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WASHINGTON

July 9, 1985

MEMORANDUM FOR FREDERICK J. RYAN, JR.

DEPUTY ASSISTANT TO THE PRESIDENT DIRECTOR, PRESIDENTIAL SCHEDULING

FROM:

JOHN G. ROBERTS

ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT:

Request for Scheduling Recommendation: Brief Presidential Event with the American China Caravan Participants and Diane Sawyer

of "60 Minutes"

You have asked for our views on a proposed Presidential event with the America-China Caravan participants. The America-China Caravan is sponsored by Airstream Inc., the manufacturer of the recreational vehicles that will be used by 200 senior citizens in a 28-day trek through China.

We recommend that the President not participate in an event with this group. In our view, the America-China Caravan project is too closely identified with the commercial activities of Airstream Inc. All of the participants will be using Airstream vehicles, and the publicity material prepared in connection with the project has focused on the vehicles. This may be a laudable private sector initiative to promote links between Americans and Chinese, but it is also, inescapably, a promotion for the Airstream Inc. vehicles. Were he to become involved in this project the President could not help but appear to endorse Airstream recreational trailers, in contravention of the established White House policy against commercial endorsements.

Thank you for raising this matter with us.

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET



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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.

WASHINGTON

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International Caravans of Friendship

March 22, 1985

Dr. Sheldon Weinig Chairman Materials Research Corporation Route 303 Orangeburg, N.Y. 10962

Dear Shelly,

Thanks so much for your presentation of the C-Flag to Wade Thompson. Not only was it a great aid to our publicity program and a morale boost for Airstream, but I know that Wade really enjoyed the political anecdotes that you shared with him.

As you can see from the enclosures, Caravan America-China continues to make strides. It has been rewarding to see the corporate support for this program grow. At the same time it is heartwarming to see the preparations that our participants are making in advance of this historic trip.

A number of the participants are taking lessons in Chinese vocabulary and cooking. Nearly all of them are reading up on Chinese history and tradition while making plans for their 28 days on the road. A number of the individuals are hand-crafting small gifts to leave behind as tokens of friendship -- hoping to seal the bonds of their visit for years to come.

One of the most exciting recent developments has been the decision by "60 Minutes" to travel with the caravan in China. Diane Sawyer has been assigned to anchor the segment.

As you know, one of the goals of the caravan is to foster international understanding and goodwill. Not only will the participants do just that but we believe that through the media we can take our message to millions of Americans — encouraging them to reach out, to share their lives and culture and most of all to have a better understanding of our planets ever shrinking size. Individual Americans traveling abroad have long been recognized as international ambassadors for freedom, opportunity and hope.

We would be honored by the participation of President Reagan in this historic adventure and we would be grateful if he would extend his personal best wishes to our participants in a short Rose Garden sendoff ceremony.

As you know, the participants are all senior Americans. The 9 couples that will make the first trip -- average age 70 -- include Oscar and Etta Payne of Thermopolis, Wyoming. Oscar will celebrate his 91st birthday while in China. All the participants have a story though and each of them represents an important facet or two of American life.

Prior to their departure for China, the participants will travel from Lake Placid, New York through Washington, D.C. to Baltimore where their trailers and tow vehicles will be loaded aboard ship for the 32-day passage to China. The participants are planning to be in Washington on the 14th, 15th and 16th of July. A brief Presidential event could be scheduled in that timeframe, although they would be available on short notice anytime between July 5th and their anticipated departure date for China on the 7th of September. Though I realize that this is a broad window of opportunity in scheduling terms, we want to make every effort to accomodate the President's schedule and the ever-flexible White House calender.

Finally Shelly, I want to thank you for all your help and interest. This program is not typical of private sector initiatives in many ways -- we cannot measure its impact in jobs or quantify it in economic terms. Rather our project prioritizes international people-to-people friendship, understanding and goodwill -- something we could all use a little bit more of. Thanks for taking the time to recognize that potential and for helping us share it with your collegues.

With warm best wishes,

Thomas L. Buckmaster

Executive Director

WASHINGTON

July 17, 1985

Dear Mr. Larsen:

Thank you for your recent letter to the President, requesting permission to quote the President in a book you are writing. Please be advised that permission is not required to quote the President's public pronouncements in the discharge of his official responsibilities. You should take care, however, to ensure that in the process of quoting the President you do not convey the impression that he has endorsed your book.

