

28 Box 3 -[JGR/Appointee Clearances – 11/14/1985-12/31/1985] -
Roberts, John G.: Files SERIES I: Subject File

WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name Roberts, John

Withdrawer

KDB 7/29/2005

File Folder [JGR/APPOINTEE CLEARANCES - 11/14/1985-12/31/1985]

FOIA

F05-139/01

Box Number 3

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2	MEMO	ROBERTS TO HAUSER RE APPOINTMENTS TO PRESIDENT'S NATIONAL SECURITY TELECOMMUNICATIONS ADVISORY COMMITTEE	2	11/20/1985	B6	386
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5	MEMO	ROBERTS TO DIANA HOLLAND, RE: REAPPOINTMENT OF JOYCE C. YOUNG TO THE COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED - PARTIAL	1	12/31/1985	B6	1173

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

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E.O. 13233

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

THE WHITE HOUSE

WASHINGTON

November 14, 1985

MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Panama Canal Alternative Study Commission

You have asked if a judge may serve on the so-called Panama Canal Alternative Study Commission. Pursuant to Section 1109 of the Panama Canal Act of 1979, 22 U.S.C. § 3619, the President is authorized to "appoint the representatives of the United States to any joint committee or body with the Republic of Panama to study the possibility of a sea level canal in the Republic of Panama pursuant to Article XII of the Panama Canal Treaty of 1977." The President is also directed to transmit the text of any completed study to Congress.

The Commission is authorized only to conduct a study, and accordingly the U.S. representatives will not be engaged in any functions which can only be performed by an executive officer of the United States. I therefore see no constitutional objection to appointing a member of the judiciary as the U.S. representative to this study commission.

§ 3619. Joint sea level canal study**(a) Committee: appointment of representatives**

The President shall appoint the representatives of the United States to any joint committee or body with the Republic of Panama to study the possibility of a sea level canal in the Republic of Panama pursuant to Article XII of the Panama Canal Treaty of 1977.

(b) Transmittal of study to President of the Senate and Speaker of the House of Representatives

Upon the completion of any joint study between the United States and the Republic of Panama concerning the feasibility of a sea level canal in the Republic of Panama pursuant to paragraph 1 of Article XII of the Panama Canal Treaty of 1977, the text of the study shall be transmitted by the President to the President of the Senate and to the Speaker of the House of Representatives.

(c) Congressional authorization respecting construction of sea level canal

No construction of a sea level canal by the United States in the Republic of Panama shall be undertaken except with express congressional authorization after submission of the study by the President as provided in subsection (b) of this section.

(Pub.L. 96-70, Title I, § 1109, Sept. 27, 1979, 93 Stat. 459.)

Effective Date. Section effective Oct. 1, 1979. see section 3304 of Pub.L. 96-70, set out as a note under section 3601 of this title.

Legislative History. For legislative history and purpose of Pub.L. 96-70, see 1979 U.S. Code Cong. and Adm. News, p. 1034.

§ 3620. Authority of Ambassador

(a) The United States Ambassador to the Republic of Panama shall have full responsibility for the coordination of the transfer to the Republic of Panama of those functions that are to be assumed by the Republic of Panama pursuant to the Panama Canal Treaty of 1977 and related agreements.

(b) (1) The Commission shall not be subject to the direction or supervision of the United States Chief of Mission in the Republic of Panama with respect to the responsibilities of the Commission for the operation, management, or maintenance of the Panama Canal, as established in this chapter or any other Act or in the Panama Canal Treaty of 1977 and related agreements, except that the Commission shall keep the Ambassador fully and currently informed with respect to all activities and operations of the Commission.

(2) Except as provided in paragraph (1) of this subsection, section 2680a of this title shall apply with respect to the activities of the Commission.

(Pub.L. 96-70, Title I, § 1110, Sept. 27, 1979, 93 Stat. 459.)

