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Last Updated: 7/15/25

113373

1110

FG006-01

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

TR

December 7, 1982

MEMORANDUM FOR THE RECORD

RE: Jim Rosebush files

Yesterday, ORM recieved folders containing incoming correspondence and White House memoranda, and outgoing correspondence and White House memoranda from the office of Jim Rosebush.

The folders were arranged as follows:

Outgoing correspondence	Jan - Aug	1982
Outgoing White House Memos	Jan - Aug	1982
Incoming Correspondence	Jan - Aug	1982
Incoming White House Memos	Jan - Aug	1982
Outgoing White House Memos	July - Dec	1981
Incoming White House Memos	Aug, Sept, Nov, Dec (Oct missing)	1981

Enclosures filed in
Oversize Attachments # 5372

THE WHITE HOUSE
WASHINGTON

December 1, 1982

C. F.

113426

FG006-01

WH001

FI001

MEMORANDUM FOR: JAMES A. BAKER, III
RICHARD G. DARMAN

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

SUBJECT: WHITE HOUSE FINANCES

If there is one thing I take particular pride in, it is the management of the White House finances. We have managed our accounts better than any recent administration and our improvements have been far reaching:

o Automated Accounting and Reporting System

When we came to the White House in January 1981 my first goal was to bring a modern financial accounting system to an institution that was shamefully outdated and inefficient. The existing manual accounting system was in shambles and postings to the general ledger were still being done by hand. By the time financial reports were prepared under the manual system they were already out of date. In response, an automated accounting system was designed which could interface with the Office of Administration's Financial Management data base. Because of this improvement we have enjoyed accurate, timely financial reports and projections. This change has enabled us to have a firm grasp of our financial picture at all times. Since we continue to operate under a continuing resolution we must monitor accounts very closely.

o 16% Reduction in the White House Office Fiscal Year 1982 Budget

Through the use of our automated accounting system we were able to accomplish a 16% reduction in our operating budget. An unprecedented accomplishment for the White House, this was only achieved through a close monitoring of expenditures. In addition, we were able to make substantial savings through a closer examination of overhead items such as S.L.U.C. and FTS telephone lines. These areas had never been closely reviewed in years.

o EOP Financial Accounting System

In addition to the White House Office budget, the Office of Administration is responsible for the payroll, accounting and financial reporting for every agency of the Executive Office of the President. Last

year, for the first time, a formal accounting design was written and submitted to the General Accounting Office for approval. This new system outlined our accounting principles and standards and brought the entire EOP in line with the GAO's policies and procedures. In a letter to the President approving the system design the Comptroller General praised my staff for developing the system and said that it should be an incentive to other executive agencies (see Attachment A).

Specific allegations that we were nearly deficient in FY 1982 and are currently operating in the red in FY 1983, are factually and unequivocally incorrect:

o Fiscal Year 1982

The White House Office operated under four (4) continuing resolutions and an additional pay supplemental in FY 1982. Attachment B shows summary totals for the time period covered by each continuing resolution. Balances were reported on a monthly basis to the Treasury and the OMB, and reflect the allowable amount under an existing continuing resolution. In all instances throughout FY 1982 a positive available balance is shown. Never was there even the danger of a possible antideficiency violation. Travel funds which were restricted to \$400,000 in FY 1982 were identified early in the fiscal year as a possible deficiency and, therefore, measures were taken to avoid an overexpenditure (Remember the staff doubling up in hotel rooms?) At the close of the fiscal year, the White House Office showed an available balance with Treasury of \$59,727.88.

o Fiscal Year 1983

The White House Office appropriation is again operating under a continuing resolution (October 11, 1982 through December 17, 1982) which provides funding for the period amounting to 22% of our FY 1983 appropriation or \$4,686,000. The attached status by appropriation report (Attachment C) dated November 30, 1982 reflects an available balance of \$1,275,470.73. These available funds have to cover the payroll cost of thirteen (13) working days through December 17, 1982 in the amount of \$663,000 leaving an available balance after payroll of \$612,440.73. This balance by no means signals the danger of a deficiency.

COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON DC 20548

E-192886

June 1, 1982

082022

The President
The White House

Dear Mr. President:

Subject: Approval of the Executive Office of the President
Accounting System Design (GAO/AFMD-82-88)

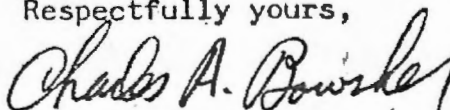
It is my pleasure to approve the accounting system design for the Executive Office of the President. The design, submitted by John F. W. Rogers' letter of October 1, 1981, is in conformity in all material respects with your approved statement of accounting principles and standards.

To maintain the approved status of the design, planned changes should be discussed with our representatives and, if deemed significant, submitted formally for approval.

We suggest that the system be periodically reviewed to assure that it is operating as designed. At some future date, we will examine the system, or selected aspects thereof, and advise you as to whether it is functioning effectively and is in accordance with this approval.

We commend your staff for having developed the accounting system design. Their efforts should be an incentive to other executive agencies in the development of their accounting system designs which have not reached an approval status pursuant to Section 113 of the Accounting and Auditing Act of 1950.

Respectfully yours,



Comptroller General
of the United States

cc: Mr. Filiberto Martinez, Jr.
Division of Audit and Assessment
Office of Administration

(931129)

ATTACHMENT B

WHITE HOUSE OFFICE BUDGET: FISCAL YEAR 1982

Continuing Resolution Dates	Amounts of Each Continuing Resolution	Total Apportion- ment Ceiling	Fund Balance at End of Period
1. 10/01/81-11/22/81	\$2,753,000	\$2,753,000	\$1,071,915
2. 11/23/81-12/14/81	\$1,376,000	\$4,129,000	\$1,301,935
3. 12/15/81-03/30/82	\$5,837,000	\$9,666,000	\$ 601,792
4. 03/31/82-09/30/82	\$8,911,000	\$18,877,000	
5. 09/10/82 Pay Supplemental	<u>+\$ 755,000</u>	<u>+\$ 755,000</u>	<u>\$ 59,727</u>
TOTAL FY 1982	\$19,652,000	\$19,652,000	\$ 59,727

