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FOIA

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COOK

61IGP

DOC NO	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
1	MEMO	ROBERTS TO HOLLAND RE PRESIDENT'S COMMITTEE ON MENTAL RETARDATION (PARTIAL)	2	8/2/1984	B6	838
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3	LETTER	FROM FIELDING RE NATIONAL CANCER ADVISORY BOARD (PARTIAL)	1	8/7/1984	B6	840

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]

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

COPY - Reagan Presidential Record

THE WHITE HOUSE

WASHINGTON

August 2, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Dozier Letters

I have been in touch with Justice (Deputy Associate Attorney General Bill McGuiness) concerning revisions to the proposed Dozier response. You will recall that Justice objected to a public description of the significance as opposed to the fact of Dozier's cooperation with law enforcement authorities. As something of a compromise Justice now suggests a sentence describing the importance of cooperation with law enforcement to clemency decisions in general, without reference to Dozier's cooperation in particular. I think this is acceptable. Read in context the sentence will clearly indicate that Dozier's cooperation was a significant factor in the decision to commute his sentence.

A revised form letter is attached. The paragraph in question is the first full paragraph on page two. If you agree with this draft we will produce and send replies over your autopened signature to the roughly 100 letters the President has received on this case.

Attachment

DRAFT

Dear _____ :

Thank you for your recent letter to the President concerning the decision to commute the sentence of Gilbert L. Dozier to six years imprisonment. In light of your expressed concerns about that decision, you may be interested in more information about the facts of the case and the procedures that were followed.

Gilbert L. Dozier was convicted in the United States District Court for the Middle District of Louisiana in 1980 for violations of Federal law involving extortion and bribery. Dozier was convicted of soliciting money from individuals and businesses that were, or might have been, affected by actions of the Louisiana Department of Agriculture while he was Commissioner of Agriculture. In 1982 Dozier was also found to have committed additional criminal acts, including obstruction of justice, and to have thereby violated the conditions of a court ordered probationary term. On June 24, 1982, he commenced service of an aggregate sentence of from 58 months to 18 years imprisonment, followed by five years probation, and was fined \$25,000.

In January 1983, Dozier filed an application for Executive clemency with the Office of the Pardon Attorney in the Department of Justice. In accordance with standard procedures, the Office of the Pardon Attorney, headed and staffed by experienced career attorneys, obtained and evaluated pertinent information, reports, and advice concerning Dozier's application. The office recommended that Dozier's sentence be reduced, and on March 20, 1984, the Department of Justice advised the President to modify the sentence of imprisonment and probation to six years imprisonment.

The Department of Justice recommendation was based on the disparity between Dozier's original sentence and sentences imposed in similar circumstances on like offenders for similar offenses. The disparity became evident through an evaluation of relevant data compiled by the Administrative Office of United States Courts on sentences imposed in Federal courts. Not only was Dozier's sentence comparatively long, but the convictions for racketeering and extortion that made up the pertinent statistics generally involved behavior even more severe than the acts of extortion committed by Dozier. Generally, they included offenders with serious prior criminal records whose offenses involved violence. Sentencing statistics pertaining to defendants convicted of bribery suggest an even greater disparity of sentence. In addition, sentences imposed in comparable cases in recent years upon a number of public officials in

DRAFT

DRAFT

in the Federal criminal justice system were reviewed, and this review again demonstrated the disparity of Dozier's sentence.

The recommendation of the Department of Justice was also based on Dozier's cooperation with law enforcement authorities after his conviction. Such cooperation provided with respect to ongoing law enforcement efforts is, as I am certain you will understand, a very important consideration in matters of this kind. Also taken into account were the guidelines of the United States Parole Commission, the length of incarceration to date, the fact that Dozier paid his fine, and the minimal additional deterrent effect to be achieved by completion of the original sentence.

The President accepted the advice of the Department of Justice and on June 22, 1984 reduced Dozier's sentence to six years. While the recommended sentence of six years imprisonment will permit Dozier to become eligible for parole consideration after two years imprisonment, any actual release date will be determined by the United States Parole Commission in its discretion and in accordance with its applicable guidelines. Unless the Parole Commission releases him sooner, Dozier will remain incarcerated until the expiration of his six-year sentence, subject to statutory release procedures (including good time) applicable to all Federal prisoners.

