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# WITHDRAWAL SHEET

## Ronald Reagan Library

**Collection Name** ROBERTS, JOHN G.: FILES

**Withdrawer**

IGP 8/4/2005

**File Folder** CHRON FILE (09/15/1983 CON'T - 09/19/1983)

**FOIA**

F05-139/01

**Box Number**

COOK

30IGP

DOC NO	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
1	MEMO	ROBERTS TO FIELDING THRU HAUSER RE DIEGO ASENSIO	1	9/15/1983	B6	579
2	MEMO	ROBERTS TO FIELDING THRU HAUSER RE DIEGO ASENSIO	1	9/15/1983	B6	581
3	MEMO	APPOINTMENT PROCESS PERSONAL INTERVIEW RECORD	2	ND	B6	582
4	MEMO	ROBERTS TO FRED FIELDING [RELEASED IN WHOLE - 02/03/06 - MJD]	1	9/16/1983	B6	1256
5	LETTER	FROM ROBERTS RE ARTICLE "TAXES BANKROLL THOUSANDS OF EUROPEAN TRIPS" <i>Released in part 4/21/06</i>	1	9/19/1983	B6	586

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-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.

THE WHITE HOUSE

WASHINGTON

September 15, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS

SUBJECT: Alan I. Marshall

Alan I. Marshall was convicted in federal district court on December 18, 1981, of mail fraud and wire fraud in connection with an arson incident. Marshall was apparently granted a new trial on several counts, but his conviction on other counts was affirmed by the Sixth Circuit. Marshall plans to appeal to the Supremes. He has sent you, along with 14 other people, a copy of a six-page letter he wrote to the Justice Department Public Integrity Division. The letter raises a broad range of allegations against the U.S. Attorneys Office, the FBI, the trial judge, and the appellate judges. You should not respond. Since Marshall has sent the letter to Justice directly, no referral is necessary.

Attachment

JR

44010

WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET

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

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

Name of Correspondent: Alan I Marshall

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

Subject: Violation of his Constitutional Rights

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>CWHDL</u>	<u>ORIGINATOR</u>	<u>DD 83,09,14</u>			<u>1 1</u>
<u>CWAT 18</u>	<u>DD</u>	<u>83,09,14</u>		<u>S</u>	<u>83,09,24</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.

171436 *CU*

Dear Sir:

Enclose please find a letter charging the Cleveland F.B.I. and U.S. Attorney and Court with violating my Constitution rights. I realize from talking to a few Congressman and Senators that they can't get involved in courts cases. I am not asking or due I expect any special consideration all I ask is for your office to follow through so as my charges are not buried under the carpet. This can be done by asking the U.S. Attorney Public Integrity Division what steps their taking to check into these allegation.

☞ Thank you,

Alan I. Marshall  
1-800-227-1617 Ext 494

*Mr. Hickling*

*to refer to your secretary and ask that you  
to send a letter and you would possibly receive it*

*Thank you  
Alan I. Marshall*

P.O. Box 203  
Grove City, Ohio 43123

August 26, 1983

Public Integrity Division  
Department of Justice  
10th & Constitution Ave. N.W.  
Washington, D.C. 20530

Dear Sir or Madam:

My name is Alan I. Marshall. I am a resident of the city of Williamsville, New York but for the past three years I have worked in Columbus, Ohio.

On October 2, 1981, I was indicted by a federal grand jury impaneled by the United States District Court for the Northern district of Ohio in Cleveland, Ohio.

I was indicted on two counts of mail fraud, three counts of wire fraud and one count under the Travel Act. In the indictment, the government claimed that I rented a warehouse in Cleveland, Ohio to store my delivery trucks and meat, fish and poultry products. They claim I removed the meat, fish and poultry products from this warehouse, and hired someone to set fire to the warehouse at which time the trucks were damaged. I submitted fire, damage and theft insurance claims to insurance companies which the government claims were false. I was charged with telephone and mail fraud since I used these means to file the insurance claims.

Before my trial my lawyer, Tony Miranda, filed a Request for Discovery asking that he be informed if any witness testifying against me was promised or granted immunity. In particular, he asked whether Charles Pruner, a former employee of mine, was granted immunity. The government said immunity had been granted to no one. Charles Pruner testified against me and was the government's star witness.

On December 18, 1981 I was convicted on both mail fraud counts and on all three wire fraud counts. The Travel Act count was dismissed.

By February 24, 1982, it had come to my attention that Mr. Miranda, my attorney, was not an experienced criminal lawyer. He had not practiced in federal court nor did he know the rules of procedure. I had, unfortunately, been told that he was experienced.

Shortly after that I hired new lawyers to handle my case. It was their opinion that I had ineffective counsel. After

Page 2  
Public Integrity Div.  
August 26, 1983

reviewing the grand jury testimony of Charles Pruner, the government's main witness, my new lawyers told me that Charles Pruner had been granted immunity from prosecution in exchange for his testimony against me. My trial lawyer, Mr. Miranda, had not been told that fact by the government.

As a result, another Motion for a New Trial was filed which said that because the government had not told my trial lawyer about the immunity agreement between them and Charles Pruner my due process rights had been violated.

The trial judge, Judge Krupansky reversed my conviction on three counts but let the other two counts stand. He said that conviction on those two counts was not based on Charles Pruner's testimony but on other independent evidence.

I appealed that ruling to the Sixth Circuit Court of Appeals and was recently notified that my convictions on the two counts were affirmed. I plan to appeal this ruling to the U.S. Supreme Court very soon. (However, I am all most positive that, according to the Cleveland court officials, that it will not be here, but by appealing to the Supreme Court, I am ruffling more feathers and I am blowing any chance of shock probation or an early parole.)

The following are the facts as best as I can remember and document them:

Throughout the investigation, trial and appeal process, the FBI has harassed and intimidated my wife (who I am legally separated from) and my two children who reside in Williamsville New York. They have called my wife a liar and upset my children with intimidating phone calls and visits to their home.

The FBI and the U.S. Attorney knowingly withheld evidence from my trial attorney that would have helped in my defense. For example, they withheld the fact that their main witness, Charles Pruner had been granted immunity from prosecution. In addition they assisted him in getting probation for embezzlement in New Jersey. To this date his felony conviction has never, to my knowledge, showed up on any criminal conviction records. They also buried numerous bad check charges. It is my understanding that there is still a warrant for his arrest for one. This is in addition to a bail jumping charge. Both the U.S. Attorney and the FBI agents knew tht Mr. Pruner and Mr. Cummings (a supporting witness) were, in fact, the ones who stole my product and tried to destroy my equipment. They were able to get Mr. Pruner released from jail in Florida to testify against me. None of this was told to me during my trial. I learned this on my own.

Further, the FBI and U.S. Attorney denied that they had any written statements from Charles Pruner their main witness. I have learned enough about the FBI from my own contacts that they write everything down. Despite this, my trial attorney and I were told no written or taped statements was taken from Charles Pruner, the government's star witness prior to his appearance before the grand jury. This was nothing but a lie and I believe that if I had such statements it would have been my defense during the trial. Mr. Arbezniak, the U.S. Attorney, made a statement to a court official that there were, in fact, three statements made by Mr. Pruner and if subpoenaed the court official would testify to that.

I believe my trial, motion hearing and sentencing transcripts were "doctored" to leave out events which were embarrassing, unprofessional and in some cases grounds for appeal. For example, during my trial, my lawyer would receive large numbers of transcripts of government witnesses on the day of their testimony. The U.S. Attorney did this purposely so my lawyer wouldn't have time to review them. My lawyer asked the court for time prior to cross examining these witnesses to read these transcripts and Judge Krupansky denied his request. This was done on the record but when I got the transcript to appeal, this event was not recorded.

Secondly, at my sentencing on July 30, 1982, Judge Krupansky stormed out of the court room because the U.S. Attorney had not made a decision as to whether he would re-prosecute me for counts I, II and III which the court had reversed. At no time during the sentencing did Judge Krupansky inform me of my right to appeal. Yet when I got the transcript of the proceeding a statement by the judge advising me of my appeal rights was there. This was added after the fact.

In another instance, I informed the court I no longer had the funds and asked for a court appointed lawyer. It was denied. This request never appeared on the transcript. I believe that if some high authority could impound the original trial transcript without warning, my charges would be proven correct.

