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# WITHDRAWAL SHEET

## Ronald Reagan Library

**Collection:** PRESIDENT, OFFICE OF THE: Files  
 Presidential Briefing Papers  
**File Folder:** April 7, 1983 (135507)  
 CFOA 856

**Archivist:** mjd

**Date:** 12/4/98

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. schedule	cover page (partial), 1p	4/7/83	PT 87
2. schedule	page 2 (partial), 1p	4/7/83	PT 87 CCB 12/12/00

### 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].

# WITHDRAWAL SHEET

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. schedule	cover page (partial), 1p	4/7/83	F7
2. schedule	page 2 (partial), 1p	4/7/83	F7

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Page 1 of 3

ID # 135507

WHITE HOUSE  
OFFICE OF RECORDS MANAGEMENT  
WORKSHEET

TR

- X-MEDIA
- H-INTERNAL

Name of Document: BRIEFING PAPERS  
FOR PRESIDENT'S  
SCHEDULED  
APPOINTMENTS FOR

AFR0783

Subject Codes:

P	R	0	0	7	-	0	1
PL		0	0	5	-	0	4
FG		0	3	5	-		
LE					-		
SO		0	0	1	-		
LG					-		
ST					-		
					-		
					-		
					-		
FG		0	1	0	-	0	2
					-		
					-		
HE		0	0	7	-	0	3
TN		0	0	3	-		
CM		0	0	2	-		
FG		0	1	8	-		
					-		
					-		

1) Subject: Breakfast meeting with Republican  
Senators of the Class of 1980  
regarding upcoming legislation

2) Meeting with state and local  
officials from western states -  
the third in a series of  
regional briefings.

3) Meeting with The Cabinet Council  
on Natural Resources and  
Environment to discuss:  
A) Clean Water  
B) Coal Slurry Pipeline  
Included are Secretary Watt  
original decision memoranda  
on both topics. Neither contains  
presidential notations.

ROUTE TO:		ACTION		DISPOSITION		
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
RMHENL		RSZ			C	

Referral Note:

WHITE HOUSE  
OFFICE OF RECORDS MANAGEMENT  
WORKSHEET

- X-MEDIA
- H-INTERNAL

Name of Document: BRIEFING PAPERS  
FOR PRESIDENT'S  
SCHEDULED  
APPOINTMENTS FOR

A P R O 7 8 3

Subject Codes:

P	R	0	0	7	-	0	1
R	M	0	3	3	-	0	3
C	O	0	0	1	-	0	7
					-		
					-		
F	G	2	7	6	-		
					-		
					-		
G	I	0	0	2	-		
R	E	0	1	5	-		
					-		
					-		
H	E	0	0	1	-	0	5
W	E				-		
					-		
F	G	0	1	3	-		
J	L	0	0	3	-		
F	I	0	0	1	-	0	2
					-		

4) Subject: Meeting with Metropolitan  
Archbishop Philip SALIBA regarding  
Middle East policies

5) Meeting with Senator Sam Nunn and  
Jimmy Clark of The Veterans  
Administration.

6) Meeting with John Davis, of the  
LONGINES-WHITTNAUER Watch  
Company, to receive a commemorative  
Olympic Pocket Watch.

7) Meeting with Carl KUPFER and  
Stanley TRUHLSEN to announce  
the National Eye Care Project.

8) Meeting with Secretary Weinberger  
and Joseph SHERICK regarding  
reduction of waste, fraud, and  
abuse within the Department of  
Defense

ROUTE TO:		ACTION		DISPOSITION		
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
RMHNL		RSZ			C	

Referral Note:

WHITE HOUSE  
OFFICE OF RECORDS MANAGEMENT  
WORKSHEET

- X-MEDIA
- H-INTERNAL

Name of Document: BRIEFING PAPERS  
FOR PRESIDENT'S  
SCHEDULED  
APPOINTMENTS FOR

APR 07 83

Subject Codes:

9) to receive the diplomatic credentials from  
Subject: Meeting with the following  
foreign ambassadors:

- A) MARIANO BARTISTA GUMUCIO - BOLIVA
- B) BENJAMIN W. MKAPA - TANZANIA
- C) JAMES O'NEIL - LEWIS - TRINIDAD & TOBAGO
- D) ALVARO GOMEZ HURTADO - COLOMBIA
- E) ZHANG WENJIN - REPUBLIC OF CHINA
- F) ALI SALIM BADER AL-HINAI - OMAN

P	R	0	0	7	-	0	1
					-		
					-		
C	O	0	2	0	-		
C	O	1	5	4	-		
C	O	1	6	0	-		
C	O	0	3	5	-		
C	O	0	3	4	-	0	1
C	O	1	1	8	-		
					-		
T	R	0	0	1	-		
E	D				-		
R	M	0	3	1	-		
F	I	0	1	0	-	0	2
S	O	0	0	4	-		
F	G	0	0	6	-	0	1
<del>H</del>	<del>E</del>	<del>0</del>	<del>0</del>	<del>1</del>	-	<del>0</del>	<del>5</del>
W	E	0	0	4	-		
J	L	0	0	5	-	0	1

10) Meeting with National Catholic  
Educational Association at the  
Sheraton Washington Hotel

11) Reception for the James S. Brady  
Presidential Foundation

ROUTE TO:		ACTION		DISPOSITION		
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
RMHENL		RSZ			C	

Referral Note:

