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**Folder Title:** JGR/Telephone Recordings  
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# WITHDRAWAL SHEET

## Ronald Reagan Library

Collection Name

Withdrawer

IGP 8/30/2005

File Folder JGR/TELEPHONE RECORDINGS (4 OF 4)

FOIA

F05-139/01

Box Number 52

COOK

63IGP

DOC NO	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
1	LETTER	WHITE HOUSE ARMY SIGNAL CORPS DETACHMENT (OPEN IN WHOLE)	2	9/16/1946	B2 B6	868 B7(A)

COPY - Reagan Presidential Record

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.

**COPY**  
**WHITEHOUSE**  
**CORRESPONDENCE TRACKING WORKSHEET**  
*from ORM*

UT001-03

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

Name of Correspondent: Mary Lawton

MI Mail Report User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: Signal Telephones in Residence

ROUTE TO:		ACTION	DISPOSITION
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD
	<u>CUHOU</u>	ORIGINATOR	<u>84 10 14</u>
	<u>CUAT 18</u>	Referral Note: <u>D</u>	<u>84 10 14</u>
	<u>CUFIEL</u>	Referral Note: <u>I</u>	<u>84 10 14</u>
			<u>1 1</u>
			<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: May 29 81 Mary Lawton memo to Sarah Kadee attached

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.

THE WHITE HOUSE

WASHINGTON

June 14, 1984

238972

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Signal Telephones in Residences

Attached is a copy of a memorandum from Mary Lawton to Sarah Kadec, dated May 29, 1981, concerning 31 U.S.C. § 679. That provision was the immediate predecessor to 31 U.S.C. § 1348, which provides, inter alia, that "appropriations are not available to install telephones in private residences." The Lawton memorandum concerned installation of telephones for accessing computer equipment, but contained a general discussion of the statute. Of particular significance, Lawton indicated that she discussed the question with GAO, and was advised that GAO interpreted the statute as "prohibiting payment for service that benefits the employee but not for service that benefits the government." The memorandum also noted that the practice of placing signal telephones in residences dates at least from World War II.

Attachments

### 31 § 1346

#### Note 6

#### 6. Special consultants

The employment of "special consultants" to study the operations of the former Army Air Corps in conjunction with a group of Army officers and to join with them in a report and recommendations to the Secretary of War [now Secretary of the Army] concerning needed improvements in equipment and training of personnel was not prohibited by former section 673 of this title. 1934, 37 Op. Atty. Gen. 484.

### MONEY AND FINANCE Subtitle 2

#### 7. Transfer of funds for interagency group

Department of Defense funds may be transferred to the Department of Commerce, by means of a working fund arrangement, for the National Inventors Council, an interagency board engaged in authorized activities of common interest to the member agencies. 35 Comp. Gen. 201 (1955).

### § 1347. Appropriations or authorizations required for agencies in existence for more than one year

(a) An agency in existence for more than one year may not use amounts otherwise available for obligation to pay its expenses without a specific appropriation or specific authorization by law. If the principal duties and powers of the agency are substantially the same as or similar to the duties and powers of an agency established by executive order, the agency established later is deemed to have been in existence from the date the agency established by the order came into existence.

(b) Except as specifically authorized by law, another agency may not use amounts available for obligation to pay expenses to carry out duties and powers substantially the same as or similar to the principal duties and powers of an agency that is prohibited from using amounts under this section. (Pub.L. 97-258, Sept. 13, 1982, 96 Stat. 925).

#### Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1347(a) .....	31:696 (1st, 2d sentences) .....	June 27, 1944, ch. 286, § 213, 58 Stat. 387.
1347(b) .....	31:696 (last sentence) .....	

#### Explanatory Notes

In the section, the word "agency" is substituted for "agency or instrumentality" because of section 101 of the revised title [section 101 of this title] and for consistency. The words "amounts otherwise available for obligation" are substituted for "any appropriation or fund made available by this or any other Act", and the words "duties and powers" are substituted for "functions", for consistency in the revised title.

