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Ronald Reagan Library

Collection Name ROBERTS, JOHN G.: FILES

Withdrawer

CAS 8/25/2005

File Folder [JGR/APPOINTEE CLEARANCES - 04/18/1984-05/31/1984]

FOIA

F05-139/01

Box Number 3

COOK

15 KDB

Doc No	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
1	MEMO	J. ROBERTS TO RICHARD HAUSER RE A PROSPECTIVE NOMINATION (PARTIAL)	1	4/18/1984	B6	339
2	MEMO	ROBERTS TO FRED FIELDING RE ATTACHED MEMO	1	4/19/1984	B6	340
3	MEMO	FIELDING TO JOHN HERRINGTON (REVISED) (P. 1 PARTIAL, P.2 RELEASED)	2	4/17/1984	B6	341
4	MEMO	FIELDING TO JOHN HERRINGTON (ORIGINAL VERSION) (P. 1 PARTIAL, P.2 RELEASED)	2	4/17/1984	B6	342
5	LETTER	JOAN EHRENWORTH TO WILLIAM GRESSMAN RE ENCLOSED LETTER	1	4/27/1984	B6	343
6	LETTER	JOHN RUBENS TO DAVID MARTIN RE A NOMINATION	2	4/17/1984	B6	344
7	MEMO	ROBERTS TO DIANNA HOLLAND RE PROSPECTIVE APPOINTEE (PARTIAL)	1	5/1/1984	B6	345
8	MEMO	ROBERTS TO RICHARD HAUSER RE PROSPECTIVE APPOINTEE (PARTIAL)	1	5/2/1984	B6	346

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

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E.O. 13233

C. Closed in accordance with restrictions contained in donor's deed of gift.

WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name ROBERTS, JOHN G.: FILES

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Doc No	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
9	MEMO	ROBERTS TO FRED FIELDING RE ADDITIONAL INFORMATION ON PROSPECTIVE APPOINTEE (PARTIAL)	1	5/3/1984	B6	347
10	MEMO	CLAIRE O'DONNELL TO JANE DANNEHAUER, RE: PAS AND PA CANDIDATE WITHDRAWALS (PARTIAL)	1	5/22/1984	B6	1165
11	MEMO	ROBERTS TO R. HAUSER RE A FINANCIAL DISCLOSURE REPORT (PARTIAL)	2	5/31/1984	B6	348

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E.O. 13233

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THE WHITE HOUSE

WASHINGTON

April 18, 1984

MEMORANDUM FOR DIANNA G. HOLLAND

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Reappointment of Sylvester E. Williams, IV
to the National Advisory Committee for
Juvenile Justice and Delinquency Prevention

Under 42 U.S.C. § 5617 the President is authorized to appoint fifteen persons to the Advisory Committee, at least five of whom shall be less than 24 years old at the time of their appointment. At least two of these five "shall have been or shall be (at the time of appointment) under the jurisdiction of the juvenile justice system." 42 U.S.C. § 5617(a)(3). No member of the Advisory Committee may be a full-time officer or employee of the Federal Government. Id. § 5617(a)(4).

On February 22, 1984, I submitted a memorandum concerning the reappointment of four of the five Reagan appointees whose terms expired on January 17, 1984. I noted that the fifth prospective reappointee -- Mr. Williams -- had not yet submitted a new PDS; Mr. Williams has now done so. I have reviewed Williams's PDS and have no objection to his reappointment. As I noted in my earlier memorandum, reappointments are authorized by 42 U.S.C. § 5617(b)(2).

Williams is still under 24 years of age, and accordingly may be counted toward fulfilling the requirement that five of the President's 15 appointees be less than 24 at the time of their appointment. (With the four previous reappointments, plus Williams, the requirement is satisfied.) There is no indication that Williams has been under the jurisdiction of the juvenile justice system, but the previous reappointments of Koppenhoefer and Rouse already satisfied that requirement.

Attachment

THE WHITE HOUSE

WASHINGTON

April 18, 1984

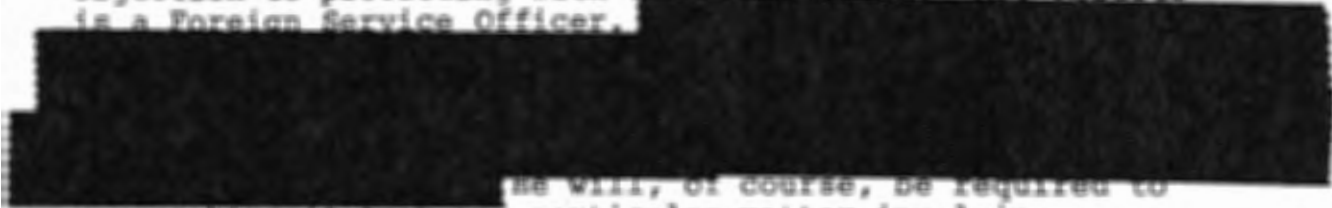
MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Prospective Nomination of Owen W. Roberts
to be U.S. Ambassador to Togo

I have reviewed the SF-278 and related materials submitted by Owen W. Roberts (no relation) in connection with his prospective nomination to be Ambassador to Togo, and have no

objection to proceeding with this nomination. Mr. Roberts is a Foreign Service Officer.

 he will, of course, be required to recuse himself from any particular matter involving a company in which he, his spouse, or dependent children have a financial interest.

