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WITHDRAWAL SHEET

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NAKASONE TO REAGAN

The above documents were not referred for declassification review at time of processing

Freedom of Information Act - [5 U.S.C. 552(b)]

95576 LETTER

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]

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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]

THE WHITE HOUSE

WASHINGTON

June 16, 1988 DATE:

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NOTE FOR:

KEN DUBERSTEIN COLIN POWELL PHILLIP BRADY

The President has

seen	
acted upon	Ď
commented upon	

the attached; and it is forwarded to you for your:

information		Ě
action		

Rhett Dawson (x-2702)

cc: Senator Baker Original to files

Ferdinand Marcos Proposed Indictment

The President has seen

06/16/8X

THE WHITE HOUSE

WASHINGTON

June 16, 1988

ACTION/INFORMATION

MEMORANDUM FOR THE PRESIDENT

THROUGH: KENNETH M. DUBERSTEIN Land DEPUTY CHIEF OF STAFF FROM: PHILLIP D. BRAD

DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: Ferdinand Marcos -- Proposed Indictment

I. BACKGROUND: The United States Attorney for the Southern District of New York (Rudolph Giuliani) has proposed to the Justice Department that Ferdinand and Imelda Marcos be indicted for certain acts committed in the Philippines and later in the United States. Generally, the indictment would focus on the Marcoses' use of money allegedly acquired by bribes, kickbacks, extortions and thefts in the Philippines to purchase property in New York City. The press has reported that such an indictment has been recommended and that it is currently being considered by the Justice Department. See, e.g., Washington Times, "Marcos Racketeering Indictment Drafted," copy attached at Tab A.

The Criminal Division at Justice has been meeting with the National Security Council Staff, the State Department, the Defense Department, the Central Intelligence Agency, the Defense Intelligence Agency, and the National Security Agency to identify and evaluate possible weaknesses in the case, intelligence concerns, and general foreign policy considerations. A formal interagency meeting will also be convened to discuss these matters. Once this process has been completed, it is currently contemplated that any recommendation to proceed with an indictment will be presented to you for approval. If such a recommendation is forthcoming, it could occur in early July.

- II. ACTION: President Marcos has written you, through his attorneys and Ken Duberstein, and asked that you not let the indictment occur. A copy of this correspondence is attached at Tab B.
- III. RECOMMENDATION: In our view it would be premature for you to act on this matter or respond to Marcos at this time.
- IV. DECISION:

Attachments

.

,

cc: Colin L. Powell

Α

A

Marcos racketeering indictment drafted

By Michael Hedges THE WASHINGTON TIMES

U.S. Attorney Rudolph W. Giuliani in New York has sent a "first draft" of a proposed indictment of former Philippine President Ferdinand E. Marcos to the Justice Department for approval, according to a federal law-enforcement official.

Mr. Giuliani is seeking to prosecute the exiled leader on racketeering charges, said the official, who asked not to be identified,

But the proposed indictment "needs some work" and will probably not be issued any time soon, the official said.

The indictment would charge Mr. Marcos with illegally acquiring hundreds of millions of dollars' worth of New York real estate, jewelry and art objects with Philippine government money, the official said.

The tentative document alleges Mr. Marcos fraudulently attempted to transfer ownership of the property to Saudi billionaire Adnan Khashoggi.

Additional information about the indictment was not available.

Leone Tan, an aide to Mr. Marcos

in Honolulu, declined to comment on the allegations. He referred comments to the former president's Washington attorney Richard A. Hibey.

Mr. Hibey could not be reached yesterday.

Reports of the grand jury investigation into Mr. Marcos' profligate spending in New York have surfaced repeatedly in recent months.

The New York investigation reportedly has focused on the purchase by Mr. Marcos of four Manhattan office buildings, worth an estimated third of a billion dollars, in 1986.

The buildings were bought for Mr. Marcos by New York real estate agents through foreign corporations in the British Virgin Islands, Pan-

see MARCOS, page A8

MARCOS

ama and the Netherland Antilles to shield him from New York tax laws, according to the congressional testimony of one agent.