In subsection (a), the words "After January 1, 1945" are omitted as executed. The words "including those established by Executive order" are omitted the first time they appear as surplus. The words "from the date . . . came into existence" are substituted for "during the existence" for clarity.

In subsection (b), the word "amounts" is substituted for "appropriations" for consistency in the revised title.

#### Library References

United States Ⓢ85.

C.J.S. United States § 123.

### § 1348. Telephone installation and charges

(a)(1) Except as provided in this section, appropriations are not available to install telephones in private residences or for tolls or other charges for telephone service from private residences.

(2) Under regulations of the Secretary of State, appropriations may be used to install and pay for the use of telephones in residences owned or leased by the United States Government in foreign countries for the use of the Foreign Service. Subsection (b) of this section applies to long-distance calls made on those telephones.

(b) Appropriations of an agency are available to pay charges for a long-distance call if required for official business and the voucher to pay for the call is sworn to by the head of the agency. Appropriations of an executive agency are available only if the head of the agency also certifies that the call is necessary in the interest of the Government.

(c) Under regulations prescribed by the Secretary of the Army on recommendation of the Chief of Engineers, not more than \$30,000 may be expended each fiscal year to install and use in private residences telephones required for official business in constructing and operating locks and dams for navigation, flood control, and related water uses.

(Pub.L. 97-258, Sept. 13, 1982, 96 Stat. 926.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1348(a)(1).....	31:679 (words before 2d comma) ..	Aug. 23, 1912, ch. 350, § 7 (less proviso), 37 Stat. 414.
1348(a)(2).....	31:679 (proviso) .....	Aug. 23, 1912, ch. 350, 37 Stat. 360, § 7 (proviso); added Apr. 30, 1940, ch. 175, 54 Stat. 175.
1348(b) .....	31:679 (words between 2d comma and proviso). 31:680a .....	May 10, 1939, ch. 119, § 4, 53 Stat. 738.
1348(c) .....	31:680 .....	Sept. 22, 1922, ch. 427, § 7, 42 Stat. 1042; May 17, 1950, ch. 188, § 203, 64 Stat. 170; restated June 28, 1955, ch. 198, 69 Stat. 188.

Explanatory Notes

In subsection (a)(1), the words "or private apartment" are omitted as being included in "private residences".

In subsection (a)(2), the word "appropriations" is substituted for "Government funds", and the word "calls" is substituted for "tolls", for consistency. The word "official" is omitted as surplus.

In subsection (b), the words "On and after May 10, 1939" in 31:680a [former section 680a of this title] are omitted as executed. The word "agency" is substituted for "executive department, establishment, or agency" for clarity and because of section 101 of the revised title [section 101 of this title]. The words "official business" are substituted for "public business" in 31:679 [former section

679 of this title] and "transaction of public business which the interests of the Government require to be so transacted" in 31:680a [former section 680a of this title] to eliminate unnecessary words. The words "division, bureau, or office" in 31:679 [former section 679 of this title] are omitted as being included in "agency". The words "or such subordinates as he may specially designate" in 31:680a [former section 680a of this title] are omitted as surplus.

In subsection (c), the words "On and after September 22, 1922 the provisions of section 679 of this title, or any other law prohibiting the expenditure of public money . . . shall not be construed to apply to or forbid" are omitted as unnecessary because of the restatement.

29 MAY 1981

cc -  
cc - West Coast Office

THE WHITE HOUSE  
WASHINGTON

May 29, 1981

MEMORANDUM FOR SARAH KADEC  
DEPUTY DIRECTOR, OA

FROM: Mary Lawton

SUBJ: Authority for Data Communications Equipment Charges

I have examined Ray Barber's proposal to have OA reimburse certain personnel for charges for data communications equipment installed in their homes to permit them to operate computer terminals outside of business hours. Since the equipment is installed by the telephone company and involves use of telephone lines the question was raised whether government payment would violate 31 U.S.C. 679. I conclude it would not.

