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WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name ROBERTS, JOHN: FILES

Withdrawer

MJD 8/7/2005

File Folder CORRESPONDENCE, MISCELLANEOUS (08/01/1985-08/21/1985)

FOIA

F05-139/01

Box Number 14

COOK

27MJD

DOC NO	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
1	MEMO	JOHN ROBERTS TO FRED FIELDING RE TOM HALBOUTY	1	8/5/1985	B6	944
2	LETTER	FRED FIELDING TO TOM HALBOUTY RE DONATION	1	8/5/1985	B6	945
3	LETTER	TOM HALBOUTY TO ROBERT TUTTLE RE DONATION	1	7/16/1985	B6	946

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

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

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

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

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

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

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

E.O. 13233

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1 MEMO

1 8/5/1985 B6

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JOHN ROBERTS TO FRED FIELDING RE TOM
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PE002-01

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

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

Name of Correspondent: *Tom Halbrater*

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: *Job Search and question re: Contributions to the Republican Party*

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><i>W/Holland</i></u>	ORIGINATOR <u><i>85107129</i></u>	<u>1 1</u>
<u><i>WAT18</i></u>	Referral Note: <u><i>D 85107129</i></u>	<u><i>S 8508109</i></u>
	Referral Note: _____	<u>1 1</u>
	Referral Note: _____	<u>1 1</u>
	Referral Note: _____	<u>1 1</u>
	Referral Note: _____	<u>1 1</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:**
- 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.

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3 LETTER

TOM HALBOUTY TO ROBERT TUTTLE RE
DONATION

7/16/1985 B6

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THE WHITE HOUSE

WASHINGTON

RACCNR:215948

BATCH#:X157

Thomas J Halbouty
2425 Sage Rd
Houston, TX 77056

July 4, 1985

Dear Thomas:

On behalf of President Reagan, I would like to thank you for expressing an interest in joining the second term of the Reagan Administration.

In order that the Office of Presidential Personnel may begin processing your request for a position in the Administration, we ask that you complete and return this document in the enclosed envelope.

Thank you for your interest.

Yours truly,



Robert H. Tuttle
Deputy Assistant to the President
for Presidential Personnel

HOME PHONE: _____ BUSINESS PHONE: _____

DATE OF BIRTH: _____ SOCIAL SECURITY NO: _____

1. VOTING ADDRESS (1984) _____

Voted: Yes ___ No ___ ZIP _____ COUNTY _____ PARTY _____

2. If you did not vote in 1984, please explain the circumstances.

3. Please indicate all 1984 campaign/candidate involvement (include the following):

Role/Position _____

Supervisor/Contact _____ Telephone Number: _____

4. Please indicate other campaign or political activities you have been involved in over the past several years that you want us to know (please be specific and include contacts with telephone numbers).

5. Please indicate the Department/Agency you are interested in and your area of expertise:

Department/Agency

Expertise

(Attach an additional sheet if necessary)

THE WHITE HOUSE

WASHINGTON

August 6, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Address by Secretary Bennett to Supreme
Council Meeting of Knights of Columbus

David Chew has asked that comments on a proposed address by Secretary Bennett to the Knights of Columbus be sent directly to Rick Davis of Cabinet Affairs by 2:00 p.m. today. The original circulated draft prompted objections from the other John Roberts in Ed Rollins's office, as being too divisive. (I mention that at the outset to avoid confusion should you hear that "John Roberts" has concerns about the speech.) Our erstwhile colleague Wendell Willkie has sent Rick Davis and me a revised draft; my comments are addressed to that considerably toned down version.

The address begins by discussing the history of anti-Catholicism in America and then moves to a discussion of Supreme Court establishment clause cases as examples of a new sort of aversion to religion. Stone v. Graham, a decision holding unconstitutional the posting of the Ten Commandments in Kentucky schools, and last term's Felton decision, prohibiting public school teachers from teaching remedial classes in parochial schools, are singled out for criticism. There is general criticism of the chaotic state of establishment clause jurisprudence. Bennett's point is that such decisions betray a hostility to religion not demanded by the Constitution.

I have no quarrel with Bennett on the merits. (In the interests of full disclosure, I should note I worked for Justice Rehnquist when he filed the lone dissent in Stone v. Graham.) Nor am I bothered by the criticism of the Supreme Court decisions: Bennett is simply echoing the arguments in the Government briefs in the Felton case. Criticism of the Court's decisions in this area is not remarkable; indeed, it is practically universal, and even those who prevail before the Court do not claim that the Court's decisions are a model of clarity.

In sum, Bennett's remarks will stir up the debate, but I see no purely legal reason to object to them. You will, however, probably want to scan the remarks yourself.

