

WITHDRAWAL SHEET

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Collection: Cicconi, James W.: Files

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File Folder: JW Cicconi Memos, Jan - Jun 1983 [5 of 11]

Date: 2/18/98

Cicconi

~~GA 10793~~ *Box 2*

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. memo	JW Cicconi to James A. Baker, III re AFL-CIO Meeting in Bal Harbour and Labor Relations, 2p.	2/23/83	P5
2. memo	JW Cicconi to James A. Baker, III re Black Liason and Policy Functions, 2p.	3/7/83	P5
3. memo	Edwin Harper to James Baker, Mike Deaver, Edwin Meese re The Merger of Liason and Policy Functions Involving Blacks, 1p.	12/8/82	P5
4. memo	Mel Bradley to Ed Harper re The Merger of Liason and Policy Functions Involving Blacks, 5p.	12/27/82	P5
5. memo	JW Cicconi to James A. Baker, III re EPA Situation, 2p.	3/10/83	P5 <i>US 10/18/00</i>

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P-1 National security classified information [(a)(1) of the PRA].
- P-2 Relating to appointment to Federal office [(a)(2) of the PRA].
- P-3 Release would violate a Federal statute [(a)(3) of the PRA].
- P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA].
- P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA].
- P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA].
- C. Closed in accordance with restrictions contained in donor's deed of gift.

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

- F-1 National security classified information [(b)(1) of the FOIA].
- F-2 Release could disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA].
- F-3 Release would violate a Federal statute [(b)(3) of the FOIA].
- F-4 Release would disclose trade secrets or confidential commercial or financial information [(b)(4) of the FOIA].
- F-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA].
- F-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA].
- F-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA].
- F-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA].

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THE WHITE HOUSE
WASHINGTON

2-22

Merris Weather

357-2763

- status of Kampelman letter
(Dodie Livingston)

→ will send end of week, or
call Merris to set up

2-23 Now between Dodie & Merris - JWC
out of loop

THE WHITE HOUSE

WASHINGTON

February 15, 1983

MEMORANDUM FOR DODIE LIVINGSTON

FROM: Jim Cicconi *JWC*
SUBJECT: Presidential Message for Ambassador Max Kampelman

Attached is a draft message for Ambassador Max Kampelman, prepared by NSC at my request, to be read at a dinner in his honor on March 1.

The following changes should be made in order for the message to be appropriate for the occasion:

1. The first paragraph should be revised to read as follows:

It gives me great pleasure to join members of the Board of Trustees, associates, and guests of the Woodrow Wilson Center in honoring Ambassador Max Kampelman for his outstanding service to the United States and to my Administration.

2. The following paragraph should be inserted prior to the concluding paragraph of the message:

It is a particular pleasure to hail Max Kampelman on this occasion, where he is being honored for his parallel contribution as the third chairman of the Board of Trustees of the Woodrow Wilson International Center for Scholars. He has served with distinction this living memorial to our twenty-eighth president, advancing its excellent scholarly program as well as its unique national mission of "symbolizing and strengthening the fruitful relation between the world of learning and the world of public affairs." An author and an active attorney as well as an ambassador, he combines in his own career both the reflective and the active sides of the Wilsonian ideal.

Once signed, the original of the message should be sent to Mr. James Billington, Director, Woodrow Wilson International Center for Scholars, Smithsonian Institution Building, Washington, D. C. 20560. Copies of the final message should be sent to myself, and to Mr. William Baroody, Jr., 1150 17th Street, N.W., 12th Floor Suite, Washington, D. C. 20036.

Thanks for your help.

THE WHITE HOUSE

WASHINGTON

MESSAGE FOR AMBASSADOR MAX KAMPELMAN

It gives me great pleasure to join members and guests of the Woodrow Wilson Center in honoring Ambassador Max Kampelman for his outstanding service to the United States and to my Administration.

For the past three years, Ambassador Kampelman has served with distinction and valor as Co-Chairman, then Chairman, of the United States Delegation to the Conference on Security and Cooperation in Europe. This important and challenging assignment requires vigorous defense of our democratic ideals, tireless energy in uncovering egregious Soviet and East European violations, and tact and diplomatic adroitness in coordinating actions with our Allies. Max has successfully performed all of these complex tasks. He has brought to this job not only youthful zeal and dedication but his prodigious legal and academic knowledge as well.

Ambassador Kampelman's sterling statements at the Madrid Conference have upheld the spirit and letter of the Helsinki Final Act. Moreover, he has persisted in monitoring the implementation of the Accords and meticulously tackled those issues which have hindered the Helsinki process -- for example, the imposition of martial law and the banning of Solidarity in Poland, the suppression of religious freedoms in the Soviet Union, and the increased harassment of those desiring to emigrate from the Soviet Union.

All who value the fundamental rights of individuals are indebted to Ambassador Max Kampelman for the services he has performed.

You have my best wishes for a most enjoyable evening, and Nancy and I both send our warmest congratulations to Max.

THE WHITE HOUSE

WASHINGTON

February 9, 1983

MEMORANDUM FOR JIM CICCONI

FROM: BUD McFARLANE

SUBJECT: Commendation for Ambassador Kampelman

As you requested in your memorandum of February 4, attached is a Presidential Commendation for Ambassador Max Kampelman to be read at the dinner in his honor on March 1, hosted by the Board of Trustees of the Woodrow Wilson Center.

The text has been cleared with Dodie Livingston (Presidential Messages) and should be returned to her office for final preparation and dispatch.

Attachments

cc: Dodie Livingston
Presidential Messages

THE WHITE HOUSE

WASHINGTON

ADMINISTRATIVELY CONFIDENTIAL

February 23, 1983

MEMORANDUM FOR JAMES A. BAKER, III

FROM: Jim Cicconi 

SUBJECT: AFL-CIO Meeting in Bal Harbour and Labor Relations

Reports are that the Bal Harbour meeting is going fairly well. Bonitati said the atmosphere is different, lacking the outright hostility we have seen in the past. One example is that Lane Kirkland has been relatively restrained in his public comments to this point. As you know, the Administration has a heavy presence in Bal Harbour and that may be one factor. However, this may also be an indication, though admittedly tentative, that we have improved our political position. Particular factors affecting our relations with labor are:

- (a) we have had some success in seizing the middle ground on jobs, social security, and the budget in general;
- (b) the economy continues to improve, and unemployment is beginning to decline;
- (c) we have remained receptive to contacts from labor leaders (Donovan has gotten points for his efforts and for "turning the other cheek" to Kirkland's slights); and
- (d) we have avoided policy actions that would cause an open rupture with the labor movement (such as Davis-Bacon and Hobbs Act).

One other point: Kirkland's relative moderation, if it continues, can be viewed as a sign that he is under pressure from other labor leaders not to burn too many bridges with the Administration. If this is the case, it can be argued that our continued overtures to labor leaders, including Kirkland himself, increase such pressure; in contrast, "hostile" actions toward labor on our part would probably strengthen Kirkland's position.

Memorandum for James A. Baker, III
February 23, 1983
Page 2 of 2

If, on the other hand, Kirkland launches a sustained partisan assault on the President as the year goes on and 1984 approaches, we must be prepared to cut contacts with him and build a solid base of support among other union leaders. This would involve policy considerations; it would also mean building up alternative union leaders, thereby demonstrating the ineffectiveness of Kirkland's leadership in terms of influencing government policy.

THE WHITE HOUSE

WASHINGTON

February 23, 1983

MEMORANDUM FOR SENIOR STAFF

FROM: Jim Cicconi *JWC*
SUBJECT: Senior Staff Meetings

There will be no senior staff meetings from Tuesday, March 1, through Friday, March 4, due to the President's trip to California.

Senior staff meetings will resume on Monday, March 7.

Thank you.

THE WHITE HOUSE

WASHINGTON

February 24, 1983

MEMORANDUM FOR CRAIG L. FULLER

FROM: Jim Cicconi ~~JK~~
SUBJECT: Legal Equity for Women

As I understand it, Clarence Thomas of EEOC will be testifying today on the Hill regarding HR 100, which relates to pension and insurance equity for women. This is the same subject that Tim Ryan testified on Tuesday.

I thought you should be aware that we only found out about Thomas' plans to testify this morning. A copy of his testimony is to be dropped off with OMB. However, it was not cleared in advance, and I have no idea if it will be in accord with the strategy we have agreed on. Needless to say, this poses some problems if it differs with Ryan's testimony.

One other point: DOL made every effort to coordinate with EEOC in advance of Ryan's testimony. I do not think DOL was afforded the same courtesy.

cc: James A. Baker, III

THE WHITE HOUSE
WASHINGTON

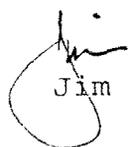
Feb. 24, 1983

NOTE FOR JOANNA BISTANY

RE: Log of Press Contacts

Though cleared to return Juan Williams' call on tuition tax credits, I became embroiled in something and was not able to get back to him till this afternoon.

He was not in, and has not called me again.


Jim Cicconi

THE WHITE HOUSE

WASHINGTON

February 24, 1983

MEMORANDUM FOR BUCK CHAPOTON

FROM:

Jim Cicconi *inc*

SUBJECT:

Correspondence from George E. Barnes

Attached are copies of two of the most recent letters Jim Baker has received from George Barnes as a result of a conversation they had during the President's Chicago trip. Mr. Barnes proposes the reinstatement of stock transfer taxes, and is opposed to withholding on dividends.

I would appreciate it if you would please respond to Mr. Barnes' proposal on behalf of Mr. Baker, with a copy to our office.

Thank you for your help.