THE SCHEDULE OF The President has seen  
PRESIDENT RONALD REAGAN

Thursday, April 7, 1983



9:00 am (30 min)	<u>Staff Time</u> (Baker, Meese, Deaver)	Residence
9:30 am (60 min)	<u>Breakfast Meeting with Senate Class of 1980</u> (Duberstein/Rosebush) (Tab A)	Family Dining Room
10:30 am (15 min)	<u>National Security Briefing</u> (Clark)	Situation Room
10:45 am (15 min)	<u>Senior Staff Time</u>	Oval Office
11:00 am (30 min)	<u>Personal Staff Time</u>	Oval Office
11:30 am (20 min)	<u>Droppy Briefing for State and Local Elected Officials</u> (Williamson) (Tab B)	Indian Treaty Room
12:00 m (60 min)	<u>Lunch with the Vice President</u>	Oval Office
1:00 pm (40 min)	<u>Depart for Meeting of NCEA Convention</u> (Henkel/Whittlesey) (available separately)	Sheraton Washington
1:40 pm	<u>Return to White House</u>	South Grounds
2:00 pm (60 min)	<u>Cabinet Council on Natural Resources and the Environment</u> (Fuller) (Tab C)	Cabinet Room
3:00 pm (45 min)	<u>Personal Staff Time</u>	Oval Office
3:45 pm (10 min)	<u>Meeting with Antiochian Archbishop Saliba</u> (Whittlesey) (Tab D)	Oval Office
4:00 pm (30 min)	<u>Personnel Time</u> (von Damm)	Oval Office
4:30 pm (40 min)	<u>Administrative Time</u> 1) Senator Nunn and Tom Clack (Duberstein) 2) Presentation of Olympic Watch (Sittmann) 3) Nat'l Eye Care Project (Fuller) 4) Photo with Joseph Sherick (Harper) 5) Diplomatic Credentials (Clark)	Oval Office (Tab E)
5:30 pm (20 min)	N <u>Reception for James S. Brady Presidential Foundation</u> (Rosebush) (Tab F)	State Dining Room

UNP 4/06/83  
5:00 pm

THE SCHEDULE OF  
PRESIDENT RONALD REAGAN

Thursday, April 7, 1983



9:00 am (30 min)	<u>Staff Time</u> (Baker, Meese, Deaver)	Residence
9:30 am (60 min)	<u>Breakfast Meeting with Senate Class of 1980</u> (Duberstein/Rosebush) (Tab A)	Family Dining Room
10:30 am (15 min)	<u>National Security Briefing</u> (Clark)	Situation Room
10:45 am (15 min) 10:57	<u>Senior Staff Time</u> H. BAKER, JAG. WPC	Oval Office
11:00 am (30 min)	<u>Personal Staff Time</u>	Oval Office
11:30 am (20 min)	✓ <u>Dropby Briefing for State and Local Elected Officials</u> (Williamson) (Tab B)	Indian Treaty Room
12:00 m (60 min)	<u>Lunch with the Vice President</u>	Oval Office
1:00 pm (40 min)	✓ <u>Depart for Meeting of NCEA Convention</u> (Henkel/Whittlesey) (available separately)	Sheraton Washington
1:40 pm	<u>Return to White House</u>	South Grounds
2:00 pm (60 min)	<u>Cabinet Council on Natural Resources and the Environment</u> (Fuller) (Tab C)	Cabinet Room
3:00 pm (45 min) <del>3:45</del> 3:19	<u>Personal Staff Time</u>	Oval Office
3:45 pm (10 min)	<del>toony case to challenger</del> <u>Meeting with Antiochian Archbishop Saliba</u> (Whittlesey) (Tab D)	Oval Office
4:00 pm (30 min)	<u>Personnel Time</u> (von Damm)	Oval Office
4:30 pm (40 min)	<u>Administrative Time</u> 1) Senator Nunn and Tom Clack (Duberstein) <i>my/limited</i> 2) Presentation of Olympic Watch (Sittmann) 3) Nat'l Eye Care Project (Fuller) 4) Photo with Joseph Sherick (Harper) - <i>copy</i> 5) Diplomatic Credentials (Clark)	Oval Office (Tab E)
5:30 pm (20 min)	N <u>Reception for James S. Brady Presidential Foundation</u> (Rosebush) (Tab F)	State Dining Room

UNP 4/06/83  
5:00 pm

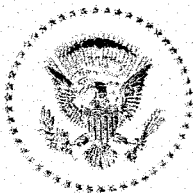


HAM

THE SCHEDULE OF  
PRESIDENT RONALD REAGAN

set

Thursday, April 7, 1983



9:00 am (30 min)	<u>Staff Time</u> 9:15-9:32 (Baker, <del>Moore</del> , Deaver)	Residence
9:30 am (60 min)	✓ <u>Breakfast Meeting with Senate Class of 1980</u> (Duberstein/Rosebush) 9:33-10:34 (Tab A)	Family Dining Room
10:30 am (15 min)	<u>National Security Briefing</u> 10:37-10:55 (Clark)	Situation Room
10:45 am (15 min)	<u>Senior Staff Time</u> 10:55-11:20 <sup>11:20</sup> <del>Clark, Sen. Baker</del> 11:08 Stockman - 11:20	Oval Office
11:00 am (30 min)	<u>Personal Staff Time</u>	Oval Office
11:30 am (20 min)	<u>Dropby Briefing for State and Local Elected Officials</u> (Williamson) 11:5 (Tab B)	Indian Treaty Room
12:00 m (60 min)	<u>Lunch with the Vice President</u> 12:00 -	Oval Office
1:00 pm (40 min)	<u>Depart for Meeting of NCEA Convention</u> (Henkel/Whittlesey) (available separately)	Sheraton Washington
1:40 pm	<u>Return to White House</u> 1:50 - 1:50 - 2:10 PERS. TIME	South Grounds
2:00 pm (60 min)	<u>Cabinet Council on Natural Resources and the Environment</u> (Fuller) 2:10- (Tab C)	Cabinet Room
3:00 pm (45 min)	<u>Personal Staff Time</u>	Oval Office
3:45 pm (10 min)	<u>Meeting with Antiochian Archbishop Saliba</u> (Whittlesey) (Tab D)	Oval Office
4:00 pm (30 min)	<u>Personnel Time</u> (von Damm)	Oval Office
4:30 pm (40 min)	<u>Administrative Time</u> 1) Senator Nunn and Tom Clack (Duberstein) 2) Presentation of Olympic Watch (Sittmann) 3) Nat'l Eye Care Project (Fuller) 4) Photo with Joseph Sherick (Harper) 5) Diplomatic Credentials (Clark)	Oval Office (Tab E)
5:30 pm (20 min)	N <u>Reception for James S. Brady Presidential Foundation</u> (Rosebush) (Tab F) 5:30-5:44	State Dining Room UNP 4/06/83 5:00 pm