It is important to recognize that the President has not pardoned Dozier for the very serious criminal conduct that resulted in his conviction and incarceration. The reduction of sentence, approved for the reasons outlined above, in no way minimizes the seriousness of the crimes committed by Dozier.

We appreciate your taking the time to share your views on this matter with us. I hope the foregoing responds to your concerns.

Sincerely,

Fred F. Fielding
Counsel to the President

DRAFT

THE WHITE HOUSE
WASHINGTON

August 2, 1984

MEMORANDUM FOR DIANNA G. HOLLAND

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Appointments of Albert Anderson, Jerry Larson, James Bopp and Reappointments of Lee Christoferson and Ruth Warson to the President's Committee on Mental Retardation

I have reviewed the Personal Data Statements submitted by the above-named individuals in connection with their prospective appointments or reappointments to the President's Committee on Mental Retardation (PCMR). The PCMR, established by Executive Order 11776, provides advice to the President on mental retardation, Federal programs in the area, and the development and dissemination of information on mental retardation. The PCMR submits an annual report to the President on mental retardation.

Pursuant to section 2 of Executive Order 11776, several Cabinet members serve on the Committee ex officio, and the President may appoint "[n]ot more than twenty-one other members...employed in either the public or the private sectors...includ[ing] specialists in medicine and other healing arts, human development, special education, law, and employment problems, as well as members of foundations and other private organizations active in the mental retardation field."

Jerry P. Larson is a social worker from Chicago, employed by the State of Illinois as director of a mental health rehabilitation program. Ruth Warson is a clinical nursing instructor with a background in special education; she is being reappointed to the Committee. Albert LeRoy Anderson is a pediatric dentist from San Diego. While this does not of itself suggest any particular qualification for the PCMR, Mr. Anderson has served on several medical and health boards with broader responsibilities than pediatric dentistry, including Governor Reagan's state advisory health council. Nothing in the PDSs of Larson, Warson, or Anderson presents any difficulties.

Lee A. Christoferson is a physician and chairman of the Department of Neurology Science at the University of North Dakota. b6

[REDACTED]

b6

James Bopp was recently (February 1984) cleared by Mr. Garrett for a PAS position as a member of the National Advisory Council on Women's Educational Programs.

[REDACTED]

b6

Mr. Bopp is an attorney active in the health area, and as such falls within one of the specified categories of appointees to the PCMR.

I have not yet received PDSs from Anne Seggerman or Linda Emery.

THE WHITE HOUSE

WASHINGTON

August 1, 1984

Dear Ms. DuQue:

Thank you for your letter to the President concerning former President Richard M. Nixon. In that letter you expressed your view that the accomplishments of former President Nixon have been unjustly ignored. You urged President Reagan "to officially reinstate" Mr. Nixon "to public life."

Please be advised that no action by the President is necessary to reinstate former President Nixon to public life; there is no "official" action that could be taken for this purpose. We do, however, appreciate having the benefit of your views on this subject.

Thank you for writing.

Sincerely,

Fred F. Fielding
Counsel to the President

Ms. Idolina P. DuQue
657 S. Atlantic Boulevard
Suite No. 252
Los Angeles, CA 90022

FFF:JGR:aea 8/1/84
bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

August 1, 1984

Dear Mr. DuQue:

Thank you for your letter to the President concerning former President Richard M. Nixon. In that letter you expressed your view that the accomplishments of former President Nixon have been unjustly ignored. You urged President Reagan "to officially reinstate" Mr. Nixon "to public life."

Please be advised that no action by the President is necessary to reinstate former President Nixon to public life; there is no "official" action that could be taken for this purpose. We do, however, appreciate having the benefit of your views on this subject.

Thank you for writing.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Enrique DuQue, Jr.
657 S. Atlantic Boulevard
Suite No. 252
Los Angeles, CA 90022

FFF:JGR:aea 8/1/84
bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

August 1, 1984

Dear Mr. Romero:

Thank you for your letter to the President concerning former President Richard M. Nixon. In that letter you expressed your view that the accomplishments of former President Nixon have been unjustly ignored. You urged President Reagan "to officially reinstate" Mr. Nixon "to public life."

Please be advised that no action by the President is necessary to reinstate former President Nixon to public life; there is no "official" action that could be taken for this purpose. We do, however, appreciate having the benefit of your views on this subject.

