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THE WHITE HOUSE

WASHINGTON

April 2, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: RICHARD A. HAUSER *RAH*

SUBJECT: Eureka College

You will note from the attached memorandum that the President is interested in assisting Eureka College's fundraising efforts. Michael Castine is mindful of the proscriptions on members of the White House staff engaging in fundraising efforts; nevertheless, it may be desirable to speak with Dr. Dan Gilbert about our concerns with fundraising activities generally. Your thoughts, please.

Attachment

RAH:gm - 4/2/'84  
1-subj  
2-chron

THE WHITE HOUSE

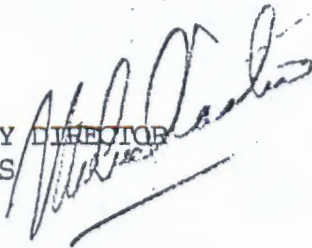
WASHINGTON

March 29, 1984

MEMORANDUM FOR MICHAEL K. DEEVER

FROM: MICHAEL P. CASTINE, DEPUTY ~~DIRECTOR~~  
PRIVATE SECTOR INITIATIVES

SUBJECT: EUREKA COLLEGE



This is just to inform you that the President has called me regarding a cash flow problem at his alma mater, Eureka College.

I would appreciate your letting him know that I have been in touch with Dr. Dan Gilbert, the President of Eureka, Bill Verity and various members of the financial community who are willing to try and work out the problems with Dr. Gilbert. Obviously, due to the fundraising nature of this problem, as White House staff we will be limited in our involvement.

I will continue to keep you apprised of the situation.

RAH:gm - 4/2/84  
1-subj  
2-chron

AM 51



THE WHITE HOUSE

WASHINGTON

April 4, 1984

MEMORANDUM FOR JAMES. K. COYNE  
SPECIAL ASSISTANT TO THE PRESIDENT  
FOR PRIVATE SECTOR INITIATIVES

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

SUBJECT: "Ronald Reagan Scholarship Program"  
and Related Travel Proposals

You recently raised several questions with this office concerning contemplated travel by you, members of your staff, and members of the President's Advisory Council on Private Sector Initiatives to Japan in connection with the establishment of a scholarship program for United States students to study in Japan. You noted that the program would be known as the "Reagan Scholarships."

As an initial matter I must advise you that it would be inappropriate to name the proposed scholarship program after the President. The White House adheres to a policy of not permitting any government-sponsored or government-endorsed program to be named after the incumbent President, for what I had thought were obvious reasons. Indeed, the White House recently declined a request from another agency to establish a "Reagan Scholarship" program, even though the funds would be provided by private sources. That precedent controls this case.

Travel by you and members of your staff on official business may not be donated by private carriers. The White House Travel Handbook is quite explicit on this point: "Whenever you are traveling on official business of the government, traveling to attend a function, or giving a speech as the representative of the White House, or the Administration, all travel-related expenses must be paid from appropriated funds" (emphasis in original). (The one exception to this rule is discussed infra.) Provision of travel by private carriers would violate rules against supplementation of appropriations, and raise serious conflict of interest concerns in light of the significant regulatory role of the CAB, FAA, and other Federal agencies with respect to the activities of private carriers. You should never contact such carriers about providing free service to you or anyone else, and should terminate any discussions you may have commenced on this topic immediately. The foregoing also



applies to lodging and any other travel expenses. To the extent you may be perceived to have done so, you must immediately cure this impression.

In certain limited circumstances travel expenses may be reimbursed by a 501(c)(3) organization, providing that such reimbursement does not create an actual or apparent conflict of interest. As the White House Travel Handbook makes quite clear, however, such reimbursement "shall never be solicited by a staff member." It is not permissible to inquire of a 501(c)(3) organization concerning the willingness of the organization to pay for official travel. Reimbursement may not be accepted from any organization solicited in violation of this rule.

Furthermore, the statute authorizing payment of official travel expenses by a 501(c)(3) organization does so only for expenses "incident to attendance at meetings." 5 U.S.C. § 4111. The statute does not authorize a 501(c)(3) organization to pay for official travel in general, simply because the organization considers that travel beneficial to its interests. Once again, the White House Travel Handbook is quite explicit: "If you are traveling to attend a training seminar, meeting or conference sponsored by a nonprofit organization granted tax-exempt status under the law (Section 501(c)(3) of the Internal Revenue code), that organization may pay for your normal, reasonable travel expenses under most circumstances unless the acceptance of such expenses creates an actual or apparent conflict of interest with your official duties" (emphasis supplied).

I should note that the rule that official travel must generally be paid for out of appropriated funds prohibits individuals paying for their own official travel. I don't believe your comment that you paid for your official travel to Grenada is quite accurate. When you raised the question of your travel to Grenada with my office, you stated that you were traveling there for "a Christmas week vacation." The travel was accordingly private, not official.

I recognize that it is the unique mission of your office to promote private sector charitable activities. As the foregoing demonstrates, however, your official duties and those of your staff cannot be funded by the private sector as if those duties were themselves charitable in nature.

cc: James A. Baker, III  
Assistant to the President  
Chief of Staff

Michael K. Deaver  
Assistant to the President  
Deputy Chief of Staff

THE WHITE HOUSE

WASHINGTON

April 16, 1984

MEMORANDUM FOR JIM COYNE

SPECIAL ASSISTANT TO THE PRESIDENT AND  
DIRECTOR OF PRIVATE SECTOR INITIATIVES

FROM:

Orig. Signed by FFF  
FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT:

Guidelines for Fundraising Activities  
by Members of the President's Advisory  
Council for Private Sector Initiatives

This will respond to your request for guidelines outlining any restrictions on the activities of members of the President's Advisory Council for Private Sector Initiatives (the "Advisory Council") in soliciting resources (either financial or in-kind) from various businesses and organizations in support of various public-private partnerships.

The Advisory Council was established by Executive Order 12427 (attached) to "advise the President, through the White House Office of Private Sector Initiatives, with respect to the objectives and conduct of private sector initiative policies." Under that Executive Order, the Council's functions are purely "advisory"; fundraising is not a stated function of the Council. Hence, the solicitation of resources for public-private partnerships is not a permissible function of the Advisory Council.



THE WHITE HOUSE

WASHINGTON

April 13, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: RICHARD A. HAUSER *RMS*

SUBJECT: - Eureka College Fundraising

In preparation for your meeting with Dan Gilbert, President of Eureka College, you may wish to review the attached memoranda. For your information, Michael Castine's memorandum dated April 6, 1984, describes activities undertaken as a result of a second telephone call from the President to Castine.

Please let me know if you need additional information.