Attachment

B6

THE WHITE HOUSE

WASHINGTON

April 18, 1984

MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS 

SUBJECT: Prospective Nomination of Paul H. Boeker
to be U.S. Ambassador to Jordan

I have reviewed the SF-278 and related materials submitted by Paul H. Boeker in connection with his prospective nomination to be Ambassador to Jordan, and have no objection to proceeding with this nomination. Mr. Boeker is a Foreign Service Officer, and his relatively simple financial picture presents no conflicts difficulties. His background is unusual, however, in that he took a "leave of absence without pay" from the State Department from October 1981 through January 1983, at which time he was employed by International Reporting Information Systems (IRIS) of Alexandria. I raised this matter with Bill Gressman, who advised me that it was not at all unusual for Foreign Service Officers to be granted such leave, assuming that the employment they undertake while on leave does not present a conflict and contributes to their career development. Gressman confirmed that Gene Malmborg reviewed Boeker's leave and saw no problems.

WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name
ROBERTS, JOHN: FILES

Withdrawer
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FOIA
F05-133/01
COOKE, PAMELA

Box Number

15

<i>DOC Document Type</i>	<i>No of</i>	<i>Doc Date</i>	<i>Restric-</i>	
<i>NO Document Description</i>	<i>pages</i>		<i>tions</i>	
2 MEMO	1	4/19/1984	B6	340
ROBERTS TO FRED FIELDING RE ATTACHED MEMO				

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C. Closed in accordance with restrictions contained in donor's deed of gift.

THE WHITE HOUSE

WASHINGTON

April 17, 1984

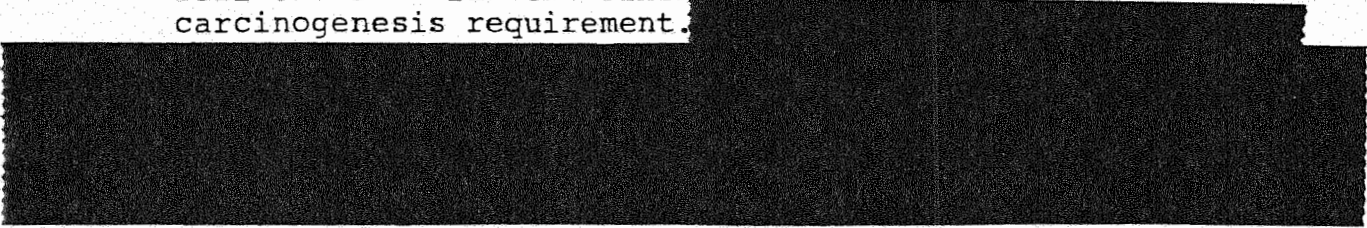
MEMORANDUM FOR JOHN S. HERRINGTON
ASSISTANT TO THE PRESIDENT
FOR PRESIDENTIAL PERSONNEL

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Appointments of David Korn, Louise C. Strong,
Gertrude Elion, Helene Brown, and Reappoint-
ment of Roswell K. Boutwell as Members of the
National Cancer Advisory Board

Counsel's Office has reviewed the Personal Data Statements submitted by the above-referenced prospective appointees to the National Cancer Advisory Board. Of the 18 members appointed by the President to the Board, no more than 12 may be scientists or physicians, no more than eight may be representatives of the general public, not less than five must be knowledgeable in environmental carcinogenesis, and at least two must be physicians primarily involved in treating cancer patients. 42 U.S.C. § 286b(a)(1). The background and qualifications of this latest group of prospective appointees cannot be assessed in a vacuum but must be considered together with the background and qualifications of the sitting Board members, to ensure that the composition of the total Board satisfies the statutory requirements.

Our office is of course not qualified to determine who is or is not "knowledgeable in environmental carcinogenesis," but we have been advised by Dr. Vincent DeVita, Director of the National Cancer Institute, that none of the members appointed in 1980 and 1982 satisfy this requirement. In filling the six vacancies created by expiration of terms on March 9, 1984, therefore, five of our appointees must be knowledgeable in environmental carcinogenesis. DeVita advises that Strong, Elion, Korn, and Boutwell meet this requirement; Brown does not. Whomever is chosen to replace Irving J. Selikoff and fill the sixth vacancy thus must meet the carcinogenesis requirement.



B6

Appointing five carcinogenesisists, however, presents a problem with the requirement that no more than 12 Board members be scientists or physicians. Of the sitting Board members whose terms do not expire until 1986 or 1988, eight are scientists or physicians. Appointing five carcinogenesisists would result in exceeding the cap of 12 scientists or physicians. Not appointing five carcinogenesisists, however, would result in violating the carcinogenesis requirement. This highly unsatisfactory quandary is the result of using up scientist and physician slots in prior appointments on scientists or physicians who were not carcinogenesisists.

Dr. DeVita advised us that one of the sitting members, Tim Lee Carter, M.D., is considered a lay member and not a "scientist or physician." Carter served in Congress for 16 years and has a largely inactive medical practice. While we are not entirely content with finessing the problem by viewing Dr. Carter as not being a physician, and note that the composition of the Board may be open to challenge, adopting this argument is no more troubling than failing to appoint five carcinogenesisists, as required by statute.