Thank you for writing.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Manuel Romero
657 S. Atlantic Boulevard
Suite No. 252
Los Angeles, CA 90022

FFF:JGR:aea 8/1/84
bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

August 1, 1984

Dear Ms. Sevilla:

Thank you for your letter to the President concerning former President Richard M. Nixon. In that letter you expressed your view that the accomplishments of former President Nixon have been unjustly ignored. You urged President Reagan "to officially reinstate" Mr. Nixon "to public life."

Please be advised that no action by the President is necessary to reinstate former President Nixon to public life; there is no "official" action that could be taken for this purpose. We do, however, appreciate having the benefit of your views on this subject.

Thank you for writing.

Sincerely,

Fred F. Fielding
Counsel to the President

Ms. Thelma Sevilla
657 S. Atlantic Boulevard
Suite No. 252
Los Angeles, CA 90022


FFF:JGR:aea 8/1/84
bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

August 1, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Reinstatement of Richard Nixon
to Public Life

The President has received identical letters from four individuals on the stationery of the "Small Committee for Richard M. Nixon," operating out of Los Angeles. The letters praise the contributions of the former President, contend that he has been unfairly slighted, and appeal to President Reagan "to officially reinstate the Honorable President Richard M. Nixon to public life and grant him the respectable status that is due him as one of the most illustrious presidents of the GREAT UNITED STATES OF AMERICA."

At your direction Mrs. Holland checked with the former President's staff and was advised that they had never heard of the "Small Committee." So far as I am aware Mr. Nixon suffers under no Federal disabilities removable by the President; I cannot imagine how President Reagan could accede to the Small Committee's request "to officially reinstate" Mr. Nixon "to public life." The best course would seem to be a bland response to the four individuals, thanking them for their views but noting that there is nothing for President Reagan to do to officially reinstate Mr. Nixon to public life.

Attachment

THE WHITE HOUSE

WASHINGTON

August 1, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Appointment of John F. W. Rogers to the
Advisory Council on Historic Preservation

I have reviewed the Personal Data Statement submitted by John F. W. Rogers in connection with the above-referenced prospective appointment, and have no objection to proceeding with the appointment. The functions of the Advisory Council on Historic Preservation include advising the President and Congress on historic preservation, promoting private sector interest in historic preservation, advising states and localities concerning historic preservation legislation, reviewing the pertinent programs and policies of Federal agencies, and preparing an annual report on Council activities. The composition of the Council is specified in 16 U.S.C. § 470i(a) and includes "the Secretary of Agriculture and the heads of four other agencies of the United States...the activities of which affect historic preservation, appointed by the President."

In a memorandum to you dated June 18, 1984, Mr. Garrett concluded that the Office of Administration (OA) is an "agenc[y] of the United States" and that Mr. Rogers could be considered the "head" of that agency, even though Reorganization Plan No. 1 of 1977, establishing OA, specified that it "shall be headed by the President." You advised John Herrington on June 18 that the President could appoint the Director of OA to this Council. In light of this advice the only remaining question is whether anything on Mr. Rogers' PDS precludes his appointment. Mr. Rogers represents the President on the Board of Trustees of the U.S. Capitol Historical Society and is a member of the Board of Trustees of the National Building Museum. It is remotely conceivable that these associations could present a conflict of interest at some point with respect to a particular matter before the Council, in which case Mr. Rogers will be required to recuse himself, but in light of the general advisory functions of the Council the associations hardly present a hurdle to his appointment.

Attachment

cc: H. Lawrence Garrett, III

THE WHITE HOUSE

WASHINGTON

August 1, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Recommended Action Regarding Consent Orders Issued by the U.S. International Trade Commission Regarding Certain Bag Closure Clips, Certain Single-Handle Faucets, etc.

Richard Darman has asked for comments on the above-referenced items by Monday, August 6. In three separate cases the International Trade Commission (ITC) determined that respondents had committed unfair import trade practices in violation of 19 U.S.C. § 1337. The ITC issued consent orders in which respondents agreed to cease importation and sale of the infringing products, and transmitted the orders to the President on June 13, 1984.

