

Ronald Reagan Presidential Library Digital Library Collections

This is a PDF of a folder from our textual collections.

Collection: Roberts, John G.: Files
Folder Title: Chron File (05/06/1983-05/15/1983)
Box: 60

To see more digitized collections visit:

<https://reaganlibrary.gov/archives/digital-library>

To see all Ronald Reagan Presidential Library inventories visit:

<https://reaganlibrary.gov/document-collection>

Contact a reference archivist at: reagan.library@nara.gov

Citation Guidelines: <https://reaganlibrary.gov/citing>

National Archives Catalogue: <https://catalog.archives.gov/>

WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name

Withdrawer

File Folder CHRON FILE (05/06/1983 - 05/15/1983)

IGP 8/3/2005

Box Number 60

FOIA

F05-139/01

COOK

15IGP

COPY - Reagan Presidential Record

DOC NO	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
1	MEMO	ROBERTS TO FIELDING RE CORRESPONDENCE REGARDING PRICE LIST FOR COLOR PRINTS IN FEDERAL BUILDINGS (PARTIAL)	1	5/6/1983	B6	469
2	MEMO	ROBERTS TO FIELDING RE REQUEST FOR PARDON	1	5/13/1983	B6	1280
3	MEMO	FIELDING TO DAVID C. STEPHENSON RE PARDON REQUEST	1	5/13/1983	B6	1281
4	LETTER	FIELDING TO RICARDO RECHANY RE REQUEST	1	5/13/1983	B6	1282

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]

B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]

B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]

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

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

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 6, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS

SUBJECT: "Honorary Citizenship Certificate"
From Kennesaw, Georgia

Robert L. Ruble, Chief of Police of Kennesaw, Georgia, has sent the President a certificate stating that the President concurs with the Kennesaw firearms ordinance and accordingly has been made an honorary citizen of Kennesaw. You may recall that the ordinance in question requires every head of a household in Kennesaw to own and maintain a firearm in his home. Chief Ruble states that this has reduced crime. The chief describes himself as a loyal supporter, encloses a photograph of himself exercising his rights under the Second Amendment, and requests an autographed photograph of the President.

Our response to Ruble must disavow the assertion that the President supports the Kennesaw ordinance, and instruct Ruble not to make any representations on that score. I think the best way to do this would be to thank Ruble for the honorary citizenship but note that the President generally avoids becoming involved in local questions. I see no objection to sending Ruble a non-personalized autographed photograph of the President.

Attachment

THE WHITE HOUSE

WASHINGTON

May 6, 1983

Dear Chief Ruble:

Thank you for your letter of March 22, 1983 to the President. Along with that letter you transmitted a certificate stating that the President concurs with the ordinance passed by Kennesaw, Georgia concerning firearms, and making the President an honorary citizen of Kennesaw.

While we are grateful for your loyal support of the President, as evidenced by the grant of honorary citizenship, I must advise you that the President generally avoids becoming involved in particular questions of local law. This policy is based not only on the excessive demands becoming familiar with specific local ordinances and issues across the country would place on the President, but also on the dictates of our system of federalism. Accordingly, the President should not be represented as concurring in the Kennesaw firearms ordinance. I trust you will understand that this is based on our general policy of not taking official positions on local questions and is in no way a reflection on you or the citizens of Kennesaw.

In response to your request, I am happy to enclose an autographed portrait of the President.

Again, thank you for your support.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Robert L. Ruble
Chief of Police
City of Kennesaw Police Department
2844 South Main Street
Kennesaw, Georgia 30144

Enclosure

FFF:JGR:aw 5/6/83
cc: FFFielding/JGRoberts/Subj./Chron

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 6, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Continuing Correspondence
from John van Kesteren

John van Kesteren, a Dutch subject now living in Florida, wrote the President on March 11 seeking a statement of support and a photograph of the President to use in a private, charitable fundraising effort. By letter dated April 20 you advised van Kesteren that the White House adhered to a policy of not approving the use of statements by or photographs of the President in connection with private fundraising, no matter how laudable the cause. Van Kesteren has written again seeking reconsideration, noting that his request is unlike others because he is a foreigner and wants to help Americans. He also thinks he could use the President's endorsement to improvement America's image in Western Europe where van Kesteren is "well known."

