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THE WHITE HOUSE

WASHINGTON

June 22, 1984

MEMORANDUM FOR DUNCAN CLARK  
OFFICE OF PRESIDENTIAL  
CORRESPONDENCE

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Request by Billboard Magazine for a  
Presidential Letter to Michael Jackson  
in Recognition for his Work Against  
Drunk Driving to be Published Next Month

I see no need to have the President send a letter to Mr. Jackson, simply because Mr. Jackson's public relations firm has requested one. "Billboard" magazine can quite adequately cover the White House event by reproducing the award citation and/or reporting the President's remarks. I recommend that these options be suggested to Mr. Jackson's representatives in lieu of an additional Presidential message.

cc: James K. Coyne  
Special Assistant to the President  
for Private Sector Initiatives

FFF:JGR:aea 6/22/84

bcc: FFFielding/JGRoberts/SUbj/Chron

THE WHITE HOUSE

WASHINGTON

June 22, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Request by Billboard Magazine for a  
Presidential Letter to Michael Jackson  
in Recognition for his Work Against  
Drunk Driving to be Published Next Month

Presidential Correspondence has asked us to review a proposed letter from the President to Michael Jackson. The July issue of "Billboard" magazine is to be devoted totally to Mr. Jackson, and Mr. Jackson's public relations firm has asked Jim Coyne to obtain a letter from the President highlighting the recent White House event. The letter would appear, along with photographs of the event, in the "Billboard" issue. Coyne dutifully has recommended that such a letter be sent and has submitted a draft to Presidential Correspondence.

I recognize that I am something of a vox clamans in terris in this area, but enough is enough. The Office of Presidential Correspondence is not yet an adjunct of Michael Jackson's PR firm. "Billboard" can quite adequately cover the event by reproducing the award citation and/or reporting the President's remarks. (As you know, there is very little to report about Mr. Jackson's remarks.) There is absolutely no need for an additional Presidential message. A memorandum for Presidential Correspondence objecting to the letter is attached for your review and signature.


Attachment

THE WHITE HOUSE

WASHINGTON

June 22, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS   
SUBJECT: Radio Talk: Economy

Richard Darman has asked that comments on the above-referenced radio talk be sent directly to Ben Elliott as soon as possible. The talk reviews the progress of the economic recovery: the recent astounding growth figures, continual rise in total employment, low inflation, and increasing capital investment. The remarks conclude by urging Congress to pass the deficit reduction "downpayment," the Federal Reserve to assure enough liquidity to finance the recovery without fueling inflation, and all of us to work to keep Government within its means. I have reviewed the remarks and have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

June 22, 1984

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

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Radio Talk: Economy

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

cc: Richard G. Darman

FFF:JGR:aea 6/22/84

bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

June 22, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: National Governors' Association Request  
to Intervene in Supreme Court Case

The National Governors' Association (NGA) has asked Lee Verstandig's office to arrange a meeting between its representatives and the Solicitor General concerning South Carolina v. Regan, an original jurisdiction case pending before the Supreme Court. NGA wants to intervene in the case and would like to have the acquiescence of the United States in doing so.

The case concerns an obscure provision of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA), Pub. L. No. 97-248, requiring registration-required obligations of a state to be issued in registered rather than bearer form in order for the interest on such obligations to be exempt from Federal income taxes. South Carolina filed an original action alleging that this provision violated the Tenth Amendment and the doctrine of intergovernmental tax immunity. On February 22, 1984, the Court rejected the position of the United States that the suit was barred by the Anti-Injunction Act, 26 U.S.C. § 7421(a), and accepted jurisdiction. No. 94 Orig., 52 U.S.L.W. 4232. The case is pending before a Special Master, as is customary in original jurisdiction cases.

According to Tex Lezar, Verstandig's request has been overtaken by events. Lezar reports that the Solicitor General has already set up a meeting with the NGA, consistent with his policy of meeting with any responsible group concerning pending cases. Jocelyn White of Verstandig's office called on this matter this morning, and I advised her that it was my understanding that the desired meeting had been arranged directly by NGA with the Solicitor General. I further advised her that her office should have no further involvement, and that it was generally best to have groups with requests such as that of NGA contact the Justice Department directly, without White House intervention. A memorandum for your signature to Verstandig, memorializing the above, is attached.