Pursuant to 19 U.S.C. § 1337(g), the President has sixty days to review an ITC order. The President may disapprove an order "for policy reasons," may expressly approve it prior to the expiration of the sixty-day period, or may do nothing, in which case the order becomes effective on the sixty-first day. The Trade Policy Committee -- with representatives of USTR, Agriculture, Commerce, Interior, Justice, Labor, State, Treasury, and CEA -- has reviewed the instant order and unanimously recommended that the President take no action, permitting the order to become effective on the sixty-first day, August 13.

Ambassador Brock notes in his memorandum for the President that the consent orders are routine and will not significantly affect competition in the pertinent markets. He also advises that the orders are consistent with our international obligations and that no foreign government has objected. I see no reason to disagree with the unanimous recommendation of the Trade Policy Committee.

Attachment

THE WHITE HOUSE

WASHINGTON

August 1, 1984

MEMORANDUM FOR RICHARD G. DARMAN :
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Recommended Action Regarding Consent Orders
Issued by the U.S. International Trade
Commission Regarding Certain Bag Closure
Clips, Certain Single-Handle Faucets, etc.

Counsel's Office has reviewed the recommendations of the United States Trade Representative concerning the above-referenced orders issued by the U.S. International Trade Commission (ITC). I have no objection to the recommendation that the President take no action in these cases, thereby permitting the orders to become effective on August 13.

FFF:JGR:aea 8/1/84

cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

August 2, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Correspondence From John E. Sheehan
Concerning the "Gender Gap" Issue

John E. Sheehan, CEO of the Johnstown Corporation and former member of the Board of Governors of the Federal Reserve System, has written the President to suggest a strategy for closing the so-called "gender gap." Under Sheehan's plan, the Chief Justice would retire one week after the Republican Convention, to accept appointment as Ambassador to the Court of St. James. The President would elevate Justice O'Connor two weeks later, and then name yet another women to succeed O'Connor two weeks after that. Presto! The gender gap vanishes.

The attached draft response to Sheehan notes that the Chief's retirement decision is his alone, and that any appointments the President may make to the Supreme Court will not be based on such crass political considerations. It also suggests that the President's record on women's issues -- as it becomes more widely known -- should suffice to close the "gender gap."

Attachment

THE WHITE HOUSE

WASHINGTON

August 2, 1984

Dear Mr. Sheehan:

Thank you for your letter of July 24 to the President. That letter expressed concern over the so-called "gender gap" and proffered a strategy to close it. Under your suggested plan the Chief Justice would retire, to be appointed Ambassador to the Court of St. James. The President would then elevate Justice O'Connor, and name another woman to her seat.

As I am certain you must recognize, any decision about retirement by the Chief Justice is his and his alone to make. The President would hardly presume to intrude in any way on that decision, and would certainly not do so for political reasons. Nor would the President make appointments to the Supreme Court, should any vacancies arise, on the basis of possible political gain. In all his judicial appointments, the President seeks to appoint men and women of character who share his judicial philosophy and recognize the appropriately limited role for the third branch intended by the Framers. With respect to the so-called "gender gap," we can only hope that it will dissipate as the President's impressive record on women's issues and the appointment of women to positions of responsibility in the Administration becomes more widely known.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. John E. Sheehan
Chief Executive Officer
Johnstown Corporation
545 Central Avenue
Johnstown, PA 15902

FFF:JGR:aea 8/2/84
bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

August 2, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Solicitor General Filing in
Clarksville Baptist Church v. Green

Roger Clegg advised me this afternoon that the Solicitor General will file today an opposition to certiorari in the above-referenced Supreme Court case. Clarksville Baptist Church runs a private school in Mississippi that some allege to be a segregationist academy. School officials sued the IRS to compel the Service to maintain the school's tax-exempt status after the Service threatened to revoke it; black parents in Mississippi counter-sued the IRS to compel it to revoke tax-exempt status. The black parents won in district court and the court of appeals, securing an injunction confining the manner in which IRS officials could review the school's eligibility for tax exemption. The decisions were issued after Bob Jones, which supported the black parents on the merits, but before Regan v. Wright, which held that private citizens such as the black parents had no standing to bring suits of this sort. Clarksville filed for certiorari, correctly arguing that the black parents' suit should be dismissed for want of standing in light of Regan v. Wright.

The Solicitor General will today file a memorandum opposing certiorari. The Solicitor's argument is not that Clarksville is wrong on the standing issue but that the case is not "certworthy." The injunction entered against the IRS in response to the black parents' suit is essentially moot, since after Bob Jones the IRS will review the tax-exempt question as the injunction directs in any event.