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

April 7, 1983

TO: DAVE FISCHER  
FROM: PAM TURNER  
SUBJECT: Class of "80" Breakfast

The following individuals attended a breakfast meeting with President Reagan on Thursday, April 7, 1983 at 9:30 a.m. in the First Floor Family Dining Room:

The Vice President  
David Stockman

Senate

Warren Rudman  
Arlen Specter  
Steve Symms  
Howard Baker  
James Abdnor  
Mark Andrews  
Alfonse D'Amato  
John East  
Slade Gorton  
Charles Grassley  
Paula Hawkins  
Robert Kasten  
Mack Mattingly  
Don Nickles  
Dan Quayle

REGRET: Frank Murkowski  
Jeremiah Denton

Staff

James A. Baker III  
Michael Deaver  
Ken Duberstein  
Pam Turner  
Dave Swanson  
Robert Kabel  
Nancy Kennedy  
Nancy Risque  
Joe Hagin

REGRET: Edwin Meese III/William Clark

CABINET COUNCIL ON NATURAL RESOURCES AND ENVIRONMENT

April 7, 1983

PARTICIPANTS

*to Steve Fischer*

The President

Secretary Watt

Secretary Block

Secretary Baldrige

~~Secretary Donovan~~

Secretary Dole

Secretary Hodel

Edwin Meese III

~~James Baker III~~

Edwin Harper

Deputy Secretary McNamar

(Representing Secretary Regan)

Deputy Secretary Thayer

(Representing Secretary Weinberger)

Deputy Attorney General Schmults

(Representing Attorney General Smith)

Under Secretary Hovde

(Representing Secretary Pierce)

William Niskanen

(Representing Chairman Feldstein)

Nancy Maloley

(Representing Chairman Hill)

*Ford Ford, Undersecretary-designate, DOL*

~~Richard Darman~~, Assistant to the President and Deputy to the  
Chief of Staff

Craig L. Fuller, Assistant to the President for Cabinet Affairs

~~David Gergen~~, Assistant to the President for Communications

Edward Rollins, Assistant to the President for Political Affairs

Faith Whittlesey, Assistant to the President for Public Liaison

Marty Smith, Acting Executive Secretary

Becky Norton Dunlop, Director, Office of Cabinet Affairs

For Presentation:

Lee Verstandig, Acting Administrator, EPA

Additional Attendees:

T. Kenneth Cribb, Assistant Counsellor to the President

Alan Holmer, Intergovernmental Affairs

Larry Speakes, Deputy Press Secretary

Nancy Risque, Legislative Affairs

Steve Rhodes, Assistant to the Vice President

William Martin, Staff Member, NSC

Fred Khedouri, Associate Director, OMB

E. Allen Wallis, Under Secretary of State for Economic Affairs

William Gianelli, Assistant Secretary of the Army, Civil Works

Lee Thomas, Acting Deputy Administrator, EPA

Douglas W. Kmiec, White House Fellow, HUD

Clayton Christensen, White House Fellow, DOT

*Jim Jenkins*

CABINET COUNCIL ON NATURAL RESOURCES AND ENVIRONMENT

April 7, 1983

PARTICIPANTS

✓ The President

✓ Secretary Watt

✓ Secretary Block

✓ Secretary Baldrige

\*Secretary Donovan

✓ Secretary Dole

✓ Secretary Hodel

✓ Edwin Meese III

James Baker III

✓ Edwin Harper

✓ Deputy Secretary McNamar

(Representing Secretary Regan)

✓ Deputy Secretary Thayer

(Representing Secretary Weinberger)

✓ Deputy Attorney General Schmults

(Representing Attorney General Smith)

✓ Under Secretary Hovde

(Representing Secretary Pierce)

✓ William Niskanen

(Representing Chairman Feldstein)

✓ Nancy Maloley

(Representing Chairman Hill)

✓ *Food Food, Undersecretary designate - Labor*

Richard Darman, Assistant to the President and Deputy to the Chief of Staff

✓ Craig L. Fuller, Assistant to the President for Cabinet Affairs

David Gergen, Assistant to the President for Communications

✓ Edward Rollins, Assistant to the President for Political Affairs

✓ Faith Whittlesey, Assistant to the President for Public Liaison

✓ Marty Smith, Acting Executive Secretary

✓ Becky Norton Dunlop, Director, Office of Cabinet Affairs

For Presentation:

✓ Lee Verstandig, Acting Administrator, EPA

Additional Attendees:

✓ T. Kenneth Cribb, Assistant Counsellor to the President

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✓ E. Allen Wallis, Under Secretary of State for Economic Affairs

✓ William Gianelli, Assistant Secretary of the Army, Civil Works

✓ Lee Thomas, Acting Deputy Administrator, EPA

✓ Douglas W. Kmiec, White House Fellow, HUD

✓ Clayton Christensen, White House Fellow, DOT

*Jim Cicconi*

*Jim Jenkins*



THE WHITE HOUSE

WASHINGTON

April 6, 1983

BREAKFAST MEETING WITH REPUBLICAN SENATORS -- CLASS OF 1980  
AND SENATE MAJORITY LEADER HOWARD BAKER

DATE: Thursday, April 7, 1983

LOCATION: First Floor Family Dining Room

TIME: 9:30 a.m. (one hour)

FROM: Kenneth M. Duberstein *KMD*

I. PURPOSE

To have a "reunion" with the Senate Republican Class of 1980, and to discuss several major legislative issues which Congress will consider in the next few weeks.