Thank you for your inquiry; if you have any further questions, please do not hesitate to contact this office.

Sincerely,

John G. Roberts

Associate Counsel to the President

John Bolobert

Mr. Michael Larsen 114 Grand Avenue Neillsville, WI 54456

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

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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.

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Michael Larsen 114 Grand Avenue Neillsville, WI 54456

President Reagan
The White House
Washington D.C. 20500

Dear President Reagan:

I have recently graduated from college with a degree in Engineering. As soon as I am ready I plan to run for the United States Senate in my home state of Wisconsin.

I am in the process of writing a book outlining my political ideologies.

I have always had a great deal of respect for your wisdom. I would like to quote several passages from your published works. your permission would be greatly appreciated.

Sincerely yours,

Michael Apple

Michael Larsen

WASHINGTON

July 18, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS

SUBJECT:

Request for the President to Appear on ABC Children's Fall Preview Special

Bill Henkel has asked for your views on a proposal that the President participate in an upcoming ABC television show on physical fitness for youngsters. The show will feature Tony Danza, Mary Lou Retton, and "clips of upcoming ABC children's programs from the fall schedule." A volunteer advanceman who is also a partner in a public relations firm initiated the request.

Although this program has the support of the President's Council on Physical Fitness, its use as a vehicle to promote ABC's fall children's schedule should preclude participation by the President.

Attachment

WASHINGTON

July 22, 1985

MEMORANDUM FOR WILLIAM HENKEL

DEPUTY ASSISTANT TO THE PRESIDENT

FOR PRESIDENTIAL ADVANCE

FROM:

FRED F. FIELDING F3/RAH

COUNSEL TO THE PRESIDENT

SUBJECT:

Request for the President to Appear on

ABC Children's Fall Preview Special

You have asked for my views on a proposal that the President participate in some fashion in an upcoming ABC television program on physical fitness for youngsters. The program has the support of the President's Council on Physical Fitness, and appears to have a worthy purpose. Nonetheless it is, as you note, specifically designed to promote ABC's fall children's programming schedule. The President should not participate in such a promotional vehicle, particularly given the intensely competitive television programming market.

FFF:JGR; aea 7/18/85

cc: FFFielding

JGRoberts Subj

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WASHINGTON

July 22, 1985

MEMORANDUM FOR WILLIAM HENKEL

DEPUTY ASSISTANT TO THE PRESIDENT

FOR PRESIDENTIAL ADVANCE

FROM:

FRED F. FIELDING

COUNSEL TO THE PRESIDENT

SUBJECT:

Request for the President to Appear on

ABC Children's Fall Preview Special

You have asked for my views on a proposal that the President participate in some fashion in an upcoming ABC television program on physical fitness for youngsters. The program has the support of the President's Council on Physical Fitness, and appears to have a worthy purpose. Nonetheless it is, as you note, specifically designed to promote ABC's fall children's programming schedule. The President should not participate in such a promotional vehicle, particularly given the intensely competitive television programming market.

FFF:JGR; aea 7/18/85

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JGRoberts

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WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

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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.

WASHINGTON

June 18, 1985

324310 W

MEMORANDUM FOR:

FRED FIELDING

LARRY SPEAKES

FREDERICK RYAN

FROM:

WILLIAM HENKEY

SUBJECT:

Attached Video Tape Request

Jeff Brein, a volunteer advanceperson, has sent the attached proposal.

Will you please review this request and provide me with your thoughts so I can respond to Jeff.

Unfortunately, the purpose of the special is to promote ABC children's programs for the fall schedule. However, the purpose still seems worthy.

Thank you.

Attachment

Quinn, Brein & McCarthy, Inc.

Promotional Marketing . Public Relations . Special Events

June 17, 1985

Mr. William Henkel
Deputy Assistant to the
President and Director
of Presidential Advance
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Bill:

Per our telephone conversation last week, enclosed please find the information we discussed re: "The ABC National Funfitness For Young People" television show.

As I mentioned ... the program will air as a prime time special in early September and feature Mary Lou Retton, Tony Danza and clips of upcoming ABC children's programs from the fall schedule.

We are interested in exploring the possibility of a cameo appearance by President Reagan for perhaps as briefly as just one or two minutes. We envision a shot in the weight room with a message to families about the importance of keeping fit.

