Presidential household. The warrant would consist of the Presidential seal with the words "By Appointment to the President of the United States". Manufacturers and suppliers of services would apply for a warrant because it would become a coveted symbol that would enhance a product or service by lending prestige and distinction. It is my opinion that the revenues derived from this practice would be substantial.

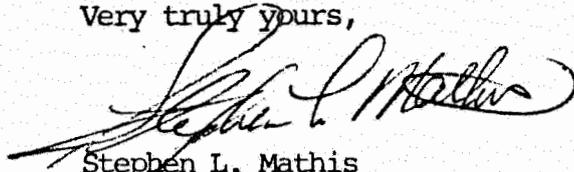
The practice of warrants has been widespread in Europe for several centuries. In England and Sweden, warrants are made by various members of the Royal family and use of the royal coat of arms appears on merchandise, letterheads, and in advertising of services of those awarded this appointment. In America, warrants have been used in connection with major events. For example, NASSA's space program and the Olympics award companies and services use of their official logo in exchange for sponsorship.

You would wish to be selective and discriminating in these appointments, and standards would have to be set for eligibility to apply for such an appointment. Also, rules would be established in order to have a governing code as to the use or misuse of this privileged endorsement.

As the First Lady is in the best position to direct this program which honors services and manufacturers of goods provided the President's household, I am addressing my suggestion to you for consideration.

It does seem to be an excellent way to accomplish a great deal of good, and could be an exciting project.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Stephen L. Mathis". The signature is written in dark ink and is positioned above the typed name.

Stephen L. Mathis
8667 Holloway Plaza Drive
Los Angeles, California 90069

THE WHITE HOUSE

WASHINGTON

February 15, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS

SUBJECT: Television Coverage of the Reagans
at the Ranch

Mr. Deaver's office would like to know as soon as possible whether the television networks are invading the Reagans' privacy when they film them at the ranch. I contacted Bill Sittmann for further details, but he was unable to provide any. There is apparently no particular incident at issue, simply the long-standing practice of the networks to film the Reagans at the ranch by using telephoto camera equipment located off the ranch.

California courts, like those of most states, recognize the tort of invasion of privacy. The right to privacy, even in California, includes the right to seclusion, free from unwarranted and undesired publicity. Gill v. Curtis Pub. Co., 38 Cal. 2d 273 (1952). The right is limited, however, and in the case of public officials and public figures must yield to the public interest in the dissemination of news and information. Gill v. Hearst Pub. Co., 40 Cal. 2d 224 (1953). Thus, the California courts have limited the privacy rights of public officials and public figures, quite apart from any federal First Amendment privilege the networks may have overriding the tort at state law.

Public officials do not yield all their privacy interests. The right to keep one's image free from unauthorized commercial exploitation, for example, has been held to be included in the right to privacy, and not even the President loses this aspect of the right to privacy. It seems fairly clear, however, that the Reagans have forfeited that aspect of the right to privacy described in California as the right to live in seclusion. Their activities are matters of legitimate public interest, whether they want them publicized or not. I see no hope for the Reagans prevailing in a lawsuit against the networks for filming and broadcasting their activities, conducted in the open at the ranch.

In response to a confidential inquiry, Bruce Fein, General Counsel at the FCC, advises that there are no federal rules restricting the broadcasting of such items on privacy grounds.

A memorandum to Deaver is attached.

Attachment

THE WHITE HOUSE

WASHINGTON

February 15, 1984

MEMORANDUM FOR MICHAEL K. DEEVER
ASSISTANT TO THE PRESIDENT
DEPUTY CHIEF OF STAFF

FROM: FRED F. FIELDING Orig. signed by FFF
COUNSEL TO THE PRESIDENT

SUBJECT: Television Coverage of the Reagans
at the Ranch

You have asked for a response from this office as soon as possible to the question whether the television networks invade the Reagans' privacy when they film them at the ranch, using telephoto equipment located off the ranch. An expedited review of the question leads me to conclude that this practice of the networks does not violate any legal right of the President and First Lady.

California, like most states, recognizes the tort of invasion of privacy. The legal right to privacy includes the right to live one's life in seclusion, free from unwarranted and undesired publicity. The California courts have held, however, that this right generally does not apply to public officials or public figures. In the case of such individuals, the right to privacy must yield to the public interest in the dissemination of news and information, and courts are likely to consider any activity of the Reagans -- even relaxation at the ranch -- to constitute "news." Quite apart from this public official/public figure limitation on the right to privacy as recognized in California, the media could raise constitutional defenses based on the First Amendment to any tort action for invasion of privacy brought by the Reagans.

The network practice of using telephoto equipment to film the Reagans' activities at the ranch, from a location off the ranch, may violate norms of common decency and consideration. The practice does not, however, violate any legal rights, and I hold no hope that the Reagans would prevail in any legal action against the networks.

FFF:JGR:aea 2/15/84

cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

February 15, 1984

MEMORANDUM FOR MICHAEL K. DEEVER
ASSISTANT TO THE PRESIDENT
DEPUTY CHIEF OF STAFF

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Television Coverage of the Reagans
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FFF:JGR:aea 2/15/84

cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE
WASHINGTON

JR

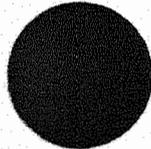
February 14, 1984

FFF:

Bill Sittmann visited the office (as you know) and relayed that Mike Deaver would like you to check to see if there is any invasion of privacy in having TV cameras at the Ranch.

kkk
10:10 am

*I don't think this
should be entered
in the computer*



Date 2.15.84

Suspense Date _____

MEMORANDUM FOR: John

FROM: **DIANNA G. HOLLAND**

ACTION

- Approved
- Please handle/review
- For your information
- For your recommendation
- For the files
- Please see me
- Please prepare response for DC signature
- As we discussed
- Return to me for filing

COMMENT