Attachments

THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR DICK HAUSER

FROM: Dave Fischer *DF*

SUBJECT: Eureka College Fundraising

The evening of April 11th I had dinner with Pat Jacobsen of Ft. Worth, Texas; during the course of the evening she informed me of her efforts on behalf of Eureka College and in particular fundraising activities for the Reagan Scholarship Program. She requested my assistance with two matters; I told her that these items would have to be discussed with White House counsel's office.

1. A black, metallic business card box with an embossed gold Presidential seal had been manufactured by those raising funds for the college; this prototype lacks an inscription and signature of the President. The group would like to manufacture this item and have an appropriate inscription and signature provided. Intended recipients of this box would be for those donating over \$100.000 to the scholarship fund. The box is included with this memo.

2. A presidential letter is proposed to all those who donate any amount of money to the scholarship fund thanking them for their generosity.

Lastly, there is possible press interest in a story that the Eureka fundraising group is allegedly using old campaign fundraising lists from the 1976 & 1980 Reagan campaigns. No details.

12 April 1984

Han Gilbert - *Tues 4/17*



THE WHITE HOUSE

WASHINGTON

April 6, 1984

MEMORANDUM FOR MICHAEL K. DEEVER

FROM: MICHAEL P. CASTINE, DEPUTY DIRECTOR *MAC*  
PRIVATE SECTOR INITIATIVES

SUBJECT: EUREKA COLLEGE

Our office has been in contact with Mike Redick, Vice President of the Mott Foundation. He has been involved with development at the University of Michigan for over 20 years.

Redick has spoken with George Hearne, the Vice President of Eureka about their cash flow problem and will be travelling down to Eureka on the 17th of April to review their books and current development programs before devising new strategies for fundraising and development for the College. He will be reporting back to us after this visit.

131-100-100-100

1984 APR 10 PM 12:46

THE WHITE HOUSE

WASHINGTON

April 2, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: RICHARD A. HAUSER *RAH*

SUBJECT: Eureka College

You will note from the attached memorandum that the President is interested in assisting Eureka College's fundraising efforts. Michael Castine is mindful of the proscriptions on members of the White House staff engaging in fundraising efforts; nevertheless, it may be desirable to speak with Dr. Dan Gilbert about our concerns with fundraising activities generally. Your thoughts, please.

Attachment

*WH should not be involved - there was that the P. would do what he could to get it started & then it was up to them.*

*4/2*

*F3*  
*I raised this only because Venty and Gilbert are or have been members of the Private Sector Initiative.*

*RAH*  
*4/11/84*



THE WHITE HOUSE

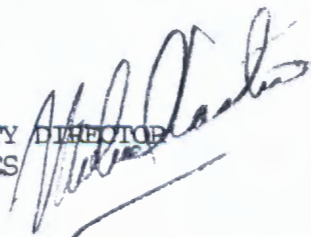
WASHINGTON

March 29, 1984

MEMORANDUM FOR MICHAEL K. DEEVER

FROM: MICHAEL P. CASTINE, DEPUTY DIRECTOR  
PRIVATE SECTOR INITIATIVES

SUBJECT: EUREKA COLLEGE



This is just to inform you that the President has called me regarding a cash flow problem at his alma mater, Eureka College.

I would appreciate your letting him know that I have been in touch with Dr. Dan Gilbert, the President of Eureka, Bill Verity and various members of the financial community who are willing to try and work out the problems with Dr. Gilbert. Obviously, due to the fundraising nature of this problem, as White House staff we will be limited in our involvement.

I will continue to keep you apprised of the situation.

MAR 30 1984

FB 008

WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET

**COPY**

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

Name of Correspondent: Roddie Livingston

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

Subject: Request for travel letter for Eureka College President Dan Gilbert for fundraising visit to Japan

ROUTE TO:	ACTION	DISPOSITION			
Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>W Holland</u>	ORIGINATOR	<u>821023</u>		<u>C</u>	<u>821028</u>
<u>CUAT17</u>	Referral Note: <u>D</u>	<u>821023</u>		<u>C</u>	<u>821025</u>
<u>CUAT04</u>	Referral Note: <u>S</u>	<u>821025</u>	<u>RAH</u>	<u>A</u>	<u>821025</u>
	Referral Note: _____	<u>1 1</u>			<u>1 1</u>
	Referral Note: _____	<u>1 1</u>			<u>1 1</u>
	Referral Note: _____				

- ACTION CODES:**
- A - Appropriate Action
  - C - Comment/Recommendation
  - D - Draft Response
  - F - Furnish Fact Sheet to be used as Enclosure
  - I - Info Copy Only/No Action Necessary
  - R - Direct Reply w/Copy
  - S - For Signature
  - X - Interim Reply
- DISPOSITION CODES:**
- A - Answered
  - B - Non-Special Referral
  - C - Completed
  - S - Suspended

**FOR OUTGOING CORRESPONDENCE:**  
Type of Response = Initials of Signer  
Code = "A"  
Completion Date = Date of Outgoing

Comments: \_\_\_\_\_

Keep this worksheet attached to the original incoming letter.  
Send all routing updates to Central Reference (Room 75, OEOB).  
Always return completed correspondence record to Central Files.  
Refer questions about the correspondence tracking system to Central Reference, ext. 2590.



THE WHITE HOUSE  
WASHINGTON

October 25, 1982

MEMORANDUM FOR DODIE LIVINGSTON

FROM: RICHARD A. HAUSER *RAH*

SUBJECT: Request for Travel Letter for  
Eureka College President Dan Gilbert  
for Fundraising Visit to Japan

In accordance with your request, this Office has reviewed the attached letter which is proposed to be sent by Helene von Damm to two Japanese public officials as a letter of introduction on behalf of Eureka College President Dan Gilbert who will be fundraising for Eureka College in Japan.

We believe that it is wholly inappropriate for the President or members of the White House staff to provide the proposed letter; this is particularly so in view of the fact that the recipients are officials of a foreign government and the purpose of the letter is to facilitate fundraising efforts of a private entity.

Thank you for bringing this matter to our attention.

cc: Helene von Damm

RAH:SMC:aw 10/25/82

cc: RAHauser  
SMCooksey  
Subj.  
Chron

THE WHITE HOUSE  
WASHINGTON

October 25, 1982

DGH -  
you said they  
needed a response  
on this today?  
SMC

MEMORANDUM FOR RICHARD A. HAUSER

FROM: SHERRIE M. COOKSEY *SMC*

SUBJECT: Request for Travel Letter for  
Eureka College President Dan Gilbert  
for Fundraising Visit to Japan

Dodie Livingston has asked for our advice on the propriety of Helene von Damm sending a letter of introduction to two public officials in Japan on behalf of Eureka College President Dan Gilbert. Gilbert will be on a fundraising trip for Eureka College to Japan in early November. The two public officials are leaders in their political parties and one is expected to become a future Prime Minister.