WHITE HOUSE
STATUS OF APPROPRIATION REPORT
FOR THE PERIOD ENDING SEPTEMBER 30, 1982
FISCAL YEAR 1982

AS-OF: 11/09/82
TIME: 181009

	WHITE HOUSE			
	OPERATING BUDGETS	UNLIQUIDATED COMMITMENTS OBLIGATIONS	ACCRUED EXPENDITURES	AVAILABLE BALANCE
APPROPRIATION:	19,652,440.00			
APPORTIONMENT:	19,652,440.00			
PERSONNEL COMPENS:				
SALARIES-FULL TIME	10,657,000.00		10,740,632.28	(83,632.28)
SALARIES-PART TIME				
SALARIES-INTERMIT.	580,000.00		558,664.43	21,335.57
SAL-FULL W/LIMIT.			45,678.57	(45,678.57)
TERMINAL LEAVE			80,246.86	(80,246.86)
PREMIUM PAY	660,000.00		645,516.37	14,483.63
REIM DET-PAY & BEN.	140,000.00	118,000.00		22,000.00
CONSULTANTS	180,000.00	10,522.82	87,941.02	81,536.16
CASH AWARDS				
TOTAL PERSONNL COMP	12,217,000.00	128,522.82	12,158,679.53	(70,202.35)
PERSONNEL BENEFITS:				
PERSONNEL BENEFITS	975,000.00		1,001,507.06	(26,507.06)
FORMER EMPLOYEE BEN				
TOTAL PERSONNL-BEN.	975,000.00		1,001,507.06	(26,507.06)
TOTAL PERSONNEL	13,192,000.00	128,522.82	13,160,186.59	(96,709.41)
PRESIDENTIAL TRAVEL	20,972.66		34,660.14	(13,687.48)
STAFF TRAVEL	379,027.34	72,124.78	292,979.96	13,922.60
ENTERTAINMENT	15,440.00	3,000.00	15,026.07	(2,586.07)
TRANSPORT OF THINGS	10,000.00	1,636.97	4,753.11	-3,609.92
STD LEVEL USER CHGS	2,468,000.00		2,018,735.00	449,265.00
OTHR RENT/COMM/UTIL	2,185,000.00	364,046.49	1,876,215.13	(55,261.62)
PRINTING	625,000.00	254,624.56	360,027.51	10,347.93
OTHER SERVICES	407,000.00	151,346.41	297,142.15	(41,488.56)
SUPPLIES & MATERIAL	150,000.00	32,243.41	108,588.52	9,168.07
FURN & EQUIPMENT	200,000.00	279,891.90	136,960.60	(216,852.50)
OTHER				
TOTAL OTHER	6,460,440.00	1,158,914.52	5,145,088.19	156,437.29
TOTAL	19,652,440.00	1,287,437.34	18,305,274.78	59,727.88

WHITE HOUSE
STATUS OF APPROPRIATION REPORT
FOR THE PERIOD ENDING NOVEMBER 29, 1982
FISCAL YEAR 1983

AS-OF: 11/30/82
TIME: 135413

WHITE HOUSE

	OPERATING BUDGETS	UNLIQUIDATED COMMITMENTS	OBLIGATIONS	ACCRUED EXPENDITURES	AVAILABLE BALANCE
APPROPRIATION:	4,686,000.00				
APPORTIONMENT:	4,686,000.00				
PERSONNEL COMPENS:					
SALARIES-FULL TIME	2,445,300.00			1,799,092.87	646,207.13
SALARIES-PART TIME					
SALARIES-INTERMIT.	154,000.00			100,753.80	53,246.20
SAL-FULL W/LIMIT.				5,772.46	(5,772.46)
TERMINAL LEAVE	22,000.00			1,784.08	20,215.92
PREMIUM PAY	145,200.00			114,650.05	30,549.95
REIM DET-PAY & BEN.	35,200.00				35,200.00
CONSULTANTS	26,400.00			3,561.84	22,838.16
CASH AWARDS					
TOTAL PERSONNL COMP	2,828,100.00			2,025,615.10	802,484.90
PERSONNEL BENEFITS:					
PERSONNEL BENEFITS	240,900.00			167,192.63	73,707.37
FORMER EMPLOYEE BEN					
TOTAL PERSONNL BEN.	240,900.00			167,192.63	73,707.37
TOTAL PERSONNEL	3,069,000.00			2,192,807.73	876,192.27
PRESIDENTIAL TRAVEL				148.42	(148.42)
STAFF TRAVEL	88,000.00		61,184.20	19,596.21	7,219.59
ENTERTAINMENT	4,400.00				4,400.00
TRANSPORT OF THINGS	3,300.00			123.35	3,176.65
STD LEVEL USER CHGS	444,400.00			491,618.00	(47,218.00)
OTHR RENT/COMM/UTIL	503,800.00		77,701.11	86,967.45	339,131.44
PRINTING	143,000.00		136,264.00	10.50	6,725.50
OTHER SERVICES	259,600.00		49,054.42	268,904.50	(58,358.92)
SUPPLIES & MATERIAL	82,500.00		10,220.03	1,902.18	70,377.79
FURN & EQUIPMENT	88,000.00		13,348.45	678.72	73,972.83
OTHER					
TOTAL OTHER	1,617,000.00		347,772.21	869,949.33	399,278.46
TOTAL	4,686,000.00		347,772.21	3,062,757.06	1,275,470.73

THE WHITE HOUSE

WASHINGTON

December 2, 1982

DRAFT

Dear Sir:

Your "~~Alice in Potomac Land~~" column of November 30, 1982 basically warms up some tired left-overs from a UPI story that first appeared over the wires last July. The stories rehashed by "Alice", based on idle and groundless office gossip, are as false today as when they first appeared in print last July, and are not worthy of further comment.

I must, however, reply in some detail to a fresh and more serious piece of gossip that reflects directly on my professional integrity. "Alice" alleges that the White House is currently operating in the red, and that during fiscal year 1982 I resorted to "frantic juggling" in an effort to "keep the White House from going nearly half a million dollars in the hole."

These statements could not be farther from the truth. A simple phone call to me or to any of my financial accountants would have made this clear, and at the same time, would have provided an accurate picture of the White House finances.

In fiscal year 1982 the White House Office operated under four (4) continuing resolutions and a pay supplemental. Positive balances were reported every month to the Treasury and the Office of Management and Budget. In fact, at the close of the fiscal year, the White House Office showed a balance of \$59,727.88. Automation of the White House accounting system by this Administration has streamlined the budget execution process and has made so-called "juggling" an impractical and inefficient approach to financial management.

In fiscal year 1983 the White House Office continued to operate under a continuing resolution (October 11, 1982 through December 17, 1982) which provides funding amounting to \$4,686,000. As of November 30, 1982, we had an available balance of \$1,275,470.73 which by no means signals the danger of a deficiency and by all known definitions would indicate we are operating in the black.

I hope your paper is more careful in the future about printing allegations such as these--especially when they appear, without attribution, in a pseudonymous column, and especially when they are so easily clarified by a five-minute telephone call.

