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# WITHDRAWAL SHEET

## Ronald Reagan Library

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File Folder: <sup>Box 10</sup> ~~Memos, 1982~~ ~~19 of 61~~  
Chron File, 06/04/1982 - 06/09/1982

Date: September 18, 1998

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. memo	<del>William Clark to Secretary of State, et al re United States Law of the Sea Policy 2 p. (3137)</del> R 6114/00 NLS F97-104 #2	<del>5/11/82</del>	<del>P1</del>

### RESTRICTION CODES

**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P-1 National security classified information [(a)(1) of the PRA].
- P-2 Relating to appointment to Federal office [(a)(2) of the PRA].
- P-3 Release would violate a Federal statute [(a)(3) of the PRA].
- P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA].
- P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA].
- P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA].

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

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

- F-1 National security classified information [(b)(1) of the FOIA].
- F-2 Release could disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA].
- F-3 Release would violate a Federal statute [(b)(3) of the FOIA].
- F-4 Release would disclose trade secrets or confidential commercial or financial information [(b)(4) of the FOIA].
- F-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA].
- F-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA].
- F-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA].
- F-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA].

MEMORANDUM

THE WHITE HOUSE  
WASHINGTON

June 4, 1982

FOR: EMILY ROCK  
FROM: MICHAEL J. ULLMANN  
SUBJECT: Draft Response to Exxon Chairman's LOS Treaty  
(Reference #071749PD)

Attached is a draft response to Cliff Garvin's letter to Ed Meese. (I don't know how well Meese knows Garvin, but note that Garvin's letter is addressed to "Ed".)

This response is too personalized to be used as a form.

A form letter on this issue is impractical just at this stage. A decision memo on LOS will be going to the President on June 16. There are some delicacies here and, for the time being, we should probably handle outside correspondence on this issue on a case-by-case basis.

For now, it would make sense if you forwarded LOS correspondence to me; I will answer it over my signature.

(DRAFT RESPONSE)

Dear Cliff:

Thank you for your letter of April 21 concerning the LOS Treaty.

I agree that the Treaty which finally emanated from the Conference was seriously flawed and, as you know, on April 30, the United States, joined by three other countries, voted against it.

We are now in the process of determining where we go from here. Your views on this would be useful; don't hesitate to convey them to me directly. We should resolve this issue shortly.

Sincerely,

Edwin Meese III

Counsellor to the President

C. C. Garvin, Jr.  
Chairman of the Board  
Exxon Corporation  
1251 Avenue of the Americas  
New York, NY 10020

## OFFICE OF POLICY DEVELOPMENT STAFFING MEMORANDUM

DATE: 4/23/82 ACTION/CONCURRENCE/COMMENT DUE BY: 4/30/82SUBJECT: Law of the Sea Form Letter Response

	ACTION	FYI		ACTION	FYI
HARPER	<input type="checkbox"/>	<input type="checkbox"/>	SMITH	<input type="checkbox"/>	<input type="checkbox"/>
PORTER	<input type="checkbox"/>	<input type="checkbox"/>	UHLMANN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BANDOW	<input type="checkbox"/>	<input type="checkbox"/>	ADMINISTRATION	<input type="checkbox"/>	<input type="checkbox"/>
BAUER	<input type="checkbox"/>	<input type="checkbox"/>	DRUG POLICY		
BOGGS	<input type="checkbox"/>	<input type="checkbox"/>	TURNER	<input type="checkbox"/>	<input type="checkbox"/>
BRADLEY	<input type="checkbox"/>	<input type="checkbox"/>	D. LEONARD	<input type="checkbox"/>	<input type="checkbox"/>
CARLESON	<input type="checkbox"/>	<input type="checkbox"/>	OFFICE OF POLICY INFORMATION		
FAIRBANKS	<input type="checkbox"/>	<input type="checkbox"/>	GRAY	<input type="checkbox"/>	<input type="checkbox"/>
FRANKUM	<input type="checkbox"/>	<input type="checkbox"/>	HOPKINS	<input type="checkbox"/>	<input type="checkbox"/>
HEMEL	<input type="checkbox"/>	<input type="checkbox"/>	OTHER		
KASS	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
B. LEONARD	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
MALOLEY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

## REMARKS:

Mike:

Please draft a form letter response to answer the attached and others like them. We will be glad to put it on our word processor and answer them from here after we get a draft from you. Thanks.

Doc Rock

EDWIN L. HARPER  
ASSISTANT TO THE PRESIDENT  
FOR POLICY DEVELOPMENT

(V5510)

OFFICE OF  
POLICY DEVELOPMENT

C. C. GARVIN, JR.  
Chairman of the Board

1982 APR 22 P 4: 32

April 21, 1982

The Honorable Edwin Meese III  
Counsellor to the President  
The White House  
Washington, D.C. 20500

Dear Ed:

As the current session of the United Nations Conference on the Law of the Sea draws to a close, I would like to express Exxon's support of efforts to date to secure a treaty acceptable to the United States. These efforts have assisted the formulation of a draft Convention which has several positive aspects, including provisions relating to the continental margin, Exclusive Economic Zone, shipping and navigation, environmental protection, and dispute settlement.

At the same time, there are some aspects of the draft relating particularly to the deep sea-bed which the Reagan Administration has stated need to be modified in order to best serve the interests of the United States. In his announcement of January 29, the President reflected concerns shared by Exxon and many others in the business community. These include the current draft's treatment of the composition, voting, and powers of the Council of the International Sea-Bed Authority, access to the Area, and the transfer of technology. We feel that unless the concerns described by the President are satisfactorily addressed during this session of the Conference, the draft Convention will remain unacceptable.

