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CHRON FILE (02/07/1984 - 02/13/1984)

IGP 8/30/2005

FOIA

F05-139/01

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DOC NO	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
1	MEMO	ROBERTS TO FIELDING RE DEPARTMENT OF JUSTICE PROSECUTION OF ALLEGED VIOLATIONS OF THE GUN CONTROL ACT OF 1968 (PARTIAL)	1	2/9/1984	B6	720
2	MEMO	FIELDING TO CRAIG FULLER RE DEPARTMENT OF JUSTICE PROSECUTION OF ALLEGED VIOLATIONS OF THE GUN CONTROL ACT OF 1968 (PARTIAL)	1	2/9/1984	B6	721
3	MEMO	ROBERTS TO HOLLAND RE ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD (PARTIAL)	1	2/9/1984	B6	722
4	MEMO	ROBERTS TO HOLLAND RE ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD (PARTIAL)	1	2/9/1984	B6	723
5	MEMO	ROBERTS TO HAUSER RE PRESIDENT'S ADVISORY COMMITTEE ON WOMEN'S BUSINESS OWNERSHIP (PARTIAL)	2	2/10/1984	B6	724
6	MEMO	ROBERTS TO FIELDING RE EARL C. BERGER (PARTIAL)	1	2/13/1984	B6	725

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]

E.O. 13233

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

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DOC NO	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
7	MEMO	FIELDING TO D. LOWELL JENSEN RE EARL C. BERGER (OPEN IN WHOLE)	1	2/13/1984	B6	726

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]
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THE WHITE HOUSE

WASHINGTON

February 9, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Department of Justice Prosecution of Alleged
Violations of the Gun Control Act of 1968

Craig Fuller has asked for our views on a letter to Mr. Meese from Burkett Van Kirk, a Washington attorney. Van Kirk suggested in his letter that the prosecution of [REDACTED] for violations of the Gun Control Act of 1968 by the U.S. Attorney for the Middle District of Florida violated Administration policy. According to Van Kirk, [REDACTED] a collector of valuable guns, is being prosecuted for minor technical violations of the recordkeeping provisions of the Gun Control Act, because [REDACTED] refused to cooperate with the U.S. Attorney's investigation of public corruption. Van Kirk quotes from a 1982 letter from Meese to Senator Thurmond to the effect that it is not Administration policy "to search for minor technical infractions by otherwise law-abiding sportsmen, collectors, and dealers instead of concentrating on firearms violations by criminals." *bl*

I contacted Jay Stephens for more information. Stephens advises that the [REDACTED] case is in trial at this point, and that the prosecution was reviewed at the Department. Stephens indicated that [REDACTED] was not viewed by the Department as the model citizen [REDACTED] attorney describes [REDACTED] to be. *bl*

I recommend advising Fuller that any White House intervention would be inappropriate, and sending a letter over your signature to Van Kirk noting that we will not intervene. The incoming and a copy of our reply should be sent to Justice.

Attachment

THE WHITE HOUSE

WASHINGTON

February 9, 1984

MEMORANDUM FOR CRAIG L. FULLER
ASSISTANT TO THE PRESIDENT
FOR CABINET AFFAIRS

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Department of Justice Prosecution of Alleged
Violations of the Gun Control Act of 1968

You have asked for our views on a letter to Mr. Meese from
Burkett Van Kirk, concerning the criminal prosecution of
[REDACTED] was indicted last September by a
Federal grand jury for violations of the Gun Control Act of
1968. Mr. Van Kirk suggested in his letter that the pro-
secution of [REDACTED] was inconsistent with Administration
policy concerning prosecutions under the Gun Control Act.

We have discussed the matter with the Department of Justice,
and have confirmed that the matter was reviewed at the
Department. The [REDACTED] case is currently in trial, and it
would be inappropriate for the White House to intervene in
any way. I have prepared a reply to Mr. Van Kirk advising
him that we adhere to the policy of not interfering with the
prosecution of particular criminal cases, and referring his
letter to the Department. Unless you object, I will send
the letter.