References in Text. This chapter, referred to in subsec. (b)(1), in the original read "this Act", meaning Pub.L. 96-70, Sept. 27, 1979, 93 Stat. 452, known as the Panama Canal Act of 1979, which in addition to enacting this chapter, amended section 2778 of this title, sections 305, 5102, 5316, 5342, 5343, 5348, 5373, 5504, 5533, 5541, 5583, 5595, 5724a, 6301, 6322, 6323, 8102, 8146, 8335, 8336, 8339, 8348, 8701, and 8901 of Title 5, Government Organization and Employees, sections 1101 and 1182 of Title 8, Aliens and Nationality, section 213 of Title 29, Labor, sections 403, 3401, and 3682 of Title 39, Postal Service, and sections 191, 195, and 196 of Title 50, War and

National Defense, repealed section 3402 of Title 39, and section 191b of Title 50, and enacted provisions set out as notes under sections 3601, 3602, and 3852 of this title, sections 8336 and 8339 of Title 5, and sections 1101 and 1182 of Title 8.

Effective Date. Section effective Oct. 1, 1979. see section 3304 of Pub.L. 96-70, set out as a note under section 3601 of this title.

Legislative History. For legislative history and purpose of Pub.L. 96-70, see 1979 U.S. Code Cong. and Adm. News, p. 1034.

§ 3621. Security legislation

It is the sense of the Congress that the best interests of the United States require that the President enter into negotiations with the Republic of Panama for the purpose of arranging for the stationing of United States military forces, after the

THE WHITE HOUSE

WASHINGTON

November 18, 1985

MEMORANDUM FOR DIANNA G. HOLLAND

FROM:

JOHN G. ROBERTS 

SUBJECT:

Appointment of John D. Negroponete
to the National Commission on Space

I have reviewed the Personal Data Statement and SF-278 submitted by John D. Negroponete in February 1985 in connection with his appointment to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs. Those materials are adequate for purposes of this ex officio appointment as Department of State representative to the National Commission on Space. The Commission was established by Public Law 98-361, 42 U.S.C. § 2451 note, to study space activities and formulate an agenda for the U.S. civilian space program. The Commission is to submit to the President and Congress a long-range plan for civilian space activity.

Pursuant to Section 203(b)(1)(B) of Public Law 98-361, the President is authorized to appoint an individual from the Department of State to be an ex officio, advisory, non-voting member of the Commission. Negroponete serves in the Department of State, and accordingly satisfies the only criterion for appointment. His PDS and SF-278 present no problems, particularly given the broad agenda of the Commission. I have no objection to proceeding with this appointment.

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1 MEMO

1 11/18/1985 B6

385

J. ROBERTS TO RICHARD HAUSER RE
PROSPECTIVE NOMINEE

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

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E.O. 13233

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THE WHITE HOUSE

WASHINGTON

November 19, 1985

MEMORANDUM FOR DIANNA G. HOLLAND

FROM:

JOHN G. ROBERTS *JGR*

SUBJECT:

Appointments of James E. Seitz, Richard M. Larry, Constance J. Horner, and John A. Love to the President's Commission on White House Fellowships

I have reviewed the Personal Data Statements submitted by the above-named individuals in connection with their prospective appointments. The President is authorized to appoint an unspecified number of members to the Commission by Executive Order 11183, as amended. Members must be "outstanding citizens from the fields of public affairs, education, the sciences, the professions, other fields of private endeavor, and the Government service."

Constance Horner is the Director of the Office of Personnel Management; Richard Larry is the President of a charitable foundation; James Seitz is the Partner-in-Charge of the New York office of Touche Ross & Co.; and John Love is a member of the Denver law firm Davis, Graham & Stubbs. None of the PDS's filed by these individuals raise any concerns, and I have no objection to their appointments.

THE WHITE HOUSE

WASHINGTON

November 20, 1985

MEMORANDUM FOR JOHN ROBERTS

FROM:

DIANNA HOLLAND *dh*

For your information, the people listed on the attached sheet are going to be reappointed to the President's Foreign Intelligence Advisory Board. Fred and Dick have agreed that we do not need to get updated personal data statements from them.

all Reappointments

THE WHITE HOUSE
WASHINGTON

DATE: 11/12

TO: JANE DANNENHAUER
M.B OGLESBY
KATJA BULLOCK

FROM: CATHERINE BEDELL
OFFICE OF PRESIDENTIAL PERSONNEL

Please start appropriate clearances for the following prospective appointees for Presidential Boards and Commissions:

Anne Armstrong Albert D Wheelon

Leo Cherne

Howard H. Baker, Jr.