The attempt to establish a universal legal framework for the oceans is an historic and extraordinary undertaking which has attracted the attention and efforts of numerous dedicated diplomats, civil servants, and expert advisors since the first negotiating session of UNCLOS III in 1974. Given the progress that has been made in so many areas of discussion in the Conference, it is our view that it would be far more desirable for negotiations to continue until a Convention acceptable to all parties can be drafted than for the Conference to conclude with a flawed document which might not be fully consistent with the broad interests of the United States and the international community.

Sincerely yours,



MEMORANDUM

THE WHITE HOUSE

WASHINGTON

June 4, 1982

FOR: EDWIN L. HARPER  
FROM: MICHAEL M. UHLMANN  
SUBJECT: LOS Interagency Group  
(Reference #072124PD)

This is an update on the Interagency Group that is drafting the Presidential decision memorandum on the LOS Treaty.

Right now, it looks as if the IG group will meet its deadline and get the Presidential decision memo to the Senior Interagency Group for forwarding to the President by June 16, 1982. Bill Barr has been attending IG meetings as necessary, and Bill and I have been working closely with the chairman of the IG group, Ted Kronmiller, Deputy Assistant Secretary of State for Oceans and Fisheries Affairs.

Early on, there was an incident of foot-dragging in certain elements of the bureaucracy. Kronmiller brought this to our attention; we intervened and were successful in moving matters along. Kronmiller feels that this initial rapid response from the White House had a therapeutic effect on the bureaucracy, and he is hopeful that there will be no further incidents of obstruction. I have instructed Kronmiller to let me know immediately if things get off track.

I will keep you posted on any further developments.

When the decision memo comes over from SIG on June 16, I will give you a memorandum with my assessment and recommendation.

DOCUMENT NO. 1-1-82

**OFFICE OF POLICY DEVELOPMENT**

**STAFFING MEMORANDUM**

DATE: 5/19/82 ACTION/CONCURRENCE/COMMENT DUE BY: 5/24/82

SUBJECT: LOS Interagency Group

	ACTION	FYI		ACTION	FYI
HARPER	<input type="checkbox"/>	<input type="checkbox"/>	DRUG POLICY	<input type="checkbox"/>	<input type="checkbox"/>
PORTER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TURNER	<input type="checkbox"/>	<input type="checkbox"/>
BARR	<input type="checkbox"/>	<input type="checkbox"/>	D. LEONARD	<input type="checkbox"/>	<input type="checkbox"/>
BAUER	<input type="checkbox"/>	<input type="checkbox"/>	OFFICE OF POLICY INFORMATION		
BOGGS	<input type="checkbox"/>	<input type="checkbox"/>	GRAY	<input type="checkbox"/>	<input type="checkbox"/>
BRADLEY	<input type="checkbox"/>	<input type="checkbox"/>	HOPKINS	<input type="checkbox"/>	<input type="checkbox"/>
CARLESON	<input type="checkbox"/>	<input type="checkbox"/>	OTHER		
FAIRBANKS	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GUNN	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HEMEL	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
B. LEONARD	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
MALOLEY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
SMITH	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
UHLMANN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
ADMINISTRATION	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

Remarks:

Are you following up on this group?

*Please return this tracking sheet with your response.*

Edwin L. Harper  
Assistant to the President  
for Policy Development  
(x6515)



THE WHITE HOUSE  
WASHINGTON

OFFICE OF  
POLICY DEVELOPMENT

1982 MAY 11 P 3:54

~~SECRET~~

May 11, 1982

MEMORANDUM FOR THE SECRETARY OF STATE  
THE SECRETARY OF THE TREASURY  
THE SECRETARY OF DEFENSE  
THE ATTORNEY GENERAL  
THE SECRETARY OF THE INTERIOR  
THE SECRETARY OF COMMERCE  
THE SECRETARY OF LABOR  
THE SECRETARY OF TRANSPORTATION  
THE SECRETARY OF ENERGY  
THE DIRECTOR OF CENTRAL INTELLIGENCE  
UNITED STATES REPRESENTATIVE TO THE  
UNITED NATIONS  
CHAIRMAN, JOINT CHIEFS OF STAFF

SUBJECT: United States Law of the Sea Policy

In light of the conclusion of the Law of the Sea (LOS) session in New York, the LOS Interagency Group should promptly review the following:

- o The convention adopted at the conference, particularly as it relates to United States interests and the objectives set forth in the President's January 29 statement and directive.
- o Steps and positions the United States should now consider taking to best protect its Law of the Sea and other ocean interests. This should include, in particular, analysis of both near-term and longer-term approaches for the establishment of an alternative arrangement for deep seabed mining among like-minded states, as well as related questions on the positions of such key countries and others toward the LOS treaty.
- o Considerations pertaining to (1) signing the Final Act at Caracas later this year, and (2) signing the convention and participating in the Preparatory Commission.

~~SECRET~~

Review May 11, 1988

DECLASSIFIED  
NLS F-97-104#21  
BY MJ NARA, DATE 6/17/00

~~SECRET~~

Analysis of alternative courses of action with their advantages and disadvantages should be included as appropriate. The review should be considered by the Senior Interagency Group and forwarded for the President's consideration by June 16, 1982.

