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THE WHITE HOUSE

WASHINGTON

September 19, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 
SUBJECT: Expiration of Section 120
of the Internal Revenue Code

Mr. Baker's office has referred to us two letters Mr. Baker received, from American Bar Association President Wallace D. Riley and former ABA President Morris Harrell. In their letters Riley and Harrell express the ABA's support for extension of Section 120 of the Internal Revenue Code, 26 U.S.C. § 120. Unless Congress acts, Section 120 will expire pursuant to its sunset provision on December 31, 1984. 26 U.S.C. § 120(e).

Section 120 was first enacted in 1976 and was extended in 1981. It provides for the exclusion from an employee's gross income of amounts contributed by an employer to a group legal services plan providing legal services to the employee and his spouse or dependents.

Prior to enactment of Section 120, the provision of legal services by the employer was considered the receipt of taxable income by the employee. The ABA, both through the instant letters and through testimony delivered before Congress, stresses the desirability of providing group legal services to employees as the main reason to continue the special tax treatment of this form of employee compensation in Section 120.

The Administration, however, opposes extension of Section 120. Treasury opposed enactment of Section 120 in 1976, opposed extension of it in 1981, and opposes further extension of it now. Our position was articulated on April 12, 1984, in testimony delivered by Treasury Tax Legislative Counsel Robert G. Woodward. According to Woodward's testimony, the desirability of group legal services is beside the point. As Woodward testified: "Compensation paid in the form of legal services should be taxed in the same manner as any other type of compensation received by employees. The existence of special exemptions for particular types of compensation only encourages employees to rearrange their affairs so that compensation is received in a non-taxable form." Greg Jones of OMB advises me that the Administration position on this question is unchanged.

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Riley and Harrell will not be pleased with our response, but we can do little more than send them a copy of the Treasury testimony, thank them for their views, and assure them we will convey those views to Treasury. Drafts doing all of this are attached.

Attachments

THE WHITE HOUSE

WASHINGTON

September 19, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Remarks: Signing Ceremony for
National Drug Abuse Education
and Prevention Week

Richard Darman has asked that comments on the above-referenced remarks be sent directly to Ben Elliott by 5:00 p.m. today. The remarks review the extent of the drug abuse problem, the progress being made, and the highlights of the 1984 Strategy for Prevention of Drug Abuse. In the course of the remarks the President will present awards to individuals and organizations (including the comic book sponsors) who have contributed to the anti-drug abuse efforts. The remarks conclude with the signing of the proclamation designating next week National Drug Abuse Education and Prevention Week.

I have reviewed the proposed remarks and have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

September 19, 1984

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

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Remarks: Signing Ceremony for
National Drug Abuse Education
and Prevention Week

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

FFF:JGR:aea 9/19/84

cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

September 20, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Clearance for Presidential Letters
to the Top Four Winners of the FCC
Civil Service Award

Patsy Faoro of Cabinet Affairs has asked if we have any objections to proposed Presidential letters to four recipients of FCC Civil Service Awards. Chairman Fowler has requested the letters and provided individualized drafts, praising the award recipients for, respectively, restructuring and reinvigorating the FCC's management systems, overseeing the divestiture of AT&T, successfully defending the FCC in common carrier litigation, and engineering the merger of the FCC's cable television and broadcast bureaus.

I recommend that we object to the letters. Almost every department and agency in the Government has a similar award program, and award recipients typically do not receive letters from the President. Sending Presidential letters to FCC award recipients would set a bad precedent. More importantly, the FCC is an independent regulatory agency, and the President has no business praising its employees for particular actions they have taken.

A draft memorandum advising Faoro that the letters should not be sent is attached for your review and signature.

Attachment

THE WHITE HOUSE

WASHINGTON

September 20, 1984

MEMORANDUM FOR PATSY FAORO
OFFICE OF CABINET AFFAIRS

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Clearance for Presidential Letters
to the Top Four Winners of the FCC
Civil Service Award

You have asked for our views on proposed Presidential letters to four recipients of Federal Communications Commission (FCC) awards for meritorious service. Chairman Mark Fowler of the FCC has requested the letters and provided drafts for the President's signature.

