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WITHDRAWAL SHEET

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File Folder: W.H. Staff Memos - Legislative Affairs 1/83 - 6/83 [3 of 4] Date: 11/24/98

Box 4

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. Memo	J. Ryan to J. Baker et al via H. Von Damm re: appointment (4 p) <i>(p. 2 partial, p. 3-4 in whole)</i>	4/20/83	<i>P5 B6</i>
2. Resume	Social Security # (1 p, partial)	n.d.	<i>P6 B6</i>
3. Resume	Social Security # (1 p, partial)	n.d.	<i>P6 B6</i>

*(CS)
10/5/00*

RESTRICTION CODES

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

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

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

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

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

WITHDRAWAL SHEET

Ronald Reagan Library

Collection: Baker, James: Files

Archivist: jas

File Folder: W.H. Staff Memos - Legislative Affairs 1/83 - 6/83 [3 of 4] Date: 11/24/98

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. Memo	J. Ryan to J. Baker et al via H. Von Damm re: appointment (4 p)	4/20/83	P5
2. Resume	Social Security # (1 p, partial)	n.d.	P6
3. Resume	Social Security # (1 p, partial)	n.d.	P6

RESTRICTION CODES

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

- P-1 National security classified information [(a)(1) of the PRA].
- P-2 Relating to appointment to Federal office [(a)(2) of the PRA].
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- F-4 Release would disclose trade secrets or confidential commercial or financial information [(b)(4) of the FOIA].
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- F-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA].
- F-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA].

THE WHITE HOUSE
WASHINGTON

KE-
TAB R.F. P/S.
4/8
MDT

April 6, 1983

✓

MEMORANDUM FOR JAMES A. BAKER, III

THRU: KENNETH M. DUBERSTEIN *Ken D.*

FROM: M. B. OGLESBY, *MB*
DAVID L. WRIGHT *DW*

SUBJECT: Soviet Grain Sales

We recognize that there is not a consensus within the Administration at this point on the desirability of negotiating a new long-term grain sales agreement (LTA) with the Soviets.

Given the expiration of the existing agreement on September 30, 1983, we are witnessing renewed interest on the Hill in support of a new LTA. Absent substantial progress by the Administration in the near term, there is a good possibility that LTA legislation will gain momentum on the Hill -- both for political reasons and substantive policy reasons.

FYI.

4/13
~~MDT~~
I want to ask US
When we are on this.
J. A. Baker

THE WHITE HOUSE
WASHINGTON

March 28, 1983

MEMORANDUM TO: ED MEESE
JIM BAKER
MIKE DEEVER

FROM: KEN DUBERSTEIN *Kend.*

SUBJECT: Fred Bernthal/Nuclear Regulatory Commission

It is my understanding that Personnel soon will propose Fred Bernthal for the Republican vacancy as a Member of the Nuclear Regulatory Commission.

This is to advise that Senate Majority Leader Baker has a deep personal interest in Mr. Bernthal being approved for this job.

Guidance, please.

JAB 5-2-83
Be prepared for
a call from
Howard on this.
He wants it!
K.D.

United States Senate

OFFICE OF THE MAJORITY LEADER
WASHINGTON, D.C. 20510

March 1, 1983

The President
The White House
Washington, D.C.

Dear Mr. President:

On June 30, 1983, the term of a member of the Nuclear Regulatory Commission will expire; and I am writing you now to make a special recommendation in behalf of a candidate for appointment to that vacancy.

By tradition, the member of the Commission whose term expires in June has been a scientist. The candidate I propose is an outstanding scientist and a member of my staff, Dr. Fred Bernthal. He would bring exceptional scientific, legislative and public policy credentials to the NRC.

Dr. Bernthal came to my Senate staff four years ago from Michigan State University, where he had been an Associate Professor of Physics and Chemistry. Because of my membership on the Senate Subcommittee on Nuclear Regulation and because of my special relationship to the Oak Ridge nuclear complex, I assigned Dr. Bernthal special responsibility for all nuclear energy matters. In addition, Dr. Bernthal quickly assumed legislative responsibility for all energy, science, technology, and other issues that relate to defense research and development, nuclear programs and all basic and advanced scientific research and development.

His service with me in the Senate spans an unusually significant period. After Three Mile Island, I dispatched Dr. Bernthal to the plant for an inspection and analysis; and his report was extremely valuable. He has closely followed economic developments that brought the hiatus in nuclear power plant construction. He has been my key adviser on regulatory reform, the recent passage of the National Nuclear Waste Policy Act, uranium enrichment, and breeder reactor programs.

His educational preparation for the NRC is excellent. He earned his Ph.D. at the University of California in nuclear chemistry, and did advanced study at Yale and the Niels Bohr Institute in Copenhagen. He has lectured extensively in the U.S., Europe and Japan. He has carried out collaborative research with nuclear scientists at Oak Ridge, Brookhaven, Los Alamos, Lawrence Livermore, and the Argonne National Laboratory.

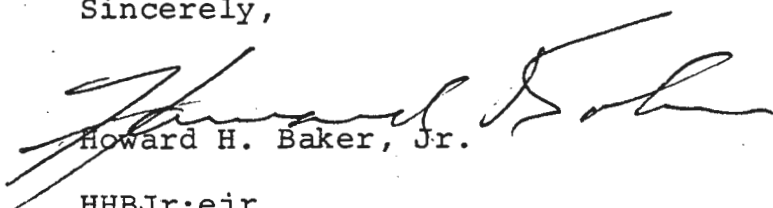
During the last four years on my staff Dr. Bernthal has gained the respect and confidence of members of the Senate and Executive Department on both technical and legislative matters. He has been both a loyal supporter and effective worker in support of the objectives of your Administration in all nuclear matters.

Finally, he is conservative in outlook, Republican by registration (in California in the 1960's, currently in Tennessee), and dedicated by nature.

If you would accept my recommendation to appoint Dr. Bernthal to the Nuclear Regulatory Commission, I am confident that he would be swiftly confirmed by the Senate, and would carry out your objectives in the vital area of nuclear matters for his entire term of service.

I will be most grateful if you would give favorable consideration to the appointment of Dr. Bernthal to the NRC. Thank you.

Sincerely,



Howard H. Baker, Jr.

HHBJr:ejr

Curriculum Vitae of F. M. Bernthal

I. PERSONAL INFORMATION

Name: Frederick M. Bernthal
Present Address: 3001 Veazey Terrace, Apt. 930
Washington, DC 20008
Birth Date: January 10, 1943
Health: Excellent

II. EDUCATION

Valparaiso (Indiana) University	B.S. 1964
University of California, Berkeley	Ph.D. 1969
Yale University	Advanced Study, 1969-70
Niels Bohr Institute, University of Copenhagen	Advanced Study, 1976-77

III. PROFESSIONAL EMPLOYMENT HISTORY

Chief Legislative Assistant, 1980-date; Legislative Assistant, 1978-79
U.S. Senator Howard Baker, Washington, D.C. Responsibilities:

- Represent the Majority Leader and Senator from Tennessee to senior officers of the Executive Branch, U.S. Senate Committees, National Laboratories, and business and industry, especially in matters of technical, scientific, and energy interest.
- Supervisory responsibilities for Sen. Baker's legislative staff and liaison between staff and Majority Leader's Office.
- Scientific advisor, policy analyst, and legislative assistant to Sen. Baker; special oversight responsibility for contracts and programs incident to the Oak Ridge complex, and other major R&D and production facilities in Tennessee.
- Facilitate flow of legislation on floor of Senate, in cooperation with senior legislative staff of other Senators and the Counsel to the Majority Leader.

Associate Professor of Chemistry and Physics, 1975-77; Assistant Professor 1970-75; Michigan State University, East Lansing

- Supervised postdoctoral, graduate, and undergraduate research as group leader at Cyclotron Laboratory; directed research leading to one M.S. and four Ph.D. degrees; independent research at Michigan State produced some 35 publications in scientific journals.

- Research performed under contract awarded in response to proposals submitted to the National Science Foundation and the Department of Energy.
- Taught undergraduate and graduate courses in chemistry and nuclear physics; class size from 8 to 500 students.

Visiting Scientist; Niels Bohr Institute, University of Copenhagen, 1976-77.

Carried out research in nuclear structure physics; research supported in part by NATO Senior Scientist Fellowship; joint research carried out at Gesellschaft für Schwerionenforschung (GSI) in Darmstadt and at the Kernforschungsanlage (KFA) in Jülich, Germany. Lectures and seminars given in East and West Germany, Poland, and Japan.

Staff Postdoctoral Scientist, Yale University, 1969-70

Research at the Yale Heavy Ion Accelerator Laboratory and at the Wright Nuclear Structure Laboratory.

Graduate Research Assistant, Lawrence Berkeley Laboratory, 1965-69

Research leading to the Ph.D. degree in nuclear chemistry and nuclear structure physics under direction of Prof. John O. Rasmussen and in experimental group led by Dr. Jack Hollander and Prof. David Shirley.

Research Aide, Argonne National Laboratory, Summer 1964

IV. AWARDS

NATO Senior Scientist Fellowship, 1977

Congressional Science Fellowship, American Physical Society, 1978-79

V. TRAVEL

Lectures, seminars, and other professional activity in Denmark, France, East and West Germany, Poland, United Kingdom, Greece, Israel, Switzerland, Belgium, The Netherlands, Sweden, and Japan.

Joint research and publications with scientists in West Germany, Denmark, United Kingdom, France, Poland, Israel, and Brazil.

