

*Matheson, Dan*

The State of Texas  
Office of State - Federal Relations



William P. Clements, Jr.  
Governor

Daniel N. Matheson III  
Acting Director

April 14, 1982

Next week Lieutenant Governor Hobby and members of the Texas Legislature will be in Washington to participate in the State-Federal Assembly of the National Conference of State Legislators.

We are pleased to extend an invitation to you to attend a reception in honor of the Texas Congressional delegation, Lieutenant Governor Hobby, and members of the Texas Legislature. The reception will be held in Room 2247 of the Rayburn House Office Building from 5:30 to 7:30 p.m., Thursday, April 22.

We look forward to seeing you there.

Cordially,

*Dan N. Matheson*

Dan Matheson

R.S.V.P.: Sandra Hall  
488-3927

*AA regrets please  
(I could not, in good  
conscience, go to a reception  
honoring Hobby w/ state  
running.)*

600 Maryland Avenue, S.W., • Suite 255 • Washington, D.C. 20024 • 202/488-3927  
Post Office Box 13005 • Austin, Texas 78711 • 512/475-7805

*Done - 4-16-82*



# FEDERATION for AMERICAN IMMIGRATION REFORM

2028 P Street, NW  
Washington, DC 20036 (202) 785-3474

December 1, 1982

HAND DELIVERED

Mr. Jim Cicconi  
First Floor, West Wing  
The White House  
1600 Pennsylvania Avenue  
Washington, D.C. 20500

Dear Jim:

I've tried calling but assume you've been too busy to get back to me.

It is urgent that we get the following message through concerning the pending Immigration Reform Bill and the Administration's position on the most controversial part of the bill - the provision that would effectively grant amnesty and eventual citizenship to all illegal aliens in the U.S. prior to January 1, 1980.

As you know, the bill is now pending final passage in the House. Our vote count at this point shows strong support for either rolling back the amnesty to an earlier date, or deleting the amnesty provision altogether. This sentiment is particularly strong among House Republicans.

The problem is that, despite a number of public pronouncements by the Attorney General critical of the broad, generous amnesty provision in the bill (warnings of costs, further immigration consequences etc.), the Administration is widely perceived on the Hill as supporting the current amnesty.

We think the Administration should reconsider or clarify its position for three extremely important reasons:

1. The greatest source of opposition to passing the bill in the House is the amnesty provision. By our count, there is a substantial block of members planning to vote against the bill because of the amnesty, who otherwise have little objection to the bill. A change in the Administration's position on amnesty could easily save the bill's chances on final passage.

2. There is a substantial risk of a serious political backlash if the 1980 amnesty date becomes law. No one can predict with certainty how American voters will react to millions of illegal aliens coming forth to claim full rights and eventual U.S. citizenship after deliberately breaking our laws. But we believe there could be a serious negative reaction at the polls beginning in 1984 to those perceived as responsible.

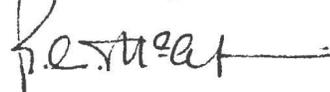
Mr. Jim Cicconi  
December 1, 1982  
Page Two

3. Unemployment is expected to set another new high this week, perhaps exceeding 10.6%. No one questions the fact that one of the immediate consequences of a legalization program will be to allow millions of illegal aliens to compete on an equal basis with American citizens for jobs - thus the proposed amnesty will aggravate an already severe unemployment problem. The Administration should change its position on the amnesty to protect American jobs and to demonstrate its concern over the plight of millions of unemployed Americans.

In summary, Jim, the Administration's stance on the amnesty date can make a critical difference in many ways. We think there are exceptional and compelling reasons why the Administration should re-think its position at the very highest level, and modify its position on the legalization date before the bill gets to the House floor.

Time is short, so please call me if you have any questions.

Yours truly,



K.C. McAlpin  
Congressional Lobbyist

KCM/uu

cc: Chase Untermeyer  
Office of The Vice President

*McAlpin, K.C.*

*fac.*



**FEDERATION for AMERICAN IMMIGRATION REFORM**

2028 P Street, NW  
Washington, DC 20036 (202) 785-3474

August 3, 1982

Jim Cicconi  
First Floor, West Wing  
The White House  
1600 Pennsylvania Avenue  
Washington, D. C. 20500

Dear Jim:

Just a note to thank you for talking to Roger Conner today on the telephone. As Roger mentioned, the President could provide vital leadership at a critical time by letting the Majority Leader know unequivocally that the Senate should act now on the Immigration Reform Bill.

As Roger pointed out the feeling is growing in the country that, despite the Attorney General's numerous pronouncements, the President is not serious about confronting the issue. We realize the White House has problems with the bill. To a great degree we share those concerns and are lobbying to change the bill.

But we believe the President could reap a significant political gain by taking the high road and saying "I have problems with the bill but the issue is so important that the Congress must face up to its responsibilities and act". Timely action by the Senate would leave the ball up to the House on an issue of intense concern to the overwhelming majority of Americans.

Jim, hope you have a good visit with your parents. I will call next week about getting together when your schedule clears. Look forward to meeting you then.

Best Regards,

K. C. McAlpin

KCM/skw

f ec

1-10-82



United States Department of Justice

ASSISTANT ATTORNEY GENERAL  
LEGISLATIVE AFFAIRS

WASHINGTON, D.C. 20530

76 DEC 1982

Honorable James W. Cicconi  
Special Assistant to the President  
The White House  
Washington, D.C. 20500

Dear Jim:

Awaiting the President's review is Enrolled bill H.R. 2329, a bill "conferring jurisdiction on certain courts of the United States to hear and render judgment in connection with certain claims of the Cherokee Nation of Oklahoma."

Aside from undermining the policy of the applicable statutes of limitation, this unjustified legislation may have significant budgetary impact. Additionally, because of its discriminatory nature, that is, there are others in similar situations who do not have the benefit of this special legislation and are time-barred from bringing any action, it may lead to similar bills being introduced and passed by the Congress. Throughout Congressional consideration, this Department has been the "lead" and only voice for the Administration. The Administration is clearly on record opposing this bill and similar legislation. Our OMB cleared opposition has been expressed repeatedly.

The Department strongly opposes Executive approval of H.R. 2329. Enclosed is a copy of our enrolled bill report which has been submitted to Director Stockman. We urge your support for appropriate Presidential disapproval of this legislation.