We recommend that the letters not be sent. Practically every department and agency in the Government has a similar award program, and yet the recipients of the awards typically do not receive messages from the President. Sending Presidential letters to the FCC award recipients would set a bad precedent. More importantly, the FCC is an independent regulatory agency, and the President should not gratuitously comment on its actions. The draft letters provided by Chairman Fowler do just that.

FFF:JGR:aea 9/20/84
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

September 21, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Draft Letter for Michael Jackson Tour

Charles Donovan of Presidential Correspondence has asked for our views on a letter from the President to be sent to Michael Jackson. It is my understanding that Mr. Jackson is in town this weekend for two performances. Jim Coyne's office suggested and prepared the letter, in response to a request from Frank M. Dileo, Personal Manager to Michael Jackson. The letter thanks Mr. Jackson for coming to Washington, and commends him for making 400 tickets available to needy youngsters. The President also regrets that he will not be able to attend the concert, because of the inconvenience the necessary security arrangements would cause the fans.

I hate to sound like one of Mr. Jackson's records, constantly repeating the same refrain, but I recommend that we not approve this letter. Sometimes people need to be reminded of the obvious: whatever its status as a cultural phenomenon, the Jackson concert tour is a massive commercial undertaking. The tour will do quite well financially by coming to Washington, and there is no need for the President to applaud such enlightened self-interest. Frankly, I find the obsequious attitude of some members of the White House staff toward Mr. Jackson's attendants, and the fawning posture they would have the President of the United States adopt, more than a little embarrassing.

It is also important to consider the precedent that would be set by such a letter. In today's Post there were already reports that some youngsters were turning away from Mr. Jackson in favor of a newcomer who goes by the name "Prince," and is apparently planning a Washington concert. Will he receive a Presidential letter? How will we decide which performers do and which do not?

Attachment

THE WHITE HOUSE

WASHINGTON

September 21, 1984

MEMORANDUM FOR CHARLES DONOVAN
OFFICE OF WHITE HOUSE CORRESPONDENCE

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Draft Letter for Michael Jackson Tour

You have asked for our views on a proposed letter from the President to Michael Jackson, thanking him for bringing his concert tour to Washington. I recommend that no such letter be sent. The Jackson tour, whatever stature it may have attained as a cultural phenomenon, is a massive commercial undertaking. The visit of the tour to Washington was not an eleemosynary gesture; it was a calculated commercial decision that does not warrant gratitude from our Nation's Chief Executive. Such a letter would also create a bad precedent, as other popular performers would either expect or demand similar treatment. Why, for example, was no letter sent to Mr. Bruce Springsteen, whose patriotic tour recently visited the area? Finally, the President, in my view, has done quite enough in the way of thanking or congratulating the Jacksons, and anything more would begin to look like unbecoming fawning.

FFF:JGR:aea 9/21/84
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

September 21, 1984

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

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Remarks for Supreme Court Reception

The following points should be included in the President's remarks to be delivered at the reception for the Justices of the Supreme Court:

° The gathering of the nine Justices at the White House on the occasion of the commencement of the October Term is a historic tradition that has been revived by President Reagan. Similar events took place in 1982 and 1983.

° The Justices do a great deal of court work during the summer months, reviewing the steady flow of certiorari petitions and determining which cases to hear in the coming year.

° This week (September 17) marked the 197th anniversary of the drafting of the Constitution. The Chief Justice is particularly interested in preparations for commemorating the Bicentennial of the Constitution, and it would be fitting to mention the imminence of the Bicentennial.

° The Supreme Court, of course, plays a critical role as the ultimate arbiter of the Constitution. The vitality of the Court as an institution is one of the reasons that we are in a position to prepare to celebrate 200 years of liberty secured by the Constitution.

° The beginning of a new Court Term is a routine event in our history, but consider how rare this institution is in the world today and the history of mankind. The Court considers some of the most divisive issues we face. Those disputes are settled not by bombs and guns, but by reasoned argument and the calm deliberations of the Justices in their chambers, guided by the wisdom the Framers wrote into the Constitution. The "fireworks" are limited to an occasional lively exchange during argument or between a majority opinion and the occasional dissent.

° The fact that the Court can discharge its awesome responsibility is a mark of respect Americans have for the rule of law.