Bill, you'll note that the program emphasis is on fitness and is executed in conjunction with the President's Council on Physical Fitness. Much of the research completed on the final script will have been done so with their cooperation.

If you are interested in a proposed script for the President, or a more detailed look at the entire thirty-minute show we'll be glad to forward. The creative is in very preliminary stages and the attached is the only material now available.

We will probably shoot segments in July and August and could even consider a shot at the ranch if it becomes difficult to schedule time in Washington.

Bill, I hope this gives you an idea of the program. We would certainly appreciate your prompt consideration. If there are any areas of the concept that might be uncomfortable, perhaps we can effect change.

Mr. William Henkel June 17, 1985 Page Two

If you have any thoughts or questions we'll be glad to discuss them. Matt Crow is working on this assignment with me and is also available. By the way, we'll be in Washington on June 28 meeting with some members of Mrs. Reagan's staff on another project and could visit with you if you feel it would be helpful.

Thanks for your help. We'll wait to hear from you.

Best regards,

eff krekn

WASHINGTON

July 18, 1985

Dear Mrs. Bronson:

This is written in response to your letter concerning the President's visit to the cemetery at Bitburg. Please excuse my delay in responding.

I think the President's own words explain the reasons behind the Bitburg visit best, and accordingly I have enclosed for your information a copy of the President's remarks.

Sincerely,

John Solute

John G. Roberts

Associate Counsel to the President

Mrs. I. Bronson 10139 Woodley Avenue, #234 Sepulneda, CA 91343 18g

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. WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

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WASHINGTON

July 18, 1985

MEMORANDUM FOR LINDA CHAVEZ

DEPUTY ASSISTANT TO THE PRESIDENT DIRECTOR, OFFICE OF PUBLIC LIAISON

FROM:

JOHN G. ROBERTS

ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT:

Appearance Before American

Catholic Conference

You have asked for guidance concerning your planned appearance before the American Catholic Conference in Miami. You have been advised that 80 percent of the proceeds from the luncheon meeting you will address will go to the Conference and that 20 percent will be provided to you to give to the First Lady for the National Foundation of Parents for Drug Free Youth. Mrs. Remedios Diaz-Oliver, Executive Vice President of American International Container, Inc., has informed you that your travel and lodging expenses and those of your family will be taken care of.

- 1. You may accept the invitation to speak before the American Catholic Conference. Such an appearance would be considered to be in your official capacity.
- Disposition of any proceeds from the luncheon should be left entirely to the Conference. If the Conference decides to donate some of the proceeds to a particular drug abuse prevention organization, and requests that you transmit the donation to the organization through Mrs. Reagan, this office would have no objection. The donation, however, must be in the name of the Conference, not in your name. White House policy prohibits the acceptance of honoraria for official appearances, and also prohibits staff members from designating a charity to receive a donation in lieu of honoraria. See White House Travel Handbook, p. 6. If the Conference does desire you to present a check from it, payable to the drug abuse prevention organization, to Mrs. Reagan for transmittal, you should of course check with Mrs. Reagan's office before agreeing to do so.
- 3. Since your appearance will be in your official capacity, all travel and lodging expenses must be paid from appropriated funds. The only exception to this rule is that such expenses may be paid by a 501(c)(3) organization under

the Internal Revenue Code that is sponsoring the event.

See White House Travel Handbook, p. 8. American International Container, Inc., is not, of course, a 501(c)(3) organization, and it may not pay any of your expenses. The American Catholic Conference does not appear in the cumulative listing of 501(c)(3) organizations published by the Internal Revenue Service, and so unless that organization can produce a ruling letter to the effect that it is in fact a 501(c)(3) organization, you may not accept expenses from it either. A hotel room provided free of charge by the hotel to the Conference and made available for your use would be considered to be provided to you by the Conference, and accordingly would not be permissible.

4. If an organization may not reimburse you for travel-related expenses, you may not accept reimbursement from that organization for travel-related expenses of your family members.

If you have any further questions, please do not hesitate to contact this office.

JV

. WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET



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American International Container, Inc.

SUBSIDIARY OF WHEATON INDUSTRIES

June 24, 1985

Honorable Linda Chavez Assistant to the President For Public Liaison The White House 1600 Pennsylvania Avenue N.W. Washington, D.C. 20500

Dear Ms. Chavez:

It was a pleasure indeed meeting you during our visit with Mr. Philip L. Lawler last Monday, June 17th.