Nothing in van Kesteren's second letter undermines my confidence in the appropriateness of our initial response. I have drafted a letter reiterating our position.

Attachment

THE WHITE HOUSE

WASHINGTON

May 6, 1983

Dear Mr. van Kesteren:

Thank you for your further correspondence on the question of obtaining a statement of support from the President and a photograph of the President to be used in connection with your charitable efforts.

I regret that I must reiterate my previous response. As I am certain you can appreciate, the President receives countless requests to lend his name to private charitable activities. It would be a task beyond our present resources to sift through all of these requests and somehow distinguish those that merit support from those that do not. In addition, any grant of permission to use the name of the President would carry with it the requirement of continuous monitoring to ensure against abuse. This would alter the very nature of private charitable efforts. For all of these reasons the White House has adopted the general policy referred to in my previous response of not approving the use of statements by the President or photographs of the President in connection with private fundraising or charitable activities.

The fact that you are a foreign subject seeking to help Americans is of course a cause for special gratitude on our part but does not justify a departure from our established policy. Please be assured that this policy is applied even-handedly and its application in your case is in no way intended as a reflection on you or your efforts.

I hope you will understand the reasons for our position.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. John van Kesteren
Kammersanger
60 Heritage Drive
Heritage Oaks
Tequesta, Florida 33458
FFF:JGR:aw 5/6/83
cc: FFFielding/JGRoberts/Subj./Chron

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 6, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Draft Proclamation Designating the
Week Beginning June 5, 1983 as
Management Week in America

Richard Darman has requested comments by close of business May 9 on the above-referenced draft proclamation. The proclamation, requested and authorized by Public Law 97-223, was prepared by the National Management Association and has been approved by OMB. It stresses the importance of the management profession to our economy. I see no legal objections.

Attachment

THE WHITE HOUSE

WASHINGTON

May 6, 1983

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Draft Proclamation Designating the
Week Beginning June 5, 1983 as
Management Week in America

Counsel's Office has reviewed the above-referenced draft proclamation and finds no objection to it from a legal perspective.

FFF:JGR:aw 5/6/83

cc: FFFielding
JGRoberts
Subj.
Chron

THE WHITE HOUSE

WASHINGTON

May 6, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Continuing Correspondence from [REDACTED]

You will recall that [REDACTED] after receiving from the President a gracious reply in response to [REDACTED] gift of a color print, sent Mr. Deaver a price list for similar prints to be placed in every federal building, noting that [REDACTED] was "out to make a buck." Deaver sent the package to you and you sent a very restrained and polite response to what was a rather crass letter. Now [REDACTED] has sent you a nasty letter, objecting to your answering the letter [REDACTED] sent to Deaver. We appear to have a live one on the line in [REDACTED] and rather than reeling [REDACTED] in I think it would be better simply to cut the line: no response.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 6, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Department of Justice Views
on S.J. Res. 26

Gregory Jones of OMB has asked for comments by close of business today on a proposed letter from Robert McConnell to Chairman Thurmond, responding to the Chairman's request for the Department of Justice's views on S.J. Res. 26. That resolution would amend the Constitution to permit the President to reduce or disapprove any item of appropriations in any act or joint resolution. Any item not reduced or disapproved would become law, and a reduced or disapproved item could be restored to its original amount by a simple majority in each House rather than the two-thirds needed to override a typical veto. A new amount could be set by a two-thirds vote of both Houses. The resolution was introduced by Senator Dixon (D-Ill.).

McConnell's letter declines to take a position on the policy question whether the Constitution should be amended to give the President an item veto power. Instead, the letter points out four difficulties with the proposal as drafted:

- °the amendment would only apply to appropriation items, so its impact would be limited.
- °as worded the proposal would apparently permit Congress upon reconsidering an appropriation vetoed by the President to set a new amount which would become law without resubmission to the President.
- °since a simple majority of both Houses could reinstate the original amount disapproved or reduced by the President, without resubmission, the practical effect of the amendment may be minimal. A simple majority, after all, was required to pass the appropriation in the first place.
- °the proposal would not permit the President to veto non-germane riders or parts of bills containing unrelated provisions, the most frequently cited need for an item veto, since it is limited to appropriations items.

