EHD
Red
Diana L
Thelma D

Morton B.
Henry Z
Wendy B
Bill T

MAY 13 1982

Document No. 068959CS

WHITE HOUSE STAFFING MEMORANDUM

DATE: 5/13/82 ACTION/CONCURRENCE/COMMENT DUE BY: FYI

SUBJECT: IMPLEMENTATION OF PACE EXAM CONSENT DECREE

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☐	☐	GERGEN	☐	☐
MEESE	☐	☐	HARPER	☐	☐
BAKER	☐	☑	JAMES	☐	☐
DEAVER	☐	☐	JENKINS	☐	☐
STOCKMAN	☐	☐	MURPHY	☐	☐
CLARK	☐	☐	ROLLINS	☐	☐
DARMAN	☐P	☒SS	WILLIAMSON	☐	☑
DOLE	☐	☑	WEIDENBAUM	☐	☐
DUBERSTEIN	☐	☑	BRADY/SPEAKES	☐	☐
FIELDING	☐	☑	ROGERS	☐	☐
FULLER	☐	☐	_____	☐	☐

Remarks:

Richard G. Darman
Assistant to the President
(x2702)

Response:

UNITED STATES
OFFICE OF PERSONNEL MANAGEMENT
WASHINGTON, D.C. 20415

Office of the Director

May 10, 1982

OPM Issue Advisory

TO: The Honorable Craig L. Fuller
Assistant to the President
for Cabinet Affairs
The White House

070012

FROM: Donald J. Devine
Director

SUBJECT: Implementation of PACE Exam Consent Decree

BACKGROUND: A "sweetheart" consent decree was entered into by the Carter Administration, literally in the last hours, on January 9, 1981. The decree accepted almost all of the plaintiffs' demands, with the effect of requiring that the percent of blacks and Hispanics who are hired must equal the percentage who take the examination. Some changes were achieved by our Department of Justice, especially to allow for subsequent modification, but essentially we accepted the decree because of legal difficulties in withdrawing from it.

ACTION FORCING EVENT: The decree became effective January 18, 1982. Any further delay in enforcing the decree would give the appearance of obstruction. And, PACE occupations in the government must be filled.

IMPORTANCE: The PACE Examination is the major entry level examination for professional and administrative careers within the Federal government. It starts the normal path to become a future career executive.

CURRENT STATUS: OPM and DOJ have agreed that there really is only one legal and practical means by which to comply with the decree. Under this plan, most vacancies in PACE-occupations will be filled through internal hiring, by interagency transfer, and by assigning individuals who have been displaced through RIFs. The pool of individuals in these three catagories is known to be disproportionately black and Hispanic, and therefore will satisfy the demands of the decree. A new excepted service appointment, under Schedule B, will be created to fill outside hires. Race-conscious selection is necessary to satisfy the decree, but manipulation of competitive examination results will not be required. Regulations to this effect will be issued for public comment.

EXPECTED REACTION: Negative reaction can be expected from conservatives and neoconservatives (not only the "Commentary crowd" but also the Washington Post). To some extent, we have already received much of this negative reaction, when the consent decree was signed. We can expect a new spate of negative criticism from the right, however. Criticism will be moderated by the fact that the positions will not be put into the competitive service; but this will be only a minor mitigation. The civil rights community will basically be satisfied with the solution, although they might bridle at placement in the excepted service, as implying that the decree is incompatible with merit selection (which, of course, it is).

THE WHITE HOUSE

WASHINGTON

July 13, 1982

MEMORANDUM FOR ELIZABETH DOLE
RED CAVANEY

FROM: BILL TRIPLETT

SUBJECT: Product Liability; Cabinet Council 7/15/82

I have reviewed the Briefing Book received today in anticipation of the Cabinet Council meeting on Thursday, July 15, 1982. The Decision Memorandum (Tab A) presents two options (page 8).

Option One, "Take no action", is clearly the least desireable. As you will note from Tab C of the Briefing Book, this matter has been considered and reconsidered for many years with no clear decision or resolution. In light of this fact, the massive lobbying currently being conducted by the manufacturers is understandable. To again put the matter off would be viewed by them as an unacceptable course of action.

The only other option presented should be adopted. Option Two recommends we, "recognize [a] need for Federal approach . . . and work with Congress to develop acceptable bill." This assumes that the Federalism concerns have been laid to rest, as they should be. This also does not slam the door on those groups in opposition to a Federal approach; in that, they will still be able to seek modifications in mitigation of their concerns.

This memorandum is a follow up to my Issue Paper submitted yesterday. A copy of that paper is attached.

For thoroughness I have attached a copy of Virginia Knauer's memorandum on the topic of consumer concerns. Although I personally consider those concerns outweighed by the arguments of the proponents of a Federal approach, these points would have made an appropriate additional "Tab" for the Briefing Book.

cc: Jack
Diana
Wayne
Virginia
Morton

PRODUCT LIABILITY

ISSUE

What, if anything, is the appropriate role of the Federal government in establishing uniform product liability standards?

BACKGROUND

Traditionally, product liability has been a subject of individual state law. The field of product liability covers that area of personal injury law wherein a user or consumer of a product sues the manufacturer of the product for injuries sustained in its use or consumption. Typical defendants may include anything from manufacturers of construction cranes to manufacturers of asbestos insulating materials. Typical plaintiffs may include persons injured operating a drill press, to a person struck by toxic shock syndrome.

During the past few decades the various state courts have tended to ease the availability of recovery against manufacturers. Most states have expanded liability for damages covered by a customer or employee using a mechanically-faulty or defective product, even though the defect was accidental and did not stem from negligence by either the manufacturer or distributor. Also, since most states limit the extent of recovery by an injured employee against his employer through workers' compensation laws, there is a trend to sue the manufacturer who originally produced the machine or tool causing the injury.

The greatest cause for concern in this area arises out of the fact that the laws differ in each of the fifty states. In the past six years approximately thirty states have enacted some form of product liability legislation, with no two being the same. The various applications are so numerous that a complete listing would be impossible. Examples are:

- Some states make it a defense for a manufacturer to show that he utilized existing technology in designing his product, others do not.
- Most states require warnings of dangers, but the content, extensiveness (and even language) differs widely by state.
- Some states have a definite time period wherein a manufacturer may be held liable, others have no statute of limitations.
- Available defenses to liability and rules of evidence differ widely. Some states permit a showing of "comparative negligence". A few states admit evidence of subsequent safety adjustments. Awards of punitive damages differ widely.

The result of these, and other differences in local laws, has been an extreme hesitation and apprehension upon the part of manufacturers. In many cases product liability insurance costs have skyrocketed or become prohibitive. No state has been able to protect its manufacturers from the consequences of the laws of other states. Because manufacturers cannot predict the standards by which new products will be judged, they are wary of innovation or design changes.

As one measure to address the insurance problem, on September 25, 1981, the President signed into law H.R. 2120, the Product Liability Risk Retention Act. This Act ensures objective underwriting by permitting manufacturers to form risk retention groups and insure themselves. The Act also provides for a limited preemption of inconsistent state laws in order to achieve this objective.

CURRENT STATUS

The question remains, whether or not Federal legislation governing the law of product liability itself is necessary, in addition to risk retention.

Three interest groups have been identified which have concerns about this issue: (1) manufacturers, (2) consumers, and (3) personal injury lawyers.

With respect to the personal injury lawyers, one author has characterized their reaction as, "emotional outbursts from one whose vested interests are about to be gored." Their personal interest in retaining the multiplicity of standards is self-evident. To be sure, they may be some with truly altruistic and consumer-oriented motives.

The manufacturers' interests have received the most consistent and visible interest. An on-going letterwriting campaign is currently underway. The Product Liability Alliance (coalition) has a steering committee which includes the major business and manufacturing associations. Their position is set out in the following two paragraphs:

> "The Risk Retention Act of 1981 which was signed into law on September 25, 1981, addressed the problem of rate-making practices by allowing product sellers to form insurance pools. The next step is to address the uncertainties and imbalances in the tort system created by varying state laws and judicial decisions which can only be remedied by Federal tort legislation.