VI. PROFESSIONAL SOCIETIES

American Physical Society
American Chemical Society
Sigma Xi Scientific Research Society
Pi Delta Epsilon Journalism Fraternity

VII. OTHER PROFESSIONAL ACTIVITIES

Four years experience in dealing with Oak Ridge National Laboratory and associated facilities, Tennessee Valley Authority, State of Tennessee, industry, and other laboratories and educational institutions across the country in identifying and promoting research and development policy directions and obtaining support, both political and financial, to achieve those objectives. Major responsibility for aspects of national nuclear energy program planning and policy, especially as related to uranium enrichment, the breeder reactor, and nuclear waste.

Assisted municipal and industrial leaders seeking to obtain support for construction of synthetic fuels and fossil fuels facilities; involvement ranging from broad policy analysis to financial analysis incident to capitalizing projects.

Four or five dozen invited lectures, colloquia, delivered papers, and talks to motivate and entertain given in the U.S., Europe, Japan, and of course Tennessee.

Selection Committees for Congressional Science Fellows for the American Physical Society and the American Association for the Advancement of Science.

VIII. PUBLICATIONS

Over 40 publications in refereed professional journals. Representative publication reprints can be supplied on request. Most recent publication in 1982.

IX. PERSONAL INTERESTS

Writing, music, photography, skiing, tennis

X. REFERENCES

Will supply names of references as appropriate on request.

THE WHITE HOUSE

WASHINGTON

April 20, 1983

MEMORANDUM FOR THE PRESIDENT

FROM: Helene von Damm

SUBJECT: Appointment of Raymond J. O'Connor
as Commissioner (R) of the Nuclear
Regulatory Commission

Jim Baker, Ed Meese, Michael Deaver and I recommend that you appoint Raymond J. O'Connor as Commissioner (R) of the Nuclear Regulatory Commission.

Mr. O'Connor is currently Executive Vice President and Director of the Energy Group, Corporate Finance Department of Prudential-Bache Securities Inc. (New York, since 1975). Previously he was: Vice President, Energy Systems Department, CitiBank, N.A. (New York, 1968-75); Assistant to Vice President, The Southern Company (New York, 1965-68); and Staff Attorney then Staff Assistant to Treasurer, Consolidated Edison Company (New York, 1959-65). Mr. O'Connor also served on the President's Private Sector Survey, Energy Task Force (head of NRC/FERC studies) in 1982; the Land Remote Sensing Satellite Advisory Committee, Commerce Department, 1982-83; the Atomic Industrial Forum Ad Hoc Committee on President's Economic Plan in 1975; and the Federal Power Commission's Finance Committee of the National Gas Survey in 1973. He has lectured for the Irving Trust Company Public Utility Seminar since 1976.

Raymond J. O'Connor received a BA degree from the University of Dayton in 1954, a JD degree from St. John's University (Law Review) in 1959, and a LLM degree from New York University in 1968. He served in the U.S. Army from 1954 to 1956, and is fifty years of age.

Fred Fielding is initiating name checks on Raymond J. O'Connor. Ken Duberstein and our office are in the process of clearing him legislatively and politically. His nomination will not be forwarded to the Senate until a full FBI investigation is completed.

More biographical information on Raymond J. O'Connor is attached. (See Tab A)

APPROVED _____ DISAPPROVED _____

Tab A: Bio and resume

THE WHITE HOUSE

WASHINGTON

April 20, 1983

MEMORANDUM TO: James A. Baker III
Edwin Meese III
Michael K. Deaver

THROUGH: Helene von Damm

FROM: Joe Ryan

SUBJECT: Raymond J. O'Connor
Commissioner (R)
Nuclear Regulatory Commission
Full-time, PAS, Level IV (\$67,200)

POSITION: The Nuclear Regulatory Commission (NRC) licenses and regulates the uses of nuclear energy to protect the public health and safety and the environment. Commissioners are involved in such matters as licensing persons and companies to build and operate nuclear reactors and to own and use nuclear materials. They also participate in making rules and setting standards for licenses, and oversee the inspection of the activities of the persons and companies licensed to ensure that they do not violate the safety rules of the Commission.

RESPONSIBILITIES: The position of Commissioner requires that the nominee be experienced in the issues dealt with by the Commission.

DISCUSSION OF CANDIDATES: Five candidates were seriously considered for the upcoming Republican vacancy. The backgrounds and qualifications of each are discussed below.

Raymond J. O'Connor is the candidate recommended by the Office of Presidential Personnel. Jay Keyworth and John Marcum of his staff both consider O'Connor to be "head and shoulders" over the other candidates. Chairman Palladino also feels that O'Connor would bring considerable strength to the Commission. This opinion is also shared by Tom Roberts, the other Republican Commissioner. The Office of Presidential Personnel (Joe Ryan) concurs.

Mr. O'Connor brings to the Commission the perspective of a mature, seasoned business executive from the Wall Street community who has been involved in corporate finance in the utilities industry. His experience, shown

on his resume, is relevant to the needs of the Commission. He also understands the Commission from his first hand involvement at NRC as the lead person for the President's Private Sector Survey on Cost Control. He has not conducted a campaign for this appointment. However, he has broad based utilities industry support including Fred Webber of the Edison Electric Institute. Representative Tom Corcoran of Illinois is among his strong supporters. Industry executives have spoken on his behalf to Senators Stafford, Domenici, Symms, Simpson, McLure and D'Amato. He has held back, however, in seeking their support.

Politically, Mr. O'Connor is a Republican Eagle, a Charter Member of the Cabinet Club, a Charter Member of the 500 Club, a supporter of the Republican Presidential Task Force, the National Congressional Committee, and the Lew Lehreman Campaign for Governor of New York.

He would make a hell of a quality appointment, and would be a very attractive candidate for Chairman when Joe Palladino's term expires in 1986.

~~REDACTED~~

~~REDACTED~~

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THIS FORM MARKS THE FILE LOCATION OF ITEM NUMBER 2 LISTED ON THE
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PARTY AFFILIATION: Republican

CURRENT ADDRESS:
154-21 Powells Cove Blvd
White Stone, NY 11357
PHONE: BUS: 212-791-1000
RES: 212-767-1436

THE WHITE HOUSE
WASHINGTON

FULL NAME: Raymond J. O'Connor

SSN: [REDACTED]

POSITION: Commissioner (R)
Nuclear Regulatory Commission

SEX: Male

VOTING ADDRESS:
154-21 Powells Cove Blvd.
White Stone, NY 11357

RACE: HISPANIC ___ BLACK ___
AMERICAN INDIAN ___
CAUCASIAN X
ASIAN ___

AGE: 50

BIRTHDATE: 9/16/32

EDUCATION: BA, University of Dayton (Political Science), 1954
JD, St. John's University (Law Review), 1959
LLM, New York University (Corporate Law), 1968

MILITARY SERVICE:
U.S. Army, 1954-56

CAREER SUMMARY:

- 1975-Pres: Manager, Senior Vice President, Executive Vice President and Director of Energy Group, Prudential-Bache Securities Inc., New York
- 1968-1975: Vice President, Energy Systems Department, CitiBank, N.A., New York
- 1965-1968: Assistant to Vice President, The Southern Company, New York
- 1959-1965: Staff Attorney, Staff Assistant to Treasurer, Consolidated Edison Company, New York (Continued below)

PREVIOUS GOVERNMENT SERVICE:

Indicated by asterisks (*) in Career Summary.

CURRENT POSITION: Executive Vice President and Director of Energy Group-Corporate Finance Dept., Prudential-Bache Securities Inc.

FAMILY: Married, 4 children

NATIVE CITY/STATE: Queens County, New York

SPECIAL HONORS, AWARDS OR ITEMS OF INTEREST:

- Director, Prudential-Bache Securities, Inc, Money Mart Assets Inc., and Chancellor Tax-Managed Utility Fund, Inc.
- Member, The Bond Club of New York, Inc., New York Bar, Allied Member of New York Stock Exchange

CAREER SUMMARY CONTINUED:

- *President's Private Sector Survey-Energy Task Force-Head NRC/FERC studies in 1982.
- *Land Remote Sensing Satellite Advisory Committee, Dept. of Commerce, 82-83
- Irving Trust Co. Public Utility Seminar, Lecturer, 1976-Present.
- Public Utility Reports Inc., Second Annual Utility Financing Seminar, 1981
- Securities Industry Assoc., Regulated Industries Committee, 1977-Pres.
- *Atomic Industrial Forum Ad Hoc Committee on President's Economic Plan, 75
- *Federal Power Commission, Finance Committee of National Gas Survey, 1973.

RAYMOND J. O'CONNOR

EDUCATION

University of Dayton
B.A. degree, Political Science, 1954
St. John's University
J.D. degree, 1959 (Law Review)
New York University
LL.M. degree, Corporate Law, 1968

BUSINESS HISTORY

1975 to Present	<u>PRUDENTIAL-BACHE SECURITIES INC.</u> , New York, N.Y. <i>212-771-1000</i> <i>H 212-767-1430</i>
June 1981 to Present	Executive Vice President Director, Energy Group - Corporate Finance Department
1975 to June 1981	Senior Vice President Manager, Public Utility Corporate Finance Department
1968 to 1975	<u>CITIBANK, N.A.</u> , New York, N.Y. Vice President Energy Systems Department
1965 to 1968	<u>THE SOUTHERN COMPANY</u> , New York, N.Y. Assistant to Vice President
1959 to 1965	<u>CONSOLIDATED EDISON COMPANY</u> , New York, N.Y. 1962 to 1965 Staff Assistant to Treasurer Treasury Department 1959 to 1962 Staff Attorney Legal Department

INDUSTRY ACTIVITIES - PAST AND PRESENT

President's Private Sector Survey - Energy Task Force - Head of NRC/FERC Studies (1982)
Land Remote Sensing Satellite Advisory Committee - U.S. Department of Commerce (1982-83)
Irving Trust Company Public Utility Seminar, Lecturer (1976 to Present)
Public Utility Reports Inc., Second Annual Utility Financing Conference, Feb. 1981
Securities Industry Association, Regulated Industries Committee (1977 to Present)
Atomic Industrial Forum Ad Hoc Committee on President's Economic Plan (1975)
Federal Power Commission's Finance Committee of the National Gas Survey (1973)

DIRECTORSHIPS AND MEMBERSHIPS

BOARD OF DIRECTORS

Prudential-Bache Securities Inc.
Money Mart Assets Inc.
Chancellor Tax-Managed Utility Fund, Inc.