*--whole packet is under
George E. Barnes*

THE WHITE HOUSE

WASHINGTON

February 25, 1983

MEMORANDUM FOR JAMES A. BAKER, III

FROM: Jim Cicconi 

SUBJECT: Yesterday's Judicial Meeting

The following actions were taken in yesterday's judicial meeting:

1. District Judge, E. D.-Louisiana: Martin Feldman was approved (over Maurice Livaudais) for this district judgeship. Lee Atwater had checked with key Republicans in the state, including Governor Treen, and all recommended Feldman when pushed to make a choice.
2. 8th Circuit Court of Appeals: Senator Abdnor has indicated that he will not back off his opposition to Pasco Bowman, despite assurances that the next opening on the court would go to his state. Since there will apparently be a fight on this nomination, I suggested that Fielding inform Senator Thurmond of our intentions before further action is taken. Thurmond, as you may recall, had previously told Fielding that we should reexamine this matter on the basis that South Dakota had not had representation on the court.
3. Claims Court: The latest on this is that Sherm Unger indicates that he has some new information on the Senate's disposition toward his possible nomination. Fielding has given him 24 hours to convey the information to us. In the meantime, Justice is starting to look at other candidates.
4. District Judge, N. D.-California: Senator Cranston has "blue slipped" our nominee, John Vukasin. Legislative Affairs will check into the reasons for his action.
5. Bankruptcy Legislation: Jon Rose reported that there has been good progress toward enacting this legislation.
6. U.S. Marshal, Massachusetts: You may recall that we have already gone through two people recommended by Reaganites in Massachusetts (Dapper O'Neill and Charles Perenik) without success. The VP has asked that we

Memorandum for James A. Baker, III
February 25, 1983
Page 2 of 2

again consider Jim Roche for the position, indicating that he felt strongly about this person. When I raised this matter, Dennis Patrick indicated that Helene would have some problems with Roche because he was regarded as a "Bush person" by the Reaganites in Massachusetts. Rollins argued that the Reaganites had submitted two names which did not pan out, and that, at this point, we should discount their objections. I argued further that the VP had not previously pushed a candidate with the committee, and that I felt we should honor his wishes in these circumstances. Bottom line is that we tentatively agreed to nominate Roche, though Helene will have a few days to voice any objections she may have.

7. 4th Circuit Court of Appeals: Senator Warner has asked for one more meeting with Fielding before we publicly indicate our intention to nominate Ken Starr.

THE WHITE HOUSE

WASHINGTON

February 25, 1983

MEMORANDUM FOR CRAIG FULLER

FROM: Jim Cicconi 

SUBJECT: Regulations Under the Education of the
Handicapped Act

Attached is a copy of the House Resolution I mentioned to you this morning. You will note its reference to the fact that the Department of Education has not yet withdrawn the previously proposed regulations.

From what I understand, and from reading the resolution, it appears that the House would only be satisfied with a withdrawal of proposed changes; I do not think they would be assuaged by modifications in the Department's previous proposal.

Legislative Affairs has indicated that this resolution could be marked up in subcommittee within two weeks.

cc: James A. Baker, III 

98TH CONGRESS
1ST SESSION

H. RES. 52

Expressing the sense of the House of Representatives that regulations proposed by the Secretary of Education under the Education of the Handicapped Act should not be permitted to take effect.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 1983

Mr. BIAGGI (for himself, Mr. MURPHY, Mr. MOAKLEY, Mr. WEISS, Mr. DONNELLY, Mr. OBERSTAR, Mr. SHANNON, Mrs. KENNELLY, Mr. BONER of Tennessee, Mr. DYMALLY, Mr. FORD of Tennessee, Mr. NOWAK, Mr. STUDDS, Mr. GARCIA, Mr. TOWNS, Mr. MCKINNEY, Mr. WORTLEY, Mr. JACOBS, Mr. HOWARD, Ms. MIKULSKI, Mr. WILLIAMS of Montana, Mr. STOKES, Mr. FAZIO, Mr. ROE, Mr. GRAY, Mr. DOWNEY of New York, Mr. FAUNTROY, Mr. HOPKINS, Mr. BURTON of California, Mr. WEAVER, Mr. FORD of Michigan, Mr. PORTER, Mr. CROCKETT, Mr. LEVIN of Michigan, Mr. MINETA, Mr. McNULTY, Ms. KAPTUR, Mr. FEIGHAN, Mr. BONIOR of Michigan, Mr. D'AMOURS, Mrs. HOLT, Mr. HEFTEL of Hawaii, Mr. FOGLIETTA, Mr. SMITH of Florida, Mr. SEIBERLING, Mr. FRANK, Mr. COYNE, Mr. SPENCE, Mr. BERMAN, Mr. GEJDENSON, Mr. FLIPPO, Mr. OLIN, Mr. CLINGER, Mr. WISE, Mr. EDWARDS of California, Mr. LOWRY of Washington, Mr. QUILLEN, Mr. OWENS, Mr. MILLEE of California, Mr. WYDEN, Mr. RATCHFORD, Mr. MATSUI, Mr. LANTOS, Mr. CORRADA, Mr. YATRON, Mr. BEDELL, Mr. LEHMAN of Florida, Mr. MAVROULES, Mr. DE LUGO, Mr. CONYERS, Mr. MITCHELL, Mr. TALLON, Mr. HORTON, Mrs. HALL of Indiana, Mr. McGRATH, Mr. RANCEL, Mr. LENT, Mr. ECKART, Mr. BARNES, Mr. LONG of Maryland, Mr. LEVINE of California, Mr. EDGAR, Mr. LONG of Louisiana, Mr. LELAND, Mr. BROWN of California, Mr. RUSSO, and Mrs. COLLINS) submitted the following resolution; which was referred to the Committee on Education and Labor

RESOLUTION

Expressing the sense of the House of Representatives that regulations proposed by the Secretary of Education under

the Education of the Handicapped Act should not be permitted to take effect.

Whereas the amendments to the Education of the Handicapped Act made by the Education for All Handicapped Children Act of 1975 (Public Law 94-142) have been the cornerstone of educational rights for more than four million handicapped children; and

Whereas the intent of Congress to provide a free, appropriate public education to all handicapped children must be preserved; and

Whereas this education has been secured since 1977 when regulations under the Education of the Handicapped Act were prescribed; and

Whereas the Department has sought to deregulate this vital program since August 4, 1982, when it began to issue a series of notices which sought to alter essential related services to children served by the Education of the Handicapped Act; limit the access of handicapped children to regular classroom instruction with nonhandicapped children and alter the role of parents in assisting in the development of educational programs for their handicapped children as well as limit the role of States and local schools in providing services to handicapped children under this Act; and

Whereas the Department of Education has steadfastly refused to withdraw its existing proposals, has rejected congressional requests to cease its current regulatory activities of this program and will not make any specific long-term commitment to existing regulations under this program; and

Whereas handicapped children are being denied the full benefits of the law because the Department of Education has fore-

gone technical assistance to States during this regulatory crisis: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Repre-
2 sentatives that—

3 (1) the Department of Education should withdraw
4 all remaining proposed regulations to Public Law 94-
5 142;

6 (2) should increase its efforts to provide technical
7 assistance to States and local schools in order to im-
8 prove services to handicapped children; and

9 (3) any final regulations promulgated by the De-
10 partment of Education under Public Law 94-142
11 should be rejected in total if they seek, in any way, to
12 dilute the strength of current law in protecting the
13 educational rights of handicapped children and congress-
14 sional intent in administering the Education of the
15 Handicapped Act.

THE WHITE HOUSE
WASHINGTON

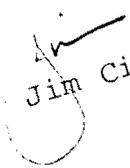
2-25-83

NOTE FOR JOANNA BISTANY

RE: Press Contacts

After our conversation, I returned Steve Weisman's call. As expected, he asked about whether JAB had talked with David Linowes. I told him I did not know, and Baker was out of pocket so that I could not find out.

I told him you were trying to check on this, and was sure you'd let him know when you found out.


Jim Cicconi

THE WHITE HOUSE
WASHINGTON

2-25-83

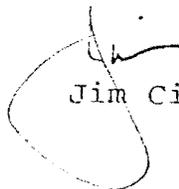
TO: JOANNA BISTANY

RE: Press Log

Juan Williams called me back today re tuition tax credits. In answer to his question, I stated that Jim Baker was totally committed to the proposal in every way; that his personal feelings were 100% in tune with it.

When asked about legislative prospects, I suggested that Legislative Affairs would be a much more accurate source for that information.

I also suggested that Williams call JAB if there was a need to verify his personal feelings on the issue.


Jim Cicconi

THE WHITE HOUSE

WASHINGTON

February 28, 1983

MEMORANDUM FOR JOAN DECAIN

FROM: Jim Cicconi *jc*
SUBJECT: Birthday Card

I would very much appreciate it if you would send a birthday card from the President to Ms. Imogene Boner, who will be celebrating her 90th birthday on March 10. Her address is:

Ms. Imogene L. Boner
Sleepy Hollow Manor Nursing Home
Room 206
6700 Columbia Pike
Annandale, Virginia 22003

Thank you for your help.

Lia called in to me by Josh Danier.

THE WHITE HOUSE

WASHINGTON

February 28, 1983

MEMORANDUM FOR THE PRESIDENT

THROUGH: James A. Baker, III
FROM: Jim Cicconi *JWC*
SUBJECT: Allegations About Use of Fuel Tax Revenues

An editorial by KCRG-TV (see Tab A) in Cedar Rapids, Iowa, alleged that revenues from the fuel tax are being used for purposes other than highways and mass transit. The editorial then listed a series of non-highway items included in the legislation.

According to OMB and DOT, use of revenues from the fuel tax is indeed confined to highways and mass transit. Except in two instances, the "odd" items mentioned in the editorial are not funded from the fuel tax. Most were attached to the bill as riders when it appeared to be the only piece of legislation assured of passage during the lame duck session.

The following is a brief review of the specific items mentioned in the editorial:

1. Virgin Islands Ferryboat Study: This provision directs Congress' Office of Technology Assessment (OTA) to study the use of high-speed ferryboats in the Virgin Islands, presumably using existing OTA funds; no funds from the fuel tax are involved.
2. Vending Machine "Study": This provision does not involve a study--it simply authorizes states to permit vending machines at interstate rest stops provided no federal money is used in their installation or operation.
3. Tax Status of Religious Orders: This rider, attached by the Senate, required a study of the subject by Treasury. Though the rider was dropped in conference, Treasury has agreed to prepare such a report for the Congress (using current department funds).