FOR THE PRESIDENT:



William P. Clark

cc: Counsellor to the President  
The Director, Office of Management  
and Budget  
Chief of Staff to the President  
Deputy Chief of Staff to the President  
Assistant to the President for Policy  
Development  
Chairman, Council on Economic Advisers  
Director, Office of Science and Technology  
Policy  
Administrator, Environmental Protection  
Agency  
Director, National Science Foundation

DECLASSIFIED

NLS \_\_\_\_\_

BY \_\_\_\_\_, NARA, DATE \_\_\_\_\_

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

June 7, 1982

FOR: EMILY ROCK  
FROM: MICHAEL M. UHLMANN  
SUBJECT: More Outdated Items from The System

Document No. 071743PD (Letter from Chester Finn)

Document No. 068027PD (EEO Policy)

Both matters have been subsumed under the Working Groups dealing with EEO policy and civil rights enforcement.

Document No. 071935PD (Civil Rights Quantification)

As with the two items above, this sort of thing was destined from the outset for Working Group study. Here, Ed's conclusion that there wasn't much difference in level of activity between Carter's DOJ and ours was correct, and his memo was more in the way of an FYI than a specific request for analysis.

MEMORANDUM

THE WHITE HOUSE  
WASHINGTON

June 7, 1982

FOR: EDWIN L. HARPER  
FROM: MICHAEL M. UHLMANN  
SUBJECT: Legislative Agenda Items

So far as I am aware, all legislative agenda items in my bailiwick have already been submitted to Congress or will be ready according to agreed-upon schedule.

THE WHITE HOUSE

WASHINGTON

June 4, 1982

MEMORANDUM FOR ASSISTANT DIRECTORS

FROM:

*for* EDWIN L. HARPER *J. Ayers*

SUBJECT:

Delays in Submitting Legislation

Would each of you please survey your individual areas of responsibility to determine whether or not we are behind schedule in submitting any legislation we have promised the Congress.

The attached article from last Thursday's Wall Street Journal pointedly notes that "the Administration is nearly three months behind it's own timetable in submitting the (Clean Water Act) legislation to the Congress."

May I have your reports by close of business Tuesday, June 8.

→ Memo to Harper :

So far as I am aware, all legislative agenda items in my bailiwick ~~are~~ have already been submitted to Congress or will be ready according to agreed-upon schedule.

(D)

## Reagan Formally Asks Delay in Deadlines Of Clean Water Act

4/27/82  
WALL STREET JOURNAL Staff Reporter

WASHINGTON—The Reagan administration formally asked Congress to give industries and communities until 1988, instead of 1984, to comply with major requirements of the Clean Water Act.

Legislation, submitted by the Environmental Protection Agency, also calls for substantially easing current requirements that companies chemically treat industrial wastes, before they can be discharged into public sewer systems. And the bill envisions reduced direct federal enforcement of water-discharge permits. Most of the proposed changes were outlined by the administration last February.

The administration's bill doesn't go as far as many people expected in giving the EPA authority to issue waivers to companies that argue they can't meet clean-water standards. But the administration does want sharply expanded authority to exempt military bases and other government-owned facilities from complying with the act. Such exemptions could apply to all pollutants, including toxic wastes.

Under the proposal, the EPA administrator would be able to impose civil penalties of as much as \$10,000 a day on violators. Existing legislation permits penalties to be set only by the courts.

The administration is nearly three months behind its own timetable in submitting the legislation to Congress. Many lawmakers say it's unlikely Congress will take a final vote on any of the amendments this year.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON  
June 4, 1982

FOR: EMILY ROCK  
FROM: MICHAEL M. UHLMANN  
SUBJECT: Outdated Items on Tracking System

Document No. 071785PD (Voting Rights Compromise Language)

The formal circulation of the package acutally came after the critical Legislative Strategy Group session at which the Administration's final position was worked out -- prior to which I had already briefed Harper.

Document No. 072184PD (Communications Strategy on Crime)

All of Harper's questions were addressed at the CCLP meeting on 5/24.

Document No. 071915PD (Discrimination Statistics)

This request, you may recall, occasioned a rather lengthy conversation between you and me, at the end of which I suggested that the date requested didn't exist -- the point being that unless you assume that proportional representation by racial and sexual category is the natural order of things, there is no benchmark database from which you can measure deviations. I conveyed the same sentiment, in more abbreviated form, to Ed at about the same time, and it was concluded (or so I thought) that the question would be addressed in a somewhat different form by the EEO Working Group whose formation was being discussed.

MEMORANDUM

THE WHITE HOUSE  
WASHINGTON

June 7, 1982

FOR: EDWIN L. HARPER  
FROM: MICHAEL M. UHLMANN  
SUBJECT: Women's Issues

As of now (3:00 P.M. Monday), the following has happened since we last spoke.

o Reports from OPD staff (copies attached):

- Carleson reported that social security discrimination issues will be addressed by the Greenspan Commission and that HHS will issue regs this summer on teenage prescription contraceptives.
- Bradley reported that women's groups are unhappy with proposed OFCCP changes.
- McCaffrey suggested that Betty Ford be appointed to head the 50 States Project.
- Boggs and Gunn reported that they were hard-pressed to identify anything germane to the issue within their bailiwicks.
- Hopkins reported that he had no sex-specific data on which a special cut of the "Fairness Book" could be done and suggested that I talk to Barb Honegger instead.

