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THE WHITE HOUSE

WASHINGTON

August 28, 1985

MEMORANDUM FOR THE FILE

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Correspondence Regarding Deportation
Proceedings Against Karl Linnas, a
Citizen of Estonia


No action is appropriate in response to Juhan Simonson's letter to the President urging action to prevent the deportation of Karl Linnas by the Justice Department Office of Special Investigations. The matter is a particular matter pending before the courts, and the views of the Government are being presented in the course of litigation by the Department of Justice. In the course of related litigation (the Fedorenko case), the Department of State determined that deportation of a citizen of one of the Baltic states to the Soviet Union would not contravene the U.S. Government non-recognition policy. Mr. Simonson's organization is already aware of these facts.

THE WHITE HOUSE

WASHINGTON

August 28, 1985

MEMORANDUM FOR DIANNA G. HOLLAND

FROM: JOHN G. ROBERTS 

SUBJECT: Previous Meador Correspondence
on 25th Amendment

This should be closed out. As indicated in Peter's note to Mr. Fielding, the correspondence was acknowledged last spring. It was restaffed to me for my thoughts. I discussed it with Mr. Fielding some time ago, when we first revised the 25th Amendment binder, and at Mr. Fielding's suggestion I called Professor Meador to obtain an update on pending work on Presidential disability. All this took place last spring. We recently had additional correspondence from Meador on 25th Amendment issues in the wake of the President's surgery, to which Mr. Fielding has responded. No further action is required or appropriate on this file.

Attachment

THE WHITE HOUSE

WASHINGTON

August 28, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Capital Campaign for the Motion
Picture Country House and Hospital

A reply for your signature, as you requested.

Attachment

THE WHITE HOUSE

WASHINGTON, D.C.

August 28, 1985

Dear Mr. Wert:

This is written in response to your letter of August 19 to John Roberts. Along with that letter you sent a proposed letter from Clint Eastwood to corporate donors, proposed campaign stationery, a proposed letter insert listing campaign committee members, and a proposed campaign flyer. Each of these items simply listed Ronald Reagan and Nancy Reagan as Honorary Co-Chairpersons of the campaign. I have reviewed each of the items and have no objection.

Thank you for submitting these items for my review.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Peter B. Wert
343 North LaBrea Avenue
Suite 100
Los Angeles, CA 90036

FFF:JGR:aea 8/28/85
bcc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

August 28, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Washington Times Article Regarding
U.S. Army Communications System

The Chairman of the Board of GTE Corporation has written Mr. Regan to express his concern over a Washington Times story on the U.S. Army's imminent procurement decision for a new battlefield communications system. The Times article raised the possibility that pressure may be being brought to bear to choose a British supplier over GTE, in view of the Administration's "special relationship" with the Thatcher government.

I recommend a prompt referral to Defense General Counsel for a recommendation and, if appropriate, a draft reply. I do not know if this procurement decision may be made after considering foreign relations concerns or not, so I did not prepare a reply assuring the writer that the lowest qualified bidder would get the job.

Attachment

THE WHITE HOUSE

WASHINGTON

August 28, 1985

MEMORANDUM FOR CHAPMAN COX
GENERAL COUNSEL
U.S. DEPARTMENT OF DEFENSE

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Washington Times Article Regarding
U.S. Army Communications System

The Chairman of the Board of GTE Corporation has written the White House Chief of Staff to express concern over a Washington Times article that suggested certain foreign relations concerns might affect the award of the contract for the MSE communications system. I would appreciate your guidance on how to respond and, if appropriate, a draft response. The Times article stated that a decision was expected shortly after Labor Day, so we should have some response for Mr. Brophy very soon.

Attachment

FFF:JGR:aea 8/28/85

cc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

August 28, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Request for Permission to Publish
Text of President's News Conference
of September 28, 1982

Mr. Martin of Cortez, Colorado wrote the President to ask if he mentioned "capsuled acetamenophen analgesics" in his news conference of September 28, 1982, prior to the Tylenol poisoning incident. Since the news conference was prior to the incident, the President of course did not have occasion to mention capsuled acetamenophen analgesics. The attached draft reply says as much, transmits a copy of the news conference text to prove it, and advises Martin (in response to a question) that he needs no permission to publish the text of the news conference.

