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# WITHDRAWAL SHEET

## Ronald Reagan Library

Collection Name

Withdrawer

File Folder CHRON FILE (04/11/1985-04/19/1985)

DLB 8/30/2005

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FOIA

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COOK

9DLB

DOC NO	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
1	MEMO	ROBERTS TO RICHARD HAUSER, RE: NOMINATION (PARTIAL)	1	4/11/1985	B6	862
20	LETTER	ROBERTS TO GARY CARBONE RE ALLEGATION (PARTIAL)	1	4/11/1985	B6	1269

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

B-1 National security classified information [(b)(1) of the FOIA]

B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]

B-3 Release would violate a Federal statute [(b)(3) of the FOIA]

B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]

B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]

B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]

B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]

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

E.O. 13233

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

THE WHITE HOUSE  
WASHINGTON

April 11, 1985

MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Archivist Letter to Administration Officials

This has been "on hold" on my desk for some time. You will recall that we held it up in light of Nixon library concerns and the establishment of the new National Archives and Records Administration (independent of GSA). At this point I think any effort to obtain personal papers of Administration officials should be coordinated with the Ronald Reagan Presidential Foundation. Accordingly, this particular item should be closed out.

Attachment

## WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

- O - OUTGOING
- H - INTERNAL
- I - INCOMING  
Date Correspondence Received (YY/MM/DD) 1/1

Name of Correspondent: Marie Allen

MI Mail Report      User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: Memo to Jean Lamb asking for approval of out going form letter for the personal papers of Administration officials

ROUTE TO:	ACTION	DISPOSITION
Office/Agency    (Staff Name)	Action Code	Tracking Date YY/MM/DD      Type of Response      Code      Completion Date YY/MM/DD
<u>WJHOU</u>	ORIGINATOR	<u>84,02,08</u>
<u>WJATIB</u>	Referral Note: <u>A</u>	<u>84,02,08</u>
	Referral Note:	
	Referral Note:	
	Referral Note:	
	Referral Note:	

- |  |   |   |
|--|---|---|
| <p><b>ACTION CODES:</b></p> <ul style="list-style-type: none"> <li>A - Appropriate Action</li> <li>C - Comment/Recommendation</li> <li>D - Draft Response</li> <li>F - Furnish Fact Sheet to be used as Enclosure</li> </ul> | <ul style="list-style-type: none"> <li>I - Info Copy Only/No Action Necessary</li> <li>R - Direct Reply w/Copy</li> <li>S - For Signature</li> <li>X - Interim Reply</li> </ul> | <p><b>DISPOSITION CODES:</b></p> <ul style="list-style-type: none"> <li>A - Answered</li> <li>B - Non-Special Referral</li> <li>C - Completed</li> <li>S - Suspended</li> </ul> |
|--|---|---|
- 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.

THE WHITE HOUSE

WASHINGTON

April 11, 1985

MEMORANDUM FOR SUZANNE CARSON  
PRESIDENTIAL MESSAGES

FROM: JOHN G. ROBERTS   
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Presidential Message for the  
John Hancock Insurance Company

You have asked for the views of this office on a Presidential message commending the John Hancock Insurance Company for establishing the Hancock Endowment for Academics, Recreation and Teaching to benefit Boston's middle schools. Such a message may be sent, provided that it focuses solely on the charitable activity rather than any commercial activity of John Hancock. In addition, officials at John Hancock must understand that the message may not be used in any promotion for the company.

I would be happy to review a draft message should you decide to go forward. Thank you for raising this matter with us.

# WITHDRAWAL SHEET

Ronald Reagan Library

*Collection Name*  
ROBERTS, JOHN: FILES

*Withdrawer*  
DLB 8/6/2005

*File Folder*  
CHRON FILE (04/11/1985-04/19/1985)

*FOIA*  
F05-139/01  
COOK

*Box Number*  
65

9DLB

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<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>	
1 MEMO	1	4/11/1985	B6	862
ROBERTS TO RICHARD HAUSER, RE: NOMINATION				

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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.

THE WHITE HOUSE

WASHINGTON

April 11, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS *JGR*

SUBJECT:

Request to Serve on the Honorary  
Committee for the 1985 Opera Ball

Mrs. Ted Stevens has asked Max Friedersdorf to serve on the "Honorary Committee" for the 1985 Washington Opera Ball, a charitable fundraising function to benefit the Washington Opera. My understanding of our previous staff meeting discussion is that such an "honorary" designation for an established Washington charitable event was permissible; I reviewed this understanding at this morning's staff meeting. The important point, as I see it, is that recipients of the invitation will not be likely to suppose that Mr. Friedersdorf is actually throwing the party. Of course, his official title should not be used.