4. Convict Labor Study: Though the editorial mentions a study "of the effects of convict labor on the job market," neither OMB nor myself can locate such a provision in the bill. However, if some such study has been requested, it would almost certainly be paid for with current agency funds and not from fuel tax revenues.
5. Wave Erosion "Study": Under this provision, the Secretary of Transportation is authorized to set up a demonstration project (not a study) at Devils Lake, North Dakota, to test construction techniques for preventing wave erosion of grade level highways that cross lakes and reservoirs. At least 75% of this project will be funded out of the Highway Trust Fund at a cost of around \$4.5 million.
6. Massachusetts Mass Transit Loan: There is a provision in the bill which forgives two urban mass transit loans to the Massachusetts Bay Transportation Authority. The loans, made in 1973 and 1976, were used to acquire right-of-way. We cannot know for certain why this rider was included, though we know it originated in the House. Also, when similar loans have been forgiven in the past, it was because the projects for which rights-of-way were acquired had since been abandoned. Revenue generated by the fuel tax will presumably have to cover these loans.
7. "Forgiveness" of Student Loans: Under certain federal loan programs, all or a portion of the student's loan may be discharged by performing specified public service work. One example is that of medical students who later work as doctors on Indian reservations to pay off their loans. While doing so, they receive special tax treatment, which the Senate version of this legislation would have extended for one year. However, the provision, which never involved fuel tax revenue, was dropped by the conference committee.

Mr. Ed Lasker
~~To Mr. Ed Lasker~~

To KCRG-TV Editorial Board
Cedar Rapids Television Co.
Cedar Rapids Iowa

(A)

Dear Mr. Lasker

Your editorial comment on the Fuel Tax bill Feb. 18th
has only recently been brought to my attention. ~~I~~
~~immediately acted for~~

I immediately had a report prepared with regard
to the allegations that revenues from the Fuel tax
were to be used for purposes other than highways & mass
transit. (I assume that your editorial was based on
an erroneous ~~and~~ news story and thought you would want the
true facts, ~~which are as follows.~~

3/1/83

MR. PRES.

YOU ASKED ABOUT A REFERENCE TO THIS IN THE NEWS SUMMARY LAST WEEK

Jim Baker

THE WHITE HOUSE
WASHINGTON

February 28, 1983

MEMORANDUM FOR THE PRESIDENT

THROUGH: James A. Baker, III
FROM: Jim Ciccconi
SUBJECT: Allegations About Use of Fuel Tax Revenues

these are related to highways or mass transit. The rest were either funded from existing sources or were dropped from the final bill before it reached my desk.

An editorial by KCRG-TV (see Tab A) in Cedar Rapids, Iowa, alleged that revenues from the fuel tax are being used for purposes other than highways and mass transit. The editorial then listed a series of non-highway items included in the legislation.

The Office of Management & Budget & the Dept. of Transportation

According to ~~OMB and DOT~~, use of revenues from the fuel tax is indeed confined to highways and mass transit. Except in ~~two instances~~ of the "odd" items mentioned in the editorial, ~~only two are~~ are not funded from the fuel tax, ~~and most were attached to the bill as riders when it appeared to be the only piece of legislation assured of passage during the lame duck session.~~

The following is a brief review of the specific items mentioned in ~~the~~ editorial:

1. Virgin Islands Ferryboat Study: This provision directs Congress' Office of Technology Assessment ~~OTA~~ to study the use of high-speed ferryboats in the Virgin Islands, presumably using existing OTA funds; no funds from the fuel tax are involved.

No funds from F.Tax

2. Vending Machine "Study": This provision does not involve a study--it simply authorizes states to permit vending machines at interstate rest stops provided no federal money is used in their installation or operation.

Smith only: no funds

3. Tax Status of Religious Orders: This rider, attached by the Senate, required a study of the subject by Treasury. Though the rider was dropped in conference, Treasury has agreed to prepare such a report for the Congress (using current department funds).

rider, dropped

4. Convict Labor Study: Though the editorial mentions a study "of the effects of convict labor on the job market," ~~neither OMB nor myself can locate such a provision in the bill.~~ ^{we could not} However, if some such study has been requested, ^{by Congress} it would almost certainly be paid for with current agency funds and not from fuel tax revenues.
5. Wave Erosion "Study": Under this provision, the Secretary of Transportation is authorized to set up a demonstration project (not a study) at Devils Lake, North Dakota, to test construction techniques for preventing wave erosion of grade level highways that cross lakes and reservoirs. At least 75% of this project will be funded out of the Highway Trust Fund, at a cost of around \$4.5 million. ~~This~~ ^{This expenditure is, of course,} highway-related.
6. Massachusetts Mass Transit Loan: ^{Congress included} ~~There is~~ a provision in the bill ~~which forgives~~ two urban mass transit loans to the Massachusetts Bay Transportation Authority. The loans, made in 1973 and 1976, were used to acquire right-of-way. ~~The bill does not mention the reason we cannot know for certain why this rider was included, though we know it originated in the House. Also, when similar loans have been forgiven in the past, it was because the projects for which rights-of-way were acquired had since been abandoned.~~ ^{Though} Revenue generated by the fuel tax will presumably have to cover these loans, ~~if~~ ^{if} they are related to the mass transit program. ^{Funds from F. Tax, but due to abandoned highway project}
7. "Forgiveness" of Student Loans: Under certain federal loan programs, all or a portion of the student's loan may be discharged by performing specified public service work. One example is that of medical students who later work as doctors on Indian reservations to pay off their loans. While doing so, they receive special tax treatment, which the Senate version of this legislation would have extended for one year. However, the provision, which never involved fuel tax revenue, was dropped by the conference committee. ^{Dropped (funds not from F. Tax)}

I hope this clears the air and
~~gives~~ reassures you that the revenues
from the Fuel tax will be properly used.

Since
RR

THE WHITE HOUSE

WASHINGTON

March 7, 1983

MEMORANDUM FOR CRAIG FULLER
JOE WRIGHT

FROM: Jim Cicconi *JWC*
SUBJECT: Cigarette Warning Labels

As follow-up to our discussion this morning in senior staff on cigarette warning labels, I thought you would be interested in the attached letter. It was sent to the president of the American Cancer Society last year.

As I recall, most parties agreed that this letter, coupled with previous testimony, placed us in the best position on the issue.

Particular attention should be given to the last sentence of the third paragraph, which is at least an implicit position on the rotating labels question.

cc: Ken Duberstein

THE WHITE HOUSE
WASHINGTON

Dear Dr. Hutter:

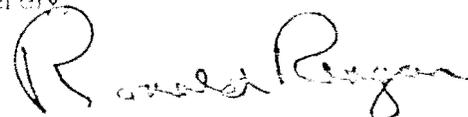
Thank you for your letter of March 18 regarding our policy on cigarette warning labels. I am afraid there have been some recent misunderstandings about this subject and I welcome the opportunity to provide some clarification.

This Administration is deeply concerned by the compelling evidence linking cigarette smoking to a variety of major illnesses. We have endorsed the recently released findings of the Surgeon General on the conclusive link between smoking and several diseases, including cancer -- findings I cited again on April 3 in proclaiming this Cancer Control Month. We believe, and have recently restated to the Congress, that warning labels alerting the public to the serious health hazards posed by cigarette smoking are entirely appropriate and could, in fact, be strengthened without overstating these dangers.

As you know, Congress is now considering a number of alternative labeling proposals for cigarette packages. Since there is little evidence on the effectiveness of such approaches, we have decided not to take a position on them at this time. We trust that Congress will study this question thoroughly, giving great weight to the need to adequately inform the public of health hazards, while avoiding approaches that impose burdens bearing no real relation to the overriding goal of warning labels.

I appreciate the fine work of the American Cancer Society on this and other issues, and hope this letter will clarify any misunderstandings that may have arisen. I look forward to working with you in the future.

Sincerely,



Robert V.P. Hutter, M.D.
President
American Cancer Society, Inc.
777 Third Avenue
New York, New York 10017

THE WHITE HOUSE

WASHINGTON

March 7, 1983

MEMORANDUM FOR BUD MCFARLANE

FROM: Jim Cicconi 
SUBJECT: News Article on Eugene Rostow

I thought you or the Judge might be interested in the attached account of a speech delivered at Yale by Gene Rostow.

The article appeared in the Yale Daily News on February 17, 1983.

pending the approval of Yale's Director of Operations.

The event would kick off the annual Spring Weekend, a five-day celebration of the end of classes, organized by the JCSC, the Yale College Council, and the Yale Charities Drive.

The JCSC expects to pay the Beat up to \$10,000, and to pay a warm-up band, not yet chosen, up to \$4,000, Tsai said. Among JCSC's other costs will be the rental fee for the gym, estimated at less than \$1,000, and "a lot of security" and advertising, he said.

Payne Whitney Gym has a capacity of about 2500 people. Tickets will probably cost \$7 for SAC card holders and \$8 for everyone

else, Tsai said. The JCSC hopes the Social Activities Committees in the residential colleges will contribute funds for the event, according to Tsai.

The Beat's manager rejected a bid submitted by the JCSC two weeks ago which proposed that the group perform in Woolsey Hall. The group refused to perform in an

auditorium. "They space where people

There will also be another group on the afternoon, April 24 Weekend events. Last tribute band, player mance.

Arms control

Rostow defends Reagan, foresees success of talks

By David J. Lynch

In his first public address since being ousted as head of the Arms Control and Disarmament Agency, Yale Sterling Professor of Law Eugene Rostow denied that the Reagan Administration is uninterested in an arms control agreement with the Soviet Union.

Charges that the President is using the current arms-control negotiations in Geneva to deflect anti-nuclear opinion while proceeding with nuclear force modernization are untrue, Rostow said. Such a strategy, he added, would have been "absolutely impossible politically."

The former Reagan administration officer made the comments before a meeting of the Yale International Professional Graduates Association (YIPGA) yesterday.

In both the START and Intermediate Nuclear Force (INF) talks underway in Geneva, the administration is attempting to use arms control to help solve two of its most vexing security problems, according to Rostow.