William O. Baker

W Glenn Campbell

John A. Foster, Jr.

Henry A Kissinger

Clare Huce Booth

Clare Boothe Huce

William French Smith

Who are under consideration for appointment as members of:

President's Foreign Intelligence Advisory Board (PFIB)

Susan Borchard, Associate Director, Extension 7590.

Senior Staff N/A

President 11/1

Announcement _____

Full Field/Name Check _____

Appt. Memo _____

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2 MEMO

2 11/20/1985 B6

386

ROBERTS TO HAUSER RE APPOINTMENTS TO
PRESIDENT'S NATIONAL SECURITY
TELECOMMUNICATIONS ADVISORY
COMMITTEE

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

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3 MEMO

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ROBERTS TO HAUSER RE PROSPECTIVE
APPOINTEE

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THE WHITE HOUSE

WASHINGTON

November 25, 1985

MEMORANDUM FOR ROBERT H. TUTTLE

FROM: FRED F. FIELDING

All necessary clearances have been accomplished with regard to the following individual and he is ready for appointment by the President:

Thomas G. Pownall - Member, President's National Security
Telecommunications Advisory Committee

cc: Amy Weist
Jane Dannenhauer
Richard Hauser
John Roberts
Catherine Bedell

THE WHITE HOUSE

WASHINGTON

November 25, 1985

MEMORANDUM FOR ROBERT H. TUTTLE

FROM: FRED F. FIELDING

All necessary clearances have been accomplished with regard to the following individuals and they are ready for appointment to the President's Foreign Intelligence Advisory Board:

William O. Baker
W. Glenn Campbell
Leo Cherne
John S. Foster, Jr.
Henry A. Kissinger
William French Smith
Albert D. Wheelon

cc: Amy Weist
Jane Dannenhauer
Richard Hauser
John Roberts
Catherine Bedell

THE WHITE HOUSE
WASHINGTON

December 3, 1985

MEMORANDUM FOR ROBERT H. TUTTLE

FROM: FRED F. FIELDING

All necessary clearances have been accomplished with regard to the following individual and he is ready for appointment by the President:

John A. Love - Member, President's Commission on
White House Fellowships

cc: Amy Weist
Jane Dannenhauer
John Roberts
Catherine Bedell

THE WHITE HOUSE

WASHINGTON

December 3, 1985

MEMORANDUM FOR ROBERT H. TUTTLE

FROM: FRED F. FIELDING

All necessary clearances have been accomplished with regard to the following individual and he is ready for appointment by the President:

Lane Carson - Member, Architectural and Transportation
Barriers Compliance Board

cc: Amy Weist
Jane Dannenhauer
John Roberts
Catherine Bedell

THE WHITE HOUSE

WASHINGTON

December 12, 1985

MEMORANDUM FOR DIANNA G. HOLLAND

FROM: JOHN G. ROBERTS

SUBJECT: Appointment of Robert S. Leventhal
to the President's National Security
Telecommunications Advisory Committee

I have reviewed the Personal Data Statement submitted by Robert Stanley Leventhal in connection with his prospective appointment to the President's National Security Telecommunications Advisory Committee. The Committee was established by Executive Order 12382 (September 13, 1982) to provide advice to the President and the Secretary of Defense on national security telecommunications policy. Pursuant to the Executive Order, the President may appoint up to 30 members to the Committee, who "shall have particular knowledge and expertise in the field of telecommunications and represent elements of the Nation's telecommunications industry."

Mr. Leventhal is CEO of Western Union, and clearly satisfies the statutory criteria. He has associations and financial interests in the telecommunications field, but these do not present conflicts problems since members of this Committee serve in a representative capacity. I have no objection to proceeding with this appointment.