MEMBERSHIPS

The Bond Club of New York, Inc.
Member, New York Bar
Allied Member, New York Stock Exchange

COMMISSIONER (R)

NUCLEAR REGULATORY COMMISSION

Other Candidates Seriously Considered

Frederick Bernthal

Eric S. Beckjord

Douglas K. Olson

James Tourtellotte

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WITHDRAWAL SHEET AT THE FRONT OF THIS FOLDER.

THE WHITE HOUSE
WASHINGTON

CURRENT ADDRESS:
3001 Veazey Terrace, Apt. 930
Washington, DC 20008
PHONE: BUS: 224-4944
RES: 244-1041

FULL NAME: Frederick M. Bernthal
POSITION: Commissioner (R)
Nuclear Regulatory Commission

SSN: [REDACTED]
SEX: Male
RACE: HISPANIC ___ BLACK ___
AMERICAN INDIAN ___
CAUCASIAN X
ASIAN ___

VOTING ADDRESS: Oakridge, TN

AGE: 40

BIRTHDATE: 1/10/43

EDUCATION: BS, Valparaiso (Indiana) University, 1964
PhD, University of California, Berkeley, 1969
Advanced Study, Yale University 1969-70
Advanced Study, Niels Bohr Institute, University of Copenhagen, 1976-7

MILITARY SERVICE:
NA

CAREER SUMMARY:

1978-Pres: Legislative Assistant, then Chief Legislative Assistant for Senator Howard Baker
1970-75: Assistant Professor then Associate Professor of Chemistry and Physics, Michigan State University
1976-77: Visiting Scientist, Niels Bohr Institute, University of Copenhagen
1969-70: Staff Postdoctoral Scientist, Yale University
1965-69: Graduate Research Assistant, Lawrence Berkeley Laboratory
Summer 1974: Research Aide, Argonne National Laboratory

PREVIOUS GOVERNMENT SERVICE:

1978-Pres: Legislative Assistant, then Chief Legislative Assistant for Senator Howard Baker

CURRENT POSITION: Chief Legislative Assistant for Senator Howard Baker

FAMILY: Single, 1 child by previous marriage

NATIVE CITY/STATE: Sheridan, Wyoming

SPECIAL HONORS, AWARDS OR ITEMS OF INTEREST:

1977, NATO Senior Scientist Fellowship
1978-79, Congressional Science Fellowship, American Physical Society
Member, American Physical Society, American Chemical Society, Scientific Research Society of Sigma Xi
Author of more than 40 scientific publications, has lectured extensively in the US and abroad

Curriculum Vitae of F. M. Bernthal

I. PERSONAL INFORMATION

Name: Frederick M. Bernthal
Present Address: 3001 Veazey Terrace, Apt. 930
Washington, DC 20008
Birth Date: January 10, 1943
Health: Excellent

II. EDUCATION

Valparaiso (Indiana) University	B.S. 1964
University of California, Berkeley	Ph.D. 1969
Yale University	Advanced Study, 1969-70
Niels Bohr Institute, University of Copenhagen	Advanced Study, 1976-77

III. PROFESSIONAL EMPLOYMENT HISTORY

Chief Legislative Assistant, 1980-date; Legislative Assistant, 1978-79
U.S. Senator Howard Baker, Washington, D.C. Responsibilities:

- Represent the Majority Leader and Senator from Tennessee to senior officers of the Executive Branch, U.S. Senate Committees, National Laboratories, and business and industry, especially in matters of technical, scientific, and energy interest.
- Supervisory responsibilities for Sen. Baker's legislative staff and liaison between staff and Majority Leader's Office.
- Scientific advisor, policy analyst, and legislative assistant to Sen. Baker; special oversight responsibility for contracts and programs incident to the Oak Ridge complex, and other major R&D and production facilities in Tennessee.
- Facilitate flow of legislation on floor of Senate, in cooperation with senior legislative staff of other Senators and the Counsel to the Majority Leader.

Associate Professor of Chemistry and Physics, 1975-77; Assistant Professor 1970-75; Michigan State University, East Lansing

- Supervised postdoctoral, graduate, and undergraduate research as group leader at Cyclotron Laboratory; directed research leading to one M.S. and four Ph.D. degrees; independent research at Michigan State produced some 35 publications in scientific journals.

- Research performed under contract awarded in response to proposals submitted to the National Science Foundation and the Department of Energy.
- Taught undergraduate and graduate courses in chemistry and nuclear physics; class size from 8 to 500 students.

Visiting Scientist; Niels Bohr Institute, University of Copenhagen, 1976-77

Carried out research in nuclear structure physics; research supported in part by NATO Senior Scientist Fellowship; joint research carried out at Gesellschaft für Schwerionenforschung (GSI) in Darmstadt and at the Kernforschungsanlage (KFA) in Jülich, Germany. Lectures and seminars given in East and West Germany, Poland, and Japan.

Staff Postdoctoral Scientist, Yale University, 1969-70

Research at the Yale Heavy Ion Accelerator Laboratory and at the Wright Nuclear Structure Laboratory.

Graduate Research Assistant, Lawrence Berkeley Laboratory, 1965-69

Research leading to the Ph.D. degree in nuclear chemistry and nuclear structure physics under direction of Prof. John O. Rasmussen and in experimental group led by Dr. Jack Hollander and Prof. David Shirley.

Research Aide, Argonne National Laboratory, Summer 1964

IV. AWARDS

NATO Senior Scientist Fellowship, 1977

Congressional Science Fellowship, American Physical Society, 1978-79

V. TRAVEL

Lectures, seminars, and other professional activity in Denmark, France, East and West Germany, Poland, United Kingdom, Greece, Israel, Switzerland, Belgium, The Netherlands, Sweden, and Japan.

Joint research and publications with scientists in West Germany, Denmark, United Kingdom, France, Poland, Israel, and Brazil.

VI. OTHER PROFESSIONAL ACTIVITIES

- Selection Committees for Congressional Science Fellows for the American Physical Society and the American Association for the Advancement of Science
- Four years experience as principal liaison for Sen. Baker with Oak Ridge National Laboratory and associated facilities, the Tennessee Valley Authority, State of Tennessee, industry, and other laboratories and educational institutions across the country in identifying and promoting R&D policy directions and obtaining support, both political and financial, to meet those objectives.
- Principal responsibility for Sen. Baker for aspects of national nuclear energy program planning and policy, especially as related to nuclear regulation, uranium enrichment, the breeder reactor, and nuclear waste.
- Experience in assisting municipal and industrial leaders seeking to obtain support for construction of synthetic fuels and fossil fuels facilities, with involvement ranging from broad policy analysis to financial analysis incident to capitalizing projects.
- Some fifty invited lectures, colloquia, delivered papers, and talks to motivate and entertain given in the U.S., Europe, Japan, and Tennessee; subject matter including nuclear physics research, the future and prospects for nuclear fission and fusion power, federal R&D policy, Senate perspective on energy and R&D legislation, and the role of the majority leader in the U.S. Senate.
- Served as referee for scientific papers submitted for publication in *Physical Review*, *Physical Review Letters*, and *Nuclear Physics*, and for research proposals submitted to the National Science Foundation.

VII. PUBLICATIONS

Over 40 publications in refereed professional scientific journals, primarily in *Physical Review C*, *Nuclear Physics*, *Physical Review Letters*, and *Physics Letters*. Representative recent publications:

Evidence for Hexadecapole Vibrations in $A=170$ Deformed Nuclei; New Results for ^{168}Yb

P. M. Walker, J. L. S. Carvalho, and F. M. Bernthal
Phys. Lett. 116B (1982) 393.

$^{194,196,198}\text{Pt}(p,p')$ Reactions at 35 MeV

P. T. Deason, C. H. King, R. M. Ronningen, T. L. Khoo, F. M. Bernthal, and J. A. Nolen, Jr.
Phys. Rev. C 23 (1981) 1414.

VIII. PROFESSIONAL SOCIETIES

American Physical Society
Sigma Xi Scientific Research Society
Pi Delta Epsilon Journalism Fraternity
American Chemical Society
The John M. Clayton Society

IX. PERSONAL INTERESTS

Music, writing, skiing, tennis, photography

X. REFERENCES

Will supply names of references on request.

BIOGRAPHICAL SKETCH AND EMPLOYMENT HISTORY

F. M. Bernthal

Fred M. Bernthal was born in Sheridan, Wyoming on January 10, 1943. In 1949 he moved to Wayne, Nebraska, where he attended primary and secondary school. He received the B. S. degree in chemistry, with distinction, in 1964 from Valparaiso (Indiana) University. In his terminal year there, he received the President's Award, and as student body president was chief administrative officer for all student activities and publications.

In the summer of 1964, he was an employee of the Argonne National Laboratory, and that fall he went on to graduate school at the University of California at Berkeley. He was employed there first as a teaching assistant, and then as research assistant until completing his Ph.D. degree in nuclear chemistry in 1969. During that period, he began a career of basic research in nuclear physics which has continued to the present time. In February of 1969, he accepted an appointment to the research staff of Yale University, where for 18 months he continued his research activity.

In September, 1970 he was appointed Assistant Professor of Chemistry and Physics at Michigan State University, and in 1975 he was promoted to Associate Professor and granted tenure. He took a sabbatical leave in the 1976-77 academic year for research and advanced study at the Niels Bohr Institute of Copenhagen University, and was awarded a NATO Senior Scientist Fellowship that year.