II. BACKGROUND

On November 4, 1980, 16 Republicans were elected to the Senate, giving us a Republican Majority for the first time in 26 years. Since their election coincided with your own, these Senators have always regarded you as their "class leader." You had this group for breakfast in 1981, and many of them have suggested the idea of a "reunion" with their class.

This will be a good opportunity to reflect on the headway we have made since 1980, particularly in terms of economic recovery, and to point out how important teamwork is in terms of continuing to make progress. Despite the fact that these Senators are in their first term, many of them already serve as Subcommittee Chairmen, and the class as a whole has been very active legislatively. You should take this opportunity to reinforce your own ties with the Class of 1980 and to encourage their active support on the several major issues which Congress will address in the next few weeks.

III. PARTICIPANTS

List attached

IV. PRESS PLAN

Press pool photo opportunity after participants are seated.  
No open press coverage. White House photographer for individual photos with the President.

V. SEQUENCE OF EVENTS

Senators to arrive Southwest Gate, enter through the Diplomatic Room, and be ushered to First Floor Family Dining Room. Senators to arrive at 9:15 a.m. and be seated in First Floor Dining Room by 9:30. President to enter Dining Room at 9:30, and be seated for breakfast. Press pool coverage takes place. Breakfast is served.

Agenda (Beginning at 10:00 a.m.)

- a. Opening remarks by the President (5 minutes)
- b. President recognizes Senate Majority Leader Howard Baker for remarks (5 minutes)
- c. President recognizes Senator Arlen Specter for remarks (5 minutes)
- d. Question and answer period (15 minutes)
- e. At approximately 10:25 a.m., President will take final question and make brief closing remarks.

Attachments: Participants List  
Talking Points

PARTICIPANTS

The President  
The Vice President  
OMB Director Stockman

Senators

Howard Baker (R-Tennessee)  
Warren Rudman (R-New Hampshire)  
Arlen Specter (R-Pennsylvania)  
Steve Symms (R-Idaho)  
James Abdnor (R-South Dakota)  
Mark Andrews (R-North Dakota)  
Alfonse D'Amato (R-New York)  
Jeremiah Denton (R-Alabama)  
John East (R-North Carolina)  
Slade Gorton (R-Washington)  
Charles Grassley (R-Iowa)  
Paula Hawkins (R-Florida)  
Robert Kasten (R-Wisconsin)  
Mack Mattingly (R-Georgia)  
Don Nickles (R-Oklahoma)  
Dan Quayle (R-Indiana)

REGRET: Frank Murkowski (R-Alaska)

Staff

James A. Baker III  
Edwin Meese III  
Michael Deaver  
William Clark  
Kenneth M. Duberstein  
Pamela J. Turner  
David Swanson  
Robert Kabel  
Nancy Kennedy  
Nancy Risque  
Mike Hudson  
Joseph Hagan



*B*

THE WHITE HOUSE

WASHINGTON

April 6, 1983

MEETING WITH STATE AND LOCAL-ELECTED OFFICIALS  
WESTERN STATES

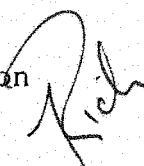
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DATE: Thursday, April 7, 1983

LOCATION: Indian Treaty Room

TIME: 11:30 - 11:50 a.m.

FROM: Richard S. Williamson



I. PURPOSE

To brief approximately 75 selected state and local elected officials from Alaska, Arizona, California, Colorado, Hawaii, Idaho, Kansas, Montana, Nevada, New Mexico, Nebraska, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming on Administration initiatives. This will give them the background and information to be able to return to their respective states and speak effectively on behalf of your programs.

II. BACKGROUND

This is the third and last in a series of regional briefings for state and local government officials to build support and strong spokesmen for your programs.

Prior to your arrival, the group will be briefed by Jack Svahn, Elizabeth Dole, Allan Myer (from the NSC staff), and James Watt.

III. PARTICIPANTS

Approximately 75 state and local-elected officials.

IV. PRESS PLAN

White House Photographer

V. SEQUENCE OF EVENTS


- 9:35 a.m. - 10:00 a.m. Jack Svahn - Social Security and other HHS issues.
- 10:00 a.m. - 10:25 a.m. Elizabeth Dole - Transportation issues.
- 10:25 a.m. - 10:40 a.m. Break
- 10:40 a.m. - 11:05 a.m. Allan Myer - Defense issues.
- 11:05 a.m. - 11:30 a.m. James Watt - land and water issues.
- 11:30 a.m. - 11:50 a.m. You enter the Indian Treaty Room and make remarks, to be followed by Q & A. (Talking Points attached).
- 11:50 a.m. - You may depart. Meeting adjourned.

C

THE WHITE HOUSE

WASHINGTON

CABINET COUNCIL ON NATURAL RESOURCES AND ENVIRONMENT

DATE: April 7, 1983  
LOCATION: Cabinet Room  
TIME: 2 pm (60 min)  
FROM: CRAIG L. FULLER 

1. PURPOSE: To reconsider two issues: Clean Water and the Coal Slurry Pipeline.

2. BACKGROUND:

Clean Water: Authorization for the Clean Water Act expired in September 1982 and monies have been appropriated to continue the current law. Hearings will be coming up to deal with the Clean Water Act and EPA needs guidance on the position which it should take. A legislative package has been developed but there are a couple of areas in which differences arose in CCNRE and these must be resolved. The first deals with Best Available Technology waivers and the second with the "dredge and fill" portion of the Act. These issues and options are outlined in the decision memorandum.