Attachment

THE WHITE HOUSE  
WASHINGTON

April 11, 1985

MEMORANDUM FOR MAX FRIEDERSDORF  
ASSISTANT TO THE PRESIDENT  
LEGISLATIVE STRATEGY COORDINATOR

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Request to Serve on the Honorary  
Committee for the 1985 Opera Ball

You have asked whether you may accept an invitation to serve on the "Honorary Committee" for the 1985 Washington Opera Ball, a charitable fundraising event. This office has no objection to your being listed as a member of the "Honorary Committee," so long as you appear in your individual rather than official capacity. This means that your title should not appear with your name on the invitations, nor should there be any other reference to your official position.

Thank you for raising this matter with me.

FFF:JGR:aea 4/11/85  
cc: FFFielding  
JGRoberts  
Subj  
Chron

*Elz*

COPY - Reagan Presidential Record

THE WHITE HOUSE  
WASHINGTON

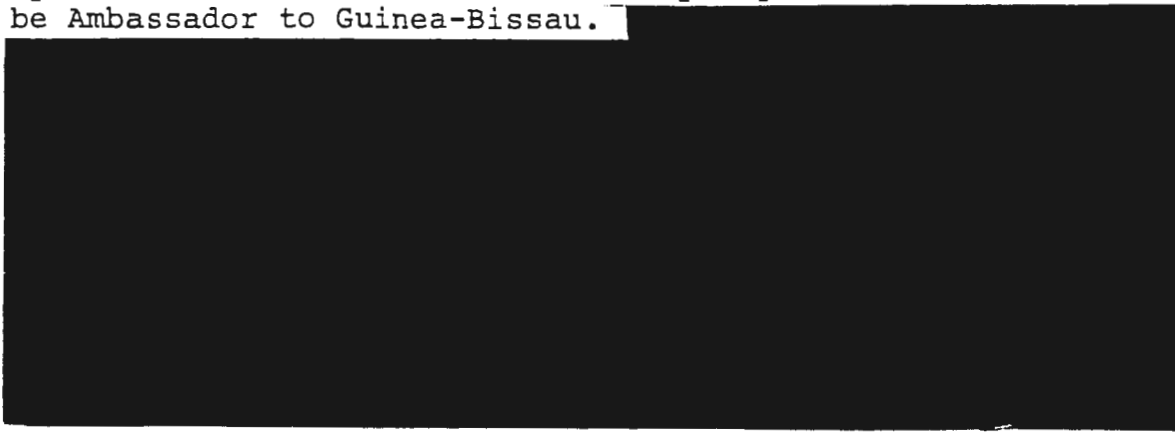
April 11, 1985

MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Nomination of Regina Eltz to be  
Ambassador to Guinea-Bissau

I have reviewed the SF-278 and related materials submitted by Ms. Eltz in connection with her prospective nomination to be Ambassador to Guinea-Bissau.



*b6*

THE WHITE HOUSE  
WASHINGTON

April 11, 1985

COPY - Reagan Presidential Record

Dear Mr. Carbone:

Thank you for your letter of April 5, enclosing additional information on control number 31605. The additional information consisted of an allegation that [REDACTED]

b6

[REDACTED] uses a fake medical certificate to justify first class air travel."

Attached for your information is a copy of the authorization for use of first-class travel accommodations filed by [REDACTED] and approved by the [REDACTED]

b6

We have no reason to doubt the validity of the form.

Thank you for raising this matter with us. Please do not hesitate to contact this office if we may be of any further assistance.

Sincerely,



John G. Roberts  
Associate Counsel to the President


Mr. Gary W. Carbone  
United States General  
Accounting Office  
Washington, D.C. 20548

THE WHITE HOUSE

WASHINGTON

April 12, 1985

MEMORANDUM FOR DUNCAN CLARK  
PRESIDENTIAL MESSAGES

FROM: JOHN G. ROBERTS   
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Presidential Commendations for TV  
Stations Airing Special Science Series

You have asked that I review a request for Presidential messages to be provided to General Motors, the National Science Foundation, and television stations, commending these entities for the "How About..." series. It is my understanding that the "How About..." series is provided as a non-profit public service to increase public understanding of scientific issues. Based on this understanding, I have no objection to the idea of sending a Presidential message to the participating television stations and the NSF and GM for sponsoring the program.

Only one message should be prepared for the television stations; the National Association of Broadcasters may not "individualize" the message for each station. I also question the need to send a message to GM, which has already received a letter of commendation from the President for its role in this program. The messages should be in the regular format, not the "Special Commendation" format suggested by NAB. Finally, I have noted some revisions to the drafts submitted by NAB.

Please do not hesitate to contact me if you have any questions.

