

# WITHDRAWAL SHEET

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[JGR/APPOINTEE CLEARANCES - 02/25/1984-04/17/1984]

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**FOIA**

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F05-139/01

COOK

14 KDB

Doc No	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
1	MEMO	J. ROBERTS MEMO FOR THE FILE (PARTIAL)	1	2/27/1984	B6	331
2	MEMO	ROBERTS TO DIANNA HOLLAND RE PAUL NITZE NOMINATION (PARTIAL)	1	3/2/1984	B6	332
3	MEMO	RE PAUL NITZE (PARTIAL BOTH PAGES)	2	3/1/1984	B6	333
4	MEMO	ROBERTS TO RICHARD HAUSER RE WESTON ADAMS (PARTIAL)	1	3/13/1984	B6	334
5	LETTER	RE WESTON ADAMS	2	7/19/1984	B6	335
6	MEMO	ROBERTS TO HOLLAND, RE: AMBASSADOR TO CONGO (PARTIAL)	1	3/16/1984	B6	1164
7	MEMO	ROBERTS TO FIELDING RE NATIONAL CANCER ADVISORY BOARD (P. 1 RELEASED, P. 2-3 PARTIAL)	3	4/17/1984	B6	790
8	LETTER	ARLEN SPECTOR TO REAGAN	1	3/22/1984	B6	337

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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9	LETTER	ARLEN SPECTOR TO FRED FIELDING 218848	1	3/23/1984	B6	336
10	MINUTES	RE 4/22/83 MEETING [DRAFT] (P. 1-2 RELEASED, P. 3-7 CLOSED, P. 8 PARTIAL)	8	5/2/1983	B6	338

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THE WHITE HOUSE  
WASHINGTON

February 27, 1984

MEMORANDUM FOR THE FILE

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: FBI Reports [REDACTED]

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This morning between 9:50 a.m. and 10:00 a.m. Senator Tower reviewed in his office, in my presence, the FBI summary memoranda on [REDACTED]

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b7c

COPY - Reagan Presidential Record

THE WHITE HOUSE

WASHINGTON

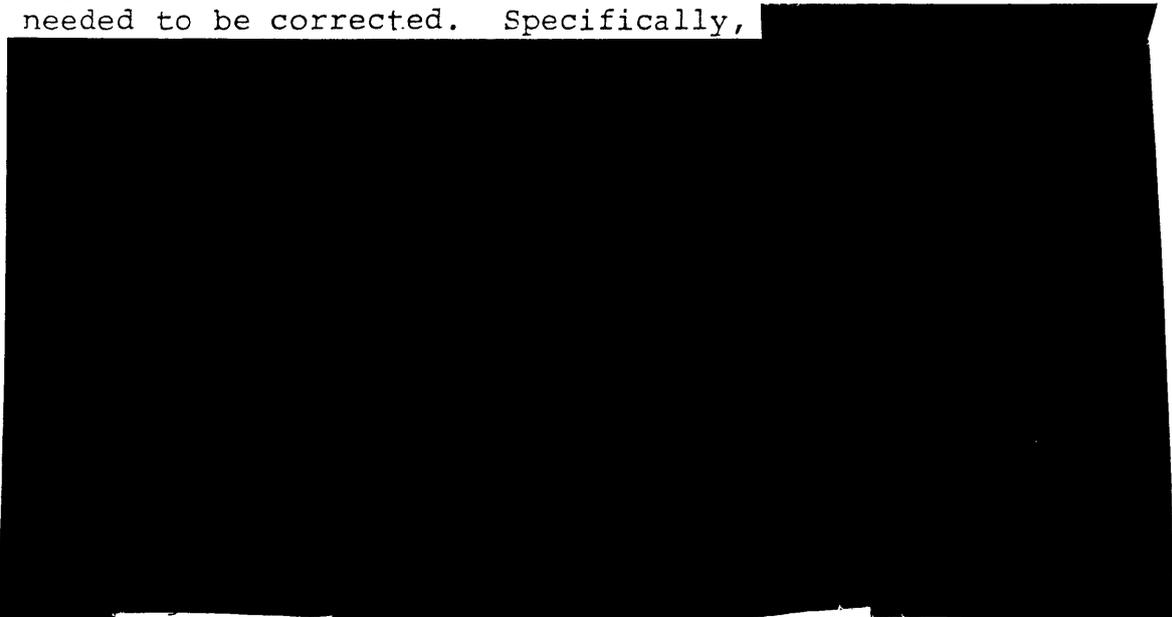
March 2, 1984

MEMORANDUM FOR DIANNA G. HOLLAND

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Nomination of Paul H. Nitze to the Rank of Ambassador