Attachment

THE WHITE HOUSE

WASHINGTON

June 22, 1984

MEMORANDUM FOR LEE L. VERSTANDIG  
ASSISTANT TO THE PRESIDENT  
FOR INTERGOVERNMENTAL AFFAIRS

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: National Governors' Association Request  
to Intervene in Supreme Court Case

You have asked for guidance on a request from the National Governors' Association (NGA) for a meeting with the Solicitor General to discuss NGA's intervention in South Carolina v. Regan, a case pending on the original docket of the Supreme Court of the United States. I am advised that such a meeting has already been arranged, apparently as a result of direct contacts between the Department and NGA. As a general matter it is best for groups such as NGA that are interested in discussing a particular pending Supreme Court case to approach the Department of Justice directly, without going through the White House. That is what we would have recommended to NGA if they had not already done so.

FFF:JGR:aea 6/22/84

cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

June 25, 1984

MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Request for Use of Roosevelt Room for  
a Meeting With Byron Donzis Concerning  
the \$500,000 Donation for Promotion of  
Administration Efforts on Behalf of  
Missing Children

Jim Coyne has asked Mr. Deaver for permission to use the Roosevelt Room for a meeting involving Coyne, Al Regnery, the head of the newly-formed National Center for Missing and Exploited Children, and private citizen Byron Donzis. According to Coyne, Donzis has agreed to donate \$500,000 to the cause of missing children, largely by purchasing time on national cable television.

I discussed the proposal with Coyne this afternoon. Coyne assured me that the effort was not intended to be a political one and that the commercials would not be partisan. His sense was that they would consist largely of photographs of missing children, with perhaps some brief footage of the President announcing the formation of the National Center. Coyne offered to permit us to review the commercials before they ran. I discussed the foregoing with Sherrie Cooksey who advised that she saw no problems with the various election laws.

As far as possible conflicts go, Coyne said he knew only that Donzis was a successful real estate developer. He was not aware of any contracts or other commercial dealings Donzis might have with the Federal Government.

I do not think we should interpose an objection to the meeting in the Roosevelt Room. Donzis is perfectly free to promote the cause of missing children, and we should help him if he wants to do so. We can monitor the development of the commercials to ensure that no election law problems arise. The attached memorandum for Deaver notes that we have no legal objection to the meeting taking place, but that we should monitor the development of the proposal to safeguard against possible problems.

Attachment



THE WHITE HOUSE

WASHINGTON

June 25, 1984

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

FROM: RICHARD A. HAUSER  
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: Request for Use of Roosevelt Room for  
a Meeting With Byron Donzis Concerning  
the \$500,000 Donation for Promotion of  
Administration Efforts on Behalf of  
Missing Children

You have asked for our views on a request from Jim Coyne to hold a meeting in the Roosevelt Room with Byron Donzis. According to Coyne, Donzis has agreed to donate \$500,000 to promote the cause of missing children, through commercials on cable television. This office discussed the proposal with Coyne, and we were assured that the commercials and entire effort will be non-political and non-partisan. Serious problems would arise under the election laws were this not the case. Coyne also advised that he was not aware of any contractual or other business dealings between Donzis and the Federal Government.

In light of these representations we have no legal objection to the proposed meeting. It will be necessary, however, for this office to review the commercials before they are aired, to ensure that they comply with election law and other restrictions.

cc: James K. Coyne  
Special Assistant to the President  
for Private Sector Initiatives

RAH:JGR:aea 6/25/84

bcc: FFFielding/RAHauser/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

June 25, 1984

MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS

SUBJECT: Proposed Letter Regarding Juvenile Justice  
Act of 1974 -- Prepared by the Office of  
Planning and Evaluation for M.C. Droll's  
Signature

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Richard Darman has asked for comments by close of business today on the above-referenced draft letter. The letter, to be sent over the signature of a member of Bruce Chapman's staff to various newspaper editors, places partial blame for the plight of missing and exploited children on the Juvenile Justice Act of 1974. The theory is that the Act, by generally prohibiting institutionalization of juvenile status offenders (runaways), left those juveniles at the mercy of the street. I have no quarrel with the basic point, although at several points the article falls into the fallacy of attacking a straw man, blaming the Act for things it does not in fact do.