"A Federal product liability statute should set forth standards that state courts must apply and which should be fair and equitable to all parties concerned. It should not create a new Federal bureaucracy nor expand the jurisdiction of the Federal courts. Its major purpose would be to let product sellers know their obligations and consumers know their rights in a uniform approach to product liability in all states."

The consumer groups and organizations, on the other hand, are uniformly opposed to a Federal liability statute. Although not as organized or vocal as the manufacturers, the consumers express pleasure with the manner in which product liability law has evolved among the states. They have characterized the current proposal as the "Manufacturers' Liability Relief Act". They consistently express the belief that state courts, under state standards, are more able to measure appropriate compensation to injured consumers.

POLITICAL SITUATION

Earlier this year Senator Kasten drafted legislation proposing a Federal product liability standard. At the April 7, 1982, Cabinet Council meeting an ad hoc administration working group was set up to study the matter further. At that time, there appeared to be a clear split in the administration on this matter.

Federal standards were favored by Secretary Baldridge, Secretary Lewis, Trade Representative Brock, and Undersecretary Lovell (Labor). Leaning against Federal standards were Ed Meese and OPD. CEA, OMB, and the Department of Justice, indicated a desire for further studies. Whether or not this lineup remains current is unclear.

Opposition at the Cabinet Council was premised upon the view that the imposition of Federal standards would be inconsistent with the administration philosophy concerning Federalism. The other point of view was that it was consistent with Federalism; in that, the Federalist approach is to leave to the states the matters that they can best handle. Product liability, however, is a matter which impacts heavily upon interstate commerce, and requires a Federal standard.

CONCLUSION

The need for the legislation appears to remain the question under discussion, with little, if any, review of the substance of the proposed legislation.

THE WHITE HOUSE

WASHINGTON

July 12, 1982

MEMORANDUM TO DIANA LOZANO

FROM: VIRGINIA H. KNAUER Virginia Knauer

SUBJECT: CONSUMER POSITIONS RE: PRODUCT LIABILITY

Summary

Testimony by national consumer organizations June 30 - July 1 - on Sen. Kasten's proposed Product Liability Bill (S. 2631) reveal uniform opposition to any Federal products liability bill claiming it is harmful both to consumers and to the cause of safety. Organizations testifying and supporting this position were Consumer Federation of America, Congress Watch, and the National Consumers League. Copies of testimony of each organization is attached. A summary of individual positions is as follows:

Consumer Federation of America:

- Opposed to S. 2631; believes consumers and others will lose more than gained by Federal preemption of State product liability law.

- Questions evidence about product liability crisis and cites November 77 Final Report of Interagency Task Force on Product Liability documenting reasons for rising insurance premiums - and casting "severe doubt" on Federal preemption as a possible solution.

- Notes two recent Federal actions - The Revenue Act of 1978 and the Risk Retention Act of 1981 (signed by President Reagan) provided easing of cost of liability insurance to manufacturers. Believes Risk Retention Act has greater potential for protecting industry against liability premium increases than Federal preemption.

- Cites study by Rand Corporation's Institute for Civil Justice of cases in Cook County, Illinois (59-79) which do not support a conclusion that Federal preemption necessary; more study needed before stripping states of power over product liability.

- S.2631, as proposed, could increase gap between injuries and law suits, dilute value of specific claims and thus weaken manufacturer's incentive to design for safety.

- Believes process of state law is self correcting; i.e., errors in on State not repeated in others as would flawed national standards. Uniformity is an illusion, attempting to achieve it could be a destroying influence in marketplace because of complications regarding terminology and impact on state constitutions.

- Opposes S. 2631 provisions noting the imposition of national liability standards unachievable, that standards suggested would make it more difficult to recover damages--thus insurance costs go down at unjust expense of consumers, and in greatly increasing costs in bringing plaintiff's cases. Cites specific problems with proposed thresholds, standards of proof, defenses, measures of damages.

- Suggests solutions be in areas of tax and financial incentives for safety, implementation of risk retention plans and high risk pools, and alternative compensation systems outside the court. Changing liability law is not the answer.

Congress Watch

Flatly opposes Federal product liability legislation because:

- Would freeze liability law; law needs to grow and develop--done best at state level.

- An effective single Federal statute would take decades, if it could be done at all.

- Federal statute would create confusion, uncertainty--and work for lawyers.

- No one statute can account for the infinite variety of fact situations that arise in product liability law.

- People better served when judges' decisions based on prior court decisions rather than a Federal statute.

- Kasten's proposal (S. 2631) "clearly anathema to the Administration and we do not believe it can work."

- Testimony cites and comments on eighteen (18) "most pro-defendant, anti-plaintiff provisions in Kasten bill."

- Believes S. 2631:

  - not responsive to policy needs but only to business demands,

- would destroy laws of 50 states in one act,

- would irreparably restrict ability of people impaired by defective products to recover for injuries.

- Opposes S. 2631 in "strongest possible terms."

National Consumers League

- Opposes Federal preemption of state product liability laws; believes current proposals should be called "a manufacturers' liability exemption bill" because it so severely restricts consumer rights to sue.

- Notes the two pillars upholding citizen's guarantees for safety in the marketplace are the regulatory agencies and law, and the tort system. "Given the current attack on regulations and present emasculation of health and safety agencies, consumers can endure no weakening in tort law."

- Opposes S. 2631 and lists twelve reasons in its testimony: here condensed:

  - would abrogate tort system,

  - more concerned with protecting manufacturers.

  - would turn court room into a forum for economists (putting dollar value on safety),

  - no Federal bill can assure uniformity; would not be flexible to meet changing needs,

  - would severely limit consumer protection and causes for action,

  - would increase delay and allow manufacturers to escape liability,

  - quality and durability of products would be reduced; consumer information would be discouraged,

  - reckless design of unsafe products unpunished; would encourage laxness in safety.

- Cites and supports possible solutions as suggested in Chapter V of Final Report (November 77) of the Interagency Task Force:

  - requiring manufacturers to use reasonable prevention techniques as requirements for participation in government pool programs.

- require insurers to provide discount when insurers use proper prevention techniques,

- requiring insurers to assist in loss prevention activity,

- increase government action to assist business in area of product liability prevention.

Red (to attend mtg) Bill T
Diana
Morton B
Henry

Document No.

Copy filed in Book

DZ
BT
HZ
MB
Red will attend

WHITE HOUSE STAFFING MEMORANDUM

file

DATE: 6/25/82 ACTION/CONCURRENCE/COMMENT DUE BY: ----------

SUBJECT: MEETING OF THE CABINET COUNCIL ON LEGAL POLICY - JUNE 28, 2:45 P.M. IN CABINET ROOM WITH THE PRESIDENT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☐	☐	GERGEN	☑	☐
MEESE	☐	☐	HARPER	☐	☐
BAKER	☐	☐	JAMES	☐	☐
DEAVER	☐	☐	JENKINS	☐	☐
STOCKMAN	☐	☐	MURPHY	☐	☑
CLARK	☐	☐	ROLLINS	☑	☐
DARMAN	☐P	☑S	WILLIAMSON	☑	☐
DOLE	☐	☑	WEIDENBAUM	☐	☐
DUBERSTEIN	☑	☐	BRADY/SPEAKES	☑	☐
FIELDING	☐	☐	ROGERS	☐	☐
FULLER	☐	☐	BAROODY	✓	☐
			SMALL		✓

Remarks:

Action assignees are invited. Agenda and briefing are attached. Please inform Patsy Faoro (x2800) in the Office of Cabinet Administration if you will attend.

PRINCIPALS ONLY

Richard G. Darman
Assistant to the President
(x2702)

Response:

THE WHITE HOUSE

WASHINGTON

CABINET COUNCIL ON LEGAL POLICY

June 28, 1982

AGENDA

1. Immigration Legislation

2. Federal Antitrust Laws and Local Government Activities

3. President's Crime Legislative Package

THE WHITE HOUSE

WASHINGTON

June 25, 1982

MEMORANDUM FOR THE PRESIDENT

FROM THE CABINET COUNCIL ON LEGAL POLICY

SUBJECT: Legalization Provisions of Immigration Reform Legislation

ISSUE:

What should be the Administration's position regarding legalization?