As a professor at Michigan State, Dr. Bernthal led a research group of graduate and postdoctoral students, and was responsible for obtaining funding to support that research. Four students obtained Ph.D. degrees under his tutelage, and one an M.S. degree. In addition to his teaching duties, he lectured to numerous groups on the subject of fission and fusion energy prospects and problems. During his sabbatical year in Denmark, he traveled to Japan, Israel, Poland, East and West Germany, Greece, and the United Kingdom, lecturing frequently, and carrying out research in Germany and Denmark.

Bernthal returned to Michigan State for the 1977-78 academic year, and in 1978 he was named Congressional Science Fellow of the American Physical Society. He joined the staff of Senator Howard Baker that year as Legislative Assistant for energy, science, and technology issues. Since then he has held lead staff responsibility for legislative matters within the jurisdiction of the Senate Committees on Energy and Natural Resources; Nuclear Regulation Subcommittee of Environment and Public Works; Science Technology and Space Subcommittee of the Commerce Committee, and the research and development function of the Armed Services Committee.

Biographical and Employment Sketch
Page 2

During the period of Senator Baker's campaign for the Presidential Nomination in 1979 and 1980, Dr. Bernthal developed policy and position papers on energy and technology issues. He took leaves to assist in the brief campaign in Oklahoma and New Hampshire, and was principal organizer of the effort in Manchester, N.H. He has also collaborated with staff of the Republican Policy Committee in developing Party positions on energy issues.

In April of 1980, Bernthal assumed duties as Chief Legislative Assistant to Senator Baker, with supervisory responsibility for the Senator's legislative staff, while retaining his previous responsibilities in technical and energy-related areas. In December of 1980 he resigned from the faculty of Michigan State University.

Since that time, Bernthal has assisted the Majority Leader in liaison with Senate Committees and Administration departments and agencies, while continuing as Chief Legislative Assistant.

Bernthal is a member of the American Physical Society, the American Chemical Society, and the Scientific Research Society of Sigma Xi. The author of more than 40 scientific publications, he has lectured extensively in the U.S. and abroad.

RESUME

ERIC S. BECKJORD 627 East Sixth Street, Hinsdale, Illinois 60521
(312) 887-7679 (Home): (312) 972-8987 (Office)

Personal - Birthdate 2/17/29; married; 4 children; 5'7"; 145 lbs;
excellent health

Education - Harvard College, A.B. cum laude Physics, 1951; Massachusetts
Institute of Technology, M.S. in Electrical Engineering, 1956;
Harvard Business School, Program for Senior Managers in
Government, 1977

CAREER EXPERIENCE

National Laboratory (1980 to present)

Deputy Laboratory Director for Science and Technology, Argonne National
Laboratory operated by the University of Chicago for the U.S. Department of
Energy (DOE), 3/80 to present. Reports to Walter E. Massey, Director.
Manages the applied research programs at Argonne, including the nuclear,
fossil, solar, magnetic fusion energy, conservation, and energy storage
programs. Responsible for oversight of all science and technology within
Laboratory. Performs liaison with the University of Chicago, and acts for
the Director in his absence. Activities have focused on improving quality
of program and resource management, and responsiveness to DOE program
directors. Key role in developing new contract for the Laboratory between
DOE and the University of Chicago. Lead role Laboratory reorganization
planning. Active also in increasing interaction between Laboratory and
universities and engineering schools, and in interaction with industry.

Government (1975-1980)

U.S. International Nuclear Fuel Cycle (INFCE) Coordinator, U.S. Department
of Energy, 10/78 to 3/80. Reported to John Deutch, Under Secretary, and to
Ambassador Gerard Smith in the Department of State. Acted as executive
officer to INFCE Management Committee, and coordinated DOE, Department of
State, and Arms Control and Disarmament Agency activities on INFCE.
Organized U.S. delegations and served as delegate to international meeting
involving 54 nations and 4 international agencies; responsible for
preparation of technical position papers. The INFCE Report is an important
milestone in international development of nuclear energy for peaceful
purposes.

Director, Division of Nuclear Power Development, DOE, 11/77 to 9/78.

Directed DOE development programs for Light Water Reactors, nuclear fuel
cycle, High Temperature Gas Reactors, and research reactors in support of
commercial application of nuclear power. Main accomplishments included:
the program for LWR fuel utilization improvements to conserve uranium;
developing the spent fuel pool storage program; new LWR reactor safety
program for emergency system improvement and reduction of occupational
radiation exposure; technical reorientation of the HTGR program;
implementing the development program to reduce the enrichment of research
reactor fuels for non-proliferation purposes.

Director, Division of Reactor Development and Demonstration, U.S. Energy Research and Development Administration, 3/76 to 10/77. Directed Liquid Metal Fast Breeder Reactor and Clinch River Breeder Reactor Programs. Responsibilities included overall management of programs, projects, contracts, planning, budgets, and testimony before the Office of Management and Budget, and Congress. Implemented management actions through a staff of 250 ERDA employees, four National Laboratories, and six corporate contractors. Worked closely with top electric utility executives and the Electric Power Research Institute. Research Institute to establish a joint Government-industry breeder development project. Headed U.S. delegations on technology exchange with the principal industrial countries. Main accomplishments included development of program and project goals; reorienting program R&D goals; improving budget and schedule performance.

Associate and Deputy Director for Policy Evaluation, Office of Nuclear Affairs, Federal Energy Administration, 12/75 to 2/76. Developed policies for nuclear power plant licensing and uranium enrichment.

Industry (1956-1975)

Manager, Strategic Planning, Nuclear Energy Divisions, Westinghouse Electric Corp., 1/75 to 11/75. Reported to Divisions Vice President. Developed first strategic business plan for the nine Westinghouse nuclear divisions involved in the design and manufacture of equipment and fuel for nuclear power generation.

Director, Uranium Enrichment Operations, Westinghouse, 6/73 to 12/74. Reported to Executive Vice President. Directed Westinghouse participation in Uranium Enrichment Associates, and evaluated centrifuge manufacturing business opportunities.

Vice President and Technical Director, Westinghouse Nuclear Europe, Brussels, Belgium, 11/70 to 5/73. Played key role in founding company, business development, and interaction with safety authorities in Western Europe.

Engineering Manager, Westinghouse Pressurized Water Reactor Systems Division and Nuclear Fuel Division, 12/63 to 10/70. Held the top engineering positions in these divisions during the period of launching the commercialization of nuclear power plants. Responsible for reactor safety and licensing.

Project and Development Engineer, General Electric Company, 1/56 to 11/63. Safety and control system development for GE's boiling water reactor plants; conducted safety tests on Dresden I reactor, and on the Experimental Boiling Water Reactor while on loan to Argonne National Laboratory (1956-1957). Advanced reactor development 1960-1963.

Naval Service (1951-1954)

LT(jg), U.S.N.R., destroyer duty as deck and gunnery officer.

Other Activities

Witness - Witness with 18 years of experience giving briefings and testimony before DOE and ERDA management, the Office of Management and Budget, budget and authorization committees of the U.S. Congress, Nuclear Regulatory Commission, Atomic Energy Commission and Hearing Boards; corporate policy and budget committees; and public meetings on energy policy.

Papers and Presentations

About 20 speeches to general and professional groups on U.S. energy policies and programs. 30 reports, technical articles, and professional society papers on nuclear reactor development.

Professional Societies and Memberships

Deputy Chairman, American Nuclear Society Honors and Awards Committee.
Member, Industrial Research Institute Committee on Technology Transfer, 1980
Member, Executive Committee, American Nuclear Society Power Division and Nuclear Fuel Cycle Division, 1978-80.
Member, U.S. Delegation to the USSR on Peaceful Uses of Nuclear Energy, 1976.
Member, Societe Royale des Ingenieurs et des Industriels, Belgium, 1972.
Vice President and President-elect, Belgian Section of American Nuclear Society, 1972.
U.S. Delegation Member, World Energy Conference, Bucharest, Rumania, 1971.
Atomic Industrial Forum: Uranium Enrichment Committee, 1970-1971.
Atomic Industrial Forum: Safety Committee Member, 1966-1968, 1970.
Atomic Energy Commission: Water Reactor Core Cooling Task Force, Member and Spokesman, 1966-1967.
Member Saxton (Pennsylvania) Reactor Safety Committee, 1964-68.
Institute of Electrical and Electronic Engineers: Member 1956 to present, elected Senior Member, 1975.

Technical Standards Activities

Member, American Standards Institute N-5
Reactor Standards Steering Committee (1968-1969)
Chairman and organizer of American Standards Institute N-6
Committee on Reactor Safety Criteria (1965-1968)
Chairman and Member of American Standards Institute
N-4 reactor control and instrumentation subcommittee (1964-1965)

Honors and Awards

U.S. Energy Research and Development Administration Special Achievement Award, December 1976.
Elected Fellow of American Nuclear Society, 1974.
Sigma Xi Scientific Society, elected 1956.

Guest Lectures

British Nuclear Engineering Society, 1977.

Massachusetts Institute of Technology Reactor Safety Course,
1966 and 1967.

Institute for Atom Energy, Kjeller, Norway, 1962, on Boiling Water Reactor
Stability

A. B. Atomenergi, Studsvik, Sweden, 1962, on Boiling Water Reactors

Community Activities

St. Alban's Church, Washington, DC, adult discussion leader.

Calvary Episcopal Church, Pittsburgh, Pennsylvania; vestryman 1970
and 1975.

Phillips Exeter Academy Alumni Association of Western Pennsylvania:
President, 1975-1976.

Republican Committeeman, 14th Ward, Pittsburgh, PA, 1968-1970.