In particular, the last paragraph on page 2 criticizes the Act for "giv[ing] children all of the legal rights of adults" and "abrogat[ing] parental rights once children leave home." The Act does not, of course, do so in so many words. I telephoned the author of the article, M.C. Droll, who explained that she viewed the foregoing as consequences of the deinstitutionalization approach of the Act. In other words, since runaways cannot be held against their will, as status offenders, they cannot be forcibly returned to their parents. This, according to Droll, is giving them all the legal rights of adults and abrogating parental rights. I recommend objecting to this paragraph as written, because it is not clear that the granting of adult rights to children and the abrogation of parental rights are criticized as consequences of deinstitutionalization rather than as specific provisions in the Act itself. The draft memorandum for Darman contains other technical objections. The last item in particular should impress Darman with how carefully we review these things.

Attachment

THE WHITE HOUSE

WASHINGTON

June 25, 1984

MEMORANDUM FOR RICHARD G. DARMAN  
ASSISTANT TO THE PRESIDENT

FROM: RICHARD A. HAUSER  
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Letter Regarding Juvenile Justice  
Act of 1974 -- Prepared by the Office of  
Planning and Evaluation for M.C. Droll's  
Signature

Counsel's Office has reviewed the above-referenced proposed article. At page 1, line 2, and page 2, line 15, the draft refers to the "Juvenile Justice Act." The proper name of the statute is the "Juvenile Justice and Delinquency Prevention Act."

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The last paragraph on page 2 criticizes the Act for "aligning itself with the movement to give children all of the legal rights of adults" and for "abrogat[ing] parental rights once children leave home." The Act does not, by its terms, do these things. It may be argued that deinstitutionalization -- which the Act does implement -- has the effect of abrogating parental rights and giving children adult legal rights. If this is the point the author wishes to make, the paragraph should be rewritten so it is clear that the Act is being criticized because the Act mandates deinstitutionalization, and deinstitutionalization has these consequences. As written it seems that the Act is being criticized for specific provisions granting adult legal rights to children and abrogating parental rights. As noted, such provisions do not exist.

I would also note that there are several errors in the print-out of possible recipients of the article. One never knows, of course, but I suspect that neither Ruth Lehman nor B. Rollis Hood nor Flora Ogan actually prefer to be addressed as "Mr."

RAH:JGR:aea 6/25/84  
cc: FFFielding/RAHauser/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

June 26, 1984

MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS 

SUBJECT: Correspondence to the President From the Redmond Family Requesting a Contribution to Scholarship Fund in Memory of Katie Redmond Who Was Kidnapped and Murdered, and Expressing Their Views on Lack of Assistance for Victims of Crime and Their Families

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White House Correspondence has referred to us a letter from the Redmond family to the President. Katie Redmond, 18, was the victim of a random murderer on April 7, 1984. Her family criticizes the treatment of victims and urges the President to do something about random killers. The letter concludes in what could be a sardonic fashion (I cannot be certain), noting that the President recently asked the Redmonds for a campaign contribution, and asking the President to contribute to the Katie Redmond Memorial Scholarship Fund.

We should refer the letter to Justice for preparation of a draft reply on the victims and random murderers issues. Justice does, of course, have a lot to say on both points. The Administration has taken several significant steps in the victims rights and assistance areas, and also recently established a national clearinghouse for information on random killers. After we receive the Justice draft we can consider what to do about the request for a contribution from the President. Normally we would decline the request, but perhaps this one should be run by Mr. Deaver.