Sincerely,

ROBERT A. McCONNELL  
Assistant Attorney General

Attachment



# United States Department of Justice

ASSISTANT ATTORNEY GENERAL  
LEGISLATIVE AFFAIRS

WASHINGTON, D.C. 20530

December 16, 1982

Honorable David A. Stockman  
Director  
Office of Management and Budget  
Washington, D.C. 20503

Dear Mr. Stockman:

In compliance with your request, I have examined a facsimile of enrolled bill H.R. 2329, a bill "conferring jurisdiction on certain courts of the United States to hear and render judgment in connection with certain claims of the Cherokee Nation of Oklahoma." The Department of Justice strongly recommends against Executive approval of this legislation.

This legislation would permit the Cherokee Nation of Oklahoma to institute suit in either the United States Court of Claims or the United States District Court for the Eastern District of Oklahoma for claims against the United States: (1) for damages to tribal assets arising out of construction of the Arkansas River Navigational System, and (2) resulting from any action under section 14 of the Act of April 26, 1906 (34 Stat. 142). The legislation also grants jurisdiction to these courts for related claims of the Choctaw Nation and Chickasaw Nation. Jurisdiction is granted to these courts by waiving the relevant statutes of limitations set forth at 25 U.S.C., § 2401 and § 2501, as well as that contained in § 12 of the Indian Claims Commission Act, 25 U.S.C. § 70k.

Throughout congressional consideration of this legislation this Department has been solely responsible for stating the Administration's position. The Department has testified against this legislation (December 9, 1982, before House Judiciary Committee's Subcommittee on Administrative Law and Governmental Relations) and has written to both the House of Representatives (February 1982) and the Senate (November 18, 1982). In each instance, we have stated the clear opposition of the Administration to this legislation. All other Departments either remained silent or deferred to the Department of Justice throughout congressional consideration. The Administration's opposition has been established clearly.

As you are aware, the clear statutory policy embodied in the Indian Claims Commission Act was to put an end to claims that arose prior to August 13, 1946, to establish a firm and clearly identified termination date for such claims. Absent compelling circumstances, the Department of Justice has consistently opposed the waiver of the statute of limitations in these and other matters. Implicit in such statutes is the principle that the opportunity to seek a remedy must terminate at some point since the failure to file suit within the prescribed period of time results not only in unfairness to the opposing party, in this case the government, but also makes rendering of a fair decision difficult, if not impossible. That certain Tribes have overlooked possible claims is not a sound justification for erosion of the statutory policy. Moreover, piecemeal exceptions such as H.R. 2329, are fundamentally unfair to those, who possess a claim barred by the statute of limitations, but do not have the benefit of special legislation to pursue their claims. In this sense, H.R. 2329 is not only discriminatory but would encourage passage of similar waivers.

It should be emphasized that permitting litigation over one of the claims of H.R. 2329, that of damages to tribal assets arising out of the construction of the Arkansas River Navigational System, conflicts with the right of the United States to exercise its navigational servitude which is exercised pursuant to the Commerce Clause of the Constitution. As fully set forth in our report to the Committee on the Judiciary, a copy of which is attached, we believe that notwithstanding the ownership rights of the tribe in the bed of the river, the United States is not obligated to compensate for destruction of property resulting from a project in aid of navigation. Enactment of H.R. 2329 would require litigation over a matter for which the law requires no compensation by the United States. Expenditure of resources by the United States to litigate this matter would therefore serve no purpose.

While this legislation makes no direct appropriation of funds, its ultimate cost may be large. Aside from the litigation resources that this Department will be forced to allocate, payment of substantial claims concerning the railroad properties as they relate to actions under section 14 of the Act of April 26, 1906 (34 Stat. 142), is likely. Additionally, while we believe the exercise of the government's navigational servitude in the Arkansas River requires no compensation, it may be possible for a court to construe this legislation as Congress' intention to grant compensation. Under these circumstances, the ultimate liability of the United States may be significant. The Department of the Interior is in a better position to provide an estimate of the federal government's potential liability under this legislation.

The Department of Justice recommends against Executive approval of H.R. 2329. It is undisputed that the parties who would benefit from enactment could have had their day in court. They have not lacked adequate legal counsel and could have brought their claims

within the time allowed. Moreover, enactment would be unfair to those Tribes which possess other claims now barred by the statute of limitations but do not have the benefit of special legislation. Furthermore, enactment of this bill would encourage passage of other bills whose purpose is to waive statutes of limitations, thus promoting additional dangerous and unjustified piecemeal erosion of the sound statutory policy to put an end to these lawsuits. Finally, with respect to the Arkansas River claims, we do not believe there is any legal obligation for compensation arising from the exercise of the United States of its navigational servitude. Enclosed is a suggested Memorandum of Disapproval.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert A. McConnell". The signature is written in a cursive style with a large, prominent loop at the end of the last name.

ROBERT A. McCONNELL  
Assistant Attorney General

## MEMORANDUM OF DISAPPROVAL

To The House of Representatives

I am withholding my approval of H.R. 2329, a bill "conferring jurisdiction on certain courts of the United States to hear and render judgment in connection with certain claims of the Cherokee Nation of Oklahoma."

H.R. 2329 would waive the statute of limitations found in 25 U.S.C. § 2401 and §2501 as well as that contained in section 12 of the Indian Claims Commission Act, 25 U.S.C. §70k with respect to certain claims of the Cherokee Nation, the Chickasaw Nation and the Choctaw Nation.

The policy embodied in the Indian Claims Commission Act was to provide for finality and certainty with respect to claims that arose prior to August 13, 1946. The applicable statutes of limitations, therefore, should be waived only in compelling circumstances. Implicit in such statutes is the principle that the opportunity to seek a remedy must terminate at some point since the failure to file suit within the prescribed period of time not only subjects the opposing party, in this case the government, to uncertainty and unnecessary litigation, but also makes rendering a fair decision, many years after the fact, difficult, if not impossible. That certain Tribes have overlooked possible claims is not a sound justification for erosion of the statutory policy. Moreover, piecemeal exceptions such as H.R. 2329 are fundamentally unfair to those who possess a claim barred by the statute of limitations, but do not have the benefit of special legislation to pursue their claims. This discriminatory feature of H.R. 2329 will likely lead numerous other groups to seek relief from the clear provisions of statutes of limitations.

By waiving the applicable statute of limitations, H.R. 2329 undermines sound policy of present law. Additionally, it is discriminatory in that it permits litigation of one group's claims which are indistinguishable from those of other similarly situated groups. I cannot support this effort to confer special relief to the detriment of others and the Treasury. Accordingly, I must withhold approval of H.R. 2329.



U. S. Department of Justice  
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

NOV 18 1962

Honorable Strom Thurmond  
Chairman, Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

This letter presents the views of the Department of Justice on H.R. 2329 and S. 1914, two bills "conferring jurisdiction on certain courts of the United States to hear and render judgment in connection with certain claims of the Cherokee Nation of Oklahoma."