Sincerely,

John F. W. Rogers
Deputy Assistant to the
President for Management

Mr. James R. Whelan
Editor in Chief
The Washington Times
3600 New York Ave., N.E.
Washington, D.C. 20002

ADMINISTRATIVELY CONFIDENTIAL

CLASSIFICATION

MODE

PAGES

CIRCLE ONE BELOW

IMMEDIATE

DACOM #

RELEASER

PRIORITY

DEX #

DTG

ROUTINE

TTY #

FROM/LOCATION/

1. JOHN ROGERS - THE WHITE HOUSE

TO/LOCATION/TIME OF RECEIPT

1. JAMES A. BAKER, III - BRAZILIA, BRAZIL

2. RICHARD G. DARMAN - BRAZILIA, BRAZIL 10/1

INFORMATION ADDRESSEES/LOCATION/TIME OF RECEIPT

1.

2.

SPECIAL INSTRUCTIONS/REMARKS:

Deliver Baker copy immediately upon receipt directly to Margaret Tutwiler.
Deliver Darman copy immediately upon receipt directly to Dick Darman.

CONFIDENTIAL

CLASSIFICATION

DETERMINED TO BE AN
ADMINISTRATIVE MARKING
S.O. 12958, Sec. 1.2(a)

NARA WFO Date 2/20/08

WS 3
C.F.
113440
FG006-01
ACTION

SPB

SENIOR STAFF MEETING ACTION ITEMS (12-6-82)

ITEMS

1. Schedule: There will be no photo opportunity today.
2. Congressional Meetings: Three 30-minute meetings will be held today to discuss the MX. Duberstein
3. Cabinet: Agenda includes a presentation on PSI and Leon Sullivan's "Hire One" program. The Latin American trip, the GATT Ministerial, and the budget process will also be discussed. Fuller
4. Joint Economic Committee: Feldstein will not be available to testify today, and it has been reported that Representative Reuss may use an empty chair for media purposes. Feldstein
5. Gas Tax: Will probably be taken up on the House floor tonight. Representative Jim Howard reportedly plans several amendments. Duberstein
6. MX: Defense appropriations bill will be taken up on the House floor tomorrow, and there will be another attempt to delete production money for the MX. Though we are behind at this point, we are working hard: Clark, Weinberger, and Rowny will meet with Republican members today, and a presidential letter will be sent to all House members today (and will be released to the press). Other key votes will be on money for the second aircraft carrier and the B-1, and on a Gypsy Moth proposal to cut defense 2% across the board. Duberstein
Clark
- Also on the MX, it was reported that the briefings for CEO's went well, and that veterans groups are now on board. Dole
7. CBI: The House Ways and Means Committee has tentatively scheduled a mark-up for Thursday. We have agreed to some changes in the proposal, though organized labor remains opposed. It was stressed that we consider it important to pass CBI in the lame duck session; the VP will be briefed on this strategy. Duberstein
Clark
8. Middle East: Habib and Draper are returning to the U.S.; a decision will be made by 10:30 on whether they will meet with the President. Regarding aid to Israel above the levels requested by the President, it is important that we get out the word on why we oppose this. Clark
Allin
9. Latin American Trip: It was mentioned that the President did not promise to fill Guatemala's arms request, only that we would give it serious consideration. Additional guidance on this point will be formulated this morning. Allin
10. Radio Marti: The Senate may consider this today. Duberstein
11. Possible Arms Sale to Jordan: Word will be transmitted to private groups that they should not get committed in advance to a position regarding any possible arms sale to Jordan. Dole

ITEMS	ACTION
12. <u>Proposal to Tax Health Benefits:</u> Guidance re this NBC story is that the President has not yet considered such a proposal. It is apparently being considered at a staff level, though. The rationale behind it is to place some sort of cap on the amount of benefits a company can provide before it is considered taxable income. There will be further discussion on how to handle this and similar types of news stories.	Gergen
13. <u>Commodities Futures Trading Commission Legislation:</u> Senator Durenberger has added an amendment to the bill regarding the sanctity of contracts that we find unacceptable; we are working with Durenberger to try to modify it.	Duberstein Fuller
14. <u>Gorsuch Contempt Citation:</u> The issue will be dealt with further this week. There is still a need to get our version of this out before the public.	Fielding Duberstein

'82 DEC -6 P6:08

File Charged TO Counsel's Office
Contact Ben Cohen For file
Disposition. EXT 7803

113448
ID # FG 006-01

WHITE HOUSE
COUNSELLOR'S OFFICE TRACKING WORKSHEET

☐ O - OUTGOING

☐ H - INTERNAL

☐ I - INCOMING

Date Correspondence
Received (YY/MM/DD)

82/12/7

Name of Correspondent: Guy Vander Jagt

☒ CN Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: Writer would like Mr. Meese to meet with Dr. Rudi Untertiner while he is in Washington.

ROUTE TO:

ACTION

DISPOSITION

Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
	CNHAMM	O CS	82/12/7		C	83/01/5 CS
	CNCRIB	A DD	82/12/07		C	82/12/18 CS
	CNMEES	I DD	82/12/07		C	82/12/07
	DNTJNK	A	82/12/8	NAN	C	83/01/5 CS
			/ /			/ /

ACTION CODES:

A - Appropriate Action
C - Comment/Recommendation
D - Draft Response
F - Furnish Fact Sheet
to be used as Enclosure

I - Info Copy Only/No Action Necessary
R - Direct Reply w/Copy
S - For Signature
X - Interim Reply

DISPOSITION CODES:

A - Answered
B - Non-Special Referral
C - Completed
S - Suspended

FOR OUTGOING CORRESPONDENCE:

Type of Response = Initials of Signer
Code = "A"
Completion Date = Date of Outgoing

Comments: _____

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

RECORDS MANAGEMENT ONLY

CLASSIFICATION SECTION

No. of Additional Correspondents: _____ Media: L Individual Codes: 1.240 _____._____

Prime Subject Code: FG 006.01 Secondary Subject Codes: F0 002 _____

[illegible]

PRESIDENTIAL REPLY

Code	Date	Comment	Form
------	------	---------	------

C _____ Time: _____ P. _____

DSP _____ Time: _____ Media: _____

SIGNATURE CODES:

CPn - Presidential Correspondence

- n - 0 - Unknown
- n - 1 - Ronald Wilson Reagan
- n - 2 - Ronald Reagan
- n - 3 - Ron
- n - 4 - Dutch
- n - 5 - Ron Reagan
- n - 6 - Ronald
- n - 7 - Ronnie

CLn - First Lady's Correspondence

- n - 0 - Unknown
n - 1 - Nancy Reagan
n - 2 - Nancy
n - 3 - Mrs. Ronald Reagan

CBn - Presidential & First Lady's Correspondence

- n - 1 - Ronald Reagan - Nancy Reagan
n - 2 - Ron - Nancy

MEDIA CODES:

- B** - Box/package
C - Copy
D - Official document
G - Message
H - Handcarried
L - Letter
M - Mailgram
O - Memo
P - Photo
R - Report
S - Sealed
T - Telegram
V - Telephone
X - Miscellaneous
Y - Study

GUY VANDER JAGT
9TH DISTRICT, MICHIGAN

2409 RAYBURN HOUSE OFFICE BUILDING
TELEPHONE: (202) 225-3511

COMMITTEE:
WAYS AND MEANS

ADMINISTRATIVE ASSISTANT
JAMES M. SPARLING, JR.