THE WHITE HOUSE

WASHINGTON

April 12, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Grove City -- Civil Rights Legislation

Bob Barker sent in a memorandum prepared by his firm concerning current efforts to amend Title IX and related civil rights statutes to overturn the Grove City decision. Barker's firm represents the American Association of Presidents of Independent Colleges and Universities. Grove City ruled that (1) Federal financial aid to students constituted Federal financial assistance to colleges attended by the students, triggering Title IX (and other civil rights statutes premised on receipt of Federal financial assistance), and (2) coverage of Title IX was "program specific," extending not to the whole institution but only to the particular program receiving assistance (in this case, the admissions program). Pending legislative proposals are designed to overturn the program specific aspect of the ruling, and further extend coverage of the civil rights statutes.

Barker argues that if the program specific aspect of Grove City is overturned (and the Administration supports doing this), then the Administration ought to re-think the aspect of the decision establishing financial aid to students as Federal financial assistance to the institution. I suppose in a certain sense this argument seems fair, but it is illogical and has no chance of being accepted. As a matter of legal analysis the two issues -- the definition of Federal financial assistance and the program specificity limitation -- are quite unrelated. After serious internal debate the Administration decided to argue that student aid was Federal financial assistance, and prevailed on that point before the Supreme Court. There is little chance of changing that outcome, particularly when we are engaged in a struggle to prevent the dramatic expansion of civil rights coverage proposed by some under the guise of overturning Grove City.

I recommend an acknowledgment and referral to Brad Reynolds, for his information.

Attachment

THE WHITE HOUSE  
WASHINGTON

April 12, 1985

MEMORANDUM FOR WILLIAM BRADFORD REYNOLDS  
ASSISTANT ATTORNEY GENERAL  
U.S. DEPARTMENT OF JUSTICE

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Grove City Legislation

The attached correspondence is submitted for whatever consideration you deem appropriate. I have advised Mr. Barker that I have shared his letter and memorandum with the Department.

Many thanks.

FFF:JGR:aea 4/12/85  
cc: FFFielding  
JGRoberts  
Subj  
Chron

THE WHITE HOUSE

WASHINGTON

April 12, 1985

Dear Bob:

Thank you for your letter and the accompanying memorandum on Grove City legislation. I know you are following the current proposals in this area and are fully aware of the Administration position on the various bills that are pending.

I have taken the liberty of sharing your correspondence with the Department of Justice, the agency responsible for developing and presenting the Administration's views on this issue. You may be certain that Department will give your informed views every appropriate consideration.

Thank you again for sharing your concerns in this area with us.

Sincerely,

Fred F. Fielding  
Counsel to the President

Robert W. Barker, Esquire  
Wilkinson, Barker, Knauer & Quinn  
1735 New York Avenue, N.W.  
Washington, D.C. 20006

FFF:JGR:aea 4/12/85  
bcc: FFFielding  
JGRoberts  
Subj  
Chron

THE WHITE HOUSE  
WASHINGTON

April 17, 1985

MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS 

SUBJECT: Archives Issues

You requested that I prepare a list of issues to discuss with the candidate for appointment as Archivist of the United States. This list follows:

1. What is your understanding of the position of the Archivist in the Government? The National Archives and Records Administration Act of 1984 provides that the National Archives and Records Administration is "an independent establishment in the executive branch." What is your understanding of that provision?
2. Do you consider the Archivist to be subject to the direction and control of the President? By law, the President may remove the Archivist, but must communicate his reasons for doing so to Congress. Do you view failure to follow instructions as a justifiable reason for removal? What sort of Presidential instruction would you decline to follow?
3. Are you familiar with the Presidential Records Act of 1978? That Act gives to the Archivist custody and control of Presidential records -- the most sensitive Executive branch documents.
4. Do you recognize why the Archivist must be completely within the Executive branch and subject to Presidential control, if he is to have custody and control of the most sensitive Presidential records?
5. Many Presidential records -- and many non-Presidential records from throughout the Executive branch departments and agencies -- are subject to executive privilege. What is your understanding of the doctrine of executive privilege?
6. The constitutionally-based doctrine of executive privilege recognizes that the President must be able to receive candid and unfettered advice if he is to discharge his constitutional duties, and that to preserve the free-flow

of such advice some information must be protected from disclosure, not only to the public but to Congress as well. As the Archivist, would you consider executive privilege in reviewing records for public access?

7. How would you reconcile a statutory obligation to open records to the public with a direction from the President or Attorney General to withhold such records on grounds of executive privilege?

8. Do you think executive privilege can protect even old documents from disclosure? Older than twelve years?

9. What role should consideration of personal privacy have in reviewing the possible release of a document? Should individuals discussed in a record be given notice of the intended release and an opportunity to object?

THE WHITE HOUSE

WASHINGTON

April 17, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Proposed Presidential Message for  
International Symposium on Human Sexuality

Anne Higgins has asked for our views as soon as possible on a proposed Presidential letter to the International Symposium on Human Sexuality. The Symposium, to be held in Silver Spring April 18-21, is sponsored by Human Life International and Catholics United for the Faith. HLI is headed by a priest and advertises its links to the papacy. The faculty for the symposium consists of both clerics and laymen, including author George Gilder.