Shady Lane School, Pittsburgh: Member, Board of Trustees, 1969-1970.

St. Edmund's Academy, Pittsburgh: Member, Board of Trustees, 1967-1969.

California Republican State Central Committee, 1962-1963.

Harvard Club of Santa Clara County: President, 1963.

President, Young Republican Club of Los Gatos, CA, 1961.

Eric S. Beckjord
Political Background

I am a life-long Republican, from a family of the same, as is my wife, Caroline G. Beckjord. My father, Walter C. Beckjord, a public utility executive, was a business associate and political supporter of Wendell Wilkie.

I became active in Republican politics, beginning in 1957 in Los Altos, California, ringing door bells, writing letters, telephoning, arranging transportation for voters to the polls, etc. I joined the Young Republicans of Santa Clara County, and was elected Vice President of the Los Altos Chapter in 1959, and President of the Los Gatos-Saratoga Chapter in 1961.

I worked on several campaigns for Congressman Charles S. Gubser. He appointed me to be his alternate to the California State Republican Central Committee in 1962. I enclose copies of several letters addressed to me from Congressman Gubser, Chairman Caspar Weinberger, State Senator Clark Bradley, Assemblyman Houston Flournoy, and Assemblyman George Miliias. In addition, my wife, Caroline also participated in these activities and the two of us worked in the presidential campaign of 1960 in Santa Clara County.

A job opportunity took us from California to Pittsburgh in 1964. We renewed our political work there, and I was elected to be a Republican Committeeman of the 14th Ward in Pittsburgh, in the 32nd District of Allegheny County in 1968. I served enthusiastically under the Chairmanship of Elsie Hillman during 1968-1970, working at the grass roots, doing voter registration, getting voters out on election days, poll watching, and participating in ward, city, and county Republican meetings.

We moved to Brussels, Belgium in 1971 because of my work, and lived there until 1973. We participated in Republican Party affairs within the American community in Brussels during the 1972 Presidential campaign.

I was again active in GOP affairs in Pittsburgh during 1973-1975, doing much of the same work. In 1975, Frank Zarb appointed me Associate (and Deputy) Director of the Office of Nuclear Affairs in the Federal Energy Administration. In 1976, I became Director of the Division of Reactor Development and Demonstration under Bob Seamans, Administrator of the Energy Research and Development Administration.

As a GS-18 civil servant during the period 1975-1980, I could not actively engage in politics. However, I continued to register and vote Republican. Caroline worked for the election of Dick Thornburgh as Governor of Pennsylvania in 1977. We have known Dick and Ginny since 1964 in Pittsburgh.

At this point I should interject that my brother, Walter E. Beckjord, has long been active in state and local politics in Cincinnati, Ohio. He was elected to the City Council as a Republican, and has served several terms as Councilman. In 1981, he ran in the Republican Primary as a candidate for U.S. Senate.

I moved to Hinsdale, Illinois to become Deputy Director of the Argonne National Lab just prior to the 1980 elections. However, my wife and I were able to register and vote in the November elections. We were strong supporters of President Reagan.

Eric S. Beckjord
January 16, 1983

NRC

WILKES, ARTIS, HEDRICK & LANE

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RESUME

Douglas K. Olson

PRESENT EMPLOYMENT

COUNSEL, WILKES, ARTIS, HEDRICK & LANE, A CHARTERED CORPORATION (previously partner, Hedrick and Lane). Specializing in energy law before the Department of Energy, Federal Energy Regulatory Commission and the Nuclear Regulatory Commission, and government contract law before the Department of Energy, Department of Defense, the United States Court of Claims and the General Accounting Office.

PREVIOUS EMPLOYMENT

SENIOR COUNSEL, SOLAR ENERGY RESEARCH INSTITUTE, A DEPARTMENT OF ENERGY LABORATORY OPERATED BY MIDWEST RESEARCH INSTITUTE. January, 1979 to December, 1979. Established, structured and managed the Office of Counsel and performed as house counsel by advising the Director on legal problems of the organization. Particular emphasis was placed on the unique legal authority of the laboratory to act on behalf of the United States Government.

ATTORNEY (GS15), OFFICE OF THE ASSISTANT GENERAL COUNSEL FOR ENERGY TECHNOLOGY AND RESOURCE APPLICATIONS, DEPARTMENT OF ENERGY. October, 1977 to December, 1978. Primary responsibility was to act as legal advisor to the Assistant Secretary for Energy Technology for non-nuclear program activities, and to provide legal support for the non-nuclear activities of the Director of the Office of Energy Research.

ATTORNEY, PROGRAM DEVELOPMENT, OFFICE OF GENERAL COUNSEL, ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION. July, 1975 to September, 1977. Provided program support to Offices for Solar Energy, Conservation, and Industrial Relations. Special projects included lead counsel role in development of innovative Cooperative Agreement for joint ventures with industry, preparation of a Grant and Cooperative Agreement Manual, development of an Independent Inventor Program, and an Energy Extension Service Program.

WILKES, ARTIS, HEDRICK & LANE

CHARTERED

ASSISTANT TO THE GENERAL COUNSEL, NATIONAL SCIENCE FOUNDATION. July, 1974 to June, 1975. Lead counsel for all National Environmental Policy Act matters; alternative counsel for contract, Freedom of Information Act, and Federal Advisory Committee Act matters. Assisted the General Counsel with respect to Foundation programs, policies, and activities as assigned.

TRIAL ATTORNEY, U.S. ATOMIC ENERGY COMMISSION. July, 1972 to July, 1974. Represented the AEC (now NRC) Regulatory Staff before the Atomic Safety and Licensing Board and the Atomic Safety and Licensing Appeal Board. Marshalled evidence; prepared witnesses; negotiated stipulations, waivers and consents; conducted hearings; and prepared pre- and post-hearing briefs.

CONTRACT NEGOTIATOR (Lt., S.C., USNR), NAVAL ELECTRONICS SYSTEMS COMMAND. June, 1970 to May, 1972. Negotiated and administered a variety of complex, fixed price, cost and incentive-type contracts with values up to \$5 million, in close coordination with the Office of General Counsel and the Naval Material Command (contract review authority).

EDUCATION

LEGAL

MASTER OF LAWS, Government Procurement Law, 1973, George Washington University, Washington, D.C.

JURIS DOCTOR, 1967, George Washington University

UNDERGRADUATE

B.A. ECONOMICS, 1964, University of Maryland

PROFESSIONAL

Member, District of Columbia Bar, United States Court of Appeals for the District of Columbia, and the United States Court of Claims.

MILITARY SERVICE

United States Naval Reserve, Supply Corps Officer, October, 1967 to June, 1972.

Shipboard Duty, U.S.S. RANKIN, December, 1968 to May, 1970.

Born in Eau Claire, Wisconsin, July 16, 1942. Married, two sons.

JAMES R. TOURTELLOTTE

Home Address: 4308 37th Road, North
Arlington, Virginia 22207
703-241-0477

Business Address: Nuclear Regulatory Commission
Washington, D. C. 20555
301-492-7474 202-634-3300

Occupation: Trial Attorney

Education: 1956 B.A. Oklahoma State University
1959 J.D. Oklahoma University - School of Law

Admissions: Supreme Court of Oklahoma
Supreme Court of the United States

Professional Experience:

1981 Nov. - Present	Chairman, Regulatory Reform Task Force Nuclear Regulatory Commission Washington, D. C.
1981 Aug. - Nov.	Special Assistant to Commissioner Roberts Nuclear Regulatory Commission Washington, D. C.
1974 - July 1981	Assistant Chief Hearing Counsel (ES-3) Nuclear Regulatory Commission Washington, D. C.
1970 - 1974	Assistant General Counsel Federal Power Commission Washington, D. C.
1965 - 1970	General Counsel Grand River Dam Authority Vinita, Oklahoma
1963 - 1965	County Attorney Stillwater, Oklahoma
1962 - 1963	Private Law Practice Stillwater, Oklahoma
1959 - 1962	U.S. Army - Military Police Corps

JAMES R. TOURTELLOTTE

Chairman, Regulatory Reform Task Force
Nuclear Regulatory Commission

On November 2, 1981, Chairman Palladino approved an August 1981 proposal to establish a multi-discipline group of experts to review, consistent with the Administration's regulatory reform mandate, the agency's procedures and management. I was appointed Chairman of the Regulatory Reform Task Force which was thus created, and charged with assembling the task force team, managing its day-to-day operations, as well as being responsible for the final Task Force product. The charter for the Task Force is to develop and make recommendations to the Commission on actions which can be taken to improve the effectiveness of the licensing process in both the near and long term. I am currently supervising the drafting of the 1982 NRC legislative proposal. In addition, the Task Force will direct its efforts through April 15, 1982, toward revising the internal operations of the agency.

Special Assistant to Commissioner Roberts
Nuclear Regulatory Commission

From August through October of 1981, I assisted Commissioner Roberts in establishing his office. This involved such matters as assisting in staff selection, advising on legal and policy issues, and conducting the initial program of briefings on key issues pending before the Commission.

Assistant Chief Hearing Counsel (ES-3)
Nuclear Regulatory Commission

As Assistant Chief Hearing Counsel at the Nuclear Regulatory Commission, I supervised the litigation attorneys in Hearing Division IV. Concurrently, I conducted the trial of difficult cases involving complex, politically sensitive or novel issues. These included Brown's Ferry, Diablo Canyon and Three Mile Island. A brief highlight of these cases follows.

The Brown's Ferry fire was a case of high visibility because the fire disabled the plant and threatened the overall plant safety. Legal management estimated the hearing time to be six months. I was successful in bringing the hearing to a close in two days through careful refinement of the issues and intense preparation.