Attached for your review and signature is a memorandum to Dodie Livingston (cc to Helene von Damm) stating that we believe that it is wholly inappropriate for the President or members of the White House staff to provide a letter of introduction to two officials of a foreign government on behalf of a non-governmental, private fundraising effort.

Attachment

OCT 22 1982

MEMORANDUM

THE WHITE HOUSE  
WASHINGTON

*Shenise*

October 22, 1982

MEMORANDUM FOR FRED F. FIELDING

FROM: DODIE LIVINGSTON *DL*

SUBJECT: Request for Travel Letter

Helene von Damm's office has asked me for advice and, if appropriate, assistance in the preparation of two travel-type letters for Eureka College President Dan Gilbert in his forthcoming fundraising visit to Japan. These letters would not go out under the President's name but perhaps Helene's or another staff member's.

Since these letters would put the President in the position, it seems to me, of indirectly soliciting for Eureka College among Japanese businessmen or foundations, I feel they would be inappropriate.

However, I would very much appreciate your advice and direction. The attached are self-explanatory.

Many thanks.



13 OCTOBER 1982

MEMORANDUM

TO: HELENE VON DAMM

FROM: JL HARMER

RE: EUREKA COLLEGE FUND RAISING EFFORT BY MR. JOHN AMOS

Mr. Amos is a business associate of mine who has committed to assist in the fund raising program for Eureka college. Just recently he submitted a \$100,000 check in support of his pledge.

Mr. Amos has extensive business dealings in Japan and is taking the President of Eureka College, Mr. Dan Gilbert, to Japan with him during early November. The purpose of that visit is to have Mr. Gilbert meet with several Japanese foundations that Mr. Amos feels will make generous donations to the college fund.

While in Japan Mr. Amos would like to have President Gilbert meet with two Japanese public officials. One of these is the leader of his particular party, the other is a member of the diet who is considered a certainty for being a future Prime Minister.

Mr. Amos feels strongly that the protocol of the situation would be strengthened significantly (and his ability to further his fund raising efforts with the foundations) if a letter of introduction to President Dan Gilbert could be written to the two Japanese officials. The letter should come from you, or some other appropriate member of the President's staff, and a suggested copy of such a letter is attached. If the letter can be approved it should be sent as soon as possible directly to Japan.

The only reason I am involved is because Mr. Amos is on the Mississippi river in his house boat and I told him I would be in Washington today. He asked if I would deliver this letter to you.

Hope all is well - thank you for your consideration.

Best wishes.



PLEASE ADVISE ME WHEN THAT YOU CAN RETURN TO 2000  
THE LETTER WOULD YOU SEND A COPY TO MR AMOS?  
PLEASE ADVISE  
JL HARMER  
2000

SUGGESTED DRAFT OF LETTER OF INTRODUCTION OF PRESIDENT  
DAN GILBERT, OF EUREKA COLLEGE

to: Hon. Takio Fukuda  
4 - 20 - 3  
Nozawa (this is a residence address)  
Sepagaya - Ku  
Tokyo, Japan 154

to: Hon. Shintaro Ishihara  
House of Representatives of Japanese Dynasty  
First Members Office Building  
House of Representatives  
2 - 2 - 1 Nagata-Cho, Chiyoda-Ku, Tokyo

Dear Sir:

The President of Eureka College, Dr. Dan Gilbert, will be in Japan in company with Mr. John Amos during the first week or two of November. Eureka College is the institution from which President Reagan graduated as a student.

It would be a great personal favor to me if you would be kind enough to meet with Dr. Gilbert during his visit in order that he might discuss with you the programs of the college.

I understand that the Tokyo offices of Mr. Amos' company will contact you to determine if a convenient time and place could be set for such a meeting.

Yours very truly,


HELENE VON DAMM  
Special Assistant to The President



THE WHITE HOUSE

WASHINGTON

May 17, 1984

FOR: FILE  
FROM: DAVID B. WALLER   
SUBJECT: Fundraising for Eureka College

On Tuesday, May 15, 1984, I received a telephone call from Mr. Thomas Crawford, a government affairs official with the A.E. Staley Company of Decatur, Illinois, a multi-national grain processing company with which I am quite familiar, having grown up in Decatur and having as a long-time friend, Robert Staley, grandson of the founder and son of the former chairman of the company.

Mr. Crawford, who is also a long-time friend from Decatur, asked whether I knew a Mr. Dan Coyne at the White House. I advised that I did not. Crawford indicated that Mr. Coyne had telephoned the company that day or the prior day and had requested "on behalf of the President" that the company contribute \$25,000 to the President's alma mater, Eureka College. According to Crawford, Coyne indicated that the college was suffering severe financial problems and if it did not obtain \$400,000 by Thursday of this week, it would have to close its doors.

Crawford requested guidance regarding the authority with which Coyne spoke and the accuracy of his statements. Crawford indicated that although the company had nearly exhausted its funds currently available for contributions of this sort, if the request was sincerely one made on behalf of the President, they would find a way to give the money to Eureka.

I advised Crawford that a Mr. James Coyne is the head of the White House Office of Private Sector Initiatives, and I was certain that he must be the individual who had called. I am confident this is the case because the current Chairman of Staley, Donald Nordlund, is a member of the President's Advisory Council on Private Sector Initiatives, and works with Jim in that capacity. I asked Crawford to put the matter on hold until I got back to him with the requested guidance.

After discussing the matter this morning with Fred Fielding, I called Crawford and advised him that the President, of course, had attended Eureka, that he recently had been made aware by the President of the College of certain short-term financial difficulties it is experiencing, and that he was endeavoring to

1984 MAY 18 PM 6: 11



provide some assistance through the Office of Private Sector Initiatives. I indicated, however, that the company should make a fully independent decision with respect to whether to make the contribution and should feel no pressure whatsoever from the White House. Further, I advised that they should understand that if a contribution is made, they should not view it as any kind of quid pro quo. Crawford said he understood and thanked me for the guidance.

I intend to advise Jim Coyne of this matter in a meeting with him tomorrow.

cc: F. Fielding ✓



### Tahoe Regional Planning Agency

*Appointment of Rex Stewart Hime as Nonvoting U.S. Representative on the Governing Board. June 27, 1983*

The President today announced his intention to appoint Rex Stewart Hime to be the Nonvoting Representative of the United States to the Governing Board of the Tahoe Regional Planning Agency. He would succeed Zane G. Smith.