- o D.M.I.'s computer was down on Friday, and the folks with access to the data were today involved with an all-day RNC session. Wirthlin told Ron Hinckley of Beal's office that he might have something for us at the end of the day, but wanted to talk to Jim Baker first.

What follows, therefore, is based on the earlier data and analysis contained in Beal's May 6 memo.

1. Until fairly recently, there seems to have been some disagreement in defining what the President's "problem" with women was. It was thought by some, for example, that his unpopularity was greatest among college-trained and professional women, but it now appears that that is a misleading oversimplification. In a recent issue of Public Opinion, Everett



Ladd shows that the President's unpopularity among women cuts across age and class groupings. (Copy attached.) Hence, to conclude that his unpopularity can be explained by his failure to embrace the feminist agenda is unwarranted.

2. Of far greater significance in the Ladd data is that for the first time women and men diverge in their opinions about a White House incumbent. Why this should be the case is not immediately apparent, but a good guess is that female demographics have changed rather sharply in the past decade or two. When 40% of the female voting-age population is constituted by unmarried women; when such a large percentage of that group is at the lower end of the income and education scale; and when, further, a growing percentage of families with children are headed by females, you are going to have some significant skewing in what has been traditionally thought of as a "woman's vote".

3. What we see in the President's unpopularity with women, in short, may be less a sex-specific phenomenon than what might be called a vulnerability-specific phenomenon. That is, we see greater unpopularity among women because a larger percentage of women are economically and socially vulnerable and therefore more prone to look fondly upon government assistance. It is hardly surprising, therefore, that an Administration dedicated to reducing the role of government in general and social spending in particular should be disfavored among such a group.

Ron Hinckley has taken the 13 D.M.I. tables and compressed them into 3, which demonstrate in more concentrated form the standing of the President vis-a-vis married and unmarried women. (Attached.) In a recent paper, he indicated how dramatically the situation has changed in the past 20 years:

- o In 1960, 10% of families had single female heads; that figure is now 17%.
- o In 1960, 18% of households were headed by single females; today, that figure is 26%.
- o Overall, there are now 40 million people in homes that are largely dependent on government assistance.

FYI, I also attach a recent column by Spencer Rich summarizing recent census findings on the same point.

4. It is important to distinguish among three sub-groups among unmarried women:

- o those over 55
- o those under 35 and career-oriented
- o those under 35 who head families

The concerns of each need to be addressed in distinctive ways. The first are primarily concerned about social security and other survivor benefits. The second tend to be the most activist (better educated, feminist, etc.) The third tend to be poorer, under-educated, heavily dependent on government social services. There is no single speech or event which can address the problems of all three; and, for that matter, absent an abrupt reversal of everything the President has said and done about the economy, there is little in the way of a schematic program that could alleviate the sort of fears we face among such citizens. The President could, however, in a series of speeches and symbolic acts, demonstrate his sense of compassion. That theme, iterated and reiterated over a series of months might make a difference. I attach some thoughts along that line in a separate memo.

HINCKLEY TABLES

TABLE 1

PRESIDENT REAGAN'S IMAGE  
BY MEN, MARRIED WOMEN, AND NON-MARRIED WOMEN

---

	<u>Men</u> %	<u>Married Women</u> %	<u>Non-Married Women</u> %
<u>Reagan Job Rating</u>			
Approve	57	52	33
Disapprove	35	41	61
<u>Reagan Likely to Start War</u>			
Excellent/Good Description	21	20	30
Only Fair Description	19	26	28
Poor Description	58	49	38
<u>Reagan Cares About Elderly and Poor</u>			
Excellent/Good Description	37	32	22
Only Fair Description	29	27	21
Poor Description	34	40	56
<u>Reagan Shows Too Much Business Favoritism</u>			
Excellent/Good Description	48	41	54
Only Fair Description	24	23	25
Poor Description	25	22	19
<u>Reagan Cut Government Spending</u>			
Enough	30	36	26
Too Much	23	25	36
Not Enough	44	35	33

---

SOURCE: Decision/Making/Information, February, 1982 with Permission from the Republican National Committee.

TABLE 2

PERSONAL AND NATIONAL EVALUATION  
BY MEN, MARRIED WOMEN AND NON-MARRIED WOMEN

---

	<u>Men</u> %	<u>Married Women</u> %	<u>Non-Married Women</u> %
<hr/>			
<u>Personal Circumstance Compared to One Year Ago</u>			
Better	51	47	42
Worse	31	31	40
No Difference	17	23	18
<u>Direction of Country</u>			
Right	53	44	26
Wrong	41	49	69
<u>National Economy Compared to One Year Ago</u>			
Better	13	10	10
Worse	51	60	66
No Difference	35	29	24
<u>National Economy in the Next Year</u>			
Better	55	47	34
Worse	20	26	35
No Difference	22	22	25

---

SOURCE: Decision/Making/Information, February, 1982 with Permission from the Republican National Committee.

TABLE 3

DEMOGRAPHIC DIFFERENCES BETWEEN  
MARRIED AND NON-MARRIED WOMEN

---

	Married Women %	Non-Married Women %
All	61	39
<u>Age</u>		
Under 35	35	45
35-54	40	21
55 and Over	26	34
<u>Education</u>		
High School or Less	51	56
Some College/Vocational	23	26
College Graduate	26	17
<u>Income</u>		
Under \$15,000	19	61
\$14,000 to \$40,000	63	35
Over \$40,000	18	4
<u>Employment</u>		
Employed-Not Seeking	77	57
Retired	17	28
Unemployed	5	14
<u>Race</u>		
White	80	64
Black	7	22
Other	14	14

---

NOTE: First row sums across, all other values sum down

SOURCE: Decision/Making/Information, February, 1982 with  
Permission from the Republican National Committee.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

June 8, 1982

FOR: EDWIN L. HARPER  
FROM: MICHAEL M. UHLMANN  
SUBJECT: Women's Issues III

FYI, I thought you might be interested in two maps prepared at my request by Rich Beal's folks.

