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WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name ROBERTS, JOHN: FILES

Withdrawer

IGP 8/4/2005

File Folder CHRON FILE (09/29/1983 - 09/30/1983)

FOIA

F05-139/01

Box Number

COOK

33IGP

DOC NO	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
1	MEMO	ROBERTS TO FIELDING RE ALLEGED IMPROPRIETY	1	9/29/1983	B6	591
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Freedom of Information Act - [5 U.S.C. 552(b)]

B-1 National security classified information [(b)(1) of the FOIA]
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B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

E.O. 13233

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

THE WHITE HOUSE

WASHINGTON

September 29, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Radio Talk: Employment
(9/29 -12:30 p.m. Draft)

Richard Darman has asked that comments on the above-referenced remarks be sent directly to Ben Elliott by 5:00 p.m. today. The remarks review the improving employment picture, focusing on the rise in employment of women and the growth in the number of businesses owned by women. The remarks conclude with a discussion of the Job Training and Partnership Act, which goes into effect Saturday. I have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

September 29, 1983

MEMORANDUM FOR BEN ELLIOTT
PRESIDENTIAL SPEECHWRITING OFFICE

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Radio Talk: Employment
(9/29 -12:30 p.m. Draft)

Counsel's Office has reviewed the above-referenced draft remarks, and finds no objection to them from a legal perspective.

cc: Richard G. Darman

THE WHITE HOUSE

WASHINGTON

September 29, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Kentucky Heritage Foundation

You will recall that Tom Riner called on September 8, seeking a copy of the Presidential Seal to use in a display highlighting the National Motto. The display was to be erected by the Kentucky Legislature. We advised him that it would be more appropriate to use the Great Seal for such purposes, and sent him a copy of that, along with a copy of 18 U.S.C. § 713(a), governing use of the Great Seal.

Riner has now written, on stationery of The Kentucky Heritage Foundation, asking for permission to reproduce the Great Seal under Executive Order 11649, subsection 1(g). He enclosed a copy of his proposed use of the Great Seal, consisting of the eagle, circle of 50 stars, and a band with the motto and the phrase "Adopted as the National Motto by Congress on July 20, 1956." He notes that the Foundation, a 501(c)(3), would produce the seals then donate them for display in government buildings.

Riner's organization is dedicated to promoting greater recognition of religion by government. The Kentucky Heritage Foundation is the organization which produced and donated copies of the Ten Commandments to Kentucky public schools, which displayed them pursuant to state law. The law was summarily struck down by the Supreme Court in Stone v. Graham, 449 U.S. 39 (1980), over a vigorous dissent. Promotion of the National Motto is apparently the Foundation's next step.

Riner is of course a bit confused in seeking permission to use the Great Seal. Executive Order 11649 applies to the Presidential Seal, not the Great Seal. The limits on use of the Great Seal are spelled out only in the statute. The attached draft reply advises Riner of this fact. The reply avoids any comments on Riner's contemplated use of the Great Seal. This use seems acceptable under both 18 U.S.C. § 713(a) and the Establishment Clause, but there is no need to give gratuitous advice.

Attachment

THE WHITE HOUSE
WASHINGTON

September 8, 1983

Dear Mr. Riner:

Pursuant to your conversation with John Roberts of my staff, please find enclosed a color print of the Great Seal of the United States. It is our understanding that the Seal will be used by the Legislature in an appropriate display, along with an inscription of the national motto. As Mr. Roberts advised you, it would be more appropriate to use the Great Seal than the Seal of the President for such display purposes.

I have also taken the liberty of enclosing a copy of the statutory provision, 18 U.S.C. § 713(a), governing use of the Great Seal. If we may be of any further assistance, please do not hesitate to call upon us.

With best wishes,

Sincerely,

Orig. signed by FFF

Fred F. Fielding
Counsel to the President

The Honorable Tom Riner
Member of the House of Representatives
of the State of Kentucky
1143 East Broadway
Louisville, Kentucky 40204

Enclosures

FFF:JGR:aea 9/8/83
bcc: FFFielding/JGRoberts/Subj./Chron

THE WHITE HOUSE
WASHINGTON

September 29, 1983

Dear Mr. Riner:

Thank you for your letter of September 21. In that letter you requested written permission under Executive Order 11649, subsection 1(g), to use portions of the Great Seal of the United States in a display highlighting the National Motto. You provided a facsimile of the contemplated display and indicated that the Kentucky Heritage Foundation would produce the seals and donate them for display in government buildings.

The provisions of Executive Order 11649 apply only to the Seals of the President and Vice President of the United States, not to the Great Seal. The limits on use of the Great Seal are found in 18 U.S.C. § 713(a). Although this office is deeply concerned about use of the Seal of the President, we do not review questions involving the separate and distinct Great Seal. The permission of this office is not needed in connection with the Great Seal.