Attachment

THE WHITE HOUSE

WASHINGTON

December 12, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS

SUBJECT: Advisory Committee for Trade Negotiations

Bob Tuttle has asked if a state government employee may be appointed to the Advisory Committee for Trade Negotiations. Tuttle wishes to make such an appointment, but was told by USTR that the Committee is a private sector board on which government officials are not eligible to serve.

The Committee is authorized by 19 U.S.C. § 2155(b). That subsection provides that the Committee "shall include representatives of government, labor, industry, agriculture, small business, service industries, retailers, consumer interests, and the general public" (emphasis supplied). It seems clear, therefore, that government officials may be appointed to the Committee.

I called Al Holmer for clarification of the USTR position. He conceded that there was no legal bar to the appointment contemplated by Tuttle, but noted that historically the Committee had been a purely private sector committee. He stated that USTR strongly preferred to keep committee membership restricted to the private sector, for policy reasons.

The attached memorandum for your signature advises Tuttle that he may legally appoint a state government official to the Committee. (Indeed, an argument can be made that such an official must be appointed, since the statute provides that the Committee "shall include representatives of government....")

Attachment

THE WHITE HOUSE

WASHINGTON

December 17, 1985

MEMORANDUM FOR ROBERT E. TUTTLE
DEPUTY ASSISTANT TO THE PRESIDENT
DIRECTOR, PRESIDENTIAL PERSONNEL
FROM: FRED F. FIELDING Orig. signed by FFF
COUNSEL TO THE PRESIDENT
SUBJECT: Advisory Committee for Trade Negotiations

You have asked if a state government official may be appointed to the Advisory Committee for Trade Negotiations. The Committee was established pursuant to 19 U.S.C. § 2155(b). That subsection provides that the Committee "shall include representatives of government, labor, industry, agriculture, small business, service industries, retailers, consumer interests, and the general public" (emphasis supplied). Accordingly, a state government official may be appointed to the Committee, as far as Federal law is correct.

My office discussed this with USTR. USTR now agrees that there is no legal bar to appointing a state government official to the Committee, but USTR objects to such an appointment on policy grounds, preferring to keep the Committee a purely private sector committee. You should resolve that policy dispute as you see fit. As a legal matter, such an appointment may be made, and indeed it could be argued that such an appointment must be included. Note also, however, that some state laws prohibit officials from serving in the Federal Government.

FFF:JGR;aea 12/17/85
cc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

December 13, 1985

MEMORANDUM FOR ROBERT E. TUTTLE
DEPUTY ASSISTANT TO THE PRESIDENT
DIRECTOR, PRESIDENTIAL PERSONNEL

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Advisory Committee for Trade Negotiations

You have asked if a state government official may be appointed to the Advisory Committee for Trade Negotiations. The Committee was established pursuant to 19 U.S.C. § 2155(b). That subsection provides that the Committee "shall include representatives of government, labor, industry, agriculture, small business, ~~service~~ service industries, retailers, consumer interests, and the ~~general~~ general public" (emphasis supplied). Accordingly, a state government official may be appointed to the Committee.

My office discussed this with USTR. USTR now agrees that there is no legal bar to appointing a state government official to the Committee, but USTR objects to such an appointment on policy grounds, preferring to keep the Committee a purely private sector committee. You should resolve that policy dispute as you see fit. As a legal matter, such an appointment may be made, and indeed it could be argued that such must be done.

FFF:JGR:aea 12/13/85

cc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

December 17, 1985

MEMORANDUM FOR ROBERT H. TUTTLE
DEPUTY ASSISTANT TO THE PRESIDENT
DIRECTOR, PRESIDENTIAL PERSONNEL

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Advisory Committee for Trade Negotiations

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My office discussed this with USTR. USTR now agrees that there is no legal bar to appointing a state government official to the Committee, but USTR objects to such an appointment on policy grounds, preferring to keep the Committee a purely private sector committee. You should resolve that policy dispute as you see fit. As a legal matter, such an appointment may be made, and indeed it could be argued that such an appointment must be included. Note also, however, that some state laws prohibit officials from serving in the Federal Government.