Shortly after the three counts were reversed and dismissed, I was informed that the State of Ohio wished to pursue prosecution of me for the same crime but on the state level. Prior to this time, the state had done nothing to initiate prosecution. Gary Arbezniak, the U.S. Attorney who prosecuted me, used to work for the Cuyahoga County Prosecutor. Strangely, right after I had three federal counts reversed and dismissed, and had refused to accept a deal from the U.S. Attorney to drop my Appeal to the Sixth Circuit in exchange for them not re-prosecuting me on the three counts.



Page 4  
Public Integrity Division  
August 26, 1983

Prior to dismissal by the U.S. Attorney, the Cuyahoga County Prosecutor, Mr. Arbezniak initiated prosecution. After making several trips to state court, a negotiated plea was arranged where I was allowed to plead no contest but would be allowed to withdraw it if I was successful in the federal appeal. This deal made the federal people furious. There is no question in my mind that Mr. Arbezniak, the U.S. Attorney who prosecuted me, was behind the county Prosecutor taking me to trial. Mr. Arbezniak has been angry ever since he got caught withholding evidence (immunity agreement with Pruner). He was even more angry when his superiors declined to re-prosecute me on the counts which were reversed.

The FBI, or Mr. Arbezniak or both tried to set me up for making telephone threats to Mr. Arbezniak and his wife. They claimed that on October 8, 1982, someone called Mr. Arbezniak's home and threatened him and his wife if he did not drop my case. I did not, nor did I have reason to make such a call as I recently had three of the five counts reversed and dismissed. They were dismissed on September 6, 1982 and the alleged phone call occurred on October 8, 1982. In response to this my new lawyers arranged for a polygraph examination which I took voluntarily. The results of the polygraph were that I did not make a threatening phone call and I did not have anybody do it. I presented a copy of this examination when I went for an interview with the U.S. Attorney William Petro in Cleveland and the Cleveland FBI. I cooperated fully even though I suspected that the federal people cooked the whole thing up themselves. During their investigation, agents from the Buffalo FBI threatened me, intimidated me and told me "they would get me one way or the other". Immediately after my last appeal brief was filed, the FBI said another phone call had been made threatening Mr. Arbezniak. This one was, allegedly to have occurred on March 9, 1983. This time they subpoenaed me in front of a grand jury along with several members of my family, some friends and some of my former employees. They took voice prints of me and several of these witnesses. This was, of course, all done during Passover, the most significant Jewish religious week. As I am Jewish, as are all of my family and closest friends, there is no doubt in my mind that this was done purposely and maliciously by the Cleveland U.S. Attorney's office. When we objected to coming in on Passover, we were told "be there or we will send a marshall for you".

Again I believe this second alleged phone call was cooked up by the FBI or the U.S. Attorney's office as a means of harassing, threatening and causing me financial and emotional hardships. I believe if these calls were made, they were made by someone within or affiliated with the FBI or the U.S. Attorney's office. The substance of the threats themselves

Page 5  
Public Integrity Division  
August 26, 1982

suggested that only someone who was informed about my case could have made these calls. Also on at least two occasions someone has called my toll-free business number and left messages that I should contact my brother Gary at a particular number. I do have a brother named Gary but in checking the number the caller left, I found it belongs to Gary Arbezniak the U.S. Attorney who prosecuted me and who I was accused of threatening. Again, I am convinced that these unethical tactics are being used by the Department of Justice to get me into trouble and to hurt me during my appeals.

The judge who tried my case and who sentenced me was appointed to the Sixth Circuit shortly after I was sentenced. While I had some doubts about the Sixth Circuit's ability to be fair with me on my appeal, I gave them the benefit of the doubt. After reading their opinion which affirmed my conviction on counts IV and V, I am convinced that they were simply trying to protect their new associate, Judge Krupansky, and that they gave no real consideration to my case.

In short, the Sixth circuit merely tried to cover-up for the errors of both Judge Krupansky, who now sits with them, and the U.S. Attorney, Mr. Arbezniak who use to work with Judge Krupansky. I also understand that most of the cases which Judge Krupansky presided over which have been appealed have been ruled on by the same panel. In sum, my appeal to the Sixth Circuit was a fraud and a sham since the court ignored its own prior rulings in similar cases to uphold Judge Krupansky, their new colleague. Even though during oral argument the U.S. Attorney confessed error as to all five counts as a result of the non-disclosure of the immunity agreement between Pruner and the government and that the due process violation applied to all five counts, the Sixth Circuit still upheld Krupansky. They are taking it into their power to ignore the federal rules that have been laid down by congress.

I hereby formally charge the U.S. Attorney with misconduct because of suppression of evidence, presenting false evidence, encouraging perjured testimony and blackmail.

I am charging William J. Keller, FBI agent in charge, with obstruction of justice, withholding of 302 that would have helped in my case, threatening harm to my family and having knowledge of perjured testimony and encouraging it.

I charge the Sixth Circuit of willfully and intentionally disregarding the facts and federal rules to cover for a fellow colleague.

Cleveland's Federal Bankruptcy court is under investigation

Page 6  
Public Integrity Division  
August 26, 1983

now and I hope that one of the people that receive a copy of this letter will check into my charges and investigate the Federal Court as well. I feel that my charges can be proven correct.

The United States Constitution guarantees our right to a fair trial with no politics involved. I feel, however, that my constitutional rights have been violated and I have not been afforded a fair trial.

Enclosed you will find research I have done concerning misconduct in the Northern District of Ohio court over the past three years.

Thank you for taking the time to read my letter. If you need any further information or would like to talk to me about this, I can be reached at 1-800-227-1617, Ext. 494. I sincerely hope you will be able to help me.

Very truly yours,

*Alan I. Marshall*

Alan I. Marshall

cc: Sen. Daniel P. Moynihan  
Anti-Defamation League  
American Bar Association  
Con. Jack Kemp  
Am. Civil Liberties Union  
Sen. Strom Thurmond  
Con. Peter Rodino  
Sen. Alfonse M. D'Amato  
Con. Henry J. Nowak  
Con. John J. Lafalce  
Wm. Webster, FBI  
Wm. French Smith, Atty. Gen.  
Public Integrity, Div., FBI  
Robert Carter, Attorney

# WITHDRAWAL SHEET

## Ronald Reagan Library

*Collection Name*

ROBERTS, JOHN: FILES

*Drawer*

IGP 8/4/2005

*File Folder*

CHRON FILE (09/15/1983 CON'T - 09/19/1983)

*FOIA*

F05-139/01

COOK

*Box Number*

30IGP

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*DOC Document Type*

*No of Doc Date Restriction*

*NO Document Description*

1 MEMO

1 9/15/1983 B6

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ROBERTS TO FIELDING THRU HAUSER RE  
DIEGO ASENCIO

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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]

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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.

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*FOIA*  
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COOK

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<i>DOC Document Type</i>	<i>No of</i>	<i>Doc Date</i>	<i>Restric-</i>	
<i>NO Document Description</i>	<i>pages</i>		<i>tions</i>	
2 MEMO	1	9/15/1983	B6	581
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E.O. 13233

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THE WHITE HOUSE

WASHINGTON

September 15, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Remarks: Luncheon with Members  
of the Republican National Committee  
(9/14 - 4:30 draft)

Richard Darman has asked that comments on the above-referenced remarks be sent directly to Ben Elliott by noon today. The brief remarks review the progress of the economic recovery and the revitalization of our defenses. I have no objection.