The Philippine government has filed statements charging that Mr. Marcos used government money to buy the property and conspired to portray Mr. Khashoggi as the owner.

In a separate civil suit, the government of Philippine President Corazon Aquino is attempting to recover the property, claiming it is rightfully owned by the Filipino people.

The Philippine lawsuit claims the money used to purchase the property was originally drawn from a Philippine bank controlled by Marcos associate Roberto S. Benedicto, then transferred to a California bank, then to a Swiss bank, then to New York.

In that suit, filed in California, the Philippine government claims Mr. Benedicto and Mr. Marcos violated several federal laws, committing mail and wire fraud and interstate transportation of stolen property.

The New York grand jury also has reportedly heard testimony about the notorious spending sprees of Imelda Marcos in New York.

It was not clear whether those expenditures would result in charges, federal law enforcement officials said yesterday.

The Marcoses were deposed in February 1986 in the wake of a political uprising that followed an election which was widely perceived to have been rigged by Marcos forces.

Mr. Marcos is 70, and there have been reports that his health has been failing. But Philippine officials have maintained that it is important to pursue criminal and civil actions against the couple in the hopes of eventually retreiving part of the vast fortune they are alleged to have looted from the nation's treasury. B

ANDERSON, HIBEY, NAUHEIM & BLAIR

1708 New HAMPSHIRE AVENUE, N. W.

WASHINGTON, D. C. 20009

(202) 483-1900

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS ATTORNEY'S DIRECT DIAL NUMBER TELEX: 248929 AHNB UR TELECOPIER: (202) 483-7462

June 15, 1988

BY HAND

The Honorable Kenneth M. Duberstein Chief of Staff The White House 1600 Pennsylvania Avenue, N.W. Washington, D.C. 20500

Dear Ken:

Enclosed is a personal letter from my client, Ferdinand Marcos, addressed to the President. Enclosed also is a xerox copy of the Marcos letter so you can be aware of the content.

President Marcos is anxious for the President to personally review this letter, which under the circumstances seems entirely appropriate.

Sincerel vours Stanton D. Anderson

SDA/rmr Enclosure

FERDINAND E. MARCOS

9 June, 1988

The President The White House Washington, D.C.

Dear Mr. President:

My lawyers have advised me that federal prosecutors in New York intend imminently to indict Imelda and me for federal crimes they said we committed both when we were in the Philippines and after we were brought to the United States.

I fear that the desire of some government officials to take this action against us very quickly might impair serious consideration of policy issues that will be affected by our indictment. The broad spectrum of these issues have been spelled out by my attorneys who have sent a memorandum of key reasons why we should not be indicted to some of your top aides in the White House, including your Chief of Staff and National Security Advisor. I have read their submission which identifies policy concerns impacting various departments and agencies of the United States, that arise out of the in-In addition, my lawyers have offered an analysis dictment. of certain legal issues regarding evidence the prosecutors said they have about us since we came to the United States at your invitation. The memorandum also talks about both Imelda's and my health and the effect of an indictment on us.

I expect that eventually the decision whether to charge my wife and me in an American court with criminal conduct will be for you to take. I hope you will see fit not to let this happen. My disputes are with the Philippines. I hope you understand that it is with my country and its government that our differences can be resolved. Indeed, we have been about the business of exploring settlement of our differences for sometime. That effort is continuing.

Imelda and I are grateful to you for the hospitality you extended to us more than two years ago. As the years have passed, our life in the United States has been safe, thanks to you, but our hearts are heavy with the burden of exile and separation from our homeland and our loved ones. We pray that once more you will be merciful to us.

God bless you.