This statute dates from 1912. It prohibits use of government funds to install or operate telephone service in private residences but permits payment "for long distance telephone tolls required strictly for the public business, and so shown by vouchers duly sworn to and approved by the head of the department, division, bureau or office." I am advised by Robert Hunter of the General Accounting Office that GAO has for many years interpreted this statute as prohibiting payment for service that benefits the employee but not for service that benefits the government. Thus, GAO has looked to the intent of the statute rather than a literal interpretation allowing toll charges only.

This is consistent with a practice followed in the White House at least since World War II when "signal" phones were installed in various locations to permit the President to have instant contact with key staff. The phones are by nature dedicated to government use and are removed when the individuals leave government. In more recent times centrex phones and main business lines have been installed in official's residences for the sole purpose of aiding in the performance of official duties. Again these are disconnected when government service ceases.

The use of a voucher system of reimbursement, as proposed by Ray Barber, provides assurance that use of the equipment is limited to government business, not personal convenience. Under these circumstances I am satisfied that it is consistent with the intent of the statute and GAO's long-standing interpretation thereof.



OFFICE OF THE CHIEF  
U. S. SECRET SERVICE

REASURY DEPARTMENT

WASHINGTON, D. C.

September 16, 1946

REFER TO FILE NO.

Filed by  
MR. BAWSON

MAY 8 1952

PERMANENT FILE

PERMANENT FILE

WH 6  
WH 7  
WH 8-7

COPY - Keagan Presidential Record

Major General Harry H. Vaughan  
The White House  
Washington, D. C.

Dear General Vaughan:

I have been advised of the recent decision to discontinue the White House Army Signal Corps Detachment and its various duties.

Inasmuch as this causes great concern on the part of the U. S. Secret Service in connection with security measures which have been in effect since the beginning of the war and which in my opinion should be continued in the future, possibly to a limited degree, I have inquired into the matter with a view to determining whether there would be any way of maintaining a minimum amount of security similar to that given by the Signal Corps without their aid or assistance. It develops that even in the event that the Signal Corps would turn over to the Secret Service the complete installations of two-way radios, it does not appear that we could carry on their duties for the following reasons.

Immediately upon the withdrawal of the Signal Corps, we would come under the jurisdiction of the Federal Communications Commission, and we would have to abide by the rules and regulations of the FCC which require that highly licensed personnel be on duty at all fixed stations and to a lesser degree at all mobile stations. It is my opinion that this type of personnel is not available, and we have no possibility of training such personnel. At the present time we have main stations at the White House and in the following cities: New York, Boston, Philadelphia, Baltimore, Washington (Secret Service Field Office), Chicago and Kansas City.

The benefits of these radio stations when the President is in any of these cities can be readily realized, and I believe that what has been accomplished in the past by use of them is self-evident.

3 - Gen. Vaughan - 9-16-46

Any installations now in effect in any private homes or offices which you deem unnecessary could be readily removed. However, any that you approve could be retained and operated from the same board without additional cost or service.

Although I have discussed this matter with Major McNally in a limited manner, I am not in a position at this time to recommend the total number of personnel that would be necessary to maintain the radio set-up in its entirety and to service the equipment for a modified set-up. However, I am of the opinion that a reduced number of personnel could be agreed upon.

It would be appreciated if reconsideration could be given to the decision set forth in the memorandum of September 3, 1946. It will be noted that I am making no mention of the Map Room or the communications train car or any of the personal services that are extended to the Presidential party in connection with confidential messages which in the past have been part of the duties performed by the Signal Corps Detachment. I do not believe that I am in a position to discuss this aspect of the memorandum of September 3.

Very truly yours,



Acting Chief, U. S. Secret Service

cc: Mr. Schoeneman  
SA Rowley

THE WHITE HOUSE

WASHINGTON

June 14, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS

SUBJECT: Signal Telephones in Residences

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Attachments