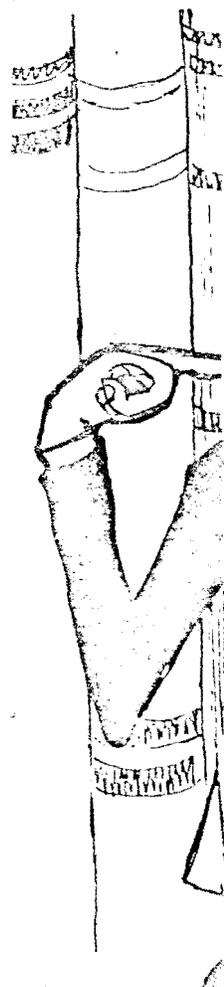
The INF talks have focused in the disparity

in the medium range nuclear missiles in Europe. "Our fundamental policy," Rostow said, "is that this gap has to be eliminated." Likewise, the U.S. has proposed a START package aimed at reducing the vulnerability of America's land-based strategic missiles.

The Soviets, says Rostow, have been "intransigent," especially in discussions on their SS-20s targeted against Western Europe. Rostow claimed that the Soviets are waiting until the end of the year to see if the NATO allies will be able to deploy the 572 Pershing IIs and cruise missiles designed to counter the SS-20s. "I've been going around for two years," Rostow said, "saying don't expect a treaty until five minutes before deployment time."

Rostow was critical of previous arms control agreements, labelling the SALT II treaties "great disappointments." The purpose of future agreements, he said, should be to "eliminate the potential for expansion which has been the engine of Soviet foreign policy since the war." The Soviets have to be

continued on page five—



Yale Daily News 2-17-83

sex, robbery, and... Paul Bartel's sick but extremely... currently showing at the York... 2.

Eating Raoul is... a very moral, cultured, boring couple, Paul and Mary Bland (Paul Bartel and Mary McCormack), who live in Hollywood apartment building overrun with "Swingers." The Blands, who think such sexually liberated people are perverse and disgusting, long to move to the suburbs and live a decent life. There they will sleep in their separate beds, and devote themselves to running a small restaurant which they plan to

... They place ads in "The Hollywood Press," a sex newspaper, billing Mary as a sex goddess who will fulfill any fantasy for a price (cash only, no checks or credit cards accepted).

As each customer makes his move on Mary in the Blands' apartment, Paul emerges and whacks the pervert over the head with a skillet. The caller being quite dead, Paul and Mary take his money, stuff him in a heavy-duty Glad bag, and drop him in the building's industrial strength trash compactor. The upstanding Blands have no moral qualms

... summarily dealt with, and the 11 great American... Kitchen.

Paul Bartel, in scripting this brilliant performance, splendidly refined, deadpan portly appearance, the part of the r... connoisseur who by bashing them iron frying pan.

Top acting beautiful Mary A cold, quick-mindedness, Woronov talent. Her faci... her sense of timi... exhibits an ere... character actre... familiar face to

It is possible, *Eating Raoul* a American more... endless films wh... decline and depi... level the film is... direction is wea... sometimes a lit... work is often co... sion situation co...

Yet these arc... movie wasn't me... grand, overall... Sure, this is a ta... doubt find it off... along with the... *Raoul* is a lot of

Rostow sees arms limit, defends Reagan policies

—continued from page one
shown, Rostow said, that they "cannot propagate the faith by the sword."

Over the past decade, Rostow said, the Soviets have "completely changed the nuclear balance. They've gone beyond parity in certain critical respects," he added. As a result, Rostow said, the Soviets now have the theoretical capability to execute a successful nuclear first strike. The nuclear might which allowed American presidents to implicitly threaten the USSR with national devastation can no longer be used in a crisis, Rostow said.

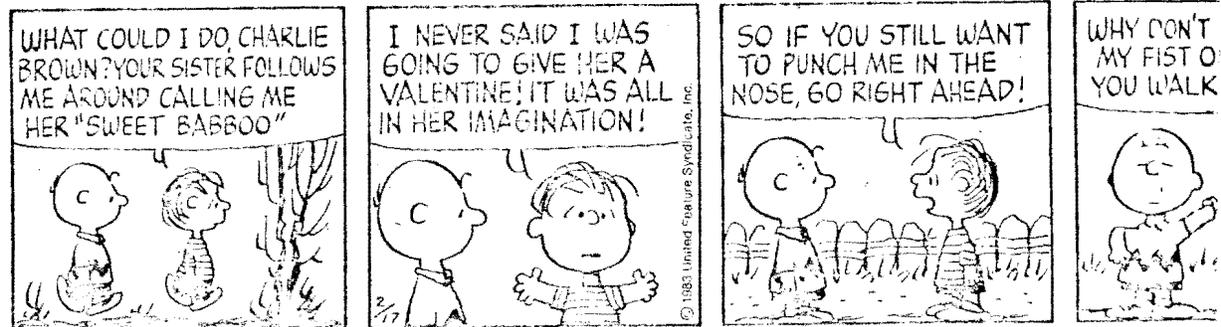
Despite the continuing Soviet military buildup, agreement is possible within the next year, Rostow said, if only because the Soviets might "want a breathing spell" from their

own economic and social troubles. Of these, the most dangerous difficulty, according to Rostow, is the still unsettled Polish situation. For them, he said, "that's a cancer."

Current political trends in the U.S., he said, are also troubling. Growing anti-nuclear sentiment coupled with congressional interest in withdrawing American troops from Europe, Rostow says, represent a "welling up of a spirit of isolationism." "This has nothing to do with the left, right or center," he added, "it's a natural idea deep in the American psyche."

A born-again isolationism, says Rostow, could lead to an increase in nationalism and xenophobia in Europe and the further spread of nuclear weapons. If that happens, he said, "we'd be in an entirely different world."

PEANUTS



GARFIELD



THE WHITE HOUSE

WASHINGTON

March 7, 1983

MEMORANDUM FOR CRAIG FULLER

FROM: Jim Cicconi 
SUBJECT: Handicapped Regulations

As I understand it, the status of the two sets of proposals affecting the handicapped is as follows:

1. 504 Regulations: These changes, involving all federal financial assistance, had mainly been supported by Brad Reynolds and DOJ. However, as I understand it, a meeting was held at which Brad agreed that such changes should not be pushed. The only remaining question appears to be how the decision can be communicated without giving the impression that we backed down under pressure.
2. 142 Regulations: These proposals involve discrimination against the handicapped in education, and have largely been supported by Secretary Bell. The fact that the changes have not yet been withdrawn, despite a congressional resolution, has prompted a new resolution (by Biaggi) that will be marked-up soon in committee. While Secretary Bell reportedly still hopes to salvage the proposal through some modifications, it seems clear that only a total withdrawal of the changes will assuage Congress and avoid a nasty set of hearings.

cc: James A. Baker, III
Ken Duberstein
Dick Darman

THE WHITE HOUSE

WASHINGTON

ADMINISTRATIVELY CONFIDENTIAL

March 7, 1983

MEMORANDUM FOR JAMES A. BAKER, III

FROM: Jim Cicconi 
SUBJECT: Black Liaison and Policy Functions

You had asked for my thoughts on Ed Harper's suggestion to merge the black liaison and policy functions under Mel Bradley. Without prejudging John Herrington's review of the liaison functions in general, I would offer the following as background:

1. Thelma Duggin currently handles both the 50 States Project and OPL's black liaison responsibilities. This is due to the fact that, while the responsibility for the 50 States Project was transferred to OPL, they were not given a new personnel slot. OPL's black liaison function has suffered accordingly.
2. Mel Bradley has maintained his own "liaison-type" contacts with various black groups, but has not filled the basic OPL liaison function. Mel seems to be more of a "free floater," dabbling in the issues that he feels directly affect blacks or black groups. However, I am not sure he is well plugged-in to the OPD apparatus, and, in any event, his influence seems to be absent from the many important issues that indirectly affect blacks.
3. To the best of my knowledge, we have not had much success in attempts to get mainstream black leaders and organizations to deal with us. The major part of this problem is a result of drastic policy differences. However, part is also due to the appearance that the Administration lacks a credible, effective advocate for black concerns.
4. The fact that Mel Bradley is covered by the Hatch Act (as are most OPD staff) has been cited as a factor inhibiting his work with black groups. This is a bit overstated since normal outreach work should not trigger the Hatch Act. However, it does lend support to an argument that the lead for outreach work with blacks should rest with OPL, not OPD.

My suggestions are as follows:

1. We should not merge black liaison and policy functions in OPD. Aside from a special sensitivity to black concerns, there is no real distinction that should cause blacks to be dealt with under a different organizational structure than other interest groups.
2. The lead for black outreach should rest with OPL.
3. OPL's black liaison should work closely with OPD (and Mel Bradley) on policy initiatives that might impact blacks. This should involve attendance at relevant Cabinet Council meetings.
4. OPL's black liaison must be able to work directly with the Assistant to the President for Public Liaison. While this may seem obvious, some of the outreach staff in OPL have been several organizational levels removed from the head of the office.

On this point, consideration should be given to the idea of the black liaison function being handled by Faith Whittlesey's choice as her assistant. The advantages of such an arrangement include (a) an obvious elevation in prominence of the function, (b) easier entry to relevant policy discussions, and (c) a more conclusive assertion that black groups should primarily deal through OPL (a point which is quite confused at present).

5. Responsibility for the 50 States Project should not be coupled with the black liaison function. The Project is a commitment by the President that has become even more important because of the increased attention women's equity issues are now receiving, and it should receive appropriate emphasis. However, it should not be considered necessary that the management of the 50 States Project remain in OPL.

THE WHITE HOUSE
WASHINGTON

December 8, 1982

JAB
Mel's discussion

MEMORANDUM FOR JAMES BAKER
MIKE DEEVER
EDWIN MEESE

FROM: EDWIN HARPER 

SUBJECT: ~~The Merger of Liaison and Policy Functions
Involving Blacks~~

In response to your recent suggestion that Mel Bradley consider the merger of Liaison and Policy functions involving Blacks, Mel took the opportunity to review the larger issue of the nature of the concerns of Black Americans about the Administration. I am attaching for your information, Mel's memo.

Based upon Mel's recommendation and my own understanding of the matter, I recommend that we proceed to put in place a system for coordinating all White House activities that impact Blacks such as Policy, Liaison, Communications, Personnel, OMB, Presidential Scheduling, the Social Office and others essential to a well-executed strategy. This coordinated effort would be centralized under Mel's responsibility. I also believe that the merger of the Liaison and Policy functions involving Blacks would make the coordination effort more effective.