The first is a county-by-county breakdown of unmarried females. The percentage figures are for population.

The second is a matrix map, showing the geographic interrelationship (again, on a county-by-county basis) between the percentage of unmarried females and the unemployment rate. The matrix chart should be read as follows:

	<u>Unmarried Women</u>	
	<u>Low</u> (18-39% of population)	<u>High</u> (39-47% of population)
<u>Unemployment</u>		
<u>High</u> (9.6-50.5%)	yellow	red
<u>Low</u> (0.3-9.5%)	green	pink

What I find striking in these maps is the extent to which they tend to track the geographic areas in which the President is doing most poorly.

Secondly, I think they suggest a salient for political opportunity in the Mid West. It is there, I think, that the traditional Reagan message on the virtues of independence, hard work, thrift, the home and family can be most usefully conjoined with the theme of compassion.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

June 8, 1982

FOR: EDWIN L. HARPER  
FROM: MICHAEL M. UHLMANN  
SUBJECT: Women's Issues II

In my earlier memo, I suggested that the source of the President's unpopularity among women was far more complicated than could be explained, e.g., by his failure to identify with the so-called feminist agenda. His unpopularity appears to be driven, rather, by the perception that he lacks compassion. That perception is most heavily to be found among unmarried women, who believe (much more than married women or males) that the President is likely to start a war, that he does not care for the elderly or poor, that he shows too much favoritism toward business, and that he has cut government spending too much.

This cluster of opinions coincides with a pessimistic assessment of personal circumstance, and an even stronger view that the country is headed in the wrong direction. These opinions, not surprisingly, tend to be held most strongly by those at the lower end of the income and education scales -- typically widows or female heads of families or households.

The demographics of those who are most concerned about the President's lack of compassion suggest that there are only a limited number of options open to the President. Because members of this group tend to be dependent on government for some major portion of their support, there is an upper limit on the extent to which any cuts in social spending can be sold to them. Conversely, because a central pillar of Reagonomics is reduced social spending, the President cannot honorably or credibly hold out the prospect of "Great Society" programs.

We can, however, take some positive steps. There appears to be widespread ignorance on what's happened to inflation. Evans/Novak of June 7 (attached) confirms the point. Whatever else happens, surely we can at least communicate the facts of inflation? Since the heaviest day time television viewers are women, the salient is, I think, obvious.

Similarly, we might dispel some of the animus against the President by demonstrating more effectively than we have that there is in fact a safety net. This is, for a number of reasons, harder to sell than the anti-inflation story, but whatever the truth of what we say, its short-term impact is highly doubtful.

If, in short, you are looking for some sort of action which

between now and, say, November will cause large numbers of women to think of the President as compassionate, artful ads on inflation and safety-nets won't do it. What may do it is a bold idea dramatically presented.

Suppose -- just suppose -- the President were to make an address in which he specifically faced the compassion issue. "There are those who say that because we're cutting spending, we've forgotten the little people," etc. The President gently refutes the idea by some general statistics of the sort provided by OMB and by Hopkins and Co. in the Fairness Book. He then gets very specific and personal (i.e., he shows, not merely talks about, compassion) by referring to the particular plight of particular people. (Wirthlin/Beal can do a detailed demographic profile; Anne Higgins can do the culling.) He quotes (as he does so well) from three or four poignant letters from people who are suffering under present conditions and -- instead of just repetition of dryas dust numbers and graphs -- speaks to the point of what the Administration has already done and hopes to do for that kind of person and problem.

Now, if you're in the market for a dramatic gesture -- and an argument can be made that it is necessary -- the President could propose a substantial tax cut for those at the lowest end of the taxable income scale. The feasibility of such a proposal would depend decisively on estimates of revenue loss and on the incentives at the margin, but -- assuming there is a magic number below which the revenue losses would be minimal -- is the idea really that radical?

The argument, in brief, is that the folks at the lower end of the scale who are working and struggling to make ends meet have x-percent of their income withheld by the feds. The amount may not be great, but does it make sense to extract tax from these people only to have government social services re-dispensed to them with all the attendant inefficiencies, red tape, and administrative costs attached? Do they feel better or grateful because of these services, or do they believe the Reagan Administration is just plain niggardly because it prefers to give tax breaks to the "rich"? What, indeed, would happen if the President were to propose a deep (say 50%) tax cut for the working poor for a one- or two-year period while the economy gathers steam?

Such a scheme does not address the particular plight of the social security annuitant or female family heads not in the workforce -- I know of nothing programmatic that will address their immediate concerns. But, as a gesture of compassion, I am hard-pressed to think of anything better.



MEMORANDUM

THE WHITE HOUSE

WASHINGTON

June 9, 1982

FOR: EDWIN L. HARPER  
FROM: MICHAEL M. UHLMANN  
SUBJECT: Update on Tuition Tax Credits

This memo (1) gives you an update on the development of the legislative package; and (2) responds to questions you have asked about reaction from the Hill and civil rights groups.