Attachment

THE WHITE HOUSE

WASHINGTON

August 28, 1985

Dear Mr. Martin:

This is written in response to your letter to the President, inquiring whether the President mentioned capsuled acetaminophen analgesics in his televised news conference of September 28, 1982. As you will see from the enclosed text of that news conference, the President did not mention that topic. The text of the news conference is in the public domain and no permission is necessary for its publication.

Please excuse our delay in responding to your inquiry.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Robert J. Martin
19048 County Road South
Cortez, CO 81321

Enclosure

FFF:JGR:aea 8/28/85
bcc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

August 28, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS



SUBJECT: Libel Laws

Congressman Schumer (D/Lib.-NY) has written the Office of Media Relations, seeking views on revision of libel laws. The Subcommittee on Civil and Constitutional Rights of the House Judiciary Committee will soon hold hearings on public figure libel, at Schumer's suggestion, and Schumer has introduced H.R. 2846 as a "study bill." H.R. 2848 would bar punitive damages in media libel cases and permit media defendants in public figure libel cases to convert damage suits to suits for a declaratory judgment, with no possibility of damage awards.

I do not think the White House as an institution should enter the raging debate about whether the current state of libel law threatens the media (because of the cost of defense and the rare large verdict) or public figures (because of the near-impossibility of prevailing under the New York Times v. Sullivan standard). My own personal view is that a legislative trade-off relaxing the requirements for public figures to prevail (a return to the pre-Sullivan standards) in exchange for eliminating punitive damages would strike the balance about right, and would satisfy the First Amendment concerns of Sullivan. In any event, libel is a private cause of action, a common law tort, of only indirect interest to the Executive branch. I do not know if the Administration would want to take a formal position on possible revision of the libel laws. The question should probably be referred to Justice for review.

Attachment

Dear Congressman Schumer:

This is written in reply to your letter of August 9 to the Office of Media Relations. That letter and the accompanying material raised several issues concerning the current state of libel law.

In light of the nature of the issues raised in your letter, I have referred it to the Department of Justice for further review. Thank you for sharing your concerns on this matter with us. You may be assured that the issues you raised will be carefully reviewed within the Department of Justice.

Sincerely,

Fred F. Fielding
Counsel to the President

The Honorable Charles E. Schumer
United States House of Representatives
Washington, D.C. 20515

bcc: Thomas Donnelly

FFF:JGR:aea 8/28/85

bcc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

August 28, 1985

MEMORANDUM FOR D. LOWELL JENSEN
DEPUTY ATTORNEY GENERAL
U.S. DEPARTMENT OF JUSTICE

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Libel Laws

The attached correspondence from Congressman Schumer to the White House Office of Media Relations is referred to you for whatever direct reply and other action you consider appropriate. A copy of my interim reply to Congressman Schumer is attached. The Congressman is considering reform of libel law. I do not know if the Administration will want to become involved in this issue, but concluded that any involvement should come from the Department of Justice.

Many thanks.

Attachment

FFF:JGR:aea 8/28/85

cc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

August 29, 1985

MEMORANDUM FOR CLAUDIA KORTE
PRESIDENTIAL MESSAGES

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Request from Senator Paula Hawkins

You have asked for language to be used in response to an inquiry submitted by Senator Hawkins on behalf of a constituent. Senator Hawkins's constituent inquired whether flags should be flown at half-mast in honor of the U.S. Navy Petty Officer killed during the TWA hijacking in Beirut.

Congress has addressed the question of when the flag should be flown at half-staff in 36 U.S.C. § 175(m). A copy of that provision is attached for your information. Any reply to Senator Hawkins should note that the situation of the Navy Petty Officer who gave his life during the TWA hijacking crisis did not fall within 36 U.S.C. § 175(m).