The filing may generate objections from Congressman Trent Lott, who has taken an interest in Clarksville. According to Assistant Attorney General Glenn Archer, IRS Commissioner Roscoe Egger assured Lott that the Government would not prevent Clarksville from having its day in court -- i.e., from proving that it in fact does not discriminate. The Justice Department response to any complaint Lott might raise is that Clarksville can still have its day in court -- just not the Supreme Court. Clarksville's exemption has not yet been taken away, and when it is Clarksville can challenge the action in district court.

There should be little press interest in this, since we are on the side of the black parents at this point. If Lott complains, he should be advised that the present petition concerns a procedural matter and not the merits of Clarksville's tax-exempt status.

THE WHITE HOUSE

WASHINGTON

August 2, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Dozier Letters

I have been in touch with Justice (Deputy Associate Attorney General Bill McGuiness) concerning revisions to the proposed Dozier response. You will recall that Justice objected to a public description of the significance as opposed to the fact of Dozier's cooperation with law enforcement authorities. As something of a compromise Justice now suggests a sentence describing the importance of cooperation with law enforcement to clemency decisions in general, without reference to Dozier's cooperation in particular. I think this is acceptable. Read in context the sentence will clearly indicate that Dozier's cooperation was a significant factor in the decision to commute his sentence.

A revised form letter is attached. The paragraph in question is the first full paragraph on page two. If you agree with this draft we will produce and send replies over your autopened signature to the roughly 100 letters the President has received on this case.

Attachment

DRAFT

Dear _____ :

Thank you for your recent letter to the President concerning the decision to commute the sentence of Gilbert L. Dozier to six years imprisonment. In light of your expressed concerns about that decision, you may be interested in more information about the facts of the case and the procedures that were followed.

Gilbert L. Dozier was convicted in the United States District Court for the Middle District of Louisiana in 1980 for violations of Federal law involving extortion and bribery. Dozier was convicted of soliciting money from individuals and businesses that were, or might have been, affected by actions of the Louisiana Department of Agriculture while he was Commissioner of Agriculture. In 1982 Dozier was also found to have committed additional criminal acts, including obstruction of justice, and to have thereby violated the conditions of a court ordered probationary term. On June 24, 1982, he commenced service of an aggregate sentence of from 58 months to 18 years imprisonment, followed by five years probation, and was fined \$25,000.

In January 1983, Dozier filed an application for Executive clemency with the Office of the Pardon Attorney in the Department of Justice. In accordance with standard procedures, the Office of the Pardon Attorney, headed and staffed by experienced career attorneys, obtained and evaluated pertinent information, reports, and advice concerning Dozier's application. The office recommended that Dozier's sentence be reduced, and on March 20, 1984, the Department of Justice advised the President to modify the sentence of imprisonment and probation to six years imprisonment.

The Department of Justice recommendation was based on the disparity between Dozier's original sentence and sentences imposed in similar circumstances on like offenders for similar offenses. The disparity became evident through an evaluation of relevant data compiled by the Administrative Office of United States Courts on sentences imposed in Federal courts. Not only was Dozier's sentence comparatively long, but the convictions for racketeering and extortion that made up the pertinent statistics generally involved behavior even more severe than the acts of extortion committed by Dozier. Generally, they included offenders with serious prior criminal records whose offenses involved violence. Sentencing statistics pertaining to defendants convicted of bribery suggest an even greater disparity of sentence. In addition, sentences imposed in comparable cases in recent years upon a number of public officials in

DRAFT

DRAFT

in the Federal criminal justice system were reviewed, and this review again demonstrated the disparity of Dozier's sentence.

The recommendation of the Department of Justice was also based on Dozier's cooperation with law enforcement authorities after his conviction. Such cooperation provided with respect to ongoing law enforcement efforts is, as I am certain you will understand, a very important consideration in matters of this kind. Also taken into account were the guidelines of the United States Parole Commission, the length of incarceration to date, the fact that Dozier paid his fine, and the minimal additional deterrent effect to be achieved by completion of the original sentence.