° The President should conclude by welcoming the Justices back to Washington, and wishing them well as they begin another term of interpreting the Constitution and laws, "those wise restraints that make men free."

FFF:JGR:aea 9/21/84

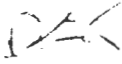
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

September 21, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Draft DOJ Report on H.R. 959, and Veterans
Administration Testimony on H.R. 960 and
959, Bills Concerning Posthumous Grants of
Citizenship

OMB has asked for our views on a draft Justice report on H.R. 959 and draft VA testimony on H.R. 959 and H.R. 960. You will recall the case of Corporal Wladyslaw Staniszewski, an alien admitted to permanent residence who died while serving with the U.S. Marines in Vietnam. Had he survived and been honorably discharged, he would have been eligible for immediate naturalization. H.R. 960 is a private bill to grant Staniszewski posthumous citizenship. The Administration, through Justice, has already indicated no objection to H.R. 960.

H.R. 959 is a general bill addressed to the Staniszewski situation, and would grant posthumous citizenship to aliens who die while serving in the Armed Forces, upon appropriate application by a relative. The Justice report supports H.R. 959, suggesting that it be clarified to indicate that the grant of citizenship is honorific and carries no legal consequences. The VA testimony stresses that veteran benefits do not depend on citizenship but simply veteran status. I have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

September 21, 1984

MEMORANDUM FOR BRANDEN BLUM
LEGISLATIVE ATTORNEY
OFFICE OF MANAGEMENT AND BUDGET

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Draft DOJ Report on H.R. 959, and Veterans
Administration Testimony on H.R. 960 and
959, Bills Concerning Posthumous Grants of
Citizenship

Counsel's Office has reviewed the above-referenced draft
Justice report and Veterans Administration testimony, and
finds no objection to them from a legal perspective.

FFF:JGR:aea 9/21/84
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

September 24, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 
SUBJECT: Proposed Presidential Address:
Bowling Green State University

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 focus on the President's policy for achieving world peace, discussing the various arms control initiatives and the efforts to shore up our deterrent capability. The basic theme is that the United States desires peace and is waiting in hope for meaningful negotiations with the Soviets. I have reviewed the remarks and have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

September 24, 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:
Bowling Green State University

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

FFF:JGR:aea 9/24/84
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

September 24, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS

QZL

SUBJECT:

Remarks: Signing Ceremony for the
Drug Price Competition and Patent
Term Restoration Act

Richard Darman has asked that comments on the above-referenced remarks be sent directly to Ben Elliott by 11:00 a.m. today. The remarks review the highlights of the Drug Price Competition and Patent Term Restoration Act of 1984, which would expedite approval processes for generic drugs and increase by five years the period of patent protection for new drugs. According to the remarks, this will lower drug costs for purchasers (including the Federal Government) and promote development of new drugs. The remarks also note in a neutral fashion a stray provision in the bill that requires clothing sold in the United States to be clearly labeled to show country of origin. I have reviewed the draft remarks and have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

September 24, 1984

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

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Remarks: Signing Ceremony for the
Drug Price Competition and Patent
Term Restoration Act

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 9/24/84

bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

September 24, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Presidential Letter for OPIC Report

William Delphos, Vice President of the Overseas Private Investment Corporation (OPIC), has asked that the President sign a letter to OPIC President Craig Nalen, requesting a review of OPIC's accomplishments over the past four years. The letter would be reprinted in a glossy report OPIC is preparing, outlining its dramatic advances during the present Administration.

Letters from the President have appeared at the beginning of past OPIC annual reports. The form, however, has been a general extolling of the role played by OPIC, rather than a request for the report itself. The instant request for a letter is additionally unusual in that the report to be introduced by the letter is not the required annual report but a special report to commemorate the fifteenth anniversary of OPIC, with particular emphasis on the last four years.

