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WITHDRAWAL SHEET

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Withdrawer

LOJ 8/12/2005

File Folder CHRON FILE (09/26/1984-09/30/1984)

FOIA

F05-139/01

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COOK

29CAS

DOC NO	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
1	MEMO	ROBERTS TO FRED FIELDING RE ADDITIONAL CORRESPONDENCE	1	9/26/1984	B6	1262

Released in whole 4/28/06

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.

THE WHITE HOUSE

WASHINGTON

September 26, 1984

MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS 

SUBJECT: D.C. Chadha

The D.C. Chadha rider added to the Continuing Resolution was simply the text of H.R. 3932 in its entirety, as passed by the House on October 4, 1983. H.R. 3932, you will recall, was the original D.C. Chadha bill that started everything rolling. It would require a joint resolution of disapproval to block any D.C. Council action. The pertinent passage from the Congressional Record of yesterday is attached for your information.

Attachment

THE WHITE HOUSE

WASHINGTON

September 26, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Enrolled Bill S. 1735 -- Shoalwater
Bay Indian Tribe Claims Settlement Act

Richard Darman has asked for comments on the above-referenced enrolled bill by close of business today. The bill would provide \$1,115,000 to an Indian tribe to settle the tribe's claims to eight acres of land. The land was included in the tribe's reservation by an 1866 executive order, but an 1872 General Land Office land patent granted the land to another party. Both the tribe and the successors-in-title to the other party now claim the land, and the tribe has filed suit against the other claimants. The other claimants have sued the United States as a third-party defendant.

In 1982 Interior offered \$120,000 to settle the tribe's claims. Under the typical Indian Claims Commission formula, the land would be worth only several hundred dollars. Nonetheless, Interior and OMB recommend approval, arguing that the United States could be exposed to greater liability if the lawsuit goes forward, and noting that the whole problem was caused by the Government in the first place. Justice defers to Interior.

This strikes me as another Indian giveaway, since the amount awarded greatly exceeds any reasonable valuation of the tribe's claim. If Interior, Justice, and OMB approve, however, I do not think we should interpose an objection.

Attachment

THE WHITE HOUSE

WASHINGTON

September 26, 1984

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill S. 1735 -- Shoalwater
Bay Indian Tribe Claims Settlement Act

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

FFF:JGR:aea 9/26/84
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

September 26, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Proposed Presidential Taping: Introduction
to S.B.A. Film: "Doing Business With the
Federal Government"

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 applaud small businesses for the role they have played in spearheading the economic recovery, note that Federal Government procurement from small and minority businesses has increased significantly, and review steps the Administration has taken to increase opportunities for small businesses. I have reviewed the remarks and have no objections.

Attachment

THE WHITE HOUSE
WASHINGTON

September 26, 1984

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

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Presidential Taping: Introduction
to S.B.A. Film: "Doing Business With the
Federal Government"

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 9/26/84

bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

September 26, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Additional Correspondence
From Sheriff Frank Wanicka

You will recall that Sheriff Frank Wanicka of Fort Myers, Florida, wrote the President in April to complain that a Federal investigation of his office was politically motivated. Wanicka's charges were given some credibility by a newspaper account detailing apparent political activity by Federal investigators on behalf of Wanicka's political opponent. By memoranda dated April 12, you referred Wanicka's complaint to Justice and Treasury, and so advised Wanicka.

Wanicka has now sent you a copy of a tape recording of a telephone conversation between one of the suspect Federal investigators and an official from Wanicka's office. (Calls to the Sheriff's office are routinely recorded.) Wanicka claims the recording reveals a violation of the Hatch Act; to me it simply reveals an interest in politics on the part of the Federal agent. In any event, Wanicka sent the tape to the IRS agent investigating his charges, simply copying you because you "helped start this investigation." Accordingly, no action or response is required or appropriate on our part.

Attachment

THE WHITE HOUSE

WASHINGTON

September 26, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Enrolled Resolution S.J. Res. 304
-- National Quality Month

Richard Darman has asked for comments on the above-referenced enrolled resolution by 3:00 p.m. September 27. The resolution designates October as "National Quality Month," authorizing and requesting the President to issue an appropriate proclamation. The resolution stresses the importance of quality in America's economic leadership. OMB and Commerce recommend approval of the resolution, which passed both Houses by voice vote. I have reviewed the memorandum for the President prepared by OMB Assistant Director for Legislative Reference James M. Frey, and the resolution itself, and have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

September 26, 1984

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Resolution S.J. Res. 304
-- National Quality Month

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

FFF:JGR:aea 9/26/84

cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

September 27, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Presidential Address: Texas
Southmost College, Brownsville, Texas

Richard Darman has asked that comments on the above-referenced remarks be sent directly to Ben Elliott by 1:00 p.m. today. The remarks stress that the national economic recovery will eventually reach Brownsville, if we adhere to our policies. The President also discusses the increased Federal aid that has been provided Brownsville. I have reviewed the remarks and have no objections, other than the glaring error in the concluding sentence, noted in the attached draft memorandum for Elliott.