I think the idea behind Senator Dixon's proposed is a good one: the President could do much to break up budget "log-rolling," or at least make it more difficult, by forcing separate votes on individual appropriations items that are unlikely to be able to stand alone. I agree with Justice's decision not to comment on the policy behind such a reallocation of powers between the Legislature and the Executive, however, primarily because the resolution probably has no chance of passage. We are involved in enough inter-branch disputes under the present Constitution without looking for more under a proposed one.

Attachment

THE WHITE HOUSE

WASHINGTON

May 6, 1983

MEMORANDUM FOR GREGORY JONES
OFFICE OF MANAGEMENT AND BUDGET

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Department of Justice Views
on S.J. Res. 26

Counsel's Office has reviewed the proposed report of the Department of Justice on S.J. Res. 26, and finds no objection to it from a legal perspective.

FFF:JGR:aw 5/6/83

cc: FFFielding
JGRoberts
Subj.
Chron

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 9, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Civil Aeronautics Board Decision
in Newark-London Backup Case

Richard Darman's office has asked for comments by noon, Tuesday, May 10, 1983 on the above-referenced CAB decision, which was submitted for Presidential review as required by § 801(a) of the Federal Aviation Act of 1958, as amended, 49 U.S.C. § 1461(a). Under this section, the President may disapprove, solely on the basis of foreign relations or national defense considerations, CAB actions involving either foreign air carriers or domestic carriers involved in foreign air transportation. If the President wishes to disapprove such CAB actions, he must do so within sixty days of submission (in this case, by June 12, 1983).

The order here has been reviewed by the appropriate departments and agencies, following the procedures established by Executive Order No. 11920 (1976). OMB recommends that the President not disapprove, and reports that the NSC and the Departments of State, Defense, Justice and Transportation have not identified any foreign relations or national defense reasons for disapproval. Since this order involves domestic carriers, judicial review is theoretically available. Hence, the proposed letter from the President to the CAB Chairman prepared by OMB includes the standard sentence designed to preserve availability of judicial review, as contemplated by the Executive Order for cases involving domestic airlines.

This order authorizes service by People Express between Newark and London, with back-up authority to World Airways. My review confirms OMB's description of this as a "routine, noncontroversial matter."

A memorandum for Darman is attached for your review and signature.

Attachment

THE WHITE HOUSE

WASHINGTON

May 9, 1983

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decision
in Newark-London Backup Case

Our office has reviewed the above-referenced CAB decision and related materials and has no legal objection to the procedure that was followed with respect to Presidential review of such decisions under 49 U.S.C. § 1461(a).

We also have no legal objection to OMB's recommendation that the President not disapprove this order or to the substance of the letter from the President to the CAB Chairman prepared by OMB.

FFF:JGR:aw 5/9/83

cc: FFFielding
JGRoberts
Subj.
Chron

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 9, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS

SUBJECT: Petition Before FDA to Regulate Bottled Water

William F. Deal of the International Bottled Water Association (IBWA) has written, requesting a meeting with you to enlist Administration support for the IBWA petition before the FDA to regulate bottled mineral water. Under current rules bottled water is subject to FDA quality standards but bottled mineral water is not.

The FDA is not an independent regulatory agency as such but rather a component of HHS. Nonetheless it does perform regulatory functions and accordingly neither our office nor any other member of the White House staff should intercede in this particular regulatory matter. I have drafted an appropriate reply to Deal noting that our office must decline to become involved.

Attachment

THE WHITE HOUSE
WASHINGTON

May 9, 1983

*not want
see 5/10*

Dear Mr. Deal:

Thank you for your letter of April 18, 1983, describing the petition filed before the Food and Drug Administration by the International Bottled Water Association, seeking to establish standards for bottled mineral water. In that letter you requested an opportunity to meet to discuss the petition and to enlist the support of the Administration.

As a matter of general policy, members of the White House staff may not contact an agency that performs regulatory or adjudicative functions, such as the Food and Drug Administration, concerning a particular matter pending before that agency. The purpose of this policy is to preserve the independence and integrity of the regulatory and adjudicative processes. It would in this case be inappropriate for our office to become involved in the consideration of a particular petition pending before the FDA.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. William F. Deal, CAE
Executive Vice President
International Bottled
Water Association
113 North Henry Street
Alexandria, Virginia 22314

FFF:JGR:aw 5/9/83

cc: FFFielding
JGRoberts
Subj.
Chron

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 9, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS

SUBJECT: Charles Lien, Donation of Sculpture
for Ronald Reagan Presidential Library

In accordance with our request, Mr. Charles Lien has signed a donation agreement for the presentation of the bronze sculpture, "Safe and Sound," to the President.