Attachment

THE WHITE HOUSE

WASHINGTON

September 15, 1983

MEMORANDUM FOR BEN ELLIOTT  
PRESIDENTIAL SPEECHWRITING OFFICE

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Remarks: Luncheon with Members  
of the Republican National Committee  
(9/14 - 4:30 draft)

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

On page 4, line 17, "Nambia" should be "Namibia."

cc: Richard G. Darman

## WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

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

Name of Correspondent: Richard G. DARMAN

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

Subject: Remarks: Luncheon with Members  
of the Republican National Committee  
9/14 - 4:30 draft)

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>CWH011</u>	ORIGINATOR	<u>830914</u>			<u>1 1</u>
<u>CWAT18</u>	Referral Note: <u>X</u>	<u>830914</u>		<u>S</u>	<u>830914</u> <u>NOON</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>

**ACTION CODES:**

- A - Appropriate Action
- I - Info Copy Only/No Action Necessary
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**DISPOSITION CODES:**

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**FOR OUTGOING CORRESPONDENCE:**

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

Comments: \_\_\_\_\_  
\_\_\_\_\_  
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Send all routing updates to Central Reference (Room 75, OEOP).  
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: 9/14/83 ACTION/CONCURRENCE/COMMENT DUE BY: TOMORROW NOON, 9/15

SUBJECT: REMARKS: LUNCHEON WITH MEMBERS OF THE REPUBLICAN NATIONAL COMMITTEE (9/14 - 4:30 draft)

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	HERRINGTON	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HICKEY	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	McMANUS	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
CLARK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/> P	<input checked="" type="checkbox"/> SS	ROLLINS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FELDSTEIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	VERSTANDIG	<input type="checkbox"/>	<input type="checkbox"/>
FULLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WHITTLESEY	<input type="checkbox"/>	<input type="checkbox"/>
GERGEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ELLIOTT	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			HENKEL	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			FISCHER	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**REMARKS:**

Please provide any edits directly to Ben Elliott, Room 100, with an information copy to my office by noon tomorrow, Thursday, September 15th.

Thank you.

**RESPONSE:**

Richard G. Darman  
Assistant to the President  
Ext. 2702

(Robinson/BE)  
September 14, 1983  
4:30 p.m.

PRESIDENTIAL REMARKS: LUNCHEON WITH MEMBERS OF THE  
REPUBLICAN NATIONAL COMMITTEE  
FRIDAY, SEPTEMBER 16, 1983

Good afternoon and welcome. It's good to have you all here, and it's a real pleasure for me to see so many good friends and fellow warriors from the political trenches. Before I say anything else, let me express my heartfelt thanks for all the time and labor each of you has given to the cause that unites us. When all is said and done, it's not gloss and glitter, but hard work and determination from our army of supporters that makes victory possible. And it will again in 1984.

I was thinking on the way over about an old story you may have heard -- it illustrates the way those of us in the Grand Old Party differ from the Democrats. It seems a little boy had a litter of newborn puppies to sell. He and a friend took the puppies to a Democratic convention in town, and before long a delegate asked, "Are those Democratic pups, son?"

"Yes, sir," the little boy said.

"Well, then," the man said, "I'll take one."

A week later the little boy and his friend took the remaining puppies across town to where some Republicans were meeting. After some time a Republican asked, "Son, what kind of puppies are those?"

And the little boy answered, "Republican puppies, sir."

Well, at this point the little boy's friend piped up. "But I thought last week you said they were Democratic puppies."

"Last week they were," the little boy answered. "But now they've opened their eyes."

You know, when we took office, we inherited the terrible handiwork of a Democratic Congress and administration that had kept their eyes tightly shut to reality. Uncontrolled taxing and spending had created raging inflation and soaring interest rates. The month George Bush and I were inaugurated, inflation was well into double digits and the prime interest rate reached a level not seen since the Civil War.

It didn't matter if you were white, black, an American of Hispanic descent, or whatever. If you had scrimped and saved to send your children to college, 12½ percent inflation was closing the doors of opportunity.

If you had struggled for years to buy your own home, 12½ percent inflation was closing the doors of opportunity.

And for working men and women everywhere who needed loans to start their own businesses, 21½ percent prime interest rates were slamming shut the doors of opportunity.

In 1980, America's economic growth had come to a dead halt. Those who could find work only if the economy provided new jobs -- teenagers, blacks, Hispanics, and hundreds of thousands of women -- found nothing.

The Democrats have been talking a lot about fairness lately, but let me just remind you: The people who saddled this Nation with the worst record in modern history of runaway spending, double-digit inflation, sky-high interest rates, and unfair

taxation are the last people who should be giving sermonettes about fairness and compassion.

The American people were fed up and they cleaned house -- the White House. Our Administration moved in, and, with Republicans in control of the Senate, we rolled up our sleeves and went to work to make a new beginning.

We reduced the growth of spending, pruned needless regulations, reduced personal income tax rates, allowing all Americans to keep a bigger share of their own earnings, and passed an historic reform called tax indexing. Never again can Government use inflation to profit at the people's expense.

Today, less than 2 years since we set our policies in place, our Nation has one big program to help every American man, woman and child. It's called economic recovery.

The prime rate is almost half what it was when we took office. Inflation has plummeted by two-thirds to under 2.4 percent for the past year -- the lowest rate in more than a decade-and-a-half. Factory orders, retail sales, and housing starts are up; the stock market has come back to life; and the American worker's real wages are rising for the first time in 3 years. Unemployment is still too high, but it's dropping fast, and since December more than 2 million Americans have found jobs.

Now, our friends the Democrats have been trying to cut up and belittle this recovery from every angle. But I'll let you in on a little secret about their argument: No matter how they slice it, it's still baloney.

Just as we're turning the economy around, we're strengthening our armed forces and bringing a new sense of purpose and direction to American foreign policy.

In the military, the number of combat-ready units has gone up a third since 1980. The deployable battle force in the Navy has risen from 470 ships when we took office to 506 today -- well on it's way to our goal of 600. The percentage of new recruits with high school diplomas has risen throughout our armed forces, and since 1980, the re-enlistment rate has gone up by more than a quarter. That means we're attracting better recruits and keeping them longer, because we're giving them better pay, better equipment, and the respect they deserve.

In foreign policy, we've let the world know once again that America stands for the political, religious, and economic freedom of mankind. We're working tirelessly for a just peace in the Middle East; we're laboring for human rights in southern Africa, condemning apartheid and calling for the liberation of Namibia; and we're giving firm support to democratic leadership in Central America, providing three out of every four dollars of our aid to the region in the form of economic and humanitarian assistance. In our search for peace, we have more major negotiations underway with the Soviets than any other administration in history. And for the first time, the Soviets are talking about more than nuclear arms ceilings -- they're talking about actual nuclear arms reductions.

You may remember the verse in the Bible that says, "Your old men will dream dreams; your young men will see visions." Well, I

deeply believe that this is just such a time of reawakening in America, a time when our country is healing the wounds of the past and beginning to look with courage and confidence to the future. Yes, we are making a new beginning.

The dream you and I share for our Nation is a great dream, perhaps the greatest dream in all history. It's a dream of a broad and open land that offers opportunity to all. It's a dream of a great country that represents a force for peace and good will among nations.

All of us are laboring in the name of that dream. Yes, we will suffer setbacks. And, yes, others in the world will do all they can to place obstacles in our path. But if we have the courage to do all that we can to make that dream come true, then we will achieve great good in this world and do our duty to our fellow men, to our beloved country, and to our God.

Thank you, God bless you, and now I know you have some questions.

THE WHITE HOUSE  
WASHINGTON

APPOINTMENT PROCESS PERSONAL INTERVIEW RECORD

Several meetings in late June;  
DATE OF INTERVIEW: Numerous telephone conversations thereafter  
CANDIDATE: Clarence J. Brown  
POSITION: Deputy Secretary of Commerce  
INTERVIEWER: John G. Roberts

COMMENTS:

The President has announced his intention to nominate Clarence J. Brown to be the Deputy Secretary of Commerce. The Office of Deputy Secretary of Commerce was established by § 2(b)(1) of Reorganization Plan No. 3 of 1979, 5 U.S.C. App. II, see Executive Order 12175 (December 7, 1979). That Reorganization Plan, like all others, contained an unconstitutional legislative veto provision, see 5 U.S.C. § 906. It can be argued that the authority to create the Office of Deputy Secretary of Commerce was not severable from the unconstitutional legislative veto, and that accordingly there was no power to create the office. The government-wide ramifications of acceptance of such an argument are, of course, staggering, but I must report that the Federal District Court in Mississippi has in fact accepted such an argument in the context of a suit challenging the authority of the Equal Employment Opportunity Commission, which was established through a Reorganization Plan. I recommend that we proceed on the assumption that the Office of Deputy Secretary of Commerce does exist, but I wanted to alert you to the possible legislative veto problems.



b6

COPY - Reagan Presidential Record

b6



I have no objection to Brown's nomination going forward.

Attachments



THE WHITE HOUSE

WASHINGTON

September 16, 1983

MEMORANDUM FOR DIANNA G. HOLLAND

FROM: JOHN G. ROBERTS

SUBJECT: Medal of Honor

Scheduling walked this in to me a short time ago, asking if a response from our office would be appropriate in light of the legal requirements surrounding any award of the Medal of Honor. We can easily respond, and probably should rather than have Scheduling discussing the law in this area. I've looked into it briefly and will be happy to draft the response, but wanted to send it to you for appropriate staffing.