FFF:JGR;aea 12/17/85

cc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE
WASHINGTON

December 13, 1985

MEMORANDUM FOR ROBERT H. TUTTLE
DEPUTY ASSISTANT TO THE PRESIDENT
DIRECTOR, PRESIDENTIAL PERSONNEL

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Advisory Committee for Trade Negotiations

You have asked if a state government official may be appointed to the Advisory Committee for Trade Negotiations. The Committee was established pursuant to 19 U.S.C. § 2155(b). That subsection provides that the Committee "shall include representatives of government, labor, industry, agriculture, small business, service industries, retailers, consumer interests, and the general public" (emphasis supplied). Accordingly, a state government official may be appointed to the Committee, *as far as Federal law is concerned.*

My office discussed this with USTR. USTR now agrees that there is no legal bar to appointing a state government official to the Committee, but USTR objects to such an appointment on policy grounds, preferring to keep the Committee a purely private sector committee. You should resolve that policy dispute as you see fit. As a legal matter, such an appointment may be made, and indeed it could be argued that such ~~must be done~~ *an appointment must be included.* Note also, however, that some state laws prohibit officials from serving in the federal government.

THE WHITE HOUSE

WASHINGTON

December 12, 1985

MEMORANDUM FOR ROBERT E. TUTTLE
DEPUTY ASSISTANT TO THE PRESIDENT
DIRECTOR, PRESIDENTIAL PERSONNEL

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Advisory Committee for Trade Negotiations

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My office discussed this with USTR. USTR now agrees that there is no legal bar to appointing a state government official to the Committee, but USTR objects to such an appointment on policy grounds, preferring to keep the Committee a purely private sector committee. You should resolve that policy dispute as you see fit. As a legal matter, the appointment may be made.

FFF:JGR:aea 12/12/85

cc: FFFielding
JGRoberts
Subj
Chron

881397
160065
(Signature)

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

- D - OUTGOING
- H - INTERNAL
- I - INCOMING
Date Correspondence Received (Y/MM/DD) 1-1

Name of Correspondent: Robert H. Doolittle

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

Subject: Advisory Committee for Trade Negotiations

ROUTE TO		ACTION	Tracking Date	Type of Response	Completion Date
Officer/Agency	(Staff Name)	Action Code	Y/M/D	Code	Y/M/D
<u>W Holland</u>		<u>ORIGINATOR</u>	<u>851114</u>		
<u>W A778</u>		<u>D</u>	<u>851114</u>		

ACTION CODES:

- A - Appropriate Action
- C - Comment/Recommendation
- D - Draft Response
- F - Furnish Fact Sheet to be used as Enclosure
- I - Info Copy Only/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Initials/Reply

DISPOSITION CODES:

- A - Answered
- B - No Special Referral
- C - Referred
- S - Suspected

FOR OUTGOING CORRESPONDENCE:

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

Comments: Steven A. Merksamer

Keep this worksheet attached to the original incoming letter.
 Send all routing updates to Central Reference (Room 75, GE0B).
 Always return completed correspondence record to Central Files.
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

THE WHITE HOUSE
WASHINGTON

361787 *cu*

November 21, 1985

MEMORANDUM FOR FRED FIELDING

FROM: ROBERT H. TUTTLE *RT*

SUBJECT: ADVISORY COMMITTEE FOR TRADE NEGOTIATIONS

We would like to submit Steven A. Merksamer's name to Senior Staff for appointment to the Advisory Committee for Trade Negotiations. He is currently serving as the Chief of Staff to the Governor of California.

The U.S. Trade Representative's office has expressed to us that this is a private sector board and government officials are not eligible to serve. The authority sheet (attached) defines the membership as representatives of "government, labor, industry, agriculture ...". We would like to know your clarification of the issue, as to whether or not Mr. Merksamer is eligible to serve.