Congress of the United States
House of Representatives
Washington, D.C. 20515

December 3, 1982

DISTRICT OFFICES:
ROOSEVELT PARK
950 WEST NORTON AVENUE
MUSKEGON, MICHIGAN 49441
(616) 733-3131
31 WEST 8TH STREET
HOLLAND, MICHIGAN 49423
(616) 396-3849

113448

Honorable Edwin Meese III
Counselor to the President
The White House
Washington, D. C. 20500

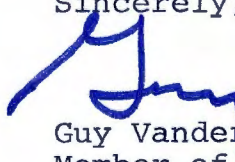
Dear Ed:

In recent days Dr. Rudi Unterthiner was visiting Washington and as a matter of fact, I understand he intends to be back again next week. I would be most grateful if you might consider meeting with this fine gentleman, who has for a number of months expressed a very keen interest in serving in an Ambassadorship under President Reagan. He has an extensive and outstanding background of which the White House Personnel Office is aware, and has been receiving serious consideration.

At any rate, he wishes to pursue it and I would be most grateful if you could find the time to meet with him late next week.

Thank you very much. With warm personal regards,

Sincerely,



Guy Vander Jagt
Member of Congress

GVJ:rgs

GUY VANDER JAGT
9TH DISTRICT, MICHIGAN

2409 RAYBURN HOUSE OFFICE BUILDING
TELEPHONE: (202) 225-3511

COMMITTEE:
WAYS AND MEANS

ADMINISTRATIVE ASSISTANT
JAMES M. SPARLING, JR.

Congress of the United States
House of Representatives
Washington, D.C. 20515

December 3, 1982

DISTRICT OFFICES:
ROOSEVELT PARK
950 WEST NORTON AVENUE
MUSKEGON, MICHIGAN 49441
(616) 733-3131
31 WEST 8TH STREET
HOLLAND, MICHIGAN 49423
(616) 396-3849

113448

Honorable Edwin Meese III
Counselor to the President
The White House
Washington, D. C. 20500

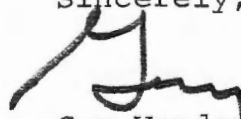
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Thank you very much. With warm personal regards,

Sincerely,



Guy Vander Jagt
Member of Congress

GVJ:rgs

JV

ID # 113450

WHITE HOUSE COUNSELLOR'S OFFICE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD)

82/12/03

Name of Correspondent: Morris F. Leibman

☒ CN Mail Report

User Codes: (A) (B) (C)

Subject: Writer sends Mr. Meese his Agenda items

ROUTE TO:

ACTION

DISPOSITION

Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
CNSTEL		O	82/12/07		C	82/12/9
CNCRIB		A	82/12/07	NAN	C	82/12/9
CNMEES		I	82/12/07		C	82/12/07
			/ /			/ /
			/ /			/ /

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S - Suspended

FOR OUTGOING CORRESPONDENCE:

Type of Response = Initials of Signer
Code = "A"
Completion Date = Date of Outgoing

Comments: Leonard Meachles letter to Ed Meese

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

RECORDS MANAGEMENT ONLY

CLASSIFICATION SECTION

No. of Additional Correspondents: _____ Media: L Individual Codes: 4200 _____

Prime Subject Code: EG 006-01 Secondary Subject Codes: _____

PRESIDENTIAL REPLY

Code	Date	Comment	Form
C		Time:	P.
DSP		Time:	Media:

SIGNATURE CODES:

CPn - Presidential Correspondence
 n - 0 - Unknown
 n - 1 - Ronald Wilson Reagan
 n - 2 - Ronald Reagan
 n - 3 - Ron
 n - 4 - Dutch
 n - 5 - Ron Reagan
 n - 6 - Ronald
 n - 7 - Ronnie

CLn - First Lady's Correspondence
 n - 0 - Unknown
 n - 1 - Nancy Reagan
 n - 2 - Nancy
 n - 3 - Mrs. Ronald Reagan

CBn - Presidential & First Lady's Correspondence
 n - 1 - Ronald Reagan - Nancy Reagan
 n - 2 - Ron - Nancy

MEDIA CODES:

B - Box/package
 C - Copy
 D - Official document
 G - Message
 H - Handcarried
 L - Letter
 M - Mailgram
 O - Memo
 P - Photo
 R - Report
 S - Sealed
 T - Telegram
 V - Telephone
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Report

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December 3, 1982

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113450

Miss Florence Randolph
Assistant to Edwin Meese III
The White House
Washington, D.C.

Dear ~~Flo~~ ^{EM}:

You sounded thoroughly happy and Mary and I are so pleased with your joy.

Our Agenda items are as follows:

1. The NSIC dinner is informal and in the Wadsworth Room at the International Club on December 15th, as per the attached letterhead.

2. I will look forward to being with you on the afternoon of December 15th. I will also be seeing Dick Morris and Fred Fielding.

3. My partner, Bruce Schimberg, is the General Counsel of the National Commercial Finance Conference. They have written to Ed as per the attached.

4. The status of Jeffry Perlman, candidate for the Democratic seat of the Consumer Product Safety Commission.

Warmest personal regards.

Sincerely,

Morris I. Leibman

MIL/dm
Enclosure

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November 30, 1982

M. Leibman, Esq.
Sidley & Austin
One First National Plaza
Chicago, IL 60603

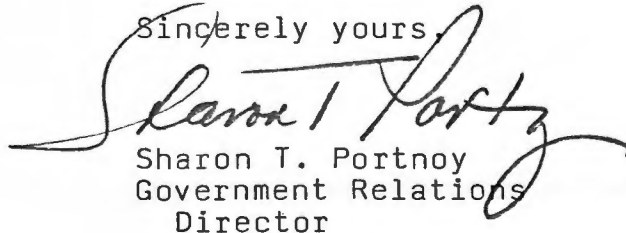
Dear Mr. Leibman:

It was a pleasure meeting you at the reception celebrating the opening of your Washington offices. I hope we have the opportunity to speak at greater length some time soon.