Attachment
FFF:JGR:aea 2/9/84
cc: FFFielding/JGRoberts/Subj/Chron

COPY - Reagan Presidential Record

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THE WHITE HOUSE

WASHINGTON

February 9, 1984

MEMORANDUM FOR DIANNA G. HOLLAND

FROM:

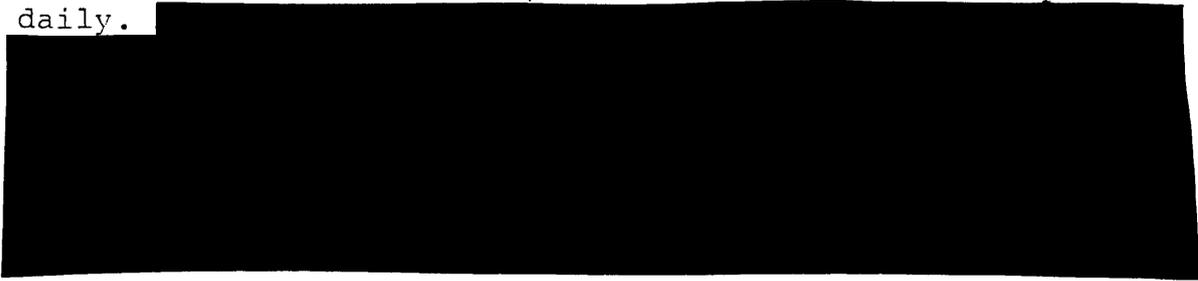
JOHN G. ROBERTS *JGR*

SUBJECT:

Appointment of Nackey Scripps Loeb to
the Architectural and Transportation
Barriers Compliance Board

I have reviewed the Personal Data Statement submitted by Nackey Scripps Loeb in connection with her prospective appointment to the Architectural and Transportation Barriers Compliance Board. This Board monitors compliance with Federal rules governing access for the handicapped, and investigates alternative approaches to architectural, transportation, and attitudinal barriers that impede the mobility of the handicapped. The President is authorized to appoint eleven members of the general public to the Board by 29 U.S.C. § 792(a)(1)(A). That provision specifies that five of the eleven "shall be handicapped individuals."

Mrs. Loeb, who is handicapped, is the President and Publisher of The Union Leader, the controversial New Hampshire daily.



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THE WHITE HOUSE

WASHINGTON

February 9, 1984

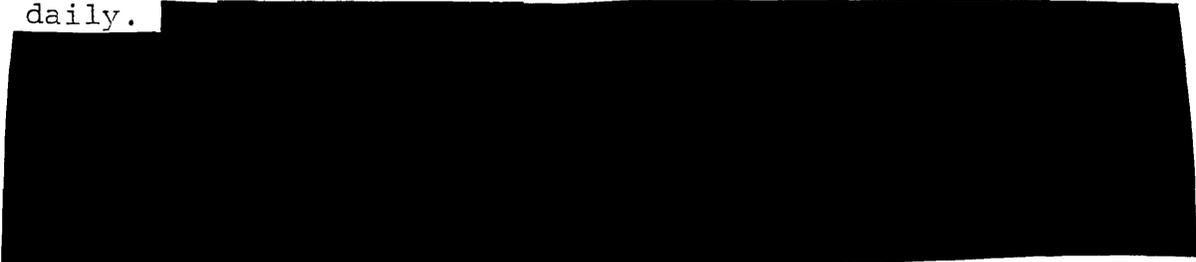
MEMORANDUM FOR DIANNA G. HOLLAND

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Appointment of Nackey Scripps Loeb to
the Architectural and Transportation
Barriers Compliance Board

I have reviewed the Personal Data Statement submitted by Nackey Scripps Loeb in connection with her prospective appointment to the Architectural and Transportation Barriers Compliance Board. This Board monitors compliance with Federal rules governing access for the handicapped, and investigates alternative approaches to architectural, transportation, and attitudinal barriers that impede the mobility of the handicapped. The President is authorized to appoint eleven members of the general public to the Board by 29 U.S.C. § 792(a)(1)(A). That provision specifies that five of the eleven "shall be handicapped individuals."

Mrs. Loeb, who is handicapped, is the President and Publisher of The Union Leader, the controversial New Hampshire daily.