Attachment

4

THE WHITE HOUSE

WASHINGTON

September 16, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS

SUBJECT: Letter to James Baker Regarding SKYSTAR

J.M. Haffert, National Secretary of the Roman Catholic lay organization known as the Blue Army, has written both the President and James A. Baker III concerning a pending CAB matter. Haffert's organization has applied before the CAB for a certificate under § 401 of the Federal Aviation Act of 1958, as amended, 49 U.S.C. § 1371, permitting it to offer service for pilgrimages to Lourdes, Fatima, and other religiously significant sites. The corporation formed to provide such air service, Skystar International, Inc., has also requested an exemption under § 416, 49 U.S.C. § 1386, pending review of the § 401 application, or a determination that its activities do not constitute common carriage. The letters to Mr. Baker and the President request their assistance in obtaining favorable treatment.

I am advised by OMB that this matter was just recently sent to an administrative law judge by the CAB. The letter to Mr. Baker should accordingly be handled pursuant to § 4 of Executive Order 11920. The letter to the President is technically not covered by this provision, since he is not an "[i]ndividual within the Executive Office of the President," but I recommend treating it in a similar fashion as a policy matter. A memorandum transmitting both letters to the Transportation General Counsel, and a reply letter to Haffert advising him of this fact, are attached.

Attachments

THE WHITE HOUSE  
WASHINGTON

September 16, 1983

MEMORANDUM FOR JAMES H. BURNLEY IV  
GENERAL COUNSEL  
U.S. DEPARTMENT OF TRANSPORTATION

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

SUBJECT: Letter to James Baker Regarding SKYSTAR

The attached correspondence concerning a pending Civil Aeronautics Board matter was sent to James A. Baker III. Pursuant to the provisions of Executive Order 11920, I am referring the correspondence to you for whatever review and action may be appropriate.

Attachment

FFF:JGR:aea 9/16/83

cc: FFFielding  
JGRoberts  
Subj.  
Chron

SEP 19 1983

THE WHITE HOUSE

WASHINGTON

September 16, 1983

Dear Mr. Haffert:

This is written in response to your letters of September 8 to the President and to James A. Baker III. Those letters concerned the applications of Skystar International, Inc., currently pending before the Civil Aeronautics Board.

Pursuant to the provisions of Executive Order 11920, individuals within the Executive Office of the President must decline to discuss with an interested private party matters relating to the disposition of a case subject to Presidential review under the Federal Aviation Act. The executive order requires that written communications to White House staff members concerning such matters be referred to an appropriate agency outside the Executive Office of the President. As a matter of policy, a similar procedure is followed with respect to letters to the President on such matters.

Accordingly, I have referred your correspondence to the Department of Transportation.

Sincerely,

Original signed by FFF

Fred F. Fielding  
Counsel to the President

Mr. J.M. Haffert  
National Secretary  
Our Lady Queen of the World, Inc.  
Post Office Box 189  
Washington, NJ 07882

FFF:JGR:aea 9/16/83  
bcc: FFFielding  
JGRoberts  
Subj.  
Chron

SEP 19 1983

THE WHITE HOUSE  
WASHINGTON

September 16, 1983

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U.S. DEPARTMENT OF TRANSPORTATION

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

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Our Lady Queen of the World, Inc.  
Post Office Box 189  
Washington, NJ 07882

FFF:JGR:aea 9/16/83  
bcc: FFFielding  
JGRoberts  
Subj.  
Chron

THE WHITE HOUSE

WASHINGTON

September 16, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS

SUBJECT: Correspondence from C.D. Brennan  
Objecting to a Holiday in Honor  
of Martin L. King, Jr.

On August 15, former FBI Assistant Director, Charles D. Brennan wrote the President to express opposition to a national holiday to honor Martin L. King, Jr. Brennan enclosed a summary paper reviewing King's expression of Marxist sentiments, his association with Communist Party figures, and the shadier aspects of his private life. Brennan concedes that the FBI's activities with respect to Dr. King did not represent its finest hour, but argues that the evidence that was gathered concerning Dr. King's character should not be ignored on that account.

I recommend sending a noncommittal letter thanking Brennan for his views, and referring the package to OPD, which will presumably be reviewing the policy questions of whether to support a King holiday.

Attachment

THE WHITE HOUSE  
WASHINGTON

September 16, 1983

MEMORANDUM FOR JACK SVAHN  
ASSISTANT TO THE PRESIDENT  
FOR POLICY DEVELOPMENT

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Correspondence from C.D. Brennan  
Objecting to a Holiday in Honor  
of Martin L. King, Jr.

The attached correspondence is submitted for whatever consideration may be appropriate in connection with the policy decision on whether to support a national holiday to honor Dr. Martin Luther King, Jr.

Attachment

FFF:JGR:aea 9/16/83

cc: FFFielding  
JGRoberts  
Subj.  
Chron



THE WHITE HOUSE  
WASHINGTON

September 16, 1983

Dear Mr. Brennan:

Thank you for your letter of August 15 to the President. In that letter and the accompanying summary memorandum, you detailed the grounds for your opposition to a national holiday to honor Dr. Martin Luther King, Jr.

I have routed your letter to the appropriate office in the White House, which will give your views every appropriate consideration. Thank you for writing.

Sincerely,

Fred F. Fielding  
Counsel to the President

Mr. Charles D. Brennan  
487 N. Owen Street  
Alexandria, Virginia 22304

FFF:JGR:aea 9/16/83

bcc: FFFielding  
JGRoberts  
Subj.  
Chron

THE WHITE HOUSE

WASHINGTON

September 16, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS

SUBJECT: Civil Aeronautics Board Decisions in  
Powell Air Ltd. and Aviacion Y Comercio, S.A.

Richard Darman's office has asked for comments by close of business Monday, September 19 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 September 26 and 23, 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 foreign carriers, the proposed letter from the President to the CAB Chairman prepared by OMB does not include the standard sentence designed to preserve availability of judicial review.

The Powell Air order authorizes charter service between Canada and the U.S.; the Aviacion Y Comercio order authorizes charter service between Spain and the U.S.

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

Attachment

THE WHITE HOUSE

WASHINGTON

September 16, 1983

MEMORANDUM FOR RICHARD G. DARMAN  
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Civil Aeronautics Board Decisions in  
Powell Air Ltd. and Aviacion Y Comercio, S.A.

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:aea 9/16/83

cc: FFFielding  
JGRoberts  
Subj.  
Chron

THE WHITE HOUSE

WASHINGTON

September 19, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Levitas Note Concerning His Power  
Sharing Letter

Congressman Levitas has written a curt note to you inquiring why it has taken so long to respond to his July 19 letter suggesting the convocation of a Conference on Power Sharing to assess the aftermath of INS v. Chadha. You will recall that we referred the letter to Justice on August 4, and Justice responded on August 23 with a draft reply for the Deputy Attorney General's signature. On August 24, I sent a memorandum to you, along with a draft memorandum to Schmults, agreeing with the bulk of the draft response but suggesting deletion of the paragraph on the Administrative Conference. You signed and sent that memorandum on September 8.

I called Deputy Assistant Attorney General Marshall Cain, and confirmed that the Schmults reply with the Administrative Conference paragraph deleted should be sent posthaste. Cain stated this would be done. I have prepared a draft reply to Levitas' note. I have also prepared a memorandum to Schmults to ensure that Justice does not tarry further.

Attachment

THE WHITE HOUSE  
WASHINGTON

September 19, 1983

MEMORANDUM FOR EDWARD C. SCHMULTS  
DEPUTY ATTORNEY GENERAL  
U.S. DEPARTMENT OF JUSTICE

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Levitas Note Concerning His Power  
Sharing Letter

As you will see from the attached, Congressman Levitas is anxiously awaiting our reply. Pursuant to a discussion between John Roberts of my staff and Marshall Cain of your Office of Legislative Affairs, it is my understanding that your draft reply - minus the Administrative Conference paragraph - will be sent without further delay.