An immediate decision is not required. This issue is being reviewed for information only at the present time.

Coal Slurry Pipelines: Last year the Administration opposed legislation to provide federal eminent domain authority to coal slurry pipelines. Since that time, it has become clear that railroads can frustrate the construction of pipelines by refusing access across railroad rights-of-way. These rights-of-way crisscross the areas between coal production and consumption and many were acquired by use of eminent domain procedures. Thus, the issue is being reconsidered with three options being presented: oppose all eminent domain authority and maintain our previously established position; compel railroads and other interstate transportation systems to grant pipeline crossings through the exercise of other federal authority; and support legislation allowing general federal eminent domain for coal slurry pipelines.

III. PARTICIPANTS: Members of the Cabinet Council on Natural Resources and Environment (list attached to agenda)

IV. PRESS PLAN: None

V. SEQUENCE OF EVENTS: Secretary Watt will be prepared to lead the discussion. EPA's Acting Administrator Lee Verstandig will lead the briefing on Clean Water (you may wish to express your appreciation for the fine job Lee is doing at EPA while we await Senate confirmation of Bill Ruckelshaus).

THE WHITE HOUSE

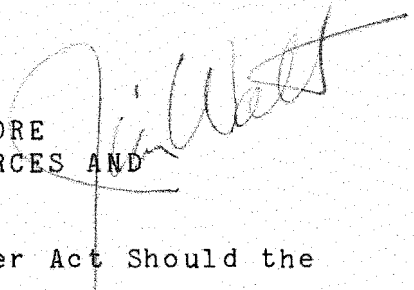
WASHINGTON

March 21, 1983

MEMORANDUM FOR THE PRESIDENT

FROM: JAMES G. WATT, CHAIRMAN PRO TEMPORE  
CABINET COUNCIL ON NATURAL RESOURCES AND  
ENVIRONMENT

SUBJECT: What Amendments to the Clean Water Act Should the  
Administration Propose?



Background

Authorization for the Clean Water Act (CWA) expired on September 30, 1982.

Changes for Title II, the Construction Grants Program, were signed into law on December 29, 1981. The remaining titles for which the authorization has expired cover the Act's goals: enforcement, permitting, and technology requirements for industrial discharges of pollutants into the Nation's waters; and a permit program for the protection of the Nation's wetlands.

Although authorization expired on September 30th, monies were appropriated to continue the current law.

The Senate Subcommittee on Environmental Pollution intends to begin hearings on March 8th to consider S. 431.

EPA Proposal

The EPA prepared a draft legislative package that includes most of the recommendations adopted by the CCNRE last year. These include:

- o Extend Best Available Technology Economically Achievable (BAT) and Best Conventional Pollution Control Technology (BCT) compliance deadlines from July 1, 1984 to July 1, 1988.
- o Allow Publicly Owned Treatment Works (POTWs) to seek extension to 1988 to meet applicable secondary treatment or water quality based limitations.

- o Make new source performance standards effective on date of issuance of final regulations, rather than the date on which they are proposed.
- o Allow POTWs to apply for waivers of the categorical pre-treatment standards on behalf of industrial dischargers.
- o Allow the Administrator to assess civil penalties for violations of CWA.
- o Provide judicial penalties of up to \$50,000/day and/or 2 years imprisonment for firms that discharge or individuals who knowingly violate or cause violations of certain sections of CWA.
- o Modify criteria governing thermal discharges.
- o Extend National Pollution Discharge Emissions Standards (NPDES) permit life from 5 to 10 years.
- o Allow EPA to approve partial state administration of NPDES permit programs.
- o Exclude munitions from the definition of pollutants controlled under the Act, to avoid need for the military to get a NPDES permit for activities such as target practice.
- o Affirm EPA's criminal investigative authority.

The EPA package does not include several items in last year's bill, including:

- o Exemption authority for DOE defense-related facilities and broader authority for the President to suspend the Act's provisions during states of war or national emergencies.

In addition, the EPA draft does not include 2 items discussed by Cabinet Council last year.

- o Case-by-case waiver by EPA of the BAT requirement to avoid treatment for treatment's sake where water quality does not require the additional level of treatment.
- o Modification advocated by the Corps of Engineers and other agencies to the Act's section 404 "dredge and fill" program.

EPA indicated that, based on the 12 BAT regulations promulgated to date there is no need to allow waivers, since the incremental costs are not significant. This assessment may be premature,

since the BAT requirement for organic chemicals (a principal source of toxic pollutants) has not been issued, and lawsuits are pending on the steel and petroleum regulations. EPA indicated that a BAT proposal would engender acrimonious debate and delay enactment of the other changes. Key Senators on the Environment and Public Works Committee oppose the change since it relaxes controls on toxics.

EPA also indicated that pending revisions to 404(b)(1) guidelines should be completed before any Section 404 legislation is proposed. At the CCNRE, the Corps indicated that they have concerns beyond 404(b)(1) and have since submitted legislation to OMB for technical review. Secretary Watt urged the Corps of Engineers and EPA to work together on Section 404 and reach a mutually agreeable position. Thus far, they have been unable to reach a mutually acceptable position.

### Issue

Option 1. Propose an Administration Clean Water bill based on the EPA draft summarized on page 1 of this memo.