ACTION FORCING EVENT:

Senate floor action imminent on S. 2222, the Simpson-Mazzoli Immigration bill.

BACKGROUND AND ANALYSIS:

The Senate Judiciary Committee has reported out S. 2222, the Simpson-Mazzoli immigration reform bill. The bill offers immediate permanent resident status to illegal aliens residing continuously in the U.S. since January 1, 1978 and temporary status for those who entered between January 1978 and 1982.

The bill grants all welfare benefits to permanent residents and Medicaid and SSI to temporary residents. Temporary residents become eligible for all benefits when, after two years, they become permanent residents.

The original Administration bill proposed temporary resident status for all illegal aliens who entered as of January 1980. Those who have resided continuously for ten years from date of entry would be eligible for immediate permanent resident status. In the interim, family reunification and welfare eligibility were prohibited, except for job-related disabilities incurred after legalization. This proposal attracted considerable opposition and almost no support in Congress. Consequently, the Attorney General proposed, as a compromise, a January 1981 entry limit and an eight rather than a ten year residency requirement. No compromise on benefits was proposed.

The added costs to Federal, State and local governments of providing benefits to permanent and temporary residents under the bill as reported by the Committee would be extremely high, since the bill would provide benefits to an estimated 4.8 million aliens from the first year of the program onward. The Office of Management and Budget and the Department of Health and Human Services estimate that the annual Federal welfare costs under the bill range from $642 million in FY 83 to $2.5 billion by 1986. State and local costs could range from $425 million in FY 83 to $1.4 billion by FY 86. The National Association of Counties has testified that State and local costs would be $546 million in the first year.

S. 2222 is also inconsistent with the basic principles which the Administration sought to incorporate in its proposal:

(1) that it was unfair to ask the American body politic to absorb, more or less immediately, several million illegal aliens;

(2) that illegal entry should not be rewarded by offering easy access to the benefits of permanent resident status, which in turn would lure others to enter illegally;

(3) that generous benefits to illegal aliens not be offered at a time when many Americans are unemployed and jeopardized by budget cuts in social programs, and

(4) that we should avoid creating welfare dependence in a group now viewed to have a strong work ethic.

Moreover, a program which gradually adjusted aliens to permanent resident status would ease the impact of welfare costs on all levels of government. State and local governments would have more leeway to plan for service delivery and to budget for additional costs.

OPTION 1:

Support S. 2222 as reported. Total 1983 - 1986 cost: $10.2 billion.

OPTION 2:

Maintain the Administration's Revised Position. Total 1983 - 1986 cost: $2.4 billion.

OPTION 3:

Seek a middle ground. Compromise possibilities include:

(a) Administration's Revised Position & Limited Benefits. Total 1983 - 1986 cost: $5.5 billion.

(b) A 1976 (or other) entry date for permanent residents and a four-year prospective temporary residency status with benefits for those who entered by 1981. This option would legalize a group of permanent residents immediately and offer benefits to temporary residents. Prospective four-year residency requirements delay adjustments to permanent resident status until FY 88. Total 1983 - 1986 cost: $5.1 billion.

(c) A 1982 entry date for temporary residents; limited benefits and 5 to 10 year prospective residency depending on welfare use. This option grants temporary resident status to all illegal aliens and would offer medicaid and SSI type benefits. Aliens who do not use welfare in the first 5 years could then adjust to permanent resident status. Total 1983 - 1986 cost: $1.2 billion.

DECISION:

1. Support S. 2222. Approve_____.

2. Maintain Administration's revised position. Approve_____.

3. Seek a middle ground. Approve _____.

APPENDICES

A. Comparison of Welfare Costs by Option

B. Explanation of Cost Calculation for S. 2222

C. Estimated Population Eligible for Legalization by Option

D. Terms of Legalization by Option

COMPARISON OF VARIOUS IMMIGRATION LEGISLATIVE PROPOSALS' WELFARE COSTS OVER PRESIDENT'S BUDGET
($ in millions)

	Proposal	FY 83			FY 84			FY 85			FY 86			Total 4 Year		
		Fed	State	Total	Fed	State	Total	Fed	State	Total	Fed	State	Total	Fed	State	Total
	Admin. Bill															
	High Est.	77	45	122	185	108	293	216	126	342	309	180	489	787	459	1,246
	Mid Est.	39	22	61	93	54	147	108	63	171	154	90	244	344	229	623
	Low Est.	10	5	15	23	14	37	27	16	43	39	22	61	98	57	155
(Senate)	Simpson/Mazzoli															
	High Est.	642	425	1,067	1,283	880	2,163	1,877	1,146	3,023	2,473	1,442	3,915	6,275	3,893	10,168
	Mid Est.	321	213	534	642	440	1,082	939	573	1,512	1,237	721	1,958	3,137	1,947	5,084
	Low Est.	80	53	133	160	110	270	235	143	378	309	180	489	784	487	1,271
(House)	Simpson/Mazzoli															
	High Est.	448	282	730	895	565	1,460	1,093	688	1,781	1,390	810	2,200	3,825	2,345	6,170
	Mid Est.	224	141	365	448	282	730	546	344	890	695	405	1,100	1,913	1,173	3,085
	Low Est.	56	35	91	112	71	183	137	86	223	174	101	275	478	293	771
	1978 Entry															
	High Est.	531	345	876	1,062	689	1,751	1,062	689	1,751	1,062	689	1,751	3,717	2,412	6,129
	Mid Est.	266	173	438	531	345	876	531	345	876	531	345	876	1,859	1,206	3,065
	Low Est.	66	43	110	133	86	219	133	86	219	133	86	219	465	301	766
	1977 Entry															
	High Est.	480	319	799	961	638	1,599	961	638	1,599	961	638	1,599	3,363	2,233	5,596
	Mid Est.	240	160	400	480	319	799	480	319	799	480	319	799	1,682	1,116	2,798
	Low Est.	60	40	100	120	80	200	120	80	200	120	80	200	420	379	699
	1976 Entry															
	High Est.	431	294	725	863	588	1,451	863	588	1,451	863	588	1,451	3,020	2,058	5,078
	Mid. Est.	216	147	363	432	294	726	432	294	726	432	294	726	1,510	1,029	2,539
	Low Est.	54	37	91	108	74	182	108	74	182	108	74	182	376	257	633
	Attorney Gen. Proposal/Benefits															
	High Est.	410	313	723	863	588	1,451	961	638	1,599	1,062	689	1,751	3,296	2,228	5,524
	Mid. Est.	205	157	361	432	294	726	480	319	799	531	345	876	1,648	1,114	2,762
	Low Est.	51	39	90	108	74	182	120	80	200	133	86	219	412	278	690

Proposal	FY 83 Fed	FY 83 State	FY 83 Total	FY 84 Fed	FY 84 State	FY 84 Total	FY 85 Fed	FY 85 State	FY 85 Total	FY 86 Fed	FY 86 State	FY 86 Total	Total 4 Year Fed	Total 4 Year State	Total 4 Year Total
Attorney Gen. Proposal															
High Est.	108	63	171	309	180	489	463	270	733	619	390	1,009	1,499	903	2,402
Mid Est.	54	31	85	155	90	245	232	135	367	310	195	505	750	451	1,201
Low Est.	14	7	21	39	23	61	58	34	92	77	49	126	187	113	300
New Option															
High Est.	120	82	202	240	164	404	240	164	404	240	164	404	840	574	1,414
Mid Est.	60	41	101	120	132	252	120	132	252	120	132	252	420	462	882
Low Est.	52	8	60	103	16	119	103	16	119	103	16	119	361	56	417

Appendix B

Estimated First Full Year Federal Costs*
Simpson-Mazzoli (Senate)

Federal Program	FACTORS: % Eligible	FACTORS: % Participating	Unit Cost	Total Federal Cost ($millions)
Status:	**Permanent Resident (1978) Entry**			
AFDC	39	87	$ 740	$241
Medicaid				
Adult	13	100	$ 570	73
Child	26	100	$ 280	69
SSI	4	100	$1,596	58
SSI	4	25	$2,374	22
Food Stamps	39	87	$ 480	156
			Subtotal	619
Status:	**Temporary Resident (1982) Entry**			
SSI	4	25	$2,374	65
Medicaid				
Adult	13	100	$ 570	218
Child	26	100	$ 280	206
SSI	4	100	$1,596	175
			Subtotal	663
			Grand Total	1,283

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* During the first year of legalization (assumed FY 1983) a 6-month cost is expected. The first full year cost would be incurred in FY 1984.