At Bruce Schimberg's suggestion, I am enclosing a copy of a letter sent by the NCFC to Edwin Meese.

As you will see from the text of the letter, we are most interested in seeing bankruptcy reform legislation passed.

Sincerely yours,


Sharon T. Portnoy
Government Relations
Director

STP/sls
Enc.



NATIONAL COMMERCIAL
FINANCE CONFERENCE

ONE PENN PLAZA, NEW YORK, N.Y. 10001
(212) 594-3490

November 29, 1982

Edwin Meese, III
Counsellor to the President
The White House
Washington, D. C. 20500

Dear Mr. Meese:

On behalf of the National Commercial Finance Conference (NCFC), we respectfully request that the White House take a strong public stand in favor of the comprehensive bankruptcy reform package now being addressed by Congress.

The National Commercial Finance Conference, Inc., a non-profit membership corporation, is the national trade association for the asset-based financial services industry, representing approximately 200 organizations of varying sizes doing business on a national, regional, or local basis. The membership of the NCFC is made up of the asset-based lending arms of domestic and foreign commercial banks, independent finance companies, factoring organizations and financing subsidiaries of major industrial corporations whose chief business is to offer secured credit and factoring services to manufacturers, wholesalers, and retailers. While these borrowers are both large and small, the bulk of them are properly characterized as small and medium sized businesses.

While we recognize the need for Congress to address the jurisdiction of the Bankruptcy Courts, we believe that it is equally essential that these Courts have an equitable law to work with. We must have a complete bankruptcy reform package in order to create a climate where credit can be extended to all worthy borrowers who are in need of capital.

The membership of the NCFC is particularly interested in the amendment of Section 547 of the Code dealing with commercial bankruptcies under Chapter 11 as contained in the Senate version of the "Consumer Credit" legislation.

Thank you very much for your attention to this most important matter.

Very truly yours,

Leonard Machlis
Executive Director

STP/sls

Norris S. Griffin
Associates Commercial Corp.
President
Melvin E. Rubenstein
Rosenthal & Rosenthal, Inc.
First Vice President
Stephen C. Diamond
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491

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☐ O - OUTGOING

☐ H - INTERNAL

☐ I - INCOMING

Date Correspondence
Received (YY/MM/DD)

82 11 / 26

Name of Correspondent:

Roy M. Cohn

☒ CN Mail Report

User Codes: (A) _____

(B) _____

(C) _____

Subject:

Writer sends a copy of the front page of the "National Law Journal" and He also is waiting for a date for Mr. Meese to accept the Lawyer of the Year award.

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Completion Date YY/MM/DD
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CNMEES	I	82/12/07		C 82/12/07

ACTION CODES:

A - Appropriate Action
C - Comment/Recommendation
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I - Info Copy Only/No Action Necessary
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T - Telegram
V - Telephone
X - Miscellaneous
Y - Study

9 December 1982

Dear Roy:

Thank you for your letter of 23 November 1982 and for sending me a copy of the front page of the "National Law Journal." I am pleased with the interview.

Regarding the "Lawyer of the Year" award, I have not forgotten it or your "free dinner." As soon as we are able to schedule it, I will let you know.

With my appreciation and best personal regards,

Sincerely,

EDWIN MEESE III
Counsellor to the President

Mr. Roy M. Cohn
Saxe, Bacon and Bolan
39 East 68th Street
New York, NY 10021

✓ cc: Ed Meese
✓ cc: Marilee Melvin w/copy of incoming

EM:ES:vml--

Dear Roy:

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and for ~~I appreciate your~~ sending me a copy of the front page of the "National Law Journal." I am pleased with the interview.

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my appreciation and
With ~~best~~ personal regards,

Sincerely,

EM

cc to Meese

cc with copy of incoming to Marilee Melvin

EM;es

26 NOV 1982

Rept

Saxe, Bacon & Bolan, P.C.

39 EAST 68TH STREET
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(212) 472-1400
CABLE: SAXUM

THOMAS A. BOLAN, P.C.
COUNSEL

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ROGERS H. BACON (1919 - 1962)

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JOHN A. KISER
OF COUNSEL

113452

November 23, 1982

PERSONAL

Hon. Edwin Meese, III
Counsellor to the President
The White House
Washington, D.C. 20500

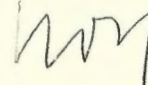
Dear Ed:

Enclosed a copy of the front page "National Law Journal" article on you. I had meant to send it before publication - and realized by this time you must have received a number of copies.

Please also remember that the National Law Journal is waiting for a date as to when you can accept their annual award as the Lawyer of the Year. This is particularly important to me, as when you do it, I get a free dinner.

Tom and I send love to Ursula and our best to you.

Sincerely,



Roy M. Cohn

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over who is tougher on crime. And in states like Arkansas and Texas, where federal "interference" has long been a burr under the saddle, candidates argue about who can best defend the state in federal court.

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Crime is the most popular topic, and recent trends in criminal justice are common planks in the candidates' platforms. Many favor restitution, either to relieve prison overcrowding or to make the law more "victim-

tion and a crackdown on career criminals are also popular proposals.

Mirroring the national debate over federalism, one of the hottest themes of this year's campaigns is the allocation of power among local prosecutors, state agencies and the attorney general. Dennis J. Roberts II, the Democratic incumbent in Rhode Island, for example, chafes at being merely the "litigation department" for

Continued on page 26

month, clients of the 80-lawyer New York firm of Epstein Becker Borsody & Green had the opportunity to hear 2½ days of discussion, at no charge, about the current state of the law in the firm's three principal areas of practice — labor, health care and government contracts.

The 250 people who attended received various handouts, including a single-spaced, 187-page handbook detailing recent cases and regulatory

Continued on page 34



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An
• NLJ •
Interview

Ed Meese On Justice And the Law

Q & A begins on page 36

'Crime is usually one of the top three problems people talk about.'

Photo/Tim Dillen

A Top White House Aide Gives His Views
On the New Attack on Drug Trafficking,
The Appointments of Federal Judges and
The Administration's Impact on the Legal System

Ed Meese and the Law

EDWIN MEESE III, counselor to the president, is perhaps the Reagan administration's most ardent law-and-order advocate.

As a member of the president's "triumvirate," he has assumed the role of chief policy adviser to the president. And those who know both men well say that Mr. Meese — more than any other presidential adviser — speaks with the same voice as Ronald Reagan on almost every issue.

Mr. Meese's interest in law-and-order issues has been long-standing. After graduating from Yale, he earned his law degree at the University of California's Boalt Hall. He then spent eight years as a prosecutor with the Alameda County, Calif., district attorney's office.