The President accepted the advice of the Department of Justice and on June 22, 1984 reduced Dozier's sentence to six years. While the recommended sentence of six years imprisonment will permit Dozier to become eligible for parole consideration after two years imprisonment, any actual release date will be determined by the United States Parole Commission in its discretion and in accordance with its applicable guidelines. Unless the Parole Commission releases him sooner, Dozier will remain incarcerated until the expiration of his six-year sentence, subject to statutory release procedures (including good time) applicable to all Federal prisoners.

It is important to recognize that the President has not pardoned Dozier for the very serious criminal conduct that resulted in his conviction and incarceration. The reduction of sentence, approved for the reasons outlined above, in no way minimizes the seriousness of the crimes committed by Dozier.

We appreciate your taking the time to share your views on this matter with us. I hope the foregoing responds to your concerns.

Sincerely,

Fred F. Fielding
Counsel to the President

DRAFT

THE WHITE HOUSE

WASHINGTON

August 2, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Request for Permission to Place the
President's Name on Jim Robinson's
Race Car

Nothing surprises me anymore. Willis Sanders, the person who created the Ronald Reagan novelty wristwatch (whatever that is), has asked for permission to name race driver Jim Robinson's car the "Ronald Reagan." Sanders is the Vice President for Marketing of Hammer Security Service, the company that sponsors Robinson on the Nascar circuit. Presumably the President's name would be plastered on the car alongside the STP, Champion spark plug, Quaker State motor oil, and Goodyear tire stickers.

A draft denying the request is attached.

Attachment

THE WHITE HOUSE

WASHINGTON

August 2, 1984

Dear Mr. Sanders:

Thank you for your recent letter to the President, seeking approval to use the President's name on Jim Robinson's race car.

I must advise you that we cannot grant you permission to so use the President's name. The White House adheres to a policy of not approving any use of the President's name, likeness, photograph, or signature in any manner that suggests or could be construed as an endorsement of a commercial product or enterprise. In this case approval of the use of the President's name on Mr. Robinson's car would of course suggest endorsement of his efforts. That would not only contravene White House policy but, as I am certain you will recognize, hardly be fair to the other drivers.

I hope you will understand the reasons we cannot grant your request, and recognize that our inability to do so is in no sense an adverse reflection on you or Mr. Robinson. Thank you for writing.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Willis Sanders
Hammer Security Service
of California Inc.
14547 Titus Street, Suite 206
Panorama City, CA 91402

FFF:JGR:aea 8/2/84
bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

August 6, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Request for Investigation Concerning
a Military Officer and His Failure to
Permit Bar Tips

Joseph H. Driscoll, a bartender at the Park Plaza Hotel in New Haven, has written you to complain that the organizers of a Navy League dinner dance held at the hotel insisted that there be no acceptance of tips by the bartenders. Driscoll identifies a naval officer named Meyer as the source of the no-tip rule, and requests "an investigation into this outrageous insult to four civilian taxpayers [i.e., Driscoll and the three other bartenders]."

So far as I can tell, Officer Meyer did nothing wrong. Anyone organizing an event at a place of public accommodation can bargain for whatever rules on tipping and the like he would prefer, and I do not think the navy should be any different in this respect than anyone else. It hardly strikes me as unreasonable for Meyer to insist that there be no tipping, and if the bartenders do not like it they can take it up with their management, which agreed to Meyer's terms. The matter seems sufficiently clear to me that I do not recommend a referral to the Navy.

Attachment

THE WHITE HOUSE

WASHINGTON

August 6, 1984

Dear Mr. Driscoll:

Thank you for your recent letter, objecting to a "no tipping" rule that was applied to a Navy League dinner dance. You served as a bartender at the affair.

In my view the organizers of the Navy League event should be free to design the evening as they see fit, just as any individual or organization planning a similar affair may do. If the organizers insist on a "no tipping" rule, that is their prerogative. It appears that any complaint you might have is with the management for agreeing to terms you do not like, rather than with the Navy League organizers for bargaining for conditions that they deem appropriate.

In sum, I see nothing objectionable in the conduct of the organizers of this affair, as you have described it. We do, however, appreciate your taking the time to share your views with us.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Joseph H. Driscoll
6 Riverside Drive
Branford, CT 06405

FFF:JGR:aea 8/6/84
bcc: FFFfielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

August 7, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Request for Justice Department Investigation

Frank Farkas is currently serving a five-year term for tax evasion and receipt of stolen government property. He wrote you last December to request an investigation into alleged improprieties on the part of Federal officials in connection with his convictions; you referred the correspondence to Deputy Attorney General Schmults and so advised Farkas. The Public Integrity Section of Justice wrote Farkas, requesting in writing some substantiation of his allegations. Farkas insists on talking with investigators rather than replying in writing, and has now written you to request that the President intervene and order the Department of Justice to cooperate with him.