THE WHITE HOUSE

WASHINGTON

August 6, 1985

MEMORANDUM FOR RICK DAVIS
ASSOCIATE DIRECTOR
OFFICE OF CABINET AFFAIRS

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

SUBJECT: Address by Secretary Bennett to Supreme
Council Meeting of Knights of Columbus

You have asked for my views on Secretary Bennett's proposed address to the Knights of Columbus. I have reviewed a revised draft forwarded to my office directly by Secretary Bennett. The Secretary's remarks will doubtless attract considerable attention, but I have no purely legal objections to them. The criticism of the Supreme Court decisions in this area is consistent with positions the Government has taken in litigation. Others more directly involved in policy in this area will have to decide if now is the time to raise this issue and if Secretary Bennett is the person to do so.

cc: David L. Chew

FFF:JGR:aea 8/6/85

bcc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

August 6, 1985

MEMORANDUM FOR RICK DAVIS
ASSOCIATE DIRECTOR
OFFICE OF CABINET AFFAIRS

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Address by Secretary Bennett to Supreme
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You have asked for my views on Secretary Bennett's proposed address to the Knights of Columbus. I have reviewed a revised draft forwarded to my office directly by Secretary Bennett. The Secretary's remarks will doubtless attract considerable attention, but I have no purely legal objections to them. The criticism of the Supreme Court decisions in this area is consistent with positions the Government has taken in litigation. Others more directly involved in policy in this area will have to decide if now is the time to raise this issue and if Secretary Bennett is the person to do so.

cc: David L. Chew

FFF:JGR:aea 8/6/85
bcc: FFFielding
JGRoberts
Subj
Chron



UNITED STATES DEPARTMENT OF EDUCATION
THE SECRETARY

Hold For Release Upon Delivery
Wednesday, August 7, 3:30 p.m.

Contact: Loye Miller
(202) 472-9768

Address By
William J. Bennett
United States Secretary of Education

to
The Supreme Council Meeting
Knights of Columbus
Washington, D.C.

August 7, 1985

Three years ago, President Reagan spoke to the centennial meeting of your Order. He paid tribute to the values that the Knights of Columbus have embodied -- the values of family, work, neighborhood, religion, and personal freedom. These are values, he reminded us, that "most Americans, whatever their social, ethnic, or religious heritage, hold dear." Let me begin by echoing both the President's tribute and his reminder. And, speaking as Secretary of Education, I would add that our schools -- public and private -- have no higher calling than to transmit those values that all Americans share.

The reason is simple. As President Reagan went on to say, "it is only in these values, only in the faith that sees beyond the here and now, that we find the rationale for our daring notions about the inalienable rights of free men and women." Today as yesterday it remains a fact that -- in the President's words -- "the Western ideas of freedom and democracy spring directly from the Judeo-Christian religious experience." That is, ladies and gentlemen, the fate of our democracy is intimately intertwined -- "entangled", if you will -- with the vitality of the Judeo-Christian tradition.

Yet in our time this fact is denied. It is denied because the implications of this fact would shatter some false clarities, some simple formulations, which make up so much of

contemporary discourse. It is easier to repeat, like an incantation, the phrases "wall of separation" or "no entanglement of church and state," than to think seriously about such issues as the relationship of religious beliefs and self-government, about the connection between the beliefs of our people and our form of self-government.

Yet it is important now to think seriously. For, if I can borrow one more time from President Reagan's speech to you, let me repeat his quotation from the philosopher Alfred North Whitehead: "There is a danger in clarity, the danger of overlooking subtleties of truth." We are today in danger of overlooking subtleties of truth, at great cost to our political and social well-being. Let me try today, if only briefly, to recall with you some "subtleties of truths" about our political and social order, and their intimate relation with religious beliefs.

The best place to begin is with the subtle truth embodied by your organization. The Knights of Columbus was founded, in part, to combat a principle of false clarity, one that once had more appeal than we today care to remember. That was that America was and had to be a Protestant nation, and that Catholicism had no rightful place in our country. We cannot forget the repeated episodes of nativism, the violent outbreaks of anti-Catholicism, that mar our history -- though I would hasten to add that it is

to the credit of America that these episodes were transient, the outbreaks contained, until today they are but a distant memory.

Yes this all may seem very long ago. But virulent nativism flared up as recently as the 1920's, most notably in the attempt to forbid all non-public education in Oregon. A truly unholy alliance of groups ranging from the Klu Klux Klan to the Oregon Good Government League succeeded in passing in a state-wide referendum a compulsory public education initiative. This simple solution to the subtle difficulties of a nation of many religious and ethnic groups had considerable appeal; fortunately, it was struck down by a unanimous Supreme Court in Pierce v. Society of Sisters, in a case for the preparation of which the Knights provided crucial financial support.

This was sixty years ago. Within two generations, thanks in no small part to the education and example offered by organizations like yours, America had changed. A Catholic, John F. Kennedy, was elected President, and the issue of divided loyalty was laid to rest. The passage of federal aid to education in 1965, with provision for aid to all needy students, reflected an acknowledgement of the clear legitimacy of Catholic and other private schools. The long history of bitter religious division seemed over. And in a sense it was over.