Diablo Canyon has frequently been viewed as a case which has the highest stakes in terms of determining the viability of the nuclear alternative. The case had two principal issues, seismic design and plant security. The seismic

JAMES R. TOURTELLOTTE

design issue required total familiarization with the disciplines of seismicity, geology, soils, engineering, and structural engineering. The witnesses who testified were among the world's leading experts in their respective disciplines. I supervised and executed the preparation of the staff case, discovery, review of applicant and intervenor testimony, cross-examination and preparation of proposed findings.

Three Mile Island is a landmark case. Because of the unique series of events which precipitated the accident and the tremendous societal impacts, it was important to review virtually every aspect of nuclear plant design and operation. A substantial number of contentions were reduced to four general issue areas: (1) plant design and modification; (2) plant management; (3) emergency planning; and (4) financial capability. The hearing commenced October 15, 1980, and continued on an almost daily basis until mid July, 1981. I supervised four attorneys in the preparation and execution of the case. This involved contention negotiation, preparation of testimony, execution of the case-in-chief, cross-examination and drafting proposed findings. The decision of the Licensing Board totaled more than eleven-hundred pages. The size of the decision alone is evidence of the magnitude of the case and complexity of the issues involved. It should be noted that the record has been reopened, but the reopening is a result of new information presenting new issues. The Licensing Board decision basically accepts the staff's case.

Assistant General Counsel
Federal Power Commission

At the Federal Power Commission, I supervised attorneys in the electric division of the Office of General Counsel. This involved a variety of regulatory matters such as rates, interconnection cases, interlocking directorates, hydro licenses, mergers, intergovernmental relations, and environmental law. In addition, I provided advice directly to the Commissioners on matters of policy and on special projects. At the Commission's direction, I wrote the rulemaking and supervised the initial phase of the national investigation into the supply of natural gas and electricity. I was also responsible for coordination of intergovernmental relations and was heavily involved in such matters as price stabilization and nuclear licensing.

JAMES R. TOURTELLOTTE

General Counsel
Grand River Dam Authority

At the Grand River Dam, I was involved in virtually every phase of electric utility management. This included such matters as financing, rate-making, contracts, interconnection agreements, condemnation suits, product liability and concomitant policy decisions.

County Attorney
Stillwater, Oklahoma

As County Attorney, my responsibilities included both civil and criminal matters. During my tenure, I also served as Vice-President (1 year) and President (1 year) of the State County Attorney's Association. As President, I successfully negotiated legislation to change the County Attorney system to the District Attorney system in Oklahoma. I won forty-six of forty-seven felony cases and lost no misdemeanor cases.

Private Law Practice
Stillwater, Oklahoma

My private practice primarily involved trial work associated with personal injury suits. In addition, I did land and title work, contract and document drafting, corporation law, partnerships and bankruptcy.

U.S. Army - Military Police Corps

In the Army I served for approximately one year as Assistant Post Judge Advocate at Fort Benjamin Harrison, Indiana. As defense counsel, I won twelve of thirteen cases involving court-martial or administrative discharges. I was also selected over senior ranked officers to serve as Deputy Provost Marshal for the state of Indiana. In this capacity, I assisted in carrying out the Army's law enforcement program for Indiana, including the operation of the Criminal Investigation Division. According to information from the career branch of the Military Police Corps, I was the youngest and most junior grade officer in the corps to serve as Deputy Provost Marshal.

JAMES R. TOURTELLOTTE

Publications:

Nuclear Licensing Litigation: Come On In, The Quagmire Is Fine,
33 Administrative L. Rev. 367 (1981).

Nuclear Regulatory Commission Approach to Intervention,
Practising Law Institute, New York City, Litigation and
Administrative Practice Series, Number 144, pp. 37-68, (1979).

Professional and Civic Activities:

Vice Chairman and later, Chairman of the Oklahoma State Personnel Association where I drafted recommendations which substantially changed the merit system in the state of Oklahoma.

Extensive public speaking experience before professional organizations and universities, as well as church and civic groups. For example:

Frequent visiting lecturer at the Oklahoma State University on political and social sciences.

Member and participant in Practising Law Institute seminars held on the east coast and midwest on the topic of nuclear law. My presentation was printed and distributed to participants and subscribers of the Institute.

Appeared on the fall 1981 "National Energy Symposium" at the University of Tulsa, Tulsa, Oklahoma, where I spoke on public participation in the nuclear licensing process and the aftermath of Three Mile Island. These presentations were videotaped and are part of the University's permanent library.

As part of the ongoing Nuclear Regulatory Commission training program for employees of the major program offices, I have lectured throughout the country on how to be an expert witness.

COMMISSIONER (R)

NUCLEAR REGULATORY COMMISSION

Long List of Other Candidates Considered

John Dendahl

Robert Redmond

Joyce Davis

Marshall Mays

Willie Nunnery

K. Houston Matney

Paul Lykoudis

THE WHITE HOUSE

WASHINGTON

March 25, 1983

MEMORANDUM FOR:

ED MEESE
JIM BAKER
DON REGAN
DICK DARMAN
CRAIG FULLER
DAVE GERGEN
ED HARPER
DAVE STOCKMAN
MARTIN FELDSTEIN

FROM:

KENNETH M. DUBERSTEIN

Ken D.

Attached, for your information, is a special report prepared by the House Democratic Study Group on revenue options for FY 84 -- how to raise \$30 billion in FY 84 as called for in the Democratic Budget Resolution. The purpose of the report is to demonstrate that the Democrats can achieve \$30 billion plus in FY 84 without repealing the third year of our tax cut. Good try, fellas!

DEMOCRATIC STUDY GROUP -- "REVENUE OPTIONS FOR FY 1984"

Attached is a list released on March 21, 1983 by the Democratic Study Group of the U.S. House of Representatives of revenue options for meeting the \$30 billion + tax increase requirements of the Liberal/Jones Budget passed by the House yesterday.

The list of options includes:

- Cap or eliminate the 3rd year of the tax cut
- Repeal indexing
- Repeal exclusion of "small savers" interest income
- Cap home mortgage interest deduction
- Limit consumer loan interest deduction
- Eliminate State and local tax deduction
- Limit charitable contributions deduction
- Tax employer-paid health insurance
- Eliminate capital gains treatment for "non-productive" assets (e.g., art, coin collections)
- Reimpose taxation of foreign income
- Tax accrued interest on life insurance premiums
- Require 10% withholding by independent contractors
- Require withholding royalty payments
- Reimpose taxation of estates and gifts
- Tax 10% of capital gains on home sales
- Reduce investment tax credit to 7%
- Eliminate tax credits for rehabilitating older buildings
- Reduce R&D tax credit
- Repeal tax credits for Employee Stock Ownership Plans
- Tax fringe benefits
- Repeal interest exclusion on tax exempt State and local industrial development bonds

GOP Summary of attached memo



HON. MATTHEW F. McHUGH (New York) — Chairman

RICHARD P. CONLON — Executive Director

SPECIAL REPORT

No. 98-6

March 21, 1983

REVENUE OPTIONS FOR FY 1984

The First Budget Resolution for FY 1984 (H.Con.Res. 91), which will be considered by the House on Wednesday, calls for revenue increases of \$30 BILLION in FY 1984 in order to help restore the government's revenue base, finance needed programs, and reduce the deficit.

President Reagan and other Republicans contend that a vote for the budget resolution would be a vote for repealing the third year of the tax cut for individuals, since repeal would produce the proposed revenue gain of \$30 BILLION in FY 1984.

Supporters of the budget plan disagree with this contention. They note that the revenue figures in the resolution are not based on any particular assumptions regarding how the revenue is to be raised, and that there are many other ways of raising \$30 BILLION in new revenues.

This Special Report summarizes alternative revenue options which have been suggested by various entities. The options included in the list would produce an aggregate revenue gain of \$60 BILLION in FY 1984.

ALTERNATIVE REVENUE OPTIONS

Note: This list reflects many diverse approaches to tax policy, and inclusion of particular options should not be interpreted as endorsement of these options by DSG. The purpose of the list is to illustrate the wide variety of options available for raising revenues, not to provide a comprehensive and coherent program for tax reform.

TAX PROPOSALS FOR INDIVIDUALS

	<u>Increased Tax Revenues</u> (\$ in BILLIONS)		
	1984	1985	1986
<u>Cap the Third Year of the Tax Cut:</u> Under this proposal, a limit or cap would be placed on the 1983 individual income tax cut so that no taxpayer would receive a tax cut in excess of the cap. If the cap were set at \$700, for example, couples filing jointly with taxable income up to \$42,000 and individuals with taxable income up to \$28,000 would receive a full 1983 tax cut of \$700. Income above these levels would be taxed at the 1982 level.			
Cap at \$700	\$6.0	\$7.0	\$7.4
Cap at \$500	8.4	9.7	10.4
Cap at \$300	14.0	16.0	17.5
<u>Eliminate the Third Year of the Tax Cut for Higher Income Taxpayers:</u> Under this proposal, the 1983 tax cut would be reduced for individuals with incomes above \$50,000 and reduced for individuals with incomes between \$40,000 and \$50,000. Taxpayers with incomes below \$40,000 would still receive the full rate cut.			
	10.0	11.0	11.0
<u>Repeal or Delay Indexing:</u> Outright repeal of indexing would eliminate the automatic rise in the personal exemption and rate schedules that is provided for in the 1981 tax law, and that is scheduled to go into effect in 1985. Postponing indexing for one year, for instance, would allow the tax cuts to be eroded somewhat by inflation before indexing would go into effect.			
Repeal of Indexing	---	6.0	17.0
One-Year Delay	---	6.0	10.0

Increased Tax Revenues
(\$ in BILLIONS)