Sincerely,

Fred F. Fielding
Counsel to the President

The Honorable Tom Riner
Kentucky Heritage Foundation
1143 East Broadway
Louisville, KY 40204

FFF:JGR:aea 9/29/83

bcc: FFFielding/JGRoberts/Subj./Chron

THE WHITE HOUSE

WASHINGTON

September 29, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS

SUBJECT: Statement of Steven R. Schlesinger
Regarding the National Criminal Justice
Information and Statistics Service (Bureau
of Justice Statistics) on October 5, 1983

Steven R. Schlesinger, Director of the Bureau of Justice Statistics, proposes to deliver the attached testimony before the Subcommittee on Courts of the Senate Judiciary Committee on October 5. The testimony is not likely to be of interest to anyone other than statisticians, and frankly will not fascinate many of them. The testimony emphasizes the importance of uniform identification criteria to ensure statistical system security, data accuracy, and the protection of individual rights. Schlesinger reviews the work of his agency in assisting states in developing comprehensive criminal justice statistics systems. He cites an example of the way in which nonuniformity compromises the integrity and usefulness of statistics (juvenile records often cannot be used in adult criminal systems because they are not supported by adequate identification, i.e., fingerprints), reviews the efforts of BJS to link the statistical systems in several federal agencies, and emphasizes the importance of uniform systems of identification in assessing broader criminal justice trends.

I have no legal objection.

Attachment

THE WHITE HOUSE

WASHINGTON

September 29, 1983

MEMORANDUM FOR GREGORY JONES
LEGISLATIVE ATTORNEY
OFFICE OF MANAGEMENT AND BUDGET

FROM: FRED F. FIELDING

SUBJECT: Statement of Steven R. Schlesinger
Regarding the National Criminal Justice
Information and Statistics Service (Bureau
of Justice Statistics) on October 5, 1983

Counsel's Office has reviewed the above-referenced proposed testimony, and finds no objection to it from a legal perspective.

THE WHITE HOUSE

WASHINGTON

September 29, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Enrolled Bill S. 1850 - Medical Care
for Veterans in Puerto Rico and the
Virgin Islands

Richard Darman has asked for comments on the above-referenced enrolled bill by noon Monday, October 3. Under 38 U.S.C. § 601(4)(C)(v), the VA is permitted to provide contract medical services to Puerto Rico, the Virgin Islands, and other territories, but only up to September 30, 1983. This bill would extend that period to September 30, 1984. Under a separate law, the VA is to prepare a plan to meet the medical needs of veterans in these areas by that time. OMB and the VA recommend approval.

I have reviewed the memorandum for the President from James M. Frey, Assistant Director of OMB for Legislative Reference, and the bill itself, and have no objections. Since the authority extended by this bill expires on Friday, however, we should suggest that Darman have this bill signed by that date. (His memorandum asks for comments by Monday.) It is not likely that a gap of a few days would cause any problems, but it seems best to avoid the question completely by prompt action.

Attachment

THE WHITE HOUSE

WASHINGTON

September 29, 1983

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill S. 1850 - Medical Care
for Veterans in Puerto Rico and the
Virgin Islands

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective. We do, however, recommend that this bill be signed by Friday, September 30, since the authority extended by this bill will otherwise expire on that day.

FFF:JGR:aea 9/29/83

cc: FFFielding
JGRoberts
Subj.
Chron

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1 9/29/1983 B6

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IMPROPRIETY

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E.O. 13233

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THE WHITE HOUSE

WASHINGTON

September 29, 1983

MEMORANDUM FOR DIANNA G. HOLLAND

FROM: JOHN G. ROBERTS *JSR*

SUBJECT: Appointment of Marion Jorgensen to
the John F. Kennedy Center for the
Performing Arts Board of Trustees

I have reviewed the Personal Data Statement submitted by Marion Jorgensen in connection with her prospective appointment to the JFK Center for the Performing Arts Board of Trustees. The President is authorized to appoint 30 general trustees to this board under 20 U.S.C. § 76h(a). Mrs. Jorgensen was born in Chicago, Illinois, and thus satisfies the only statutory requirement for trustees, i.e., that they be citizens of the United States. The duties of the Board consist of maintaining and administering the Kennedy Center, and I see nothing in Mrs. Jorgensen's PDS that would preclude her conflict-free discharge of this responsibility.