Joining Governor Reagan's administration in Sacramento, he directed the governor's tough response to the dissident-student movement that spread to California college campuses in the late 1960s. After a brief stint in the private sector, Mr. Meese founded and directed the Center for Criminal Justice and Policy Management at the University of San Diego before rejoining the Reagan team.

In this interview with National Law Journal Washington bureau chief Kathleen Sylvester, Mr. Meese talks about some of the Reagan administration's initiatives in the area of criminal justice; the accomplishments and controversies of nearly two years in office; his philosophy on the appointment of judges and future goals for the administration.



NLJ: First, let's talk about the new drug program. Is that a high priority for the Reagan administration?

It is. One of the first things we did when we came in here was to try to identify what the federal role in law enforcement should be, because over the years it's become confused, particularly when the LEAA [Law Enforcement Assistance Administration] started getting into funding of local law enforcement programs. So our first effort really was to figure out the federal role. Let me boil it down to three things. Primarily, crimes with which state and local law enforcement couldn't cope, such as interdicting the supply of narcotics coming into the country. Along with that would be interstate crime and that sort of thing. Secondly was the idea of providing support for local law enforcement on the scene and coordinating our activities. For example, the FBI would get information on a case, and there wouldn't be cooperation with the locals too often in the past. On similar cases or related cases, through these law enforcement coordinating committees headed up by the U.S. attorneys in each district, we've now developed a much higher degree of coordination which, because of the cost and the need for expertise, is best provided on the national level. By this, I mean by the FBI laboratories, the training programs of the FBI, the new joint training center in which Treasury and Justice together are operating.

So, a major priority within the federal crime area has been narcotics, because the Attorney General's Task Force on Violent Crime decided that was an area in which the federal government could really take some action. So, we started by getting all the departments involved. We got amendments so the Defense Department could as-

sist with aerial surveillance, radar and that sort of thing, or we could use naval ships so the Coast Guard crews could board other ships if they're running narcotics. We got the State Department involved and the assistant secretary of state for international narcotic affairs is really working now with other countries to try to get their cooperation in eradicating the narcotics sources. We've got the Coast Guard much more active than they've ever been through the cooperation of the secretary of transportation. We've got Customs and the Bureau of Alcohol, Tobacco and Firearms working with DEA [Drug Enforcement Administration] and the FBI. The FBI for the first time in history is now involved in narcotics investigation. So we've really harnessed these resources. Then, we were able to pinpoint the key places where most of the narcotics traffic was going on. One of them turned out to be the south Florida area and that's where we tried this task force idea. That's been going since I held the first meeting of this in January, and it's been going now for almost 10 months, with tremendous success.

NLJ: Do you think this new approach is so different that it will be able to handle the problem? The whole area of drug trafficking has been virtually untouchable for a long time. (NLJ, Nov. 1.)

It will make a big dent in it, because you've never had this coordinating of resources and priority attention to it like we have now. Now, the other thing about narcotics is that we're not just stopping with the law enforcement end of it, but we're going also into the prevention and the education and the research, the medical treatment and all the other facets of it as well.

NLJ: What about the timing of this announcement? Are you prepared to take the criticism for this coming two weeks before the election?

Well, if it was two weeks after the election, they'd say we delayed it, because it was ready. They wanted to evaluate the results of the South Florida Task Force, so they had to give that at least six months, and as soon as that was over and they had a good evaluation, they started working on this expansion, and it got to us just at this time.

NLJ: How is this new initiative going to coordinate with local efforts? The strike forces had a problem being effective because of competition.

For one thing the role is different. We're going after the major narcotics dealers who don't operate in a particular jurisdiction. We'll be going after planes and boats [used in drug smuggling] and we'll be looking at organized rings that transcend boundaries, so I think there will be cooperation in the sense of sharing information. But just as it worked in south Florida, the mission of these task forces will be different. The local law enforcement is essentially directed at street sales or sales within their boundaries. We're looking at the wholesalers.

NLJ: Obviously, as the midterm election approaches, the economy and the issues related to it are going to be foremost on people's minds. Where do you think the crime issue ranks? How important is it?

Continued on following page

Photos/Tim Dillon

Ed Meese

- An NLJ

Interview

Continued from preceding page

It varies — certain events will happen and that brings it more to people's attention — but for the most part crime is usually one of the top three problems people talk about, year in and year out. And particularly when you ask them: "What's the greatest problem facing you in your community?"

NLJ: Law-and-order issues have always been high on your agenda. They have been something that you've talked about consistently. Beyond this drug project, what other kinds of things are on the agenda?

Organized crime, of course, which is one of this particular task force's objectives. So it's really organized crime and narcotics. Other law enforcement activities are the training programs, which we got going. Other things are happening in the victims area. We have a victim task force working now to come in with new recommendations as far as crime victims, which would include not only the actual victim of the crime but also the witnesses and others, who through no fault of their own, get involved in the criminal justice system. So, that's another big area. Another thing we've been working on is improving our ability to handle such things as terrorism offenses, such things as improving our capabilities in the areas of explosives, firearms and other types of things that relate to terrorism.

NLJ: Over the summer, The National Law Journal took a look at what kind of impact the Reagan administration is having on the legal system. And generally, people on both sides responded by saying "not much" — that you have not made any fundamental changes. What's your response to that?

Well, I don't think you can tell in one year, which is about where you were measuring it, what impact this administration has had, because the impact is going to be seen over a period of years in various ways. We think that the bills we have before Congress now will have a real impact. The crime control bill that's up there now, we think will get through in the lame-duck session. . . . Then we have an additional bill, the Criminal Justice Reform Bill, that includes the insanity defense, the modifications of the exclusionary rule and federal intervention of state

government proceedings. And we have the appointment of judges, the quality of judges. That impact won't be felt until we have had more chance to appoint more judges, but already it's starting to be felt in the appellate courts even with the few we've appointed.

NLJ: Are you looking for more [Robert] Bork, [Ralph] Winter, and [Richard] Posners [recent appointees to the D.C., 2d and 7th U.S. Circuit Courts of Appeals respectively]?

Right. People who are high quality intellectually, but also who have a sense of judicial restraint, and who basically will have a very beneficial effect on restraining the judicial activism that has characterized some of the courts in the past.

NLJ: Will you be able to make enough appointments to counteract the impact of the Carter judgeships?

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Oh, I think so. Well, I hope so. Admittedly, he had quite a few because of the changes in the laws. The kind of people that we're trying to put on, like the Borks and the Winters and the Posners and others, will have an influence on the courts, perhaps out of proportion to their numbers.

NLJ: How do you go about finding them? Is there a litmus test?

There's no litmus test, but we have people looking to find the best

judges, the best district court judges and the law professors and the best practicing attorneys that we can for circuit court appointments. And, in each state, senators have their groups looking for those people for district courts.