But in a sense it was not. For even as the traditional sorts of religious intolerance were being largely overcome, a new aversion to religion was becoming increasingly respectable. This new aversion manifested itself in certain intellectual and social circles; but it manifested itself politically especially in the guise of constitutional interpretation. The same Constitution that had protected the rights of religious parents, and under whose aegis a host of religions had found happy accommodation, now became, in the hands of aggressive plaintiffs and beguiled judges, the instrument for nothing less than a kind of ghettoizing of religion.

It would be fruitless here to go into a long recapitulation of almost four decades of misguided Court decisions, intensifying in the last twenty or so years. These decisions have had two effects: they have thrust religion, and things touched by religion, out of the public schools; and they have made it far more difficult to give aid to parents of children in private, church-related schools. ✓

These decisions have hurt Catholic parents. But they have hurt public schools as well, and the children, and the parents of children, in those public schools. For neutrality to religion turned out to bring with it a neutrality to those values that issue from religion. "Values clarification" flourished in our schools; but when public schools in Kentucky

posted The Ten Commandments in classrooms, the Court found this unconstitutional. The Commandments were tainted, according to the Court, because they are "undeniably a sacred text in the Jewish and Christian faiths." And public school children cannot be exposed to any statement of such faiths. This, we are told, would violate the clear principle of separation of church and state, of religion and the public. ✓

The consequences of this attitude for our public schools have been damaging. And these consequences follow from a failure to appreciate a subtle truth about the relationship between religion, the values and habits that religion supports and the requirements of education among a people charged with self-government. We in this country cherish self-government because we believe in the dignity of man. That dignity is manifested in our possession of unalienable rights. Whence come those rights? Listen: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights..."

As in the public schools cases, in the aid to parochial school cases I respectfully submit that the Court has failed to reflect sufficiently on the relationship between our faith and our political order. The Court has itself acknowledged the lack of "clarity and predictability" in its decisions, that it can "only dimly perceive the boundaries of permissible

government activity" in this area. Judge Antonin Scalia of the District of Columbia Court of Appeals, writing a few years ago as a law professor, put it more bluntly "Supreme Court jurisprudence concerning the establishment clause in general, and the application of that clause to governmental assistance for religiously affiliated education in particular, is in a state of utter chaos and unpredictable change." Aid for textbooks for parochial school students is fine; aid for school supplies such as maps, is not. Bus transportation to and from school can be provided for parochial school students; but bus transportation to and from field trips cannot be provided. State money can pay for standardized tests in parochial schools, but not for teacher-made tests. Senator Moynihan's famous question -- what do you do with a map that's in a textbook? -- has yet to be litigated.

It would be funny if it were not so serious. What is serious is a failure on the part of the Court to reflect on the central importance of religion in our public life. This is seen vividly in the Felton decision of two months ago. That decision, which forbade public school teachers from teaching remedial classes in parochial schools, greatly impedes efforts to fulfill the Congressional mandate, dating back to 1965, to provide compensatory services to all needy students, whatever school they attend. The Court could not be bothered by the fact that not one complaint of improper indoctrination had been filed; that this program had, in the

words of the Court of Appeals, "done so much good and little, if any, detectable harm;" that the program had ignited nothing in the way of divisive controversy -- beyond the lawsuit itself. But the program was ruled unconstitutional because it excessively "entangled" church and state. How? Here is the majority opinion:

Administrative personnel of the public and parochial school systems must work together in resolving matters related to schedules, classroom assignments, problems that arise in the implementation of the program, requests for additional services, and the dissemination of information regarding the program. Furthermore, the program necessitates frequent contacts between the regular and the remedial teachers (or other professionals), in which each side reports on individual student needs, problems encountered; and results achieved.

"Must work together...", "frequent contact" --- these features are not praised, as they should be. Rather these, in the Court's opinion, are the problem.

We at the Department of Education will do our best to nullify the damage done by the Felton decision to the education of needy children. We will work with local school authorities to devise other means to provide services; and we

are about to introduce legislation allowing local school authorities to convert Chapter One funds into a voucher program. Such a program would allow parents to use those funds in any school, including private ones; and we are confident that even this Supreme Court will find such a program passes constitutional muster.

But the broader implications of Felton, and its predecessors, cannot be nullified by particular pieces of legislation. The attitude that regards "entanglement" with religion as something akin to entanglement with an infectious disease must be confronted broadly and directly. It is this attitude that allows the New York Times to speak blithely of the desirability of drawing a line at the parochial schoolhouse door, as if parochial schools are somehow less American than public ones. It is this attitude that leads the Boston Globe to label me "Secretary for Private Education" when I endorse methods, such as vouchers and tuition tax credits, that would foster choice among schools. It is this attitude that simply cannot understand why over three-quarters of the American people support this Administration in our effort to restore prayer to our public schools. It is this attitude, this underlying disposition about the place of religion, and the values based on religion in American life, that we must confront directly.