I have no objection to the draft message itself. The message discusses family and pro-life values, and reiterates the positions on family planning funding the United States announced at the Mexico City International Conference on Population. My concern is that the symposium agenda is more far-reaching, including discussions of Planned Parenthood, homosexuality, specific methods of birth control, and "How to Close Abortion Mills Nonviolently." In addition, many of the lectures appear sectarian in nature, including the keynote address, "Official and Latest Teachings of the Church on Christian Sexuality and the Family." The problem is that any Presidential message, no matter how circumscribed, could easily be misinterpreted as approval of the entire symposium. The President does approve some of the themes of the symposium (e.g., the pro-life and anti-pornography positions), but probably does not approve -- or at least would not want to stake out a position on -- numerous others (e.g., denunciation of various methods of birth control, criticism of sex education). The danger of misinterpretation of a Presidential letter strikes me as too great; I recommend not approving a message. A draft is attached.

Attachment

THE WHITE HOUSE

WASHINGTON

April 17, 1985

MEMORANDUM FOR ANNE HIGGINS  
SPECIAL ASSISTANT TO THE PRESIDENT  
DIRECTOR OF CORRESPONDENCE

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Presidential Message for  
International Symposium on Human Sexuality

I have reviewed the proposed Presidential letter to the International Symposium on Human Sexuality, as well as the materials on the Symposium, and must decline to approve sending any message from the President. My objection is not to the draft message itself, but to the danger that any Presidential message could be misinterpreted as approval of the Symposium. While many of the themes of the Symposium are in accord with the views of the Administration, the agenda of the Symposium is not limited to the pro-life issue. The Symposium also discusses issues such as "artificial" as opposed to "natural" birth control, on which the views of the Administration -- if any -- are not necessarily the same as those of the Symposium sponsors or lecturers. In addition, the Symposium discusses Church doctrine, on which it would be inappropriate for the President to appear to express a view.


FFF:JGR:aea 4/17/85

cc: FFFielding  
JGRoberts  
Subj  
Chron

THE WHITE HOUSE  
WASHINGTON

April 17, 1985

MEMORANDUM FOR ANNE HIGGINS  
SPECIAL ASSISTANT TO THE PRESIDENT  
DIRECTOR OF CORRESPONDENCE

FROM: JOHN G. ROBERTS   
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Draft Proclamation: Victims of Crime Week,  
1985 (Revised Version)

Counsel's Office has reviewed the revised version of the above-referenced draft proclamation. I would change "have been" to "are" in line four.

THE WHITE HOUSE

WASHINGTON

April 17, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Presidential Telephone Call to Request Chief Justice to Serve as Chairman of Bicentennial Commission

Dianna requested that I prepare the attached. I assume the following has been considered, but, for what it's worth: When the President signed Public Law 98-101, he stated that the Chief Justice could only participate in the ceremonial or advisory functions of the Commission, and not in matters involving the administration of the Act. Designating the Chief to be Chairman of the Commission is flatly inconsistent with the signing statement. Under Public Law 98-101, the Chairman, among other things, appoints a staff of up to forty members -- hardly a ceremonial or advisory role.

Attachment

THE WHITE HOUSE  
WASHINGTON

April 17, 1985

MEMORANDUM FOR THE PRESIDENT

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Recommended Telephone Call

As you will see from the attached, the Chief of Staff and I recommend that you telephone the Chief Justice today and request that he serve as Chairman of the Commission on the Bicentennial of the United States Constitution.

Attachment

FFF:JGR:aea 4/17/85  
cc: FFFielding  
JGRoberts  
Subj  
Chron

THE WHITE HOUSE

WASHINGTON

RECOMMENDED TELEPHONE CALL

TO: Chief Justice Warren E. Burger

DATE: April 17, 1985

RECOMMENDED BY: Donald T. Regan and Fred F. Fielding

PURPOSE: To ask the Chief Justice to serve as Chairman of the Commission on the Bicentennial of the United States Constitution

BACKGROUND: Public Law 98-101, which you signed on September 29, 1983, established a 23-member commission to coordinate the celebration of the 200th anniversary of the signing of the Constitution at Constitution Hall in Philadelphia, on September 17, 1787. You are to appoint twenty of the members, including twelve from lists submitted by Congressional Leaders and the Chief Justice. (No appointments have yet been made.) The three other members are designated by statute: the Chief Justice, the President pro tempore of the Senate, and the Speaker of the House. You are authorized to designate the Chairman of the Commission, who serves at your pleasure.

TOPICS OF DISCUSSION: 1. Request that the Chief Justice serve as Chairman of the Commission on the Bicentennial of the United States Constitution.