Attachments

FFF:JGR:aea 9/19/83

cc: FFFielding  
JGRoberts  
Subj.  
Chron

THE WHITE HOUSE

WASHINGTON

September 16, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Statement of Dan K. Webb Regarding  
Vote Fraud - September 19, 1983

United States Attorney Dan Webb, of the Northern District of Illinois, proposes to deliver the attached testimony at a hearing of the Subcommittee on the Constitution of the Senate Judiciary Committee on September 19. Webb's testimony begins with an overview of his office's involvement in vote fraud investigation, and a review of the applicable federal statutes. Webb then proceeds to discuss his office's investigation of the November 1982 election, principally in the Chicago area. The proposed testimony discusses particular instances of vote fraud, with a detailed discussion of the difficulties presented by registration of aliens. Webb concludes by noting that there were fewer instances of vote fraud in the February and April Chicago mayoral elections, and attributes this, at least in part, to his office's activities with respect to the November 1982 election. Webb reaffirms his office's commitment to investigate and prosecute cases of vote fraud in the Northern District of Illinois. I see no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

September 16, 1983

MEMORANDUM FOR GREGORY JONES  
LEGISLATIVE ATTORNEY  
OFFICE OF MANAGEMENT AND BUDGET

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Statement of Dan K. Webb Regarding  
Vote Fraud - September 19, 1983

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

FFF:JGR:aea 9/16/83

cc: FFFielding  
JGRoberts  
Subj.  
Chron

**WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET**

*JR*

O - OUTGOING

H - INTERNAL

I - INCOMING

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

Name of Correspondent: C. Marshall Cain

MI Mail Report

User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: Statement of Dan K. Webb

re: Vote Fraud September 19, 1983

**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>CUA011</u>	ORIGINATOR	<u>880915</u>		<u>1 1</u>
	Referral Note:			
<u>CUA718</u>	<u>D</u>	<u>830915</u>	<u>S</u>	<u>83,09,19</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
- 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.



**DRAFT**

STATEMENT OF DAN K. WEBB  
UNITED STATES ATTORNEY FOR THE  
NORTHERN DISTRICT OF ILLINOIS AT  
A HEARING BY THE UNITED STATES  
SENATE JUDICIARY SUBCOMMITTEE  
ON THE CONSTITUTION, SEPTEMBER 19, 1983

Office's History Regarding Vote Fraud

The Office of the United States Attorney for the Northern District of Illinois has had a long history of active investigation of vote fraud. Since the early 1970's, our office has been one of the few, if not the only, United States Attorney's Office in the country to actively monitor voting practices on election days. On election days, our office, in conjunction with the United States Marshal's Service, the Immigration and Naturalization Service (INS), and the Federal Bureau of Investigation (FBI), implement a field effort which entails sending Assistant United States Attorneys and Deputy United States Marshals to various polling places throughout the City of Chicago in order to detect and prevent vote fraud. Numerous teams of Assistant United States Attorneys, accompanied by Deputy United States Marshals and equipped with radios, tour Chicago and other areas in this district and respond to and investigate allegations of vote fraud. They target key wards and precincts based on evidence of fraud in past elections and on other information. FBI agents and INS investigators are available to respond to specific problems related to their area of expertise. Federal agents also are available to act upon serious complaints made prior to election day. Additionally, Assistant United States Attorneys and federal personnel in the United States Attorney's Office answer complaints made by telephone.

Our election day efforts include cooperation with local law enforcement officials such as the Cook County State's Attorney's Office, the Illinois Attorney General's Office, the Chicago Police Department, the Chicago Board of Election Commissioners, as well as local watchdog groups.

Our ability to actively monitor elections is facilitated by Illinois law, which permits law enforcement personnel, including my Assistants, to enter polling places and closely observe voting activities. The primary purpose of our monitoring efforts on election days has been to deter vote fraud, but an additional purpose has been to uncover and preserve any evidence that could be used in a vote fraud prosecution.

#### Federal Statutes

There are several federal statutes which condemn vote fraud and which we rely on in our prosecutions. When a federal candidate is on the ballot, specific federal statutes become applicable. These statutes prohibit voting more than once, supplying false information to vote, voting in the name of another person, and paying people to vote. 42 U.S.C. §§ 1973i(c),(e). Further, the civil rights statutes (18 U.S.C. §§ 241,242) prohibit conspiracies and substantive conduct directed at depriving the public-at-large of their constitutional right to the fair and impartial administration of federal elections. Also, voter intimidation directed at influencing the results of a federal contest is outlawed by statute. 18 U.S.C. § 594. When a federal candidate is not on the ballot, the federal civil rights statutes prohibit the deprivation of voters' federal constitutional right to vote in a local election in accordance with the one-person-one-vote principle. Serious vote fraud committed with the assistance of election judges violates these civil rights statutes. Finally, the mail fraud statute (18 U.S.C. § 1341) has been used to prosecute vote fraud that is perpetrated through the use of the mails. This statute has been applied most often to fraudulent schemes involving absentee ballots.

#### Investigation of November 1982 Election

Our office, together with the Federal Bureau of Investigation and the Immigration and Naturalization Service, have undertaken an intense and wide-ranging investigation of alleged vote fraud in the November 1982 general election. Offices at

stake in this election in Illinois included representatives in Congress and Governor. Because this investigation is quite active right now and is subject to grand jury scrutiny, I am unable to discuss the investigation in detail. I will, however, describe it in broad outline. This investigation started the way many investigations start: citizens with knowledge of crimes came forward and told us about them. Additionally, the media and certain candidates' organizations made us aware of allegations of vote fraud. Our investigation this year, however, has included a unique and very important new facet—namely, the use of a computer. In order to provide the data base for the computer analysis, Federal Bureau of Investigation agents had to review virtually all of the 1,000,000 ballot applications submitted in the city of Chicago in the November election. One of the most important results of this investigation is that the FBI has developed an effective computerized method of investigation that has proved very helpful in detecting vote fraud and that can be used in all future elections. This technique includes cross-matching the names of persons who voted with the names of persons who have died and compiling a list of names where more than one vote was cast in the same name.

#### Kind of Vote Fraud Found

Based on indictments and convictions that we have obtained concerning the November 1982 general election, we have uncovered certain species of vote fraud. All of these crimes occurred in Chicago in areas that were dominated by one political party. In each instance of fraud there was one prerequisite, and that was that the leader of the dominant political party at the precinct level (the precinct captain) controlled the actions of the officials administering the election at the polling place (the election judges).

With the election judges in his control, the precinct captain perpetrated the most common type of vote fraud, which consisted of forging on ballot applications the names of persons who did not come in to vote and then voting ballots in their names. Either the precinct captain himself, one of his workers, or an election judge would do the forging. For example, in an extreme case a large number of ballot applications were forged and then an equal number of ballots were taken to a back room, voted, and then placed in the ballot box.

Another type of fraud consisted of a precinct worker getting into line and posing as a legitimate voter and then voting in the name of this person.

Another type of vote fraud consisted of false registration. Here, a precinct captain caused another person who did not live in his precinct to register to vote in his precinct in order to increase the number of votes that the precinct captain controlled.

Another instance of fraud that we uncovered concerned elderly and disabled voters. Such voters will need assistance to vote. We found examples of election judges who voted ballots on behalf of these people without the authorization or understanding of the elderly voters.

We also uncovered instances of precinct captains and precinct workers paying people to vote.

Another instance of fraud that we found involved absentee ballots. Under this scheme, false information was submitted in order to obtain blank absentee ballots, which were then voted by the precinct captain.

Perhaps the most flagrant example of vote fraud that we have prosecuted occurred in the 30th Precinct of the 27th Ward. In this precinct, in November, a precinct captain and his son in effect ran their own election at the end of the day. Instead of properly tabulating the vote, the election judges stood aside and watched

the precinct captain's son take one straight Democratic ballot and run it through the tabulating machine 203 times.

### Election Canvasses

The principal vote fraud problem that we have uncovered is the forging of ballot applications and the fraudulent voting of ballots in the forged names by precinct captains and persons working for the precinct captains. To accomplish this illicit process, the precinct captain needs a pool of registered voters whose names he can forge. Persons who have died or who have moved are prime candidates for this pool. It is therefore imperative to assure an honest election that these names be removed from the voting rolls prior to each election.

In Chicago, these names are supposed to be removed in periodic canvasses. We have found that all too often these canvasses have not been performed. Again, the canvasses are supposed to be conducted by the election judges. The judges, however, are often controlled by the local precinct captains, who do not want good canvasses and who prevent the canvasses from being properly performed. These faulty canvasses contribute significantly to vote fraud.