I. Update

We have prepared a package for circulation to senior staff consisting of:

1. Draft Bill
2. General Explanation (akin to section-by-section analysis)
3. Transmittal Letters

During drafting of the bill, we had regular communication with a cross-section of concerned groups. This week, we have had a comprehensive series of meetings, under Bob Thompson's auspices, with all concerned groups, including civil rights organizations (NAACP, Urban League, etc.); Catholics (USCC, NCEA); a private school group (CAPE); Jewish groups; and Fundamentalists (Moral Majority, etc.). At each of these meetings, Bill Barr makes a presentation, describing the anti-discrimination provisions, fielding questions, and making a strong case that the bill is fair. Barr is also holding one-on-one followup meetings with the lawyers from these groups.

These sessions are scheduled to be completed tomorrow (Thursday), and at 1:45 p.m. tomorrow there is an in-house wrap-up meeting to review the results of these sessions. Our purpose is to give senior staff a full assessment of reaction at the same time the proposed legislative package is distributed.

For your background, attached is a brief description of the anti-discrimination provisions of the draft. (For the time being, there should be no dissemination of this fact sheet.)

II. Response to Questions

You have asked what the results of checks with civil rights

groups and the Hill have been as to what is the minimum deviation we can get away with from the Bob Jones language.

Hill: Duberstein's shop has sounded out Dole's man, Bob Lighthizer, chief counsel of the Senate Finance Committee. Lighthizer indicated that his personal preference would be trying to finesse the issue by simply requiring that schools be exempt under 501(c)(3). He said he realized that this would bring criticism on the Administration, but that anything we did would bring some criticism. He said that, if the Administration's judgment was that it could not go with 501(c)(3) standing alone, he would accede, and he thought Senator Dole would accede, to the language now being considered. He saw no reason why Senator Dole would not honor the Administration's request that he introduce the bill.

Duberstein's shop has also checked with Senator Packwood's aide. His reaction was that, as long as the bill has a 501(c)(3) requirement, it would be acceptable.

Bob Thompson plans to take further soundings late this week and early next week.

Civil Rights Groups: So far, we have the following reactions:

1. Mel Bradley took some early soundings, the results of which were reported in my memo of May 26 (a copy of which is attached).

2. At a meeting on Tuesday of this week, spokesmen for NAACP, Urban League, and two other groups made the following points: they are against tuition tax credits and will oppose the bill no matter what we do; present enforcement of 501(c)(3) is ineffective; the Bob Jones language does not help and they do not like it; inclusion of Bob Jones language in the tuition credit bill would not satisfy them; they do not think that the proposed enforcement mechanism in the tuition credit bill would be particularly effective -- it merely piles another ineffective enforcement mechanism on top of the currently ineffective 501(c)(3) mechanism.

They said they would like to see the bill: (1) place the burden of proving non-discrimination on each school before it becomes eligible; (2) define discrimination essentially in terms of the Kurtz regulations' "effects" test; (3) create a private right of action or require the Attorney General to bring suit upon complaint; (4) authorize anyone, not just aggrieved parties, to file complaints.

3. Thad Garrett attended the foregoing meeting. Following it, he told Bill Barr and Jim Cicconi that he had reviewed the draft bill and thought it was "fair and balanced" and he had no problems with it.

4. Ann Fairbanks reports that William Coleman has reviewed the draft bill and has told her that, although he is opposed to tuition tax credits, he thinks that the anti-discrimination provisions are fair and that he has no problems with them.

The Bill ensures that no credits will be permitted for amounts paid to schools which follow racially discriminatory policies.

1. 501(c)(3) Status Required: A tax credit cannot be claimed unless the school is a tax exempt organization under section 501(c)(3). Under current law, a school cannot retain 501(c)(3) status if it discriminates on the basis of race. The IRS enforces this requirement through investigations and administrative proceedings.

The IRS' authority to enforce the non-discrimination requirements of 501(c)(3) is being challenged in court. If the IRS prevails, the 501(c)(3) requirement in this Bill will continue to provide strong protection against discrimination. If the IRS loses, the Administration is committed to giving the IRS a new and equally potent statutory basis for enforcement and, indeed, has already submitted legislation to do this.

Thus, the requirement that a school have 501(c)(3) status, standing alone, ensures that no credits will be allowed for amounts paid to schools that discriminate.

2. New Two-Pronged Enforcement Mechanism: The Bill also creates a new layer of protections above and beyond the 501(c)(3) requirement. It expressly disallows credits for schools that follow a "racially discriminatory policy". A school follows a racially discriminatory policy if it refuses, on account of race, either to admit student applicants or to allow students full participation in the school and its programs.

The Bill establishes a two-pronged enforcement mechanism:

- o Perjury Prosecution: No credit can be taken unless the school files a statement every year attesting that it has not followed a racially discriminatory policy. The statement must be made under oath and is subject to the penalties for perjury. If a school does discriminate and files a false statement, school officials are subject to criminal prosecution.
- o Civil Action by U.S. Against School: If a person is discriminated against under a school's racially discriminatory policy and complains to the Attorney General, the Attorney General is authorized to file an action on behalf of the U.S. against the school. If the U.S. prevails, tax credits are automatically cut off for three years. The person discriminated against would continue to have a private right of action under 42 U.S.C. 1981.