The entire proceeds will be given to American Catholic Conference who, in turn, will present you with a check for 20% of these proceeds. The check would be made payable to the National Foundation of Parents for Drug Free Youth.

At this time we have three possible dates set up for this luncheon:



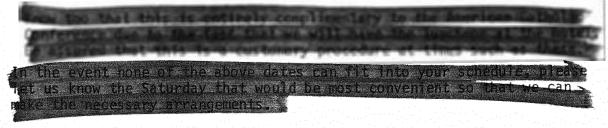
The luncheon, of course, will not be limited to Catholic groups but will be open to the general public including business leaders in our community, labor, Chambers of Commerce, religious groups including Protestant and Jewish leaders who have accepted participation in this fine event.

We are also including members of the Democratic and Republican parties as we consider this a non-political affair.

We have also invited the Mayors of the City of Miami, Hialeah, Sweetwater and Dade County to participate in this luncheon.



Just let me know who will be joining you. If you prefer to remain overnight, the Fontainebleau will have a suite available for you and your
husband. They have fine accommodations for children as well so that if
you wish to have your children with you they will be well taken care
of during your visit. It could certainly be a fine week-end for all of
you.



There would be only one exception--Saturday, September 7th, as we will be having an affair in Miami (Hemispheric Congress of the Chambers of Commerce) which would be in conflict.

Incidentally, copies of press releases, advertising, etc., with respect to your trip to Miami will be sent to your secretary. Honorable Linda Chavez:

-3-

June 24, 1985

In the event you wish to reach me you can always contact me at my

My private line at the office is (305) 835-3403.

My home phone is: (305) 551-6391 and my home address is: 10000 S.W. 30th Avenue Miami, Florida 33165

Please do not hesitate to contact me at any time.

We are all certainly looking forward to making this luncheon a huge success and your presence will surely add prestige, stature and everything wholesome that goes into a success fund raising event.

With kindest personal regards.

Sincerely

(Mrs.) Remedios Diaz-Oliver Executive Vice President

RDO:ls CC Philip F. Lawler Daniel J. Cassidy

WASHINGTON

July 19, 1985

MEMORANDUM FOR ANNE HIGGINS

SPECIAL ASSISTANT TO THE PRESIDENT

DIRECTOR OF CORRESPONDENCE

FROM:

JOHN G. ROBERTS

ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT:

Request for the President to Sign

Letter for USC Brochure

You have requested the views of this office on a request that the President sign a letter endorsing a capital fundraising campaign for the University of Southern California. The request should be denied, pursuant to established White House policy of generally not endorsing particular fundraising efforts. As you know, we adhere to this policy because the President cannot grant all the requests for fundraising endorsements that he receives, and there is no fair way to distinguish among the many equally laudable organizations that submit requests. In addition, endorsing particular fundraising projects would require us to monitor the activities of the organization and the fundraising to some degree, which the White House is not equipped to do.

Thank you for raising this question with us.

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WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

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THE WHITE HOUSE
WASHINGTON
7-1-85

Frid Fielding

Date:

Го:

ANNE HIGGINS
Special Assistant to the
President and Director
of Correspondence

Room 94, x7610

WASHINGTON

June 25, 1985

MEMORANDUM FOR:

ANNE HIGGINS

FROM:

MAUREEN ZATARGA

SUBJECT:

Letter from the President

Bob has asked that I handle the attached request.

Would you please advise whether the proposed or a similar letter can be sent to USC over the President's signature.

Thank you.

2955 FLETCHER DRIVE • LOS ANGELES, CALIFORNIA 90065
P.O. BOX 65067 • LOS ANGELES, CALIFORNIA 90065 1985 JUN 21 AM 10: 28

RANDOLPH B. STOCKWELL PRESIDENT CHIEF EXECUTIVE OFFICER

June 17, 1985

The Honorable Robert H. Tuttle
Deputy Assistant to the President
and Director of Presidential Personnel
The White House
Washington, D.C. 20500

Dear Bob,

Enclosed please find a letter from Kris Popovich concerning the President signing a letter on behalf of the USC Associates and a proposed draft of same.

As you know, the Associates is a very important organization to the University; Kris is a good Republican friend, and I am on the board. As such, I would most appreciate your assistance in this matter and the President's consideration.