### Alien Problem

Another serious problem that we uncovered involves illegal aliens and other non-citizens who illegally register to vote and vote in various elections.

We have found that many illegal aliens register to vote for the purpose of acquiring voter registration cards, which they then use to commit additional crimes. We have found instances of illegal aliens using an illegally obtained voter registration card to fraudulently obtain passports, public aid, and food stamps. We also found that on one occasion a non-citizen used an illegally obtained voter registration card in order to get security clearance to work for a contractor selling weapons parts to the United States Department of Defense.

Furthermore, our investigation shows that some of these aliens actually cast illegal votes in various elections. We have found instances in which some persons have actively sought the registration of illegal aliens for the very purpose of influencing the outcome of an election. If these people do not vote, their illegal registrations can still lead to a dishonest election because they constitute additional names added to the pool that can be fraudulently voted.

We have obtained the convictions of seven aliens charged with offenses related to their illegal registration and voting, including passport fraud and fraud against the government. Also, our office and INS have referred to the State's Attorney's Office twenty-nine cases resulting in indictments.

We would note, however, that where an alien, who is lawfully in the United States, has been convicted of casting an illegal vote in an election, his deportation is not necessarily required under 8 U.S.C. § 1251(a)(4), since that provision only requires deportation for crimes of "moral turpitude" resulting in a prison sentence.

The illegal alien registration problem stems in part from the ease with which persons may register to vote in Illinois. Persons who want to register to vote should be required to furnish identification. I understand that legislation has been passed by the General Assembly and is awaiting approval by Governor that would alleviate this problem by requiring identification when a person registers to vote.

#### Circumstances Conducive to Vote Fraud

In analyzing the results of our investigation, we can point to certain circumstances that are conducive to vote fraud. The first prerequisite is that one party dominate the precinct, and that there not be any hotly-contested races in that precinct. If there is a hotly-contested local race, or if both major political parties are viable in that particular precinct, there will be enough persons watching the activity in the polling place to prevent most kinds of vote fraud. If the people in the

polling place—judges and watchers—observe each other and have an adversary relationship, an honest election is the likely result.

Vote fraud cannot occur if election judges do their job. Therefore, a precondition to a dishonest election is that the judges, either because of their economic situation or personality, must be of a type to be dominated by a precinct captain.

We have also found that a significant amount of fraud occurs in those areas where it is hard for a precinct captain to make his quota by legitimate means. For example, if the voter pool consists of a substantial number of transients or otherwise unreliable people, a precinct captain will have a hard time getting out the vote legitimately, and he may have to resort to illegal methods.

#### Results and Reasons for Our Investigation

Our investigation of the November 1982 election has resulted so far in the indictment, conviction, and penitentiary sentence for a precinct captain, the indictment of three other precinct captains, and the indictment and conviction of other precinct workers and election judges. In addition to the seven convictions of aliens, we have obtained vote fraud convictions of five persons, and vote fraud indictments against fourteen others. Our investigation is continuing, and we expect additional results in the near future.

Numerous FBI agents, INS agents, and attorneys in my office are assigned to the investigation of vote fraud. I have assigned these resources to this investigation for several reasons. I believe that the right to vote is one of the most precious that we Americans possess. It must be protected. Because of the level of fraud we detected in the November election, I believe the problem is a serious one. The February and April mayoral elections, according to our indicators, were not tainted with the kind of fraudulent conduct we detected in the November election. We hope that this

improvement was due not only to the hotly contested nature of the mayoral elections, but also in part to our intensive investigation begun in January of this year.

I believe that if the U.S. Attorney's Office can do its part to achieve fair elections, we will be performing an important service to this district and to this country. I therefore reaffirm my commitment to continue our efforts on behalf of honest elections.



THE WHITE HOUSE  
WASHINGTON  
September 19, 1983

MEMORANDUM FOR FRED F. FIELDING

THRU: RICHARD A. HAUSER

FROM: JOHN G. ROBERTS

SUBJECT: Department of Justice Proposed Report  
on S. 645, the "Courts Improvement Act  
of 1983" Establishing the Intercircuit  
Tribunal

In late August, the Department of Justice attempted to obtain OMB clearance of its latest version of a report on S. 645. The proposed Justice report expressed support for the creation of a temporary Intercircuit Tribunal, and attempted to condition that support on simultaneous pursuit of more basic reforms of the federal judicial system. We advised OMB on August 29 (copy of memorandum attached) that we continued to oppose any support for the Intercircuit Tribunal. Michael Uhlmann did the same, and accordingly OMB advised Justice that its proposed report could not be cleared. Justice has now responded that its draft report reflects an agreement worked out between Justice and the White House. As "evidence" of the agreement, Justice submitted a May 27 memorandum for Mr. Meese from the Attorney General.

That memorandum simply sets forth the Justice position. It hardly reflects an agreement of any kind. I have raised the matter with Uhlmann, who strongly rejected the suggestion that an agreement to support the Intercircuit Tribunal in any form had been reached. Unless you have a different understanding of where this dispute stands, I will advise OMB that we adhere to our opposition to the Intercircuit Tribunal and are aware of no agreement to support it.

Attachment

## WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

O - OUTGOING

H - INTERNAL

I - INCOMING

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

Name of Correspondent: Brandon Blum

MI Mail Report

User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: Department of Justice proposed report on S. 645, the "Courts Improvement Act of 1983" establishing the Intercircuit Tribunal.

**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>CUH011</u>	<u>ORIGINATOR</u>	<u>83 09 15</u>			<u>1 1</u>
	Referral Note:				
<u>CUAT18</u>	<u>A</u>	<u>83 09 15</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>
	Referral Note:				

**ACTION CODES:**

- A - Appropriate Action
- C - Comment/Recommendation
- D - Draft Response
- F - Furnish Fact Sheet to be used as Enclosure

- I - Info Copy Only/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

**DISPOSITION CODES:**

- A - Answered
- B - Non-Special Referral
- C - Completed
- S - Suspended

**FOR OUTGOING CORRESPONDENCE:**

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

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

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

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET

ROUTE SLIP

TO	Richard Hauser	Take necessary action	<input type="checkbox"/>
	Mike Uhlmann	Approval or signature	<input type="checkbox"/>
		Comment	<input type="checkbox"/>
		Prepare reply	<input type="checkbox"/>
		Discuss with me	<input type="checkbox"/>
		For your information	<input type="checkbox"/>
		See remarks below	<input type="checkbox"/>
FROM	Branden Blum (x3802)	DATE	9/13/83

REMARKS

DOJ proposed report on S. 645, the  
"Courts Improvement Act of 1983"

Per our discussions, I have advised Justice that the Administration does not support Title VI of the bill, which would establish the Intercircuit Tribunal. Accordingly, the Justice report should be changed.

Justice has advised me that it feels there is White House support for the Intercircuit Tribunal (see attached memo) and that the Justice report is consistent with the Administration's position.

I do not know whether the attached memo reflects an agreement reached between the White House and Justice on this issue. Please advise.

cc: K. Wilson



Office of the Attorney General  
Washington, D. C. 20530

May 27, 1983

MEMORANDUM FOR EDWIN MEESE III  
COUNSELLOR TO THE PRESIDENT

FROM: WILLIAM FRENCH SMITH *WFS*  
ATTORNEY GENERAL

SUBJECT: Proposed Intercircuit Tribunal

As you and I discussed at the end of last week's Cabinet Council on Legal Policy meeting, everyone agrees that the federal judicial system, and particularly the Supreme Court, is suffering from serious caseload problems. The Chief Justice's proposal for an intercircuit tribunal has strong and persuasive support. The best position for the Administration to take on this question is, in my judgment, to support a limited version of the intercircuit tribunal (for example, a panel that would exist for an experimental period of three, rather than five, years) but as part of a larger program of judicial reform. Under this approach Congress would also address the workload problems of the lower courts, such as eliminating diversity jurisdiction, abolishing the Supreme Court's mandatory appellate jurisdiction (which accounts for one-fourth of the cases the Court hears annually), limiting federal habeas corpus review of final state court convictions, and creating the additional district and circuit court judgeships the Administration has requested. Any other position would both be incomplete and would put us at odds with many of those who share our views about judicial restraint.