Attached for your review and approval are (1) a memorandum to Kerry Moody (GSA Liaison) requesting him to have the donation agreement signed by the Archivist and to assist Pam Turner as necessary for this presentation; (2) a memorandum to Pam Turner advising her of the completion of the necessary paperwork and that the presentation may proceed at any time; and (3) an acknowledgment letter to Lien indicating receipt of the signed donation agreement and advising him again that Senator Abdnor's office will contact him regarding arrangements for a presentation of the "Safe and Sound" sculpture to the President.

Attachments

THE WHITE HOUSE

WASHINGTON

May 9, 1983

MEMORANDUM FOR KERRY B. MOODY
GENERAL SERVICES ADMINISTRATION

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Charles Lien, Donation of Sculpture
for Ronald Reagan Presidential Library

Attached for your handling please find a Donation Agreement signed by Mr. Lien concerning his proposed donation of a sculpture entitled "Safe and Sound" to the Ronald Reagan Presidential Library. In accordance with our normal arrangement, I would appreciate it if you would have this Agreement signed by the Archivist and assist Pam Turner as necessary when the sculpture is presented to the President.

Thank you for your assistance.

Attachment

FFF:JGR:aw 5/9/83

cc: FFFielding
JGRoberts
Subj.
Chron

THE WHITE HOUSE

WASHINGTON

May 9, 1983

MEMORANDUM FOR PAMELA J. TURNER
DEPUTY ASSISTANT TO THE PRESIDENT
FOR LEGISLATIVE AFFAIRS

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Charles Lien, Donation of Sculpture
for Ronald Reagan Presidential Library

Attached is a copy of the Donation Agreement signed by Mr. Lien in connection with his gift of the sculpture "Safe and Sound" to the President for eventual repose in the Ronald Reagan Presidential Library. The original of this Agreement has been forwarded to the GSA for signature by the Archivist. GSA's representative here at the White House has informed me that you can now proceed to arrange for presentation of the sculpture. In this regard, I suggest you contact Kerry Moody to arrange for handling of the sculpture following presentation.

Also attached is a copy of my letter to Mr. Lien acknowledging receipt of the signed Donation Agreement and informing him that he will next be contacted by Senator Abdnor's office concerning a presentation date.

If you have any additional questions concerning this matter, please do not hesitate to contact me.

Attachments

FFF:JGR:as 5/9/83

cc: FFfielding
JGRoberts
Subj.
Chron

THE WHITE HOUSE

WASHINGTON

May 9, 1983

not sent see 5/10

Dear Mr. Lien:

This letter acknowledges your return of the Donation Agreement which I provided to you in connection with the proposed gift of the sculpture "Safe and Sound" to the President for eventual repose in the Ronald Reagan Presidential Library.

It has been a pleasure to work with you on this matter, and I greatly appreciate your willingness to donate this beautiful sculpture to the President. You will be contacted in the near future by Senator Abdnor's office in connection with arranging a time for presenting the sculpture "Safe and Sound" to the President.

With best wishes,

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Charles Lien
P.O. Box 440
Rapid City, South Dakota 57709

FFF:JGR:aw 5/9/83

cc: FFFielding
JGRoberts
Subj.
Chron

THE WHITE HOUSE

WASHINGTON

May 10, 1983

Dear Mr. Lien:

This letter acknowledges your return of the Donation Agreement which I provided to you in connection with the proposed gift of the sculpture "Safe and Sound" to the President for eventual repose in the Ronald Reagan Presidential Library.

It has been a pleasure to work with you on this matter, and I greatly appreciate your willingness to donate this beautiful sculpture. You will be contacted in the near future by Senator Abdnor's office in connection with arranging a time for presenting the sculpture "Safe and Sound" to the President.

With best wishes,

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Charles Lien
P.O. Box 440
Rapid City, South Dakota 57709

FFF:JGR:aw 5/10/83

cc: FFFielding
JGRoberts
Subj.
Chron

THE WHITE HOUSE

WASHINGTON

May 10, 1983

Dear Mr. Deal:

Thank you for your letter of April 18, 1983, describing the petition filed before the Food and Drug Administration by the International Bottled Water Association, seeking to establish standards for bottled mineral water. In that letter you requested an opportunity to meet to discuss the petition and to enlist the support of the Administration.