I have reviewed the SF-278 and related materials submitted by Paul H. Nitze in connection with his nomination to the Rank of Ambassador, and have no objection to proceeding with the nomination. I discussed the SF-278 with Walter L. Baumann, the Agency Ethics Official for ACDA, and determined that there were several technical flaws in the form that needed to be corrected. Specifically, 



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With respect to substantive conflicts of interest, I have no objections.

COPY - Reagan Presidential Record

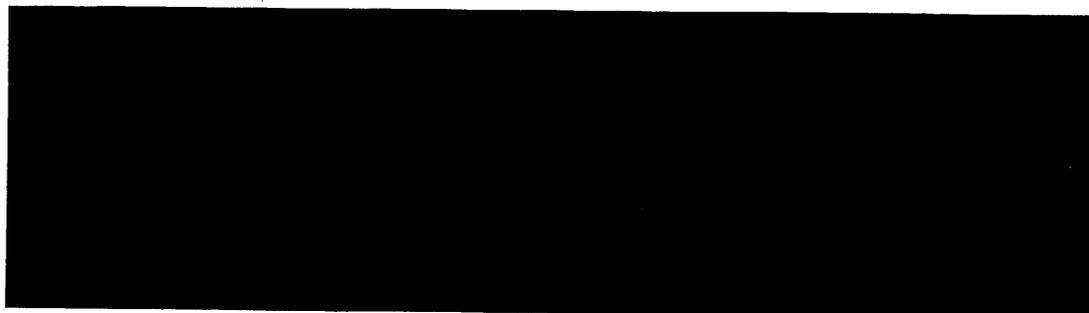
UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

March 1, 1984

MEMORANDUM

SUBJECT: Agency Ethics Official's Opinion on Financial Disclosure Report of Paul H. Nitze

In my capacity as the designated agency ethics official of the U.S. Arms Control and Disarmament Agency, I have reviewed the Financial Disclosure Report of Paul H. Nitze dated February 29, 1984 for the Executive Level IV position of Special Representative for Arms Control and Disarmament Negotiations with the rank of Ambassador. In addition, on March 1, 1984 I discussed the report with Mr. Nitze who informed me that:



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- (b) the entry "CSA Annuity" on page 2 of the Report refers to his Civil Service retirement annuity;
- (c) he believes that the securities held by Bedford Associates (a limited partnership listed on page 2 of the Report) are in the organizations identified as Acme Cleve., Avon, Butler International, Church & Dwight, Computer Consoles, E.I. duPont, 1st Tenn. National Corp., G.E., Peabody International, Russell Corp., Taft Broadcasting, and Warner Communications;
- (d) valuation method Option B ("value based upon a recent appraisal of the property interest") has been used throughout Schedule A of the Report for stocks and bonds rather than valuation method Option H ("... any recognized indication of value (such as last sale on a stock exchange)") because these values were taken from brokerage account statements;
- (e) his good faith estimate is that his interest in the Sea Knife limited partnership listed on page 2 of the Report has no current value;

- (f) he believes that the assets of the trust established for him by his father W.A. Nitze which is listed on page 2 of the Report are invested by the First National Bank of Chicago in units of two diversified funds, the First National Bank of Chicago Personal Trust Growth Equity Fund and the First National Bank of Chicago Personal Trust Tax Exempt Bond Fund;
- (g) he believes that the remainder unitrust for the benefit of Harvard University which is listed on page 2 of the report is invested in U.S. Treasury Notes; and



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Mr. Nitze also informed me that he would check further on the items which are expressed above as matters of belief, and would immediately provide corrected information if he found any discrepancies.

In my opinion, the information contained in Mr. Nitze's report as supplemented by the foregoing information discloses no conflict of interest under applicable laws and regulations.