Mr. Hime is currently director of the Commission for Economic Development and served as deputy director of the Commission (1979). Previously he was assistant executive director, Painting and Decorating Contractors of California, Inc. (1975-78); assistant to the director, Department of Consumer Affairs (1973-74); and was a first lieutenant, United States Army, Military Police Corps (1972-74).

Mr. Hime graduated from the University of California, Davis (B.A., 1969; J.D.D., 1972). He is married and lives in Sacramento, Calif. He was born February 15, 1948, in San Francisco, Calif.

### Lebanon Emergency Assistance Act of 1983

*Statement on Signing S. 639 Into Law. June 27, 1983*

I am pleased to sign into law S. 639, the Lebanon Emergency Assistance Act of 1983. This act authorizes the appropriation of urgently needed economic and military assistance for Lebanon. The funding authorized by this act will greatly assist in promoting the economic and political stability of that country and support the international effort to strengthen a sovereign and independent Lebanon.

Section 4(a) of the act confirms this administration's announced intention with respect to congressional authorization concerning any future substantial expansion in the number or role of U.S. forces in Lebanon. As indicated in its legislative history, that section does not prevent the initiation of such actions, if circumstances require it,

while Congress is considering a request for statutory authorization; nor, of course, is it intended to infringe upon the constitutional authority of the President as Commander in Chief, particularly with respect to contingencies not expected in the context of the multinational effort to strengthen the sovereignty and independence of Lebanon.

*Note: As enacted, S. 639 is Public Law 98-43, approved June 27.*

### President's Advisory Council on Private Sector Initiatives

*Executive Order 12427. June 27, 1983*

By the authority vested in me as President by the Constitution and laws of the United States of America, and in order to establish, in accordance with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. App. I), an advisory committee on private sector initiatives, it is hereby ordered as follows:

**Section 1. Establishment.** (a) There is established the President's Advisory Council on Private Sector Initiatives. The Council shall be composed of not more than 39 members, to be appointed or designated by the President. The members shall be selected as follows:

(1) Nine members from the public sector, consisting of the Secretaries of Agriculture, Commerce, Housing and Urban Development, Health and Human Services, Labor, Education, and Transportation, the Director of ACTION, and the White House Deputy Chief of Staff.

(2) Thirty members from private life.

(b) The President shall designate a Chairman and Vice Chairman from among the members of the Council. The Special Assistant to the President for Private Sector Initiatives shall serve as Secretary to the Council.

**Sec. 2. Functions.** (a) The Council shall advise the President, through the White House Office of Private Sector Initiatives, with respect to the objectives and conduct of private sector initiative policies, includ-



ing methods of increasing public awareness of the importance of public/private partnerships; removing barriers to development of effective social service programs which are administered by private organizations; and strengthening the professional resources of the private social service sector.

(b) The Council shall seek the advice, ideas and recommendations of the White House Office of Private Sector Initiatives and such other government offices as the President may deem appropriate in order to fulfill its responsibilities under this Order.

(c) In performance of its advisory responsibilities, the Council shall report to the President from time to time as requested.

**Sec. 3. Administration.** (a) The heads of Executive agencies shall, to the extent permitted by law, provide the Council such information with respect to private sector initiative issues as it may require for purposes of carrying out its functions.

(b) Members of the Council shall serve without compensation for their work on the Council. However, members appointed from among private citizens of the United States shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the government service (5 U.S.C. 5701-5707).

(c) The White House Office shall, to the extent permitted by law and subject to the availability of funds, provide the Council with such administrative services, facilities, staff, and other support services as may be necessary for the effective performance of its functions.

**Sec. 4. General.** The Council shall terminate two years from the date of this Order, unless sooner extended.

Ronald Reagan

The White House,  
June 27, 1983.

[Filed with the Office of the Federal Register, 2:42 p.m., June 28, 1983]

Note: The text of the Executive order was released by the Office of the Press Secretary on June 28.

## President's Advisory Council on Private Sector Initiatives

Appointment of 28 Members.  
June 28, 1983

The President today announced his intention to appoint the following individuals to be members of the President's Advisory Council on Private Sector Initiatives:

**Paul J. Adams** is principal at Providence-St. Mel High School in Chicago, Ill.

**Ann Ascher** is president of Ann Ascher Interiors, Inc., in Los Angeles, Calif.

**Malcolm Baldrige** is Secretary of the Department of Commerce in Washington, D.C.

**George Ball** is president and chief executive officer of Prudential-Bache Securities in Short Hills, N.J.

**Terrel H. Bell** is Secretary of the Department of Education in Washington, D.C.

**John R. Block** is Secretary of the Department of Agriculture in Washington, D.C.

**Edmund T. Cranch** is president of Worcester Polytech Institute in Worcester, Mass.

**Michael K. Deaver** is Deputy Chief of Staff to the President in Washington, D.C.

**Elizabeth Dole** is Secretary of the Department of Transportation in Washington, D.C.

**Raymond Donovan** is Secretary of the Department of Labor in Washington, D.C.

**John "Jock" Elliott** is chairman emeritus of Ogilvy & Mather in New York, N.Y.

**Thomas W. Evans** is a partner in the law firm of Mudge, Rose, Guthrie, Alexander & Ferdon in New York, N.Y.

**Margaret M. Heckler** is Secretary of the Department of Health and Human Services in Washington, D.C.

**John Cardinal Krol** is Archbishop of Philadelphia, Pa.

**Fred Malek** is executive vice president of the Marriott Corp. in McLean, Va.

**John McClaughry** is president of the Institute for Liberty and Community in Concord, Vt.

**Joyce Miller** is vice president and director of social services for the Amalgamated Clothing and Textile Workers Union in Guttenberg, N.J.

**Robert W. Miller** is president of Freedoms Foundation in Valley Forge, Pa.

**Robert Mosbacher, Jr.** is vice president of Mosbacher Production Co. in Houston, Tex.



**Donald E. Nordlund** is chairman and chief executive officer of A. E. Staley Manufacturing Co. in Decatur, Ill.

**Thomas Pauken** is Director of ACTION in Washington, D.C.

**Samuel R. Pierce, Jr.**, is Secretary of the Department of Housing and Urban Development in Washington, D.C.

**John V. Roach** is chairman and chief executive officer of Tandy Corp. in Fort Worth, Tex.

**Donald F. Sammis** is chairman of the board of the Foundation for Private Sector Innovation in Rancho Santa Fe, Calif.

**Alexander Troubridge** is president of the National Association of Manufacturers in Washington, D.C.

**C. William Verity, Jr.**, is chairman of the executive committee of Armco, Inc., in Middletown, Ohio.

**Dr. Sheldon Weinig** is president of Material Research Corp. in Orangeburg, N.Y.

**Robert Woodson** is president of the National Center for Neighborhood Enterprise in Washington, D.C.

### United States-Belgium Agreement on Social Security

*Message to the Congress Transmitting the Agreement and Related Documents.*  
June 28, 1983

#### *To the Congress of the United States:*

Pursuant to section 233(e)(1) of the Social Security Act as amended by the Social Security Amendments of 1977 (P.L. 95-216, 42 U.S.C. 433(e)(1)), I transmit herewith the Agreement between the United States of America and Belgium on Social Security and the Final Protocol to the Agreement, both signed on February 19, 1982, and the Administrative Agreement for the Implementation of the Agreement and Additional Protocol, both signed on November 23, 1982.