Attachment

THE WHITE HOUSE

WASHINGTON

June 26, 1984

MEMORANDUM FOR CAROL E. DINKINS  
DEPUTY ATTORNEY GENERAL  
U.S. DEPARTMENT OF JUSTICE

FROM: RICHARD A. HAUSER  
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: Correspondence to the President From the  
Redmond Family Requesting a Contribution  
to Scholarship Fund in Memory of Katie  
Redmond Who Was Kidnapped and Murdered, and  
Expressing Their Views on Lack of Assistance  
for Victims of Crime and Their Families

The attached letter to the President is submitted for preparation of a draft reply. The letter raises concerns about victims' rights and assistance and efforts to stop random killers, both areas in which the Department of Justice has been active.

Many thanks.

RAH:JGR:aea 6/26/84

cc: FFFielding/RAHauser/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

June 26, 1984

MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS 

SUBJECT: Enrolled Bill H.R. 4201 -- Rescheduling  
of Methaqualone for Purposes of the  
Controlled Substances Act

Richard Darman has asked for comments on the above-referenced enrolled bill by close of business today. This bill would require the Attorney General to reclassify methaqualone as a Schedule I controlled substance. Under the scheduling system established by the Controlled Substances Act of 1970, Schedule I substances may not legally be prescribed. Methaqualone, commonly known as "quaalude," is currently a Schedule II substance, and may legally be prescribed as a sedative.

Justice has no objection to approval of the bill, but notes that it will have little effect. Most of the quaaludes abused in this country are not diverted from legal channels but enter the country illegally; the only legal manufacturer of methaqualone has in fact already ceased production. HHS recommends approval, noting the high abuse potential of methaqualone and the fact that other equally effective alternatives exist for its legitimate use. OMB recommends approval.

I have reviewed the memorandum for the President prepared by OMB Acting Assistant Director for Legislative Reference Naomi Sweeney, and the bill itself, and have no objections. It is unfortunate that the reclassification of quaaludes was not done administratively before this bill was passed, since the idea is sound and it now looks like Congress, not the Administration, is taking the initiative. Enforcement and prosecution efforts should be eased now that there will be no question that any quaaludes are illegal.

Attachment

THE WHITE HOUSE

WASHINGTON

June 26, 1984

MEMORANDUM FOR RICHARD G. DARMAN  
ASSISTANT TO THE PRESIDENT

FROM: RICHARD A. HAUSER  
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 4201 -- Rescheduling  
of Methaqualone for Purposes of the  
Controlled Substances Act

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

RAH:JGR:aea 6/26/84

cc: FFFielding/RAHauser/JGRoberts/Subj/Chron

:

THE WHITE HOUSE

WASHINGTON

June 27, 1984

MEMORANDUM FOR RICHARD A. HAUSER

FROM:

JOHN G. ROBERTS *JGR*

SUBJECT:

Ad in the Washington Post Book World  
Regarding "A Season of Spoils"

Associated Press reported that the President met with Jay D. Hair, Executive Director of the National Wildlife Federation, on May 25, 1984. Hair presented the President with a copy of A Season of Spoils: The Story of the Reagan Administration's Attack on the Environment, and, according to Hair, the President said: "I'll have to read this book." Pantheon Paperbacks, publishers of the book in question, highlighted the quotation in its recent advertisement in the Post's "Book World" section.

The use of the quotation violates our policy of not approving any use of the President's name in a manner that could be construed as an endorsement of a commercial product or enterprise. We should so advise Pantheon, with a copy to the Post, which ran the advertisement. I do not think we could do anything if Pantheon ignores our letter, as they may do. As the ad in question suggests, Pantheon is not in tune with the policies of the Administration. Nonetheless, it does not hurt to ask. A draft for your signature is attached.

Attachment



THE WHITE HOUSE

WASHINGTON

June 27, 1984

Dear Mr. Schifffrin:

We have been made aware of your advertisement that appeared in the June 24, 1984 edition of the Washington Post's "Book World" section. That advertisement prominently features a quotation attributed to the President by Mr. Jay D. Hair, as reported by Associated Press, concerning your book A Season of Spoils.