3. Interests of Private Schools Adequately Protected: While the Bill contains potent protections against racial discrimination, it also protects the legitimate interests of

private schools:

- o A school cannot be found racially discriminatory simply because it fails to pursue or achieve racial quotas.
- o Credits cannot be disallowed until court appeals have been completed. (However, if the school finally loses, the 3-year penalty period is applied retroactively to the year when the lawsuit started.)
- o A school has an opportunity to comment on allegations made against it before the Attorney General brings a civil action. It also permits the Attorney General to settle the suit if the school promptly rectifies its policies.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON  
May 26, 1982

FOR: EDWIN MEESE III  
EDWIN L. HARPER

FROM: MICHAEL M. UHLMANN

SUBJECT: Tuition Tax Credit Legislation

Attached is the draft bill to establish tuition tax credits, which includes provisions banning credits to parents who send their children to racially discriminatory schools.

The bill has received the informal approval of Evangelical, Catholic, and other supporters of tuition tax credits. William Ball told my deputy that he was "very happy" with the bill and thought it "good news" from the White House.

Because of the enthusiastic preliminary reaction we have gotten from the Catholics and the Evangelicals, the central political judgment that you will have to make is to assess the extent of vocal dissatisfaction that will arise from the civil rights spokesmen.

I asked Mel Bradley to take discreet soundings. Mel has so far been able to sound out one civil rights leader who provided this assessment: The civil rights community will not support the bill in any case. The bill, he said, appears to go overboard to satisfy the private school community. He criticized the exhaustion of appellate review before credits are disallowed. He concluded that the battle would not be fought over the anti-discrimination provision and that "we can probably get away with this language" and that "it would not make much difference".

As I previously indicated, you may anticipate opposition to this bill from traditional civil rights organizations, who are generally (and strongly) opposed to tuition tax credits. Although the bill's language does in fact provide adequate legal safeguards against discrimination by private schools, some will no doubt complain that these provisions are insufficient. It has been our objective to draft a bill that simultaneously and fairly protects the legitimate interests of both the civil rights and private school communities.

There was general agreement and support for the bill by the following Administration officials: Brad Reynolds, Dan Oliver, and Morton Blackwell.

Treasury, as you are aware, wanted the Bob Jones language and is, therefore, unhappy about this language but had no technical

objections.

peter Rusthoven, of the Counsel's office, who was involved in this draft, finds the bill acceptable and will so recommend to Fred Fielding.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

June 9, 1982

FOR: EDWIN L. HARPER  
FROM: MICHAEL M. UHLMANN  
SUBJECT: DOJ Reports on Constitutional  
Amendments to Ban Abortion  
(Reference #072134PD)

On May 18, I recommended that we take no action on pending Justice Department reports on abortion amendments, indicating, inter alia, that the content of the reports would be offensive to pro-life groups. You have asked "Who is handling the issue as a policy matter at DOJ?". Generally speaking, OLC covers the issue because it is principally concerned with constitutional questions.

The problem has been that the language of constitutional amendments is inherently broad and flexible -- it does not pin things down as clearly as statutory language would. Therefore, if one is ill-disposed to a proposed amendment, it is easy to raise a "parade of horrors" -- "what if the courts interpret it such-and-such a way, etc.". This is the problem with the Justice reports. They go through a list of the worst case scenarios in a way that gives the overall impression that reports were not prepared by someone sympathetic to the amendments. In fact, a number of points they make are the same as those that are made by the National Abortion Rights League.



OFFICE OF POLICY DEVELOPMENT

STAFFING MEMORANDUM

DATE: 5/19/82 ACTION/CONCURRENCE/COMMENT DUE BY: 5/26/82

SUBJECT: Proposed Justice Reports on Constitutional Amendments to Ban Abortion

	ACTION	FYI		ACTION	FYI
HARPER	<input type="checkbox"/>	<input type="checkbox"/>	DRUG POLICY	<input type="checkbox"/>	<input type="checkbox"/>
PORTER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TURNER	<input type="checkbox"/>	<input type="checkbox"/>
BARR	<input type="checkbox"/>	<input type="checkbox"/>	D. LEONARD	<input type="checkbox"/>	<input type="checkbox"/>
BAUER	<input type="checkbox"/>	<input type="checkbox"/>	OFFICE OF POLICY INFORMATION		
BOGGS	<input type="checkbox"/>	<input type="checkbox"/>	GRAY	<input type="checkbox"/>	<input type="checkbox"/>
BRADLEY	<input type="checkbox"/>	<input type="checkbox"/>	HOPKINS	<input type="checkbox"/>	<input type="checkbox"/>
CARLESON	<input type="checkbox"/>	<input type="checkbox"/>	OTHER		
FAIRBANKS	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GUNN	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HEMEL	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
B. LEONARD	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
MALOLEY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
SMITH	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
UHLMANN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
ADMINISTRATION	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

Remarks:

Who is handling the issue as a policy matter at DOJ?

Edwin L. Harper  
Assistant to the President  
for Policy Development  
(x6515)

Please return this tracking sheet with your response.

MEMORANDUM

OFFICE OF  
POLICY DEVELOPMENT

1982 MAY 18 P 2:22

THE WHITE HOUSE

WASHINGTON

May 18, 1982

FOR: EDWIN L. HARPER  
FROM: MICHAEL M. UHLBANN  
SUBJECT: Proposed Justice Reports on Constitutional  
Amendments to Ban Abortion

On April 6 Jim Frey asked you for guidance on whether to clear four Justice Department reports to the Senate Judiciary Committee on proposed constitutional amendments to ban abortion. I had previously taken care of this orally, by telling OMB to sit tight and asking DOJ what the hurry was. It turns out that there is no pressure from the Hill to release the reports. The only "pressure" has emanated from Justice's legislative shop and has been motivated by pride of authorship.