I understand that Elizabeth Dole suggested such an arrangement some time ago and is in full accord with this memo. One caveat: This will be perceived by the Hispanics and ethnics as preferred treatment and we can expect pressure for similar arrangements from those quarters.

If I have any reservations, they run to the question of resources. Should Mel's successful handling of the Liaison aspect of this matter generate unmanageable workload demands, it should be understood that this question will be reopened.

One unresolved issue is to whom Mel would report. I assume that since I am paying for his salary and staff that he would report to me. However, I think it important that his work be closely integrated with that of Elizabeth Dole's organization.

Because Mel would be expected to be even more heavily involved in political-type matters, it is essential that the Office of Administration be directed to resolve the Hatch Act problem.

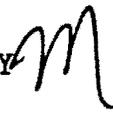
Attachment

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

December 27, 1982

FOR: ED HARPER
FROM: MEL BRADLEY 
SUBJ: The Merger of Liaison and Policy Functions Involving
Blacks

INTRODUCTION

The suggested merging of the policy and liaison functions involving the Black and related civil rights constituencies presents me with an opportunity to alert you of the present environment involving Blacks and to recommend some constructive steps toward improving it. This memo is essentially an update of an earlier memorandum entitled "How Black America Perceives this Administration," dated January 7, 1982. The situation involving Blacks has substantially deteriorated since that time.

THE PROBLEM

The attitudes of Blacks toward this Administration range from intense feelings of anger and frustration to a sense that we are, at best, indifferent to their unique problems and interests. To one degree or another these attitudes cut across all social strata and prevail among potential friends and supporters. The human and social implications of such an environment are enormous.

Aside from the all-important human and social implications, political consequences are beginning to emerge. Political analysts have noted an increase in Black voter participation in the November elections in the face of a decline in such participation by voters in general. They have attributed this development to registration and get-out-the-vote drives which exploit the growing polarization between Blacks and the Administration. The impact of large Black turnouts in specific gubernatorial, Senate and House races has been publicized to the extent that it need not be further emphasized. The significant point is that the tailwind left over from November combined with the worsening relationship between Blacks and the Administration renders the President vulnerable to those who would further build up and ride the crest of discontent and despair over the course of the next two years. The political implications are not confined to 1984.

Another significant political aspect of the problem which I should mention is the fact that Blacks and their close supporters do not constitute the only political force concerned about issues affecting Blacks. There is ample evidence that the great majority of Americans are in accord with the President's view that there should be steady progress in the nation's long drive toward equal justice. Yet, by press accounts the prevailing perception of the Administration's actual civil rights policies and activities is, on balance, one of retrenchment. This issue which is reinforced by the perception that Blacks are disproportionately bearing the brunt of the recovery program lies at the very heart of the "fairness" question.

THE SOURCE

It should be stated at the outset that for the most part Blacks have not ascribed the present environment to President Reagan personally. As one Black journalist has suggested, the President has come to be regarded as an eminently personable leader who not only is utterly incapable of intended ill-will or unfairness toward Blacks, he is instinctively positive on questions of equal justice.

From the Black perspective, however, the failure of federal officials to follow the President's inclinations is indicative of a pattern within this Administration. Each instance in which the President has taken a position or an action which has evoked a sense of hopefulness -- the voting rights compromise, the visit to the Chicago inner-city school, the visit to the family victims of the KKK crossburning incident, the widely acclaimed participation in the National Black Republican Council event, etc. -- has soon been followed by a publicized agency activity or policy having the opposite effect.

Beyond policy matters, Blacks attach a great deal of significance to such matters as visibility of Blacks at Administration social events, access of Blacks to the President and top officials on a regular basis, and Presidential expression of concern about the plight of Blacks in major addresses. These matters are important because they are indicators of whether the Administration associates itself with Blacks, listens to them and cares about their interests and concerns.

RECOMMENDATION

What should be the Administration's response to the problem? Many who are aware of the environment within which we operate would answer: There is little the Administration can do about it. I do not agree with that argument. It is my position that this President and his Administration have a unique opportunity to make a meaningful and lasting change in the environment and thus improve the lives of minorities. Why? This President has the

gift and skill to lead. He has a very special ability to communicate. The American people generally listen to him and follow his lead. This same leadership could positively affect the Black environment. We have not, in my judgement, made the best use of the President's qualities in this regard.

There are certain actions the President could take that would assist in changing the mood of minorities and hence the mood of the country. Specifically:

- o The President should include in all major addresses (especially the State of the Union address) some positive reference to Black Americans. Blacks look to be included in the mainstream activities and want recognition of their existence and worth by the leader of the country.
- o The President should have Black Americans involved and visible at all important meetings and events. Anytime there is a major policy meeting, a signing ceremony, a social event, Blacks should participate, be visible and have a meaningful dialogue no matter how brief. This signals to society as a whole that this President associates with Blacks; that he in fact knows and consults with them and is therefore sensitive to their interests. Other influential Americans, both within and without the Administration, will follow his lead.
- o The President should put in place a system for coordinating all White House activities that impact Blacks such as Policy, Liaison, Communications, Personnel, OMB, Presidential Scheduling, the Social Office and others essential to a well-executed strategy.

COORDINATING SYSTEM

A coordinating system needs to include the following principles:

- 1) some type of communication or other vehicle which acquaints key White House office heads of our situation involving Blacks and imparts a reasonable resolve to redress it;
- 2) a process which will facilitate our being alerted of problems or opportunities which have the potential for a negative or positive impact - "before the horse is out of the barn"; and
- 3) procedures for drawing upon the support of relevant White House offices where appropriate.

The following are examples of how a coordination procedure would apply to some of the White House offices mentioned:

Policy and Liaison

- There are no acute coordination problems with the policy function. Matters originating in or otherwise handled by OPD which impact heavily on Blacks generally come to my attention at a reasonably early point in the developmental stage. This is more of a model of what could be accomplished by other relevant functions.

Social Office

- Advance notification of social events would be helpful in planning Black participation in such a way as to maximize the advantages accruing to the President.

Presidential Scheduling

- Advance notification of such schedule items as bill signings, state events, etc. would serve the same purpose as that flowing from coordination involving the Social Office.

OMB

- Budgetary and programmatic proposals which have substantial implications for the degree of priority the Administration assigns to critical civil rights and related programs of fundamental concern to Blacks would need to come to our attention at the developmental stage.

Communications

- Matters which either in their entirety or in part have a substantial potential for enhancing the President's image with Blacks and on the "fairness" question should be earmarked to and occasionally packaged especially for the Black press. This will become even more important when we launch our program for increased Presidential contact with Black Americans. Should resources be an unsolvable problem, several of the agencies have indicated a willingness to pitch in.

Personnel Appointments

- Optimally it would be helpful to have advance notice on a routine basis of projected opportunities for Black appointments, to be consulted on these, and also to be consulted on all candidates for leadership posts in civil rights and related programs.

Also, it is vital that we have similar coordination with the Office of Political Affairs and the RNC. With respect to this latter point, it is important to recognize that although the handling of political matters involving Blacks is not part of my official responsibilities, our constituency expects it of me and we miss a great number of opportunities by not being able to be responsive.

CONCLUSION

Given the necessary support I could effectively take on the responsibility for coordinating all White House activities affecting Blacks. In order to add meaning and credibility to this effort, it would be of immense help for me to have authorization to attend senior staff meetings and be involved in other significant meetings and events at that level.

THE WHITE HOUSE

WASHINGTON

March 7, 1983

MEMORANDUM FOR JAMES A. BAKER, III

FROM: Jim Cicconi 
SUBJECT: Education Initiatives

Since you had inquired about aspects of our education package before the California trip, I thought you might want a summary of the details:

1. Tuition Tax Credits: This has already been introduced.
2. Education Vouchers: Under this proposal, school districts could opt to receive some federal funds in the form of vouchers which could be used to pay private school tuition for low-income parents.
3. Education Savings Accounts: This would allow parents to set aside up to \$1,000 per year, tax free, for their children's higher education.
4. Private Sector Involvement: This includes our Adopt-a-School effort which would encourage private sector "sponsors" to underwrite certain school costs such as equipment purchases; it also includes support for private sector programs to combat adult illiteracy.
5. Math and Science Training: This is designed to meet shortcomings in the quality of math and science teaching. It will involve both funds from the National Science Foundation and block grants for states to finance teacher training in math and science. Our proposal would also fund a national awards program for outstanding math and science teachers.

Please let me know if you would like more details on any of the above.

JC memos

THE WHITE HOUSE
WASHINGTON

March 7, 1983

JC
Pls follow up
on this. I want
to push for w/ drawal
in #2.
Thanks
JAB to

MEMORANDUM FOR CRAIG FULLER

FROM: Jim Cicconi *Jim*
SUBJECT: Handicapped Regulations

As I understand it, the status of the two sets of proposals affecting the handicapped is as follows:

1. 504 Regulations: These changes, involving all federal financial assistance, had mainly been supported by Brad Reynolds and DOJ. However, as I understand it, a meeting was held at which Brad agreed that such changes should not be pushed. The only remaining question appears to be how the decision can be communicated without giving the impression that we backed down under pressure.
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cc: James A. Baker, III ✓
Ken Duberstein
Dick Darman

THE WHITE HOUSE

WASHINGTON

March 8, 1983

MEMORANDUM FOR BECKY NORTON DUNLOP

FROM: Jim Cicconi

SUBJECT: VA Claim of William W. Davis

The attached information concerns a veterans disability claim by Mr. William W. Davis which was referred to me by a friend at the U.S. Chamber of Commerce.

Mr. Davis was a prisoner of the Japanese for three years, surviving the unspeakable horrors of the Bataan Death March and captivity in Manchuria. During this period, he contracted beriberi, a disease well known for long-term disabling effects. However, on return to the U.S., Mr. Davis never filed for benefits because, despite his wartime hardships, he felt the government owed him nothing. Mr. Davis had hoped that he would be able to go through life without filing a claim, but that has now become impossible.

As I understand it, Mr. Davis' claim has again been placed on the docket by the VA after several previous denials due to lack of supporting evidence. Apparently this lack of evidence is due more to the passage of time (the death of his original doctor, loss of records, etc.) than any other factor.

