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# WITHDRAWAL SHEET

## Ronald Reagan Library

**Collection Name**

**Withdrawer**

**File Folder**

CHRON FILE (06/17/1984 - 06/21/1984)

IGP 8/6/2005

**FOIA**

F05-139/01

**Box Number**

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COOK

58IGP

| DOC NO | Doc Type | Document Description  | No of Pages | Doc Date  | Restrictions |     |
|--------|----------|---|-------------|-----------|--------------|-----|
| 1      | MEMO     | ROBERTS TO HOLLAND RE<br>AMBASSADOR OF NEPAL (PARTIAL)                                  | 1           | 6/19/1984 | B6           | 796 |
| 2      | MEMO     | ROBERTS TO HOLLAND RE<br>PRESIDENT'S COMMISSION ON WHITE<br>HOUSE FELLOWSHIPS (PARTIAL) | 1           | 6/19/1984 | B6           | 798 |
| 3      | MEMO     | ROBERTS TO FIELDING RE<br>WHISTLEBLOWING CASE   | 2           | 6/20/1984 | B6           | 801 |
| 4      | MEMO     | FIELDING TO IRVING MARGULIES RE<br>WHISTLEBLOWING CASE                                  | 1           | 6/20/1984 | B6           | 802 |

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]

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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 - Reagan Presidential Record

THE WHITE HOUSE

WASHINGTON

June 18, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Proposed Presidential Address: River  
Dell High School Drunk Driving Forum  
(6/15 -- 4:30 p.m. draft)

Richard Darman has asked that comments on the above-referenced draft remarks be sent directly to Ben Elliott by noon today. The remarks applaud the grassroots movement against drunk driving, and announce the President's personal support for a national 21-year drinking age. In the remarks the President justifies the Federal Government dictating to the States on this matter on two grounds: (1) this is a special case of an overwhelming need with a clear solution, and (2) the crazy-quilt of different states with different drinking ages has led to serious problems at the borders, as teens from 21 states drive to neighboring 18 or 19 states and, of course, drive back.

At the top of page 4 the President announces that he personally backs and takes personal responsibility for "my Administration's decision to withhold 5 percent of a State's highway funds if it does not enact a 21-year old drinking age." The words "support legislation to" should be inserted between "to" and "withhold."

At pages 5 and 6 the President discusses his personal life in Hollywood where he "saw a lot of people who were living fast lives." He also refers to the loss of his friend Bill Holden to alcoholism, and to John Belushi's death. If the President and those more directly concerned with the image he conveys are comfortable with the personal references, I have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

June 18, 1984

MEMORANDUM FOR BEN ELLIOTT  
DEPUTY ASSISTANT TO THE PRESIDENT  
DIRECTOR, PRESIDENTIAL SPEECHWRITING

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Presidential Address: River  
Dell High School Drunk Driving Forum  
(6/15 -- 4:30 p.m. draft)

Counsel's Office has reviewed the above-referenced draft remarks. On page 4, line 3, "support legislation to" should be inserted between "to" and "withhold."

cc: Richard G. Darman

FFF:JGR:aea 6/18/84

bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

June 18, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS *JGR*

SUBJECT:

Presidential Remarks: Dedication of  
National Geographic Society's New Building,  
Tuesday, June 19, 1984

Richard Darman has asked that comments on the above-referenced remarks be sent directly to Ben Elliott by 9:00 a.m. today. The remarks praise the National Geographic Society and reaffirm the President's commitment to conservation. The conservation discussion at pages 4-5 bemoans the fact that the issue has become politicized, but then speaks of it in stark liberal versus conservative terms. According to the remarks, conservatives are, by definition, in favor of conservation; liberals have politicized the issue and often use it as a guise for their anti-business bias. The discussion strikes me as too manichaeistic and somewhat internally inconsistent; I think the same points can be made in a less confrontational manner by substituting neutral pronouns for "liberals" in several places.

On page 2, lines 4-5, the remarks note that the National Geographic Society was founded at the Cosmos Club. While this may be of some interest, the controversy surrounding the admissions policies of that club suggests that it may be better to delete the reference.

On page 6, lines 19-24, the remarks discuss the private sector initiative of Ducks Unlimited to aid in the protection of waterfowl. According to the remarks, the "non-profit Ducks Unlimited will work with the Fish and Wildlife Service and fund the protection of waterfowl areas." I would change "fund" to "help fund."