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THE WHITE HOUSE
WASHINGTON

February 10, 1984

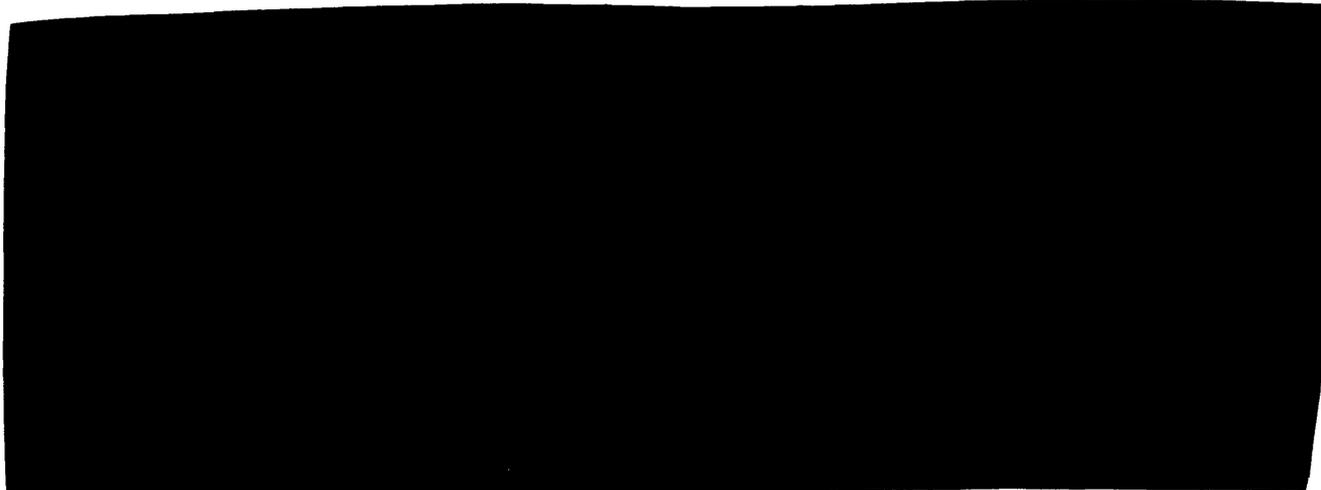
MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Appointments of Paula L. Brown and Donald V. Seibert to the President's Advisory Committee on Women's Business Ownership

By Executive Order 12426 (June 22, 1983) the President is authorized to appoint no more than 15 members to the President's Advisory Committee on Women's Business Ownership, which is to review the status of businesses owned by women, foster private sector support for women entrepreneurs, and advise the President and the Small Business Administration ("SBA") on these issues. Members "shall have particular knowledge and expertise concerning the current status of businesses owned by women in the economy and methods by which these enterprises might be encouraged to expand."

Paula Brown (a.k.a. Paula Winningham) is the President of P.L. Brown Associates, an industrial management consulting firm. Her firm receives direct assistance from the SBA, one of the entities this Commission is to advise. I do not view this as a disabling conflict, however, in light of the very general advisory responsibilities of the Commission. (I might feel differently if the Commission's role were specifically to review the SBA, but that is not the case.)



bl

UFR - Reagan Presidential Record

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THE WHITE HOUSE
WASHINGTON

February 13, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Earl C. Berger

Earl C. Berger, a California attorney, has written several brief letters to Craig Fuller, threatening to place a lien on the White House to satisfy what he considers to be an outstanding judgment against the United States. Fuller has not responded. Berger was the lead attorney in the successful class action brought against the United States by certain public school teachers, March v. United States, 506 F. 2d 1306 (D.C. Cir. 1974). Berger contends that the United States has not complied with the Court of Appeals instructions on remand, both as to payments owed the teachers and attorneys fees owed him.

In fact, according to Ted Grossman, the Justice Department attorney handling the case, [REDACTED]

[REDACTED] The litigation has been largely resolved, consistent with the Court of Appeals opinion. This week Grossman intends to go into court seeking to vacate the judgment against the United States under Federal Rule of Civil Procedure 60(b), with the consent of the plaintiff class (now represented by counsel other than Berger). The basis for the motion will be that the judgment has been satisfied.

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[REDACTED]

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Since this matter is still technically an active case, I recommend referring Berger's letters to Justice for whatever reply the attorneys handling the case consider appropriate. A memorandum to Jensen accomplishing this is attached.

Attachment