	1984	1985	1986
<u>Limit Indexing for Inflation in Excess of 3%:</u> This proposal would limit the personal exemption and tax-rate bracket adjustments to periods when the inflation rate is over 3%.	---	\$3.5	\$10.0
<u>Repeal Interest Exclusion:</u> Under the 1981 tax law, a tax exclusion of 15% of the first \$3,000 of interest income on individual returns and \$6,000 on joint returns is to become effective on January 1, 1985. Current law allows for a \$100 exclusion for individuals, and \$200 for couple on interest income.	---	1.1	3.1
<u>Cap Mortgage Interest Deduction:</u> Under current law, taxpayers may deduct an unlimited amount they pay in interest charges on their mortgage payments. This proposal would cap the allowable interest on mortgage payments at \$10,000.	0.9	1.3	1.8
<u>Limit Deduction for Non-Business, Non-Mortgage Interest:</u> Current law allows taxpayers to deduct interest payments on loans. The only current limit on interest deductions is on interest for investment loans for capital equipment, stock, etc. The present limit on investment interest deductions is \$10,000. This proposal would limit or eliminate the deduction for all non-business, non-mortgage interest payments.			
Limit to \$10,000	0.6	1.8	2.0
Limit to \$4,000	1.5	1.6	1.7
Limit to \$3,000	2.1	2.2	2.4
Limit to \$2,000	3.0	3.2	3.4
Eliminate Deduction	8.1	8.6	9.6
<u>Eliminate Deductions for State and Local Sales Taxes:</u> Under current law state and local sales taxes paid may be claimed as an itemized deduction.	0.9	5.8	6.4
<u>Limit Charitable Contributions for Non-Itemizers:</u> Under the 1981 law, taxpayers who claim the standard deduction can also claim a separate itemized deduction for contributions to charitable organizations. This special deduction is to be phased in over the next three years. For 1982 the deduction is limited to 25% of contributions up to \$100, but by 1986 the limits are eliminated. One way to hold down the revenue loss would be to limit the deduction to \$100 while allowing the percentage limit to increase as scheduled.	---	0.2	2.0

Increased Tax Revenues
(\$ in BILLIONS)

1984 1985 1986

Tax Employer Paid Health Insurance: Under current law, employees do not pay taxes on income received in the form of employer paid health care coverage. This type of income also escapes payroll taxes, which costs the Social Security Trust Fund billions in lost revenue each year. One proposal to limit this present exclusion would be to treat as taxable income in 1984 any portion of employer contributions to health insurance coverage that exceeds \$160 per month for family coverage and \$65 per month for individual coverage. This proposal is similar to what Congress has already adopted for employer provided group life insurance.

Revenue gain from: Income Taxes	\$2.7	\$4.9	\$6.0
Payroll Taxes	0.8	1.5	1.9

Eliminate Capital Gains for Non-Productive Assets:

Current law makes no distinction between productive and non-productive investments. Thus, all investment income from the sale of assets is given capital gains treatment. This proposal would restrict the lower capital gains tax rate to productive investments, disallowing such treatment for assets such as antique cars, gold, coins, and art.

1.9	2.0	2.1
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Reimpose Taxation on All Income Earned Abroad by Americans in Excess of \$50,000:

The 1981 law significantly liberalized the amount of income exempt from taxation for Americans working overseas. The current limitation is \$75,000 and it is scheduled to go up to \$90,000 by 1986. This proposal would limit the exemption to the first \$50,000 of income earned overseas.

0.5	0.5	0.5
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Tax Accrued Interest on Life Insurance Reserves:

Premiums paid for life insurance policies can be divided into the cost for death benefits protection and a separate savings component. Although death benefits paid out by insurance companies approximately equal the death protection component of the premiums paid in each year, the savings component builds as a reserve that earns interest. In most respects, savings through life insurance is identical to savings through other interest-bearing instruments. Under current law, however, interest earned on life insurance reserves receives a special tax advantage.

2.1	5.8	6.6
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Increased Tax Revenues
(\$ in BILLIONS)

1984 1985 1986

Require 10% Withholding on Independent Contractors:

Current law requires information returns to be filed by employees of independent contractors on aggregate annual payments in excess of \$600. Withholding could be applied to these payments at a rate of 10%, and contractors provided W-2 forms.

\$0.6 \$0.9 \$1.2

Expand Withholding Coverage to Royalty Payments:

Under current law, royalty payments in excess of \$600 must be reported. Businesses could be required to withhold taxes on royalty payments for items such as patents, copyrights, and oil and gas rights. Firms could withhold taxes at a rate of 10% on all payments over \$600 on a yearly basis.

0.4 0.5 0.7

Eliminate the Accumulated Earnings Allowance for Personal Service Corporations: The current corporate income tax encourages self-employed individuals earning \$100,000 or more to incorporate so that they can shield ordinary income from taxation at individual rates. This permits the first \$100,000 of income to be taxed at a lower rate if retained as corporate earnings instead of personal income.

0.1 0.4 0.4

Reimpose Taxation of Estates and Gifts: Prior to the 1981 tax law, an estate of \$175,000 could pass on to a deceased's heirs without being taxed. In 1981, Congress enacted a schedule of increases in the amount of property that could pass on to one's heirs tax free. That schedule begins at \$225,000 in 1982 and goes up to \$600,000 in 1987. This proposal would repeal those increases, and reinstate the \$175,000 exemption for estates.

2.4 3.4 4.7

Tax 10% of the Capital Gains on Home Sales: Capital gains taxes on home sales may be deferred as long as the seller buys within two years another home costing at least as much as the one sold. In addition, the first \$25,000 of capital gains on a home sold by a person aged 55 or over is not taxed at all. This proposal would replace these provisions with a tax on 10% of all accrued long-term capital gains on home sales.

--- 0.8 1.0

BUSINESS TAX PROPOSALS

Increased Tax Revenues (\$ in BILLIONS)

	1984	1985	1986
<u>Require a Full Basis Adjustment for the Investment Tax Credit:</u> The investment tax credit provides an investor with a 10% credit on the purchase price of a piece of equipment. This proposal would require a taxpayer to deduct the full value (10%) of the Investment Tax Credit from the cost of equipment before it is depreciated for income tax purposes. Present law allows the taxpayer to deduct only half of the value of the Investment Tax Credit before calculating depreciation.	\$0.3	\$1.2	\$2.4
<u>Reduce Investment Tax Credit to 7%:</u> Taxpayers presently receive a credit equal to 10% of the value of new investments. This proposal would reduce the Investment Tax Credit to 7%, which some believe to be appropriate in light of the other investment incentives provided by the 1981 tax bill.	5.6	6.9	7.9
<u>Lengthen the Building Depreciation Period to 20 Years:</u> The 1981 tax law shortened the depreciation period for newly-constructed and newly-purchased buildings from 30 years to 15 years. Lengthening the depreciation period to 20 years would raise additional revenues and place tax treatment of investment in structures on a more equitable basis with tax treatment of investments in other productive assets.	0.4	1.8	3.7
<u>Limit Business Entertainment Deductions:</u> Under current law, businesses and individuals may deduct from taxable income the full amount spent on meals and entertainment directly associated with the firm's business. To check the government's subsidy of business meals and entertainment, deductions for these expenses could be limited to 50% of the amount spent.	0.5	1.1	1.2
<u>Eliminate Tax Credits for Rehabilitating Older Buildings:</u> Congress enacted large tax credits for owners to rehabilitate older buildings to encourage business to renovate existing structures rather than relocate, and to encourage the purchase and revitalization of older structures. The credits range from 15%-25% depending on the age of the building. Many owners of old buildings receive a tax break for doing what they would do even if the tax credit did not exist. In addition, because these tax credits exist only for commercial buildings and not for rental property, they promote the conversion of buildings to commercial uses and draw investments away from needed rental housing.	0.8	1.2	1.4

Increased Tax Revenues
(\$ in BILLIONS)

1984 1985 1986

Repeal the Percentage Depletion Allowance for Oil and Gas: Under current law, taxpayers owning economic interests in oil and gas wells are permitted to deduct a percentage allowance for depletion in computing taxable income. Under percentage depletion, the allowable percentage amount can be written off every year for as long as the well is in production; thus, the original cost of the well can be written off several times over the course of its existence. Without percentage depletion, oil and gas producers would use cost depletion allowances, under which the actual cost of discovery and development can be written off over the producing life of the well. Producers would recover the amount of their investment, but no more.

\$0.9 \$1.7 \$1.9

Eliminate Capital Gains Treatment for Timber:

Current law allows capital gains treatment on the sale of timber held for at least one year prior to cutting. This is contrary to the tax code's general denial of capital gains treatment to "stock in trade" -- property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business. Timber already receives preferential treatment as a result of the 10% investment tax credit and the seven-year amortization for up to \$10,000 of reforestation expenditures.

0.2 0.6 0.7

Phase Out Domestic International Sales Corporations:

Domestic International Sales Corporations (DISCs) are special corporations set up to serve as conduits for export sales. They are "paper companies" with no employees and no actual operations; their only purpose is to allow the parent corporation to defer payment of income taxes on a portion of their profits. Current law allows domestic corporations engaged in foreign sales to defer payment of income taxes on 42.5% of export related profits. This proposal would phase out the special treatment of DISCs over a four year period.

--- 0.2 0.3

Repeal Deferral: The U.S. Government taxes the worldwide income of U.S. corporations. The income earned by a U.S.-controlled foreign corporation, however, is not taxed until it is distributed to U.S. shareholders in the form of dividends. This is known as deferral. Repeal of this provision would eliminate the incentive to keep income overseas to avoid U.S. taxes.

0.4 0.4 0.4

Increased Tax Revenues
(\$ in BILLIONS)

1984 1985 1986

Reduce Credit for Incremental Research: The 1981 law provides a 25% nonrefundable income tax credit for certain research expenditures. Only expenditures that exceed a company's average research expenditures for the past three tax years qualify. Many believe this tax credit is unnecessary because all research expenditures can already be written off in the first year. This proposal would reduce the credit from 25% to 10%.