The last paragraph on page 7 discusses the acid rain issue, noting that we have supported further research and "once we have the answers we need we will follow it up with a major acid rain program." That's somewhat like the old frontier saying that the defendant would be hung after a jury trial. I would change the offending sentence to "And once we have the answers we need we will act accordingly to protect our lakes," or something similar.

THE WHITE HOUSE

WASHINGTON

June 18, 1984

MEMORANDUM FOR BEN ELLIOTT  
DEPUTY ASSISTANT TO THE PRESIDENT AND  
DIRECTOR OF SPEECHWRITING

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Presidential Remarks: Dedication of  
National Geographic Society's New Building,  
Tuesday, June 19, 1984

Counsel's office has reviewed the above-referenced draft remarks. The conservation discussion at pages 4-5 strikes me as too manicheistic and somewhat internally inconsistent. The remarks bemoan the politicization of the issue but then speak of it in stark liberal/conservative terms. This problem can be ameliorated by substituting pronouns for "liberals" in several places. For example, "some" could be substituted for "liberals" on page 5, line 5, and "others" for "liberals" on page 5, line 13.

On page 2, lines 4-5, I recommend deleting the reference to the Cosmos Club. That club has been mired in controversy over its admissions policies, and the reference is in no sense necessary. On page 6, line 23, "fund" should be changed to "help fund." Finally, the penultimate sentence on page 7 appears to pre-judge the results of research on the acid rain problem; perhaps the research will indicate that "a major acid rain program" is not advisable. I would change the sentence to "And once we have the answers we need we will act accordingly to protect our lakes," or something similar.

cc: Richard Darman

FFF:JGR:nb 6/18/84  
bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

June 18, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Proposed Presidential Remarks: 20th  
Anniversary Ceremony of the Presidential  
Scholars Program

Richard Darman has asked that comments on the above-referenced remarks be sent directly to Ben Elliott by 10:00 a.m. today. The remarks congratulate the Presidential Scholars on their academic achievements, discuss the increasing prospects for human freedom in the world, and emphasize the importance of an education in values as well as in learning. I have reviewed the remarks and have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

June 18, 1984

MEMORANDUM FOR BEN ELLIOTT  
DEPUTY ASSISTANT TO THE PRESIDENT  
DIRECTOR, PRESIDENTIAL SPEECHWRITING

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Presidential Remarks: 20th  
Anniversary Ceremony of the Presidential  
Scholars Program

Counsel's Office has reviewed the above-referenced draft remarks, and finds no objection to them from a legal perspective.

cc: Richard G. Darman

FFF:JGR:aea 6/18/84

bcc: FFFielding/JGRoberts/Subj/Chron




THE WHITE HOUSE

WASHINGTON

June 18, 1984

MEMORANDUM FOR BRANDEN BLUM  
LEGISLATIVE ATTORNEY  
OFFICE OF MANAGEMENT AND BUDGET

FROM: JOHN G. ROBERTS   
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Commerce, Agriculture and Labor Draft  
Reports on S. 2568, the Civil Rights  
Act of 1984

Counsel's Office has reviewed the above-referenced  
draft reports, and finds no objection to them from a legal  
perspective.


cc: Peter J. Rusthoven ✓

THE WHITE HOUSE

WASHINGTON

June 18, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS   
SUBJECT: Presidential Address: National  
Sheriffs Association/Hartford, CT  
Wednesday, June 20, 1984

Richard Darman has asked that comments on the above-referenced remarks be sent directly to Ben Elliott by noon today. The remarks review the recent turn-around in crime statistics, and credit the rejection of liberal social philosophy and the return to the view that individuals are responsible for their actions and must bear the consequences. The remarks also review the Administration's anti-crime program: appointment of judges who will not only uphold the rights of the accused but those of the innocent and society as well; improved cooperation between Federal and state and local law enforcement officials; the offensive against narcotics trafficking; the organized crime initiatives; the work of the commissions on violent crime and family violence; the new focus on victims of crime; and the Administration's effort to push anti-crime legislation through Congress.

On page 6, lines 20-22, "the importance of appointing responsible justices to the Federal bench, and to the Supreme Court" should be changed to "the importance of appointing responsible judges to the Federal bench, including the Supreme Court." In line 22, "justices" should again be changed to "judges." The last sentence on page 6 states that "all of us have been pleased" by recent court decisions showing a return to common sense in criminal law matters; I have no objection to the President applauding court decisions -- presumably the recent ones of the Supreme Court -- in this manner.