As a matter of general policy, members of the White House staff may not contact an agency that performs regulatory or adjudicative functions, such as the Food and Drug Administration, concerning a particular matter pending before that agency. The purpose of this policy is to preserve the independence and integrity of the regulatory and adjudicative processes. It would in this case be inappropriate for our office to become involved in the consideration of a particular petition pending before the FDA.

I trust you will understand the need for us to adopt this approach.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. William F. Deal, CAE
Executive Vice President
International Bottled
Water Association
113 North Henry Street
Alexandria, Virginia 22314

FFF:JGR:aw 5/10/83

cc: FFfielding
JGRoberts
Subj.
Chron

THE WHITE HOUSE

WASHINGTON

May 10, 1983

Dear Mr. Healey:

With regard to your prospective appointment as Assistant Secretary for Domestic Finance, Department of the Treasury, it will be necessary for you to complete the enclosed Personal Data Statement and Financial Disclosure Report. Please return these forms to me at your earliest convenience.

With best wishes,

Sincerely,



John G. Roberts
Associate Counsel
to the President

Mr. Thomas J. Healey
132 Fairmount Avenue
Chatham, New Jersey 07928

Enclosures

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 10, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Remarks: Small Business Week

Richard Darman has requested that any comments on the above-referenced remarks be sent directly to Aram Bakshian by noon today. The remarks are to be delivered tomorrow. I have reviewed the remarks and see no legal objections. The President announces he will veto efforts to repeal the third year of the tax cut and indexing, but those positions are already clearly on the record.

Attachment

THE WHITE HOUSE

WASHINGTON

May 10, 1983

MEMORANDUM FOR ARAM BAKSHIAN, JR.
DEPUTY ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Remarks: Small Business Week

Counsel's Office has reviewed the above-referenced proposed remarks, and finds no objection to them from a legal perspective.

FFF:JGR:aw 5/10/83

cc: FFFielding
JGRoberts
Subj.
Chron

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 11, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Complaint Concerning Processing
of a Case at the EEOC

Ann Harrison has written James A. Baker III to complain about delay in processing her case at the EEOC. Mrs. Harrison had a dispute with former EEOC General Counsel Michael Connolly last year, and wrote Mr. Deaver asking the White House to intercede at the EEOC on her behalf. You wrote back advising that the White House could not do so. According to Mrs. Harrison's latest letter, the current status of her case is that the Denver field office of the EEOC has found in her favor and referred the case to Washington for permission to litigate. It has been six months and no answer has been received from Washington. Mrs. Harrison questions whether her earlier complaints about Connolly are prejudicing consideration of her claim. She also raises more general questions about the commitment of the EEOC.

I recommend a brief reply to Harrison reiterating your previous advice that it would be inappropriate for the White House to become involved in a particular case before the EEOC. You can give her David Slate's name (she asked who replaced Connolly), and generally assure her that the Administration is fully committed to enforcing the civil rights laws.

Attachment

THE WHITE HOUSE

WASHINGTON

May 27, 1983

Dear Mrs. Harrison:

I am writing in response to your letter of April 1, 1983 to James A. Baker III. In that letter you expressed concern over the status of your case before the Equal Employment Opportunity Commission.

As I advised you in my letter of May 27, 1982, it would be inappropriate for any member of the White House staff to contact an agency that performs regulatory or adjudicative functions, such as the Equal Employment Opportunity Commission, concerning any particular matter before that agency. Questions concerning the status of your case before the Commission may be directed to the new General Counsel, David L. Slate. I trust you will understand that the White House does not become involved in particular claims pending before the Commission to preserve the independence and integrity of the Commission's processes.

With respect to the more general concerns raised in your letter, I can assure you that the Administration is fully committed to vigorous enforcement of the civil rights laws, not only by the Equal Employment Opportunity Commission but by all agencies charged with enforcement responsibility. Mr. Slate, of course, shares this commitment. I am confident your case will receive every appropriate consideration.