I have no objection to a letter from the President similar to the letters he has sent in the past to introduce OPIC annual reports, but I am uncomfortable with having the President actually request this special OPIC report. In the first place, it would be disingenuous, since OPIC decided to issue the special report (it is complete except for the President's letter) entirely on its own and not in response to a request from the President. Second, if the report is issued as if in response to a request from the President, there is the danger that it will appear to be politically motivated. OPIC hopes to issue the report very quickly, certainly before the election, and a letter from the President requesting such a laudatory report at this time could raise suspicions. Finally, OPIC officials could be concerned about whether preparing and issuing such a special report is an appropriate use of their funds. I have discussed this request with Bruce Hatton of OPIC, and have received no satisfactory explanation of why a request for the report should come from the President. This leads me to believe that OPIC may be trying to obtain a retroactive request from the President to justify a prior decision.

- 2 -

The attached memorandum for Delphos declines to approve signing of the letter as submitted, but notes that a re-submitted letter not containing an actual request for the special report would receive more favorable consideration.

Attachment

THE WHITE HOUSE

WASHINGTON

September 24, 1984

MEMORANDUM FOR WILLIAM A. DELPHOS
VICE PRESIDENT
OVERSEAS PRIVATE INVESTMENT CORPORATION

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: OPIC Request for Letter From the President

You have requested that the President sign a letter to OPIC President Craig A. Nalen, requesting a report of OPIC activities and accomplishments. It is our understanding that OPIC has prepared such a report, and would like to introduce it with a letter from the President. This office would have no objection to a letter from the President being included at the beginning of the special OPIC report, but I cannot approve an actual request for the report in the letter.

A letter of the sort you submitted presents an historically inaccurate picture, since OPIC embarked on plans for this special report without receiving a request for it from the President. Furthermore, in light of the political season, there is the danger that such a request would be misconstrued as an effort to enlist OPIC in the campaign. I would, however, be happy to consider a revised draft, more along the lines of the letter from the President in the 1981 OPIC annual report.

Thank you for raising this matter with us.

FFF:JGR:aea 9/24/84
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

September 24, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 
SUBJECT: S.J. Res. 336 -- "A Time of
Remembrance for Victims of Terrorism"

Richard Darman has asked for comments on the above-referenced enrolled resolution by September 25. The joint resolution, which passed both Houses by voice vote, condemns terrorism and designates October 23, 1984, as "A Time of Remembrance" for all victims of terrorism throughout the world. That day is the first anniversary of the Beirut truck bombing in which 241 Americans were killed. The enrolled resolution is somewhat unusual in that it calls upon Americans to wear a purple ribbon that day as a symbol of "patriotism, dignity, loyalty, and martyrdom." It also authorizes and requests the President to issue a proclamation that the flag fly at half staff.

I have reviewed the resolution and have no objection to its approval. The half staff provision is inconsistent with the Flag Code, but obviously Congress can supersede the general provisions of that Code in any particular instance if it so desires. I also do not approve of ad hoc displays such as the wearing of purple ribbons, but that of course is no basis for disapproval of the resolution.

Attachment

THE WHITE HOUSE

WASHINGTON

September 24, 1984

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: S.J. Res. 336 -- "A Time of
Remembrance for Victims of Terrorism"

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

FFF:JGR:aea 9/24/84
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

September 25, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Questionnaire: Independent Living Center
Statement (Prepared by Reagan-Bush '84)

Richard Darman has asked that comments on the responses to the above-referenced candidate questionnaire be sent directly to Mike Baroody by close of business September 27. The responses, in the form of an article, were prepared by Reagan-Bush '84. The article discusses Administration efforts to increase opportunities for disabled Americans. The fifth paragraph may be somewhat controversial. It confirms the Administration's commitment to ensure that handicapped infants are not denied medical care solely because of their handicap. This, of course, refers to the so-called "Baby Doe" situations, which have been mired in litigation. The statement in the article is general enough, however, to be legally unobjectionable.

Attachment

THE WHITE HOUSE

WASHINGTON

September 25, 1984

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

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Questionnaire: Independent Living Center
Statement (Prepared by Reagan-Bush '84)

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

cc: Richard G. Darman

FFF:JGR:aea 9/25/84

bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

September 25, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Proposed Executive Order Entitled
"Amending Executive Order No. 11157
as it Relates to Incentive Pay for
Hazardous Duty"

Richard Darman has asked for comments as soon as possible on the above-referenced proposed executive order. The order, proposed by the Department of Defense, has been approved by OMB and, as to form and legality, by the Justice Department Office of Legal Counsel. The bases for the award of incentive pay for hazardous military duty are outlined in 37 U.S.C. § 301(a). A 1981 amendment to 37 U.S.C. § 301(a) added those who service aircraft or missile systems with highly toxic fuels to the list of those eligible for hazardous duty pay. Public Law 98-94, enacted September 24, 1983, further amended 37 U.S.C. § 301(a) to include those who test as well as service such systems. This latest statutory amendment necessitates an amendment to Executive Order 11157, the executive order that implements the statutory grant of hazardous duty pay. The instant proposed executive order accomplishes the necessary amendment.