On page 7 the remarks digress from the criminal area to discuss the recent Supreme Court decision in Firefighters v. Stotts, the affirmative action/seniority layoff case. I see no need for the President to comment on the decision. I certainly see no need for him to do so gratuitously in an anti-crime speech to an audience of sheriffs. The discussion is also flawed: the Court did not declare quotas "unconstitutional;" the opinion only dealt with the interpretation of Title VII. Strictly speaking the opinion did not even concern quotas but rather the question of layoffs after a

quota system had been in effect. I fully agree that the opinion as written seems to be saying that quotas are impermissible under Title VII, but the holding is narrower and I do not think the President should enter the currently raging dispute over the scope of the decision.

The second line on page 8 refers to bringing "sanity back to the courtroom" This strikes me as a bit strong; I would delete "in addition to helping bring sanity back to the courtroom by appointing sound judges."

Attachment

THE WHITE HOUSE

WASHINGTON

June 18, 1984

MEMORANDUM FOR BEN ELLIOTT  
DEPUTY ASSISTANT TO THE PRESIDENT  
DIRECTOR, PRESIDENTIAL SPEECHWRITING

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Presidential Address: National  
Sheriffs Association/Hartford, CT  
Wednesday, June 20, 1984

Counsel's Office has reviewed the above-referenced draft remarks. On page 6, lines 20-22, "the importance of appointing responsible justices to the Federal bench, and to the Supreme Court" should be changed to "the importance of appointing responsible judges to the Federal bench, including the Supreme Court." In line 22, "justices" should again be changed to "judges." The term "justice" refers, in the Federal system, only to the members of the Supreme Court; "judges" is an all-inclusive term referring to a jurist at any level. On page 8, lines 1-3, I recommend deleting "in addition to helping bring sanity back to the courtroom by appointing sound judges." The suggestion that other judges were being "insane" strikes me as a bit much, and the transitional clause is unnecessary, particularly if the following recommendation is adopted.

I recommend deleting all of page 7. The discussion of the Supreme Court's decision in Firefighters v. Stotts is completely out of place in an address on crime to an audience of sheriffs. Furthermore, I do not think it advisable for the President to enter the currently raging dispute over the scope of the decision. On that score, the discussion on page 7 is inaccurate. The decision did not declare racial quotas unconstitutional. It concerned only a statute -- Title VII -- not the Constitution. The case did not even directly involve quotas at all but rather layoffs once a quota system was in effect. It is true that the language of the opinion suggests that racial quotas are not permissible under Title VII, but the holding of the case is much narrower.