2. Recognize the importance of commemorating the 200th anniversary of the signing of the Constitution, and acknowledge the prior efforts of the Chief Justice in this area.

3. Thank the Chief Justice for submitting recommendations for appointment to the Commission; advise the Chief Justice that you will be appointing the membership in the near future.
4. Express your hope that the work of the Commission will cause all citizens to study the Constitution and rededicate themselves to the enduring values it embodies.
5. Caveat: Earlier this year it was announced that former Senator Roger Jepsen would serve as staff director of the Commission. The announcement was heavily criticized, and the Chief Justice himself was known to be displeased. It has now been decided to offer Jepsen another position having nothing to do with the Commission. If the Chief Justice raises the question, you may assure him that Jepsen will not be involved in the Commission.

DATE OF SUBMISSION: April 17, 1985

ACTION \_\_\_\_\_

FFF:JGR:aea 4/17/85  
cc: FFFielding  
JGRoberts  
Subj  
Chron

THE WHITE HOUSE

WASHINGTON

April 18, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

List of Judicial Conference  
Recommendations for Sentencing  
Commission

You should acknowledge receipt of the list of Judicial Conference recommendations for the Sentencing Commission from the Chief Justice. A brief note doing so is attached. It makes no mention of the Chief's concern about appointing a judge in regular active service to the Commission; we should keep our options open at this point.

Attachment

THE WHITE HOUSE

WASHINGTON

April 18, 1985

Dear Mr. Chief Justice:

Thank you for your letter of April 10 to the President, transmitting the list of judges recommended by the Judicial Conference of the United States for service on the United States Sentencing Commission, pursuant to 28 U.S.C. § 991.

We appreciate the time and effort that obviously went into developing the impressive list. We hope to be able to announce appointments to the Commission in the near future, in order that the Commission may commence its work without delay. Thank you again for your assistance in helping to ensure that the membership of the Commission will be worthy of the challenge before it.

Sincerely,

Fred F. Fielding  
Counsel to the President

The Honorable Warren E. Burger  
The Chief Justice  
of the United States  
Washington, D.C. 20543


FFF:JGR:aea 4/18/85  
bcc: FFFielding  
JGRoberts  
Subj  
Chron

THE WHITE HOUSE

WASHINGTON

April 18, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Donation of a Telescope to the Country  
Through the President in Commemoration  
of "Halley's Comet"

Michael Srednick wrote Mr. Deaver, on behalf of Celestron Precision Optics, conveying that company's interest in donating to the country, through the President, a \$6,000 telescope. Celestron wants to make the gesture in honor of the December 1985 appearance of Halley's Comet. Deaver has asked for our views.

The President could accept the telescope on behalf of the country, in which case it would be turned over to GSA for disposition. I am concerned, however, that Celestron would try to use the presentation for promotion of its products. The incoming notes that the telescope model in question "is owned by both Johnny Carson and Leonard Nimoy, just to mention a couple names." We should make clear that such name-dropping of the President's name would not be permitted, nor would any commercial use of the presentation. I suspect this will dampen Celestron's interest, but perhaps not.

Attachment

THE WHITE HOUSE  
WASHINGTON

April 18, 1985

MEMORANDUM FOR MICHAEL K. DEEVER  
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Donation of a Telescope to the Country  
Through the President in Commemoration  
of "Halley's Comet"

You have asked for my views on an April 10 letter to you from Michael Srednick. In his letter, Mr. Srednick conveyed the interest of Celestron Precision Optics in donating a \$6,000 telescope to the country through the President. The President could accept such a gift on behalf of the Government. After any such acceptance, the telescope would be turned over to the General Services Administration for disposition.

Celestron must understand that it may not use the presentation in any commercial promotion. The President's name could not be used in advertising for Celestron, nor could the fact that he accepted the telescope on behalf of the United States. Such promotion by Celestron would contravene established White House policy against any use of the President's name in a manner that suggests or could be construed as endorsement of any commercial product or enterprise. I am particularly concerned about this potential problem in light of Srednick's letter, which notes that the telescope in question "is owned by both Johnny Carson and Leonard Nimoy, just to mention a couple names."

FFF:JGR:aea 4/18/85  
cc: FFFielding  
JGRoberts  
Subj  
Chron

THE WHITE HOUSE

WASHINGTON

April 18, 1985

MEMORANDUM FOR DAVID L. CHEW  
STAFF SECRETARY

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Presidential Letter to Jesse A. Zeeman  
Regarding Visit to Concentration Camp

I have reviewed the proposed letter from the President concerning the German itinerary dispute, and recommend that it not be sent in its present form. Two explanations are given in the letter for the decision not to visit Dachau: that it would be taken as an affront to the German people and that the President was under the mistaken impression that the invitation was a politically motivated one from "a West German political figure." The latter explanation simply mires the President further in German domestic politics, and portrays him as erroneously suspecting a German official of political manipulation.