Not surprisingly, the prospective appointees have associations of different types with various institutions or individuals that could at some point apply for grants reviewable by the Board. Obviously, those associations will have to be reviewed on a case-by-case basis should the institutions or individuals apply for grants or otherwise come under the jurisdiction of the Board. If necessary, affected members will have to recuse themselves from the review and certification process with respect to those particular applications.

Assuming that your office confirms what we have been told -- that Strong, Elion, Korn, and Boutwell satisfy the carcinogenesis requirement -- and assuming that whomever is appointed to replace Irving Selikoff also satisfies the carcinogenesis requirement, we have no objection to proceeding with the appointments of Strong, Elion, Korn, Brown and the reappointment of Boutwell.

FFF:JGR:aea 4/18/84

cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

April 17, 1984

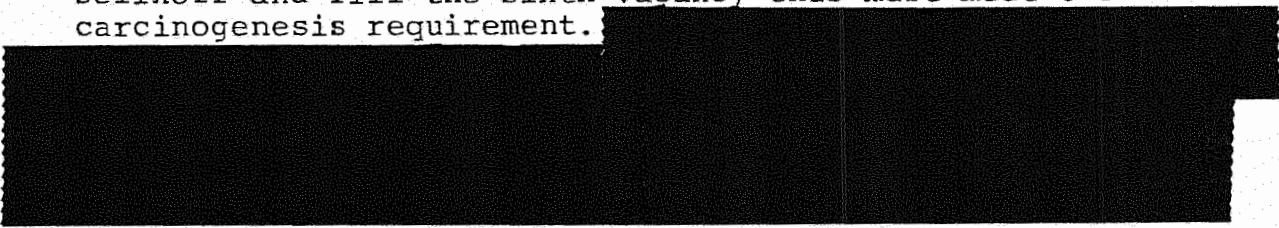
MEMORANDUM FOR JOHN S. HERRINGTON
ASSISTANT TO THE PRESIDENT
FOR PRESIDENTIAL PERSONNEL

FROM: FRED F. FIELDING *Orig. signed by FFF*
COUNSEL TO THE PRESIDENT

SUBJECT: Appointments of David Korn, Louise C. Strong,
Gertrude Elion, Helene Brown, and Reappoint-
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Assuming that your office confirms what we have been told -- that Strong, Elion, Korn, and Boutwell satisfy the carcinogenesis requirement -- and assuming that whomever is appointed to replace Irving Selikoff also satisfies the carcinogenesis requirement, we have no objection to proceeding with the appointments of Strong, Elion, Korn, Brown and the reappointment of Boutwell.

FFF:JGR:aea 4/18/84
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

April 24, 1984

MEMORANDUM FOR JOHN HERRINGTON

FROM: FRED F. FIELDING

All necessary clearances have been accomplished with regard to the following individual and he is ready for appointment by the President:

Sylvester E. Williams IV - Member, National
Advisory Committee for Juvenile Justice
and Delinquency Prevention

cc: Claire O'Donnell
Jane Dannenhauer
John Roberts
Susan Borchard

THE WHITE HOUSE

WASHINGTON

April 24, 1984

MEMORANDUM FOR JOHN HERRINGTON

FROM: FRED F. FIELDING

All necessary clearances have been accomplished with regard to the following individual and he is ready for formal nomination by the President:

Edward E. Wolfe - To be accorded the rank of Ambassador during his tenure of service as Deputy Assistant Secretary of State for Oceans and Fisheries Affairs

cc: Claire O'Donnell
Jane Dannenhauer
Richard Hauser
John Roberts

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<i>NO Document Description</i>	<i>pages</i>		<i>tions</i>

5 LETTER

1 4/27/1984 B6

343

JOAN EHRENWORTH TO WILLIAM GRESSMAN
RE ENCLOSED LETTER

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

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6	LETTER	2	4/17/1984	B6	344
	JOHN RUBENS TO DAVID MARTIN RE A NOMINATION				

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THE WHITE HOUSE
WASHINGTON

May 1, 1984

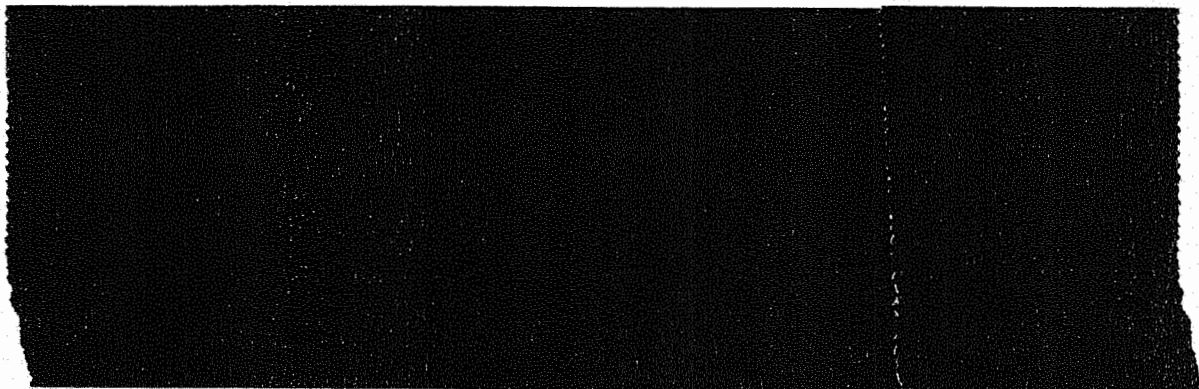
MEMORANDUM FOR DIANNA G. HOLLAND

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Appointment of Walter Thompson Cox III
to the U.S. Court of Military Appeals