Costs assume 80% participation rate in legalization.

	Eligible Pop.	80% Participation
PR:	1,200,000	960,000
TR:	3,600,000	2,880,000

Appendix C

Population Estimates
Aliens Eligible for Legalization
(thousands)

Option	FY 83	FY 84	FY 85	FY 86
Simpson-Mazzoli (Senate)				
PR	1,200	1,200	3,000	4,800
TR	3,600	3,600	1,800	--
Simpson-Mazzoli (House)				
PR	1,200	1,200	1,950	2,700
TR	1,500	1,500	750	--
1978 Entry				
PR	1,200	1,200	1,200	1,200
TR	2,400	2,400	2,400	2,400
1977 Entry				
PR	900	900	900	900
TR	2,700	2,700	2,700	2,700
1976 Entry				
PR	600	600	600	600
TR	3,000	3,000	3,000	3,000
AG Proposal				
PR	420	600	900	1,200
TR	3,180	3,000	2,700	2,400
New Option				
PR	--	--	--	--
TR	4,800	4,000	4,800	4,800
Admin. Bill				
PR	300	360	420	600
TR	2,400	2,340	2,280	2,100

PR = Permanent resident status
TR = Temporary resident status

Appendix D

Terms of Legalization by Option

Simpson-Mazzoli (House) - 1978 entry date for permanent residents (PR) and 1980 entry date for temporary residents (TR). Two year residency requirement for TRs to adjust to PR status. Adjusts 1.2 million PR and 1.5 million TR in first year.

Simpson-Mazzoli (Senate) - 1978 entry date for PR and 1982 entry date for TR. Two year residency requirement for TRs to adjust to PR status. Adjusts 1.2 million PR and 3.6 million TR in first year.

1978 Entry Date - 1978 entry date for PR and 1981 entry date for TR with 4 year prospective residency requirement from date of enactment, for adjustment of status. Adjusts 1.2 million PR and 2.4 million TR in first year.

1977 Entry Date - 1977 entry date for PR and 1981 entry date for TR, with four year residency requirement for TRs to adjust to PR status. Adjusts 900,000 PR and 2,700,000 TR in first year.

1976 Entry Date - 1976 entry date for PR and 1981 entry date for TR, with four year residency requirement for TRs to adjust to PR status. Adjusts 600,000 PR and 3,000,000 TR in first year.

Attorney General's Proposal. 1981 entry date for TR with 8 year retroactive residency requirement for adjustment of status. Adjusts 420,000 PR and 3,180,000 TR in first year.

Attorney General's Proposal/Benefits. Same as above includes SSI and medicaid for TR.

New Option. 1982 entry date for TR, 10 year prospective residency requirement (shortened to 5 years if no claim for benefits), provides medicaid and SSI. Adjusts 4.8 million TR in first year.

Administration Bill. 1980 entry date for TR, 10 year retroactive residency requirement for adjustment of status. No benefits. Adjusts 300,000 PR and 2.4 million TR in first year.

THE WHITE HOUSE

WASHINGTON

June 25, 1982

MEMORANDUM FOR THE PRESIDENT

FROM THE CABINET COUNCIL ON LEGAL POLICY

SUBJECT: Worker Identification Provisions in Pending Immigration Reform Bill

ISSUE:

Whether the Administration should continue to support the Simpson-Mazzoli bill in light of its provisions dealing with workers' identification cards.

ACTION FORCING EVENT:

Senate floor action imminent on S.2222, the Simpson-Mazzoli Immigration bill.

BACKGROUND AND ANALYSIS:

The position adopted last year and specifically incorporated in the Administration's immigration reform bill with your approval was that a national identification card was neither necessary nor desirable. The principal basis of objection was that a national identification card or system (called by whatever name) was philosophically repugnant to the idea of a free society and contrary to American customs. In addition, several practical objections were raised: (1) that, short of nationalizing birth and death records, such a system would not be cost-beneficial; (2) that such a system could be discriminatory, because, as a practical matter, only those who looked or sounded "foreign" might be asked to produce identification cards; and (3) that various interest groups, ranging from the ACLU to the NRA, would voice the strongest possible opposition.

The Administration recognized, however, that given employer sanctions, employers need a means of distinguishing illegal aliens from persons authorized to work.

The full Senate Judiciary Committee and a House Judiciary subcommittee believe that the Administration's provisions for worker identification were not sufficient. The relevant language of the latest Senate version is as follows:

> "Within three years...the President shall implement such changes in or additions to the (existing documents) as may be necessary to establish a secure system to determine employment eligibility....the system will reliably determine that a person with the

> identity claimed...is not claiming the identity of another individual...such document must be in a form which is resistant to counterfiting and tampering,...unless the President and the Judiciary Committees of the Congress have determined that such form is unnecessary to the reliability of the system."

There are opposing views on the meaning of this language.

Justice, State, Labor, and Agriculture believe that this language will not require creation of a national ID card or process. In their view the statutory language leaves discretion in the Administration to determine whether and what changes to existing documents may be appropriate. Moreover, they believe that the language is likely the best that can be achieved in view of Congressional opinion that the language is already weak and that existing ID's need to be invigorated. OMB, Interior, and the Office of Policy Development believe that the language would set the nation on a path toward the establishment of a national ID system.

OPTION 1:

Oppose S.2222 unless amended to eliminate all requirements leading to a national identity card or system.

OPTION 2:

Continue to support S.2222 generally, while seeking to modify the language leading toward a national identification card. (Indicates probability of signing even if sufficient changes are not made in the language.)

DECISION:

1. Oppose S.2222 unless amended as above. Approve _____

2. Continue efforts to change the language, but support S.2222 even if those efforts fail. Approve _____

THE WHITE HOUSE

WASHINGTON

June 28, 1982

MEMORANDUM FOR THE PRESIDENT

FROM: CABINET COUNCIL ON LEGAL POLICY

SUBJECT: The Federal Antitrust Laws and Local Governments

ISSUE:

In Community Communications Co., Inc. v. City of Boulder, the Supreme Court recently held that a regulatory ordinance of a "home rule" municipality is subject to antitrust scrutiny unless it constitutes action in furtherance or implementation of a clearly articulated and affirmatively expressed state policy. This decision raises concerns that traditional local regulatory activities may be invalidated by federal antitrust laws. The question arises whether the federal antitrust laws should be amended to afford municipalities and other subordinate state entities a broad exemption beyond that afforded them by the "state action" doctrine.

ACTION FORCING EVENT:

Assistant Attorney General Baxter is scheduled to testify before the Senate Judiciary Committee on the implication of the Supreme Court's Boulder decision on June 30, 1982.

BACKGROUND AND ANLYSIS:

Under the "state action" doctrine, competitive restraints imposed by a state as sovereign are immune from the federal antitrust laws, if the state has clearly articulated and affirmatively expressed a policy to limit competition and has provided for active state supervision. Municipalities may be eligible for such a state action exemption where the state has authorized or directed their conduct pursuant to such a state policy. The Supreme Court held in its 1978 City of Lafayette decision that municipalities are not equated with states for this purpose, however, and may not claim a state action exemption in the absence of a state policy to limit competition. The Court's recent Boulder decision established that home-rule municipalities are not exempt from that standard and, like other municipalities, must base any claim for state action immunity on a clearly expressed and actively supervised state policy.