Walter L. Baumann

THE WHITE HOUSE

WASHINGTON

March 13, 1984

MEMORANDUM FOR RICHARD A. HAUSER

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Nomination of Weston Adams to be  
Ambassador to Malawi

By memorandum dated October 4, 1983, I advised you that I had no objection to proceeding with Mr. Adams's nomination to be Ambassador to Lesotho. I noted, however, that Adams should be prepared to answer questions concerning his service on the Boards of Trustees of the American African Affairs Association and the James H. Hammond Academy. You requested more information on those two matters, which I provided by memorandum dated October 20, 1983.

[REDACTED]

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As you know, Lesotho is completely surrounded by South Africa and relations between the two nations are delicate. Adams is now to be nominated to be Ambassador to Malawi. Malawi is in the same region of Africa as Lesotho, but does not border on South Africa. Presumably it is felt that this makes a difference.

Adams's situation has not materially changed from when we initially cleared him, although his SF-278 has been updated.

[REDACTED]

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THE WHITE HOUSE

WASHINGTON

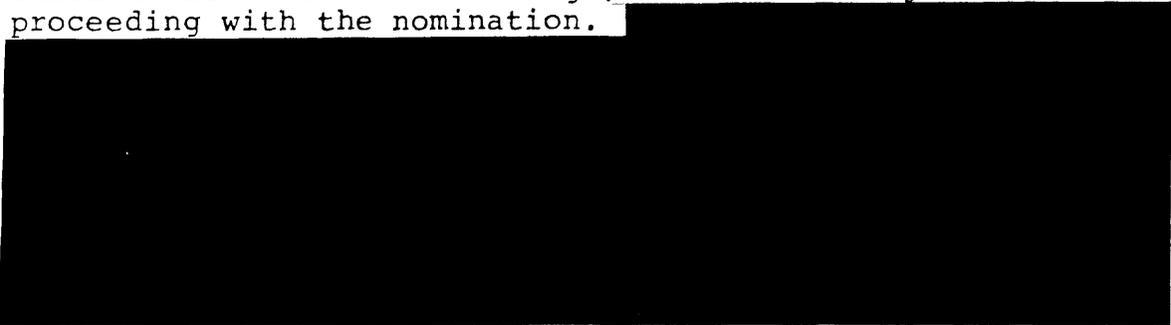
March 16, 1984

MEMORANDUM FOR DIANNA G. HOLLAND

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Nomination of Alan W. Lukens  
to be Ambassador to Congo

I have reviewed the SF-278 and related materials submitted by Alan W. Lukens in connection with his prospective nomination to be Ambassador to Congo, and have no objection to proceeding with the nomination.



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Attachment

THE WHITE HOUSE

WASHINGTON

April 17, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Appointments of David Korn, Louise C. Strong, Gertrude Elion, Helene Brown, and Reappointment of Roswell K. Boutwell as Members of the National Cancer Advisory Board

I have reviewed the Personal Data Statements submitted by the above-referenced prospective appointees to the National Cancer Advisory Board. The functions of the Board include reviewing the programs of the National Cancer Institute, collecting and disseminating information on cancer studies, and reviewing applications for grants for cancer research projects. 42 U.S.C. § 286b(b). The President is authorized to appoint 18 members to the Board, no more than 12 of whom may be scientists or physicians, no more than eight of whom may be representatives of the general public, and not less than five of whom shall be knowledgeable in environmental carcinogenesis. The scientists and physicians must be "among the leading scientific or medical authorities outstanding in the study, diagnosis, or treatment of cancer or in fields related thereto," and at least two of the physicians must be physicians primarily involved in treating cancer patients. Each Board member must be "especially qualified" to appraise the work of the National Cancer Institute. 42 U.S.C. § 286b(a) (1). Reappointments are specifically authorized by 42 U.S.C. § 286b(a) (2) (B).

In order to verify compliance with the arcane numerical requirements outlined above, I reviewed the PDS's of the six members appointed on June 12, 1982, in addition to those of the above-referenced prospective appointees, and obtained information concerning the six members appointed on May 14, 1980, from Katherine Reardon of HHS. Reardon handles advisory committees for the Secretary. Based on this review and information, it appears that we are presented with a legal "Catch-22" concerning compliance with the requirements of 42 U.S.C. § 286b(a) (1). Of the 12 members whose terms have not expired, there are eight scientists or physicians but no carcinogenesisists. We must, therefore, appoint five carcinogenesisists this time. To comply with the requirement that no more than 12 of the members be scientists or physicians, however, we can appoint no more than four scientists

- 2 -

or physicians. Since there is no such thing as a carcinogenesisist who is not a scientist, we are in a quandary. If we satisfy the carcinogenesis requirement, we will violate the scientist or physician cap. If we comply with the cap, we will violate the carcinogenesis requirement. This difficulty is the result of using up the scientist or physician slots in prior appointments on non-carcinogenesisists.