The United States Court of Military Appeals is an Article I tribunal established by 10 U.S.C. § 867. It consists of three judges appointed by the President, by and with the advice and consent of the Senate, from civil life for 15 year terms. Appointees must be members of the bar of a Federal court or the highest court of a State; no more than two judges may be appointed from the same political party. 10 U.S.C. § 867(a) (1).

Cox served in the Judge Advocate General's Corps from the time he entered law school in 1964 until 1972. He was in private practice from 1973-1978, and has been a state trial judge since 1978. The requirement that appointees to the court be from "civil life" is not defined in the statute. The provision is generally understood to prohibit appointment of currently active military officers, and I do not see Cox's prior, discontinued military service as a bar to his appointment. Cox satisfies the bar membership requirement.



B6

I have reviewed Cox's PDS (but not his SF-278), and have no objection to proceeding with his nomination.

THE WHITE HOUSE

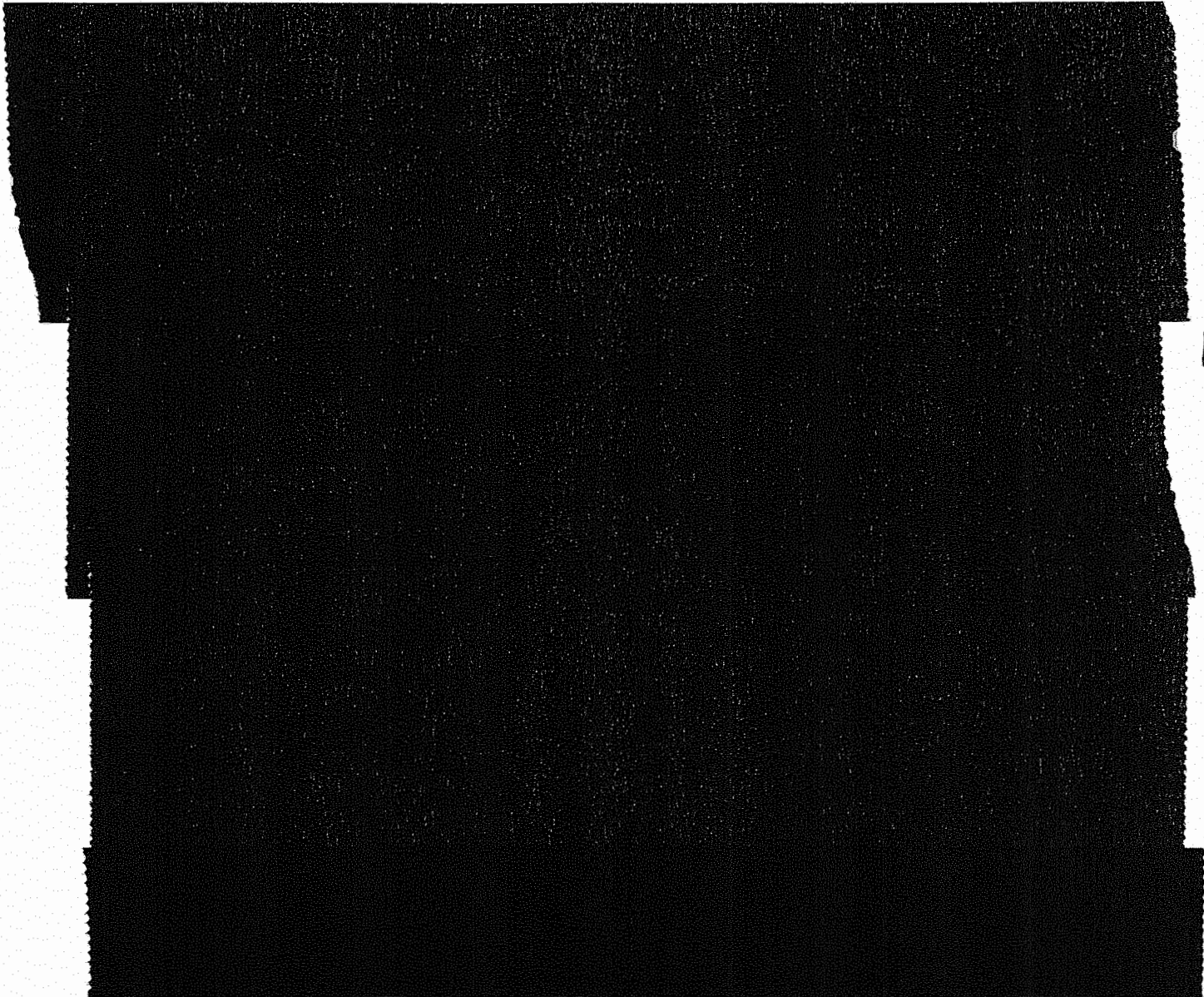
WASHINGTON

May 2, 1984

MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Prospective Nomination of Paul H. Boeker
to become U.S. Ambassador to Jordan



B6

Based on the media accounts and Boeker's responses, I have no objection to proceeding with the nomination.