These United States-Belgium agreements are similar in objective to the social security agreements already in force with Italy, the Federal Republic of Germany, and Switzerland. Such bilateral agreements, which are generally known as totalization agreements, provide for limited coordination between the United States and foreign social security

systems to overcome the problems of gaps in protection and of dual coverage and taxation for workers who move from one country to the other.

I also transmit for the information of the Congress a comprehensive report prepared by the Department of Health and Human Services, which explains the provisions of the Agreements and provides data on the number of persons affected by the Agreements and the effect on social security financing as required by the same provision of the Social Security Act.

The Department of State and the Department of Health and Human Services join with me in commending the United States-Belgium Social Security Agreement and related documents.

Ronald Reagan

The White House,  
June 28, 1983.

### Railroad Retirement Board

*Message to the Congress Transmitting a Report.* June 28, 1983

#### *To the Congress of the United States:*

I hereby submit to the Congress the Annual Report of the Railroad Retirement Board for fiscal year 1982, pursuant to the provisions of Section 7(b)(6) of the Railroad Retirement Act, enacted October 16, 1974, and Section 12(l) of the Railroad Unemployment Insurance Act, enacted June 25, 1938.

The Railroad Retirement Board informs me that despite major changes in railroad retirement negotiated by rail labor and management and enacted in the Omnibus Budget Reconciliation Act of 1981, the railroad retirement system faces a serious funding shortfall. In addition, the continuing decline of railroad employment has left the railroad unemployment and sickness system deeply in debt. Prompt legislative action is needed to resolve the serious financial problems facing these systems and assure continued payment of benefits.

Ronald Reagan

The White House,  
June 28, 1983.



THE WHITE HOUSE

WASHINGTON

- try's to get private corps to do in the  
commits, instead of fed quit
- Noth, to prohibit you /
- WH staff - fundraising  
friends
- Not the problem:  
direct calls - \$250+
- not private sector / WH staff seeing  
direct contact in your  
name
- Ed Forgotson ex
- can't use

5/23 : 9:45 - Decision by  
President.

**COPY**

**WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET**

*W4004*  
*Sherrill - direct*

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

Name of Correspondent: Michael P. Costini

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

Subject: Eureka College and fundraising

**ROUTE TO:**

**ACTION**

**DISPOSITION**

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>W Holland</u>	<u>ORIGINATOR</u>	<u>84, 10, 12</u>		<u>C</u>	<u>84, 05, 02 JV</u>
<u>WAT 17</u>	<u>Referral Note:</u>	<u>Ref: 84, 10, 13</u>	<u>SMC</u>	<u>C</u>	<u>A 84, 05, 02 JV</u>
	<u>Referral Note:</u>	<u>  /  /  </u>			<u>  /  /  </u>
	<u>Referral Note:</u>	<u>  /  /  </u>			<u>  /  /  </u>
	<u>Referral Note:</u>	<u>  /  /  </u>			<u>  /  /  </u>

**ACTION CODES:**

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

**DISPOSITION CODES:**

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**FOR OUTGOING CORRESPONDENCE:**

- Type of Response = Initials of Signer
- Code = "A"
- Completion Date = Date of Outgoing

Comments: SMC response by phone

Keep this worksheet attached to the original incoming letter.  
Send all routing updates to Central Reference (Room 75, OEOB).  
Always return completed correspondence record to Central Files.  
Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

THE WHITE HOUSE  
WASHINGTON

May 1, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: SHERRIE M. COOKSEY *smc*

SUBJECT: Eureka College

Michael Castine sent a memorandum on the President's communications with him regarding Eureka College to Dick Darman who forwarded it to you. The memorandum stated that the President was concerned about the financial difficulties of his alma mater and asked Castine if he could advise the appropriate people in the private sector about the College's problems.

Castine called Dr. Gilbert (President of Eureka College) to ascertain the school's financial status; Gilbert confirmed that it was experiencing a cash flow problem. Castine then called Bill Verity (former head of the Private Sector Initiatives Task Force) for suggestions on who should be contracted to assist Eureka College. Verity suggested that Castine put Dr. Gilbert in touch with Bill White of the Mott Foundation; Castine did so.

Castine has informed me that he, Dr. Gilbert and the President are well aware of the fact that members of the White House staff cannot participate in the fundraising efforts of Eureka College. At this point, Castine believes that by putting Dr. Gilbert in touch with representatives of the Mott Foundation (who will advise Eureka College on new fundraising procedures), he has done all that is permissible for him to do on behalf of Eureka College.

Castine will call me if any additional requests on this matter arise.

*I met w/ Dr Gilbert  
& he expressed support  
for and of our "guardians" &  
agrees w/ it. He is on  
guard. P/S pass on to  
Castine & to Coyne -  
No prob's here unless we  
cause them - (White)  
→ 5/1  
done smc  
6/2*



THE WHITE HOUSE

WASHINGTON

May 3, 1984

MEMORANDUM FOR RICHARD DARMAN

FROM: MICHAEL P. CASTINE *Michael Castine*  
PRIVATE SECTOR INITIATIVES

SUBJECT: MEMORANDUM FOR THE PRESIDENT

I would respectfully like to request that the attached memorandum be added to the President's Read File.

The subject is an update about Eureka College and its fundraising problems which the President asked me to look into prior to his trip to China.

A copy has been sent to Fred Fielding and I have had numerous discussions with his staff regarding this issue.

Thank you.

cc: Fred Fielding



THE WHITE HOUSE

WASHINGTON

May 3, 1984

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: MICHAEL P. CASTINE  
PRIVATE SECTOR INITIATIVES

SUBJECT: EUREKA COLLEGE ENDOWMENT

I. SUMMARY

Following our initial conversation I spoke with Dr. Daniel Gilbert, President of Eureka College, to assess the funding situation at the school. The problem appears to be short-term since large sums of money have been pledged but will not be received until next year. The private sector network has been alerted and is eager to help Dr. Gilbert meet the short-term cash flow problem.