The Department of Justice opposes enactment of this legislation.

H.R. 2329 and S. 1914 would waive the statute of limitations found in 25 U.S.C. §2401 and §2501 as well as that contained in §12 of the Indian Claims Commission Act, 25 U.S.C. §70k, with respect to certain claims of the Cherokee Nation.

With the enactment of the Indian Claims Commission Act of 1946, Congress established an unambiguous statutory policy that all tribal claims which arose prior to August 13, 1946, were to be filed within five years and that no claim not so presented " \* \* \* may thereafter be submitted to any court or administrative agency for consideration, nor will such claim thereafter be entertained by Congress." 25 U.S.C. §70k. It has been the consistent position of this and previous Administrations that exceptions should not be made on a piecemeal basis. It should be emphasized that litigation by Cherokee Indians in the Court of Claims under jurisdictional legislation pertaining specifically to these Cherokee Indians, 1/ and the general jurisdiction of the Indian Claims Commission Act, has been conducted in numerous cases for more than 70 years. Both these Acts state clearly that the policy of Congress is to foreclose further litigation of claims which could have been brought within their purview. 2/ Moreover, enactment of H.R. 2329 and S. 1914 would require litigation over a matter in which we strongly believe the law requires no compensation by the United States.

1/ Act of April 25, 1932, 47 Stat. 137.

2/ A list of jurisdictional acts and the decisions entered thereunder, relative to the claims of these Cherokee Indians is attached. (See Attachment A). It appears the Cherokee were awarded a total of \$16,152,452.04 in the cases involved.

One of the claims upon which H.R. 2329 is based would waive the statute of limitations with respect to claims for the loss of land to railroads and municipalities during the early 1900s. As stated earlier, we do not believe there is any justification for extending such a special privilege; nothing prevented the tribe from filing claims earlier when they were entitled to do so.

Another claim present in both H.R. 2329 and S. 1914, would waive the statute of limitations relating to the construction of the Arkansas River navigation system. The bed of a navigable river is subject to the authority of the United States to exercise its navigational servitude. Accordingly, it is the Department's position that notwithstanding the ownership rights of the tribe in the bed of the river, the United States is not obligated to compensate for destruction of property resulting from a project in the aid of navigation.

The navigational servitude has been defined in United States v. Rands, 389 U.S. 121 (1967). The Supreme Court's decision in that case makes it clear that the Fifth Amendment does not require the United States to compensate property owners when the servitude is exercised:

The Commerce Clause confers a unique position upon the Government in connection with navigable waters. "The power to regulate commerce comprehends the control for that purpose, and to the extent necessary, of all the navigable waters of the United States. . . . For this purpose they are the public property of the nation, and subject to all the requisite legislation by Congress." Gilman v. Philadelphia, 3 Wall. 713, 724-725 (1866). This power to regulate navigation confers upon the United States a "dominant servitude," FPC v. Niagara Mohawk Power Corp., 347 U.S. 239, 249 (1954), which extends to the entire stream and the stream bed below ordinary highwater mark. The proper exercise of this power is not an invasion of any private property rights in the stream or the lands underlying it, for the damage sustained does not result from taking property from riparian owners within the meaning of the Fifth Amendment but from the lawful exercise of a power to which the interests of riparian owners have always been subject. United States v. Chicago, M., St. P. & P.R. Co., 312 U.S. 592, 596-597 (1941); Gibson v. United States, 166 U.S. 269, 275-276 (1987). Thus, without being constitutionally obligated to pay compensation, the United States may change the course of a navigable stream, South Carolina v. Georgia, 93 U.S. 4 (1876), or otherwise impair or destroy a riparian owner's access to navigable

waters, Gibson v. United States, 166 U.S. 269 (1897); Scranton v. Wheeler, 179 U.S. 141 (1900); United States v. Commodore Park, Inc., 324 U.S. 386 (1945), even though the market value of the riparian owner's land is substantially diminished. 389 U.S. at 122-123 [emphasis supplied].

In United States v. Chandler-Dunbar Co., 229 U.S. 53 (1913), the plaintiff claimed it was entitled to just compensation for the "water power capacity" allegedly taken when the United States constructed dams and dykes to control the current of St. Mary's River in Michigan. In rejecting plaintiff's position that the Fifth Amendment protected its interest in water power capacity, the Court stated:

This title of the owner of fast land upon the shore of a navigable river to the bed of the river, is at best a qualified one. \* \* \* It is subordinate to the public right of navigation, and however helpful in protecting the owner against the acts of third parties, is of no avail against the exercise of the great and absolute power of Congress over the improvement of navigable rivers. That power of use and control comes from the power to regulate commerce between the States and with foreign nations. It includes navigation and subjects every navigable river to the control of Congress. \* \* \* If, in the judgment of Congress, the use of the bottom of the river is proper for the purpose of placing therein structures in aid of navigation, it is not thereby taking private property for a public use, for the owner's title was in its very nature subject to that use in the interest of public navigation. If its judgment be that structures placed in the river and upon such submerged land, are an obstruction or hindrance to the proper use of the river for purposes of navigation, it may require their removal and forbid the use of the bed of the river by the owner in any way which in its judgment is injurious to the dominant right of navigation. 229 U.S. at 62.

In Coastal Petroleum Co. v. United States, 524 F.2d 1206 (Ct. Cl. 1975), a case involving claims analogous to the type that presumably would be asserted by the Cherokee Nation if either H.R. 2329 or S. 1914 is enacted, the Court of Claims held that the effect of the navigational servitude is not reduced by the fact that the government may have received some "commercial benefit" from

the use of the owner's property. In that case, plaintiff claimed compensation for the government's use (as part of a flood control project) of limestone removed from the bottom of a navigable lake. The Court of Claims upheld the government's position that no compensation was required since the limestone was used in connection with the proper exercise of the government's navigational servitude.

A different result obtains, however, where Congress, through legislation, specifically provides for compensation of the owners of "submerged lands in navigable waters." Coastal Petroleum, supra at 1210. Congress has, from time to time, adopted this approach with respect to Indian tribes. For example, in the Act of June 4, 1920, ch. 224, §10, 41 Stat. 751, 754, Congress provided that land on the Crow Indian Reservation in Montana that was valuable for water power development should be reserved from sale and "held for the benefit of the Crow Tribe of Indians." United States v. 5,677.94 Acres of Land, 16 F.Supp. 108, 116 (D. Mont. 1958). Also, the Court of Claims in Confederated Salish and Kootenai Tribes v. United States, 181 Ct. Cl. 739 (1967), found that Congress intended to compensate the Indian Tribes for power values of riparian land when it enacted Section 10(e) of the Federal Water Power Act, ch. 285, 41 Stat. 1063, 1069 (1920), and required payment of a reasonable annual charge for the use of that land. In that case, Congress, with respect to the specific tribes, had enacted legislation requiring rentals for use of their reservation by licensees of the Federal Power Commission. In the absence of legislation, however, we know of no instance where an Indian tribe was treated any differently by the courts with regard to the issue of compensation for riparian rights than other property owners.