Sincerely,

Fred F. Fielding
Counsel to the President

Mrs. Ann Harrison
1404 Kay Street
Apt. 1
Longmont, Colorado 80501

FFF:JGR:aw 5/27/83
cc: FFFielding/JGRoberts/Subj./Chron

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 11, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Presidential Seal Inquiry

Sheryll Tomson of "Carroll on Coins" has inquired if there is any reason her company cannot produce a souvenir token bearing the Seal of the President. I have prepared a standard response advising Tomson that her contemplated use of the Seal is not permitted.

Attachment

THE WHITE HOUSE

WASHINGTON

May 11, 1983

Dear Ms. Tomson:

Thank you for your recent letter inquiring if there were any reason why "Carroll on Coins" could not produce a souvenir token bearing a depiction of the Seal of the President. I must advise you that such use of the Presidential Seal is prohibited by law.

Title 18 of the United States Code, Section 713 generally prohibits use of the Seal of the President, except in accordance with regulations promulgated by the President. Those regulations are embodied in Executive Order 11649. A copy of the statute and implementing regulations are enclosed for your information. As you will see, your contemplated use of the Seal is not permitted under these provisions.

Thank you for your inquiry.

Sincerely,

Fred F. Fielding
Counsel to the President

Ms. Sheryll Tomson
Carroll on Coins
61 Wilton Road
Westport, Connecticut 06880

Enclosure

FFF:JGR:aw 5/11/83

cc: FFFielding
JGRoberts
Subj.
Chron

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 11, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Another Letter on the International
Gold Bullion Exchange Advertising Flyer

E. George Dabagian of New Jersey has sent James A. Baker a letter calling his attention to the misuse of the President's name and likeness in the International Gold Bullion Exchange (IGBE) advertising flyer. In response to a previous inquiry you sent an appropriate letter to IGBE demanding immediate cessation of use of the flyer, and advice concerning steps taken to correct the misimpression of Presidential endorsement. I have drafted a reply to Dabagian, pointing out that the President is not associated with IGBE and that we have taken action to correct the misimpression that he is.

Attachment

THE WHITE HOUSE

WASHINGTON

May 11, 1983

Dear Mr. Dabagian:

Thank you for your recent letter to James A. Baker III. Along with that letter you sent an advertising flyer from the International Gold Bullion Exchange, containing a photograph of the President with several other individuals. One of the individuals was identified as the Chief Financial Officer of the International Gold Bullion Exchange, and the caption to the photograph indicated this officer was "in Washington, D.C. on business with President Ronald Reagan." In your letter you noted that the advertising brochure could leave the impression that the President supported the promotion.

Please be assured that the President has not permitted the Exchange to use his name or likeness, nor is the President in any way associated with the Exchange. The White House adheres strictly to a policy of not permitting the name or likeness of the President to be used in any way that suggests or could be construed as endorsement of a commercial product or enterprise. The use of the President's name and likeness in the Exchange advertising flyer was done without our knowledge, was completely unauthorized, and is contrary to established White House policy. We became aware of this misuse of the President's name and likeness shortly before receipt of your letter, and have taken appropriate action to correct the false impression of Presidential endorsement conveyed by the flyer.

In your letter you noted that you felt it your duty to let the President know of this untasteful promotion. We certainly appreciate your taking the time and effort to do so. Thank you also for your continuing support of the President.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. E. George Dabagian
President, Jersey Printing
238 Pennsylvania Avenue
Paterson, New Jersey 07503

cc: James A. Baker III
FFF:JGR:aw 5/11/83
cc: FFFielding/JGRoberts/Subj./Chron

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 11, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Statement of Francis Mullen on
Production and Trafficking of
Controlled Substances in Latin America

Bud Mullen proposes to deliver the above-referenced testimony before the Subcommittee on Crime of the House Judiciary Committee tomorrow, May 12. The lengthy statement reviews DEA's international program, with detailed reports on Mexico, Columbia, Peru, Bolivia, Brazil, Jamaica, Belize, and Cuba. The most significant aspect of the testimony in light of recent publicity is likely to be the discussion of the role of the Cuban government in drug trafficking. The discussion centers on the Guillot-Lara investigation, which revealed the involvement of Cuban government officials who were subsequently indicted. Mullen concludes: "When we examine the total amount of intelligence and evidence that is available from the 1970's, the Guillot investigation and its follow-up, and new intelligence now being developed, it is difficult not to believe that the Government of Cuba remains cognizant of the movement of drugs through its territory, and may be facilitating this movement."