I would hope the VA could give every consideration to Mr. Davis' claim, especially in light of service to his country that can be matched by few veterans.

Jim - The below is FYI.

THE WHITE HOUSE
WASHINGTON

Aileen

1-27-83

Davis, William (Additional info to what
Kathryn has already sent.)

- Dr. Lee's medical files were destroyed
after his death per advice from
attorneys (so family not responsible
for any suits).
- when 1st back in U.S., was in Letterman
General Hospital in Calif. -- treated
there for beriberi -- records sent to
St. Louis V.A. files, where a fire in
1957 destroyed all records
- Atlanta V.A. Services is only place w/
his medical records, and they are
all only recent



National Chamber Foundation • 1615 H Street, N.W. • Washington, D.C. 20062 • 202/463-5552

January 24, 1983

Mr. James Cicconi
Special Assistant to the President
Special Assistant to the Chief of Staff
The White House
Washington, D.C. 20500

Dear Jim:

The attached is the information supporting our previous conversation concerning the husband of a friend of mine in Augusta. William Davis was a prisoner in the Bataan Death March, escaped from the march, was recaptured, and served over three years in Manchuria. He never filed for full disability upon returning because he did not think our government owed him anything for serving his country.

To me, the man has an exceptional attitude and should be commended for his patriotism and loyalty. And yet now, when he is in need resulting from his imprisonment, our country cannot return the favor.

I would be most appreciative of whatever you can do to help.

Thank you,

Kathryn M. Little

KML/sfh

Enjoyed dinner Saturday night!

1026 River Ridge Drive
Augusta, Georgia 30909
January 17, 1983

DAVIS, William W.
C-10 838 243

Honorable James Cicconi
Special Assistant to the President
Special Assistant to the Chief of Staff
The White House
Washington, D. C.

Dear Sir:

I am requesting your assistance in connection with my claim for service-connected disability benefits with the Veterans Administration.

I had active honorable wartime service in the U. S. Army from February 4, 1941 to November 12, 1946.

I am attaching to this letter the following:

1. A copy of my Supplemental Statement of the Case that is dated December 17, 1982, Veterans Administration Regional Office, Atlanta, Georgia
2. A copy of my appeal dated July 15, 1982 (three pages)
3. A copy of the Statement of the Case dated April 13, 1982 from Veterans Administration Regional Office, Atlanta, Georgia
4. A copy of the statement that I made, (my letter of disagreement) when my claim was first denied

I am of the opinion that these enclosures give a clear and detailed picture of my claim.

I had not previously pursued my disability claim, as I was hopeful that I could continue to function satisfactorily in my employment and social life without having to make any claim. However, it seems that because I did not ask for help earlier, that I am now being penalized.

DAVIS, William W.
C-10 836 243

page two

I do know that my present severity of my disabilities are the result of the malnutrition and other abnormal stress that I experienced as a prisoner of war for a period of three years and four months.

If you will note in the paragraph dated November 5, 1982 in my Supplemental Statement of the Case that I am presently receiving a ten per cent compensation payment for the evaluation of my already established service-connected psychophysiologic gastrointestinal reaction. This is a disability that has been in effect since 1947, and this disability has had a continuing debilitation effect for a period of over thirty-five years.

I will sincerely appreciate any action that you can take that you feel may result in a favorable determination in my appeal.

Very truly yours,

A handwritten signature in cursive script that reads "William W. Davis". The signature is written in dark ink and is positioned above the typed name.

William W. Davis

Enclosures 4

CC: The Honorable Sam Nunn
The Honorable Mack Mattingly
The Honorable D. Douglas Barnard



Veterans Administration REGIONAL OFFICE
730 Peachtree St. NE.
Atlanta, GA 30365

C 10 838 243
DAVIS, William W.

SUPPLEMENTAL STATEMENT OF THE CASE

IN THE APPEAL
OF

William W. Davis

FROM THE DECISION OF THE
VETERANS ADMINISTRATION

NOTICE TO APPELLANT:

This is not a decision on the appeal you have initiated. It is a "Supplemental Statement of the Case." It contains only essential changes or additions to the original "Statement of the Case."

Please read the forwarding letter carefully. This letter explains what you are to do with this "Supplemental Statement of the Case."

A copy of this "Supplemental Statement of the Case" has been furnished your representative: **State Department of Veterans Service**

DATE OF ORIGINAL "STATEMENT OF THE CASE": **April 13, 1982**

DATE(S) OF ANY PRIOR "SUPPLEMENTAL STATEMENT(S) OF THE CASE": **None.**

ISSUE:

Increased evaluation for service connected psychophysiological gastrointestinal disorder; service connection for arteriosclerotic cardiovascular disease and residuals beriberi.

EVIDENCE CONSIDERED AND ADJUDICATION ACTIONS:

- April 13, 1982: Veteran was furnished a Statement of the Case outlining reasons for not granting service connection for arteriosclerotic cardiovascular disease.
- July 20, 1982: Substantive Appeal received.
- September 2, 1982: Personal hearing held at the VA Regional Office in Atlanta, Georgia, and a transcript of hearing is on file.
- November 5, 1982: Compensation claim again reconsidered on the basis of all evidence of record, including transcript of personal hearing held September 2, 1982 and medical report of examination at the VA Medical Center in Decatur, Georgia, on October 7, 1982. The neuropsychiatric examination shows diagnosis of psychophysiologic gastrointestinal reaction and he was described as a very pleasant fellow who was a prisoner-of-war. Has had some gastrointestinal problems, gastrointestinal distress. Has had to give up employment because of his cardiovascular system. Within his limitations, describes an active personal life and the associative processes are normal. Mood is normal and sensorium is intact. Veteran states he still gets nervous and still has a lot of cramps, indigestion and gas. Based on the evidence, determination made that no change was warranted in the 10 percent evaluation for service connected psychophysiologic gastrointestinal reaction.
- VA examination does not find any residuals of beriberi. Arteriosclerotic heart disease first shown by the medical evidence in 1981. After a thorough examination, noted that the heart condition is secondary to arterioscleroses of the coronary arteries and is not due to beriberi or malnutrition. Based on the evidence, service connection was denied for residuals beriberi and heart disease.

PERTINENT LAWS AND REGULATIONS:

A 30 percent rating is provided for psychophysiologic gastrointestinal disorder where there is definite impairment in the ability to establish or maintain effective and wholesome relationships with people and the psychoneurotic symptoms result in such reduction in initiative, flexibility, efficiency and reliability levels as to produce considerable impairment. A 10 percent rating

is assigned where the symptoms are less than above, but with emotional tension or other evidence of anxiety productive of moderate social and industrial impairment. (38 CFR 4.132-DC 9502)

Disability evaluations are determined by the application of a schedule of ratings which is based on average impairment of earning capacity. (38 usc 355, 38 CFR Part 4)

Other pertinent laws and regulations previously furnished in Statement of the Case to veteran dated April 13, 1982.

DECISION:

An increased evaluation for service connected psychophysiological gastrointestinal disorder is not warranted. Service connection for arteriosclerotic cardiovascular disease and residuals of beriberi not established.

REASONS FOR DECISION:

The evidence does not show veteran's heart condition was incurred during military service. Also, heart disease is not shown to be the secondary result of service connected disabilities, or the result of prisoner-of-war experiences. Residuals of beriberi not found on VA examination. Service connected psychophysiological gastrointestinal disorder not shown to be more severely disabling than presently evaluated at 10 percent.



IMPORTANT: Read instructions on reverse side before filling in form. Complete all items fully. Send this appeal to the VA office which made the decision being appealed.

VETERANS ADMINISTRATION
APPEAL
TO
BOARD OF VETERANS APPEALS

1. LAST NAME - FIRST NAME - MIDDLE NAME OF VETERAN (Type or print) DAVIS, William Wesley		2. INSURANCE FILE NO., OR LOAN NO. (If pertinent)	3. CLAIM FILE NO. (Include prefix) C-10 838 243
4. IF APPEAL IS BEING MADE BY A PERSON OTHER THAN VETERAN, INDICATE RELATIONSHIP <input type="checkbox"/> WIDOW <input type="checkbox"/> CHILD <input type="checkbox"/> MOTHER <input type="checkbox"/> FATHER <input type="checkbox"/> OTHER (Specify)			
5. NAME OF CLAIMANT (If other than veteran)		6. ADDRESS OF CLAIMANT (Number & Street, city, State & ZIP Code) 1026 River Ridge Drive Augusta, Georgia 30909	
7. DATE OF DECISION BEING APPEALED February 18, 1981		8. VA OFFICE WHICH MADE DECISION BEING APPEALED (City & State) Atlanta, Georgia	

REPRESENTATION ▶ See Par. 6 of Instructions on reverse side.

HEARING ▶ See Par. 7 of Instructions on reverse side.	9A. DO YOU WISH TO BE PRESENT AT A HEARING? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	9B. IF YES, SPECIFY PLACE <input checked="" type="checkbox"/> FIELD OFFICE <input type="checkbox"/> WASHINGTON, D.C.
	NOTE: A personal hearing is not necessary nor is a decision made at the time of the hearing.	

10. I TAKE ISSUE WITH THE DECISION CITED ABOVE AND HEREBY PETITION THE BOARD OF VETERANS APPEALS FOR RELIEF AS SET FORTH BELOW. (State in specific detail the benefits sought on appeal and your reasons for believing that the action appealed from is erroneous. Follow carefully the instructions in paragraph 3 on the reverse side.)

I am appealing your decision dated February 18, 1981 in which you denied service connection for a heart condition.

When I reopened my claim I stated that my service-connected stomach condition had worsened, and that my nervous condition and heart condition were the result of my active duty. I was reopening my claim under PL 97-37. I was of the opinion that this law liberalized the criteria for service-connected conditions for former prisoners of war.

I had Beri Beri while I was a prisoner of war. My period as a prisoner of war was for three years and four months. I was in the Bataan Death March, and then later I was held captive in Mukden, Manchuria which is near the Siberian border. I worked in an open pit coal mine where the temperature would drop to 48 degrees below zero. These were the working conditions to which I was subjected, and I did not have adequate food, nor the type of food that I should have under these circumstances. Not only was the food inadequate in amount, but it certainly was not the type of food that I should have had for this extremely frigid temperature, and also I was from a very warm climate which made the situation even worse on my system.