This conclusion is fully supported by the Supreme Court's decision in Choctaw Nation v. State of Oklahoma, 397 U.S. 620 (1970), involving a dispute over title to land underlying the navigable portion of parts of the Arkansas River. In that case, which is directly related to the subject matter covered in H.R. 2329 and S. 1914, the Court held that the land belonged to the Choctaw, Chickasaw and Cherokee Nations but indicated that their title was subject to the preexisting right of the United States to exercise its navigational servitude:

Indeed, the United States seems to have had no present interest in retaining title to the river bed at all; it had all it was concerned with in its navigational easement via the constitutional power over commerce. 397 U.S. at 635.

In terms of the Arkansas River bed, there is no legitimate claim against the United States for the exercise of its navigational servitude. H.R. 2329 and S. 1914 would simply permit the tribe to file a lawsuit. It does not waive the right of the United States to exercise its authority under the Commerce Clause of the Consti-

tution, nor does it provide that there should be any compensation paid. It would waste the resources of the tribe and the federal government to litigate a matter that is well settled.

In summary, H.R. 2329 and S. 1914 abrogate a long held policy of the Congress not to waive the statute of limitations. It is a policy which has been subject to few exceptions. The Cherokee Indians could have had their day in court. They have not lacked adequate legal counsel and could have brought their claims within the period allowed. Additionally, litigating the issue of compensation for the government's exercise of its navigational servitude would be a waste of resources. We therefore oppose enactment of H.R. 2329 and S. 1914.

The Office of Management and Budget has advised this Department that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

**SIGNED**

ROBERT A. McCONNELL  
Assistant Attorney General  
Office of Legislative Affairs

Claims Against the United States

Brought by Cherokee Indians

Completed Litigation

Act of February 25, 1889, 25 Stat. 694.

Western Cherokee Indians v. United States, 27 Ct. Cl. 1 (1891) aff'd 148 U.S. 427 (1893).

Act of March 19, 1924, 47 Stat. 137, as amended.

Cherokee Nation v. United States, 92 Ct. Cl. 262 (1941).

Act of April 25, 1932, 47 Stat. 137.

Eastern or Emigrant Cherokee v. United States, 82 Ct. Cl. 180 (1935), cert. denied, 299 U.S. 551; Eastern or Emigrant Cherokees and Western Old Settler Cherokee v. United States, 88 Ct. Cl. 452 (1939).

Indians Claims Commission Act, 25 U.S.C. § 70k, et seq.

Western Cherokee Indians v. United States, 1 Ind. Cl. Comm. 1 (1948), rev'd, 114 Ct. Cl. 716 (1949), 2 Ind. Cl. Comm. 7 (1952), aff'd, 124 Ct. Cl. 127 (1953); Western Cherokee Indians v. United States, 1 Ind. Cl. Comm. 20 (1938), aff'd, 116 Ct. Cl. 665 (1950), cert. denied, 340 U.S. 903 (1950); Western Cherokee Indians v. United States, 1 Ind. Cl. Comm. 165 (1949); Cherokee Nation v. United States, 2 Ind. Cl. Comm. 37 (1952); Eastern or Emigrant Cherokee, 1 Ind. Cl. Comm. 408; Cherokee Nation, 9 Ind. Cl. Comm., 435 (1961).

McReynolds, Bland

THE WHITE HOUSE  
WASHINGTON

December 15, 1982

MEMORANDUM FOR JAY KEYWORTH

FROM: Jim Cicconi *Jim*  
SUBJECT: Attached Letter

Please prepare a response to the attached letter for Jim Baker's signature.

If you would return the draft to me, I will then handle from this end.

Thank you.

Jay —

I know President has been briefed on this before and was impressed, though your guidance on what we want to actually say to the group will be very helpful.

Thanks  
*Jim*

BLAND MCREYNOLDS  
2400 WEST LOOP SOUTH, SUITE 407  
HOUSTON, TEXAS 77027

November 18, 1982

Mr. James A. Baker, III  
Chief of Staff and  
Assistant to the President  
The White House  
Washington, D.C.

Dear Jim:

I spent an interesting evening yesterday with Brigadier General Robert Richardson, United States Air Force (Ret.). He was in Houston representing a private sector group called "High Frontier". Without knowing or caring about what politics might be involved, I was very impressed with the concept and wanted to make you aware of it.

I am told that the technology is on the shelf to put into operation, within six years, an A.B.M. system that would knock out a very high percentage of incoming ballistic missiles before they could reach our M.X. missiles. Supposedly, this could be done out in space with non-nuclear warheads at a very reasonable cost. If true, this would be much more feasible than disarmament. Even assuming that the Soviet Union put into place their own system, the bottom line would be disarmament without a unilateral agreement.

I am told that the reason that such an obvious solution has not been proposed by our military leaders is that the bureaucracy, broken down into its basic components, does not process an overall strategy as well as it processes an individual strategy.

If occurred to me that if this is feasible and the President were to embrace the concept, he could go directly to the people with it and avoid the twenty years it would take to get it done through the present procedures. President Eisenhower set a precedent for this with the Atlas missiles right after Russia demonstrated nuclear capabilities.

Jim, I realize that this is a far out idea from a guy like myself who is far out of the big picture, but I thought maybe I could see something from a distance that was not clear to those close up.

Keep up the good work.

Very truly yours,

*Bland*

*R.F.* or *thx. + to*  
*Clark/Gergen?*

*ask JCB*  
*answered. RP has had*  
*a briefing on High Frontier.*  
*Karl Brundtson + others.*  
*Was very ~~impressed~~ impressed*  
*J.C. should talk w/ Keyworth*

THE WHITE HOUSE

WASHINGTON

November 11, 1981

Dear Jim:

I appreciate your kind note and the Post article. I must confess, though, that making the Elmira Star-Gazette (my hometown paper) was as big a thrill.

The Budget Process Seminar certainly sounds interesting, but I'm afraid the press of business here won't permit me to take the time. I'll just have to rely on the "sink or swim" method!

Hope to see you again soon.