cc: Richard G. Darman

FFF:JGR:aea 6/18/84

bcc: FFFielding/JGRoberts/Subj/Chron

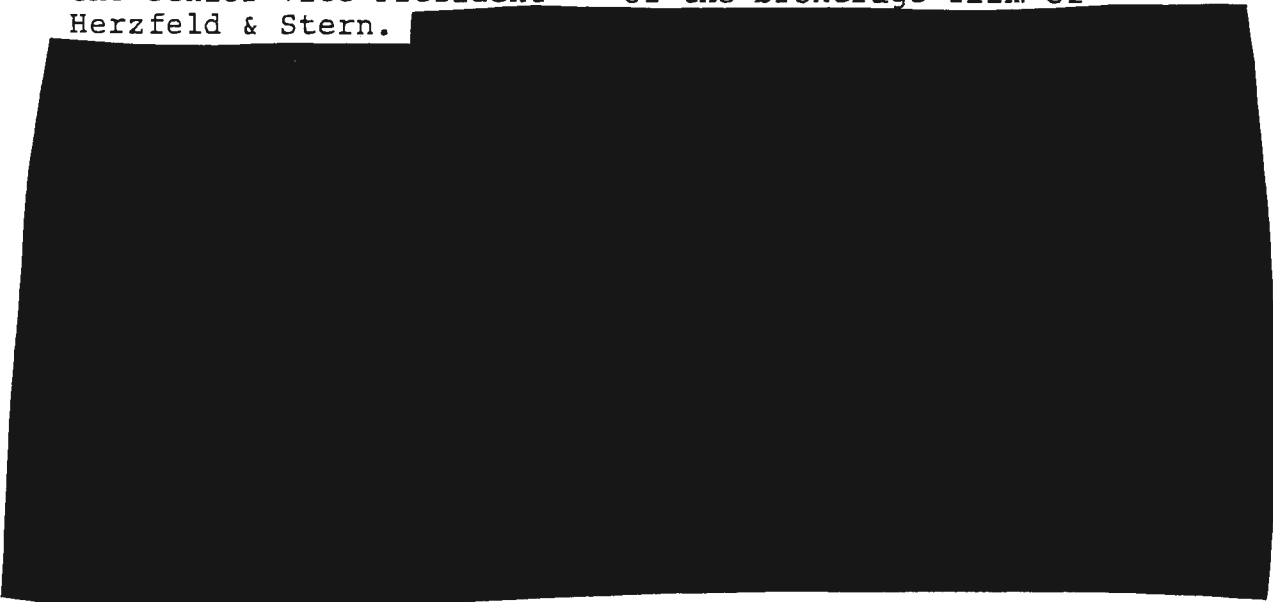
THE WHITE HOUSE  
WASHINGTON

June 19, 1984

MEMORANDUM FOR DIANNA G. HOLLAND

FROM: JOHN G. ROBERTS *JGR*  
SUBJECT: Nomination of Leon J. Weil  
to be Ambassador to Nepal

I have reviewed the SF-278 and related materials submitted by Mr. Weil in connection with the above-referenced prospective nomination, and have no objection to proceeding with the nomination. Mr. Weil is currently an employee -- the Senior Vice President -- of the brokerage firm of Herzfeld & Stern.



Mr. Weil has extensive financial interests, though none appear to present a particular conflict with his prospective duties as Ambassador to Nepal. I have also reviewed Mr. Weil's political contributions and see no problems with them.

b6

THE WHITE HOUSE  
WASHINGTON

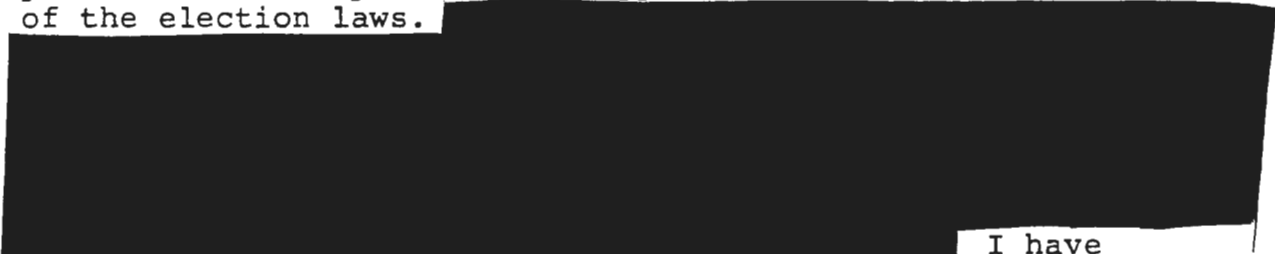
June 19, 1984

MEMORANDUM FOR DIANNA G. HOLLAND

FROM: JOHN G. ROBERTS *JGR*  
SUBJECT: Appointment of James Curtis Mack II  
to the President's Commission on  
White House Fellowships

I have reviewed the Personal Data Statement submitted by James Curtis Mack II in connection with the above-referenced prospective appointment. The President is authorized to appoint an unspecified number of members to the Commission by Executive Order 11183, as amended. Members must be "outstanding citizens from the fields of public affairs, education, the sciences, the professions, other fields of private endeavor, and the Government service."

Mr. Mack is affiliated in leadership positions with several political organizations. I have reviewed those affiliations with Sherrie Cooksey, who advises that none of them present problems with respect to this appointment from the perspective of the election laws.



I have reviewed Mr. Mack's PDS and have no objection to proceeding with this appointment.

*b6*

THE WHITE HOUSE

WASHINGTON

June 19, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*  
SUBJECT: Modern Maturity Questionnaire

Richard Darman has asked that comments on the above-referenced candidate questionnaire be sent directly to Mike Baroody by 3:00 p.m. tomorrow, June 20. The questions concern issues of particular interest to elderly Americans, as well as issues of more general interest. In his responses the President reiterates support for eliminating mandatory retirement requirements based solely on age, reviews the Administration's proposed prospective payment system to contain Medicare costs, and generally emphasizes the Administration's success in reducing inflation -- particularly helpful to elderly citizens on fixed incomes.