The former explanation -- that a visit to Dachau would be viewed as an affront by the German people -- simply plays into the hands of those who would accuse the President of insufficient sensitivity to the Holocaust. The magnitude of the crime at places like Dachau -- and the need to remember -- should, critics will argue, overshadow any concern about how the Germans might feel.

FFF:JGR:aea 4/18/85


cc: FFFielding  
JGRoberts  
Subj  
Chron

THE WHITE HOUSE

WASHINGTON

April 19, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: OSC File # 10-4-71418 with Regard  
to the Red River Army Depot

As required by 5 U.S.C. § 1206(b)(5), the Special Counsel of the Merit Systems Protection Board has forwarded to the President a report submitted to the Special Counsel by the Secretary of the Army on a whistleblower's allegations. A former employee at the Red River Army Depot in Texarkana, Texas alleged false reporting of turbidity (water clarity) readings; the Secretary's report indicates that the allegations were largely untrue. Certain technical problems, which have since been corrected, did result in estimated rather than actual readings on weekends for one month. The Special Counsel advises, pursuant to 5 U.S.C. § 1206(b)(6), that he has reviewed the Secretary's report and finds it reasonable and complete.

No further action is required; our practice has been to send the Special Counsel a barebones acknowledgment of his transmittal. A draft is attached.

Attachment

THE WHITE HOUSE

WASHINGTON

April 19, 1985

Dear Mr. O'Connor:

Thank you for your letter of April 12, transmitting a letter to the President. The letter to the President was submitted pursuant to 5 U.S.C. § 1206(b)(5), and concerned a report of the Secretary of the Army on allegations by a former employee of false reporting of turbidity readings at the Red River Army Depot in Texarkana, Texas. You stated in your letter to the President that you have reviewed the Secretary's report and found that his findings appear reasonable and complete in accordance with 5 U.S.C. § 1206(b)(4).

Thank you for advising us of your actions in this matter.

Sincerely,

Fred F. Fielding  
Counsel to the President

The Honorable K. William O'Connor  
Special Counsel, U.S. Merit Systems  
Protection Board  
1120 Vermont Avenue, N.W., Suite 1100  
Washington, D.C. 20005

FFF:JGR:aea 4/19/85  
bcc: FFFielding  
JGRoberts  
Subj  
Chron

THE WHITE HOUSE

WASHINGTON

April 19, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Request for Confirmation that the President  
Uses a Cadillac Auto on Official Business

A New York advertising agency has requested confirmation that the President uses a Cadillac. The agency plans to air a television commercial based on the theme "Wouldn't you like to treat yourself royally like a Head of State? It's easy, drive a Cadillac." The attached draft reply advises the agency of our policy against commercial endorsement, without actually responding to their inquiry.

Attachment

THE WHITE HOUSE

WASHINGTON

April 19, 1985

Dear Mr. Lane:

Thank you for your letter of April 16. In that letter you requested confirmation that the President uses a Cadillac automobile on official business. You indicated that such confirmation was necessary in light of your plans to air an advertisement stating "Wouldn't you like to treat yourself royally like a Head of State? It's easy, drive a Cadillac."

I must advise you that the White House adheres to a policy of declining to approve any use of the President's name, photograph, likeness, signature, or title in any manner that suggests or could be construed as endorsement of a commercial product or enterprise. Your contemplated advertisement -- suggesting that the President uses a Cadillac -- would contravene this policy, and accordingly I must object to it and advise you not to proceed with it.

I trust you will appreciate the reasons for this response.

Sincerely,

Fred F. Fielding  
Counsel to the President

Mr. Mark Lane  
Avrett, Free & Ginsberg, Inc.  
800 Third Avenue  
New York, NY 10022

FFF:JGR:aea 4/19/85  
bcc: FFFielding  
JGRoberts  
Subj  
Chron

THE WHITE HOUSE

WASHINGTON

April 19, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Reprinting of the President's  
Abortion Article

The attached draft for your signature implements the course of action proposed in my memorandum of April 10, with which you concurred.

Attachment

THE WHITE HOUSE

WASHINGTON

April 19, 1985

Dear Ms. Bursley:

Thank you for your letter of March 14, concerning the President's article "Abortion and the Conscience of the Nation." You indicated that Harcourt Brace Jovanovich, Inc., was interested in reprinting the article in a rhetoric text.

I am enclosing for your use a copy of the article that the White House has distributed to interested members of the public. Permission is not required to reprint the article.