Warcon FERDINAND E. MARCOS

Historical File

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DEPARTMENT OF STATE EXECUTIVE SECRETARIAT TRANSMITTAL FORM

S/S 8814449

Date May 9, 1988

FOR: Mr. Paul Schott Stevens Executive Secretary National Security Council The White House

REFERENCE:

To: President Reagan

From: Mr. Victor A. Nepomuceno

Date: April 19, 1988

Subject: Marshall Plan type Scheme

WH Referral Dated: May 5, 1988 NSC ID# (if any): 568166

The attached item was sent directly to the Department of State.

ACTION TAKEN:

A draft reply is attached.

A draft reply will be forwarded.

A translation is attached.

X An information copy of a direct reply is attached.

We believe no response is necessary for the reason cited below.

____ The Department of State has no objection to the proposed travel.

Other (see remarks).

REMARKS:

Secretariat Staff

United States Department of State

Washington, D.C. 20520

May 6, 1988

Mr. Victor A. Nepomuceno Executive Assistant Philippine Veterans Legion Legion Home Building, PVAO Compound Arroceros Street Manila, Philippine 2801

Dear Mr. Nepomuceno:

I am responding on behalf of the President to your letter of April 19 outlining a proposal for increased U.S. economic assistance to the Philippines.

We welcome your expression of interest in a proposed new multi-year multilateral assistance program for the Philippines. High-level discussion of such a plan comes in the wake of more than \$1 billion in U.S. assistance over the past three years alone. The U.S. Government is exploring ways to coordinate its expanded assistance program with friends and allies already active in providing generous levels of assistance to the Philippines. Despite severe budgetary constraints, the U.S. Government remains committed to doing all it can to help fund any new assistance initiative. We believe, however, that it would be inappropriate to tie that multilateral effort to the distinct bilateral defense interests served by a continued U.S. military presence in the Philippines.

Sincerely,

Charles B. Salmon Jr-

Director, Office of Philippine Affairs Bureau for East Asian and Pacific Affairs

8814449

THE WHITE HOUSE OFFICE

.

REFERRAL

MAY 5, 1988

50

TO: DEPARTMENT OF STATE

ACTION REQUESTED:

DESCRIPTION OF INCOMING:

ID: 568166

MEDIA: LETTER, DATED APRIL 19, 1988

TO: PRESIDENT REAGAN

- FROM: MR. VICTOR A. NEPOMUCENO EXECUTIVE ASSISTANT NATIONAL COMMANDER PHILIPPINE VETERANS LEGION LEGION HOME BUILDING, PVAO COMPOUND ARROCEROS STREET MANILA PHILIPPINE 2801
- SUBJECT: REQUESTS THE UNITED STATES SET UP A MARSHALL PLAN-TYPE OF SCHEME TO REHABILITATE THE ECONOMY OF THE PHILIPPINES WHICH WAS BADLY DEVASTATED UNDER PAST DICTATORSHIP

PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN TAKEN WITHIN 9 WORKING DAYS OF RECEIPT, PLEASE TELEPHONE THE UNDERSIGNED AT 456-7486.

RETURN CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE (OR DRAFT) TO: AGENCY LIAISON, ROOM 91, THE WHITE HOUSE, 20500

> SALLY KELLEY DIRECTOR OF AGENCY LIAISON PRESIDENTIAL CORRESPONDENCE

(end)



6 ... 0

С.,



NATIONAL HEADQUARTERS PHILIPPINE VETERANS LEGION

His Excellency, RONALD REAGAN

President of the United States

LEGION HOME BLDG .. PVAO COMPOUND ARROCEROS ST., MANILA 2801

CHARTER MEMBER VETERANS FEDERATION OF THE PHILIPPINES

56.8166

MEMBER WORLD VETERAN'S FEDERATION

19 April 1988

Sirs:

- 1.2721 - 2.2

ADVISER: GENERAL FIDEL V. RAMOS Armed Forces of the Philippines

NATIONAL DIRECTORATE:

ANGEL S. SUAREZ National Commander

VICTOR NEPOMOCENO Exec. Asst.-Nat'l. Comdr.