This means refusing to accept that the reasoning underlying recent Supreme Court decisions is sound. It means reminding judges that these decisions are false to the intentions of the founders; that, in the words of Walter Berns, the Court has "launched an interpretation under which the First Amendment forbids precisely what many a man in the First Congress went to such pains to protect -- namely, public support of religion, albeit on a nondiscriminatory basis." It means saying what needs to be said about the relationship of religion, and the values that follow from religion, and the preservation of a free society. ✓

And that relationship is this: Our values as a free people and the central values of the Judeo-Christian tradition are flesh of the flesh, blood of the blood.

In saying this, we -- I -- will be charged with being divisive. Indeed, a crucial reason Justice Powell gave for joining the majority in the Felton case was the potential of such programs for fostering divisiveness. But the fact is that the program was in no way divisive; on the contrary, this program grounded in the 1965 legislation, marked the overcoming of past tensions. Indeed it is the Court's decision in Felton, and the attitude underlying that and previous decisions, that fosters divisiveness. It is a

great and tragic irony that, having overcome to so great a degree the old divisions of Protestant and Catholic, Gentile and Jew, we now face a new source of divisiveness: the assault of secularism on religion. Nothing could be more divisive than the attempt, in the words of John Courtney Murray almost forty years ago, to channel "all government aid simply and solely towards the subsidization of secularism as the one national 'religion' and culture." It would be -- it is -- tragic indeed to find that the passing of old-fashioned suspicion of particular religions has been followed, with barely an interruption, by a new suspicion of our broad religious tradition on the part of secularized elites, far more sophisticated, a bit better disguised, but no less divisive, no less reprehensible, no less damaging.

To some my language will seem harsh. But how else is one to react to commentators heralding the Felton decision on the grounds that it helps save us from the fate of Iran and Lebanon? But let us ask: Is American Catholicism a religion of car-bombs and terrorism? It is not. Does the attempt to deliver remedial education to needy students in parochial schools augur an attempt to turn the government to the service of one religious faith? It does not. Is the Pope a force for intolerance in the world? Is intolerant Christianity the problem that bedevils the people of Eastern Europe? Is Catholic Lech Walesa an Ayatollah waiting to happen? No. The

Judeo-Christian tradition is not a source of fear in the world; it is a ground of hope.

And what of the United States? Was George Washington wrong when he argued that "reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle?" Was Jefferson wrong when he asserted that the liberties of a nation cannot be thought secure "when we have removed their only firm basis -- a conviction in the minds of the people that these liberties are of the gift of God?" Has subsequent history made the wisdom of our Founders obsolete? I do not believe so.

Indeed, our history has, if anything, deepened the intimate relationship between the Judeo-Christian tradition and the American political order. Lincoln understood the Civil War as a sort of divine punishment for the sin of slavery -- a sacrifice that made possible "under God," "a new birth of freedom." And religious faith was central to the civil rights movement a hundred years later: Martin Luther King had a dream. It was a dream that, as he said, "the sons of former slaves and the sons of former slaveowners will be able to sit down together at the table of brotherhood;" and it was a dream that "one day every valley shall be exalted, every hill and mountain shall be made low, ...and the glory of the Lord shall be revealed, and all flesh shall see it together."

In a word, then: American history -- the fundamental shape of the American experience -- cannot be understood without reference to the Judeo-Christian tradition, a tradition which gave birth to us and which envelops us.

Let me be clear. No one demands doctrinal adherence to any religious beliefs as a condition of citizenship, or as proof of good citizenship, here. But at the same time we should not deny what is true: that from the Judeo-Christian tradition come our values, our principles, the animating spirit of our institutions. That tradition and our tradition are entangled. They are wedded together. When we have disdain for our religious tradition, we have disdain for ourselves.

This Administration is fully committed to the First Amendment. We are fully committed to the principles of non-establishment of religion and tolerance. We are fully committed to equal rights for all -- for the believer and no less for the non-believer. But we do not shy away from what has become an urgent necessity -- a national conversation and debate on the place of religious belief in our society.

I intend to speak up in this debate; I have a responsibility to speak up, insofar as many of these issues come to a head in our schools. The Administration in which I serve will continue to press for legislation and, where

necessary, judicial reconsideration and constitutional amendment to help correct the current situation of disdain for religious belief. And we do this for the sake of our national well-being in general, and for the sake of education in particular. And we do this for the sake of education in the public as well as in the private schools. For we are all equally heirs and beneficiaries of the same religious tradition. That is the subtle truth that, in our time, we should not forget.

THE WHITE HOUSE

WASHINGTON

August 8, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Continuation of "Plan for Protecting
the Natural Gas Resources"

Secretary Herrington has asked the President to consent formally to an operating agreement and four "communitization" agreements governing the drilling of natural gas wells on land jointly owned by the Government and private parties. The Government owns land in Colorado known as Naval Oil Shale Reserve No. 3, over natural gas reserves. Adjacent private landowners have been drilling and plan to continue drilling for the natural gas, in such a fashion that migration of the gas from the Government land to the wells on private land is possible, resulting in the loss of the reserves to the Government. The Department of Energy has accordingly adopted a plan to drill for the natural gas to protect the Government's interests.