The draft answer to question #4 discusses the President's proposed "Pension Equity Act of 1983" and concludes by stating: "This legislation has been passed by Congress and is awaiting my signature." This is inaccurate. According to Nancy Risque, the bill is currently awaiting conference. It may be out of conference and passed by the end of the week. We should advise Baroody that the sentence as written is wrong, and that he should monitor the progress of the bill to substitute an accurate sentence at the latest possible moment.

Attachment

THE WHITE HOUSE

WASHINGTON

June 19, 1984

MEMORANDUM FOR MICHAEL E. BAROODY  
DEPUTY ASSISTANT TO THE PRESIDENT  
DIRECTOR, PUBLIC AFFAIRS

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Modern Maturity Questionnaire

Counsel's Office has reviewed the above-referenced candidate questionnaire. The last sentence on page 2 is inaccurate, at least at the present time. The Pension Equity Act of 1983 is currently awaiting conference; it has not yet been passed. Your office should monitor the progress of the bill and substitute a sentence that is accurate as of the day final responses must be submitted.

cc: Richard G. Darman

FFF:JGR:aea 6/19/84

bcc: FFFielding/JGRoberts/Subj/Chron




THE WHITE HOUSE

WASHINGTON

June 19, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS   
SUBJECT: Proposed Presidential Remarks:  
National Youth Governors' Conference  
(6/19 -- 12:20 p.m. draft)

Richard Darman has asked that comments on the above-referenced remarks be sent directly to Ben Elliott by 10:00 a.m. tomorrow, June 20. The remarks briefly discuss arms control and relations with the Soviet Union. I have reviewed the remarks and have no objections. (The reference to a popular entertainment figure in the second paragraph is a matter of personal preference on which I am willing to defer to the judgment of others.)

Attachment

THE WHITE HOUSE

WASHINGTON

June 19, 1984.

MEMORANDUM FOR BEN ELLIOTT  
DEPUTY ASSISTANT TO THE PRESIDENT  
DIRECTOR, PRESIDENTIAL SPEECHWRITING

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Presidential Remarks:  
National Youth Governors' Conference  
(6/19 -- 12:20 p.m. draft)

Counsel's Office has reviewed the above-referenced remarks,  
and finds no objection to them from a legal perspective.

cc: Richard G. Darman

FFF:JGR:aea 6/19/84  
bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

June 19, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS



SUBJECT:

Motorcycle Industry Shopper Questionnaire

Richard Darman has asked that comments on the above-referenced candidate questionnaire be sent directly to Mike Baroody by 3:00 p.m. tomorrow, June 19. The "questionnaire" consists of only two questions. The first concerns the decision to grant import relief to Harley-Davidson. The proposed response appropriately focuses on the specific findings of the International Trade Commission in that case, and the temporary nature of the relief granted. The second question merely asks about the President's views on motorcycles in general, and the reply is innocuous. I have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

June 18, 1984

MEMORANDUM FOR MICHAEL E. BAROODY  
DEPUTY ASSISTANT TO THE PRESIDENT  
DIRECTOR, PUBLIC AFFAIRS

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Motorcycle Industry Shopper Questionnaire

Counsel's Office has reviewed the above-referenced candidate questionnaire, and finds no objection to it from a legal perspective.

FFF:JGR:aea 6/18/84


cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

June 20, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS   
SUBJECT: Your Question on the Attached  
Memorandum

On the attached memorandum you asked if the last sentence of the second paragraph were "really accurately presented." It is unclear whether you are referring to the second paragraph of my memorandum for you, or the second paragraph of my draft memorandum from you for Wright. If the former, the answer is, of course, "quite." If the latter, the answer is "more or less."

The President does of course autograph particular items -- typically photographs -- that become, ipso facto, mementoes. So far as I am aware, however, he does not generally sign and return particular items sent in by self-styled collectors of memorabilia. A contrary policy would obviously present enormous difficulties.

I have revised the sentence in question to clarify that the policy applies to items "sent in by" private collectors. The sentence states that the President generally does not sign such items, so I am not troubled by the likely existence of random exceptions. In any event, it seems clear to me that the President should not sign this poster.