NLJ: As a lawyer, do you think it's appropriate to scrutinize a judge about political beliefs before the appointments?

Continued on page 38

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An NLJ Interview With Ed Meese

Continued from page 37

We're not scrutinizing them on political terms. We're looking for intellectual quality, judicial temperament, a philosophy of judicial restraint — I think that's appropriate. Now that's not political, it's not conservative or liberal, it's not Democratic or Republican. But it is an approach to the judiciary that's important. I think obviously that's a very essential characteristic. We want people to be judges, not legislators.

NLJ: *Twice since you've been in this job, you've drawn personal criticism. First, over some comments about the ACLU being a lobby for criminals, and then with the Bob Jones decision [to reverse a long-standing policy denying tax-exempt status to schools that are racially discriminatory].*

The fact is that the ACLU in the instance that I mentioned in California was part of a group of several organizations — they singled out the ACLU but I talked about several organizations — that lobbied on a bill that had nothing to do with civil liberties. There were about eight or nine organizations that lobbied for lower sentences for criminals. And I was just pointing that out at the time. And in the Bob Jones case, I had nothing to do with that decision.

NLJ: *But you were aware of it before it was announced.*

Well, everybody here was aware of it. We had about 48 hours before the papers were filed and everybody was notified of it. Now we'll see how it comes out as the Supreme Court considers it. I think it was a decision that everybody knew was the correct decision on the merits. I think what occurred was that it was not anticipated how it would be overblown from the public relations standpoint.

NLJ: *As an adviser to the president, but also a political person, when you're making decisions like that, how do you weigh the political and policy goals?*



'People we're trying to put on the bench will have influence out of proportion to their numbers.'

I think the policy goals come first and usually the decision on the policy has to be made on the merits. But, where the political aspects of it might come in is the timing of when you announce it, where you announce it or how you announce it. There might be some tactical reasons in which political considerations have to be at least looked at, but they certainly don't affect the basic decision as far as the policy's concerned. So, there will be some things that you do as a matter of policy but you might do them in a way where there is maximum opportunity to explain why you're doing them. In other words, if you have a decision that you make on policy grounds that happens to go

against a particular special interest group, you don't go to that group and announce it, or conversely, you try to get to that group and explain why you're doing it before you announce it.

NLJ: *Nearly two years have elapsed [since the administration took office]. Once you get by the midterm elections, what are some other areas in which you hope to make some changes?*

Well, I think we'll continue with a number of things in the criminal justice system: criminal justice reform, looking at the court congestion and how we can help from the executive branch to relieve court congestion, to the justice side of things. I'm talking now as an administration, not just the White House. I think we'll be looking at such things as health-care cost containment. We'll be looking at doing a better job of managing the federal government. Really, the first 21 months here are largely putting out fires, concentrating on the primary goals of revitalizing the economy and rebuilding defenses. But we have been able to do things like the federalism program, which we'll be continuing until we get it done. We've already made some great strides in the block grants. We now want to see even more legislation to transfer functions and tax resources. We're continuing to work on the private sector initiative program as a parallel, too. That doesn't require legislation, but it's something that we're spending a lot of time on. And we'll probably be working in several other areas of government to see how we can reduce the federal role in programs where we never should have been in the first place.

NLJ: *One last question. It's been mentioned a lot that since one of your primary interests is law enforcement, that another slot for a former Alameda County prosecutor might be attorney general. Is that a possibility?*

No, I haven't thought about it. I really haven't given any thought to it. I've got enough to do with what I'm doing right now.

9 December 1982

113452
FG006-01

Dear Roy:

Thank you for your letter of 23 November 1982 and for sending me a copy of the front page of the "National Law Journal." I am pleased with the interview.

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Sincerely,

EDWIN MEESE III
Counsellor to the President

Mr. Roy M. Cohn
Saxe, Bacon and Bolan
39 East 68th Street
New York, NY 10021

cc: Ed Meese
cc: Marilee Melvin w/copy of incoming

EM:ES:vm1--

26 NOV 1982

Repr

Saxe, Bacon & Bolan, P.C.

39 EAST 68TH STREET
NEW YORK, NEW YORK 10021

(212) 472-1400
CABLE: SAXUM

THOMAS A. BOLAN, P.C.
COUNSEL

JOHN GODFREY SAXE (1909 - 1953)
ROGERS H. BACON (1919 - 1962)

ROY M. COHN
STANLEY M. FRIEDMAN, P.C.
DANIEL J. DRISCOLL
MICHAEL ROSEN, P.C.
JOHN F. LANG (NEW YORK AND FLORIDA)
LOUIS BIANCONE (NEW YORK AND NEW JERSEY)
FILIP L. TIFFENBERG (NEW YORK AND NEW JERSEY)
ANDREW M. LEVINE (NEW YORK AND CONNECTICUT)

JOHN A. KISER
OF COUNSEL

113452

November 23, 1982

PERSONAL

Hon. Edwin Meese, III
Counsellor to the President
The White House
Washington, D.C. 20500

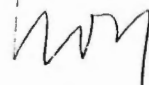
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Tom and I send love to Ursula and our best to you.

Sincerely,



Roy M. Cohn

sb

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21 or 21 June 1982

ID 830

Input Date 19-May-1982 Other Dates:
Receipt Date 12-May-1982 TIME: evening
Event Date
RSVP Due Date

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Location New York City
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Topic
Priority
Response
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On the Schedule
Disposition

Staff Work

Letter from James Finklestein and letter from Roy Cohn requesting EM to address dinner in June and be presented with Law Journal Distinguished Service Award (given each year to US citizen who has served the legal profession or judicial system with high degree of distinction and dignity). Given last year to Bill Casey. Distinguished audience. Only dates available in June are 21 or 22 June.

Rec. accept if it can be worked into NY Trip

*Hold to
2nd wk August*

*one more
yes*

830
1 2 MAY 1982

THE NATIONAL LAW JOURNAL

111 Eighth Avenue, New York, New York 10011, (212) 741-8300

JAMES A. FINKELSTEIN
Publisher

May 10, 1982

Hon. Edwin Meese III
Counselor to the President
Att: Marylee Melvin
The White House
Washington, D.C.

*June
21 or 22
only*

Dear Mr. Meese:

Jerry and I enjoyed meeting you at the Merchant's Club dinner on your recent visit to New York.

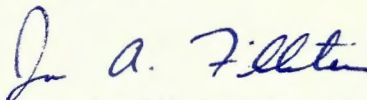
Both of us as well as the Boards of Editors of The National Law Journal and the New York Law Journal would very much like to honor you with the Law Journal Distinguished Service Award given each year to a U.S. citizen who has served the legal profession or the judicial system "with a high degree of distinction and dignity." We would like to present this award to you in June at a dinner on a date convenient to you.