Sincerely,



James W. Cicconi  
Special Assistant to the President

Mr. James W. Meadows  
Executive Director  
Occupational Safety and Health Review Commission  
1825 K Street, N.W.  
Washington, D.C. 20006



UNITED STATES OF AMERICA  
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION  
1825 K STREET, NW  
WASHINGTON, D C 20006

November 9, 1981

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

Dear Jim:

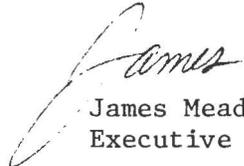
Welcome aboard! I hope you find your work as interesting and challenging as I have found mine to be. The article from the Post is enclosed. Congratulations on making the "Big Time."

I've also taken the liberty of enclosing a brochure concerning the Budget Process Seminar being held by the Congressional Quarterly. Mr. Rowland and I will be attending this. I thought you might be interested in going also. I've found that these seminars up here give you a quick overview of how the processes work and are usually in layman's language.

It was a pleasure meeting you at the Texas State Society Party. I hope to see more of you in the future. If I can be of any assistance in any way, please feel free to call.

Again, congratulations and welcome--it's good to have you up here.

Sincerely,

  
James Meadows  
Executive Director

JM:jw

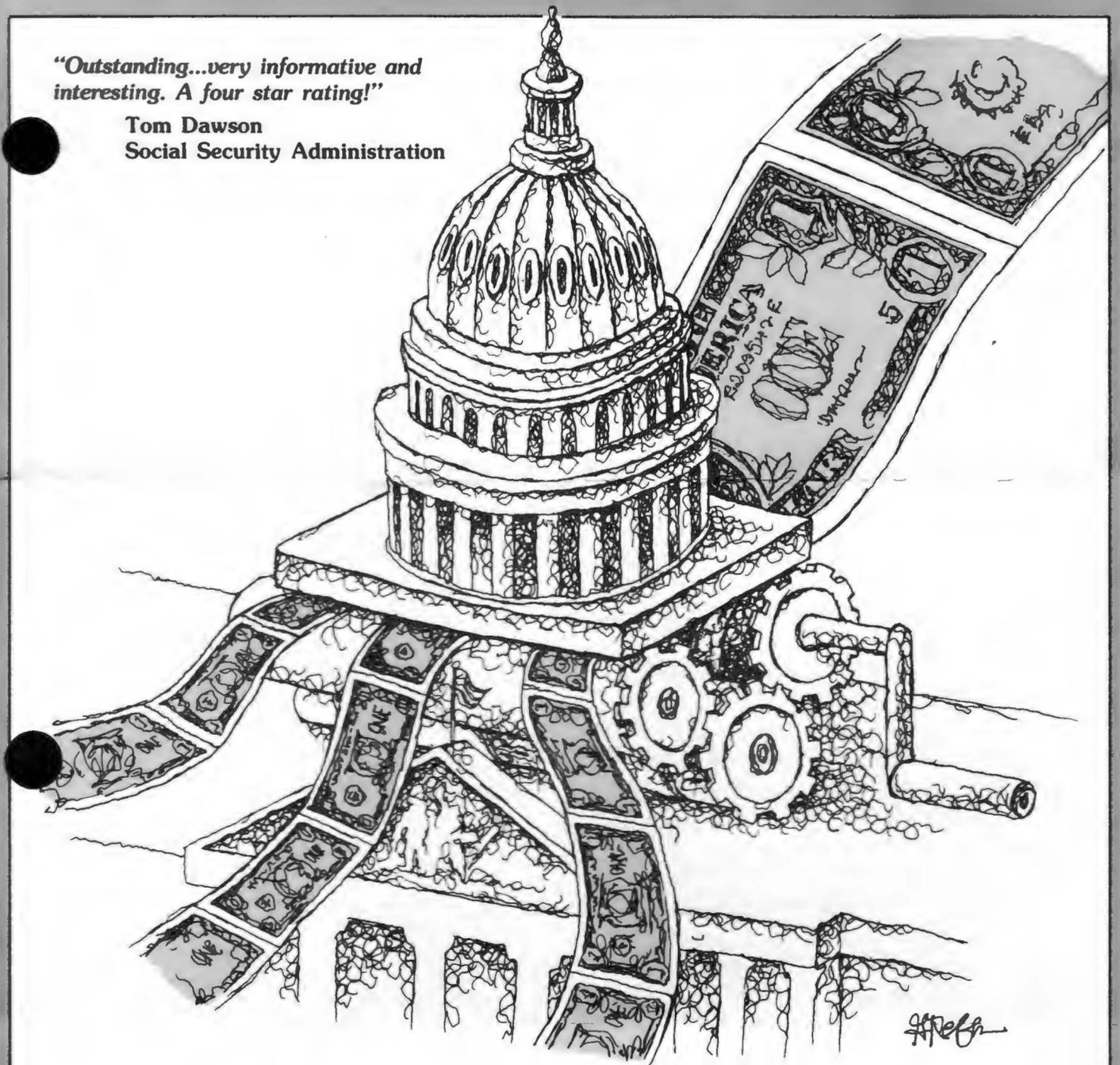
Enclosures



JAMES R. MEADOWS, JR.  
EXECUTIVE DIRECTOR

**"Outstanding...very informative and interesting. A four star rating!"**

**Tom Dawson  
Social Security Administration**



**Congressional Quarterly's Seminar**

# **The Congressional Budget Process**

**Tuesday, November 17, 1981**

**Thursday, December 10, 1981**

**National Housing Center, Washington, D.C.**

**This seminar  
will not be  
presented again  
until 1982.**

**Please register today!**

**Congressional Quarterly is pleased to invite you and members of your staff to attend a seminar examining the congressional budget process, taught by two national authorities on Congress.**

## **The Congressional Budget Process**

**Tuesday, November 17, 1981**

**Thursday, December 10, 1981**

**8:30 a.m. - 1:00 p.m.**

This is an opportunity to hear leading scholars of the budget process explain how Congress makes decisions on the federal budget.

For spending and tax cuts to be realized, a multiplicity of steps in the congressional budget process must occur. While concentrating on these steps, the speakers will analyze the immediate and long-range implications of the 1982 budget and look ahead to next year's budget process. The enormous pressure on Congress to increase defense spending, provide for social programs, balance the budget, and cut taxes in the face of continuing high inflation and interest rates will be discussed. Tax cut options, budget "uncontrollables," tension among Budget, Appropriations and tax-writing committees, and proposed changes in the congressional budget process will also be covered.

This four-hour CONGRESSIONAL BUDGET PROCESS seminar has been carefully designed by CQ as an intensive, yet practical session for individuals whose work requires them to understand how Congress makes decisions about collecting and spending money. The topics covered and the examples cited are as current as today's news.