I have reviewed the proposed executive order and have no objections, beyond the technical one noted in the attached draft memorandum for Darman.

Attachment

THE WHITE HOUSE

WASHINGTON

September 25, 1984

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Executive Order Entitled
"Amending Executive Order No. 11157
as it Relates to Incentive Pay for
Hazardous Duty"

Counsel's Office has reviewed the above-referenced proposed executive order, and finds no objection to it from a legal perspective. In the twenty-sixth line of the draft order, however, "(b)" should be "(B)."

FFF:JGR:aea 9/25/84
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

September 25, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Enrolled Bill S. 2418 -- Library of
Congress Mass Book Deacidification
Facility

Richard Darman has asked for comments on the above-referenced enrolled bill by close of business September 26. This enrolled bill, which passed both Houses by voice vote, authorizes and directs the Librarian of Congress to construct a book deacidification facility within seventy-five miles of the Capitol. The facility would preserve books that would otherwise disintegrate after thirty or forty years for 400-600 years. OMB and Defense (the Corps of Engineers would construct the facility) recommend approval; GSA has no objection. I have reviewed the memorandum for the President prepared by OMB Assistant Director for Legislative Reference James M. Frey, and the bill itself, and have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

September 25, 1984

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill S. 2418 -- Library of
Congress Mass Book Deacidification
Facility

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

FFF:JGR:aea 9/25/84
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

September 25, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Proposed Fact Sheet for 1984 National
Strategy for Prevention of Drug Abuse
and Drug Trafficking Report and Proposed
Transmittal Letter to Congress

Richard Darman has asked for comments by close of business today on two items associated with the 1984 National Strategy for the Prevention of Drug Abuse and Drug Trafficking. You will recall that our office previously reviewed and noted no legal objection to the Strategy itself. The instant documents are a proposed fact sheet -- actually an executive summary -- and a proposed transmittal letter to the Congress from the President. The former is an optimistic review of the progress in the war on drugs, a catalog of accomplishments and initiatives. The latter simply notes that the Strategy is being submitted to Congress pursuant to Section 305 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act of 1972 (21 U.S.C. § 1165), that the President is pleased with the progress that has been made, and that much is being done by grassroots citizen efforts.

I have no substantive legal objections to either document. There are several technical errors in the fact sheet that I have noted in the attached draft memorandum for Darman. The statutory provision referred to in the letter to Congress was amended in 1983, so the words "as amended" should be added to the reference.

Attachment

THE WHITE HOUSE

WASHINGTON

September 25, 1984

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Fact Sheet for 1984 National
Strategy for Prevention of Drug Abuse
and Drug Trafficking Report

Counsel's Office has reviewed the above-referenced draft fact sheet, and notes the following corrections:

° Page 9, second bullet item, second line: "1984" should be "1982."

° Page 14, last bullet item, third line: "spary" should be "spray."

° Page 16, second bullet item, line 7: "fo" should be "of."

° Page 17, third bullet item, first line: "them" should be "it."

° Page 18, fourth bullet item, second sentence makes no sense.

° Page 21, second bullet item, third line: "interfers" should be "interferes."

FFF:JGR:aea 9/25/84
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

September 25, 1984

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Transmittal Message to Congress
Enclosing the 1984 National Strategy
for Prevention of Drug Abuse and Drug
Trafficking Report

Counsel's Office has reviewed the above-referenced proposed transmittal message. The statute cited in the first sentence was amended in 1983, and accordingly the words "as amended" should be added to line two immediately after "1972."

FFF:JGR:aea 9/25/84
cc: FFFielding/JGRoberts/Subj/Chron