Later I worked in a cotton mill, also in Manchuria, and again the prisoners worked twelve hours a day and seven days a week. I suffered a loss of ninety-two pounds while I was a prisoner of war. It is beyond my comprehension how it can be said that this experience which was so severely debilitating would not have an effect on all of the systems of the entire body, and particularly on the cardiovascular, nervous and digestive systems.

(Attach additional sheets, if necessary)

11. DATE July 15, 1982	12. SIGNATURE OF CLAIMANT (Or representative) <i>William Wesley Davis</i>
----------------------------------	------------------------------------------------------------------------------

I had Beri Beri during my internment, and I was treated for Beri Beri at Letterman General Hospital in San Francisco in 1945. I was later transferred to Moore General Hospital in Swannanoa, North Carolina where treatment was continued until discharge on November 12, 1946. Early in 1947, I was admitted to the Oliver General Army Hospital in Augusta, Georgia with stomach disorders. This stomach condition and related complications caused a weight loss of forty-seven pounds. This loss was very rapid, and was within a period of about two months. I was hospitalized for about thirty days at this time, and in addition to the stomach disorders and weight loss, I was treated for hypertension, anxiety and insomnia. Also, I received outpatient treatment at the Veterans Administration Hospital in Atlanta for a period of years until an outpatient clinic in Augusta was opened.

I was also treated by Dr. Lansing B. Lee, a private physician in Augusta for Tachycardia and Hypertension, insomnia, and generalized weakness and fatigue for a period of many years. Dr. Lee is now deceased, and his records are not available.

I am attaching to this appeal, medical evidence from the St. Joseph's Hospital pertaining to my heart condition. This was in 1970 and 1971.

And I would also like to bring to your attention that in 1975, I was hospitalized at the VAMC, Forest Hills Division, Augusta, Georgia for a heart condition.

I am contending that the physical stress and strain and malnutrition that I experienced during my prisoner of war days as well as the emotional and mental stress and strain was a contributory factor in my heart condition. The severe debilitation affected all of my physical systems placing an excessive strain on my heart.

In reference to your statement of the case, in the paragraph dated February 19, 1982, you state that service records do not show treatment for a heart condition. You make no mention of the disease of Beri Beri that I had while a prisoner of war, nor the treatment that I received for this disease after I was discharged from service. You further make casual mention of "events that occurred some 35 years ago." The "events" were severe emotional stress, inordinate fatigue, the most extreme frigid temperatures, and severe malnutrition caused by hunger and starvation that unless you have experienced such starvation, you cannot understand it. These are traumatic physical and emotional experiences that bring about irreparable damage that cause immediate and latent health problems.

DAVIS, William W.
C-10 838 243

APPEAL
Page three

I am receiving continuing outpatient treatment at the UPTOWN DIVISION and DOWNTOWN DIVISION of the Veterans Administration Medical Center, Augusta, Georgia. Please request a summary of all of the treatment that I have received at these facilities in connection with my appeal. I feel that the doctor's statements pertaining to this outpatient treatment will be helpful to my claim.

If my claim is not allowed on the basis of this appeal, I am asking that I be granted a personal hearing before the board in Atlanta before my appeal is forwarded to the Board of Veterans Appeals in Washington, D. C., as I do not see how my claim can be denied, since I had a long, arduous period as a prisoner of war, a definite diagnosis of Beri Beri, which is a definite contributory factor to a heart condition, and the severe malnutrition that I experienced. None of these experiences can be completely overcome. I continue to contend that the physical deprivations and hardships and the emotional stress most certainly has had a most detrimental effect on my entire physical and nervous systems, and that it should be ruled that my heart condition is a result of my internment as a prisoner of war for a period of three years and four months. I do not see how this can be denied under the liberalizing law of PL 97-37.

In addition to my claim being considered under the liberalizing criteria of PL 97-37, I am asking that the Doctrine of Reasonable Doubt also be applied. And after my personal hearing before the board in Atlanta, if my claim is not allowed, I am also asking that my file in its entirety be sent to the Board of Veterans Appeals in Washington, D. C., and that an independent medical opinion be obtained in connection with my compensation claim.



Veterans Administration **REGIONAL OFFICE**
730 Peachtree Street NE.
Atlanta, GA 30365

C 10 838 243
DAVIS, William W.

STATEMENT OF THE CASE

IN THE APPEAL
OF

William W. Davis

FROM THE DECISION OF THE
VETERANS ADMINISTRATION

NOTICE TO APPELLANT:

This is not a decision on the appeal you have initiated. It is a "Statement of the Case" which the law requires us to furnish to help you in completing your appeal.

Please read the forwarding letter carefully, as well as the instructions on the enclosed appeal form. These explain your appeal rights and tell you what you must do to complete your appeal.

A copy of this "Statement of the Case" has been furnished your representative: **State Department of Veterans Service**

ISSUE:

Service connection for arteriosclerotic cardiovascular disease.

Mr. Davis has filed a timely Notice of Disagreement with our decision about which he was notified February 19, 1982. He contends that service connection should be granted for heart condition.

SUMMARY OF EVIDENCE AND ADJUDICATION ACTIONS:

Military Service: February 4, 1941, to November 12, 1946.

February 19, 1982: Compensation claim reconsidered on the basis of all evidence of record, including medical report of examination at the VA Medical Center in Decatur, Georgia on December 17, 1981 and hospital report from VA Medical Center in Augusta, Georgia for the period October 15 to October 30, 1981. The evidence shows diagnosis of arteriosclerotic cardiovascular disease with myocardial infarction and angina, essential hypertension. Service records do not show treatment for heart condition. It is noted that veteran was a Prisoner of War during World War II for three years and four months, stated that he feels his heart condition is related to malnutrition, stress and strain that he experienced during that time. The VA examination shows that veteran's heart condition is secondary to arteriosclerosis of the coronary arteries, and not due to psychogenic GI reaction, or the events which occurred some 35 years ago, including malnutrition. Based on the above evidence, service connection was denied for heart disease.

April 1, 1982: Notice of Disagreement received.

PERTINENT LAWS AND REGULATIONS:

Service connection may be granted for disability resulting from disease or injury incurred in or aggravated by service. (38 USC 310, 331)

Disability which is proximately due to or the result of a service connected disease or injury will be service connected. When service connection is thus established for a secondary condition, the secondary condition will be considered as part of the original condition. (38 CFR 3.310)

DECISION:

Service connection for arteriosclerotic cardiovascular disease is not established.

REASONS FOR DECISION:

The evidence does not show veteran's heart condition was incurred during military service. Also, heart disease is not shown to be the secondary result of service connected disabilities, or the result of Prisoner of War experiences.

VETERANS ADMINISTRATION

SOCIAL SECURITY NO.

VA FILE NO.

249-12-5139

C- 10 838 243

STATEMENT IN SUPPORT OF CLAIM

PRIVACY ACT INFORMATION: The information furnished on this form is authorized by existing law (38 U.S.C. 210 (C)(1)) and is considered relevant and necessary to determine entitlement to maximum benefits applied for under the law. The information submitted may be disclosed outside the Veterans Administration only as permitted by law.

FIRST NAME - MIDDLE NAME - LAST NAME OF VETERAN (Type or print)

William Wesley DAVIS

File Ref. 316/212A

The following statement is made in connection with a claim for benefits in the case of the above-named veteran:

ATTENTION: ADJUDICATION OFFICER, VARO, ATLANTA, GEORGIA

Dear Sir:

Please consider this as my letter of disagreement with your decision dated February 18, 1981 in which you denied my claim for a service-connected heart condition. I am of the opinion that my claim was not given thorough consideration under the PL 97-37. I was a Prisoner of War for three years and four months, and I had Beri Beri while I was a POW. I was hospitalized for approximately one year after I returned to the States after World War II.

I do contend that my heart condition is the result of my stress and strain and malnutrition that I experienced for a period of three years and four months.

I was hospitalized from October 5, 1981 to October 30, 1981 in the VA Medical Center, Downtown Division in Augusta. I do not believe that a summary of this period of hospitalization has been considered in connection with my claim.

When I was examined in Decatur, I did not have any examination pertaining to my heart condition.

I am of the opinion that if my claim as given in my statement dated November 6, 1981 is thoroughly considered, that it will be shown that I do have a service-connected heart condition.

I would like to bring to your attention that for over three years my only food was two meager bowls of rice a day without any salt. I weighed 172 pounds when I was taken prisoner, and I weighed 80 pounds when I was released. In addition to the fact that I had only two meager bowls of rice without any salt for the period that I was a POW, I also was required to work in an open pit coal mine where the temperature dropped to 48 degrees below Zero. This was in Mukden, Manchuria. This was near the Siberian border. Where I was imprisoned, 275 men froze to death within a two week period. We could not bury these men until about six months later after the ground had thawed out. I also spent approximately a year working seven days a week, twelve hours a day in a cotton mill. This mill was also in Manchuria. I worked in the mines about six months and also did some work in a machining shop. All of this work was 7 days weekly, 12 hours a day. All of this was in addition to having been in the Bataan Death March in the Philippines.

When all of these factors have been taken into consideration, I do not see how my claim can be denied.

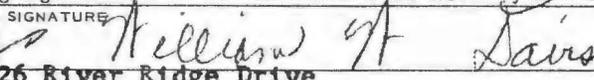
(CONTINUE ON REVERSE)

I CERTIFY THAT the foregoing statements are true and correct to the best of my knowledge and belief.

DATE SIGNED

SIGNATURE

March 29, 1982



ADDRESS

1026 River Ridge Drive

Augusta, Georgia 30909

PENALTY - The law provides severe penalties which include fine or imprisonment, or both, for the willful submission of any statement or evidence of a material fact, knowing it to be false.

INTRODUCTION

You, as a former prisoner of war, are entitled to certain veterans benefits and VA medical services under Public Law 97-37, passed by Congress and signed by the President on August 14, 1981.

This new law, the "Former Prisoner of War Benefits Act of 1981," includes persons detained or interned during periods other than wartime, liberalizes certain eligibility requirements and extends existing benefits. In addition, it establishes an Advisory Committee on Former Prisoners of War that must account to Congress every 2 years, and a claims recording system to ensure that the Veterans Administration continues to meet the needs of former POW's in the areas of disability compensation, health care and rehabilitation. Some of the provisions are as follows.