---

*See p. 8 of Justice Rept.*

THE WHITE HOUSE

WASHINGTON

September 19, 1983

MEMORANDUM FOR DIANNA G. HOLLAND

FROM: H. LAWRENCE GARRETT, III 

SUBJECT: Ethics Training Exhibit

Other than the Standards of Conduct section of the White House Office Staff Manual, we have no "ethics related training material."

Accordingly, I recommend no further action be taken in regard to the attached memorandum and return it for whatever disposition you may deem appropriate.

Attachment

WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET

PE001

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

LG

Name of Correspondent: David H. Martin

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

Subject: Ethics Training Exhibit

ROUTE TO: Office/Agency (Staff Name)	ACTION		DISPOSITION	
	Action Code	Tracking Date YY/MM/DD	Type of Response	Completion Date YY/MM/DD
<u>CWH011</u>	ORIGINATOR	<u>83,09,07</u> PY1		<u>1 1</u>
<u>CAST 02</u>	Referral Note: <u>A</u>	<u>83,09,07</u> PY1		<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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United States of America  
**Office of  
Government Ethics**

Office of Personnel Management  
Washington, D.C. 20415

167218 Cu

SEP 1 1983

M E M O R A N D U M

**SUBJECT:** Ethics Training Exhibit

**FROM:** David H. Martin  
Director



**TO:** Designated Agency Ethics Officials  
and Inspectors General

This year, as part of our agency relations program, we are placing additional emphasis on ethics training for government employees. As part of this effort a "training exhibit" will be available at the October 4, 1983 OGE Annual Conference in the lobby outside the Department of Labor auditorium. This exhibit will contain copies of various ethics (standards of conduct) training materials developed and used by individual departments and agencies consisting of books, pamphlets, films and video tapes. We encourage conference attendees to initiate more training and to take the opportunity to examine these materials to determine if they could be used as is or with some modification in their agency.

To make this exhibit a success, would you please send us a copy of any ethics related training material your department, agency or field offices may have developed. We would like to keep the material sent to us; however, if some material can be only loaned -as may be the case for films or video tapes - we will return the material after the conference. Also, include with each item a short description of its content and the name, address and telephone number, or a contact, to obtain additional copies. This data will be used to compile a bibliography of the exhibited material and will be available at the conference.

Please direct the material or any questions you have on this matter to Robert Flynn or James Parle of my staff. They can be reached on 632-7642.

Thank you for your help in this matter.

THE WHITE HOUSE

WASHINGTON

September 19, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Proposed White House Conference  
on Small Business

Richard Darman has asked for our views by Wednesday, September 21, on a proposal by the SBA to have a White House Conference on Small Business, May 9-11, 1984, to coincide with Small Business Week. The SBA thinks such a Conference would help highlight small business' role in the recovery, and asks for (1) a Presidential directive to SBA to hold such a conference, (2) appointment of a Commission on Small Business, (3) a Presidential address at the Conference, and (4) participation by White House Staff and the Cabinet at the Conference.

I have no objection to a conference or Presidential address if those more familiar with policy in this area deem such events useful. The idea of yet another Commission is, however, a bit much, particularly since I am aware of no real "crisis" in the area of small businesses. There are already a plethora of advisory committees active in the area, and we really do not need more.

Attachment



THE WHITE HOUSE

WASHINGTON

September 19, 1983

MEMORANDUM FOR RICHARD G. DARMAN  
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Proposed White House Conference  
on Small Business

Counsel's Office has reviewed the proposals contained in the September 13 memorandum from Frank S. Swain to Craig L. Fuller. We have no objection to a White House Conference on Small Business, or to the President, White House staff, and Cabinet members addressing such a Conference, should those more directly involved in forming Administration policy in this area consider such events helpful. We are reluctant to establish yet another Presidential commission, however, particularly since there does not appear to be any crisis in the area for a commission to address. It is not immediately apparent what a Commission on Small Business would do that is not already being done by other departments, agencies and commissions, and I strongly recommend against creating Presidential advisory committees in the absence of a real need to do so.

FFF:JGR:aea 9/19/83

cc: FFFielding  
JGRoberts  
Subj.  
Chron

September 19, 1983

[Redacted]

B6

Dear [Redacted]

The enclosed story, picked up by several papers, has attracted considerable interest back here. Interest is particularly keen among members of the other party on the Hill and at places such as GAO. Please give me a call next time you are in town to discuss your availability for hearings and interviews with investigators.

Warmest personal regards.

Sincerely,

*John*

John G. Roberts

Enclosure

*P.S. There is even talk of  
a subpoena for [Redacted]* B6

AM-TRAVEL SKED 9-11

# TAXES BANKROLL THOUSANDS OF EUROPEAN TRIPS

BY GREGORY GORDON

WASHINGTON (UPI) -- AN OUTSPOKEN U.S. AMBASSADOR, ESTIMATING TRAVEL COSTS EXCEEDED \$1 MILLION FOR 658 OFFICIAL VISITORS TO LAST SPRING'S PARIS AIR SHOW, QUESTIONS THE NEED FOR THE THOUSANDS OF U.S. GOVERNMENT TRIPS TO EUROPE.

"I DOUBT IF ANYONE IN WASHINGTON IS AWARE OF THE FULL SCOPE OF THE PROBLEM, ITS OVERALL COST TO THE U.S. TAXPAYER, OR THE NEGATIVE EFFECTS IT CAN HAVE" IN CRIPPLING EMBASSY OPERATIONS. EVAN GALBRAITH, THE AMBASSADOR TO FRANCE, SAID RECENTLY IN AN ANGRY, INTERNAL CABLE TO THE STATE DEPARTMENT.

A STUDY OF GOVERNMENT TRAVEL BY UNITED PRESS INTERNATIONAL AND THE BETTER GOVERNMENT ASSOCIATION, A CIVIC WATCHDOG GROUP, SHOWS MORE THAN 25,000 OFFICIAL U.S. VISITORS STOPPED AT EMBASSIES IN PARIS, ROME, BONN AND LONDON IN 1982.

EMBASSY SPOKESMEN SAID 8,000 TO 9,000 U.S. OFFICIALS VISITED PARIS AND 10,000 STOPPED IN LONDON, SOME EN ROUTE TO DESTINATIONS SUCH AS AFRICA. BONN REPORTED 6,000 TO 8,000 OFFICIAL VISITORS, SOME 1,000

INDEED, TRAVEL COSTS OF FEDERAL AGENCY OFFICIALS, CONGRESSMEN, THEIR AIDES AND SPOUSES NOW CAN BE PROJECTED TO RUN FASTLY INTO THE TENS OF MILLIONS OF DOLLARS, SOME EXPENDITURES HIDDEN IN OBSCURE -- EVEN CLASSIFIED -- BUDGET ACCOUNTS. MANY TRIPS AMOUNT TO LAVISH, TAXPAYER-PAID VACATIONS, AND TAX CONTROLS FAIL TO PREVENT UNNECESSARY OR REDUNDANT EXCURSIONS AND TO GUARD AGAINST ABUSES.

WHILE STRESSING THE NEED FOR SOME FOREIGN VISITS BY TOP GOVERNMENT REPRESENTATIVES, ADMINISTRATION OFFICIALS ACKNOWLEDGE OVERSEAS TRAVEL IS A VEXING PROBLEM. DESPITE PRESIDENT REAGAN'S HOSPITALITY DRIVE, SOME RANKING STATE DEPARTMENT OFFICIALS BELIEVE TRAVEL ABROAD HAS INCREASED.

ONE OFFICIAL SAID EMBASSIES TRYING TO MAINTAIN BITTY VISITOR SERVICES "MAY BE REACHING THE BREAKING POINT"

IN HIS JULY CABLE, OBTAINED BY THE BGA, GALBRAITH COMPLAINED HIS EMBASSY WAS SO BURDENED WITH HOSTING THE AIR SHOW CONTINGENT -- INCLUDING MILITARY ESCORT OFFICERS FOR CONGRESSMEN -- ITS NORMAL OPERATIONS "GROUND TO A HALT." SOURCES SAID THE EMBASSY HAD TO SOLICIT EMERGENCY FUNDS FROM THE STATE DEPARTMENT

GALBRAITH ARGUED HIS EMBASSY NO LONGER CAN COP WITH DEMANDS FOR SCHEDULING, CHAUFFEUR AND TOUR GUIDE SERVICES, AND OTHER "FRIMS" -- SUCH AS PERSONNEL TO MEET RANKING OFFICIALS AT THE AIRPORT, OFTEN AT A COST OF \$50 FOR A CHAUFFEUR'S OVERTIME INSTEAD OF A \$20 CAR RIDE

Cont'd.