You'll absorb an enormous amount of immediately usable information at this interesting session — from the basics of authorizations and appropriations to the intricacies of formulating and enforcing budget resolutions.

You can review the entire budget process in this half-day of presentations and discussions led by two nationally known speakers and budget experts.

### ***What the presentations will cover:***

#### **Authorization and Appropriations Processes**

- Relationships of Authorizing and Appropriations Committees
- Requirements and Deadlines Imposed by Budget Act
- How Entitlement Legislation is Handled
- Budgeting for New Authorizations

#### **Formulating the Congressional Budget**

- Inputs for the Budget Process
- Impact of House and Senate Committees
- The Form, Content and Timing of Budget Resolutions
- Floor Action in the House and Senate
- Changing the Congressional Budget during the Session

#### **Enforcing the Congressional Budget**

- House Budget Committee's Early Warning Process
- Senate Budget Committee's Legislative Tracking System
- Reconciliation Procedures and Rules
- Impoundments (Rescissions and Deferrals)

#### **The Budget, Tax Policy and the Economy**

- Relation of the Budget to Economic Conditions
- Current Economic Situation and Outlook
- Relationship of Tax Policy to Budget Process

### ***Who should attend:***

- Government affairs specialists
- Corporate managers
- Agency budget office staff
- Congressional liaison office staff
- Federal government managers
- State and municipal officials
- Foundation officials
- Washington representatives
- Association executives
- Attorneys and legal assistants
- Research assistants
- Administrative assistants
- Embassy personnel
- Anyone who needs to understand congressional fiscal and budget procedures and policies.

## "Just what I needed. Time well spent!"

"The speakers were able to pull together and present information on the budget process in a very clear and concise manner. I wouldn't hesitate to recommend this seminar to anyone."

—Frances M. Williams  
Air Transport Association

"I enjoyed both the speakers and their insights on the budget process. Material was well presented, interesting and understandable ... especially that dealing with reconciliation."

—David Welch  
Interstate Commerce Commission

"I learned more from this coverage than from longer courses relating to the budget."

—Marylu Carnes  
State Department

"I am hardly an expert after one seminar, but I certainly have a firmer grasp of the issues."

—Susan Lee Lewis  
State of Missouri

"Speakers made an enormously complicated system understandable, interesting, and amusing."

—Nancy Benson  
American Cyanamid Company

## You'll learn all of this:

- Implications of the 1982 budget priorities
- The spending reduction process
- What happens at each stage of the congressional budget process ... and why
- Pressures influencing the budget process
- Terminology of the budget process
- The relationships of authorizing, appropriations, tax and budget committees
- Relationship of the budget to the economy
- Access points in the budget process
- How to use budget documents
- Strategies on budget resolutions and reconciliation.

### Allen Schick

Allen Schick joined the University of Maryland in September 1981, as a professor in the School of Public Affairs. For the last nine years, Schick has been a Senior Specialist in American Government and Public Administration with the Congressional Research Service of the Library of Congress.

As a senior specialist at CRS, Schick counseled congressional committees on budgetary issues, including budgetary control, legislative savings and multi-year budgeting. He assisted Congress with the development and implementation of the Congressional Budget Act of 1974 and also has worked with congressional committees on topical issues such as the legislative veto.

Schick was awarded the Mosher and Brownlow awards by the American Society for Public Administration. He has written a dozen articles for the ASPA's journal, and is the author of Congress and Money: Budgeting, Spending & Taxing.



### Seminar Faculty

### Walter Kravitz

After 22 years with the Congressional Research Service of the Library of Congress, Walter Kravitz is now a private consultant on congressional organization and procedures. He is also an adjunct professor at The Catholic University of America.

As CRS's senior expert on the U.S. Congress, Kravitz served as a consultant and technical adviser to numerous committees and members of both houses. He advised House and Senate select committees on committee reorganization and

worked on many projects for the House Rules Committee. During 1974-75, he was the first executive director of the House Budget Committee.

A lecturer of national reputation, Walter Kravitz frequently speaks to new members and congressional staff on parliamentary procedure and other facets of congressional operations. He is the author of many articles on Congress.



Please note CQ seminar CONGRESS AND THE LEGISLATIVE PROCESS will be conducted the day before the CONGRESSIONAL BUDGET PROCESS seminars — you can attend both and save \$25!

### CONGRESS AND THE LEGISLATIVE PROCESS

On November 16th and December 9th, CQ will conduct its basic seminar CONGRESS AND THE LEGISLATIVE PROCESS, also at the National Housing Center. This half-day program reviews congressional procedures, then explores why Congress behaves the way it does, how the work gets done, and where the key decisions are made. There's also a session on how to track and research legislative developments accurately and efficiently. This pragmatic and entertaining seminar is taught by leading authorities on congressional procedures. If you would like to attend both the Budget Seminar and the Legislative Process Seminar, please register early as space is limited.

# Registration Information

You must register in advance. Space is limited, so register early. The registration fee is \$150 per person. This fee is completely refundable until 5 days prior to the seminar; thereafter it is subject to a \$35 cancellation fee. There are group discounts available when registering five or more persons.

## Two Easy Ways to Register:

- 1) By Mail: Simply complete and mail the registration form below. Fill in the organization name, address, and the name and title or position of each registrant. Please make checks payable to Congressional Quarterly Inc.
- 2) By Phone: Just call our seminar coordinator at (202) 887-8620. Give the information requested on your registration card, then mail your check to Congressional Quarterly Inc. You'll receive immediate confirmation of your status.

## Schedule:

Both the CONGRESSIONAL BUDGET and LEGISLATIVE PROCESS seminars will be held at the National Housing Center, 15th and M Streets, N.W. (five blocks from the Farragut North Metro Station). The programs will begin promptly at 8:30 a.m. and conclude at 1:00 p.m. Refreshments will be available during several seminar breaks. The use of photographic or sound recording equipment during CQ seminars is prohibited. If you need overnight accommodations, we suggest that you make arrangements directly and promptly with a hotel. In the event either scheduled speaker is unable to attend, another budget expert will be substituted.

## Certificate of Training:

At the conclusion of the program, you may request a Certificate of Training indicating your completion of CQ's THE CONGRESSIONAL BUDGET PROCESS seminar.

## Additional Seminars:

On November 12th and December 8th, CQ's Congressional Monitor will conduct its seminar, UNDERSTANDING CONGRESS. Presented by professionals who deal every day with the nuts and bolts of the legislative process, this seminar concentrates on the practical, down-to-earth aspects of how laws are made and how to best monitor congressional action. Although congressional procedures can be complicated, this basic seminar provides a straight-forward explanation using every-day language. This entertaining half-day session is ideal training for new clerical or professional employees ... or staffers with new responsibilities that include understanding Congress. To register, please phone our seminar coordinator at (202) 887-8620.