THE WHITE HOUSE

WASHINGTON

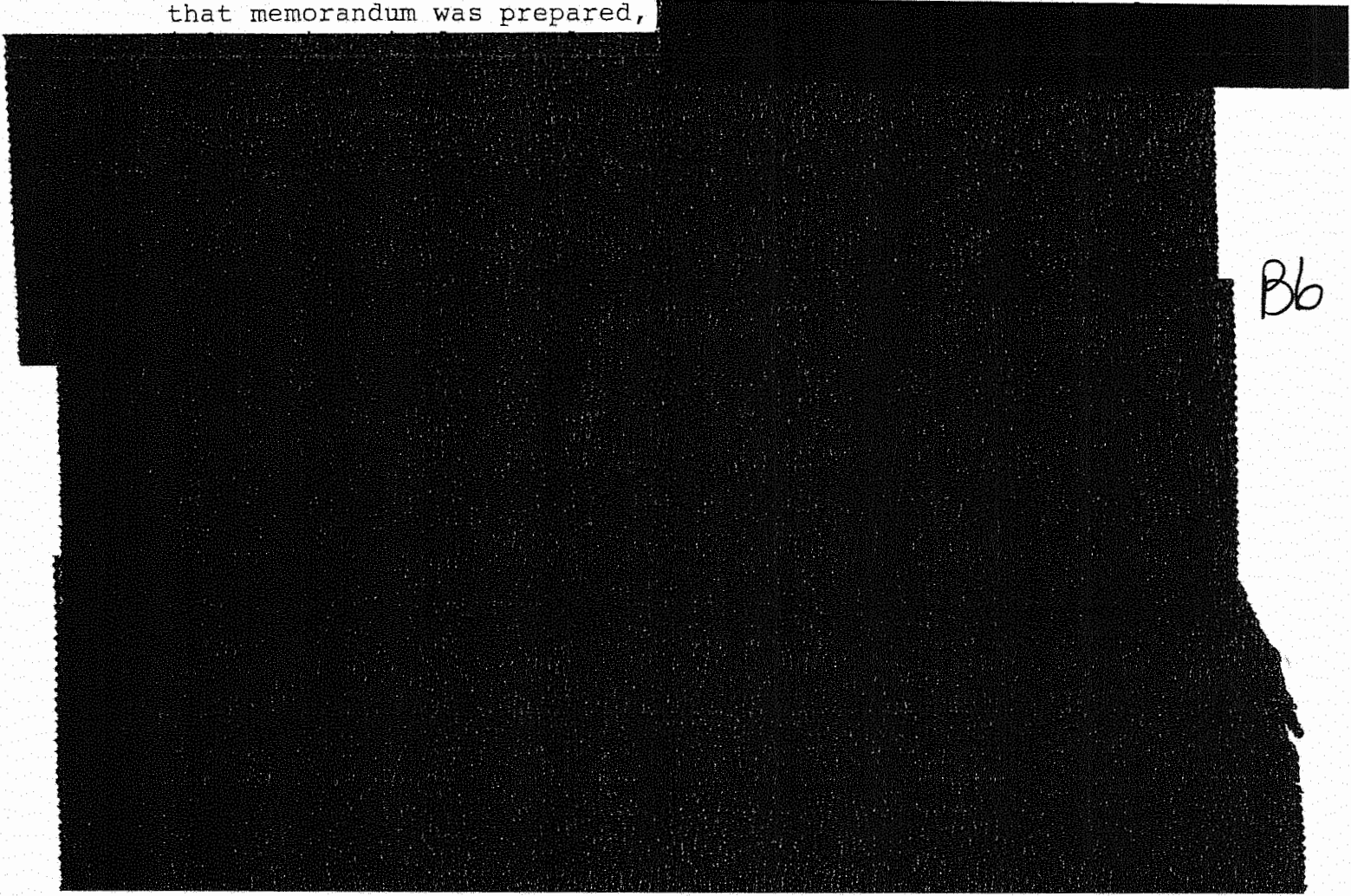
May 3, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Additional Information Concerning
the Prospective Appointment of
Walter T. Cox to the U.S. Court
of Military Appeals

By memorandum dated May 1, 1984, I advised Dianna G. Holland that I had no objection to proceeding with the nomination of Walter T. Cox III to the Court of Military Appeals. After that memorandum was prepared,



B6

THE WHITE HOUSE

WASHINGTON

May 4, 1984

MEMORANDUM FOR JOHN HERRINGTON

FROM: FRED F. FIELDING

All necessary clearances have been accomplished with regard to the following individual and he is ready for formal nomination by the President:

Peter Sebastian - To be Ambassador to the Republic of Tunisia

cc: Claire O'Donnell
Jane Dannenhauer
Richard Hauser
~~John Roberts~~

THE WHITE HOUSE

WASHINGTON

May 10, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Reappointments to the Board of Directors
of the Federal National Mortgage Association

I have reviewed the Personal Data Statements submitted by James B. Coles, Bert A. Getz, Dianne Ingels, Merrill Butler, and James E. Lyon in connection with their prospective reappointments to the Board of Directors of the Federal National Mortgage Association. The President is authorized to appoint five of the 15 members of the Board, 12 U.S.C. § 1723(b), on an annual basis. Of the five Presidential appointees, one must be from the homebuilding industry, one from the mortgage lending industry, and one from the real estate industry. Id.