#### Pros

- o Provides important regulatory relief, especially on the deadline for meeting BAT.
- o Administration is responding in a timely fashion to Senate subcommittee.
- o Press will be positive or neutral.

#### Cons

- o Does not address Section 404 or provide BAT waivers.

Option 2. Include a BAT waiver in the Administration bill.

#### Pros

- o Prevents installation of technology for technology's sake where water quality does not warrant additional control.
- o The organic chemical guideline when issued will be costly, and pending lawsuits may require additional, costly controls on the steel and petroleum industry.

#### Cons

- o Since BAT regulates toxic pollutants, any waiver would be controversial.



- o Based on BAT guidelines already issued, EPA feels the waiver is not necessary.
- o Senior Republican Senators and Congressman have indicated opposition to the waiver provision.

Option 3. Include changes to Section 404 (dredge and fill) in the Administration bill.

#### Pros

- o Section 404 is overly broad and imposes unnecessary regulatory burdens.
- o The present law may impede economic development, especially energy projects in Alaska.
- o Administrative reform has been slow and does not adequately address all concerns raised by the Presidential Task Force on Regulatory Relief and the Corps of Engineers.

#### Cons

- o Administrative reforms to Section 404 are underway.
- o Changes to Section 404 would be controversial, because of a perceived weakening of wetland protection and may delay enactment of legislation.

In addition to the EPA draft (Option 1), either or both of options 2 and 3 could be added to the bill.

#### Recommendation:

The Cabinet Council on Natural Resources and Environment recommended Option I. Dr. Hernandez, the EPA Acting Administrator, stated that it was important for the Administration to submit this bill as soon as possible. Senator Chafee, Chairman of the Senate Environment Subcommittee, plans to begin deliberations on clean water within the next two weeks. The Cabinet Council also recommended that the Administration support any future Congressional efforts to reform Section 404 that are consistent with proposals made by the Corps of Engineers.

Option I \_\_\_\_\_

Option II \_\_\_\_\_

Option III \_\_\_\_\_

Disapprove \_\_\_\_\_

THE WHITE HOUSE

WASHINGTON

April 4, 1983

MEMORANDUM FOR THE PRESIDENT

FROM: THE CABINET COUNCIL ON NATURAL RESOURCES  
AND ENVIRONMENT  
JAMES G. WATT, CHAIRMAN PRO TEMPORE

ISSUE: What Position Should the Administration Take on  
Pending Legislation to Facilitate the Construction  
of Coal Slurry Pipelines?

INTRODUCTION

Last year, the Administration opposed legislation to provide federal eminent domain authority for coal slurry pipelines. Most discussion at that time focused on the question of general federal eminent domain authority, including its disruptive effect on the rights of individuals and its general overriding of state control over lands in those states. This issue now merits reconsideration. The Department of the Interior has advised the CCNRE of changes in both the proposed legislation and in the economic environment for coal transportation. First, it has become increasingly clear that railroad opposition to passage over their rights-of-way will be able to frustrate slurry pipeline construction, whether or not other factors are also responsible for the lack of such progress. Second, railroads are benefitting from implementation of the Staggers Regulatory Reform Act and deregulation of export coal rates. Coal and other bulk shippers are making the case on the Hill and elsewhere that regulatory reform is resulting in non-competitive price increases by the railroads, and we are facing increasing calls for re-regulation. While the Cabinet Council does not subscribe to this view, coal slurry pipelines can be considered a legitimate competitive alternative and as an answer to these concerns. Finally, our European and Japanese allies have indicated their perception that passage of this legislation would affirm our intention of becoming a stable energy supplier.

BACKGROUND

Today most coal is moved from mine to market by railroad, with some moving by barge. Transportation costs are a significant part of the delivered cost of coal. High inland transportation costs are thought by many to be an impediment to increased domestic use of coal and a barrier to greater exports. One possible competing transportation mode is slurry pipeline. In a

slurry pipeline, coal is powdered and mixed with water to form a liquid that can be pumped through a pipeline. Coal slurry pipelines use roughly one ton of water for each ton of powdered coal shipped. In arid areas, especially in the west, use of water in pipelines is controversial.

A number of coal slurry pipelines, some hundreds of miles long, have been proposed. Proponents of these lines argue that they can provide transportation cheaper than their competition. One major problem with the planning for such lines has been in obtaining rights-of-way. Railroads have been adamantly opposed to competition from slurry pipelines, and since railroads control rights-of-way that crisscross the areas between production and consumption, this has made it extremely difficult for slurry lines to proceed. In the east, railroads generally have absolute title to their rights-of-way, whereas in the west they often have only surface rights.

Numerous bills have been introduced to grant slurry pipelines a federal right of eminent domain, and these bills were backed by the last five Administrations. The current bills, S.267 introduced by Senator Johnston and others, and H.R.1010 introduced by Congressman Udall and others, were introduced primarily at the behest of the slurry pipeline industry. Both bills allow federal eminent domain authority, using where practicable the practice and procedures of state law regarding eminent domain in the federal court. This provision seeks to minimize federal intrusion into state affairs and ensures that a state's procedures and compensation requirements are met, except if they would have the effect of prohibiting such pipelines.

## DISCUSSION

The Council has concluded that slurry pipelines should be allowed to go forward if they are economically viable. The arguments against slurry pipeline construction in terms of the destructive effects they might have on other modes of transportation, or their environmental consequences, were not well founded, but the case for their construction was not considered sufficiently important to require any type of government subsidy or special favors. The Council's final consideration came down to the question of the degree to which some type of eminent domain authority was appropriate and necessary to allow coal slurry pipelines to compete. Three options were developed:

### OPTION 1

Oppose all eminent domain authority, affirming the Administration's previous position.