Wells have already been drilled on Government land. Energy now plans to drill on jointly-owned Government/private land. This requires the execution of detailed agreements between the Government and the private owners. The Secretary of Energy is authorized to enter into such agreements under 10 U.S.C. § 7427, "with the consent of the President." Herrington's present submission seeks that consent.

I have no objection to the President signing the form at Attachment 1, indicating his consent. I have not, of course, reviewed the agreements themselves, nor would I know how to begin to do so. Our clearance memorandum for Chew should note that we are not opining in any way on the substance of the agreements, for which we must rely on Energy.

Attachment

THE WHITE HOUSE

WASHINGTON

August 8, 1985

MEMORANDUM FOR DAVID L. CHEW
STAFF SECRETARY

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

SUBJECT: Continuation of "Plan for Protecting
the Natural Gas Resources"

I have reviewed the request from the Secretary of Energy that the President consent to an operating agreement and four communitization agreements pursuant to 10 U.S.C. § 7427. The proposed action by the President appears to comply with the requirements of 10 U.S.C. § 7427. I have not, of course, reviewed the substance of the agreements themselves, with respect to which we must rely on the Department of Energy.

FFF:JGR:aea 8/8/85
cc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

August 8, 1985

MEMORANDUM FOR DAVID L. CHEW
STAFF SECRETARY

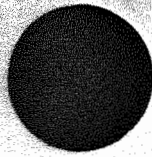
FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Continuation of "Plan for Protecting
the Natural Gas Resources"

I have reviewed the request from the Secretary of Energy that the President consent to an operating agreement and four communitization agreements pursuant to 10 U.S.C. § 7427. The proposed action by the President appears to comply with the requirements of 10 U.S.C. § 7427. I have not, of course, reviewed the substance of the agreements themselves, with respect to which we must rely on the Department of Energy.

FFF:JGR:aea 8/8/85
cc: FFFielding
JGRoberts
Subj
Chron

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET



O - OUTGOING

H - INTERNAL

I - INCOMING

Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: D. Chew

MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: Operating Agreement and four Communitization Agreements necessary to continue implementation of the "Plan for Protecting the Natural Gas Resources"

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>Curran</u>	ORIGINATOR	<u>85,08,07</u>			<u>1 1</u>
	Referral Note:				
<u>cut 18</u>	<u>D</u>	<u>85,08,07</u>		<u>S</u>	<u>85,08,12</u>
	Referral Note:				
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				

ACTION CODES:

- A - Appropriate Action
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- D - Draft Response
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- I - Info Copy Only/No Action Necessary
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- 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.

WHITE HOUSE STAFFING MEMORANDUM

DATE: 8/7/85 ACTION/CONCURRENCE/COMMENT DUE BY: August 12, 1985

SUBJECT: Operating Agreement and four Communitization Agreements necessary to continue implementation of the "Plan for Protecting the Natural Gas Resources"

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	LACY	<input type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input type="checkbox"/>	McFARLANE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WRIGHT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OGLESBY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input type="checkbox"/>	<input type="checkbox"/>	ROLLINS	<input type="checkbox"/>	<input type="checkbox"/>
CHAVEZ	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/> P	<input type="checkbox"/> SS	SPEAKES	<input type="checkbox"/>	<input type="checkbox"/>
DANIELS	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input type="checkbox"/>	<input type="checkbox"/>
FRIEDERSDORF	<input checked="" type="checkbox"/>	<input type="checkbox"/>	THOMAS	<input type="checkbox"/>	<input type="checkbox"/>
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
HICKEY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HICKS	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS: Please give your comments to my office by August 12th. Thanks.

RESPONSE:

1985 AUG -7 PM 5:18

David L. Chew
Staff Secretary
Ext. 2702



THE SECRETARY OF ENERGY
WASHINGTON, D.C. 20585

August 5, 1985

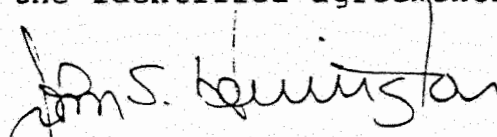
MEMORANDUM FOR The President

Pursuant to title 10, United States Code, Section 7427, I am transmitting for your consent the Operating Agreement and four Communitization Agreements necessary to continue implementation of the "Plan for Protecting the Natural Gas Resources, Naval Oil Shale Reserve No. 3, Garfield County, Colorado." (Attachment 2) The Plan was approved by the Office of Management and Budget, and reviewed by the Department of Justice and the Committees on Armed Services of the United States Senate and House of Representatives. The Plan provides for the drilling of wells along the boundary of Naval Oil Shale Reserve No. 3 to offset commercial production.

The Plan's first well was drilled on Government land in December 1984. Congressional guidance provided in response to our reprogramming notification indicated that the next well should be one on "communitized" land -- i.e., land owned by private parties and the Government. Communitization Agreements are needed to combine the lands into drilling units, and an Operating Agreement is required to prescribe the operational and financial arrangements for these units.