As an initial matter, it should be noted that the members of the FNMA board are not subject to Federal conflict of interest laws or regulations. This conclusion was reached in a July 10, 1970 opinion issued by then Assistant Attorney General William H. Rehnquist, and reaffirmed by this office upon the initial clearance of President Reagan's appointees to the Board. Thus, the fact that the appointees have financial interests in and associations with entities affected by the activities of FNMA is not a bar to their service on the board. Indeed, the enabling statute specifically contemplates that some of the appointees will represent segments of the economy most directly affected by the activities of FNMA.

I have no objection to the reappointments of Coles, Getz, Ingels, and Butler. These reappointments satisfy the requirements of 12 U.S.C. § 1723(b): Butler is in the homebuilding industry, and has served as President of that industry's trade association; Coles, Getz, and Ingels are in the real estate business; Getz may also be considered a representative of the mortgage lending industry by virtue of his service on several bank and mortgage company boards.

As you know, James E. Lyon, the fifth of the President's prospective reappointees, did not completely answer the PDS sent to him. By letter dated April 17, you asked him to answer fully all the questions on the PDS. I am unable to clear Mr. Lyon until we receive his response to your letter.

Date 4.14.84

Suspense Date _____

MEMORANDUM FOR: John

FROM: **DIANNA G. HOLLAND**

ACTION

- _____ Approved
- _____ Please handle/review
- _____ For your information
- _____ For your recommendation
- _____ For the files
- _____ Please see me
- _____ Please prepare response for
_____ signature
- _____ As we discussed
- _____ Return to me for filing

COMMENT

John - Mr. Lewis has been to
over 16-20 are questions
the memo letter for the main
action Mr. Lewis to provide
both answers to these questions.
WGH 4/14/84

JAMES E. LYON

April 5, 1984

Mr. Robert H. Tuttle
Special Assistant to the President
The White House
Washington, D. C. 20500

Dear Bob:

Enclosed is my 1984 Personal Data Statement for the Federal National Mortgage Association Board of Directors.

With regard to questions 16 through 27, let me state that I have never been charged with or convicted of a felonious act; I have never been charged with or convicted of a misdemeanor involving a crime of moral turpitude; and I have never been a member of or contributor to a subversive organization. I have been actively involved in Republican politics and conservative educational and political undertakings, many of which would be viewed by some as controversial. In my opinion, none of these activities would provoke serious questions or critical charges as to my qualifications for the proposed reappointment. I am not aware of any circumstance that would provoke or create an embarrassment for the Administration.

Yours very truly,


James E. Lyon

JEL:rjl
Enclosure

THE WHITE HOUSE

WASHINGTON

April 17, 1984

MEMORANDUM FOR FRED F. FIELDING
RICHARD A. HAUSER

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: James E. Lyon's PDS

James E. Lyon is under consideration for appointment to the Board of Directors of the Federal National Mortgage Association (PA). The PDS was forwarded to him by Presidential Personnel on March 14; Lyon returned the form to Bob Tuttle on April 5. Lyon answered questions 1-15 and purported to answer questions 16-27 in a paragraph in his letter to Tuttle. Mr. Hauser considers Lyon's statement unresponsive to questions 16-20 and asked that I prepare a letter for your signature requesting Lyon to provide full answers to those questions. The attached draft requests full answers to questions 16-20 and 23-24, since I think Lyon's statement is unresponsive to questions 23-24 as well as 16-20.

Attachment

THE WHITE HOUSE

WASHINGTON

April 17, 1984

Dear Mr. Lyon:

By memorandum dated March 14, 1984, I requested that you complete a Personal Data Statement in order that we may complete the clearance process for your prospective appointment to the Federal National Mortgage Association Board of Directors. The statement, required of all prospective Presidential appointees, consisted of responses to 27 questions.

You have provided detailed responses to questions 1-15 but not to questions 16-27. Your letter of April 5 to Special Assistant to the President Robert H. Tuttle concerning questions 16-27 is not fully responsive to questions 16-20 and 23-24. It is necessary for us to have complete responses to these questions before we can proceed with clearance of your prospective appointment. As I noted in my memorandum of March 14, your responses are not subject to public disclosure and will remain confidential. Since your appointment cannot be finalized until we have reviewed your answers to all the questions, please supply the missing information at your earliest convenience.

Sincerely,

/s/

Fred F. Fielding
Counsel to the President

Mr. James E. Lyon
1300 River Oaks Bank
& Trust Building
2001 Kirby Drive
Houston, TX 77019

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

May 11, 1984

The President today announced his intention to appoint the following individuals to be Members of the National Advisory Committee for Juvenile Justice and Delinquency Prevention for terms expiring January 17, 1987. These are reappointments:

ALLAN B. MOORE is a student at Harvard University in Cambridge, Massachusetts. He graduated from Groton School in 1982. He was born July 21, 1964 in Boston, Massachusetts.