*Fred - Merksamer wants to
be ~~with~~ on a board with
international experience &
this seems like a good fit.*

Jot

ADVISORY COMMITTEE FOR TRADE NEGOTIATIONS

Office of the
United States Trade Representative
Executive Office of the President

AUTHORITY: 19 U.S.C. 2155
P.L. 93-618, Title 1, Sec. 135(b), January 3, 1975
P.L. 90-39, 93 Stat. 308, July 20, 1970 (change in Chmn.)
P.L. 90-39, Sec. 1103(14), 93 Stat. 309, July 20, 1970
(eliminates report and termination)

METHOD: Appointed by the President

MEMBERS: Not more than FORTY-FIVE

(Shall include representatives of government, labor, industry, agriculture, small business, service industries, retailers, consumer interests, and the general public.)
= -

CHAIRMAN: Shall be elected by the Committee from among its members.

TERM: TWO YEARS, and may be reappointed for one or more additional periods. (NOT HOLDOVERS)

SALARY: Without compensation

PURPOSE: Provide overall policy advice on matters with respect to negotiating objectives and bargaining positions before entering into a trade agreement; to the operation of any trade agreement once entered into; and to other matters arising in connection with the administration of the trade policy of the U.S.

NOTE: The United States Trade Representative shall make available to the Committee such staff, information, personnel, and administrative services and assistance as it may reasonably require to carry out its activities.

THE WHITE HOUSE

WASHINGTON

December 13, 1985

MEMORANDUM FOR DAVID L. CHEW
STAFF SECRETARY

FROM: JOHN G. ROBERTS
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Deferral of Mandatory Retirement
for General Richard H. Thompson

Counsel's Office has reviewed the memoranda for the President from Richard Riley and the Deputy Secretary of Defense, respectively, proposing that the President defer for nine months the retirement of General Richard H. Thompson. This office finds no objection to the proposal from a legal perspective.

THE WHITE HOUSE

WASHINGTON

December 20, 1985

MEMORANDUM FOR ROBERT H. TUTTLE

FROM: FRED F. FIELDING

All necessary clearances have been accomplished with regard to the following individual and he is ready for appointment by the President:

Robert S. Leventhal - Member, President's National Security Telecommunications Advisory Committee

cc: Amy Weist
Jane Dannenhauer
John Roberts
Catherine Bedell

THE WHITE HOUSE

WASHINGTON

December 20, 1985

MEMORANDUM FOR ROBERT H. TUTTLE

FROM: FRED F. FIELDING

All necessary clearances have been accomplished with regard to the following individual and they are ready for appointment to the President's Foreign Intelligence Advisory Board:

Anne Armstrong
Leo Cherne
Howard H. Baker, Jr.
William O. Baker
W. Glenn Campbell
John S. Foster, Jr.
Henry A. Kissinger
Clare Boothe Luce
William French Smith
Albert D. Wheelon

cc: Amy Weist
Jane Dannenhauer
Richard Hauser
John Roberts
Catherine Bedell

THE WHITE HOUSE

WASHINGTON

December 26, 1985

MEMORANDUM FOR ROBERT H. TUTTLE

FROM: FRED F. FIELDING

All necessary clearances have been accomplished with regard to the following individual and he is ready for formal nomination by the President:

Otto J. Reich - to be Ambassador to the Republic of Venezuela

cc: Amy Weist
Jane Dannenhauer
Richard Hauser
John Roberts

THE WHITE HOUSE

WASHINGTON

December 27, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS

SUBJECT: Terrence Scanlon

You have asked if the Senate's action in not returning the Scanlon nomination upon recess, but instead leaving it on the calendar for action, is legal. This procedure is "legal," but only because it has no real legal significance.

Senate Rule 31(6) provides, in part, that:

if the Senate shall adjourn or take a recess for more than thirty days, all nominations pending and not finally acted upon at the time of taking such adjournment or recess shall be returned by the Secretary to the President, and shall not again be considered unless they shall again be made to the Senate by the President.