Local government officials have expressed serious concerns that fear of antitrust treble damage liability could inhibit the performance of legitimate governmental functions. They fear that the City of Lafayette and Boulder rulings could require state legislatures to prescribe municipal policy in detail in order to avoid antitrust liability. Thus, the National League of Cities proposes that the antitrust laws be amended to exempt the actions of a municipality or other governmental subdivision of a state from the antitrust laws whenever a state would be exempt so long as the action is undertaken pursuant to general or specific enabling legislation.

State officials, on the other hand, generally oppose granting subordinate governmental entities antitrust immunity in the absence of a state policy to limit competition. Twenty-three states, including Colorado, filed an amicus brief in the Boulder case opposing the city's claim of immunity, arguing that "[fe]deralism neither requires nor allows cities, whether home rule or otherwise, to disregard the antitrust laws when acting on their own in the execution of municipal policies to displace competition."

Although the concerns of local governments are serious ones, it is not clear that the Boulder decision is so sweeping as to justify Administration support for an amendment to the antitrust laws providing a special antitrust exemption beyond the scope of the state action exemption. It is important to note that the Supreme Court did not hold in Boulder or City of Lafayette that the city had violated the antitrust laws. The Court emphasized in Boulder that it was dealing only with antitrust immunity, and specifically suggested that a "flexible" approach to the question of actual liability would probably be appropriate. The Court also emphasized, as the plurality had in City of Lafayette, that it was not reaching the question of what remedies might be appropriate if municipal conduct were found to constitute an antitrust violation. Finally, the Court repeated in Boulder the standard articulated by the plurality in City of Lafayette, which requires only that anticompetitive municipal conduct be "authorized or directed" by the state to qualify for state action immunity. The plurality in City of Lafayette explained that its holding did not mean that a city "necessarily must be able to point to a specific, detailed legislative authorization" before it may assert a state action exemption.

Thus, it is not clear that the antitrust laws as interpreted in Boulder and City of Lafayette pose a serious threat to local governmental activities. Although those decisions require municipalities to obey the antitrust laws if the state has not authorized or directed a competitive restraint, traditional municipal activities should rarely be held illegal under proper antitrust analysis even in the absence of immunity. The antitrust laws are directed primarily at restraints on commercial competition through anticompetitive agreements or monopolizing

conduct. The normal conduct of municipal affairs gives rise to few, if any, occasions to engage, knowingly or unknowingly, in such conduct.

There are a somewhat larger number of contexts in which a city, acting as a purchaser or as a provider of municipal services, might arguably violate one of the "vertical" prohibitions which the courts have created over the years. But, "vertical" agreements involving, for example, buyer and seller, licensor and licensee, or franchisor and franchisee, often enhance the vigor of the competitive process and should not be held illegal absent an overall anticompetitive effect in a realistically-defined market. Misguided court decisions with respect to vertical practices represent a major problem for all business units, not just municipalities. The Department of Justice has been attempting, in a variety of ways, to address that problem other than through legislation. If a legislative approach is thought desirable, it should take the form of substantitve antitrust amendments, not exemptions for a favored class of potential defendants.

The cities' argument that, as a matter of law and policy, municipalities ought to be treated like states for purposes of antitrust liability, is one that the Administration may want to address, but legislation to clarify the scope of the Boulder decision should be carefully crafted not to sweep too broadly. No specific bills are currently pending for comment.

OPTION 1:

The Administration could endorse legislation to afford municipalities an exemption beyond that afforded by the state action doctrine. The National League of Cities' approach would effectively equate municipalities and states, where municipalities act within the scope of their enabling legislation. Other approaches could be tailored more specifically to perceived problems.

OPTION 2:

The Administration could indicate that, while it is sympathetic to the concerns of the cities and will continue to monitor the situation, legislation at this time is premature. Municipalities would be free to advocate state legislation affording them a state action exemption for any activity raising antitrust concerns.

OPTION 3:

The Administration could indicate that it is continuing to study the problem. The hearings on June 30 will not focus on specific legislation, and congressional staff members indicate that further hearings on specific proposals are likely later this summer.

DECISION:

Option 1. (Endorse legislation now.)

APPROVE _____

Option 2. (Continue to monitor; meanwhile encourage state legislation.)

APPROVE _____

Option 3. (Continue to study.)

APPROVE _____

The President's Crime Legislative Package.

The acquittal of John Hinckley by reason of insanity this week has once again, in dramatic fashion, focused public attention on the basic infirmities of the federal criminal justice system. Commentary by the press, psychiatric experts and the jurors themselves uniformily has been that the instructions given by the judge, which reflected federal law, left the jury no choice but to acquit Hinckley. The problem with the insanity defense, as with many other aspects of the federal criminal justice system, lies with existing federal statutes and judicial interpretations, extensive changes to which can be made only by Congress.

On May 24, the Cabinet Council on Legal Policy discussed the Administration crime package, which was introduced two days later as the Violent Crime and Drug Enforcement Improvements Act, S. 2572 (Thurmond, Biden), and H.R. 6497 (McClory). The major elements of these identical bills include:

- Bail Reform, to authorize pretrial detention of dangerous criminals, and allow consideration of dangerousness in setting release conditions.
- Sentencing Reform, to replace the parole system with a nationally uniform set of determinate sentences, and permit the government to appeal lenient sentences.
- Insanity, to eliminate insanity as a defense for offenders who have the requisite state of mind to commit an offense, make other mental conditions factors to be considered in sentencing, and provide for federal custody of persons acquitted by reason of insanity if the states will not assume responsibility.
- Criminal Forfeiture, to improve the ability of the government to reach proceeds and instrumentalities of organized crime operations.
- Witness/Victims Protection, to restrain and provide criminal penalties for acts of intimidation, aid witness relocation, and establish liability for government gross negligence resulting in the release or escape of a dangerous prisoner.
- Controlled Substances, to increase penalties for drug trafficking.

This bill excluded certain, more controversial, proposals in order to achieve bipartisan Senate support. On May 24 we discussed, and later that week the President publicly endorsed adding three important reforms by amendment on the Senate floor. These reforms are:

- Exclusionary Rule, to admit at trial evidence obtained in violation of the defendant's Fourth Amendment rights if the search or seizure was made by the law enforcement official in good faith, including made pursuant to a warrant.

- Capital Punishment, to establish constitutionally supportable procedures to reinstitute a federal death penalty and apply it to murder, treason, espionage and attempted Presidential assassination.
- Habeas Corpus Reform, to limit the ability of prisoners to repeatedly challenge the correctness of their convictions.