The Operating Agreement and Communitization Agreements (Attachments 3-7) have been signed by all parties to the Agreements, reviewed by the Acting Assistant Attorney General, Antitrust Division, Department of Justice, and certified by the Department of the Interior. The Communitization Agreements are identical except for the description of the private interests involved.

The historical practice of the Naval Petroleum and Oil Shale Reserves program has been to include the Presidential consent statement in agreements of this nature. Therefore, it is envisaged that, upon your signature, a copy of the document located at Attachment 1 will be made a part of each of the identified agreements.


John S. Herrington

THE WHITE HOUSE

WASHINGTON

August 20, 1985

Dear Mr. Jackson:

This is in reply to your letter of July 31 to the President, concerning your Federal conviction. I must advise you that the White House adheres to a policy of not interfering in particular criminal cases brought by the Department of Justice. The purpose of this policy is to preserve public confidence in the impartial enforcement of our laws. Accordingly, it will not be possible for us to take any action in response to your letter.

Any inquiries concerning the possibility of a pardon or commutation of sentence should be addressed to the Pardon Attorney at the Department of Justice. I hope you will understand the reasons for this reply.

Sincerely,



John G. Roberts
Associate Counsel to the President

Mr. T.S. Jackson
Post Office Box 559
Foreman, AZ 71836

ID # _____

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

AF

JOR

- O - OUTGOING
- H - INTERNAL
- I - INCOMING

Date Correspondence Received (YY/MM/DD) 85 108105

Name of Correspondent: Mr. Mrs. Miss Tillman S. Jackson

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Writer faces the ~~pro~~ prospect of going to jail for presenting what the government claims was bogus collateral for a purported loan.

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Completion Date YY/MM/DD
<u>CoKell</u>	<u>ORIGINATOR</u>	<u>85 108, 12</u>	<u>TR</u>	<u>85 10 1</u>
<u>Cu Fiel</u>	<u>Referral Note: A</u>	<u>85 108 113</u>	<u>TR</u>	<u>85 10 1</u>
<u>Crut 18</u>	<u>Referral Note: R</u>	<u>85 108, 14</u>	<u>S</u>	<u>85 108 128</u>
	<u>Referral Note:</u>	<u>1 1</u>		<u>1 1</u>
	<u>Referral Note:</u>	<u>1 1</u>		<u>1 1</u>

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Comments: _____

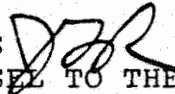
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THE WHITE HOUSE

WASHINGTON

August 20, 1985

MEMORANDUM FOR D. LOWELL JENSEN
DEPUTY ATTORNEY GENERAL
U.S. DEPARTMENT OF JUSTICE

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Presbyterian Church Resolution Protesting
Government Surveillance of Church Meetings

The attached letter to the President, and the accompanying resolution adopted by the General Assembly of the Presbyterian Church, are submitted to the Department of Justice for whatever review and direct reply you consider appropriate. I believe that the resolution may also have been sent directly to INS by the Church. I also attach a copy of my interim reply, advising that the matter has been referred to the Department.

Many thanks.

Attachments

THE WHITE HOUSE

WASHINGTON

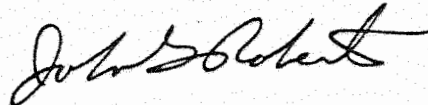
August 20, 1985

Dear Mr. Andrews:

This is in response to your recent letter to the President, conveying the Resolution on Government Surveillance of Church Meetings approved by the 197th General Assembly of the Presbyterian Church (U.S.A.). In light of the issues raised in your correspondence and in the resolution, I have forwarded both to the Department of Justice for review.

We appreciate being apprised of your concerns in this matter. You may be assured that the views of the General Assembly will be given every appropriate consideration, consistent with our obligation to uphold and enforce the laws of the United States.

Sincerely,



John G. Roberts
Associate Counsel to the President

Mr. James E. Andrews
Presbyterian Church (U.S.A.)
475 Riverside Drive
New York, NY 10115

THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

PROB

JR-dub

05 AUG 1985

INCOMING

DATE RECEIVED: AUGUST 03, 1985

NAME OF CORRESPONDENT: MR. JAMES E. ANDREWS

SUBJECT: RE THE GENERAL ASSEMBLY'S APPROVAL OF THE
ENCLOSED RESOLUTION PROTESTING GOVERNMENT
SURVEILLANCE OF CHURCH MEETINGS

ROUTE TO: OFFICE/AGENCY (STAFF NAME)	ACTION		DISPOSITION	
	ACT CODE	DATE YY/MM/DD	TYPE RESP	C COMPLETED D YY/MM/DD
DOUG HOLLADAY	ORG	85/08/05		C 85/08/07
REFERRAL NOTE: <i>Free Holding</i>	A	85/08/07		1/1
REFERRAL NOTE: <i>WAT 18</i>	R	85/08/09		S 85/08/19
REFERRAL NOTE:		1/1		1/1
REFERRAL NOTE:		1/1		1/1
REFERRAL NOTE:		1/1		1/1

