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LAWYERS IN GOVERNMENT PARTICIPANTS

February 3, 1984

Mr. Daniel Oliver
Department of Agriculture

Mr. Kenneth Cribb
The White House

Mr. Joe Beard
Department of Justice

Mr. Joe Morris
Office of Personnel Management

Mr. Bruce Fein
Federal Communications Commission

Mr. Chuck Cooper
Department of Justice

Mr. John Fedders
Securities & Exchange Commission

Mr. Marshall Breger
The White House

Mr. Bob Huberty
The Heritage Foundation

Mr. Scott Burke
Department of Agriculture

Mr. Mike Uhlmann
Office of Policy Development (WH)

Mr. Mark Disler
Civil Rights Commission

Mr. Gordon Jones
The Heritage Foundation

Gordon Jones-

[RICO -]

American

date of confirmation hearings
Civil Rights Comm activities ✓

Mark Disler

OTHER ISSUES

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for Meese.

Heritage Foundation
Lawyers in Government Luncheons
1984

January 20, 1984

February 3, 1984

February 17, 1984

March 2, 1984

March 16, 1984

March 30, 1984

April 13, 1984

April 27, 1984

May 11, 1984

May 25, 1984

June 8, 1984

June 22, 1984

July 6, 1984

July 20, 1984

August 3, 1984

August 17, 1984

August 31, 1984

September 14, 1984

September 28, 1984

October 12, 1984

October 26, 1984

November 9, 1984

November 23, 1984

December 7, 1984

December 21, 1984

FEDERAL COMMUNICATIONS COMMISSION

Date: February 10, 1984

FROM: GENERAL COUNSEL

TO: Marshall Breger

Dear Marshall:

For discussion at forthcoming Heritage
meeting.


Bruce E. Fein

REAGAN PHILOSOPHY AND LEGAL DOCTRINES FOR MANAGING ALL LEGAL
OFFICES IN THE EXECUTIVE BRANCH INCLUDING UNITED STATES ATTORNEYS

1. All litigation and internal personnel practices should unswervingly adhere to doctrines of color blindness. No preferences to be awarded in law or otherwise on the basis of race, absent proof of illegal discrimination. On the other hand, affirmative recruitment efforts should be undertaken to insure that all qualified personnel, no matter of what race or creed, have equal opportunity to compete for jobs and promotion. Racial preferences on the basis of group criteria are at war with equal protection aspirations and the Nation's time-cherished commitment to individual justice.

2. All litigation should invoke, where appropriate, challenges based on standing, jurisdiction, ripeness, absention, mootness and political questions to foreclose opportunities for judicial policymaking offensive to separation of powers doctrines. These doctrines must be revived to reduce the judicial profile in a manner envisioned by the Founding Fathers.

3. All attorneys are ethically bound to support the President's philosophies, programs, and initiatives in their roles as advocates. Attorneys should be instructed to challenge any judicial precedent that stands as an obstacle to vindicating the President's goals, unless the prospect of obtaining judicial reversal is nonexistent.

4. All attorneys should vigorously defend Executive Branch prerogatives, including Executive privilege to withhold

confidential and national security communications, the Executive power of appointment and removal, and the power to direct and harmonize administrative rules and regulations. In addition, attorneys should seek to circumscribe the independent authority of independent agencies by seeking to narrow or reverse the doctrine of constitutional independence announced in Humphrey's Executor.

5. Attorneys should presumptively smile on doctrines of federalism in the interpretation of federal statutes. This means that federal statutes should not readily be interpreted to saddle states or localities with substantial financial burdens. See, Pennhurst v. Halderman. Federal statutes should not readily be interpreted to intrude on state sovereignty in regulating state employees and functions. See, EEOC v. Wyoming; and FERC v. Mississippi. Federal criminal statutes should not readily be extended to crimes traditionally entrusted to state and local prosecutors by extravagant applications of mail fraud statutes, the Hobbs Act, certain federal criminal civil rights statutes, and the federal conspiracy statute. In sum, federal statutes should presumptively be construed to offer states and localities maximum discretion in fashioning policy consistent with the national purpose that animated Congress to act.

6. Federal attorneys should be unyielding in opposing constitutional theories of fundamental rights, suspect classifications (except for race), and procedural due process protective of statutory property or liberty interests. Implied rights of action to enforce regulatory statutes should also be

opposed. These constitutional and statutory doctrines endow the federal judiciary with unwarranted policymaking authority.

Heritage

THE WHITE HOUSE

WASHINGTON

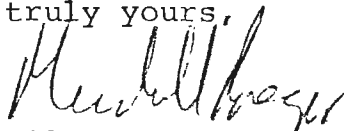
February 15, 1984

Dear Peter:

As I explained to Bonnie, the air ticket records for my outstanding expense voucher were inadvertently mislaid.

By this letter, therefore, I affirm that I spent \$108.50 on a Heritage business trip.