At Reardon's suggestion I contacted Dr. Vincent DeVita, the Director of the National Cancer Institute, who had reviewed the prospective appointees. DeVita recognized the apparent problem, but argued that the scientist or physician cap was not violated because Tim Lee Carter, M.D., appointed in 1982, should not be considered a physician but rather a lay member. Carter served in Congress from 1964-1980, and while he is a licensed physician he did not practice for 16 years and even now only sees an occasional patient. DeVita argued that there was precedent for such a functional rather than literal reading of the "scientist or physician" cap. According to DeVita, a physicist was carried on the Board in the past as a non-scientist, despite his doctorate, since his scientific expertise was entirely unrelated to the activities of the Board.

I am not particularly comfortable arguing that Tim Lee Carter, M.D., should not be considered a "physician," as that term is used in the statute. The argument is a colorable way out of a dilemma, however, and is no more troublesome than simply violating the carcinogenesis requirement by not appointing five carcinogenesisists or the physician cap by doing so. Accordingly, I recommend that we insist on the appointment of five carcinogenesisists, and argue that Carter is not a "scientist or physician" as those terms are used in the statute if anyone asserts we have violated the scientist or physician cap.

DeVita advises that Strong, Elion, Korn, and Boutwell satisfy the carcinogenesis requirement; Brown -- a general public representative -- does not. [REDACTED]

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[REDACTED] We should advise Presidential Personnel that whomever is appointed to this open seat must satisfy the carcinogenesis requirement. That will result in the required five carcinogenesisists serving on the Board.

A memorandum to Herrington is attached for your review and signature. The memorandum clears the above-referenced five individuals, [REDACTED]

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As noted, perhaps sending this memorandum will help force the issue.

Attachment

A special meeting of the Board of Managers of The Wistar Institute of Anatomy and Biology was held in the Institute's Auditorium on Friday, April 22, 1983 at 10:00 A.M. Mr. John W. Eckman, President, was in the chair.

There were present:

Mr. George Barnard	Mr. James Rees Hollihan	<u>Attendance</u>
Dr. Thomas Peter Bennett	Mr. Harris N. Hollin	
Mr. Frank G. Binswanger, Sr.	Mr. W. Thacher Longstreth	
Mr. Herbert W. Blades	Dr. Peter C. Nowell	
Mrs. T. Wistar Brown	Mrs. Faye Olivieri	
Joseph W. DuBarry IV, Esq.	Dr. Donald Vail Rhoads	
Mr. John T. Dorrance, Jr.	Mr. Gerald B. Rorer	
Mr. Robert A. Fox	Mr. E. Robert Thomas	

Dr. David R. Goddard

Also Present:

Dr. Carlo M. Croce

Dr. Hilary Koprowski

Mr. H. Donald Putney

There being a quorum present, Mr. Eckman opened the meeting by	<u>President's</u>
announcing the receipt of a check in the amount of \$50,000 from	<u>Remarks</u>
the estate of Joseph E. Frankel. Mr. Frankel was president of	
J. E. Frankel, Inc. a firm that is a large provider of glassware	<u>Joseph E.</u>
and plasticware to the Institute. Mr. Frankel, as was his custom,	<u>Frankel</u>
also gave a generous annual contribution to Wistar.	<u>Estate</u>

Mr. Eckman welcomed Mr. James Rees Hollihan to membership on the	<u>Mr. James</u>
Board as the president of the Friends of Wistar.	<u>Rees</u>

Hollihan

Mr. Eckman also noted that the following legal advisors were available for consultation.

Legal                   Representing Wistar Institute  
Counsel                Joseph W. Swain, Esq.  
                               Representing the Special Committee  
                               Edward W. Madiera, Esq.  
                               Representing Dr. Koprowski  
                               Lane Taylor, Jr., Esq.