It is established White House policy not to approve any use of the President's name in a manner that suggests or could be construed as an endorsement of a commercial product or enterprise. Your use of the quotation attributed to the President to promote A Season of Spoils contravenes this policy, and we respectfully request that you discontinue such use of the quotation and the President's name. I hope you will recognize that our policy is designed to prevent commercial exploitation of the Office of the Presidency, and understand that the policy is applied even-handedly without regard to the particular product or enterprise in question.

Thank you in advance for your cooperation.

Sincerely,

Richard A. Hauser  
Deputy Counsel to the President

Mr. Andre Schifffrin  
Managing Editor  
Pantheon Books  
201 East 50th Street  
New York, NY 10022

RAH:JGR:aea 6/27/84  
bcc: FFFielding/RAHauser/JGRoberts/Subj/Chron


cc: Brigitte Weeks  
Editor, Book World Section  
The Washington Post

THE WHITE HOUSE

WASHINGTON

June 29, 1984

MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS 

SUBJECT: Enrolled Resolution S.J. Res. 270 --  
National Duck Stamp Week and Golden  
Anniversary Year of the Duck Stamp

Richard Darman has asked for comments on the above-referenced enrolled resolution by 3:00 p.m. today. This resolution would designate the week beginning July 1 as "National Duck Stamp Week" and this year as the "Golden Anniversary Year of the Duck Stamp." Duck stamps must be purchased by duck hunters, and the proceeds go to help conserve wetlands used by the ducks before they are shot. The resolution passed both Houses by voice vote. OMB and Interior recommend approval. I have reviewed the memorandum for the President prepared by OMB Acting Assistant Director for Legislative Reference Naomi R. Sweeney, and the resolution itself, and have no objection.

Attachment

THE WHITE HOUSE

WASHINGTON

June 29, 1984

MEMORANDUM FOR RICHARD G. DARMAN  
ASSISTANT TO THE PRESIDENT

FROM: RICHARD A. HAUSER  
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Resolution S.J. Res. 270 --  
National Duck Stamp Week and Golden  
Anniversary Year of the Duck Stamp

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

RAH:JGR:aea 6/29/84

cc: FFFielding/RAHauser/JGRoberts/Subj/Chron

THE WHITE HOUSE  
WASHINGTON

June 29, 1984

MEMORANDUM FOR RICHARD A. HAUSER

FROM:

JOHN G. ROBERTS *JGR*

SUBJECT:

Op-Ed Draft Concerning Supreme Court's  
Decision in Memphis Firefighters v. Stotts

Carol Dinkins has sent Craig Fuller a draft op-ed piece prepared by Brad Reynolds on Memphis Firefighters v. Stotts. The draft spells out the Department's interpretation of Stotts, noting that the opinion sanctions "make whole" relief under Title VII only for individual victims of discrimination, not classes of people. The draft stresses that outreach types of affirmative action are not affected by the opinion, nor are voluntary or unilateral affirmative action programs not involving court orders or participation. The op-ed piece notes that whether quotas in these areas can survive constitutional challenge was a question expressly reserved in Stotts. In this draft Reynolds announces that the Department will review pre-1981 consent decrees (there are of course no quotas in post-1981 decrees) to determine if they need to be changed in light of Stotts. He stresses that any changes would be prospective only.

I agree with Dinkins that the op-ed draft is a positive statement. There is considerable confusion over the Department's view of Stotts, and the appearance of this piece would help clear the air. Attached is a memorandum for Fuller noting no legal objection to the draft.

Attachment

THE WHITE HOUSE

WASHINGTON

June 29, 1984

MEMORANDUM FOR CRAIG L. FULLER  
ASSISTANT TO THE PRESIDENT  
FOR CABINET AFFAIRS

FROM: RICHARD A. HAUSER  
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: Op-Ed Draft Concerning Supreme Court's  
Decision in Memphis Firefighters v. Stotts

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

RAH:JGR:aea 6/29/84

cc: FFFielding/RAHauser/JGRoberts/Subj/Chron