Attachment

THE WHITE HOUSE

WASHINGTON

September 27, 1984

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

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Presidential Address: Texas
Southmost College, Brownsville, Texas

Counsel's Office has reviewed the above-referenced remarks, and finds no objection to them from a legal perspective. The concluding phrase, however, should be "vaya con Dios," not "viva con Dios."

cc: Richard G. Darman

FFF:JGR:aea 9/27/84

bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

September 28, 1984

MEMORANDUM FOR DIANNA G. HOLLAND

FROM: JOHN G. ROBERTS 

SUBJECT: Appointment of Lillian Nicolosi
Nall as a Member of the John F.
Kennedy Center for the Performing
Arts Advisory Committee

I have reviewed the Personal Data Statement submitted by the above-referenced individual for appointment as a member of the Kennedy Center Advisory Committee.

Appointments to the Kennedy Center Advisory Committee are authorized by Public Law 85-874 § 2(c). Appointees "shall be persons who are recognized for their knowledge of, or experience or interest in, one or more of the arts in the fields covered by the [Kennedy Center]." Id. Mrs. Nall is a concert violinist and has been associated with numerous entities active in the arts. She indicates that a tax lien had been entered against jointly held property but has since been paid and cleared. Based on my review of the Personal Data Statement submitted by Mrs. Nall, I see no reason to object to her appointment.

Attachment

THE WHITE HOUSE

WASHINGTON

September 28, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Questionnaire for Illinois
Farm Bureau Publication

Richard Darman has asked that comments on the draft response to the above-referenced candidate questionnaire be sent directly to Mike Baroody by close of business today. The draft response, prepared by Reagan-Bush '84, reviews what the Administration has done for farmers. The fourth paragraph on page two notes that the President has signed legislation creating a national commission to make recommendations on agriculture trade policy, and that we "expect the commission to produce several reports that will be blueprints for agricultural trade and export policy for the remainder of this century."

The reference is to H.J. Res. 600, signed by the President on August 30, 1984. You will recall that this bill created a purely advisory commission, with a large majority of members either appointed by members of Congress or being members of Congress themselves. The imbalance between executive and legislative members on the commission, and the hermaphroditic character of the commission, were criticized in a signing statement issued by the President.

Since the commission will be dominated by Congress, there was and is concern in the Administration that it will be a vehicle for advancing Congressional farm bill proposals in opposition to Administration proposals. The President, in the signing statement, attempted to minimize the commission's significance by stating:

Numerous other groups, including the President's Export Council, official industry advisory groups, and the President's Working Group on Future Food and Agriculture Policy, are also examining the many issues that can affect the future course of American agriculture. We hope that the free exchange and critical review of all such views will lead to the development of farm legislation that sets a sound course for agricultural policy.

The above-quoted passage from the draft candidate questionnaire, contending that the commission's reports will be "blueprints for agricultural trade and export policy for the remainder of this century," is thus inconsistent with the signing statement and contrary to our efforts to downplay the commission's role. I would delete the last sentence of the fourth paragraph on page two.

Attachment

THE WHITE HOUSE

WASHINGTON

September 28, 1984

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

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Questionnaire for Illinois
Farm Bureau Publication

Counsel's Office has reviewed the draft response to the above-referenced candidate questionnaire. The last sentence in the fourth paragraph on page two should be deleted.

The commission referred to in that paragraph, because of the unusual manner in which its members will be appointed, will be controlled by the Legislative Branch. There is, accordingly, widespread concern that the commission will issue recommendations inconsistent with Administration policy. Largely for this reason, when the President signed H.J. Res. 600, which established the commission, he emphasized that he was not convinced of the need for another commission and that the commission's recommendations would be simply one of many sources of advice on forming farm policy. (See attached signing statement.) The last sentence of paragraph four on page two of the draft response is inconsistent with the signing statement and Administration efforts to downplay the commission, and should be deleted.

cc: Richard G. Darman

FFF:JGR:aea 9/28/84
bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

September 28, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 
SUBJECT: Questionnaire for Michigan Farmer
(Prepared by Reagan-Bush '84)

Richard Darman has asked that comments on the draft response to the above-referenced candidate questionnaire be sent directly to Mike Baroody by close of business October 2. The response to question four, fourth paragraph on the last page, contains the same language that I found objectionable in the Illinois Farm Bureau questionnaire response. You will recall from my memorandum on that questionnaire that the Administration is trying to downplay the significance of the Legislature-controlled commission established by H.J. Res. 600, while the questionnaire response states that the commission's recommendations will be "blueprints" for agricultural policy for the rest of the century. The attached memorandum for Baroody reiterates our objection to this inconsistency.

Attachment

THE WHITE HOUSE

WASHINGTON

September 28, 1984

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

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Questionnaire for Michigan Farmer
(Prepared by Reagan-Bush '84)

Counsel's Office has reviewed the draft response to the above-referenced candidate questionnaire. The last sentence in the fourth paragraph on the last page should be deleted.

The commission referred to in that paragraph, because of the unusual manner in which its members will be appointed, will be controlled by the Legislative Branch. There is, accordingly, widespread concern that the commission will issue recommendations inconsistent with Administration policy. Largely for this reason, when the President signed H.J. Res. 600, which established the commission, he emphasized that he was not convinced of the need for another commission and that the commission's recommendations would be simply one of many sources of advice on forming farm policy. (See attached signing statement.) The last sentence in the fourth paragraph on the last page of the draft response is inconsistent with the signing statement and Administration efforts to downplay the commission, and should be deleted.

cc: Richard G. Darman

FFF:JGR:aea 9/28/84
bcc: FFFielding/JGRoberts/Subj/Chron