It is not unusual, however, for the Senate to waive the Rule with respect to certain nominations, for one reason or another. That is what was done in Scanlon's case. This in no way affects the President's power to make a recess appointment of Scanlon, should he decide to do so. The only consequence is that the President need not resubmit Scanlon's nomination when the Senate returns -- it will already be before the Senate.

cc: H. Lawrence Garrett, III

THE WHITE HOUSE

WASHINGTON

December 27, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Terrence Scanlon

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Under this Rule, all pending nominations (except Scanlon's) were returned. It is not unusual, however, for the Senate to waive the Rule with respect to certain nominations, for one reason or another. That is what was done in Scanlon's case. This in no way affects the President's power to make a recess appointment of Scanlon, should he decide to do so. The only consequence is that the President need not resubmit Scanlon's nomination when the Senate returns -- it will already be before the Senate.

cc: H. Lawrence Garrett, III

4:00 P.M. NEWS UPDATE (continued)

FARM BILL (AP) -- President Reagan today signed into law a farm bill that is likely to boost federal subsidy spending to record levels while it tries to buffer farmers from the cost of restoring health to U.S. exports. But despite reservations about the high spending and some provisions the Administration regards as detrimental, Reagan said the legislation is "on balance ... a step forward for American agriculture" that will move farming closer to the "market-oriented" industry he has sought.

(Reuter) -- Signing of the legislation followed a year of bitter debate between the Administration and Congress over how best to help farmers regain lost export markets while bringing the exploding cost of federal farm programs under control. The Administration wanted deep cuts in farm income subsidies, but members of Congress insisted on maintaining the subsidies during the current farm crisis.

BUDGET (AP) -- President Reagan has been called upon to rule in a handful of key disputes between federal agency directors and the White House budget office over next year's package of \$50 billion in proposed spending cuts, Administration officials said Monday. The sources, who spoke only on the condition that they not be identified, said battles over sweeping cuts in health and housing programs are among the unresolved issues requiring a presidential decision. Only a few Cabinet members have chosen to appeal to Reagan specific cuts proposed by budget director James Miller, said Edwin Dale, spokesman for the Office of Management and Budget.

SPACE STATION (UPI/Cape Canaveral) -- The White House budget office has proposed chopping \$480 million from NASA's fiscal 1987 budget request for the space station project, delaying it by three years, it was reported Monday (by Aviation Week & Space Technology).

SCANLON (UPI) -- Terrence Scanlon, named head of the Consumer Products Safety Commission, was President Reagan's only nominee with committee approval who was not confirmed in the crush of the adjournment by Congress. But the Senate agreed to leave the Scanlon nomination on the calendar for action when Congress comes back Jan. 21 instead of returning it to the White House.

JR
Is that
legal?

HOCKEY (UPI/Boston) -- The Jewish Defense League warned Boston Bruins officials there could be violence at Boston Garden if the team does not cancel a Jan. 6 game against a top Russian hockey team, a JDL spokesman said Monday.

-end-

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ROBERTS TO DIANA HOLLAND, RE:
REAPPOINTMENT OF JOYCE C. YOUNG TO THE
COMMITTEE FOR PURCHASE FROM THE BLIND
AND OTHER SEVERELY HANDICAPPED -
PARTIAL

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

B-1 National security classified information [(b)(1) of the FOIA]

B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]

B-3 Release would violate a Federal statute [(b)(3) of the FOIA]

B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]

B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]

B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]

B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]

B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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

THE WHITE HOUSE
WASHINGTON

December 31, 1985

MEMORANDUM FOR DIANNA G. HOLLAND

FROM:

JOHN G. ROBERTS *JGR*

SUBJECT:

Reappointment of Joyce C. Young
to the Committee for Purchase from
the Blind and Other Severely Handicapped

136 I have reviewed the Personal Data Statement submitted by Joyce Canney Young in connection with her prospective reappointment to the Committee for Purchase from the Blind and Other Severely Handicapped. The Committee was established by 41 U.S.C. § 46. The President is authorized to appoint to the Committee an individual who is not an officer or employee of the Government and who is "conversant with the problems incident to the employment of...severely handicapped individuals." 41 U.S.C. § 46(a)(2)(B). Mrs. Young is handicapped [REDACTED] and her various charitable activities satisfy the statutory criteria. Reappointments are specifically authorized by 41 U.S.C. § 46(d)(1).

I have no objection to proceeding with this reappointment.

Attachment