I see no legal objection.

Attachment

THE WHITE HOUSE

WASHINGTON

May 11, 1983

MEMORANDUM FOR GREGORY JONES
OFFICE OF MANAGEMENT AND BUDGET

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Statement of Francis Mullen on
Production and Trafficking of
Controlled Substances in Latin America

Counsel's Office has reviewed the above-referenced proposed testimony and finds no objection to it from a legal perspective.

FFF:JGR:aw 5/11/83

cc: FFFielding
JGRoberts
Subj.
Chron

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 12, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Civil Aeronautics Board Decisions in Capitol Air, Inc. and Transamerica Airlines, Inc.; Consolidated Freightways, Inc., and Subsidiary Companies; International Air Associates, Inc.; United Air Carriers, Inc.; and Trans-Air-Link Corporation

Richard Darman's office has asked for comments by close of business Friday, May 13, 1983 on the above-referenced CAB decisions, which were submitted for Presidential review as required by § 801(a) of the Federal Aviation Act of 1958, as amended, 49 U.S.C. § 1461(a). Under this section, the President may disapprove, solely on the basis of foreign relations or national defense considerations, CAB actions involving either foreign air carriers or domestic carriers involved in foreign air transportation. If the President wishes to disapprove such CAB actions, he must do so within sixty days of submission (in these cases, by May 27, 29, 31, June 7, and 24, respectively).

The orders here have been reviewed by the appropriate departments and agencies, following the procedures established by Executive Order No. 11920 (1976). OMB recommends that the President not disapprove, and reports that the NSC and the Departments of State, Defense, Justice and Transportation have not identified any foreign relations or national defense reasons for disapproval. Since these orders involve domestic carriers, judicial review is theoretically available. Hence, the proposed letter from the President to the CAB Chairman prepared by OMB includes the standard sentence designed to preserve availability of judicial review, as contemplated by the Executive Order for cases involving domestic airlines.

The order in Capitol Air and Transamerica denies back-up authority to the airlines, pursuant to established CAB policy only to award such authority when primary authority is first issued. The order in Consolidated Freightways permits that company to acquire Air Express and all its route authority. The remaining three orders issue new operating authorities.

A memorandum for Darman is attached for your review and signature.

THE WHITE HOUSE

WASHINGTON

May 12, 1983

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decisions in
Capitol Air, Inc. and Transamerica Airlines,
Inc.; Consolidated Freightways, Inc., and
Subsidiary Companies; International Air
Associates, Inc.; United Air Carriers, Inc.;
and Trans-Air-Link Corporation

Our office has reviewed the above-referenced CAB decisions and related materials and has no legal objection to the procedure that was followed with respect to Presidential review of such decisions under 49 U.S.C. § 1461(a).

We also have no legal objection to OMB's recommendation that the President not disapprove these orders or to the substance of the letter from the President to the CAB Chairman prepared by OMB.

FFF:JGR:aw 5/12/83

cc: FFFielding
JGRoberts
Subj.
Chron

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 13, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Letters to Mayors Charles Royer and
Tom Moody Re: Municipal Antitrust Liability

Richard Darman has requested clearance of the above-referenced letters by noon today. The letters are identical, mutatis mutandis, and state that the Administration will support legislation to provide an exemption from federal antitrust laws for local governments acting under authority of state law and within their governmental capacity. The need for such legislation was prompted by the Supreme Court's decision last term in Community Communications v. City of Boulder.

I have no objections to the letters.

Attachment

THE WHITE HOUSE

WASHINGTON

May 13, 1983

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Letters to Mayors Charles Royer and
Tom Moody Re: Municipal Antitrust Liability

Counsel's Office has reviewed the above-referenced proposed letters and finds no objection to them from a legal perspective.