Advantages:

- o Leaves eminent domain question in the hands of individual states, who are best equipped to judge local impacts and needs.
- o Does not create federal entanglement in support of a particular mode of transportation.
- o Favors rights of landowners.

Disadvantages:

- o Could greatly delay, if not prevent, formation of a coal pipeline industry, especially in the eastern United States, even if economically justified.
- o Diminishes potential competition to railroads, thus possibly encouraging higher rates.
- o Could be criticized as abrogating the federal responsibility of assuring the free flow of interstate commerce.

OPTION 2

Do not use formal eminent domain powers. Instead, compel railroads and other interstate transportation systems (defined as common carriers, interstate electrical transmission systems, and coal pipelines) to grant crossings through the exercise of other federal authorities. Railroads and other interstate transportation systems operate under a federal certificate of public convenience and necessity, which is a license to do business and not a license to impede competition in interstate commerce. Therefore, it may be appropriate to compel holders of such federally-issued licenses to grant crossings by other interstate transportation systems, including coal pipelines. The compulsory crossing requirement would become a condition of federal licensure and would be applied to new and existing certificates. Compulsory crossing would not be the exact equivalent of eminent domain because the interest acquired by the interstate transportation system would be more similar to a license, rather than a formal interest in property.

Advantages:

- o Only affects entities whose ability to block pipelines has been enhanced by federal action in the past.

- o Would necessitate fewer administrative determinations and generally less federal government interference.
- o Could remove a major barrier to construction of pipelines, and is consistent with the President's earlier decision to ensure pipelines are not barred by "unjustified impediments" to right-of-way acquisition.
- o Does not interfere with individual property rights.
- o Does not involve formal federal eminent domain powers.

Disadvantages:

- o Could result in less efficient and more costly construction, since the slurry line might have to be rerouted, depending on success in private negotiations.
- o The slurry industry may not consider this option satisfactory because of the increased cost and difficulty of negotiating with private landowners.
- o By taking an intermediate position, may satisfy no one.
- o May not actually allow slurry lines to be built.

OPTION 3

Allow general federal eminent domain, albeit using state laws regarding procedure and substance of eminent domain awards.

Advantages:

- o Could facilitate more rapid development of a new coal transport mode.
- o Would signal the states that the Administration seeks to minimize federal intrusion into state affairs.
- o Private landowners could be protected to the extent of their own state's due process and compensation requirements.
- o Would be seen in Europe and Japan as evidence of a U.S. desire to facilitate development of its energy resources to help assure the energy security of western countries.

Disadvantages:

- o Could be criticized as benefiting private concerns at the expense of common carriers.

- o Could interfere with free market operation regarding acquisition of property interests.
- o Violates rights of landowners.
- o Requires reversal of Presidential decision.

RECOMMENDATION

The preponderance of the Cabinet Council discussion (including Interior, Transportation, Energy, and CEQ) favored Option 2. The Commerce and State Departments favored Option 3. The Office of Policy Development favored Option 1. (A supplementary recommendation of the Commerce Department's reasoning is attached as Appendix 2.)

If Option 2 or Option 3 is chosen, the Administration would also have to take a position on a number of subsidiary issues. The Council's recommendations are discussed in Appendix 1.

DECISION

- Option 1 (Oppose eminent domain) \_\_\_\_\_
- Option 2 (allow only crossing rights as against railroads and similar systems) \_\_\_\_\_
- Option 3 (support general eminent domain) \_\_\_\_\_

1. State Water Law

The Senate coal slurry bill grants to states the authority to set terms and conditions on the export of water for slurry purposes. The House bill contains similar but less comprehensive language. The provisions of both bills partially reverse, to varying degrees, two recent court decisions which have limited state statutes regarding export of water. In Sporhase v. Nebraska, the U.S. Supreme Court ruled that water was an article of commerce and held that a state reciprocity requirement on the export of water was an impermissible burden on interstate commerce. A U.S. District Court in New Mexico, in El Paso v. Reynolds, declared New Mexico's embargo statute to be an unconstitutional burden on interstate commerce. Certain western Senators have indicated a desire to use the coal slurry legislation as a vehicle to reaffirm existing state water laws. The CCNRE recommends support of states rights to restrict water for coal slurry, but does not recommend expanding the bill's coverage to include export of water for any additional purposes.

2. Regulation/Jurisdiction

Most transportation modes are currently subject to some manner of economic regulation. The CCNRE, consistent with the Administration's policy of deregulation and reliance on market forces recommends opposition to any rate and service regulation of slurry pipelines.

3. Pipeline Ownership by Shippers

Railroads are generally prohibited, under various statutes, from owning the commodities they ship and from leasing federal coal; the CCNRE continues to recommend that all such restrictions be repealed. In the last Congress, the Administration supported legislation to repeal section 2(c) of the Mineral Leasing Act, which restricts railroad leasing of federal coal lands. The CCNRE recommends that no restrictions be placed on coal slurry pipeline ownership. Restrictions on ownership could impede favorable pipeline financing.

The Department of Commerce supports federal eminent domain for slurry pipelines for the following reasons:

- o Slurry transportation is a cheaper, supplemental alternative to the railroads, whose rates have doubled since 1979. As coal becomes more dominant in electricity generation, lower coal prices are projected to save American consumers billions in utility bills, as well as to expedite the movement of coal for export.
- o Administration support for slurry pipelines would send a strong message of its commitment to the reliable and secure supply of U.S. coal to our allies and trading partners.
- o Direct construction jobs for the seven proposed pipelines would be approximately 50,000, and an additional 5,000 jobs would be created for operating and maintaining the pipelines. The railroads would also benefit from an additional 41,000 jobs, since coal slurry pipelines will account for only about 20 percent of increased transportation capacity, as the demand for coal doubles between now and 1995.
- o Pipeline construction would provide a market for approximately 3,500 heavy-duty vehicles, 1,300 light-duty trucks, 530 reciprocating pumps, 4,200 centrifugal pumps, 210 centrifuges, and thousands of electric motors to power them. Construction of the pipeline systems would call for 3,000,000 tons of steel, which equals about 15,000 jobs for steelworkers.