THE WHITE HOUSE

WASHINGTON

June 20, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS *JGR*

SUBJECT:

Proposed Presidential Remarks:  
Meeting with Representatives of the  
International Youth Year Commission  
(6/20 -- 1:30 p.m. draft)

Richard Darman has asked that comments on the above-referenced remarks be sent directly to Ben Elliott by 10:00 a.m. tomorrow, June 21. The brief remarks stress the importance of youth exchanges and the vitality of democratic values. The remarks support the International Conference of Democratic Youth to be held in Jamaica next year, and applaud the International Youth Year Commission's effort to obtain support from the American business community so that delegates to the Conference can visit the United States. I have reviewed the remarks and have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

June 20, 1984

MEMORANDUM FOR BEN ELLIOTT  
DEPUTY ASSISTANT TO THE PRESIDENT  
DIRECTOR, PRESIDENTIAL SPEECHWRITING

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Presidential Remarks:  
Meeting with Representatives of the  
International Youth Year Commission  
(6/20 -- 1:30 p.m. draft)

Counsel's Office has reviewed the above-referenced remarks,  
and finds no objection to them from a legal perspective.

cc: Richard G. Darman :a

FFF:JGR:aea 6/20/84

bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

June 20, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Photo Inquiry

Carol Greenawalt has asked this office for guidance in responding to a request to use a White House photograph of the President on the cover of a book. Conservative Press, Inc., is publishing a paperback entitled Reagan: A President Succeeds and would like to use a specific photograph of the President on the cover. Our usual response to such requests is to advise that permission to use photographs of the President in the public domain is not required. This is not only true as a legal matter but also avoids the apparent endorsement problems of people stating that use of a photograph is with the approval or permission of the White House. We caution, however, that no photograph of the President may be used in a manner that suggests approval or endorsement by the President. In the case of book covers, the photograph may not suggest that the book is by the President. A letter incorporating the foregoing is attached for your signature.

Attachment



THE WHITE HOUSE

WASHINGTON

June 20, 1984

Dear Mr. Cram:

This is in reply to your letter of June 13, 1984 to Carol Greenawalt of the White House Photo Office. In that letter you requested permission to use a specific photograph of the President on the cover of the upcoming Conservative Press book entitled Reagan: A President Succeeds.

Permission is not required to use White House photographs of the President released into the public domain. Such photographs, however, may not be used in a manner that suggests approval or endorsement by the President of any commercial product or enterprise. In the particular case of use of such photographs on book covers, the use of the photograph may not suggest that the book is by the President or has been approved by him. Thus, while permission is not required to use the photograph, you should be careful that the appearance of the cover as a whole does not convey the impression that the President himself authored the book.

Sincerely,

Fred F. Fielding  
Counsel to the President

Mr. Steve Cram  
Conservative Press, Inc.  
8472 Tyco Road  
Vienna, VA 22180

cc: Carol Greenawalt  
White House Photo Office

FFF:JGR:aea 6/20/84  
cc: FFFfielding/JGRoberts/Subj/Chron

# WITHDRAWAL SHEET

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*FOIA*

F05-139/01

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58IGP

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*DOC Document Type*

*No of Doc Date Restric-*  
*pages tions*

*NO Document Description*

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3 MEMO

2 6/20/1984 B6

801

ROBERTS TO FIELDING RE WHISTLEBLOWING  
CASE

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### 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]

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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.

# WITHDRAWAL SHEET

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CHRON FILE (06/17/1984 - 06/21/1984)

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4 MEMO

1 6/20/1984 B6

802

FIELDING TO IRVING MARGULIES RE  
WHISTLEBLOWING CASE

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

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

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THE WHITE HOUSE

WASHINGTON

June 20, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS *JGR*

SUBJECT:

Commission on the Bicentennial  
of the Constitution

On May 8 I submitted a memorandum for you concerning a letter sent to you by Boris Feinman, a citizen activist prominent in promoting the Bicentennial of the Constitution and the Commission on the Bicentennial of the Constitution. Along with the memorandum I enclosed drafts of an innocuous reply to Feinman, thanking him for his concern about appointments to the Commission, assuring him that we would move as promptly as possible consistent with our responsibility to ensure that the appointments are the best possible and fully comply with all applicable legal requirements, and referring his letter to Presidential Personnel for their information. You noted on the memorandum that you wanted to discuss "the whole situation in detail."