COMMENTS:

ADDITIONAL CORRESPONDENTS: MEDIA: L INDIVIDUAL CODES: _____

PL MAIL USER CODES: (A) _____ (B) _____ (C) _____

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*ACTION CODES:          *DISPOSITION              *OUTGOING                *
*                       *                                     *CORRESPONDENCE:        *
*A-APPROPRIATE ACTION  *A-ANSWERED                *TYPE RESP=INITIALS    *
*C-COMMENT/RECOM       *B-NON-SPEC-REFERRAL      *      OF SIGNER        *
*D-DRAFT RESPONSE      *C-COMPLETED              *      CODE = A          *
*F-FURNISH FACT SHEET  *S-SUSPENDED              *COMPLETED = DATE OF   *
*I-INFO COPY/NO ACT NEC*                                     *      OUTGOING         *
*R-DIRECT REPLY W/COPY *                                     *                       *
*S-FOR-SIGNATURE        *                                     *                       *
*X-INTERIM REPLY        *                                     *                       *
*****

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REFER QUESTIONS AND ROUTING UPDATES TO CENTRAL REFERENCE
(ROOM 75, OEOB) EXT-2590
KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING
LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS
MANAGEMENT.

293068

PRESBYTERIAN CHURCH (U.S.A.)

Office of the General Assembly

James E. Andrews, *Stated Clerk*



Atlanta Office

Lucille S. Hicks, Assistant Stated Clerk
Catherine M. Shipley, Assistant Stated Clerk
Eugene D. Witherspoon, Jr., Assistant Stated Clerk

New York Office

Otto K. Finkbeiner, Associate Stated Clerk and Treasurer
Robert T. Newbold, Jr., Associate Stated Clerk
Robert F. Stevenson, Associate Stated Clerk
Mildred L. Wager, Assistant Stated Clerk

341 Ponce de Leon Ave. NE
Atlanta, GA 30365
404-873-1531

475 Riverside Drive
Room 1201
New York, NY 10115
212-870-2005

July 29, 1985

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

The General Assembly of the Presbyterian Church (U.S.A.), in session June 4-12, 1985 in Indianapolis, Indiana, approved the enclosed resolution protesting "the clandestine eavesdropping on church meetings by U.S. government under-cover agents without warrants or judicial supervision as a serious threat to the constitutional guarantee of religious freedom and the separation of church and state." The resolution further seeks that all charges against refugees and church workers engaged in acts of ministry with refugees be dropped, and that deportation proceedings against the refugees be halted.

The General Assembly is composed of approximately 700 ministers and lay officers representing churches with a total membership of more than 3,100,000 Presbyterians. The General Assembly is the highest legislative and policy-making body of the denomination, directing by its actions both the internal life of the Presbyterian Church and its witness to the world. Its judgments on public issues govern the programs of denominational agencies and provide guidance for the church. General Assembly statements do not claim to express the opinion nor bind the conscience of individual Presbyterians.

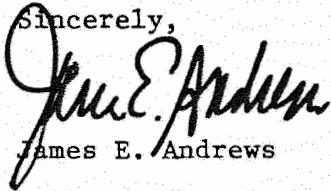
The General Assembly resolution on government surveillance of religious activities reflects a broad and intense concern about efforts of the federal government to interfere with the right of churches to determine their obligations for ministry to people in need without political interference. The surreptitious bugging of church meetings and Bible study groups publicly announced as open meetings does not represent law enforcement activity consistent with the democratic values and ideals of this nation.

The experience of our sister churches located in nations ruled by repressive governments demonstrates clearly that government surveillance of religious activities leads to a sense of anxiety and suspicion within religious groups rather than a sense of community and mutual acceptance. People grow fearful of attending public worship or Bible-study meetings. It is our belief that while conflicts of interest between church and state are inevitable, the freedom of religious people to follow conscience in carrying out acts of ministry is essential to the survival of a free society.

The President
July 29, 1985
Page 2

On behalf of the General Assembly I commend to you the careful study of the enclosed resolution and the facts about surveillance activities by government agents. Further, permit me to express a prayerful wish that you will be blessed by divine guidance as you carry out the very heavy responsibilities of your public office.

Sincerely,

A handwritten signature in cursive script that reads "James E. Andrews". The signature is written in dark ink and is positioned above the printed name.