Please cut on dotted line and return this entire form with payment

## Seminar Registration Form

Please mail this entire form with your check or p.o. to:  
Seminar Coordinator, Congressional Quarterly Inc.  
1414 22nd Street N.W., Washington D.C. 20037

Congressional Quarterly Inc.  
1414 22nd Street, N.W.  
Washington, D.C. 20037

Bulk Rate  
U.S. Postage Paid  
Congressional Quarterly Inc.

### THE CONGRESSIONAL BUDGET PROCESS

- (2)  Tuesday, November 17, 1981 (8:30-1:00)..... \$150  
 Thursday, December 10, 1981 (8:30-1:00 p.m.)..... \$150

### CONGRESS AND THE LEGISLATIVE PROCESS

- Monday, November 16, 1981 (8:30-1:00) ..... \$125  
 Wednesday, December 9, 1981 (8:30-1:00) ..... \$125

### UNDERSTANDING CONGRESS

- Thursday, November 12, 1981 (8:30-1:00) ..... \$125  
 Tuesday, December 8, 1981 (8:30-1:00)..... \$125  
 Two of the seminars checked above ..... \$250  
 This confirms a telephone registration.

Enclosed is a check or p.o. in the amount of \$ \_\_\_\_\_

Signature: \_\_\_\_\_

Organization Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_ Tel. \_\_\_\_\_

Names and titles of registrants:  
\_\_\_\_\_  
\_\_\_\_\_

Harriet Miller  
Safety & Health Rev. Comm.  
1825 K Street, N.W.  
Washington, DC 20006

### MAIL ROOM:

If person named is no longer with your organization, please give to his or her replacement. Or send to another person involved with legislative affairs.

Please cut on dotted line and return this entire form with payment.

8

Melady, Jan

**Sacred  
Heart  
University**

Fairfield, Connecticut

Mailing Address  
Post Office Box 6460  
Bridgeport, Connecticut 06606-0460  
(203) 371-7900

Office of the President

December 22, 1982

Mr. James W. Cicconi  
Special Assistant to the President  
and Special Assistant to the  
Chief of Staff  
1st Floor, West Wing  
The White House  
Washington, D.C.

Dear Jim:

I write to invite you to be my guest at the Sacred Heart University vs The University of The District of Columbia basketball game on Tuesday, January 4, 1983, 8:00 p.m. at their campus, 4200 Connecticut Avenue, N.W. Our University looks forward to the game with the great team of The University of The District of Columbia.

I hope you can join me and my colleagues from Sacred Heart University, who will be in Washington for the event. Following our victory, there will be a reception.

My office will be in contact with you to see if you could join us, as we will then send you the ticket. If you have a guest, we would be happy to include the guest in our party.

With warm best wishes, I am

Very sincerely yours,

*Tom Melady*

Thomas Patrick Melady  
President

TPM:cj

*AA*  
... found it!  
*J*

THE WHITE HOUSE

WASHINGTON

May 17, 1982

Dear Tim:

I received your letter and, after checking both the President's and Mr. Baker's schedules, am sorry to inform you I'm unable to assist you in getting an appointment. I do hope, though, that you are successful with the business that brings you to Washington in June.

I was pleased to hear you are confident about George Strake's campaign to date. There are more than a few Texans up here who would like to see a Republican Lieutenant Governor in Texas!

Best of luck to you.

Sincerely,



James W. Cicconi  
Special Assistant to the  
President

Mr. Tim Messonnier  
7911 Neff  
Houston, Texas 77036

Tim Messonnier  
7911 Neff  
Houston, Tx.  
77036  
April 29, 1982

Mr. Jim Cicconi  
The White House  
1st floor west wing  
Washington D.C. 20500

Dear Mr. Cicconi;

When I was in D.C. in January of this year on the Close Up trip I called you to see if there was a chance of me getting to meet with Mr. Baker and/or the President. Due to the bad timing (the first week that congress was in session) you said that it would be impossible. At that time I was not aware that I would be visiting D.C. again so soon. Now that I am sure that I will be in D.C. I would like very much to try to set up an appointment with Mr. Baker and/or the President. I would only like to see them for 5 or 10 minutes.

I will be in the D.C. area June 18-25 and would be very appreciative if you could help me in any way.

By the way, I would like you to know that Mr. Strakes campaign is doing very well, and that the primary is in two days, Saturday the 1 of May. Although he is unopposed by Republicans it will give us a chance to pass out some of his literature.

Very thankful

  
Tim Messonnier

P.S. I don't know if you get Texas Monthly up in D.C., but there is an article about Mr. Baker in the May issue. It is very interesting.

fec

Milburn, Beryl

MRS. MALCOLM MILBURN  
2606 PECOS ST., AUSTIN, TEXAS 78703

7-28-82

Dear Jim

Thanks again for your  
very invaluable help for  
daughter Peri. It really  
meant a lot to me and  
your prompt response really  
was tremendously effective.

Gratefully,  
Beryl

THE WHITE HOUSE  
WASHINGTON

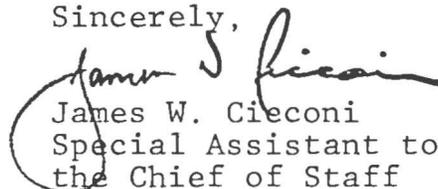
November 19, 1981

Dear Mr. Minter:

Having just joined the White House staff, I do not feel it would be appropriate for me to become involved in the setting up of golf tournaments, as you requested, or in advising others to assist.

Instead, I would suggest you simply contact Governor Clements directly with your suggestion. For your information, his address is: State Capitol Building, Austin, Texas 78711.

Sincerely,



James W. Cieconi  
Special Assistant to  
the Chief of Staff

Mr. Ray E. Minter  
7604 Fair Oaks  
Suite 2095  
Dallas, Texas 75231

NOVEMBER 6'1981  
FRIDAY

MR. JAMES W. CICCONI  
SPECIAL ASST TO THE CHIEF OF STAFF  
WHITE HOUSE.

DEAR MR. CICCONI —

MR. BAKER KNOWS OF ME THROUGH MY EFFORTS TO  
PUT ON A FOUR YEAR CONTINUITY PROGRAM FOR  
OUR VETERANS, IN THE FORM OF GOLF TOURNAMENTS.

I AM WRITING YOU, ASKING YOU TO SEE THAT GOV.  
BILL CLEMENTS IS ADVISED TO PUT THIS EVENT  
ON IN 1982, IN THE STATE OF TEXAS, WHERE HE  
SEEKING ANOTHER TERM.