Sincerely,

Fred F. Fielding  
Counsel to the President

Ms. Kathleen A. Bursley  
Harcourt Brace Jovanovich, Inc.  
Orlando, Florida 32887

FFF:JGR:aea 4/19/85  
bcc: FFFielding  
JGRoberts  
Subj  
Chron

THE WHITE HOUSE

WASHINGTON

April 19, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Acceptance of \$1,000 Check for the  
Restoration of the Statue of Liberty  
from Children with Learning Disabilities

Legislative Affairs has asked whether a Special Assistant to the President from that office may accept a \$1,000 check payable to the Statue of Liberty -- Ellis Island Foundation, the 501(c) (3) organization established to restore the Statue of Liberty. A group of students from a school in Kentucky for those with learning disabilities is visiting Washington next week, and had originally asked to present the check -- representing funds they had raised -- to the President. Congressman Carroll Hubbard (D-Ky.) transmitted the request to B. Oglesby.

I would normally object to having White House staff members accept donations to charitable organizations, for the same reasons that the White House declines to endorse specific fundraising efforts: engaging in the practice would precipitate a deluge of requests for similar treatment from equally worthy causes, and there is no way for the White House to monitor the activities of any charity that would benefit from White House participation in fundraising. The Statue of Liberty fundraising effort, however, appears to be a special case. The President himself launched the restoration effort when he appointed the commission headed by Lee Iacocca, and the President has hosted a White House reception for the Commission and issued messages supporting its efforts. On numerous occasions the White House has received checks in the mail and forwarded them directly to the Foundation. The President has also signed several letters thanking students for their fundraising efforts for the restoration project. In light of the close association of the White House with the fundraising effort, I have no objection to having a staff member accept a check for transmittal to the Foundation.

Attachment

THE WHITE HOUSE

WASHINGTON

April 19, 1985

MEMORANDUM FOR M. B. OGLESBY  
ASSISTANT TO THE PRESIDENT  
FOR LEGISLATIVE AFFAIRS

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Acceptance of \$1,000 Check for the  
Restoration of the Statue of Liberty  
from Children with Learning Disabilities

Your office has inquired if the Counsel's Office has any objection to a Special Assistant from Legislative Affairs accepting a \$1,000 check from a group of students from the Charles L. Shedd APSL Research Academy, representing funds the students raised for donation to the Statue of Liberty restoration project. Normally I would object to such an arrangement, in light of established White House policy precluding endorsement of any specific charitable fund-raising efforts. The Statue of Liberty restoration project is a special case, however, because the President and the White House are already closely associated with the project. In light of these unique circumstances, I have no objection to a member of your office accepting the check for transmittal to the Statue of Liberty -- Ellis Island Foundation.

FFF:JGR:aea 4/19/85

cc: FFFielding

JGRoberts

Subj

Chron

THE WHITE HOUSE  
WASHINGTON

April 19, 1985

MEMORANDUM FOR THE FILE

FROM:

JOHN G. ROBERTS *JGR*

SUBJECT:

Joint Resolution Regarding Crime Victims Week

I orally advised DGH that I had no objection to the above-referenced enrolled resolution.

## WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

- O - OUTGOING
  - H - INTERNAL
  - I - INCOMING
- Date Correspondence Received (YY/MM/DD) \_\_\_\_\_

Name of Correspondent: David Chew

MI Mail Report      User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: Joint Resolution re: Crime Victims Week

**ROUTE TO:**

**ACTION**

**DISPOSITION**

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Completion Date YY/MM/DD
<u>W Holland</u>	ORIGINATOR	<u>85.04.19</u>		<u>1 1</u>
<u>WAT 18</u>	Referral Note: <u>R</u>	<u>85.04.19</u>	<u>Yes. call me</u>	<u>S 85.04.19</u>
	Referral Note:			<u>drop</u>
		<u>1 1</u>		<u>1 1</u>
	Referral Note:			
		<u>1 1</u>		<u>1 1</u>
	Referral Note:			
		<u>1 1</u>		<u>1 1</u>
	Referral Note:			

**ACTION CODES:**

- A - Appropriate Action
- I - Info Copy Only/No Action Necessary
- C - Comment/Recommendation
- R - Direct Reply w/Copy
- D - Draft Response
- S - For Signature
- F - Furnish Fact Sheet to be used as Enclosure
- X - Interim Reply

**DISPOSITION CODES:**

- A - Answered
- C - Completed
- B - Non-Special Referral
- 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, OEOP).  
 Always return completed correspondence record to Central Files.  
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

# Ninety-ninth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Thursday, the third day of January,  
one thousand nine hundred and eighty-five*

## Joint Resolution

To designate the week of April 14, 1985, as "Crime Victims Week".