\$0.3 \$0.5 \$0.2

Repeal Tax Credits for ESOPs: Under current law a corporation is provided a tax credit for contributing stock or cash to buy stock for the employees in their business. This tax credit is available only to incorporated businesses. Repeal of these tax credits would put Employee Stock Ownership Plans (ESOPs) on the same level as any other fringe benefit, such as pensions and health plans.

0.7 1.7 2.1

Tax Fringe Benefits: Fringe benefits such as the private use of a company car, discounts on employer products, reduced meal prices, subsidized day care, recreational subsidies, tickets to various entertainment events and club dues, have generally been excluded from taxation. This proposal would allow the IRS to issue regulations that would allow taxation of some of these types of fringe benefits.

0.6 1.2 1.3

Repeal Expensing of Intangible Drilling Costs for Oil and Gas Wells: Taxpayers in the oil and gas drilling business can deduct the amount they spend on intangible drilling expenses, including fuel, labor, repairs, hauling and drilling supplies, site preparation, and drilling structures. It is typical for these expenditures to amount to three-quarters of the total costs of drilling. When these costs are expensed rather than capitalized, taxes on income are effectively deferred; and the amount of the delayed tax liability is essentially an interest free loan.

2.6 4.5 4.2

Repeal the Phased Lowering of the Maximum Tax Rate on Newly Discovered Oil: The 1981 tax cut provided for a gradual reduction from 30% to 15% on the Windfall Profits Tax on newly discovered oil. This proposal would restore the 30% tax rate on newly discovered oil.

0.1 0.2 0.2

Increased Tax Revenues
(\$ in BILLIONS)

	1984	1985	1986
<u>Repeal the Special Rates on the First 1,000 Barrels of Oil Produced by an Independent Oil Producer:</u> This proposal would simply tax oil produced by the independents at the same level under the Windfall Profits Tax as oil produced by major oil companies.	\$0.2	\$0.2	\$0.2
<u>Repeal the Royalty Credit on Oil:</u> This proposal would repeal the royalty credit that provides a two barrel exemption -- scheduled to go to three barrels in 1985 -- from the Windfall Profits.	0.3	0.4	0.4
<u>Repeal the Exclusion of Interest on State and Local Industrial Development Bonds for Private Business Purposes:</u> Tax exempt-industrial development bonds (IDBs) are bonds issued by a government entity and are similar to municipal bonds. They differ, however, from municipal bonds, which are used to fund public works projects sponsored by a city, state, or public authority, in that IDBs are issued by governments to raise funds for private development. In 1982, the issuance of bonds for private business activities amounted to \$42 BILLION, or 48% of all tax exempt bonds issued. IDBs provide private businesses with a tax benefit amounting to 2 to 3 percentage points of interest on bonds. This amounts to a \$200,000 to \$300,000 tax subsidy per year on a \$10 million issue. This proposal would reduce by 50% the exclusion of interest on state and local IDBs used for private business purposes.	1.1	1.4	1.6

ENERGY AND EXISE TAX PROPOSALS

	<u>Increased Tax Revenues</u> (\$ in BILLIONS)		
	1984	1985	1986
<u>Broad Based Tax on all Energy Consumption in the U.S.:</u> A national energy tax on all U.S. energy consumption could be based on units of energy produced, such as barrels of oil, tons of coal, cubic feet of gas, or on the value or price of the energy produced, or on the heat content of the fuel used. This proposal would impose a 5% value tax on all energy consumption.	\$11.3	\$17.2	\$18.5
<u>Excise Tax on Natural Gas:</u> This proposal would impose an excise tax of 30 cents per 1,000 cubic feet of natural gas and would be similar to the broad based energy tax, but apply only to natural gas.	2.1	3.0	3.0
<u>Increase The Gasoline Tax:</u>			
2 cents per gallon	1.7	1.7	1.7
5 cents per gallon	4.3	4.2	4.2
10 cents per gallon	8.6	8.3	8.2
<u>on Imported and Domestic Oil:</u>			
\$2 per barrel	8.4	8.4	8.4
\$5 per barrel	20.6	20.6	20.6
<u>Double Alcohol Taxes:</u>			
Double tax on liquor	2.5	4.0	4.0
Double tax on beer	1.2	1.1	1.1
Double tax on wine	0.2	0.2	0.2
<u>Extend Cigarette Tax:</u> This proposal would extend the tax on cigarettes beyond 1985, when it is currently set to expire.	---	---	1.7

* * *

THE WHITE HOUSE

WASHINGTON

March 22, 1983

Tier
Pls, if at all possible,
make the calls by
noon. Hart
per D.

MEMORANDUM FOR JAMES A. BAKER III

THRU: KENNETH M. DUBERSTEIN *Ker D.*

FROM: M. B. OGLESBY, JR. *bro*

SUBJECT: Recommended Telephone Calls on the House Budget Resolution

It is recommended that you speak with the following House Democrats to urge them to vote against the Budget Committee budget resolution:

Congressman Ronnie Flippo of Alabama is currently undecided as to how he will vote. Elected to the Ways and Means Committee this Congress, Flippo is under pressure from Democratic leadership to support the Committee resolution. The Congressman has supported occasionally the Administration on previous budget votes.

Will vote for it.

The President spoke with Flippo on this subject today at which time he was leaning slightly towards the budget resolution. The President indicated a follow-up call to him would be desirable.

Congressman Bill Patman of Texas is undecided on the budget resolution. White House Legislative Affairs and Defense have talked with him. Last year Patman supported the Administration on two key budget votes.

Cong. Just
Went on
W+M

✓ Congressman Charlie Wilson of Texas is undecided how to vote on the budget resolution. While he does not like the Budget Committee's defense figure, he is under heavy pressure from his leadership to support the budget resolution. Wilson has indicated it will not be his vote that passes the resolution, but if it is passing by a substantial margin he will vote in favor.

Paired -
No.

Congressman Jim Cooper of Tennessee, a Freshman, is undecided in his support of the budget resolution, but is under intense pressure from his first-year colleagues and leadership to support the Democratic position. On the nuclear freeze resolution, Cooper voted against the Democratic position on the Siljander amendment which provided for "freeze and/or reductions."

THE WHITE HOUSE

WASHINGTON

March 21, 1983

MEMORANDUM FOR: EDWIN MEESE, III
JAMES A. BAKER, III

THRU: KENNETH M. DUBERSTEIN *K-D.*

FROM: M. B. OGLESBY, *MB*
JOHN F. SCRUGGS *JFS*

SUBJECT: Possible Congressional Subpoenas to
Obtain Civil Rights Enforcement Documents

The New York Times of March 20 and the Washington Post of March 21 contain articles regarding the United States Commission on Civil Rights' assertion that the White House and federal agencies have impeded its work by withholding documents. According to the articles the Commission may issue subpoenas to obtain these documents.

It has come to our attention that Congressman Don Edwards (D-CA), Chairman of the House Subcommittee on Civil and Constitutional Rights, may soon convene the subcommittee for the purpose of issuing subpoenas for the same documents. A hearing has been scheduled for Thursday, March 24 to consider legislation reauthorizing the Civil Rights Commission and may provide a forum for taking such action. Subcommittee Republicans are seeking guidance and assistance.

THE WHITE HOUSE

WASHINGTON

March 19, 1983



NOTE TO: JIM BAKER
DAVID STOCKMAN
DICK DARMAN

FROM: KEN DUBERSTEIN 

Thought you would be interested in the comments made by various members of the Senate Budget Committee when the Committee decided to postpone the defense portion of the budget markup until after the Easter recess.

Attachment

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

March 16, 1983

TO: Ken Duberstein

FROM: Dave Swanson DS

THRU: Pam Turner PT

SUBJECT: Comments Made by Senators at the
Senate Budget Committee,
March 15, 1983

Senator Chiles

He said that he would give consideration to any request the President might make. However, he said he has a concern about revenues and that delays will work against the chances of getting a bi-partisan budget. He was also concerned about what the President's posture would be during this three week period--would he be actively seeking to find some flexibility, or would he be out whipping up the troops for his defense mark.

Senator Grassley

He claimed that he generally helps and supports the President. He cited a Congressional Quarterly study that showed him the 4th most loyal Republican to the President. He said that the Republicans want to proceed with dispatch on the budget. But he said that in this instance it is wrong of us on this Committee to go along with the President, and it is wrong of the President to ask us to delay. The economy needs a budget signal, he said, and that with this delay we will be in worse shape than before. He was convinced that the President would simply come up with another set of incorrect figures on defense and it would take them a long time to sort them out.

Senator Hollings

He said that the delay would be good if the President was in fact flexible and not simply trying to buy time to use his clout to hold to his current figure. He said that the only way the President could satisfy him is to go after the big procurement accounts--not pay as has been done before.

He said that 7.5% growth to him would not indicate flexibility. He also said that other issues would have to be linked to this defense question, including revenues, entitlements and discretionary spending levels.

Senator Gorton

Senator Gorton regretted the Chairman's decision. He said that each time the President has intervened in the work and scheduling of the Budget Committee the President has been wrong. And he is wrong again.

Senator Metzenbaum

He chided the Chairman for making a totally wrong decision. He said he doesn't understand where the President is coming from. He is convinced the President is not at all interested in bi-partisanship, and as evidence of that Domenici had to call Chiles to the White House. The President didn't request that he be there.

There were a couple of other comments after this, Ken. I was paged at this time and had to go back over to the floor. Hatch, I believe was supportive while Boschwitz was critical. Exon was as usual critical of the delay.

I just might add that staff (Bell and others) were very disturbed about the delay as well--maybe more strongly than the members.