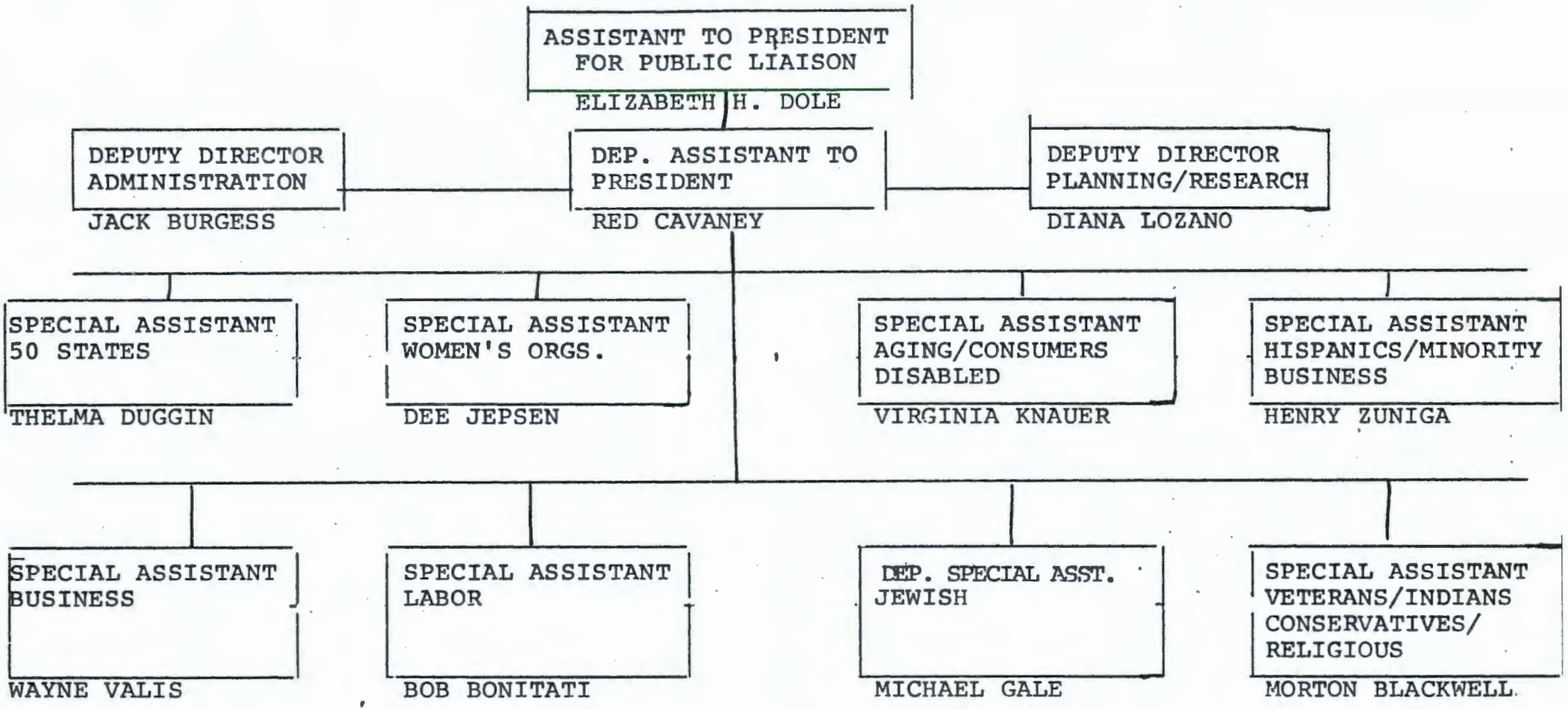
S. 2572, now cosponsored by 52 senators, has been held at the desk, and could be brought up for consideration at any time. In contrast, Chairman Rodino has referred H.R. 6497 to four different subcommittees with the apparent intention of not moving the legislation. Only the title on controlled substances has been referred to a friendly subcommittee chaired by Rep. Hughes. Bail reform is in Rep. Kastenmeier's subcommittee and the rest of the proposals are in Rep. Conyers' subcommittee, the unofficial graveyard for crime bills.

At this late stage in the session, all of our hopes for significant crime legislation are wrapped up in these bills. With the possible exception of bail reform, there is next to no chance for passage of existing separate legislation containing these proposals. No action has been taken on any bill to eliminate or modify the insanity defense, although more bills have been introduced in the wake of the Hinckley verdict.

While it would be impolitic for the President to comment publicly on the need to eliminate the insanity defense, the other proposals clearly are appropriate for Presidential attention. We should take advantage of the coalescing of public concern over the fundamental inadequacies of the nation's criminal justice system to press vigorously for the enactment of the Violent Crime and Drug Enforcement Improvements Act. This public awareness may be sufficient to obtain action by the House. If the House does not act in the wake of the current public uproar, such inaction would certainly create a very important debate for the fall elections. Such a lack of responsiveness to the public's concern over crime and justice by the current Democrat-controlled House of Representatives would constitute an issue that could be exploited by Republican candidates.

Therefore, we recommend that the President meet with Senators Baker and Thurmond to assure that the crime package is one of the first bills considered by the Senate when it returns from its July recess. He also should emphasize his desire that the Senate amend the bill on the floor to add the exclusionary rule, death penalty, and habeas corpus proposals. The President should meet with Speaker O'Neill, Chairman Rodino and the ranking Judiciary Committee Republicans to emphasize the effort that the Administration is prepared to make to obtain consideration of this bill by the House of Representatives. We further recommend that either this Cabinet Council, or a sub-group thereof be charged with monitoring the progress of this anti-crime package and making recommendations for White House and Departmental actions to secure its passage.

OFFICE OF PUBLIC LIAISON



JOB DESCRIPTION

Deputy Director, Planning and Research

Serve as key research and issue resource for EHD.

* To handle "in-depth" research and strategy development for issue side of major OPL priorities, i.e., women's issues, FY '84 budget, entitlements/social security, etc.

* To handle "special projects" as detailed directly by EHD.

Serve as recorder for Coordinating Council on Women.

Maintain OPL Issue Book

* Task Portfolio Managers to provide both initial "Talking Points" and periodic issue updating, as appropriate.

* Utilize "Talking Points" format except when such format is virtually impossible (Note: Baroody format of Talking Points is excellent guide).

get this

* Master to be maintained in OEOB with copy to EHD.

Develop OPL Communications Plan

* Supervise Communications Director in the exercise of assigned tasks and implementation of communication plan.

Provide weekly "look-ahead" of key action items gleaned from the following:

* Congressional Monitor

* OCA Cabinet Council Schedule

* OCA Weekly Scheduled Activities Report.

Compile Big Three Report.

Review and distribute all OPL mail

submit final copy for EHD sig.

* Submit itmes warranting accountability to Deputy Director, Administration, for entrance into tracking system.

Monitor and advise recommended attendee for each Cabinet Council session.

* Circulate each Cabinet Council agenda to EHD, RC and other interested parties.

* Circulate minutes as above.

Maintain a log of Senior Staff guidance memos and line of the day.

JOB DESCRIPTION

Deputy Director, Administration

Supervise and coordinate the process, distribution and recommended action involving all White House, OPD, OCA staffing memoranda. Requires:

* Liaison with Deputy Director, Planning and Research and appropriate portfolio managers.
* Early "red flag" to Deputy Assistant on controversial subjects.
* Maintenance of staffing memoranda tickler.
* Maintenance of file copies with raw input data.
* Forwarding of recommended response (in final) for EHD's signature.

Maintain OPL tickler of key action items, correspondence, and Presidential and Vice Presidential events for which we are responsible.

* Action item input by EHD, RC, JB and DL.
* Correspondence to be watched will be forwarded by BT and RC.

Handle all liaison and contact with the Office of Administration and GSA regarding OPL personnel and office support.

Compile and submit package of OPL weekly portfolio reports to EHD.

Compile weekly portfolio manager forecasts.

Supervise preparation of Presidential and Vice Presidential briefing papers.

Complete scheduling follow-up report. Daily to Sadlier - required for EHD

Develop and administer OPL key leaders phone call log.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

SEPTEMBER 16, 1982

FOR: ALL WHITE HOUSE AND EOB STAFF

FROM: MICHAEL EVANS
WHITE HOUSE PHOTO OFFICE

M.E

SUBJECT: VIEWING PRESIDENTIAL CONTACT SHEETS

The White House Photo Office is becoming increasingly congested with staff members and visitors who are looking at contact sheet books. Because the photographs need access to their desks, equipment and supplies as well as some freedom of movement, it is necessary that we once again remind everyone that viewing of contact sheets MUST be done in Room 473 OEOB. In addition to having a full set of contact books and extra viewers, there is more space and comfort for viewing.

This policy will be strictly enforced. To avoid wasting your time, please call Room 473 (6505) before your arrival to make certain that someone is available to assist you.

OPL memos

THE WHITE HOUSE

WASHINGTON

September 20, 1982

MEMORANDUM FOR MORTON C. BLACKWELL

FROM: BECKY NORTON DUNLOP

SUBJECT: OPIC EVENT - TODAY

Only persons with some connection to OPIC were to be invited. I regret that this information was not made known to you. We did contact your staff in our follow-up.

In general, so this unfortunate circumstance does not occur again, I want to let you know that the few events this office handles are always limited to supporters of the President's with some involvement in the issue being highlighted. We never have to find bodies to fill space--we always have plenty of people to draw from.

As you have gathered, I, of course, would not ask you to un-invite people as that would only damage the President--but I do welcome the opportunity to clarify the manner in which our office handles Presidential events.

As a final note, I would add that all invitee lists are to be cleared by our office before invitations are issued--thus further assuring that awkward circumstances do not arise.