LIM SO YAK Exec. Vice Nat'l Comdr. for Foreign Affairs

BENITO YAO Exec. Vice Nat'l Comdr. for Domestic Affairs

RAMON BK CHUA Vice National Commander

DEPUTY NATIONAL COMMANDERS:

HOROSI S. AGUILING For Luzon

JUAN A. ALIGA For Viseyes

FELIPE M. FETALVERO For Mindanao

NATIONAL DIRECTORS: FOR LUZON: JULIO D. ROBLE ANTONIO J. VILLANUEVA OSIAS J. MAGALLANES

FOR VISAYAS:

FELIX G. DELA PENA BENITO Z. MALLARI MARCIANO L. LOPEZ

FOR MINDANAO: TITO M. CEASAR AVELINO N. MARTIN FRANCISCO C. THOMAS

ALICIA P. LOGARTA National President - PVLA

NATIONAL OFFICERS: PRISCO A. AFOS, SR. National Adjutant

JUANITA B. VALDRIZ National Treasurer

JULIO D. ROBLE National Auditor

MARCIANO L. LOPEZ National Inspector

CASIANO D. VILLANUEVA National Judge Advocate

PEDRO B. OFFEMARIA National PRO

DOMINADOR P. MUSNI National Historian

TIMOTEO B. GARCIA National Chaplain

GUZMAN P. ALQUEZA National Service Officer ROGELIO A. CRISTOBAL Isst. Nat'l. Judge Advocate SANTIAGO LIM Spl. Adviser to NC

> Spl. Adviser to I Mindar LIM YAN

MEDINA SL PORTUGAL sirperson, Ways & Means Chair RICARDO A. SARTE OIC Son of Veterans

We appreciate very much the proposal advanced by some distinguished members of the Congress of the United States to set up a Marshall Plan-type of scheme to rehabilitate the economy of the Philippines which was badly devastated under the past dictatorship.

However, we cannot avoid the misgivings about the feasibility of the scheme, if this is to be conducted under the auspices of your country's government, given the economic shortcomings that the United States is beset with itself at this time. There is your public debt which has now come up to the staggering amount of 2.37 trillion Dollars, and your foreign debt which has now risen to 424.2 billion Dollars. With such tremendous financial burden it would certainly be too much to expect your country to still spare the money, which should be substantial, to finance the proposed rehabilitation of the Philippine economy.

Instead of that scheme then we suggest that Your Excellency consider a package of measures which we believe can bring about the recovery of the Philippine economy and lead it to a take-off stage at a faster pace than that proposed scheme. This package can be included among your government's concessions for the renewal or extension of the RP-US Military Bases Agreement (MBA) which we fully endorse including the bases' provision with nuclear weaponry. Negotiations on the fate of the MBA are currently being conducted here in Manila.

These recommended concessions are:

1. Payment of the backpay and/or salary differentials of all the Filipino soldiers and guerillas who fought side by side with the Americans during the last world war. Many of our soldiers have not yet received these compensations up to this time although this was committed to them more than forty years ago yet;

2. Transfer from Japan to the Philippines, preferably to Clark Air Force Base, the location and operation of the (United States) Army and Air Force Exchange Service and its procurement and distribution of supplies in the Philippines;

Theme "SOLIDARITY IN LEADERSHIP AND SOCIAL CONCIOUSNESS"





NATIONAL HEADQUARTERS PHILIPPINE VETERANS LEGION

LEGION HOME BLDG., PVAO COMPOUND ARROCEROS ST., MANILA 2801

CHARTER MEMBER

MEMBER WORLD VETERANS FEDERATION

His Excellency, RONALD REAGAN 19 April 1988 Page 2

- -----

GENERAL FIDEL V. RAMOS Chief of Staff Armed Forces of the Philippines

NATIONAL DIRECTORATE:

ADVISER:

ANGEL S. SUAREZ National Commander

VICTOR NEPOMOCENO Exec. Asst.-Nat'l. Comdr.