Efforts to arrange a meeting to do so have been unavailing, and now Mr. Feinman is calling -- through the Republican Inner Circle -- to find out why we have not been moving to make appointments to the Commission. Even if we cannot discuss "the whole situation in detail," we really do owe Mr. Feinman a response. I have updated my draft reply to Feinman and memorandum for Presidential Personnel, and recommend that you sign and send both. We can address the more basic questions about what to do with the Commission in due course.

THE WHITE HOUSE

WASHINGTON

June 20, 1984

Dear Mr. Feinman:

Thank you for your letter urging prompt action in activating the Commission on the Bicentennial of the Constitution.

As the President noted when he signed Public Law 98-101, establishing the Commission, the upcoming bicentennial "offers an opportunity to rededicate ourselves to the principles embodied by the Constitution." The Commission will of course play a vital role in promoting and coordinating the commemorative activities, and accordingly it is important that the membership of the Commission be carefully and properly selected. The Office of Presidential Personnel here at the White House is engaged in the process of reviewing candidates for the Commission, and I have taken the liberty of sharing your letter with that office. Please be assured that we will move as promptly as possible in making appointments to the Commission, consistent with our responsibility to ensure that the appointments are the best possible and fully comply with all applicable legal requirements.

I would also like to thank you for the gracious invitation to attend the celebration of the 197th anniversary of the adoption of the Constitution this fall. I will be back in touch with you concerning this event as soon as I have a better idea of what my schedule will be like on September 17.

Again, thank you for sharing your informed views on this important subject with us.

Sincerely,

Fred F. Fielding  
Counsel to the President

Mr. Boris Feinman  
Convention II Inc.  
130 Highridge Road  
New Rochelle, NY 10804

FFF:JGR:aea 6/20/84  
bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

June 20, 1984

MEMORANDUM FOR JOHN S. HERRINGTON  
ASSISTANT TO THE PRESIDENT  
FOR PRESIDENTIAL PERSONNEL

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Request for Assistance in Starting  
the Bicentennial Commission for the  
Constitution

Attached for your information is a letter to me urging that the President act promptly in appointing the members of the Commission on the Bicentennial of the Constitution, created by Public Law 98-101 on September 29, 1983. I have also attached a copy of my reply.

Attachment

FFF:JGR:aea 6/20/84


cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

June 21, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Correspondence to James Baker from  
Margaret Czerwinski Concerning Her  
Son's Problems With Regard to the  
PATCO Strike

Mrs. Margaret Czerwinski has written Mr. Baker about her son Bernard. Bernard Czerwinski, formerly an air traffic controller, was apparently fired during the PATCO strike. Mrs. Czerwinski contends that Bernard was not striking at the time but was instead on sick leave.

I recommend referring the letter to the Federal Aviation Administration Chief Counsel and advising Mrs. Czerwinski that we have done so. The White House obviously should not become involved in this particular case. A memorandum to the FAA Chief Counsel, and a brief reply to Mrs. Czerwinski are attached for your review and signature.

Attachments

THE WHITE HOUSE

WASHINGTON

June 21, 1984

MEMORANDUM FOR EDWARD P. FABERMAN  
ACTING CHIEF COUNSEL  
FEDERAL AVIATION ADMINISTRATION

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Correspondence to James Baker from  
Margaret Czerwinski Concerning Her  
Son's Problems With Regard to the  
PATCO Strike

The attached letter to White House Chief of Staff James A. Baker, III, together with a copy of my interim reply, is submitted for your review and direct reply. Many thanks.

Attachments

FFF:JGR:aea 6/21/84

cc: FFFielding/JGRoberts/Subj/Chron



THE WHITE HOUSE

WASHINGTON

June 21, 1984

Dear Mrs. Czerwinski:

Thank you for your letter of June 7, 1984, to White House Chief of Staff James A. Baker, III. That letter concerned your son, Bernard D. Czerwinski, a former air traffic controller.

I have referred your correspondence to Edward Faberman, the Acting Chief Counsel of the Federal Aviation Administration. That agency was directly involved in the handling of individual cases arising out of the PATCO affair and is in the best position to respond to the substance of your letter.

Thank you for sharing your concerns with us.