Many thanks.

cc:
Red Cavaney

OPL memos

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

TO: MORTON

RE: Staff events

Every Friday 9 AM Meeting with Elizabeth and portfolio managers

Every week - we can submit to Elizabeth a list of names of our key people we would like for her to call

In our weekly reports, we need to show that our meetings are accomplishing "coalition building"

Whenever you make a speech outside of our complex, we need to submit the speech in advance for clearance.
If you use a "canned" speech, we only have to submit it once.

Lou Gehrig will distribute speech to our constituent groups.

1 copy of speech to Red, 1 to Meese and 1 to Baker

Also, remember Lou Gehrig will use some of our meetings with constituent groups to submit to press for publicity - so we should be thinking of this.

For next Monday, June 15th, we need a list of groups and events

WHERE OUR IMPUT HAS MADE THE DIFFERENCE

For this afternoon, June 9 - I need names of people from out of town who are coming to the WH reception on Thursday night who we would like to schedule to see Elizabeth for a short meeting on Thursday - June 11and Friday - June 12

THE WHITE HOUSE

WASHINGTON

August 30, 1982

MEMORANDUM FOR: WHITE HOUSE AND EOP STAFF

FROM: JOHN F. W. ROGERS
DEPUTY ASSISTANT TO THE PRESIDENT
FOR MANAGEMENT

SUBJECT: REVISED WEST WING TOUR POLICY

The West Wing of the White House is a restricted area with limited access. Due to the inordinate number of tours and the need to maintain security, the policy regarding West Wing tours has been revised as follows:

- Tours of the West Wing are only permitted after 6:00 p.m., Monday through Friday, weekends and Federal holidays. (Please note tours will be stopped any time the President or Vice President are in the area.)

- During business hours guests meeting with staff members that have offices in the West Wing must be escorted to and from their appointment. (No tours are to be given from 7:00 a.m. to 6:00 p.m.)

- Staff members escorting guests to the morning White House tour must walk outside to the North Grounds through the outside kitchen area to the East Wing entrance by the Family Theater. Staff members will not be permitted to escort guests through the West Wing to join the tour. (See attached diagram)

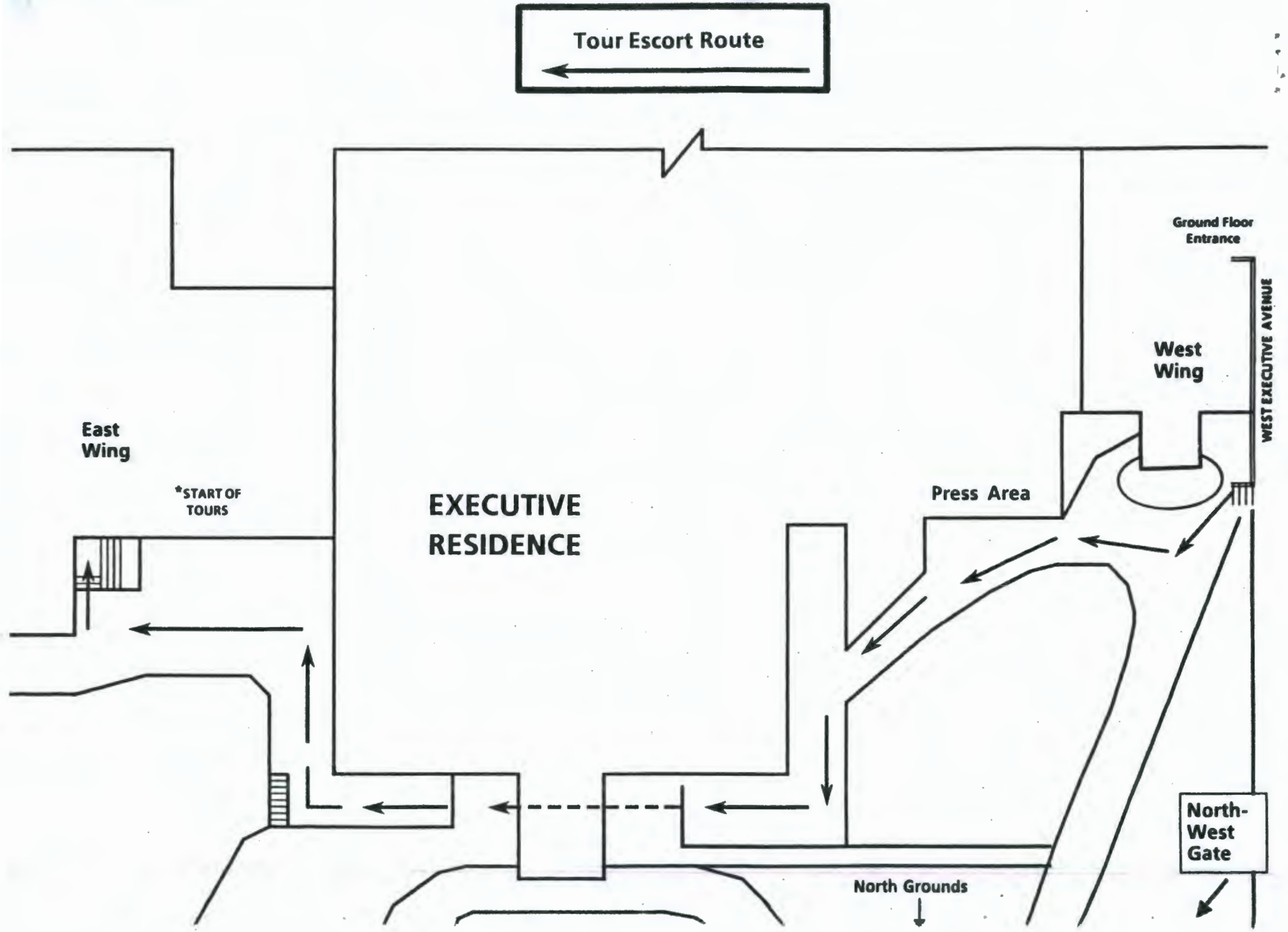
- During the evening tours the Oval Office, Cabinet Room, Vice President's office and senior staff offices may be viewed from outside the room, behind the ropes.

- Staff members should be extremely circumspect in the selection of individuals for tours. (Guests should be limited to relatives and close personal friends in small groups.)

- The staff member who conducts the tour of the West Wing is responsible for the conduct and demeanor of their guests.

The Uniform Division has been instructed to immediately enforce this policy. Therefore, to avoid embarrassment to anyone and suspension of individual tour privileges, please adhere to the guidelines set forth in this memo.

Any questions regarding this policy should be directed to my office.


Tour Escort Route
Ground Floor Entrance
WEST EXECUTIVE AVENUE
West Wing
East Wing
*START OF TOURS
EXECUTIVE RESIDENCE
Press Area
North-West Gate
North Grounds

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THE WHITE HOUSE

WASHINGTON

August 20, 1982

MEMORANDUM FOR WHITE HOUSE STAFF

FROM: RICHARD G. DARMAN

SUBJECT: Guidelines for Special Presidential Messages

Attached for your information and use are Guidelines for Presidential Messages.

The guidelines note what messages and letters may be sent out over the President's signature to recognize various special occasions, events, and circumstances.

Presidential messages are handled either in the Office of Special Presidential Messages (SPM) or the Office of White House Correspondence (WHC). The guidelines also note the types of messages and letters for which each of these offices is responsible.

Dodie Livingston, Special Assistant to the President, is Director of the Office of Special Presidential Messages (SPM). She can be reached at x2941, Room 480-OEOB.

Anne Higgins, Special Assistant to the President, is Director of the Office of White House Correspondence (WHC). She can be reached at x7610, Room 94-OEOB.

If you have questions, please call their offices.

August 1982

GUIDELINES FOR SPECIAL PRESIDENTIAL MESSAGES

It is traditional that Presidential Messages be issued over the President's signature to recognize various special occasions, events, and circumstances.

These Guidelines reflect traditional practices dating back through several previous Administrations as well as new program initiatives undertaken by the Reagan Administration. Their purpose is to clarify what messages may be authorized, to assure there is no unnecessary duplication of effort, and to maintain proper standards for messages. As in all matters involving the use of the President's name, no message should be promised before it has been approved.