I do not recommend that you reply directly to Farkas. We have referred this matter to Justice and that is where it should remain. I have attached a draft memorandum for your signature to the Deputy Attorney General, referring this latest letter from Farkas and noting that we have not responded to it.

Attachment

THE WHITE HOUSE

WASHINGTON

August 7, 1984

MEMORANDUM FOR CAROL E. DINKINS :
DEPUTY ATTORNEY GENERAL
U.S. DEPARTMENT OF JUSTICE

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Request for Justice Department Investigation

On December 21, 1983, I referred to the Department of Justice a letter I had received from Federal convict Frank Farkas, requesting an investigation into alleged improprieties by Federal officials in connection with his convictions for tax evasion and receipt of stolen government property. Mr. Farkas has now written me again to complain about the progress of the investigation into his allegations by the Public Integrity Section. That letter is referred to you for whatever action and direct reply you consider appropriate. I have not responded to this latest letter from Mr. Farkas, and have no continuing interest in this matter.

Many thanks.

FFF:JGR:aea 8/7/84
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE
WASHINGTON

August 7, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: National Cancer Advisory Board Appointments
and Correspondence From Senator Specter

You will recall that Senator Specter wrote the President (and sent you a copy of the letter) back when the controversy over the prospective appointment of [REDACTED] to the National Cancer Advisory Board first developed. Specter noted in his letter that [REDACTED] had been questioned and requested a careful inquiry into the questions that had been raised. As you know [REDACTED] prospective appointment was aborted; we agreed to wait until the full slate of appointees was announced and then inform Specter of the appointments, noting that [REDACTED] was not among them. Unfortunately the process was delayed at Presidential Personnel. While five appointees were announced on May 15, the sixth -- Enrico Mihich -- was not announced until July 20 (even though you cleared him in a memorandum to Herrington dated June 12). In any event, all the vacancies on the Board have now been filled, and we can so advise Specter. A draft letter doing so is attached. b6

Attachment

UFR - Reagan Presidential Record

THE WHITE HOUSE

445 - 40701

August 7, 1984

UFR - Reagan Presidential Record

Dear Senator Specter:

Some time ago you wrote the President concerning appointments to the National Cancer Advisory Board. In your letter you noted that questions had been raised concerning the qualifications of one candidate for appointment, [REDACTED] and requested that a careful inquiry be conducted into those questions. b6

All of the vacancies on the Board have now been filled. In light of your interest, I am enclosing copies of the announcements of the appointments. [REDACTED] was not among those chosen to serve on the Board. b6

Thank you for sharing your concerns about appointments to this Board with us.

Sincerely,

Fred F. Fielding
Counsel to the President

The Honorable Arlen Specter
United States Senate
Washington, D.C. 20510

FFF:JGR:aea 8/7/84
bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

August 8, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Wladyslaw Staniszewski

Mr. Baker's office has requested information on the case of Corporal Wladyslaw Staniszewski, a.k.a. Andrew Stanashevsky, which was featured on the CBS and ABC evening news on July 30, 1984. Staniszewski was born in Scotland of Scottish and Polish parents. He was admitted to the United States as an immigrant coming to reside permanently on December 19, 1964. He joined the Marines shortly thereafter and was killed in action in Vietnam on July 7, 1967. His parents are trying to have him made a U.S. citizen posthumously, and Congressman Brian Donnelly (D-Mass.) has introduced a bill, H.R. 960, for that purpose.

Such private legislation is necessary for Staniszewski to be made a citizen; existing law makes no provision for posthumous naturalization. If Staniszewski had not been killed in Vietnam he would have been eligible for immediate naturalization upon his honorable discharge from the Marines, pursuant to 8 U.S.C. § 1440. That provision authorizes naturalization of aliens who served honorably during specified periods of hostility, including the Vietnam conflict. There is considerable precedent for private legislation of the sort contemplated in this case, and bills essentially identical to H.R. 960 have been passed for aliens killed during World War II and the Korean and Vietnamese hostilities. See, e.g., 65 Stat. A 124 (Oct. 18, 1951); 68 Stat. A 11 (Feb. 27, 1954); 84 Stat. 2128 (Aug. 24, 1970). A Justice Department draft report on H.R. 960, noting no objection to its enactment, is awaiting OMB clearance.