OR THE U.S. REPRESENTATIVES SURPASSED \$1 MILLION  
PLEADING FOR STATE DEPARTMENT SUPPORT, HE SAID. "I FIND THAT EVERY  
TIME I RAISE A QUESTION ABOUT A PROPOSED VISIT, I HAVE A MAJOR FIGHT  
ON MY HANDS -- EVEN WHEN IT SEEMS OBVIOUS THAT THE VISIT IS  
SUPERFLUOUS."

GALBRAITH DID NOT RETURN REPEATED TELEPHONE CALLS FROM IPT AND THE  
BGA IN RECENT WEEKS.

IN A REVIEW OF GOVERNMENT TRAVEL RECORDS AND INTERVIEWS WITH  
DOZENS OF FEDERAL OFFICIALS, UPI AND THE BGA FOUND EVIDENCE TRAVEL  
ABROAD IS OUT OF CONTROL:

--DESPITE PRESIDENTIAL EDICTS TO REDUCE TRAVEL, NO ONE MONITORS  
FOREIGN TRIPS OR THEIR COST. MANY OFFICIALS ARRIVE AT U.S. EMBASSIES  
WITHOUT NOTICE. SAYS JAMES BARRY OF THE OFFICE OF MANAGEMENT AND  
BUDGET, "THERE'S ALWAYS A GOOD EXCUSE TO GO SOMEWHERE."

--TRAVEL ABUSERS RUN THE GAMUT FROM STATE DEPARTMENT FOREIGN  
SERVICE OFFICERS TO CABINET OFFICIALS.

~~FRENCH SWITZERLAND LAST YEAR IN A DELEGATION THAT INCLUDED U.S. LIFE GUARD  
A MILITARY AIRCRAFT FOR A 22 DAY TRIP TO JAPAN HONG KONG THAILAND  
AND PARIS FOR TALKS ON CURBING NARCOTICS TRAFFIC WITH THE  
AIRCRAFT NEVER LEFT THE U.S. ONE SOURCE SAID SWITZERLAND WAS PREPARED  
FOR THE TRIP BY READING STATE DEPARTMENT OFFICIALS FOR TIPS ON WHERE  
TO GO ON CERTAIN TRIPS~~

--CONGRESS WATCH, A NONPROFIT GROUP, REPORTED LAST MONTH THAT  
SENATORS AND HOUSE MEMBERS TOOK 991 TRIPS TO 114 COUNTRIES FROM 1981  
TO 1983, MORE THAN HALF TO FRANCE, ITALY, ENGLAND, GERMANY AND  
GREECE. STRIFE-TORN COUNTRIES SEEM TO GET FEW U.S. VISITORS. IN 1982,  
20 MEMBERS OF CONGRESS VISITED SUNNY BARRADOS, BUT JUST 13 TRAVELED  
TO PROBLEM-PLAGUED EL SALVADOR.

--CONGRESSIONAL DELEGATIONS USUALLY FLY MILITARY AIRCRAFT, AND  
SOMETIMES EXECUTIVE BRANCH OFFICIALS DO LIKEWISE, EVEN WHEN  
COMMERCIAL FLIGHTS ARE CHEAPER AND CONVENIENT. CONGRESSIONAL GROUPS  
ARE ACCOMPANIED BY MILITARY ESCORT OFFICERS, ARMED WITH TRAVELING  
COMMISSARIES OF SNACKS AND STASHES OF MONEY TO COVER EXPENSES SUCH AS  
FOOD, LODGING AND TRANSPORTATION. ESCORT OFFICERS ALSO SERVE AS  
BELLHOPS, DOORMEN AND, AS ONE CONGRESSIONAL AIDE PUT IT, "INFORMAL  
SOCIAL SECRETARIES."

--ALTHOUGH MOST FEDERAL OFFICIALS STICK TO BUSINESSLIKE AGENDAS,  
EMBASSY PERSONNEL ARE DISMAYED TO WATCH CONGRESSMEN ABANDON THE BUSY  
SCHEDULES THEY ARRANGED. A FORMER FOREIGN SERVICE OFFICER WHO SERVED  
IN SOUTH AMERICA SAID MOST OFFICIAL DELEGATIONS TO BRAZIL SCHEDULE  
MEETINGS IN THE INTERIOR CAPITAL OF BRAZILIA BUT QUICKLY HEAD FOR THE  
BEACHES AND "MORE EXCITING NIGHTLIFE" OF RIO DE JANEIRO. THE OFFICER  
SAID ONE GROUP ABRUPTLY CANCELED ALTERNATIVE FIFTEEN MEETINGS WITH  
BRAZILIAN OFFICIALS AND HEADED FOR IPANEMA BEACH

THE WHITE HOUSE

WASHINGTON

September 19, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Statement of Jonathan Rose Regarding  
S. 1080 - The Regulatory Reform Act  
on September 21, 1983

OMB has asked for our views on the attached testimony, which Assistant Attorney General Rose proposes to deliver before the Subcommittee on Administrative Practice and Procedure of the Senate Judiciary Committee. The testimony reviews Department of Justice opposition to section 5 of S. 1080, the so-called "Bumpers Amendment." This proposal, which has significant conservative support, seeks to restrain agency action by authorizing more searching judicial review. In particular, section 5 would (1) require courts to determine if an agency were acting within its jurisdiction by reference to the enabling act, (2) generally eliminate the presumption that agency action is lawful, and (3) require agency factual determinations to have substantial support rather than simply satisfy the "arbitrary and capricious" test.

The testimony correctly points out that the well-intentioned bill would simply shift power from the agencies to the judiciary. The testimony also notes that giving the courts added review power could jeopardize deregulatory efforts as well as more traditional regulation. I have no objection.

Attachment

THE WHITE HOUSE

WASHINGTON

September 19, 1983

MEMORANDUM FOR BRANDEN BLUM  
LEGISLATIVE ATTORNEY  
OFFICE OF MANAGEMENT AND BUDGET

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Statement of Jonathan Rose Regarding  
S. 1080 - The Regulatory Reform Act  
on September 21, 1983

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

FFF:JGR:aea 9/19/83

cc: FFFielding  
JGRoberts  
Subj.  
Chron

THE WHITE HOUSE

WASHINGTON

September 19, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Correspondence from Wally Charleston  
Concerning Corruption in Water District

Wally Charleston of Mammoth Lakes, California, an "investigative news reporter" and supporter of the President, wrote the President to protest the lack of a response by the FBI to his charges of corruption in his water district. Charleston states that "the word is" there will be no investigation because of "strong political connections." He asks the President to find out why the FBI is not moving forward. The original of this letter was routed to Karna Small, presumably because of Charleston's status as a reporter. I have determined that she has not responded, and have advised her that our office will handle the matter. I have prepared a reply to Charleston noting that we have referred his letter to the Justice Department.

Attachment

THE WHITE HOUSE

WASHINGTON

September 19, 1983

Dear Mr. Charleston:

Thank you for your letter of July 22 to the President. In that letter you raised concerns about corruption in your water district, and outlined the steps you had taken to bring the matter to the attention of appropriate authorities, including the Federal Bureau of Investigation.

I am certain you will understand that it would be inappropriate for the White House to interfere with the FBI's handling of a particular matter such as this. We have, however, referred your correspondence to the Department of Justice for whatever review and action by that department may be appropriate.

Thank you for your kind expressions of support for the President.

Sincerely,

Fred F. Fielding  
Counsel to the President

Mr. Wally Charleston  
Post Office Box 884  
Mammoth Lakes, California 93546

FFF:JGR:aea 9/19/83

bcc: FFFielding/JGRoberts/Subj./Chron



THE WHITE HOUSE

WASHINGTON

September 19, 1983

MEMORANDUM FOR EDWARD C. SCHMULTS  
DEPUTY ATTORNEY GENERAL  
U.S. DEPARTMENT OF JUSTICE

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Correspondence from Wally Charleston  
Concerning Corruption in Water District

The attached correspondence, with a copy of my reply, is submitted for whatever action you consider appropriate.

Attachments

FFF:JGR:aea 9/19/83

cc: FFFielding  
JGRoberts  
Subj.  
Chron