I know that Roy Cohn has already mentioned the dinner to you. He may not have mentioned that our first Distinguished Service Award was given last year to Bill Casey.

In addition to the Board of Editors attending the dinner, the leading members of the judiciary and the Bar will be attending.

I hope that you will be able to accept the award and set a convenient date.

Sincerely,


James A. Finkelstein

JAF:jei

20 MAY 1982

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May 17, 1982

JOHN A. KISER
OF COUNSEL

Hon. Edwin Meese, III
Counsellor to the President
The White House, First Floor, West Wing
Washington, D.C. 20500

Dear Ed:

I know that the National Law Journal and the New York Law Journal have selected you as recipient of their Distinguished Service Award at a dinner in your honor on a date of your designation in June.

They are without doubt the two most important and highly regarded legal publications in the nation, and you will recall that I spoke to you about their owners, Jerry and Jimmy Finkelstein - to whom you were most gracious at the Merchant's Club dinner.

Ed, this is a most prestigious event, and I very much hope you can accept. The Finkelsteins have been most helpful in causes that are close to you and to me.

I hope you are feeling 100% fit again, and send my love to Ursula and my best to you.

Your friend,



Roy M. Cohn

sb

NEW YORK LAW JOURNAL—Monday, May 17, 1982

Why Should Communist Party Conduct Finances in Secret?

By Thomas A. Bolan and Roy M. Cohn

More and more in recent years trials and judicial decisions have become front page news. Television cameras are welcomed into various courtrooms. A consequence of this is increasing public awareness of how our legal system works — and when it doesn't work.

There are some judicial results the average American just doesn't understand. What the President refers to as "exclusionary" rules often bring about suppression of reliable evidence and the freeing on a technicality of concededly guilty defendants. Is there an explanation for the public's impatience with this? Yes, indeed. Frequently, the public reaction is, in fact, correct, and the judicial decision involved is ridiculous.

'Absurd' Result

We could hardly imagine a better illustration than a decision by the U.S. Court of Appeals for the Second Circuit on May 6 (NYLJ May 7, text of decision May 14) that the Com-

munist Party need not report the identity of its financial contributors, even though the Democratic, Republican, Liberal and Conservative Parties must publicly report the name, address, etc. of each contributor of \$50 or more and the amount of each contribution. Talking about absurd results, this decision takes the cake.

Indeed, when the District Court reached the same result some months ago, President Reagan reacted as follows: "Asked what he thought about legislation to limit the jurisdiction of the courts, Reagan replied that there is evidence that the courts have taken powers that belonged to the legislature. He cited an example: 'A federal judge has just ruled that one political party in the United States does not have to obey [Federal Election Commission] rules — the Communist Party.'" (Washington Post, Oct. 18, 1981, p. A9).

The United States Congress has found and declared that the Communist Party of the United States is "in fact an instrumentality of a conspiracy to overthrow the Government of the United States," that its "policies and programs" are "secretly prescribed for it by the foreign leaders of the world Com-

Continued on page 3, column 3

Thomas A. Bolan is counsel to Saxe, Bacon & Bolan, P.C., Chairman of the Conservative Party in New York and serves in various capacities with President Reagan and Senator Alphonse D'Amato. Roy M. Cohn is with the same law firm, and the author of "How to Stand Up for Your Rights — and Win" (Simon & Schuster).

Earn daily professional dividends with a New York Law Journal subscription. Coupon, Page 4.

Communist Party Finances

Continued from page 1, column 3

munist movement," that it is "the agency of a hostile foreign power," 68 Stat 775. The Supreme Court of the United States has sustained findings that the Communist Party of the United States is "a disciplined organization" operating in this nation "under Soviet Union control" to install "a Soviet style dictatorship in the United States." *Communist Party v. S.A.C. Board*, 367 U.S. 1, 1961.

Is it such dedication to our destruction that earns the Communists the right to conduct their finances in secret, while the other parties operating under the same law are required to reveal all on the same subject, with criminal penalties if they fail to do so?

Make no mistake about it; the Communists are not dealing in pennies. They raised \$423,893 for their Presidential candidate, Gus Hall, and refused to identify 424 of the contributors. Gus Hall is no stranger to the Second Circuit. He was convicted of conspiracy to teach and advocate the violent overthrow of our government by a jury before Judge Harold R. Medina more than thirty years ago. When the day for his surrender came, he had jumped bail and become a fugitive, which he remained for some time. Following his recapture, he was tried and convicted under the Federal Fugitive Act. The trustees of the Bail Fund of the Civil Rights Congress who guaranteed his appearance and then refused to answer questions about his whereabouts were promptly jailed by Federal Judge Sylvester J. Ryan.

Are we now to bestow judicial exemption on the Communist Party's financial activities for Gus Hall and others despite an Act of Congress that correctly draws no distinction among which parties are subject to reporting requirements? This result is absurd.

An excellent argument can be made for the repeal of the entire Act. We agree with former Senator James Buckley's original challenge to it. It breeds such abuses as that which made it possible for a joke like Lyndon La Rouché to receive a fortune in matching funds from our pockets, as a result of the voluntary check-off system on our tax returns which many taxpayers still do not understand. But as long as this law is on the books, even-handed application to all parties without special privilege for the Communists, seems to be only fair.

Nor is the inherent danger theoretical. Suppose the Kremlin wanted to finance a key campaign in the United States. Under the Circuit Court's holding, they could easily accomplish this by "anonymously" contributing any amount of money to its Communist Party here.

The lapse in reasoning power that leads the Circuit Court to its conclu-

sion is that while it's okay to make Democrats, Republicans, etc. tell all, to subject the Communists to the same law would have a "chilling" effect on those who wish to contribute to the Communist Party. What nonsense. Suppose a Democratic officeholder chose to contribute to Ronald Reagan?

Doesn't the prospect of public exposure create a "chilling" effect? And if Lowell Weicker had wanted to sneak some of his fortune into Jimmy Carter's campaign coffers wouldn't the disclosure provisions of this have a "chilling" effect on him? The ritualistic use of the word "chilling" (I have to toss that one to William Safire's *New York Times* word column), in defense motions seems to have permeated the Circuit Court.¹

This is fine if its only consequence is to confuse the Civil Liberties Union but when, as here, it shakes public confidence in the basic fairness of our courts, members of the public have a right to protest, as we hereby do.

(1) The following participle: "particularly when some of its generally conservative members think the time is ripe to make their annual curtsy to liberalism," would have been added at this point by Mr. Cohn. Mr. Bolan, however, did not wish it to be included.