THE WHITE HOUSE
WASHINGTON

September 29, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*
SUBJECT: Draft Proclamation/National
Productivity Improvement Week

Dodie Livingston has asked for comments on the above-referenced draft proclamation by noon tomorrow, September 30. The proclamation, requested and authorized by S.J. Res. 142, was drafted at the Commerce Department and has been approved by OMB. It reviews the importance of increased productivity to economic growth, and cites the signing last year of the bill establishing the White House Conference on Productivity as evidence of our commitment in the area. I have no objection.

Attachment

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THE WHITE HOUSE

WASHINGTON

September 29, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Seal Inquiry

LaMonte R. White of the District would like a "Presidential banner" for his personal, noncommercial use. He plans to display the banner in his room. A company has agreed to produce a banner for White, pending White House approval.

By "Presidential banner" I assume White means the flag containing the Seal of the President. Executive Order 11649 lists the permitted uses of the Seal, and use by individuals, even if noncommercial, is not included. Curiously, however, both the Executive Order and 18 U.S.C. § 713(b) only prohibit "manufacture, reproduction, sale, or purchase for resale" (emphasis supplied) of the Seal contrary to the regulations, so if White were to purchase or otherwise obtain a flag with the Seal for his personal use, he - as opposed to his manufacturer - would be blameless under the law. Since White has been told to get clearance by the manufacturer, we can tell White we are unable to grant permission to manufacture the flag.

Attachment

THE WHITE HOUSE

WASHINGTON

September 30, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Heritage Foundation Dinner Remarks

Richard Darman has asked that comments on the above-referenced remarks be sent directly to Ben Elliott by noon today. The remarks praise the growth and work of the Heritage Foundation, singling out several of its leaders for specific mention. The remarks portray the 1980 election victory as a victory of conservative ideals over special interests, and then focus on our relations with the Soviet Union. It is the burden of the main portion of the remarks that the rebuilding of our defenses and our willingness to speak frankly concerning Soviet actions help rather than hinder the achievement of arms control agreements. I have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

September 30, 1983

MEMORANDUM FOR BEN ELLIOTT
PRESIDENTIAL SPEECHWRITING OFFICE

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Heritage Foundation Dinner Remarks

Counsel's Office has reviewed the above-referenced draft remarks, and finds no objection to them from a legal perspective.

cc: Richard G. Darman

FFF:JGR:aea 9/30/83

bcc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

September 30, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Radio Talk - Employment - 10/1/83
(9/29/83 - 7:30 p.m. Draft)

This is a redraft of draft remarks we reviewed and approved yesterday. The only changes are minor stylistic ones. I still have no legal objection.

Attachment

THE WHITE HOUSE
WASHINGTON

September 30, 1983

MEMORANDUM FOR BEN ELLIOTT
PRESIDENTIAL SPEECHWRITING OFFICE

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Radio Talk - Employment - 10/1/83
(9/29/83 - 7:30 p.m. Draft)

Counsel's Office has reviewed the above-referenced draft remarks, and finds no objection to them from a legal perspective.

cc: Richard G. Darman

FFF:JGR:aea 9/30/83

bcc: FFFielding
JGRoberts
Subj.
Chron

THE WHITE HOUSE

WASHINGTON

September 30, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Presidential Interview with Spanish Today

Richard Darman has asked that comments on the attached written interview with the President be sent directly to Mike Baroody by close of business today. The questions and answers focus on issues of particular concern to the Hispanic community, including minority businesses, immigration legislation, education, and narcotics trafficking. The draft answer to the question concerning our position on illegal immigrants living in the United States omits any reference to the legalization aspect of Simpson - Mazolli. I think this audience would be pleased that we are trying to grant legal status to their illegal amigos. This point, and two minor stylistic ones, are made in the attached draft memorandum to Baroody.

Attachment

THE WHITE HOUSE

WASHINGTON

September 30, 1983

MEMORANDUM FOR MICHAEL E. BAROODY
DEPUTY ASSISTANT TO THE PRESIDENT
DIRECTOR, PUBLIC AFFAIRS

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Presidential Interview with Spanish Today

Counsel's Office has reviewed the above-referenced draft interview. The draft answer to the question concerning the Administration's position on illegal immigrants fails to note that the immigration reform legislation we support would grant legal status to many illegal immigrants currently residing in the United States. I would think this aspect of the bill would be favorably received by the readers of Spanish Today, and consideration should be given to mentioning it.

The second sentence of the first paragraph of the answer to the question on Central America is grammatically unsound. Suggested revision: "The counterfeit revolutionaries, who must come to power through the barrel of a gun, offer nothing but empty promises. They are men motivated by self-interest, not that of the people of Central America." Also, with respect to the penultimate question, "reverting a trend" should be "reverting to a trend."

cc: Richard G. Darman

FFF:JGR:aea 9/30/83

bcc: FFFielding
JGRoberts
Subj.
Chron