IT WOULD ONLY REQUIRE A ADVANCE PRODUCTION  
COST, WHICH IS RETURNED FROM TICKET SALES —

HERE'S A WAY TO REACH MILLIONS, ESPECIALLY  
VOTING VETERANS AND IT GOES ON FOR THREE  
MONTHS.

CREATIVE SPORT PROGRAMS, ONE OF MY COMPANIES,  
WOULD RUN THE ENTIRE EVENT — MR CLEMENTS  
BEING IT'S "HOST" —

WILL APPRECIATE YOUR HELP IN GETTING THIS TO  
HIM FOR CONSIDERATION, AT THIS TIME.

BEST REGARDS,

RAY E. MINTER

7604 FAIROAKS  
SUITE 2095

DALLAS, 75231

(214) 343-1961

November 6' 1981  
Dallas, Texas

Dear Governor:

After many successful years in motivational programs through the top corporations, like: United Airlines, Chrysler Corp., Carling Brewing, Kaiser-Jeep, U.S. Jaycee's, U.S. Savings & Loan League, The 3M Co., The Masonic Lodges and Delta Airlines, Creative Sport Programs have created " The Big One ".

If you have a great advertising agency and clever sales promotion people, that's wonderful, but not needed for this proposal. All of the named corporations above have the "so called " top agencies, but they all have used our creative abilities for traffic building and consumer response.

Here's ~~The~~ Program:

A one State or a four year continuity 50 State program that would bring your company before an audience you have yet to accomplish...

The First National " Veterans Golf Tournaments.

Starting in your State and moving on each three months on a continuous basis, from State to State, in some cases one State, in others two States and in some cases three or four taking place as an event whereby all Veterans Clubs, Military bases, all Veteran posts and auxiliaries would take part. The Veterans of Foreign Wars, Am Vets, Dis-Abled members and Clubs will be activated. Just in California the VFW has 120,000 members through 650 posts and in Texas another 116,000 members through 457 posts. It's estimated that there are a half million members of various interest clubs plus those Veterans that will learn of the event.

There are 33 million living Veterans whose families make up 90 million people, about 43% of the U.S. population and 22% of the Electorate vote.

Each event, which would be every three months, would distribute one million ticket-entry forms. Each event would have free coverage through the newspapers, radio and TV all at no charge because it's for the " Veterans " and you would be the Host or Sponser.

One million Ticket-Entry forms would have a face value of \$3.00. These tickets are sent to the various area based on population. They are distributed over a period of 6 to 7 weeks. The selling Clubs keep (1) one dollar for their efforts and use their profits for their Club activities. The balance , (2) two dollars is returned to your headquarters. From this amount, your promotional/production investment is deducted and the net balance is divided between you and Creative Sport Programs. If, you do not wish a profit, your share could be used for prizes and trips.

The Army, Navy, Air Force, Coast Guard and the Marines are the players. Forty from each service, offering a field of 200. The first day is a "Celebrity-Vet Day", where performers, politicians, Governors, Senators, top Military men and National figures will appear to play. 3 Vets with 1 Celebrity. At the selected play-off site radio, newspaper and TV coverage again will cover the activity at no charge.

The Tournament starts the day of the Celebrity Day and continues for two more days, having a 54 hole event. Scoring counts on the first day for Vets.

The selected players will have their gasoline paid for in cash, upon their arrival, figured at 15 mpg at current gasoline prices. A Motel or Hotel is furnished for three nights.

For those not interested in Golf, not selected, we have four American made items at most attractive prices offered on the ticket-entry form. All prepaid delivered and fully guaranteed. A fine every day Wallet for men and/or women, a back pack, a Club bag and a ladies clutch. All at least at 50% less than found at retail and in your colors or red, white and blue.

We have the interest in Golf plus the competitiveness among Services, all playing on an individual scoring basis. Women, Men, from the Military bases, Veteran associated with Clubs and Posts, all other Veterans that hear about the event through the newspaper coverage and radio during the ticket selling time of the 6 or 7 weeks. Those of the past, present, retired, active, inactive, recruits and reservists from all branches.

We select the players from golf handicaps furnished from the incoming forms and set them up in flights and age.

In this presentation there can be a full schedule of all the States you might wish to get involved with as to time of the year and the important markets your company would like to effect first. Your company would pick the play-off site, the City, that would be most beneficial to you.

Estimating the ticket sales at 88,000 for each event, which would be every three months, this being a low average, the profits would be \$88,000.00. After you have had all of your promotional/production money returned, then you would share on an equal basis with us. If you were to go on the four events a year, it would be a return of \$176,000.00 per year.

The reason to print the million tickets is to flood the area and all tickets can be produced in advance for they are set up so there are no changes needed. Each State has its first two digits imprinted plus the six digits of numbering. Such as: CA 375,876.

The tickets are on white stock with Red for the cost of the ticket and blue for the copy. As designed, being 4½" x 5½" printed both sides, one half for Golf and the other for the incentive items.

The program is exciting, first of it's kind, unique in format, timely and involves millions. ( and it makes money )

You would have your auditors and attorneys handle all monies concerned. After each event Creative Sport Programs would receive the half of all monies taken in after the advance promotional costs have been returned. The needed operating money must be in escrow to cover each event.

Recapping: You put up \$88,000.00, you get back, from ticket sales \$176,000.00 , you deduct \$88,000.00 and we divide \$88,000.00

We can start in January 1982, having the first event in April 1982. If you wish to continue events this would be your option.

All tax deductible, plus you get back all of your promotional monies, in cash, before Creative Sport Programs make anything.

Keep in mind the millions of people that will remember your company and it's services that don't buy a ticket but see that your the Sponser to something for the Veterans. Talk about PR... it's here.

Cordially,



Ray E. Minter, Sr.,

Creative Sport Programs  
For Veterans Recognition

7604 Fair Oaks Suite 2095  
Dallas, TX 75231

(214) 343-1961

Wm. A. Cicconi

THE WHITE HOUSE  
WASHINGTON

January 11, 1982

Dear Debbie:

Enclosed are copies of recent statements made by the President concerning extension of the special provisions of the Voting Rights Act. Of these, the prepared statement of November 6, 1981, is probably the most significant. The rest are transcript excerpts from press conferences, etc.

Again, congratulations on your new position, and I hope this information is of some assistance to you.

Sincerely,



James W. Cicconi  
Special Assistant to the  
President

Ms. Debbie Mitchell  
Secretary of State's Office  
Post Office Box 12697  
Austin, Texas 78711