Kindest/regards,

RBS: fc

Enclosures



UNIVERSITY OF SOUTHERN CALIFORNIA ASSOCIATES

June 11, 1985

Mr. Randolph B. Stockwell President Community Bank 2955 Fletcher Drive Los Angeles, California 90065

Dear Randy:

As you well know, USC is now making plans to publicly announce the new capital campaign within the next year. As is to be expected, the USC Associates program will be relied upon to generate a significant number of major gifts. To better publicize the purpose and goals of the USC Associates, we are now putting together a multi-page 8½" x 11" brochure that will include endorsements from a number of our most prestigious members.

Since President and Mrs. Reagan were members of the USC Associates from 1969 until 1985 (complements of Justin Dart), we would be honored if Mr. Reagan would consent to signing a letter on White House stationery that would appear in the brochure. I have taken the liberty of drafting a letter; if it meets with your approval, I respectfully request your assistance in having it routed to the White House. We plan for the brochure to go to press on August 15, 1985, if at all possible.

If you have any questions or comments, please contact me at (213) 749-3311. On behalf of the USC Associates membership, I thank you for your personal involement in this important endeavor.

Sincerely,

Kus

J. Kristoffer Popovich

TO THE ASSOCIATES OF THE UNIVERSITY OF SOUTHERN CALIFORNIA

The destiny of a nation depends upon the youth of today and the education they receive. You can take pride in knowing that your generous efforts in the promotion of private higher education are your personal guarantee that this nation will continue to grow and prosper socially, economically and technologically.

THE WHITE HOUSE WASHINGTON

WASHINGTON

July 19, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS

SUBJECT:

Request for Presidential Endorsement

to Build Richard Nixon Library

Ken Khachigian has written Anne Higgins, asking for a brief letter from the President endorsing the effort to raise funds to build the Richard Nixon Presidential Library. The letter would be addressed to Maurice Stans.

As Khachigian notes in his request, the President recently participated in a fundraiser for the Kennedy library, so I do not think we can object on any principled basis to his providing a letter of support for the Nixon library. I would simply tone down Khachigian's suggested text by changing "efforts to raise funds for" to "efforts on behalf of."

Attachment

WASHINGTON

July 22, 1985

MEMORANDUM FOR ANNE HIGGINS

SPECIAL ASSISTANT TO THE PRESIDENT

DIRECTOR OF CORRESPONDENCE

FROM:

FRED F. FIELDING Orig. signed by FFF

COUNSEL TO THE PRESIDENT

SUBJECT:

Request for Presidential Endorsement

to Build Richard Nixon Library

I have reviewed the request from Ken Khachigian for a brief message from the President supporting fundraising efforts for the Richard Nixon Presidential Library. As you know, we generally avoid involving the President in particular fundraising projects. Presidential libraries are a special case, however, and the President has participated in fundraising projects for other Presidential libraries. Accordingly, I have no objection to providing the requested letter.

In the text submitted by Khachigian, however, "efforts to raise funds for" should be changed to "efforts on behalf of."

FFF:JGR:aea 7/19/85

cc: FFFielding

JGRoberts

SUbj Chron

WASHINGTON

July 22, 1985

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FFF:JGR:aea 7/19/85

cc: FFFielding JGRoberts

SUbj Chron

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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 Centrall Reference, ext. 2590.

THE WHITE HOUSE WASHINGTON

Date:

To:

any problem.

ANNE HIGGINS

Special Assistant to the President and Director of Correspondence Room 94, x7610

326623 CW

Attorney at Law

209 Avenida Del Mar, Suite 203 San Clemente, California 92672 (714) 498-3879

July 2, 1985

Honorable Anne Higgins
Special Assistant to the President and
Director of Correspondence
Room 94 - OEOB
THE WHITE HOUSE
Washington, D.C. 20500

Dear Anne:

Some months ago, John Whitaker asked me if I could help obtain a brief and to the point letter from the President which endorsed the effort to build the Richard Nixon Library. We've been able to raise much of the money necessary for this project, but Maury Stans has indicated that even a gesture of support from President Reagan would make all the difference in the world.

The letter should be addressed to:

Honorable Maurice Stans 350 W. Colorado Boulevard Pasadena, CA 91105

It might use words to this effect:

Dear Maury:

Please accept my very best wishes as you and your colleagues continue your efforts to raise funds for the Richard Nixon Presidential Library. The history of those years will be a critically important part of the scholarly work that takes place on the Presidency in the years to come. The vast detail and documentation of the Nixon Administration -- gathered in one place -- will allow a close study of how the momentous decisions of those years were made.

