

# WITHDRAWAL SHEET

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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

April 15, 1983

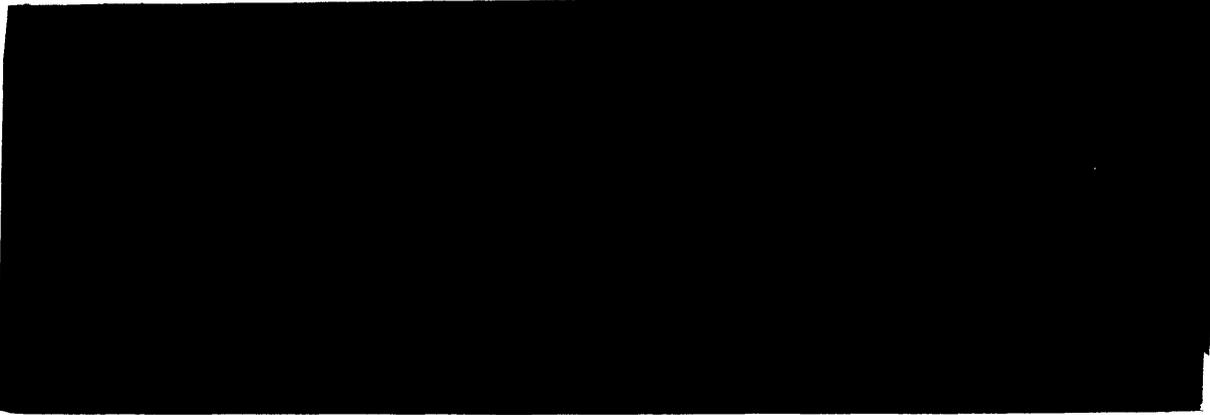
APPOINTMENT PROCESS PERSONAL INTERVIEW RECORD

DATE OF INTERVIEW: April 13 & 14, 1983 (by telephone)  
CANDIDATE: Paul I. Enns  
POSITION: Member, Federal Farm Credit Board  
INTERVIEWER: John G. Roberts *JGR*

Comments

Paul I. Enns is to be nominated for the Federal Farm Credit Board, pursuant to 12 U.S.C. § 2242(a). Under 12 U.S.C. § 2242(b), the President, in making appointments to the Board, is to have due regard to a fair representation of the public interest, the welfare of farmers and the types of institutions comprising the Farm Credit System, "with special consideration to persons who are experienced in cooperative agricultural credit, taking into consideration the lists of nominees proposed by the Farm Credit System." Enns is a farmer with a record of long service on the Eleventh District Farm Credit Board, and he advised that he was the nominee of the district pursuant to 12 U.S.C. § 2242(f). He thus easily satisfies 12 U.S.C. § 2242(b). Under 12 U.S.C. § 2242(c) nominees for the Board must have resided in the district from which they are appointed for at least ten years, and must not have been a salaried officer or employee of the Farm Credit Administration or institution of the Farm Credit System within one year preceding commencement of their term. Enns affirmed that he met these requirements.

Mr. Enns earns the bulk of his income from farming. 



b6

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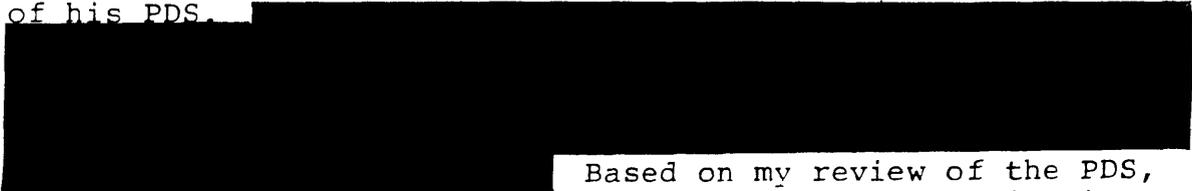
April 19, 1983

MEMORANDUM FOR DIANNA G. HOLLAND

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Appointment of Charles Clapp  
to the Tax Court

I have reviewed the PDS (not the financial forms) of Charles Clapp, who is to be nominated for the Tax Court. I telephoned Clapp on April 19, 1983, to clarify certain aspects of his PDS.

 b6  
Based on my review of the PDS, I see no objection to going forward with Clapp's nomination.