Two White House offices -- the Office of Special Presidential Messages (SPM) and the Office of White House Correspondence (WHC) -- have operational responsibility for the issuance of Presidential Messages.

In most instances, the Office of Special Presidential Messages (SPM) handles messages for public events while the Office of White House Correspondence (WHC) handles messages for individuals. However, for your convenience, the acronyms (SPM) and (WHC) will identify which office processes the messages explained in the categories that follow:

1. MESSAGES OVER THE PRESIDENT'S SIGNATURE USUALLY WILL BE LIMITED TO:

   a. Major national conventions, annual meetings, or events of significant national organizations. These include fraternal, religious, trade, ethnic, historical, military, educational, and other groups. Local, state, or regional branches or chapters of these organizations normally do not qualify. (SPM)

   b. Commemorative events. Certain annual observances that are not accorded Proclamations are recognized with a Presidential Message. These observances must be on a national scale. They include Black History Month; Crime Prevention, Brotherhood, Library, and Secretaries Weeks; and Lincoln's Birthday, St. Patrick's Day, etc. (SPM)

   c. Political/Congressional events. These are handled case by case in accord with guidelines jointly applied by the Office of Legislative Affairs, the Office of Political Affairs, and the Office of Special Presidential Messages. (SPM)

d. Tributes to outstanding national figures. (SPM)

e. Local testimonials when specifically authorized by the President. (SPM)

f. Significant anniversaries of non-profit service organizations and institutions. (SPM)

g. Charitable or fundraising events -- only as follows: The President recognizes certain major fundraising organizations such as the American Red Cross, Cancer Association, etc., at their annual dinners or conventions. Unless the President or Mrs. Reagan or both have specifically endorsed an event, the Office of the President is not to be associated with a specific fundraising event. There is a limited exception to this stringent rule: In certain instances, when an event is consistent with the President's Private Sector Initiatives program, messages may be issued for fundraisers if cleared by the Director of Special Presidential Messages and the Special Assistant to the President for Private Sector Initiatives. (SPM)

h. Autographed pictures: Available in connection with White House business. (WHC)

i. Bar/Bath Mitzvahs, ordinations, confirmations, baptisms, etc.: Routine requests receive general religious card. Important members of Congress, White House staff, friends of the White House receive special letters. (WHC)

j. Birthdays: 100 years and over, form letter; 80-99 years, card; members of Congress, form letter; White House staff, members of Cabinet, more important members of Congress, national celebrities, special letter. (WHC)

k. Birth of baby: Routine requests, card; members of Congress, friends of the White House, White House staff, special letter. (WHC)

l. Church, synagogue anniversaries: 50 years and over, form letter; less than 50, general religious occasion card. (WHC)

m. City, town, county anniversaries: 50 years or more for large cities, form letter; centennials or more of large cities, form letter; centennials or more of small towns, cities, or counties, form letter. (WHC)

n. Condolence cards and letters: Routine requests, card; friends of the President, firemen killed in the line of duty, etc., special letter. (WHC)

o. Human interest: Special letters to those deserving of special attention on an individual basis. (WHC)

p. Newspaper anniversaries: 50 years or more, form letter. (WHC)

q. Radio station anniversaries: 50 years or more, form letter. (WHC)

r. Religious anniversaries (nuns, ministers, rabbis, etc.): 35 years or more, form letter. (WHC)

s. Religious retirements: 50 years or more, form letter. (WHC)

t. Retirements: 35 years or more, form letter; under 35 years, card; special letters to White House employees, Congressional requests, Uniformed Division of Secret Service, volunteers, etc. (WHC)

u. Scouting awards: Cards designating specific award. (WHC)

v. Wedding anniversaries: 60 years or more, form letter, 50 years or more, card; special letters to members of Congress, friends of the White House, etc. (WHC)

2. THE FOLLOWING GENERALLY WILL NOT QUALIFY FOR MESSAGES

a. Events of a commercial nature or events sponsored by a profit-making organization.

b. Local testimonials (unless the individual is known by the President).

c. Tributes to members of the Judiciary (other than standard letters on retirement or assumption of "senior status").

d. Tributes to military personnel.

e. Individuals or groups travelling abroad in an unofficial capacity or those who are not specifically authorized to speak for the President -- except as may be specifically approved by the National Security Adviser.

f. Events sponsored by licensing bodies or local authorities.

g. Ceremonies conferring honorary degrees.

h. Presentation ceremonies, tributes, or awards to U.S. citizens by foreign governments or their consular services.

3. APPEAL PROCESS: If a staff member believes that an event or person not qualifying under these policies should receive a message with the President's signature, he or she should

consult with the Office of Special Presidential Messages or the Office of White House Correspondence -- whichever is applicable -- on the question. If not satisfied, he should pursue his inquiry through appropriate Senior Staff channels.

4. TIMING: Message requests should reach either the Office of Special Presidential Messages or the Office of White House Correspondence at least ten days ahead of the due date to allow time for research, preparation, and clearances. The staffs of both offices do their best to accommodate emergencies but cannot always guarantee delivery of messages to distant points without sufficient notice. When in doubt about timing, please consult the appropriate office.

5. SUGGESTIONS: The Office of Special Presidential Messages and the Office of White House Correspondence welcome background information and/or suggestions on the content and tone of messages when staff members have particular insights or information on the subject.

THE WHITE HOUSE

WASHINGTON

December 1, 1982

MEMORANDUM FOR: WHITE HOUSE AND OEOB STAFF

FROM: JOHN F. W. ROGERS
DEPUTY ASSISTANT TO THE PRESIDENT
FOR MANAGEMENT

SUBJECT: PARKING POLICY

The following is the revised White House parking policy. These changes are effective immediately and supercede all previous policies and agreements.

-- In order to be authorized to park in any of the designated areas, you must fill out an application; have it approved by your administrative contact, and forwarded to this office. Applications are available from the administrative contact.

-- The White House is not responsible for damage to your automobile. Drivers should be aware that occasionally there is vandalism, theft, and damage to vehicles in these areas.

-- Your current monthly parking permit must be visible (attached to your rear view mirror) to the Uniformed Officers, with the designation facing outward.

-- When you arrive, pull up to the next available space so that the maximum number of cars may be parked.

-- West Executive Avenue spaces will be restricted to "W" permit holders until 6:00 p.m., Monday through Friday.

-- West Executive Avenue appointment spaces will be used for guests of senior staff in the West Wing and may be requested through your administrative contact, then arranged through this office only (Ext. 2717).

-- South Court is used for vans, motorcycles, service and official vehicles with "I" permits only.

-- Drivers of unassigned official cars are to remain with the car at all times, and use only the center lane of West Executive Avenue while waiting.

-- Restricted parking permits are available for those employees who work after 2PM, Monday through Friday, and leave work before 7AM. These permits are renewed every 6 months in December and June through the administrative contacts.

-- All parking inquiries must go through the authorized Administrative contact.

-- Permits will be revoked if used by individuals other than those assigned.

-- Any permit holders may park on the Ellipse if the assigned area is full when they arrive.

-- There is a special reserved section on East Executive Avenue. You may park in this area only if you have been authorized to do so.

-- The west half of the Ellipse circle is reserved for compact vehicles and the east half for large vehicles. Please note this restriction does not include the doglegs.

-- The first 10 spaces on Jackson Place are reserved for the press.

-- For those female employees who are required to work after dark, an escort system has been established whereby a Uniform Division (USSS) officer will escort the female employee to her automobile if parked outside the confines of the White House complex. Call the Watch Commander, Uniform Division - 395-4366.

-- The White House is not responsible for the payment of any traffic or parking tickets. It is your personal responsibility to comply with all White House and District of Columbia regulations.

-- Because of the limited number of available parking spaces, we will be unable to issue permits over the assigned allotments. Please advise this office, in writing, of any changes, additions or deletions.

Thank you for your cooperation. If you should have any pertinent questions, please do not hesitate to call Theresa Elmore or Linda Hoyt, Ext. 2717.