Warm regards,

Ronald Reagan

Anne, we're not wed to these words -- and, given the President's recent endorsement of the Kennedy Library --

Hon. Anne Higgins July 2, 1985 Page 2

you are probably better aware than we of how best to phrase this. If you have any questions at all, call John Whitaker up in Nova Scotia (I'm sure signal can reach him). Meredith and I are off to Europe for a couple of weeks, and I'll touch base when I get back to see if I can help.

In the meantime, you know how all of us -- especially RN -- continue to be grateful for your help and support.

Warmest personal regards,

Ken (emo)

KLK:lms

cc: Mr. John Whitaker Hon. Maury Stans

WASHINGTON

July 23, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS

SUBJECT:

Draft of President's Column for ABA Journal on Terrorism

You have asked for a draft reply as soon as possible to the attached letter from new ABA President William Falsgraf, transmitting an advance copy of an upcoming column responding to the President's call for ABA action against terrorism. A draft is attached. The column reviews past action of the ABA, and announces a national conference on legal responses to terrorism. It is supportive of the President's speech, but also stresses that responses to terrorism cannot make unacceptable inroads on civil liberties.

Attachment

WASHINGTON

July 23, 1985

Dear Bill:

Thank you for your letter of June 16 to the President. Enclosed with that letter was an advance copy of your upcoming "President's Column" on the Bar response to terrorism. The column represents a prompt response to the President's call for action by the American Bar Association to confront the basic challenge to the rule of law posed by international terrorism.

I know I do not need to stress the seriousness of the problem posed by terrorism, or the sincerity of the President's call for assistance from the Bar in meeting that problem. The active involvement of the ABA will help mobilize not only the profession but the Nation as a whole in defending our free society and the rule of law from terrorists. I appreciate your personal involvement, which indicates the importance the Bar attaches to the issue, and look forward to working with you in ensuring that our profession will effectively meet the challenge of terrorism.

Sincerely,

Orig. signed by FFF

Fred F. Fielding Counsel to the President

William W. Falsgraf, Esquire American Bar Center 750 North Lake Shore Drive Chicago, IL 60611

FFF:JGR:aea 7/23/85 bcc: FFFielding

JGRoberts

Subj Chron

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Sincerely,

Fred F. Fielding Counsel to the President

William W. Falsgraf, Esquire American Bar Center 750 North Lake Shore Drive Chicago, IL 60611

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1 6 8 sp. m. AMERICAN BAR ASSOCIATION OFFICE OF THE PRESIDENT WILLIAM W. FALSGRAF AMERICAN BAR CENTER 750 N. LAKE SHORE DRIVE July 16, 1985 CHICAGO, ILLINOIS 60611 TELEPHONE: 312/988-5100 ABA / NET: ABAOO7 The President The White House 20500 Washington, D.C. Dear Mr. President: I want to give you my personal thanks for choosing the American Bar Association Opening Assembly meeting as the forum

I want to give you my personal thanks for choosing the American Bar Association Opening Assembly meeting as the forum for your important statement on terrorism. Terrorism is a growing threat to this country's security and legal system and as such deserves the attention which you have drawn to it.

It may be of interest to you to know that even before your speech I had asked several entities within the ABA to focus their attention on this frightening problem. Furthermore, I had begun to draft a president's column for the ABA Journal on this subject. After hearing your speech I accelerated the drafting process, so that the column will now appear in the September issue. I have taken the liberty of enclosing a copy of that column for your information and comment. The Journal has a circulation of over 300,000.

In response to your request that the ABA become part of the solution to this problem, I have requested and received authorization from our Board of Governors to proceed without delay to convene a multi-disciplinary conference to address the legal aspects of the war on terrorism. I will of course keep in touch with Fred Fielding as we proceed with plans for the conference. I intend the conference to be the beginning of an intensive effort on the part of the ABA to develop concrete proposals with respect to this critical matter.

All of us are delighted to hear of your successful surgery. We wish you the speediest possible recovery and return to health.

Sincerely,

William W. Falsgraf

WWF/lm Encls. cc: Fred Fielding

THE BAR RESPONDS TO TERRORISM By William W. Falsgraf

On July 8, 1985, the President of the United States eloquently addressed our opening assembly. His subject was international terrorism.