THE WHITE HOUSE

WASHINGTON

August 29, 1985

Dear Mr. Spivak:

This is written in response to your letter to the President, concerning your efforts to obtain payment for legal fees allegedly owed to you by the Royal Family of Saudi Arabia and Sheikh Mohammed Al Fassi.

For reasons that I think you will appreciate, it would be inappropriate for the White House to become involved in a private dispute over a debt. As described in your correspondence, the matter is a private one between you and your former clients, and any involvement by the White House would present the danger that this private matter could become confused with the official relations between our Government and Saudi Arabia.

I recognize that you may not be pleased with this response, but I believe you will understand the reasons we are compelled to take this position.

Sincerely,



John G. Roberts
Associate Counsel to the President

William B. Spivak, Sr., Esquire
357 South Curson Avenue, Suite 6h
Los Angeles, California 90036

THE WHITE HOUSE

WASHINGTON

August 29, 1985

Dear Mr. LeGall:

Thank you for your letter of August 13, regarding the possibility of developing commemorative items. In your letter you specifically mentioned the Seal of the President and the name and photograph of the President.

Please be advised that the permitted uses of the Seal of the President are limited by law. Section 713 of Title 18 of the United States Code prohibits manufacture or sale of the Seal or items bearing the Seal except in accordance with regulations promulgated by the President. Those regulations are embodied in Executive Order 11649, as amended. I have enclosed for your information copies of the pertinent statute and regulations. You will notice that under those provisions of law you may not manufacture or market items bearing the Seal of the President.

With respect to the other area of your inquiry, the White House adheres to a policy of prohibiting any use of the President's name, likeness, photograph, or signature in any way that suggests or could be construed as endorsement of a commercial product or enterprise.

Thank you for your inquiry. If you need further information, please do not hesitate to contact this office.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Herve LeGall
J.G. Durand International
Millville, NJ 08332

FFF:JGR:aea 8/29/85
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

August 29, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Request to Develop Commemorative Paperweight

Herve LeGall, sales manager for J.G. Durand International, has written a confusing letter about Durand's plan to develop a commemorative paperweight. Apparently Durand, a glassware firm, is interested in producing products emblazoned with the Seal of the President or the President's name or likeness. I recommend a general reply alerting Durand to the restrictions on use of the Seal and our policy with respect to use of the President's name, likeness, signature, etc.

I am a bit concerned about the articulation of the latter policy, since there are countless items of dinnerware and glassware with the President's picture for sale in souvenir shops or vendors' carts. I would not assume that those items violate our policy, since I do not think most people who purchase a dinner plate with the President's picture on it suppose the President has endorsed the plate. In any event, I think we should state the policy as we always do and let Durand contend that there is no endorsement problem if they wish to pursue it further.

Attachment

THE WHITE HOUSE

WASHINGTON

August 29, 1985

MEMORANDUM FOR THE FILES

FROM:

JOHN G. ROBERTS 

SUBJECT:

Civil Court Case Involving
Corrupt Conduct of FBI Agents


Based on my review of previous correspondence with Kaiser, I concluded that no response was appropriate to this latest letter. We previously referred his allegations of FBI misconduct to the Department of Justice for review. The present correspondence contains no new allegations. I do not expect Mr. Kaiser to be satisfied with any response we might send him.

THE WHITE HOUSE

WASHINGTON

August 29, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Arata Expositions Lawsuit

You were copied on two August 16 letters from counsel for Taste of America, concerning the Arata Expositions claim. You will recall that Arata is owed money by Taste of America, and wrote the President on June 20, with an enclosed copy of a complaint against PIC and Taste of America. Bruce Soll responded to both Arata and Taste of America counsel, stressing that Taste of America was not a PIC event and any claim Arata may have against Taste of America should be directed to Taste of America and not PIC. Soll's letter to Taste of America also noted that PIC would consider counter-claims against Taste of America for any liability based on representations by Taste of America.