Very truly yours,



Marshall Breger, Esq.
Special Assistant to
the President for
Public Liaison

Mr. Peter Pover
Treasurer
Heritage Foundation
214 Massachusetts Avenue, N.E.
Washington, D.C. 20002

HERITAGE

THE WHITE HOUSE

WASHINGTON

February 17, 1984

Dear Peter:

Although you never actually requested the key to my Heritage office back from me, you apparently chose to withhold my December paycheck until I do so. I learnt that on Wednesday, and today send you your key.

As you no doubt know, I was laggard in returning my key only because I still need to move some boxes from Heritage to the White House. I trust you surely appreciate that I am no thief in the night from whom you must hold money hostage.

I would be grateful if you could send my remaining checks on to me by mail.

Very truly yours,



Marshall Breger, Esq.
Special Assistant to
the President for
Public Liaison

Mr. Peter Pover
Treasurer
Heritage Foundation
214 Massachusetts Avenue, N.E.
Washington, D.C. 20002

cc: Ed Feulner

Suby

THE WHITE HOUSE

WASHINGTON

July 30, 1984

Dear Lou:

I am delighted to learn of your new position.

Let's plan to get together soon.

Sincerely,

M. Breger

Marshall Breger
Special Assistant to the
President for Public Liaison

Mr. Louis J. Cordia
Director
Executive Branch Liaison
The Heritage Foundation
214 Massachusetts Avenue, N.E.
Washington, D.C. 20002



A tax-exempt public policy research institute

July 27, 1984

Dr. Marshall Breger
Spec. Asst. to the President
for Public Liaison
197 Old Executive Office Bldg.
Washington, DC 20500

Dear Dr. Breger:

I am pleased to announce that The Heritage Foundation has named Louis J. Cordia our Director of Executive Branch Liaison.

In this capacity, Lou will work closely with the Administration so that you may benefit from the talents of Heritage staff and advisors. As you well know, Heritage policy initiatives are consistent with our commitment to free enterprise, a strong national defense, limited government, and individual freedom.

I know Lou looks forward to working with you. Please do not hesitate to call upon him if he can be of any assistance.

Would you please add Lou to your key mailing lists so that he will be notified of forthcoming policy decisions, major projects, and other important events? His mailing address is:

Louis J. Cordia
Director
Executive Branch Liaison
The Heritage Foundation
214 Massachusetts Avenue, N.E.
Washington, D.C. 20002

Thank you,

Sincerely,

Gordon S. Jones
Vice President
Government and Academic Relations

GSJ/dfh

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THE WHITE HOUSE

WASHINGTON

December 18, 1984

Dear Burt:

Bibi Nantanyahu asked me to speak with Joel Barromi who is Israel's Ambassador to Portugal, now seconded to her United Nations delegation through this General Assembly. Barromi retires at the end of 1985 and was interested in spending some time at a "think tank" writing on United Nations or Latin American issues (most of his diplomatic career was spent on Latin American issues). He would like to come to Heritage.

I do not think he is what you are after for a visiting fellow, but would be grateful if you would let him down gently, because I told him I would try.

Thank you.

Sincerely,



Marshall Breger
Special Assistant to the
President for Public Liaison

Mr. Burt Pines
The Heritage Foundation
214 Massachusetts Avenue, N.E.
Washington, D.C. 20008

1 ~~Joel Baronsi~~



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January 4, 1985

The Honorable Joel Barromi
Permanent Mission of Israel to the United Nations
800 Second Avenue
New York, New York 10017

Dear Ambassador Barromi:

Marshall Breger of the White House staff brought to my attention your resume and the fact that you would be willing to explore with us the possibility of becoming a Fellow of The Heritage Foundation. I am very flattered that you would consider the Foundation as you make your plans for next year. Mr. Breger speaks very highly of you, as do your impressive credentials and extensive experience.

Regrettably, however, The Heritage Foundation has no funds available for such a fellowship. We restrict these fellowships almost exclusively to economists.

Once again, thank you for thinking of The Heritage Foundation as you make your future career plans.

Very truly yours,

Burton Yale Pines
Vice President

BYP/bg

✓ cc: Marshall Breger

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April 18, 1985

Mrs. Bernice S. Tannenbaum
World Zionist Organization
515 Park Avenue
New York, New York 10022

Dear Mrs. Tannenbaum:

Marshall Breger forwarded to me your letter of March 11 suggesting that The Heritage Foundation publish the papers presented at your December "Zionism-Racism" seminar. Marshall praised the seminar and strongly (but diplomatically) suggested that Heritage undertake the project.

I wish I could accommodate Marshall and you. Regrettably, however, The Heritage Foundation publishes only materials prepared by its own staff, those specifically commissioned by the Foundation or transcripts of those events sponsored by the Foundation. As such, I must decline your offer to make the papers available to us. I am very flattered that you have considered Heritage for this, and I wish you luck in your efforts to obtain wider distribution for the seminar's proceedings.

Very truly yours,

Burton Yale Pines
Vice President

BYP/bg

✓ cc: Marshall Breger

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