During his speech he reminded us that terrorism threatens our legal system as well as national security. That being the case, he called on the ABA to assist in developing appropriate responses to the unique legal aspects of this threat:

I WANT YOU TO ACCEPT A CHALLENGE TO BECOME PART OF THE SOLUTION TO THE PROBLEM OF TERRORISM. YOU HAVE A FUNDAMENTAL CONCERN FOR THE LAW, AND IT IS UPON THE LAW THAT TERRORISTS TRAMPLE.

The President's observation is absolutely correct. Terrorism ultimately seeks the destruction of our free society and is directly opposed to one of our eight fundamental ABA goals -- to advance the rule of law in the world. The Association welcomes the Presidential challenge and our response will be swift.

Our longstanding commitment to the protection of the human rights of those who are victims of acts of terrorism, as well as our desire to preserve our constitutional government and way of life, led us to begin the study of this problem some time ago.

In a 1980 address to our Section of International Law, Leonard S. Janofsky, then president of the ABA, described terrorism as "...a crisis of world-wide proportions". He called on state and local bar leaders to work with civic and political leaders to improve community preparedness at the state and local level.

In 1981 and 1982, our House of Delegates, on the recommendation of the Section of International Law and Practice, supported the establishment of enforceable conventions among nations to deter, prevent and punish international terrorism.

The ABA Standing Committee on World Order Under Law has given special emphasis to the need for a model convention on the prevention and punishment of terrorist acts in our own hemisphere. The Standing Committee on Law and National Security has formed a special working group on the problem of terrorism, focusing on the need to clarify extradition law.

These and other efforts complement President Reagan's call for "a better domestic and international legal framework for dealing with terrorism," and his desire that terrorists be apprehended, indicted, prosecuted and ultimately brought to justice within the framework of the rule of law.

The President expressed particular concern with the immediate foreign policy implications of terrorist strategy. He advised us that terrorist organizations are attempting to disorient the United States, disrupt and alter our foreign policy, sow discord between our nation and our allies and frighten friendly Third World nations. The threat that terrorism poses to America's security is real.

As members of the legal profession, we have an additional concern which transcends national boundaries. Many of those who commit these acts of terror seek not only to isolate our country, but also to undermine the rule of law throughout the world. The hijacking of a plane and the taking of hostages, for example, are breaches of numerous internationally recognized legal norms. No cause, no matter how important it may seem to the terrorist, can justify these prohibited acts, but there is more to it than the short run demands that always accompany such acts, and the fact of a violation of these laws.

The terrorists hope, by engendering fear, frustration, anger and despair, to convince the citizens of free societies to disavow long-standing legal traditions essential to the democratic way of life. This strategy is to so upset the population that in a desperate attempt to achieve physical security, our citizens will sacrifice their liberty. Unfortunately, history is replete with examples of just such a reaction to threats to the safety and security of a populace.

We must not let this happen. In our efforts to craft methods for combating terrorism, we, as lawyers, must make sure that methods adopted to thwart terrorists do not destroy the very institutions of law which must be preserved if free societies are to survive. We share with our British colleagues, a principle expressed in the 1983 review of the operation of their Prevention of Terrorism Act of 1976, that efforts to prevent terrorism must "...not make unacceptable inroads on civil liberties."

We must not permit those who would destroy the fabric of civilization to goad us into responses which further their aims, rather than ours.

The threat posed by terrorism is not susceptible to simple solutions, and our response to it must not be simplistic. In the difficult days ahead our first priority must be to develop effective responses within the framework of the rule of law.

The first stage -- and it is only the first stage -- is systematically to study and develop legally sound responses. To that end, President Reagan asked us to address this problem in conferences and conventions designed to explore new approaches.

This is a wise suggestion The American Bar Association will convene a major national conference involving legal scholars and practitioners, as well as representatives of appropriate agencies of government. The purpose will be to develop recommendations for more effective responses to terrorism consistent with the fundamental principles of law that have served us so well for over 200 years.

Following the conference, I anticipate a concentrated effort on the part of appropriate Association entities to develop specific recommendations. Both steps represent a continuation of our efforts as an association to deal responsibly with this most recent external threat to the free societies of the world and the rule of law.

By initiating these activities, we are building on the precedents established by the ABA, as well as, responding to the request of President Reagan. We are also discharging a solemn obligation to expend our best efforts to preserve the rule of law.