Sincerely,

Fred F. Fielding  
Counsel to the President

Mrs. Margaret Czerwinski  
8 Michigan Circle  
Oakdale, CT 06370


bcc: Kathy Camalier  
FFF:JGR:aea 6/21/84  
bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

June 21, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Proposed Executive Order Entitled  
"President's Advisory Committee on  
Women's Business Ownership"

Richard Darman has asked for comments by 4:30 p.m. today on the above-referenced proposed executive order, which would extend the life of the President's Advisory Committee on Women's Business Ownership. Executive Order 12426 of June 22, 1983, established the Committee, to review the status of businesses owned by women, foster support for women entrepreneurs through the private sector, and offer advice on these subjects to the President and the Administrator of the Small Business Administration. Pursuant to section 4(b) of the order, the Committee "shall terminate one year from the date of this order" -- i.e., at midnight tonight. The proposed executive order changes the termination date to December 31, 1984, and changes one of the functions of the Committee from "fostering" private sector support to "studying methods of obtaining" such support. This latter change is necessary in light of 31 U.S.C. § 1347, which provides that committees with operational responsibilities may remain in existence beyond one year only if they have a specific appropriation or authorization.

The proposed order has been approved by OMB and, as to form and legality, by the Office of Legal Counsel. I have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

June 21, 1984

MEMORANDUM FOR RICHARD G. DARMAN  
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Executive Order Entitled  
"President's Advisory Committee on  
Women's Business Ownership"

Counsel's Office has reviewed the above-referenced executive order, and finds no objection to it from a legal perspective.

FFF:JGR:aea 6/21/84

cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

June 21, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Remarks: Agricultural Communicators'  
Congress (6/21 -- 12:30 p.m. draft)

Richard Darman has asked that comments on the above-referenced remarks be sent directly to Ben Elliott by 11:00 a.m. tomorrow, June 22. The remarks review the Administration's farm policies, noting the lifting of the Soviet grain embargo, the increase in export credits, efforts to open new export markets, the reduction of certain crop surpluses through the payment-in-kind program, and increases in various other loan and crop insurance programs. I have reviewed the remarks and have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

June 21, 1984

MEMORANDUM FOR BEN ELLIOTT

DEPUTY ASSISTANT TO THE PRESIDENT  
DIRECTOR, PRESIDENTIAL SPEECHWRITING

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Remarks: Agricultural Communicators'  
Congress (6/21 -- 12:30 p.m. draft)

Counsel's Office has reviewed the above-referenced remarks,  
and finds no objection to them from a legal perspective.

cc: Richard G. Darman

FFF:JGR;aea 6/21/84

bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

June 20, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Article on the Presidency

The attached letters for your signature will forward to the editors of the issue of National Forum devoted to the Bicentennial of the Constitution what I have styled a "first draft" of the President's article. The draft includes your suggested changes. The letter to editor Stephen W. White also notes that the President, consistent with established White House policy, will neither accept an honorarium nor designate a charity to receive his honorarium. White raised the honorarium question in his letter to you of May 25.

Attachments

THE WHITE HOUSE

WASHINGTON

June 20, 1984

Dear Dr. White:

Enclosed is a first draft of the President's article for the issue of National Forum devoted to the Bicentennial of the Constitution. We may have some revisions as the result of further staffing of the article within the Executive Branch, but I wanted to provide you with a draft without awaiting the receipt of comments from all interested offices.

The President, consistent with established White House policy, will neither accept an honorarium for the article nor designate a charity to receive his honorarium. I look forward to your comments on the draft.

Sincerely,

Fred F. Fielding  
Counsel to the President

Dr. Stephen W. White  
National Forum  
Box 19420A  
East Tennessee State University  
Johnson City, TN 37614

FFF:JGR:aea 6/20/84  
bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

June 20, 1984

Dear Mark:

Enclosed is a first draft of the President's article for the issue of National Forum devoted to the Bicentennial of the Constitution. We may have some revisions as the result of further staffing of the article within the Executive Branch, but I wanted to provide you with a draft without awaiting the receipt of comments from all interested offices. I look forward to your comments.

With best wishes,

Sincerely,

Fred F. Fielding  
Counsel to the President

Dr. Mark Cannon  
Administrative Assistant  
to the Chief Justice  
Supreme Court of the United States  
Suite 5  
Washington, D.C. 20543

FFF:JGR:aea 6/20/84  
bcc: FFFielding/JGRoberts/Subj/Chron