Taste of America has now responded to Soll, surprisingly agreeing with Soll's position on the Arata suit. The letter from counsel Kim Mann states Taste of America "has never represented itself as connected or affiliated with the Presidential Inaugural Committee." Mann also wrote Arata, stressing that Arata had no basis for proceeding against PIC. You were copied on both letters. I see no need for a response.

THE WHITE HOUSE

WASHINGTON

August 30, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Secret Document Selling

George Washington, Jr., of Sun City, Arizona, has written the President, complaining about the recent acquittal of an airman at Luke Air Force base who was charged with selling classified documents. The airman's only defense was entrapment.

Washington has also written the Colonel who headed the court martial, and the Secretaries of Defense and the Air Force. The White House should not comment on the court martial acquittal. I recommend simply referring the letter to the President to Chapman Cox, for appropriate handling.

Attachment

THE WHITE HOUSE

WASHINGTON

August 30, 1985

MEMORANDUM FOR CHAPMAN COX
GENERAL COUNSEL
U.S. DEPARTMENT OF DEFENSE

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Secret Document Selling

The attached correspondence to the President is referred to the Department of Defense for any action you consider appropriate. The White House has not responded to Mr. Washington in any way. You will note that Mr. Washington has also written to the Secretary of Defense, the Secretary of the Air Force, and the Colonel who headed the court martial in question.

Many thanks.

FFF:JGR:aea 8/30/85

cā: FFFielding
JGRoberts
Subj
Chron

JR003

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

JR

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

Name of Correspondent: George Washington, Jr.

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Secret Document Selling

ROUTE TO:	ACTION	DISPOSITION			
Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CATHOL</u>	ORIGINATOR	<u>85.06.18</u>			<u>1 1</u>
	Referral Note:				
<u>CAT 18</u>	<u>D</u>	<u>85.06.19</u>		<u>S</u>	<u>85.06.29</u>
	Referral Note:				
		<u>1 1</u>			<u>1 4</u>
	Referral Note:				
		<u>1 1</u>			<u>1 4</u>
	Referral Note:				
		<u>1 1</u>			<u>1 4</u>
	Referral Note:				

- ACTION CODES:**
- A - Appropriate Action
 - C - Comment/Recommendation
 - D - Draft Response
 - F - Furnish Fact Sheet to be used as Enclosure
 - I - Info Copy Only/No Action Necessary
 - R - Direct Reply w/Copy
 - S - For Signature
 - X - Interim Reply
- DISPOSITION CODES:**
- A - Answered
 - B - Non-Special Referral
 - C - Completed
 - S - Suspended
- FOR OUTGOING CORRESPONDENCE:**
- Type of Response = Initials of Signer
 - Code = "A"
 - Completion Date = Date of Outgoing

Comments: _____


Keep this worksheet attached to the original incoming letter.
 Send all routing updates to Central Reference (Room 75, OEOB).
 Always return completed correspondence record to Central Files.
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

THE WHITE HOUSE

WASHINGTON

August 30, 1985

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

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Remarks: Regional Press Luncheon

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

cc: David L. Chew

THE WHITE HOUSE

WASHINGTON

August 30, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Secret Document Selling

George Washington, Jr., of Sun City, Arizona, has written the President, complaining about the recent acquittal of an airman at Luke Air Force base who was charged with selling classified documents. The airman's only defense was entrapment.

Washington has also written the Colonel who headed the court martial, and the Secretaries of Defense and the Air Force. The White House should not comment on the court martial acquittal. I recommend simply referring the letter to the President to Chapman Cox, for appropriate handling.

Attachment

THE WHITE HOUSE

WASHINGTON

August 30, 1985

MEMORANDUM FOR CHAPMAN COX
GENERAL COUNSEL
U.S. DEPARTMENT OF DEFENSE

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Secret Document Selling

The attached correspondence to the President is referred to the Department of Defense for any action you consider appropriate. The White House has not responded to Mr. Washington in any way. You will note that Mr. Washington has also written to the Secretary of Defense, the Secretary of the Air Force, and the Colonel who headed the court martial in question.