II. DISCUSSION

Dr. Gilbert is thankful for your interest and pleased that members of the private sector have been contacted on his behalf. To bring you up to date, the Mott Foundation has representatives meeting with Eureka staff to determine how they may help. Also, numerous members of the business community and former members of the Task Force on Private Sector Initiatives are being asked by Gilbert and his staff to lend assistance. They understand the sensitivity of White House staff being involved with fundraising activities and, therefore, are not relying on us to do more than what is legally permissible.

THE WHITE HOUSE  
WASHINGTON

1984 APR 11 AM 10:19

April 10, 1984

→ FRED FIELDING

MEMORANDUM FOR RICHARD ~~DARMAN~~FROM: MICHAEL P. CASTINE, DEPUTY DIRECTOR  
PRIVATE SECTOR INITIATIVES *MPC*221997 *cu*SUBJECT: EUREKA COLLEGE

This is just to inform you that the President called me last week regarding a cash flow problem at his alma mater, Eureka College. The President was not contacted by Eureka, apparently he learned of it himself.

I have been in touch with Dr. Daniel Gilbert, the President of Eureka, Bill Verity, and Bill White of the Mott Foundation. Mike Redick, Vice President of the Mott Foundation, and a former director of development for the University of Michigan, will be travelling down to Eureka on the 17th of April to review their books and current development programs. He will then devise new strategies for fundraising in the areas of alumni contributions, major donor programs and long range development. He will be reporting back to us after this visit.

Obviously, due to the fundraising nature of this problem, as White House staff we will be limited in our involvement.

The President called me again yesterday to check on the situation and I informed him of these developments. I will continue to keep you apprised of the situation.



THE WHITE HOUSE

WASHINGTON

April 4, 1984

MEMORANDUM FOR JAMES K. COYNE  
SPECIAL ASSISTANT TO THE PRESIDENT  
FOR PRIVATE SECTOR INITIATIVES

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

SUBJECT: "Ronald Reagan Scholarship Program"  
and Related Travel Proposals

You recently raised several questions with this office concerning contemplated travel by you, members of your staff, and members of the President's Advisory Council on Private Sector Initiatives to Japan in connection with the establishment of a scholarship program for United States students to study in Japan. You noted that the program would be known as the "Reagan Scholarships."

As an initial matter I must advise you that it would be inappropriate to name the proposed scholarship program after the President. The White House adheres to a policy of not permitting any government-sponsored or government-endorsed program to be named after the incumbent President, for what I had thought were obvious reasons. Indeed, the White House recently declined a request from another agency to establish a "Reagan Scholarship" program, even though the funds would be provided by private sources. That precedent controls this case.

Travel by you and members of your staff on official business may not be donated by private carriers. The White House Travel Handbook is quite explicit on this point: "Whenever you are traveling on official business of the government, traveling to attend a function, or giving a speech as the representative of the White House, or the Administration, all travel-related expenses must be paid from appropriated funds" (emphasis in original). (The one exception to this rule is discussed infra.) Provision of travel by private carriers would violate rules against supplementation of appropriations, and raise serious conflict of interest concerns in light of the significant regulatory role of the CAB, FAA, and other Federal agencies with respect to the activities of private carriers. You should never contact such carriers about providing free service to you or anyone else, and should terminate any discussions you may have commenced on this topic immediately. The foregoing also



applies to lodging and any other travel expenses. To the extent you may be perceived to have done so, you must immediately cure this impression.

In certain limited circumstances travel expenses may be reimbursed by a 501(c)(3) organization, providing that such reimbursement does not create an actual or apparent conflict of interest. As the White House Travel Handbook makes quite clear, however, such reimbursement "shall never be solicited by a staff member." It is not permissible to inquire of a 501(c)(3) organization concerning the willingness of the organization to pay for official travel. Reimbursement may not be accepted from any organization solicited in violation of this rule.

Furthermore, the statute authorizing payment of official travel expenses by a 501(c)(3) organization does so only for expenses "incident to attendance at meetings." 5 U.S.C. § 4111. The statute does not authorize a 501(c)(3) organization to pay for official travel in general, simply because the organization considers that travel beneficial to its interests. Once again, the White House Travel Handbook is quite explicit: "If you are traveling to attend a training seminar, meeting or conference sponsored by a nonprofit organization granted tax-exempt status under the law (Section 501(c)(3) of the Internal Revenue code), that organization may pay for your normal, reasonable travel expenses under most circumstances unless the acceptance of such expenses creates an actual or apparent conflict of interest with your official duties" (emphasis supplied).

I should note that the rule that official travel must generally be paid for out of appropriated funds prohibits individuals paying for their own official travel. I don't believe your comment that you paid for your official travel to Grenada is quite accurate. When you raised the question of your travel to Grenada with my office, you stated that you were traveling there for "a Christmas week vacation." The travel was accordingly private, not official.

I recognize that it is the unique mission of your office to promote private sector charitable activities. As the foregoing demonstrates, however, your official duties and those of your staff cannot be funded by the private sector as if those duties were themselves charitable in nature.

cc: James A. Baker, III  
Assistant to the President  
Chief of Staff

Michael K. Deaver  
Assistant to the President  
Deputy Chief of Staff



THE WHITE HOUSE

WASHINGTON

April 16, 1984

MEMORANDUM FOR JIM COYNE  
SPECIAL ASSISTANT TO THE PRESIDENT AND  
DIRECTOR OF PRIVATE SECTOR INITIATIVES

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

SUBJECT: Guidelines for Fundraising Activities  
by Members of the President's Advisory  
Council for Private Sector Initiatives

This will respond to your request for guidelines outlining any restrictions on the activities of members of the President's Advisory Council for Private Sector Initiatives (the "Advisory Council") in soliciting resources (either financial or in-kind) from various businesses and organizations in support of various public-private partnerships.

The Advisory Council was established by Executive Order 12427 (attached) to "advise the President, through the White House Office of Private Sector Initiatives, with respect to the objectives and conduct of private sector initiative policies." Under that Executive Order, the Council's functions are purely "advisory"; fundraising is not a stated function of the Council. Hence, the solicitation of resources for public-private partnerships is not a permissible function of the Advisory Council.

WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET

WE

COPY

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

Name of Correspondent: James K. Coyne

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

Subject: Guidance on Private Sector Initiatives Project (+ Fundraising)

ROUTE TO:		ACTION	DISPOSITION		
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Completion Date YY/MM/DD
<u>CWH011</u>		<u>ORIGINATOR</u>	<u>8310613</u>		<u>C 8310613</u>
		Referral Note:			
<u>CWAT11</u>		<u>D</u>	<u>8310613</u>		<u>C 8310613</u>
		Referral Note:			
<u>CWFIEL</u>		<u>S</u>	<u>8310613</u>	<u>FFF</u>	<u>A 8310613</u>
		Referral Note:			
			<u>1 1</u>		<u>1 1</u>
		Referral Note:			
			<u>1 1</u>		<u>1 1</u>
		Referral Note:			

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  - S - Suspended

**FOR OUTGOING CORRESPONDENCE:**

Type of Response = Initials of Signer  
 Code = "A"  
 Completion Date = Date of Outgoing

Comments: May 31 83 copy of FFF memo to James Coyne re: Fundraising also attached

Keep this worksheet attached to the original incoming letter.  
 Send all routing updates to Central Reference (Room 75, OEOb).  
 Always return completed correspondence record to Central Files.  
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.



THE WHITE HOUSE  
WASHINGTON

Date 6.14.83

Suspense Date \_\_\_\_\_

MEMORANDUM FOR: FFF

FROM: **DIANNA G. HOLLAND**

ACTION

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

COMMENT

Sheila would like for you to  
review and sign the  
attached today so that  
Comme will have this  
guidance for the meeting  
tomorrow.



THE WHITE HOUSE  
WASHINGTON

June 13, 1983

MEMORANDUM FOR JAMES K. COYNE  
Special Assistant to the President  
for Private Sector Initiatives

FROM: FRED F. FIELDING Orig. signed by FFF  
Counsel to the President

SUBJECT: Guidance on Private Sector Initiatives Projects

151-780ca

During the past several weeks, we have worked with your staff on numerous projects and responded to general inquiries concerning the scope of their activities. In order to provide you and your staff with more comprehensive guidance, we have collected the subjects on which we have informally opined into the attached memorandum for distribution to, and use by, your staff.

We encourage your staff to continue to consult with us on these subjects; the enclosure is intended only to be a reference guide, not a substitute for the good consultation procedures your staff has established.

FFF:DEW:jlk  
FFFfielding ✓  
DEWilson  
Subject  
Chron



THE WHITE HOUSE

WASHINGTON

June 13, 1983

MEMORANDUM FOR JAMES K. COYNE  
Special Assistant to the President  
for Private Sector Initiatives

Re: Private Sector Initiatives Office

This memorandum provides the Private Sector Initiatives Office with guidance concerning raising money from the private sector and related issues such as receipt of gifts (both institutionally and personally); solicitation for governmental, charitable and political purposes; and the use of volunteers. This memorandum does not, of course, cover every possible situation that might arise in these areas, nor is it intended to be a substitute for the comprehensive guidelines set forth in the White House Standards of Conduct. Please do not hesitate to continue to consult with us as events dictate.

I. Receipt of Gifts

A. The White House Office

The White House Office, of which the Private Sector Initiatives Office is part, does not have authority to accept gifts. This authority can only be conferred by Congress and it has not chosen to give gift receipt power to the White House Office. Therefore, any gift tendered to a staff member for the use of the White House Office (as opposed to a personal gift) must be refused and returned.

The General Services Administration (GSA) has jurisdiction over the East and West Wings of the White House and the Old Executive Office Building. The Administrator of GSA is authorized to accept, on behalf of the United States "unconditional gifts of real, personal or other property in aid of any project or function" within his jurisdiction. 40 U.S.C. § 298a (1976). Persons who want to present gifts intended for use in these areas should be directed to GSA. It must be noted, however, that such gifts cannot be received subject to any conditions whatsoever; the donor cannot be assured that the gift will be used in the White House compound. See 2 Ops. Office of Legal Counsel 349, 351 (No. 78-79, Ap. 27, 1977).

Gifts of furniture and furnishings for use in the White House itself (the Residence) are permitted, 3 U.S.C. § 110 (1976), but White House staff members have no authority to receive them. If such a gift is tendered, it should be immediately returned to the donor with an explanation that the Director of the National Park Service has authority to receive such gifts. Persons desiring to make donations other than furniture and furnishings, such as money, for the Residence should be directed to the Secretary of the Interior. 16 U.S.C. § 6a (1976). See 2 Ops. Office of Legal Counsel 349,350 (78-79, Ap. 27, 1977). If situations in this area arise, please do not hesitate to contact this Office for assistance.

While staff members are not to receive gifts on behalf of the President and First Lady absent prior approval of this Office, unsolicited gifts should be immediately forwarded to the Gift Unit, a section within Presidential Correspondence, for appropriate recordation and handling. White House Staff Manual at A-9 ("Staff Manual").

#### B. Personal Gifts

The White House Standards of Conduct prohibit a staff member from soliciting or accepting a gift, favor, or anything of monetary value from a corporation or person he "knows or has reason to believe" (1) has, or is seeking to obtain, contractual or other business dealings with any department or agency in the Executive branch; (2) conducts activities regulated by any department or agency in the Executive branch; or (3) has any interest which may be substantially affected by the staff member's performance of his job. Staff Manual at E-8. Examples of persons in these categories are those who might be seeking administration assistance on legislation, or seeking regulatory relief. Violations of the White House Standards of Conduct are, generally speaking, also violations of the government-wide standards of conduct, 5 C.F.R. § 735.201a, and, in certain instances, provisions of Title 18, the Criminal Code. See 18 U.S.C. §§ 201-11.

While the Standards of Conduct do not prohibit receipt of gifts of nominal value, such as refreshments or entertainment in the course of a luncheon or dinner meeting on an infrequent basis, they do prohibit receipt of travel expenses and lodging except in certain circumstances. Offers of gifts in this last category should be refused unless approved beforehand by this Office.

#### II. Solicitation

Since the White House Office lacks gift receipt authority, staff members have no reason to solicit money or any other thing of



value for use in the White House or in support of any Governmental programs. Fundraising for charitable or political purposes, of course, are special categories. Activities in these areas are closely regulated and must have the prior approval of this Office. See Staff Manual at E-2, E-3.

Lack of gift receipt authority aside, the Standards of Conduct prohibit staff members from raising money from any person or entity of the type discussed in Section I, B of this memorandum. See Staff Manual at E-8. In practical effect, this rule forecloses almost all fundraising by White House staff members. The possibility for the appearance of trading on one's position here or taking a favorable view toward a particular matter in return for a gift or contribution to an Administration project is simply too great to allow any staff member to undertake fundraising for any purpose without a thorough examination of the matter and prior approval of this Office.

It is important to recognize that these rules also apply to Special Government Employees (SGEs) of the White House Office. SGEs are usually members of Presidential advisory committees and are subject to most of the same rules that apply to full time employees while they are meeting or representing themselves as members of the advisory committee. If, as is currently planned, the Private Sector Initiatives Advisory Committee is attached to the Department of Commerce, then its members will be SGEs of that Department and different rules may apply. In the event questions arise in this area, please contact this Office.