James E. Andrews

JEA/esa
Encl.
26-27-0 P

RESOLUTION ON GOVERNMENT SURVEILLANCE
OF CHURCH MEETINGS

Approved by the 197th General Assembly (1985)
Presbyterian Church (U.S.A.)
June, 1985

Whereas, undercover agents employed by the Immigration and Naturalization Service of the U.S. Government were used to secretly spy on church worship services, meetings, and Bible study groups;

Whereas, these agents were equipped with concealed electronic surveillance devices; and

Whereas, the information gathered in this clandestine fashion was used to obtain indictments against sixteen church sanctuary workers and the arrest of sixty-four Central American refugees; and

Whereas, in the pretrial hearings of those church workers indicted, a government witness testified that the church meetings they infiltrated were "political" and not religious meetings;

Whereas, this surreptitious invasion of church property and confidentiality by government agents is unprecedented in U.S. history and a serious violation of the principles of religious freedom and the separation of church and state; therefore, be it

Resolved, that the 197th General Assembly (1985):


- 1.) Protest the clandestine eavesdropping on church meetings by U.S. government undercover agents without warrants or judicial supervision as a serious threat to the constitutional guarantee of religious freedom and the separation of church and state;
- 2.) Demand that all charges against the refugees and sanctuary workers based on or connected with such surveillance be dropped and any deportation proceedings be halted;
- 3.) Direct the Stated Clerk to communicate this protest and these demands to the President, the Secretary of State, and the Commissioner of the Immigration and Naturalization Service, requesting a full report on the surveillance activities in Arizona and seeking guarantees against any future such activities and, if necessary, to join others in pursuing a legal remedy to insure the protection of the church's religious liberty and constitutional rights.

THE WHITE HOUSE

WASHINGTON

August 21, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Request for Scheduling Recommendation:
Ceremony to Unveil and Release the Bill
of Responsibilities

Fred Ryan has asked for your recommendation on a request that the President participate in the unveiling of the "Bill of Responsibilities" developed by the Freedoms Foundation at Valley Forge. Freedoms Foundation is a 501(c)(3) organization, of which the President is the Honorary Chairman. The Bill of Responsibilities, envisioned as a counterpart to the Bill of Rights, was developed by the Center for Responsible Citizenship at the Foundation. Dr. Mark Cannon and Ursula Meese, among others, serve on the Center's Steering Committee.

The text of the Bill of Responsibilities is unobjectionable enough, admonishing us to obey laws, respect property, participate in the nation's political life, and that sort of thing. I see no great need for the President to participate in the unveiling, however, and think a message of some sort would be acceptable and adequate.

Attachment

THE WHITE HOUSE

WASHINGTON

August 21, 1985

MEMORANDUM FOR FREDERICK J. RYAN, JR.
DEPUTY ASSISTANT TO THE PRESIDENT
DIRECTOR, PRESIDENTIAL SCHEDULING

FROM: FRED F. FIELDING **F3/RAH**
COUNSEL TO THE PRESIDENT

SUBJECT: Request for Scheduling Recommendation:
Ceremony to Unveil and Release the Bill
of Responsibilities

You have asked for my views on a request that the President participate in the unveiling of the "Bill of Responsibilities" developed by the Freedoms Foundation at Valley Forge. While I certainly have no objection to the text of the Bill of Responsibilities, I see no great need for the President to participate in the ceremony. I would think an appropriate message from the President would be adequate.

FFF:JGR:aea 8/21/85
cc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

August 21, 1985

MEMORANDUM FOR FREDERICK J. RYAN, JR.
DEPUTY ASSISTANT TO THE PRESIDENT
DIRECTOR, PRESIDENTIAL SCHEDULING

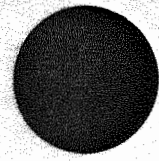
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cc: FFFielding
JGRoberts
Subj
Chron

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET



O - OUTGOING

H - INTERNAL

I - INCOMING

Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Fred Ryan

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Request for scheduling Recommendation: ceremony to unveil and release the Bill of Responsibilities

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 Hall</u>	ORIGINATOR	<u>85,07,31</u>		<u>1 1</u>
<u>cuat 18</u>	Referral Note: <u>D</u>	<u>85 107 131</u>	<u>S</u>	<u>85,08,05</u>
	Referral Note:	<u>1 1</u>		<u>1 1</u>
	Referral Note:	<u>1 1</u>		<u>1 1</u>
	Referral Note:	<u>1 1</u>		<u>1 1</u>
	Referral Note:	<u>1 1</u>		<u>1 1</u>

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THE WHITE HOUSE

WASHINGTON

MEMORANDUM

July 29, 1985

TO: AL KINGON -FRED FIELDING

FROM: FREDERICK J. RYAN, JR., DIRECTOR
PRESIDENTIAL APPOINTMENTS AND SCHEDULING

SUBJ: REQUEST FOR SCHEDULING RECOMMENDATION

PLEASE PROVIDE YOUR RECOMMENDATION ON THE FOLLOWING
SCHEDULING REQUEST UNDER CONSIDERATION:

EVENT: Ceremony to unveil and release the Bill of Responsibilities

DATE: Week of September 16-20, 1985 (September 17, 1985 preferred)

LOCATION: The White House or Rotunda of the Capital

BACKGROUND: See attached

YOUR RECOMMENDATION:

Accept _____ Regret _____ Surrogate _____ Message _____ Other _____
Priority _____
Routine _____

IF RECOMMENDATION IS TO ACCEPT, PLEASE CITE REASONS:

RESPONSE DUE August 5, 1985

TO JEAN APPLEBY JACKSON 