THE WHITE HOUSE

WASHINGTON

April 20, 1983

MEMORANDUM FOR THE FILE

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: [REDACTED] b6

On April 18, 1983 I returned a call [REDACTED] had placed to Fred Fielding, asking for advice on a potential conflict of interest. [REDACTED]

[REDACTED] told me that he was actively seeking insurance business with General Motors, and was concerned that the NHSAC might be reviewing the recall of G.M.'s K-cars and/or X-cars. I advised [REDACTED] that he should recuse himself from any such deliberations of the NHSAC, and that I would alert the appropriate individuals in the General Counsel's Office of the Department of Transportation to make a written record of this recusal. b6

I called Jim Burnley, General Counsel at DOT, and advised him of [REDACTED] situation. I recommended that Burnley's office contact [REDACTED] and prepare a written record of the recusal, with copies to the Office of Government Ethics. Burnley indicated that he would have his ethics expert contact [REDACTED] to do so. Burnley also indicated, however, that he doubted that NHSAC would be reviewing the K-car or X-car. b6

I called [REDACTED] and advised him that he would be hearing from Burnley's office, and that if NHSAC were reviewing G.M. automobiles a written record of [REDACTED] recusal should be prepared. b6

THE WHITE HOUSE  
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April 26, 1983

APPOINTMENT PROCESS PERSONAL INTERVIEW RECORD

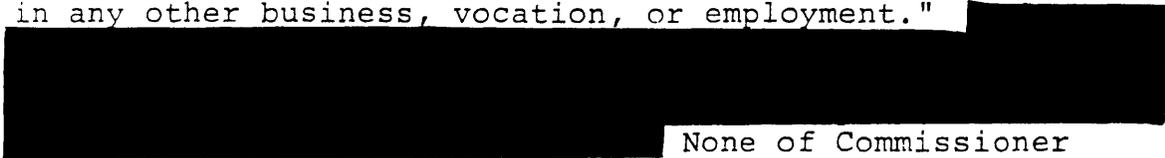
DATE OF INTERVIEW: April 26, 1983 (by telephone)  
CANDIDATE: John Warren McGarry  
POSITION: Commissioner, Federal Election Commission  
INTERVIEWER: John G. Roberts *JGR*

Comments

John Warren McGarry is currently a Democratic commissioner on the Federal Election Commission. His term expires April 30, 1983, although he will be able to holdover until his contemplated reappointment. 2 U.S.C. § 437c(a)(2)(B). Under 2 U.S.C. § 437c(a)(3) persons appointed to the FEC by the President "shall be individuals who, at the time appointed to the Commission, are not elected or appointed officers or employees in the executive, legislative, or judicial branch of the Federal Government." McGarry is, of course, an appointed officer, but I do not believe the quoted provision bars his reappointment. The purpose of the provision was to prevent individuals holding other government offices from simultaneously serving on the FEC. In addition, Sherrie Cooksey advises me that other commissioners have been reappointed.

Under 2 U.S.C. § 437c(a)(3), commissioners "shall not engage in any other business, vocation, or employment." 

b6

  
None of Commissioner McGarry's holdings appear to present a conflict with the duties of an FEC commissioner.

THE WHITE HOUSE  
WASHINGTON

April 28, 1983

APPOINTMENT PROCESS PERSONAL INTERVIEW RECORD

DATE OF INTERVIEW: April 27, 1983 (by telephone)  
CANDIDATE: Thomas A. Domencich  
POSITION: Member, Interstate Commerce Commission  
INTERVIEWER: John G. Roberts *JGR*

Comments

Mr. Domencich is to be appointed to the Interstate Commerce Commission. The ICC now has seven seats, and no more than four commissioners may be appointed from the same political party. P.L. 97-253, 96 Stat. 806, § 502. Mr. Domencich affirmed that he was an Independent, not registered with either party.

Under 49 U.S.C. § 10301(d) "a member of the Commission may not have a pecuniary interest in, hold an official relation to, or own stock in or bonds of, a carrier providing transportation by any mode and may not engage in another business, vocation, or employment."



Domencich also owns a retail store in Montpelier, Vermont. He affirmed that he would sell the store if the appointment went forward.

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