DONNA M. SMITH is a student at George Mason University in Fairfax, Virginia. She graduated from Kempsville High School in Virginia Beach, Virginia. She was born July 6, 1963 in San Diego, California.

SYLVESTER E. WILLIAMS IV is a law clerk with the firm of Raby & Stafford of Alexandria, Virginia. He is a law student at Stanford University. He was born May 24, 1961 in Chicago, Illinois.

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THE WHITE HOUSE

WASHINGTON

May 11, 1984

MEMORANDUM FOR JOHN HERRINGTON

FROM: FRED F. FIELDING

All necessary clearances have been accomplished with regard to the following individuals and they are ready for appointment to the National Cancer Advisory Board:

Roswell K. Boutwell
Helene G. Brown
Gertrude B. Elion
David Korn
Louise C. Strong

cc: Claire O'Donnell
Jane Dannenhauer
John Roberts
Susan Borchard

THE WHITE HOUSE

WASHINGTON

May 14, 1984

MEMORANDUM FOR DIANNA G. HOLLAND

FROM:

JOHN G. ROBERTS 

SUBJECT:

Prospective Nomination of Alberto M.
Piedra to Become Ambassador to Guatemala

I have reviewed the SF-278 and related materials submitted by Alberto M. Piedra in connection with his prospective nomination to be Ambassador to Guatemala, and have no objection to proceeding with this nomination. Mr. Piedra is currently U.S. Representative to the Inter-American Economic and Social Council of the Organization of American States. He is also on leave of absence from Catholic University, and teaches a seminar there once a week, for which he is compensated.

I telephoned Mr. Piedra to discuss his relationship with Catholic University. He advised me that if confirmed he would discontinue all teaching activities and would receive no compensation from the university, other than payments due through September for the seminars he taught from January through April. He did not know if the university would be willing to continue his leave of absence status.

Attachment

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

May 15, 1984

The President today announced his intention to appoint the following individuals to be Members of the National Cancer Advisory Board for terms expiring March 9, 1990:

ROSWELL K. BOUTWELL is Director of Research for the Radiation Energy Research Foundation in Hiroshima, Japan. He is on leave from McArdle Laboratory for Cancer Research at the University of Wisconsin, where he is a Professor of Oncology. He is married and has three children. He was born November 24, 1917 in Madison, Wisconsin. This is a reappointment.

HELENE G. BROWN is Director for Community Applications at Jonsson Comprehensive Cancer Center at the University of California at Los Angeles. Since 1977 she has served as Chairman of the Education Committee for the American Cancer Society. She is married, has two children and resides in Sherman Oaks, California. She was born May 3, 1929 in New York City. She will succeed Morris M. Schrier.

GERTRUDE B. ELION is Scientist Emeritus, Wellcome Research Labs, Research Triangle Park, North Carolina and serves as Research Professor of Pharmacology & Medicine at Duke University Medical Center. Dr. Elion resides in Chapel Hill, North Carolina. She was born January 23, 1918 in New York City. She will succeed Janet Davison Rowley.

DAVID KORN is Professor and Chairman of the Department of Pathology at Stanford Medical School in Stanford, California. He was Chairman of the Board of Scientific Counselors, Division of Cancer Biology and Diagnosis, National Cancer Institute in 1980-1982. He is married, has three children and resides in Stanford. He was born March 5, 1933 in Providence, Rhode Island. He will succeed Sheldon W. Samuels.

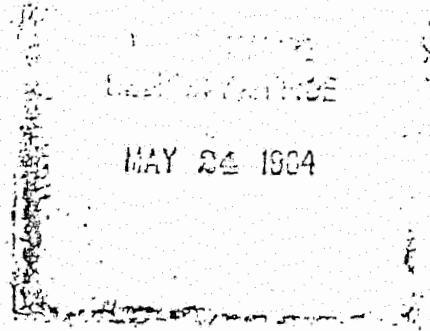
LOUISE CONNALLY STRONG is Associate Professor of Medical Genetics, Associate Geneticist, and Associate Professor of Pediatrics and Biology at The University of Texas System Cancer Center, M.D. Anderson Hospital and Tumor Institute in Houston, Texas. She is married, has two children and resides in Houston. She was born April 23, 1944 in San Antonio, Texas. She will succeed Maureen McGrath Henderson.

