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THE WHITE HOUSE
WASHINGTON

November 15, 1983

FOR: RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT AND
DEPUTY TO THE CHIEF OF STAFF

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

SUBJECT: Draft Presidential Letter to Senator
Hatch re: Family Fairness Statement

I have reviewed the above-referenced proposed letter and have no objections to it from a legal standpoint. However -- while I am sympathetic with pro-family efforts, and also understand the benefits of emphasizing the President's support for family values -- there are a few concerns you may wish to consider before a final policy decision is made to send this letter.

First, there is room for doubt whether it is wise to encourage this particular legislative device. In addition to the chance that the "family fairness statement" may, somewhere down the road, pose problems in ways not now anticipated for one or another future Administration proposal, there is a general problem with singling out any "particular" interest as one that merits a required "impact statement." The "environmental impact statement," for example, has often proved a troublesome and litigation-spawning creature; and while the current idea would apply only to one committee of one chamber, it is not clear to me that we want to start down this path at all.

Second, it is not clear to me that the President should get involved personally in what seems to be, in essence, a parliamentary matter involving a particular Senate committee. I assume, of course, that Senator Hatch wants the President to do so; it is possible, however, that other Senators may think Presidential involvement is inappropriate. While I obviously defer to Ken Duberstein on this point, it is something that should be considered.

A final and related point is that we should know ahead of time what others in the Senate (especially Howard Baker) think of the substance of Senator Hatch's idea. If Senator Baker has doubts, or there is considerable disagreement among Republican Senators, about this proposal, then it might be unwise to have the President personally endorse it.

cc: Kenneth M. Duberstein
John A. Svahn


FFE:PJR:ph 11/15/83
cc: FFFielding
PJRusthoven ✓
Subject
Chron.

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

November 15, 1983

FOR: FRED F. FIELDING

FROM: PETER J. RUSTHOVEN 

SUBJECT: Draft Presidential Letter to Senator Hatch re: Family Fairness Statement

Richard Darman's office asked us to comment by 4:00 p.m. today on the above-referenced draft letter, which Policy Development is recommending the President sign for delivery to Senator Orrin Hatch (R.-Utah), Chairman of the Senate Committee on Labor and Human Resources, in time for a Committee hearing Hatch has scheduled for tomorrow.

According to Svahn's memorandum for the President on this proposal, Hatch intends to announce during the hearing that henceforth he will require all legislation reported out of the Committee "to contain a 'family fairness statement,' analogous to the 'budget impact statement' which is now required of all legislation." The President's letter would warmly endorse this step; Svahn believes this is "an excellent opportunity to remind the public of the emphasis that you have placed on family life and traditional values in the formation of public policy during the last three years."

I am generally sympathetic with efforts to emphasize the importance of the nuclear family to American society (and to Western civilization in general); also, I see no legal objections per se to the instant proposal. I do, however, have some reservations both about the particular device that Hatch will propose and about whether the President should personally endorse it.

These concerns, which are noted on the memorandum for Darman attached for your review and signature, are not so strong that I think we should object to this idea. Rather, the attached memorandum advises that we have no legal objections, but suggests that there are some potential concerns here that people may wish to consider. Svahn and Ken Duberstein are copied on the memorandum.

Attachment

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

November 15, 1983

FOR: RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT AND
DEPUTY TO THE CHIEF OF STAFF

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

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Hatch re: Family Fairness Statement

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cc: Kenneth M. Duberstein
John A. Svahn

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

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

Name of Correspondent: Richard G. Dasman

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

Subject: Draft Presidential letter to Senator Hatch re: Family Fairness Statement

ROUTE TO:	ACTION	DISPOSITION
Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD
<u>CUBOLL</u>	ORIGINATOR	<u>83/11/14</u>
<u>CUAT09</u>	D	<u>83/11/14</u>
	Referral Note:	<u>583/11/15</u>
	Referral Note:	<u>7:00 pm</u>
	Referral Note:	
	Referral Note:	
	Referral Note:	

- | | | |
|--|---|---|
| <p>ACTION CODES:</p> <ul style="list-style-type: none"> A - Appropriate Action C - Comment/Recommendation D - Draft Response F - Furnish Fact Sheet to be used as Enclosure | <ul style="list-style-type: none"> 1 - Info Copy Only/No Action Necessary R - Direct Reply w/Copy S - For Signature X - Interim Reply | <p>DISPOSITION CODES:</p> <ul style="list-style-type: none"> 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.
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 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: 11/14/83 ACTION/CONCURRENCE/COMMENT DUE BY: 11/15 - 4:00 P.M.

SUBJECT: DRAFT PRESIDENTIAL LETTER TO SENATOR HATCH RE FAMILY FAIRNESS STATEMENT

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	HICKEY	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	McFARLANE	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input type="checkbox"/>	McMANUS	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/> P	<input checked="" type="checkbox"/> SS	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input type="checkbox"/>
FELDSTEIN	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
GERGEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HERRINGTON	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

May we have your comments on the attached draft letter no later than 4:00 p.m. tomorrow. Thank you.

RESPONSE:

Richard G. Darman
Assistant to the President
Ext. 2702

Received SS


1983 NOV 14 PM 3:35

THE WHITE HOUSE

WASHINGTON

November 14, 1983

MEMORANDUM TO THE PRESIDENT

FROM: JOHN A. SVAHN 
SUBJECT: Family Fairness Statement

On November 16, Sen. Hatch, as Chairman of the Labor and Human Resources Committee, will hold a full committee hearing on problems of child care, working women, etc., stressing what the private sector is doing to meet these needs. Jim Coyne will represent the White House. The hearing is intended to be positive and upbeat.

During the hearing, Sen. Hatch will announce what is thus far a well-kept secret: that he will thereafter require legislation reported out of the Labor and Human Resources Committee to contain a "family fairness statement," analogous to the "budget impact statement" which is now required of all legislation.

Sen. Hatch hopes that he can receive a letter from you to be read by him at the hearing, endorsing this step. I would recommend that such a letter be sent. A draft is attached for your consideration.

Several days before the start of National Family Week this would be an excellent opportunity to remind the public of the emphasis that you have placed on family life and traditional values in the formulation of public policy during the last three years.

D R A F T

Dear Orrin:

Your proposal to include a Family Fairness Statement in reporting legislation from the Labor and Human Resources Committee is an excellent initiative.

As I stated earlier this month in proclaiming next week as National Family Week, "through family living, we discover who we are, how to interact with our fellowman, and the values that make a free society possible."

Both the interests and the rights of the American family have often been neglected in the formation of public policy, which has tended to focus upon individuals rather than upon the families which provide their nurture and support, their values and their aspirations. As we continue our efforts of the last three years to correct that oversight, your approach can give us all an opportunity to start asking the right questions. The family is central to our American life and heritage. It should also be central to the deliberations of all of us in government.

I applaud the step you are taking, and I hope it will assist both the Congress and the Executive Branch in ensuring more equitable treatment of the American family.

Sincerely,