*D*

THE WHITE HOUSE

WASHINGTON

MEETING WITH METROPOLITAN ARCHBISHOP PHILIP SALIBA

DATE: April 7, 1983  
LOCATION: Oval Office  
TIME: 3:45 - 3:55 pm  
FROM: FAITH RYAN WHITTLESEY *FRW*

I. PURPOSE

To discuss with Archbishop Saliba and others his specific methods for resolving the remaining differences among Middle Eastern countries and to reiterate this Administration's peace initiatives in that area.

II. BACKGROUND

The Most Reverend Archbishop Philip Saliba heads the Antiochian Orthodox Christian Archdiocese of Northern America. He leads the Arabic speaking branch of the Eastern Orthodox Church and will depart on Friday, April 8, 1983 for visits with King Hussein of Jordan, President El-Assad of the Syrian Arab Republic, President Gemayel of Lebanon and other Middle Eastern government officials. Archbishop Saliba strongly agrees with and supports this Administration's position in the Middle East. In addition to high level conferences with heads of states, the Archbishop will distribute financial assistance collected in the United States of America to help relieve the innocent suffering in Lebanon. Specific emphasis will be placed on the resolution of the West Bank question during his tour.

III. PARTICIPANTS

Archbishop Philip Saliba, Reverend George M. Rados, Howard Teicher (NSC) and Faith Ryan Whittlesey and Fr. John Badeen

IV. PRESS PLAN

White House Photographer

V. SEQUENCE OF EVENTS

3:45 pm Participants enter Oval Office and are introduced by Mrs. Whittlesey  
3:47 pm Archbishop Saliba will generally describe the nature of his trip and his intention to provide a substantial donation for the relief of Lebanon.  
3:50 pm You open discussion as outlined in Talking Points.  
3:53 pm You thank the Archbishop and his aides and wish them well in their efforts towards sustained peace in the Middle East.  
3:55 pm Photo with participants. Participants depart Oval Office

Attachment: Talking Points

TALKING POINTS FOR MEETING WITH ARCHBISHOP  
SALIBA, APRIL 7, 1983, OVAL OFFICE

- I want to thank you for coming here this afternoon to discuss the unresolved problems in the Middle East. These problems have remained as a troublesome concern to me and to all Americans.
- I am particularly heartened by your support of the peace efforts of this Administration and hope that you will convey my wishes for a timely resolution of the disputes to King Hussein and the other government officials with whom you will be meeting.
- I also want to express my appreciation for the private efforts which you and your church members have undertaken in terms of raising funds to relieve the awful suffering of innocent men, women and children in Lebanon. Every war has its tragic casualties but none are more disturbing than the loss of civilian lives.
- The unnecessary waste of the precious human and natural resources of the Middle East are of great concern to me and I hope that you can convey that concern to all who you visit during this journey.
- I, of course, hope that you will express our belief that we as Americans want peace everywhere in the world, not just in the Middle East. I wish you great success in this humane effort and thank you for giving me the opportunity to hear of your plans and thoughts.

*E*

THE WHITE HOUSE

WASHINGTON

April 6, 1983

MEETING WITH SENATOR SAM NUNN (D-GEORGIA) AND  
TOMMY CLACK

DATE: Thursday, April 7, 1983

LOCATION: The Oval Office

TIME: 4:30 p.m. (5 minutes)

FROM: Kenneth M. Duberstein *Kr-D.*

I. PURPOSE

To respond to Senator Sam Nunn's (D-Georgia) request to bring his friend, Mr. Tommy Clack, in for a photo opportunity with the President.

II. BACKGROUND

Senator Sam Nunn recently requested an opportunity to bring Mr. Tommy Clack in for a photo opportunity with the President. Mr. Clack is currently the Assistant Director of the Veterans Administration Medical Center in Atlanta, Georgia, and is in town to receive the AMVET Silver Helmet Award in recognition of his outstanding service to disabled veterans (the presentation will be on April 11). Mr. Clack served in the Vietnam war and is a triple amputee.

Mr. Clack is a strong supporter of the President. In a letter to Senator Nunn, he mentioned that he believes "Reagan is the best thing to happen to my country in my lifetime."

Mr. Clack will be accompanied by his fiance, Miss Cheryl Dailey. They plan to be married in August.

III. PARTICIPANTS

The President  
Senator Sam Nunn (D-Georgia)  
Mr. Tommy Clack  
Miss Cheryl Dailey

Staff

Kenneth M. Duberstein

IV. PRESS PLAN

White House photographer only

V. SEQUENCE OF EVENTS

Senator Nunn and guests to enter through the Northwest Gate to the West Lobby, and be escorted to the Oval Office for a 5-minute meeting with the President.

Attachment: Talking Points

SUGGESTED TALKING POINTS FOR MEETING WITH  
SENATOR SAM NUNN AND MR. TOMMY CLACK

- Welcome Senator Nunn, Mr. Clack, and Miss Dailey to the White House.
  
- Mention to Mr. Clack that you understand he will be honored on April 11 when he is presented with the AMVET Silver Helmet Award, and offer your congratulations. Commend him on his outstanding service to disabled veterans.
  
- Extend your best wishes to Mr. Clack and Miss Dailey (they are planning an August wedding).
  
- Thank Senator Nunn and his guests for coming, and wish Mr. Clack and Miss Dailey a most pleasant visit in Washington.