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FOR VISAYAS:

FELIX G: DELA PENA BENITO Z. MALLARI MARCIANO L. LOPEZ FOR MINDANAO:

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SANTIAGO LIM Spl. Adviser to NC LIM YAN Spl. Adviser to NC Mindanao

MEDINA SL PORTUGAL Chairperson, Ways & Means RICARDO A. SARTE OIC Son of Veterans

3. Imposition of a levy of \$2.00 per barrel of crude oil delivered by any country by way of the trade routes or sea lanes that are covered by the protective umbrella of the air and naval forces of Clark Air Force Base and the Subic Naval Base. Any country that refuses to submit this levy should be subjected to an economic embargo or, at the least, should not be allowed to use the route;

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4. Adoption of the Caribbean Basin initiative for the Philippines under which Philippine products can enter the American market duty-free;

5. Dispensing with the visa requirement and permit to work for Filipino World War II veterans and their immediate dependents who desire to reside permanently in the United States.

6. Availment of the services and facilities of US military base hospitals to all Filipino WW II veterans and their dependents;

7. Grant of food stamps for all Filipino WW II veterans and their dependents, such stamps to be negotiable in US Post Exchanges anywhere in the Philippines and the United States; and

8. Annual grant of 100,000 tons of corn to Filipino WW II veterans to be sold locally and the proceeds to be used to finance housing facilities for indigent Filipino veterans and their families.

We are convinced, Mr. President and Gentlemen of the Congress, that if these concessions are granted we, the Filipino people, would be able to rehabilitate our shattered economy ourselves without any further assistance from whatsoever external source, and in the process preserve and strengthen democracy in our part of the world as well as achieve the economic freedom of our people.

With out best wishes for your continued success in your governance of the great American nation, we are

Var rgspectfully yours,

Sellin VICTOR A. NEPOMUCENO Philippine Veterans Legion Exec. Asst-Nat'l Comdr.

His Excellency, Nicholas Platt cc: U.S. Ambassador to the Philippines

Theme "SOLIDARITY IN LEADERSHIP AND SOCIAL CONCIOUSNESS"



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OPEN LETTERS TO PRES. AQUINO & PRES. REAGAN

Her Excellency, CORAZON C. AQUINO President of the Philippines Malacadang, Manila Your Excellency:

With the end in view of getting additional support to your government's economic recovery program, and of dealing with the local communist insurgency more forcefully, we urge the severance of our country's diplomatic ties with the People's · Republic of China (PROC) and the restoration of our recognition and diplomatic relations with the Nationalist Republic of China or Taiwan as soon as possible, subject to certain conditions.

April 13, 1988

Your Excellency, this proposal stems from the perception now obtaining among our people that the PROC has continued supporting the communist insurgents in our country which largely explains the rapid growth in their number. This is outright subversion of our government by the Communist Chinese who, therefore, can by no means be considered friends of our people. On the other hand, Taiwan has remained cordial to us all through the years and has in the course of time become one of our important trading partners and investors,

The conditions that we suggest to impose upon Taiwan in return for the resumption of the old ties of friendship are:

- 1) financial assistance to the campaign against insurgency in the Philippines;
- 2) cash payment for the entire cost of the Comprehensive Agrarian Reform Program (CARP);
- 3) construction of a four-lane coastal highway from Infanta, Aurora, to Port Irene. Cagayan;
- 4) construction of a four-lane highway from Sta. Rita, Pampanga, to Aparri, Cagayan;
- 5) construction of circumferential roads in Basilan, Sulu, and Tawi Tawi;
- 6)construction of a port complex in Casiguran, Aurora; and
- 7) availment of fresh capital for the development of basic industries in the country.
- At the same time, Filipino veterans would like also to have Japan:
- 1) pay lump sum indemnities and lifetime pensions thereafter for Filipino prisoners of war (POW) during the last World War; and
- 2) provide hospitals for Filipino WW II veterans in the different regions of the country which cannot be serviced by the Veterans Memorial

Medical Center or the US military hospitals at Clark Air Force Base and Subic Naval Base.