Attached is a draft memorandum for your signature addressed to Kathy Camalier, the source of the inquiry.

Attachment

THE WHITE HOUSE

WASHINGTON

August 8, 1984

MEMORANDUM FOR KATHY CAMALIEF
STAFF ASSISTANT TO THE
CHIEF OF STAFF

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Władysław Staniszewski

You have asked for information on the case of Corporal Władysław Staniszewski, a.k.a. Andrew Stanashevsky.

Corporal Władysław Staniszewski, U.S. Marine Corps, was killed in action in Vietnam on July 7, 1967. He is the proposed beneficiary of H.R. 960, introduced on his behalf by Mr. Donnelly on January 26, 1983. The legislation, if enacted, would hold and consider Corporal Staniszewski to have been a citizen of the United States at the time of his death.

Corporal Staniszewski was born in Scotland on June 22, 1947 of parents neither of whom was a U.S. citizen. On December 19, 1964, as a national of Great Britain, he was lawfully admitted to the United States as an immigrant coming to reside permanently. He enlisted in the U.S. Marine Corps on June 30, 1966, while still a national of Great Britain. He arrived in the Republic of Vietnam on April 9, 1967, and was killed in action on July 7, 1967.

The public laws of the United States do not provide for posthumous naturalization. Indeed, those laws are specific in requiring a personal petition for naturalization, a personal appearance in court, and a personal taking of the oath of allegiance as part of the process. Accordingly, in order for Corporal Staniszewski to be held and considered to be a United States citizen at the time of his death, private legislation is necessary.

Had Corporal Staniszewski not been killed in action he would have been eligible for naturalization upon his honorable discharge from the Marines, pursuant to 8 U.S.C. § 1440. This section provides that aliens who have served honorably in the Armed Forces of the U.S. for any length of time during certain defined periods of hostility -- including the Vietnam conflict -- are eligible for naturalization.

There is ample precedent for the private legislative relief sought for Corporal Staniszewski. Bills containing identical language have been approved in the past for those who served and were killed during World War II, Korea and Vietnam. A draft Department of Justice report on H.R. 960, noting no objection to its enactment, is awaiting OMF clearance (Tab A). Also attached is a copy of Corporal Staniszewski's military service record (Tab B). All of the foregoing information may be made public in response to inquiries, except for the draft Justice report (until it is cleared and sent) and the military service record.

FFF:JGR:aea 8/8/84

cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

August 8, 1984

MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS 

SUBJECT: Ronald Reagan Contribution to Memorial
for Katie Redmond -- Redraft of Presi-
dential Response to Her Family

On June 11, the Redmond family wrote the President concerning the random murder of 18-year-old Katie Redmond. The letter complained about the manner in which the criminal justice system treated the family of the victim, and the rising threat posed by random killers. The letter also asked the President to contribute to a scholarship fund set up in Katie Redmond's honor.

On June 26 you referred the incoming to Justice for preparation of a draft reply. Justice (Assistant Attorney General Lois Herrington) has now submitted a draft reply to Presidential Correspondence, and Presidential Correspondence has asked for our comments on it. The draft reply discusses Administration efforts to aid victims of crime and other Administration anti-crime efforts, including the new FBI serial killer program. No mention is made of the request for a personal contribution. I have no objection to the proposed response. Simply ignoring the possibly sardonic request for a donation seems to be the best course.

Attachment

THE WHITE HOUSE

WASHINGTON

August 8, 1984

MEMORANDUM FOR CHARLES A. DONOVAN
DEPUTY DIRECTOR
WHITE HOUSE CORRESPONDENCE

FROM: RICHARD A. HAUSER
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: Ronald Reagan Contribution to Memorial
for Katie Redmond -- Redraft of Presi-
dential Response to Her Family

Counsel's Office has reviewed the draft response submitted by the Department of Justice, and finds no objection to it from a legal perspective.

RAH:JGR:aea 8/8/84

cc: FFFielding/RAHauser/JGRoberts/Subj/Chron