DEFINITION OF "FORMER PRISONER OF WAR"

Under this legislation, Congress defines "former prisoner of war" as "a person who, while serving in the active military, naval or air service, was forcibly detained or interned in line of duty—

"(A) by an enemy government or its agents, or a hostile force, during a period of war; or

"(B) by a foreign government or its agents, or a hostile force, during a period other than a period of war in which such person was held under circumstances which the Administrator finds to have been comparable to the circumstances under which persons have generally been forcibly detained or interned by enemy governments during periods of war."

VA HEALTH CARE

Your former prisoner of war status entitles you to hospital and nursing home care without regard to your ability to pay. Additionally, you are eligible for VA outpatient treatment for any medical condition, on a priority basis second only to that of a service-connected veteran. If you were a prisoner of war 181 days or more, you are also eligible for any needed dental care.

CERTAIN DISABILITIES GIVEN SERVICE CONNECTION

You, as a former prisoner of war, can now establish that certain disabilities are related to your POW experience without having to produce military medical records showing that they were incurred or aggravated during active duty. Under the law the disabilities listed are:

1. Avitaminosis,
2. Beriberi (including beriberi heart disease),
3. Chronic dysentery,
4. Helminthiasis,
5. Malnutrition (including optic atrophy associated with malnutrition),
6. Pellagra,
7. Any other nutritional deficiency,
8. Psychosis, or
9. Any of the anxiety states.

If you were detained or interned for 30 days or more, and any of the above disabilities became active (10 percent or more) after your military service, it will be presumed that the disability was incurred in or aggravated during your military service, unless there is evidence of some other cause. The time period for these disorders becoming active has been eliminated for service-connected purposes.

VA ASSISTANCE AND HOW TO APPLY

For further information and assistance in filing a claim as a former POW, contact your local VA office, your local veterans service organization, or call the VA toll-free number for your area, listed under United States Government in your telephone directory.

If you know persons who were POW's, please pass this pamphlet on to them or urge them to contact the Veterans Administration.

Distribution: Per VA Form 3-7225 and 3-7225a
FD (Includes VBC, 1 each; VSO, 10 each
and AR, 1 each)

THE WHITE HOUSE
WASHINGTON

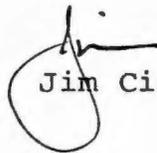
March 9, 1983

NOTE FOR NANCY RISQUE

The attached was sent to JAB by
Bill Usery.

His suggestion is probably a
good one since we have been
trying to enhance the credibility
of the Labor Advisory Council.

Thanks.



Jim Cicconi

 BILL USERY ASSOCIATES, INC.

1730 Rhode Island Ave., N.W. Suite 301
Washington, D. C. 20036
(202) 466-6260

March 7, 1983

MEMORANDUM FOR: Frank Fahrenkopf, Chairman
Republican National Committee

Robert Bonitati
Special Assistant to the President

Pat Cleary
Labor Community Liaison
Republican National Committee

FROM: W. J. Usery, Jr., Chairman /s/ W. J. USERY JR.
Labor Advisory Council
Republican National Committee

SUBJECT: Jobs Bill Signing Ceremony

It is my understanding that President Reagan will be signing the Jobs Bill in the near future. If there is to be a signing ceremony at the White House in connection with this matter, I would suggest that all members of the Republican National Committee's Labor Advisory Council be invited to attend the ceremony -- not in their capacities as union leaders for their specific organization, but in their capacity as LAC members.

Even if LAC members were unable to attend, the ceremony would give the President the opportunity to recognize the Council's existence and the work it is trying to accomplish.

WJU:nmr

bcc: ✓ Jim Baker

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THE WHITE HOUSE

WASHINGTON

March 10, 1983

MEMORANDUM FOR JAMES A. BAKER, III

FROM: Jim Cicconi 

SUBJECT: EPA Situation

I met this morning with Boyden Gray, Fred Khedouri, and Marty Smith (formerly Broyhill's aide, now in OPD) on the possibility of an environmental speech. In exploring that, we also discussed some more immediate actions that could be taken to defuse the EPA situation prior to the naming of a new administrator. We agreed on the following, in sequence:

1. Meet with a small group of career staffers from EPA: Approximately six SES staffers, well-regarded within the agency, would be invited to the WH to meet with you, Ed Meese and Craig Fuller. The purpose would be to hear their views on what the agency's biggest problems are, and what needs to be done. Secretary Hodel had such a session at DOE and it was productive in terms of staff morale. We should not hype such a meeting, though we can be certain that word will quickly pass through the agency. Such a "listening session" would also help with the Congress.

Ideally, the President would drop by unannounced (no photos) and would emphasize that (a) he is disturbed about the confusion on his environmental policies, (b) he is committed to see that all environmental laws are vigorously enforced, and (c) there should be no doubt among the staff at EPA that he expects them to carry out that commitment. The President might add a few words about his environmental policies as governor of California.

Such a meeting is, we feel, a critical step which should be scheduled as early as next Monday.

2. Send a Presidential letter to all EPA staffers: Such a letter could be sent as early as next Wednesday or Thursday. The purpose would be to address the confusion that has unfortunately arisen regarding the President's environmental policies, and to restate the

Memorandum for James A. Baker, III
March 10, 1983
Page 2 of 2

President's commitment to vigorously enforce all environmental laws. The President's letter might also allude to his environmental record in California as evidence of that commitment.

3. Meet with former EPA administrators: We should invite them in (or at least those who are not candidates for the present opening) for the purpose of hearing their views. They would meet with you, Ed Meese, and Craig Fuller.
4. Consult with congressional leaders: Though I have not yet explored this with Ken Duberstein, it would seem appropriate to arrange a private session with Hill leaders such as Stafford, Dingell, Broyhill, et al, to hear their views on agency problems and what should be done to correct them. The group should be kept to about six or seven and would meet with you, Ed Meese, Duberstein, and Fuller, perhaps over breakfast. There should, of course, be ground rules that everything is "off the record," etc. The general theme would be "consultation."

The purpose of the above steps is to productively use the period of time before a new administrator takes over. We would (a) defuse demagoguery on the Hill about the President's enforcement policies; (b) project an image of Presidential leadership by visibly taking control of the situation; and (c) show that we are genuinely interested in hearing others' views about the problem (thereby diminishing the prospect of those same people criticizing us in public). This also sets the stage for a Presidential speech on the environment during the April congressional recess.

THE WHITE HOUSE
WASHINGTON

March 11, 1983

TO: HELENE VON DAMM

RE: EPA Administrator

Attached is some information regarding Mr. Marshall Miller. Prior to Mrs. Burford's resignation he contacted me about the EPA administrator's job. He was referred to me by the Vice President's office.

At that time, I advised him that the position was not open. However, he sent in a resume after he heard Anne's announcement.

Thanks.


Jim Cicconi

Marshall Lee Miller
111 19TH STREET, N. W.
WASHINGTON, D. C. 20036

March 10, 1983

Mr. James Ciconni
Office of the Chief of Staff
The White House
Washington, D.C. 20500

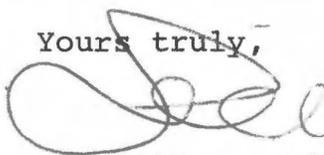
Dear Jim:

I appreciate your calling me on Monday with helpful advice. The discussion certainly turned out to be timely. Enclosed is a summary of my governmental experience, environmental background, education, and publications. Use it in whatever way you deem appropriate.

It neglects to mention that I was also an officer in the Texas Club at college.

Thanks again for your assistance.

Yours truly,

A handwritten signature in dark ink, appearing to read 'M. Lee Miller', written over the typed name.

Marshall Lee Miller

Enclosure

MARSHALL LEE MILLER
Reid & Priest
1111 19th Street, N.W.
Washington, D.C. 20036

(202) 828-0100

Professional Background

Deputy Administrator of the Occupational Safety and Health Administration (OSHA), and Deputy Assistant Secretary, Department of Labor, 1975-1976.

Associate Deputy Attorney General, Department of Justice, 1973-1974.

Special Assistant to the Administrator, Environmental Protection Agency, and Chief Judicial Officer, 1971-1973.

Partner, Colby, Miller & Hanes, 1977-1979; also private practice, 1970-1971, 1974-1975; merged with Reid & Priest, May 1979.

Education

Harvard College, 1960-1964, magna cum laude

Oxford University, 1964-1967

Heidelberg University, 1966

Yale Law School, 1967-1970; Board of Editors, Yale Law Journal

Professional Memberships

- ° Society of Occupational and Environmental Health
- ° District of Columbia Bar Association
- ° Federal Bar Association
- ° Bulgarian Studies Association
- ° Middle East Institute

Admitted to the Bar

District of Columbia, 1971
Commonwealth of Virginia, 1979

Publications

Bulgaria During the Second World War (Stanford University Press, 1975)

Environmental Law Handbook (joint author: Government Institutes, 6th Edition, 1979)

Toxic Substances Law & Regulations, Editor (Government Institutes, 1977)

Toxic Substances Control, Editor (Government Institutes, 1978)

Toxic Substances Control: Implementing the Regulatory Program, Editor (Government Institutes, 1979)

Toxic Control in the '80s, Editor (Government Institutes, 1980)

Occupational Health & Safety Regulation, Editor (Government Institutes, 1978)

Handbook on Noise (joint author: McGraw-Hill Book Company, 1979)

Contributed articles to various professional periodicals.

Other

Mr. Miller has lectured nationwide on criminal liability for environmental offenses, toxic substances, occupational safety and health, air pollution, noise, cancer policy, administrative law, hazardous wastes, and other environmental topics.

Lecturer, Yale University (Spring 1970); taught the seminar on the Arab-Israeli Conflict; guest lecturer at other universities on Balkan history and politics.

Consultant to the Department of Defense on several occasions.

Member of National Academy of Science Task Force on Government Regulation of Chemicals in the Environment.

He was named one of the Outstanding Young Men in America by the Jaycees in 1975.

Date and Place of Birth

18 October 1942; Chattanooga, Tennessee