Finally, we also suggest that should Your Excellency decide to terminate the RP-US Military Bases Agreement (MBA), Subic and Olongapo City be converted into a free port and financial center exactly like Hong Kong. This suggestion is, in fact, inspired by the idea to replace Hong Kong after 1997 when this is taken over by the PROC. By 1992 we could already invite the British operators of that colony to start relocating all its economic enterprises and activities to Subic and Olongapo City, and extend to these operators the authority to set up and administer the metropolis subject to the supervision and sovereignty of the government of the Philippines. All taxes and imposts that the British now collect in Hong Kong shall also be collected in the Subic-Olongapo complex and remitted to the Philippine government.

We believe, Your Excellency, that if these proposals are translated into realities, we can achieve a great measure of economic progress for our people even as we shall have effectively addressed as wellthe insurgency problem.

In the event, however, that Your Excellency decide to renew the MBA, then let's request the Americans to set up also some backup bases in Sanga Sanga in Tawi-tawi, Long Point in Palawan, and Infanta, Aurora. These back-up bases should not only provide immediate protection for us in those sections of the country where we think we are very vulnerable but also contribute to the improvement of economic conditions in those constituencies at least.

In conclusion, we fervently hope to the Almighty that our fellow countrymen who have gone in contention against the duly established authority, such as the misguided elements in our soldiery, the Moro National Liberation Front, the New People's Army, the so called "Marcos Loyalists," and others, would soon see the light, reconcile themselves with the imperatives of the time, and give peace a chance to reign once more in our benighted land.

Reiterating our abiding faith and undiminished confidence in your leadership, we remain, Your Excellency, Very sincerely yours,

(Sgd.) VICTOR A. NEPOMUCENO Philippine Veterans Legion

April 13, 1988 His Excellency, RONALD REAGAN President of the United States of America - and ----

The Honorable Members Congress of the United States

Sirs:

We appreciate very much the proposal advanced by some distinguished members of the Congress of the United States to set up a Marshall Plan-type of scheme to rehabilitate the economy of the Philippines which was badly devastated under the past dictatorship.

However, we cannot avoid the misgivings about the feasibility of the scheme, if this is to be conducted under the auspices of your country's government, given the economic shortcomings that the United States is beset with itself at this time. There is your public debt which has now come up to the staggering amount of 2.37 trillion dollars. and your foreign debt which has now risen to 424.2 billion dollars. With such tremendous financial burden it would certainly be too much to. expect your country to still spare the money, which should be substantial, to finance the proposed rehabilitation of the Philippine economy.

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2. Transfer from Japan to the Philippines, preferably to Clark Air Force Base, the location and ferably to Clark Air Force Base, the location and operation of the (United States) Army and Air Force Exchanges of the and its procurement and distribution of uppoles in the Philippines; J. Imposition of the states of \$2.00 per barrel of crude oil delivered by any country by way of the trade routes of the state are covered by the protective under the state and naval forces of Clark Air Force/Base and the Subic Naval Base. Any country that refuses to submit to this levy should be subjected to an economic embargo or, at the least, should, not be allowed to use the moute: noute: 4. Adoption of the Caribbean Basin initiative for

Section 1

the Philippines under which Philippine products can enter the American market duty-free;

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7. Grant of food stemps for all Filipino WW II veterans and their dependents, such stamps to be negotiable in US Post Exchanges anywhere in the Philippines and the United States; and

8. Annual grant of 100,000 tons of corn to Filipino WW II veterans to be sold locally and the proceeds to be used to finance housing facilities for indigent Filipino veterans and their families.

We are convinced, Mr. President and Gentlemen of the Congress, that if these concessions are granted we, the Filipino people, would be able to rehabilitate our shattered economy ourselves without any further assistance from whatsoever external source, and in the process preserve and strengthen democracy in our part of the world as well as achieve the economic freedom of our people.

With out best wishes for your continued success in your governance of the great American nation, we are

Very respectfully yours,

(Sgd.) VICTOR A. NEPOMUCENO Philippine Veterans Legion

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