In any event, you may want to take the next step, which is to send the attached memo to Frey, indicating that OMB should take no action on these reports and that Justice should be so informed.

1. As we discussed this past Friday, with the focus having shifted to the Helms' and Hatfield bills, these proposed amendments are moot.
2. If issued, the tone of the reports would be offensive to pro-life groups. The reports have been characterized as a regurgitation of the legal position taken by the National Abortion Rights League.

cc: Roger Porter

Who is handling the  
issue as a policy matter  
at DOJ?

SK

MEMORANDUM

THE WHITE HOUSE  
WASHINGTON

June 9, 1982

FOR: EMILY ROCK  
FROM: MICHAEL M. UHLMANN  
SUBJECT: Reference #067963PD

Attached is a copy of a letter I sent to Mr. Keith Kahle in response to his letter of April 10, 1982.

This should close out the item.

*Chron*

THE WHITE HOUSE

WASHINGTON

June 8, 1982

Dear Mr. Kahle:

I am writing in response to your letter of April 5 concerning problems in mail transportation.

As you may know, the Postal Service is no longer an Executive department but was created as an independent establishment by the Postal Reorganization Act of 1970. Your letter raises a number of interesting points, and I have forwarded it to the Postmaster General and have asked him to respond to you directly and to provide me with a report on the policy matters you have raised.

Thank you for sharing your views with me.

Sincerely,

Michael M. Uhlmann  
Special Assistant to  
the President for  
Policy Development

Mr. Keith Kahle  
4500 Ranch View Road  
Fort Worth, Texas 76109

## OFFICE OF POLICY DEVELOPMENT STAFFING MEMORANDUM

DATE: 4/12/82 ACTION/CONCURRENCE/COMMENT DUE BY: 4/26/82SUBJECT: Keith Kahle letter re Postal Service

	ACTION	FYI		ACTION	FYI
HARPER	<input type="checkbox"/>	<input type="checkbox"/>	SMITH	<input type="checkbox"/>	<input type="checkbox"/>
PORTER	<input type="checkbox"/>	<input type="checkbox"/>	UHLMANN	<input type="checkbox"/>	<input type="checkbox"/>
BANDOW	<input type="checkbox"/>	<input type="checkbox"/>	ADMINISTRATION	<input type="checkbox"/>	<input type="checkbox"/>
BAUER	<input type="checkbox"/>	<input type="checkbox"/>	DRUG POLICY		
BOGGS	<input type="checkbox"/>	<input type="checkbox"/>	TURNER	<input type="checkbox"/>	<input type="checkbox"/>
BRADLEY	<input type="checkbox"/>	<input type="checkbox"/>	D. LEONARD	<input type="checkbox"/>	<input type="checkbox"/>
CARLESON	<input type="checkbox"/>	<input type="checkbox"/>	OFFICE OF POLICY INFORMATION		
FAIRBANKS	<input type="checkbox"/>	<input type="checkbox"/>	GRAY	<input type="checkbox"/>	<input type="checkbox"/>
FRANKUM	<input type="checkbox"/>	<input type="checkbox"/>	HOPKINS	<input type="checkbox"/>	<input type="checkbox"/>
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KASS	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
B. LEONARD	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
MALOLEY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

## REMARKS:

Mike Uhlmann:

Could you please answer this under your signature?

Thanks,



EHR

EDWIN L. HARPER  
 ASSISTANT TO THE PRESIDENT  
 FOR POLICY DEVELOPMENT  
 (X6515)



OFFICE OF  
POLICY DEVELOPMENT  
4500 ranch view road, fort worth, TEXAS 76109 71924-8754

1982 APR 10 P 5:16

KEITH KAHLE

April 5, 1982

Assistant to the President  
for Policy Development  
White House Office of  
Policy Development  
White House  
1600 Pennsylvania Avenue  
Washington, DC 20500

Attention: Mr. Martin Anderson

Dear Sir:

I would appreciate information on White House policy as related to public service, budget requests and future anticipated funding.

A number of years ago when postage rates were substantially increased, the federal government assured the Congress and the public "--that all mail moving over 500 miles would go by air where US certificated, schedule airline service was available." This no longer exists other than on a very, very limited basis, even between the major cities of our nation. Of course, the medium-size to small-size communities simply are handcuffed with extremely poor mail service.

In addition, the schedule airlines of the nation as an industry, as you and your staff are, no doubt, aware, are suffering financial hardships that are worsening each week. You can take a particular market; for example, from Washington, DC to the Dallas/Fort Worth metroplex area and find there are many flights a day to those areas by US certificated, schedule airlines. Very, very seldom does a flight leave either end of the line going to the other filled to capacity with mail.

Actually, it takes from five to seven days to get a regular letter from Washington, DC to the Dallas/Fort Worth area or from the Dallas/Fort Worth area to Washington. This, of course, is completely unacceptable. In addition to this same situation, the medium-size to small-size communities of our nation are handicapped with worse mail service than that between big cities. I would appreciate knowing, "What's your policy?" What is the policy today, for 1983 and for 1984 in regard to solving this problem where service is available by the trunk, regional, or commuter airlines?

I look forward to your reply.

Sincerely,

*Keith Kahle*  
Keith Kahle

"Have A Sunshine Day"