Many thanks.

FFF:JGR:aea 8/30/85
cc: FFFielding
JGRoberts
Subj
Chron

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

JR003

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

JR

Name of Correspondent: George Washington, Jr.

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Secret Document Selling

ROUTE TO: ACTION DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>OUTHOLL</u>	ORIGINATOR	<u>8510618</u>			<u>1 1</u>
<u>OUT 18</u>	<u>D</u>	<u>8510619</u>		<u>S</u>	<u>8510629</u>
	Referral Note:				
	Referral Note:				
	Referral Note:				
	Referral Note:				

- ACTION CODES:**
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 Always return completed correspondence record to Central Files.
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

THE WHITE HOUSE

WASHINGTON

August 30, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Request for Presidential Message

J. Leonard Padilla, the Chairman of the Board of Trustees of the University of Northern California School of Law (an unaccredited school in a walk-up in Sacramento), has written the President to ask that he send a letter to the widow of Judge Lorenzo Patino on the occasion of the Judge Lorenzo Patino Drive Against Leukemia wine-tasting and co-ed softball tournament. Proceeds of the annual affair are donated to assist leukemia victims in defraying medical costs.

Judge Lorenzo Patino was a Sacramento municipal judge who died in 1983 of leukemia. He was also one of the founders of the law school mentioned above. Appointed by President Carter to the National Institute of Justice Advisory Board, Patino was fired from his post when he refused to resign as requested by the Reagan Administration. Patino then sued the President over his firing. As his leukemia progressed, Patino offered a \$100,000 reward for anyone who could discover a cure for his disease.

I must recommend against a letter. Patino died in 1983, so the time for a simple sympathy letter has passed. That leaves only a letter to support the wine-tasting and co-ed softball tournament fundraiser, which would be covered by our general policy of not endorsing particular fundraising efforts. In any event, the day of the event -- August 3 -- had passed two weeks before Presidential Messages sent the inquiry to us.

Attachment

THE WHITE HOUSE

WASHINGTON

August 30, 1985

MEMORANDUM FOR CLAUDIA KORTE
PRESIDENTIAL MESSAGES

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Request for Presidential Message

This responds to your inquiry concerning the request for a Presidential message for the Judge Lorenzo Patino Drive Against Leukemia and the widow of Judge Patino. A message should not be sent. Judge Patino died in 1983, so the time for a sympathy message on his death has passed. Any message for the fundraiser would be inappropriate, given our established policy of generally not endorsing particular private fundraising campaigns. In any event, the fundraiser has already taken place.

FFF:JGR:aea 8/30/85
cc: FFfielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

August 30, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS *JGR*

SUBJECT:

Surplus Monies Raised by 50th American
Inaugural Committee Donated to Child Find

John Gill, President of Children's Rights of New York, Inc., has written to ask you for information on the gift from the surplus inaugural funds to Child Find, Inc., of New York. In particular, Gill wants to know how much Child Find was given and how Child Find was chosen. Gill's organization publishes a newsletter, is very pleased that the President has identified the missing children problem as important, and would like to publicize the gift.

I think this letter should be referred to Fred Ryan, whose office is familiar with these facts and has been following up on the donation of the surplus funds. A referral memorandum is attached.

Attachment

THE WHITE HOUSE

WASHINGTON

August 30, 1985

MEMORANDUM FOR FREDERICK J. RYAN, JR. ==
DEPUTY ASSISTANT TO THE PRESIDENT
DIRECTOR, PRESIDENTIAL SCHEDULING

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Surplus Monies Raised by 50th American
Inaugural Committee Donated to Child Find

The attached letter to me raises several factual questions falling more appropriately within your jurisdiction. It is accordingly referred to your office for direct response. Your response may want to go beyond Mr. Gill's specific inquiries and provide information on the many initiatives the Administration has undertaken and supported in this area.

Many thanks.

FFF:JGR:aea 8/30/85
cc: FFfielding
JGRoberts
Subj
Chron