### III. Use of Volunteers

Subject to some limitations, the White House Office has authority to use volunteers. The general rules in this area are that (1) the White House Office may hire employees without compensation; (2) the employees are exempt from the Hatch Act restrictions on political campaigning; and (3) private organizations may, in general, pay the salaries of such employees.

The limitations on the use of volunteers correspond to the general rules. First, there should be a formal document relating to the appointment of the volunteers specifying that they will not receive government compensation. This document should be signed and dated by each volunteer before he or she enters into government service as a precaution against later claims for compensation against the government.

For purposes of the Hatch Act, volunteers to the White House Office are considered to be employees "paid from the appropriation for the office of the President." 5 U.S.C. § 7324(d)(1). The Office of Legal Counsel, Department of Justice, has interpreted "office of the President" to mean the "White House Office"



and such employees are, by statute, not subject to the restrictions on political activity that apply, in general, to all other federal employees. Memorandum for Fred F. Fielding, Counsel to the President, from Theodore B. Olson, Assistant Attorney General, OLC, March 9, 1982 at 5 & n. 4. However, to the extent the volunteers might be to an advisory committee attached to another agency (such as the Department of Commerce), such volunteers would be subject to the Hatch Act.

FFF:DEW:jlk  
FFFfielding  
DEWilson  
Subject  
Chron✓

THE WHITE HOUSE  
WASHINGTON

June 13, 1983

MEMORANDUM FOR FRED F. FIELDING

THROUGH: RICHARD A. HAUSER *RAH*

FROM: D. EDWARD WILSON, JR. *D.E.W.Jr.*

SUBJECT: Fundraising for the President's Private Sector  
Task Force on Private Sector Initiatives

Attached at Tab 1 is a May 27, 1983 memorandum to you suggesting that you send a memorandum to Jim Coyne outlining areas of potential interest to him relating to fundraising from private sources for private sector initiatives projects. After discussing the matter with RAH, a revised format was agreed upon and is attached along with a transmittal memorandum at Tab 2.

THE WHITE HOUSE

WASHINGTON

May 31, 1983

MEMORANDUM FOR JAMES K. COYNE  
Special Assistant to the President  
for Private Sector Initiatives

FROM: FRED F. FIELDING  
Counsel to the President

SUBJECT: Fundraising

The question Craig Fuller recently posed concerning federal funding for Private Sector Initiatives projects led us to review memoranda we have received from the Office of Legal Counsel, Department of Justice, and others on the various aspects of this topic. In view of the broad range of activities you are and will be working on, particularly once the new executive order is finalized and signed, this memorandum outlines areas of potential interest to you relating to raising money from the private sector.

The White House Office does not have authority to accept gifts. While Congress has authorized several departments and agencies (such as the Department of Commerce and the United States Information Agency) to receive gifts, it has never passed legislation giving the White House this power. Absent such legislation, any gift tendered to a staff member for the White House Office (as opposed to a personal gift) must be refused. Acceptance of a gift absent statutory authorization is an illegal augmentation of appropriations. As you will recall, this is a method by which Congress keeps check on the Executive branch.

On a personal level, it is a violation of the White House Standards of Conduct for a staff member to solicit or accept a gift, favor, or anything of monetary value from a corporation or person he "knows or has reason to believe" (1) has, or is seeking to obtain, contractual or other business dealings with any department or agency in the Executive branch; (2) conducts activities regulated by any department or agency in the Executive branch; or (3) has any interest which may be substantially affected by the staff member's performance of his job. White House Staff Manual at E-8. This last category extends to persons who might be seeking administrative help on legislation. Violation of the White House Standards of Conduct are, generally speaking, also violations of the government-wide standards of conduct, 5 C.F.R. § 735.201a, and, in certain instances, provisions of Title 18, the Criminal Code. See 18 U.S.C. §§ 201-11.



This rule bars all White House staff members from soliciting from an entity or person of the type listed in the White House Standards of Conduct (E-8), and for any purpose other than for a recognized charity or non-profit organization. In practical effect, this forecloses any fundraising by a staff member without prior approval of this Office. The possibilities for the appearance of trading on one's position here or taking a favorable view toward a particular matter in return for a gift or contribution to an Administration project is simply too great for any staff member to undertake fundraising without a thorough examination of the matter.

We have, for example, applied this rule to bar White House employees from raising funds for the President's Private Sector Survey on Cost Control. Members of the Survey's Executive Committee were allowed to solicit funds for this project only after the Department of Commerce, which administers the Survey, provided us with a formal opinion on this issue.

The rule does not, of course, prohibit political fundraising by members of the staff paid from the appropriations for the White House Office. Staff Manual at E-2. However, requests from staff members to participate in political fundraising are routinely processed through this Office.

A final topic of possible interest to you is the use of volunteers in the White House. Our authority here contrasts with that applicable to gifts. Unlike many agencies, the White House Office has authority to use volunteers, subject to some limitations. If you foresee opportunities where you might plan to use employees serving without compensation ("WOCs"), please let me know and we will provide you with necessary guidance.

THE WHITE HOUSE

WASHINGTON

May 12, 1983

MEMORANDUM FOR CRAIG L. FULLER  
Assistant to the President  
for Cabinet Affairs

FROM: FRED F. FIELDING <sup>Orig. signed by FFF</sup>  
Counsel to the President

SUBJECT: Memorandum to Secretary Heckler from James Coyne  
re: Partnerships Dataline

At your request, we have reviewed the proposed memorandum to Secretary Heckler asking the Department of Health and Human Services to contribute \$200,000 to "Partnerships Dataline USA," a program developed by the Private Sector Initiatives Office.

In direct response to your request as to the "appropriateness of sending this directive," we see no legal impediment to your requesting the Department of Health and Human Services to participate in this project. As a policy matter, however, we are not convinced that the Federal Government should be involved in providing funds to this enterprise, even though the merit of "Partnerships Dataline USA" is not in dispute.

The Private Sector Initiatives Office was, like the President's Private Sector Survey on Cost Control, established with the idea that it would be funded entirely from the private sector. In view of our continuing requirement that the Grace Commission be self-funded, it might appear incongruous to recommend federal funding, even if only \$200,000, for this project.

If it is decided that the memorandum to Secretary Heckler should be sent, then we would suggest that the typographical error on page two, paragraph 1 be corrected. In the last sentence of that paragraph the word "Administration's" should be changed to "Administration."

FFF:DEW:jlk  
FFFielding  
DEWilson ✓  
Subject  
Chron