FFF:JGR:aw 5/13/83

cc: FFFielding
JGRoberts
Subj.
Chron

WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name

Roberts, John

Withdrawer

IGP 8/3/2005

File Folder

CHRON FILE (05/06/1983 - 05/15/1983)

FOIA

F05-139/01

COOK

Box Number

60

15IGP

DOC Document Type

NO Document Description

*No of Doc Date Restric-
pages tions*

2 MEMO

1 5/13/1983 B6

1280

ROBERTS TO FIELDING RE REQUEST FOR
PARDON

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]

B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]

B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]

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

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

WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name

Roberts, John

Withdrawer

IGP 8/3/2005

File Folder

CHRON FILE (05/06/1983 - 05/15/1983)

FOIA

F05-139/01

COOK

Box Number

60

15IGP

DOC Document Type

NO Document Description

*No of Doc Date Restric-
pages tions*

3 MEMO

1 5/13/1983 B6

1281

FIELDING TO DAVID C. STEPHENSON RE
PARDON REQUEST

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]

B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]

B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]

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

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

WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name

Roberts, John

Withdrawer

IGP 8/3/2005

File Folder

CHRON FILE (05/06/1983 - 05/15/1983)

FOIA

F05-139/01

COOK

Box Number

60

15IGP

DOC Document Type

NO Document Description

No of Doc Date Restric-
pages tions

4 LETTER

1 5/13/1983 B6

1282

FIELDING TO RICARDO RECHANY RE REQUEST

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]
- B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- 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

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

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 13, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS

SUBJECT: Use of Items with Presidential Seal in Product Catalogue

John Rogers has called to our attention the appearance of two items bearing the Presidential Seal in a product catalogue produced by the Ad Speciality Institute. The catalogue features items that can be produced with customized labels or logos. It is used by many different vendors, who imprint their own company name and address on the cover. The Institute acts as a clearinghouse for orders placed with individual vendors.

The two items bearing the Seal were produced for White House use. Their appearance in the catalogue is nonetheless contrary to 18 U.S.C. § 713(b), since that use is not "for the official use of the Government of the United States" but rather for the use of the producers themselves. I have prepared a letter to the president of ASI advising him to cease use of products bearing the Seal in his catalogue.

Attachment

THE WHITE HOUSE

WASHINGTON

May 13, 1983

Dear Mr. Spike:

It has come to our attention that items bearing the Seal of the President appear on pages 5 and 7 of the "Something Special" catalogue produced by Ad Specialty Institute. I must advise you that such use of the Seal is prohibited by law.

Title 18 of the United States Code, Section 713 generally prohibits the use of the Seal of the President except in accordance with regulations promulgated by the President. Those regulations are embodied in Executive Order 11649. A copy of the statute and implementing regulations are enclosed for your information.

You will notice that the statute prohibits reproduction of the Seal, including the Seal appended to any article manufactured or sold, "except for manufacture or sale of the article for the official use of the Government of the United States." 18 U.S.C. § 713(b). Although the items in question were produced for the Government, the reproduction of the Seal in the catalogue itself was not in any way for the official use of the Government. With respect to the item on page 7, it is established White House policy not to permit the use of a reproduction of the President's signature in any manner that could be construed as endorsement of a commercial product or enterprise. In this case the appearance of the signature in your catalogue could be so construed.

In light of all the foregoing, I must advise you to cease use of any items bearing the Seal of the President or the signature of the President in your catalogue. Thank you for your cooperation in ensuring compliance with the laws governing use of the Seal and the policy with respect to use of the President's signature.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Marvin Spike
President, Ad Specialty Institute
1120 Wheeler Way
Langhorne, Pennsylvania 19047

Enclosure

FFF:JCR:aw 5/13/83

THE WHITE HOUSE

WASHINGTON

May 13, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS.

SUBJECT: Proposed Draft Letter from the President to
Dr. Joao Havelange, President of the Federa-
tion Internationale de Football Association

Bill Sittmann has requested clearance of the above-referenced letter. The letter simply expresses the interest of the U.S. in hosting the World Cup and urges careful consideration of the U.S. Soccer Federation bid. The letter states that "the organizing committee will receive all necessary support." I do not think such a vague statement presents any difficulties. Nor do I see any objections to the President voicing support for the U.S. Soccer Federation bid, since the Federation is the only U.S. organization involved in this effort: there is no question of favoring one domestic organization over another.

THE WHITE HOUSE

WASHINGTON

May 13, 1983

MEMORANDUM FOR WILLIAM F. SITTMANN
SPECIAL ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Draft Letter from the President to
Dr. Joao Havelange, President of the Federa-
tion Internationale de Football Association

Counsel's Office has reviewed the above-referenced proposed letter and finds no objection to it from a legal perspective.

FFF:JGR:aw 5/13/83

cc: FFFielding
JGRoberts
Subj.
Chron