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THE WHITE HOUSE
WASHINGTON

*appointments
file*

May 22, 1984



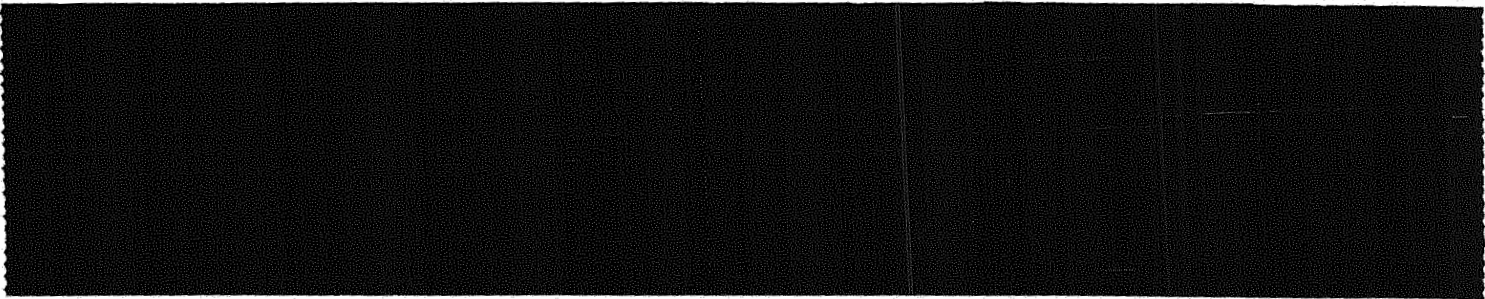
MEMORANDUM FOR JANE DANNENHAUER

FROM: Claire O'Donnell

SUBJECT: PAS and PA Candidate Withdrawals

For your permanent records please be advised that the following individuals have been withdrawn from consideration as Presidential appointments:

PAS Candidates:



PA Candidates:



cc: Holland
Kennedy
Bullock

THE WHITE HOUSE

WASHINGTON

May 23, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Appointment of Enrico Mihich to the
National Cancer Advisory Board

I have reviewed the Personal Data Statement submitted by Dr. Enrico Mihich in connection with his prospective appointment to the National Cancer Advisory Board. By memorandum dated April 17, 1984 (attached), you reviewed the complex requirements for appointments to this Board for John Herrington. In particular, you noted that the Administration was confronted with a dilemma, in that we could not satisfy the statutory requirement that at least five of the Board members be knowledgeable in environmental carcinogenesis without violating the additional requirement that no more than 12 of the Board members be scientists or physicians. See 42 U.S.C. § 286b(a)(1). We decided to avoid the dilemma (to the extent possible) by considering one of the sitting members, Tim Lee Carter, M.D., a lay member and not a "scientist or physician," since his practice had been inactive for 16 years and he had been appointed as and always considered a lay member.

The April 17 memorandum cleared for appointment David Korn, Louise C. Strong, Gertrude Elion, Helene Brown, and Roswell Boutwell, on the explicit conditions that Herrington's office confirm that Strong, Elion, Korn, and Boutwell were knowledgeable in environmental carcinogenesis (a determination we are unqualified to make), and that whomever is appointed to replace Irving Selikoff also is determined to be knowledgeable in environmental carcinogenesis. Dr. Mihich is the individual who is to replace Irving Selikoff. He is the director of the Grace Cancer Drug Center and seems well qualified for the Board, although again I have no way of ascertaining if he is considered knowledgeable in environmental carcinogenesis. As with the other appointees to the Board, and indeed as with almost anyone active in this area, Mihich has several affiliations with National Cancer Institute supported entities. I have talked with Mihich and he is well aware of the need to recuse himself from any discussions affecting grants or organizations with which he is affiliated.

The attached memorandum from Herrington reiterates our earlier advice that Mihich must be determined to be knowledgeable in environmental carcinogenesis.

Attachment

THE WHITE HOUSE
WASHINGTON

June 12, 1984

MEMORANDUM FOR JOHN S. HERRINGTON
ASSISTANT TO THE PRESIDENT
FOR PRESIDENTIAL PERSONNEL

FROM: FRED F. FIELDING ^{Orig. signed by FFF}
COUNSEL TO THE PRESIDENT

SUBJECT: Appointment of Enrico Mihich to the
National Cancer Advisory Board

Counsel's Office has reviewed the Personal Data Statement submitted by Dr. Enrico Mihich in connection with his prospective appointment to the National Cancer Advisory Board. I reviewed the requirements for appointees to this Board in my memorandum for you of April 17, 1984 (copy attached). Dr. Mihich is replacing Irving J. Selikoff on the Board, and in my memorandum I advised you that whomever was chosen to replace Dr. Selikoff must be "knowledgeable in environmental carcinogenesis." See 42 U.S.C. § 286b(a)(1). Our office is of course not qualified to determine who is or is not "knowledgeable in environmental carcinogenesis." Assuming that your office confirms that Dr. Mihich meets this requirement, we have no objection to proceeding with his appointment.

FFF:JGR:aea 6/12/84
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

May 24, 1984

MEMORANDUM FOR JOHN HERRINGTON

FROM: FRED F. FIELDING

All necessary clearances have been accomplished with regard to the following individual and he is ready for formal nomination by the President:

Owen W. Roberts - To be Ambassador to the
Republic of Togo

cc: Claire O'Donnell
Jane Dannenhauer
Richard Hauser
John Roberts

THE WHITE HOUSE

WASHINGTON


May 31, 1984

MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Prospective Nomination of Diana
Lady Dougan to be the Coordinator
for International Communications
and Information Policy at the
Department of State With the Rank
of Ambassador

I have reviewed the Financial Disclosure Report and related materials submitted by Diana Lady Dougan in connection with her prospective nomination to be Coordinator for International Communications and Information Policy at the Department of State, with rank of Ambassador. Ms. Dougan is currently occupying this position without ambassadorial rank. I contacted Ms. Dougan on May 30 to obtain needed information not present on her forms.



DC



B6

I have no objection to proceeding with this nomination.