Whereas crime often inflicts considerable physical and emotional pain and financial hardship upon its victims, disrupting their lives, and placing great strains upon their families;

Whereas our criminal justice system has often failed to provide the victims of crime with the compassionate treatment they deserve;

Whereas it is the fundamental obligation of government to protect its citizens from the criminal element;

Whereas there is a national movement in support of more just and compassionate treatment of victims of crime;

Whereas the establishment of the President's Task Force on Victims of Crime and an Office for Victims of Crime in the Department of Justice, and enactment of the Victim and Witness Protection Act of 1982 and the Victims of Crime Act of 1984 evidence the Federal Government's increased awareness of the plight of crime victims; and

Whereas further efforts are needed, at all levels of government and in the private sector, to help ease the trauma suffered by crime victims: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating April 14 through April 20, 1985, as "Crime Victims Week" and calling upon the people of the United States, State and local government agencies, and interested organizations to observe that week with appropriate ceremonies, activities, and programs.*

*Thomas S. Downey*  
Speaker of the House of Representatives.

*Strom Thurmond*

~~Vice President of the United States and~~  
President of the Senate *pro Tempore*


THE WHITE HOUSE

THE WHITE HOUSE

WASHINGTON

April 11, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Eva and Americo Makk

You will recall that the Makks ran an advertisement featuring a photograph of themselves with the President to promote their portrait business. The advertisement prompted a letter from this office, which in turn engendered a promise from the Makks not to sin again. White House Curator Clement E. Conger received several complaints about the Makk advertisements from the legitimate artists involved in Presidential portraiture, and, after checking with this office, advised them that appropriate action had been taken. Conger would like to caution the art magazines that ran the advertisements, to avoid future problems and to further reassure the legitimate artists. We discussed this matter at a staff meeting, and you requested that I draft letters to the magazines for your signature. Drafts are attached.

Attachments

THE WHITE HOUSE

WASHINGTON

May 8, 1985

Dear Mr. Esterow:

The White House has received complaints concerning the advertisement featuring Mrs. Eva Makk that appeared on page 123 of the February 1985 issue of Art News. The White House adheres to a policy of declining to approve any use of the name, signature, photograph or likeness of the President or First Lady in any manner that suggests or could be construed as endorsement of a commercial product or enterprise. Similarly, the White House may not be used in advertising, as noted in the "Do's and Don'ts in Advertising Copy," published by the Council of Better Business Bureaus, Inc. (A copy of the pertinent provision is enclosed for your information.)

The Makk advertisement contravened these restrictions by suggesting Presidential endorsement of the Makks' artwork and by implying that artwork by the Makks was displayed in the White House. Neither suggestion is correct. The portraits in question were unsolicited and presented on the occasion of a visit to the White House by the Hungarian American Federation. They were transferred to the White House Gift Unit. This office has contacted the Makks, and obtained their agreement not to run the offending advertisement in the future.

My purpose in writing you is to alert you to the foregoing restrictions on use of the White House and the name, signature, photograph or likeness of the President or First Lady in advertising copy. In order to avoid the unintentional publication of misleading advertisements in the future, you should feel free to contact this office concerning any advertising copy that appears to violate these restrictions.

Thank you for your cooperation.

Sincerely,

Fred F. Fielding  
Counsel to the President

Mr. Milton Esterow  
Editor and Publisher  
Art News  
5 West 37th Street  
New York, NY 10018

FFF:JGR:aea 5/8/85  
bcc: FFFielding  
JGRoberts  
Subj  
Chron

THE WHITE HOUSE

WASHINGTON

May 8, 1985

Dear Mr. McCann:

The White House has received complaints concerning the advertisement featuring Mr. Americo Makk that appeared on page 63 of the March 1985 issue of Connoisseur. The White House adheres to a policy of declining to approve any use of the name, signature, photograph or likeness of the President or First Lady in any manner that suggests or could be construed as endorsement of a commercial product or enterprise. Similarly, the White House may not be used in advertising, as noted in the "Do's and Don'ts in Advertising Copy," published by the Council of Better Business Bureaus, Inc. (A copy of the pertinent provision is enclosed for your information.)

The Makk advertisement contravened these restrictions by suggesting Presidential endorsement of the Makks' artwork and by implying that artwork by the Makks was displayed in the White House. Neither suggestion is correct. The portraits in question were unsolicited and presented on the occasion of a visit to the White House by the Hungarian American Federation. They were transferred to the White House Gift Unit. This office has contacted the Makks, and obtained their agreement not to run the offending advertisement in the future.

My purpose in writing you is to alert you to the foregoing restrictions on use of the White House and the name, signature, photograph or likeness of the President or First Lady in advertising copy. In order to avoid the unintentional publication of misleading advertisements in the future, you should feel free to contact this office concerning any advertising copy that appears to violate these restrictions.

Thank you for your cooperation.

Sincerely,

Fred F. Fielding  
Counsel to the President

Mr. David A. McCann  
Vice President  
Connoisseur Hearst  
Magazines  
224 W. 57th Street  
New York, NY 10019

FFF:JGR:aea 5/8/85  
bcc: FFFielding  
JGRoberts  
Subj  
Chron