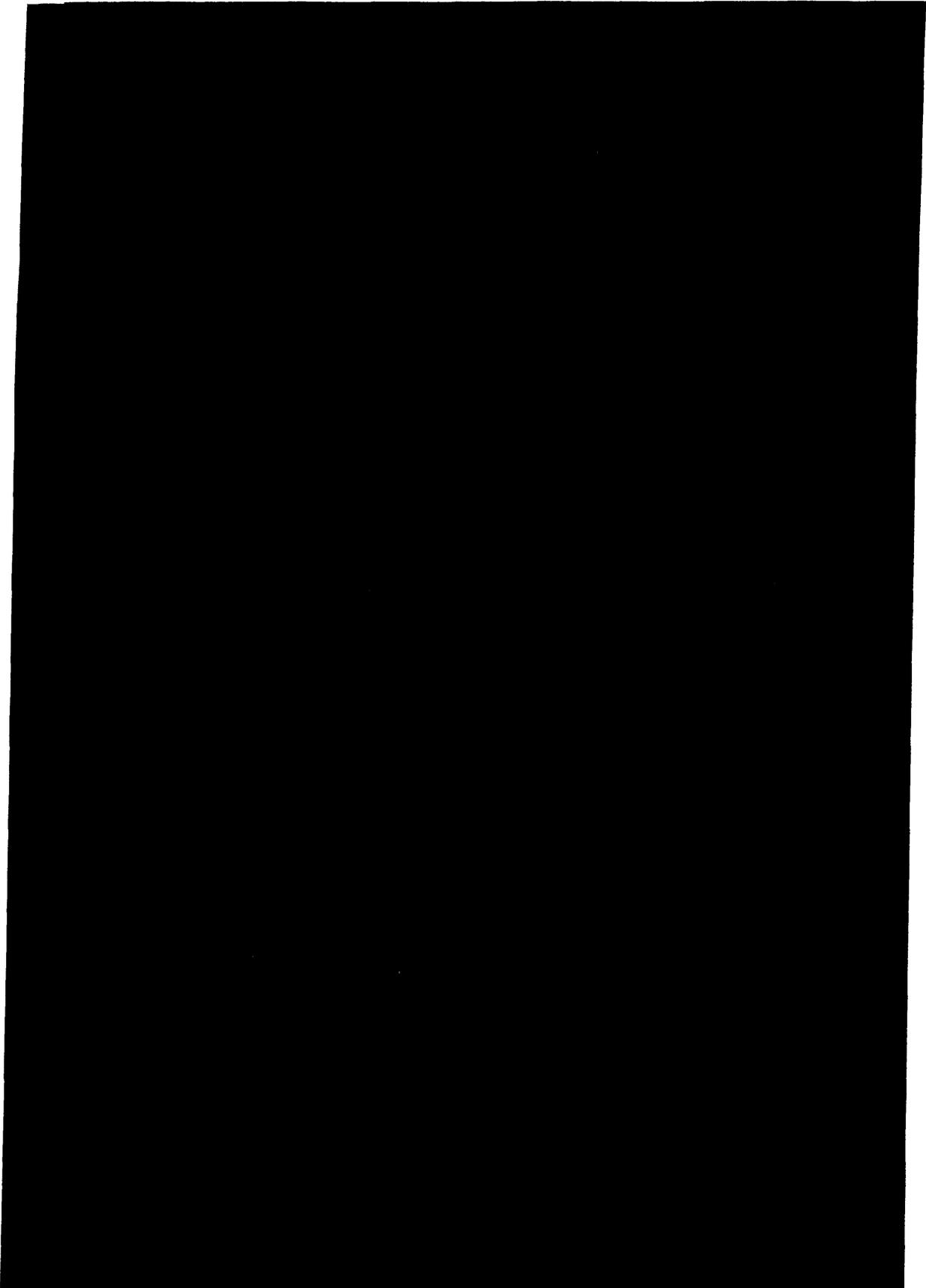
Minutes of            By motion duly made and seconded the minutes of the meetings  
Previous            of regular meeting of December 10, 1982; the special meeting of  
Meetings            January 6, 1983; the regular meeting of March 11, 1983 and the  
                               executive session of March 11, 1983 were approved as distributed by  
                               the Secretary with the proviso that the minutes of the meeting of the  
                               special meeting of January 6, 1983 be changed to read as follows:

Page 259 - First Paragraph beginning with the 6th line "on a  
 5-5 vote, the motion did not carry. Dr. Nowell abstained, referring  
 to his professional relationships with Wistar scientists" to be  
 changed to:

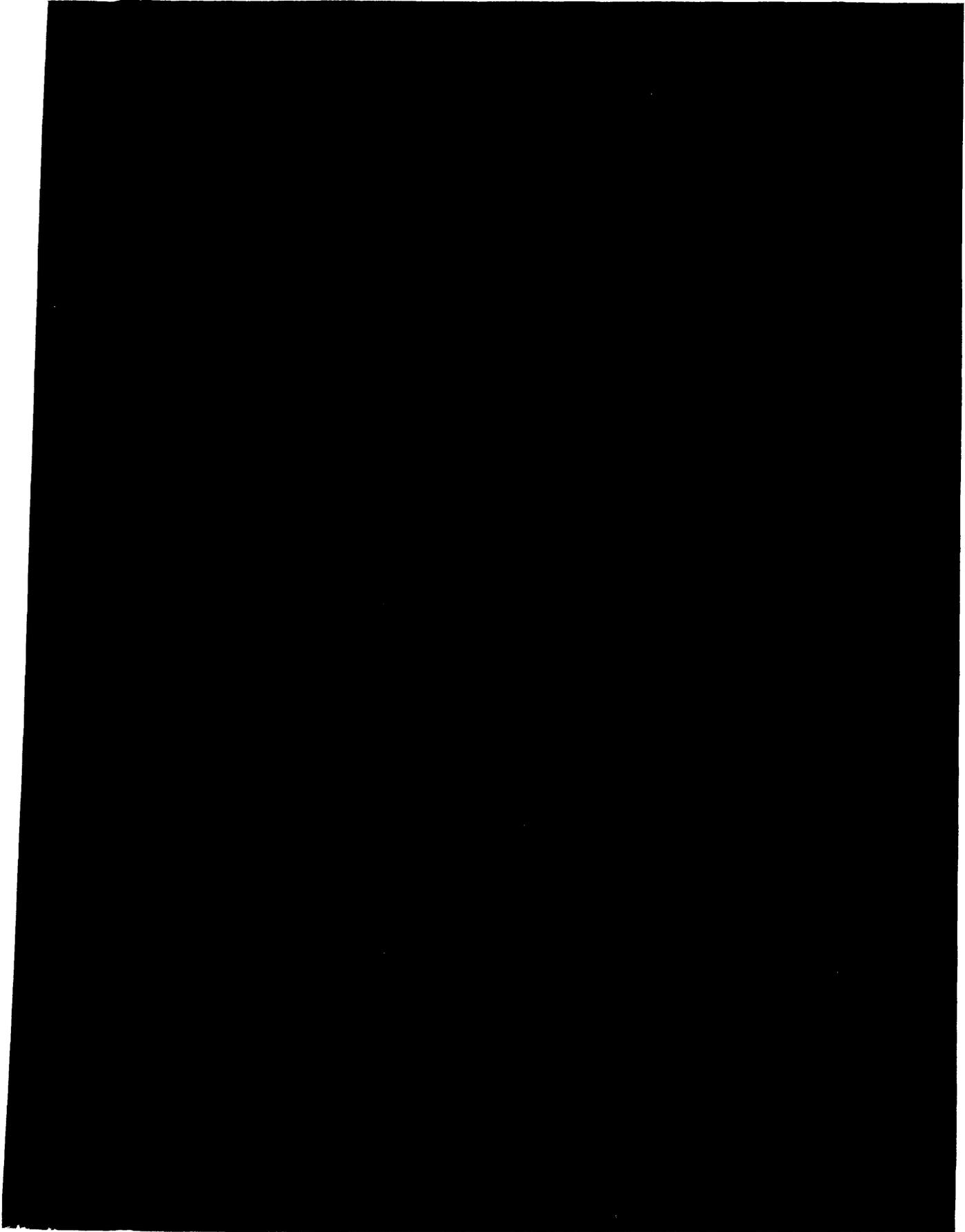
By vote, to accept Mr. Ravenscroft's duly seconded motion;  
 one member, Dr. Nowell, voiced his abstention; five members being  
 recorded as voting yea with five members voting nay, the other  
 members abstained from voting. The motion did not carry.

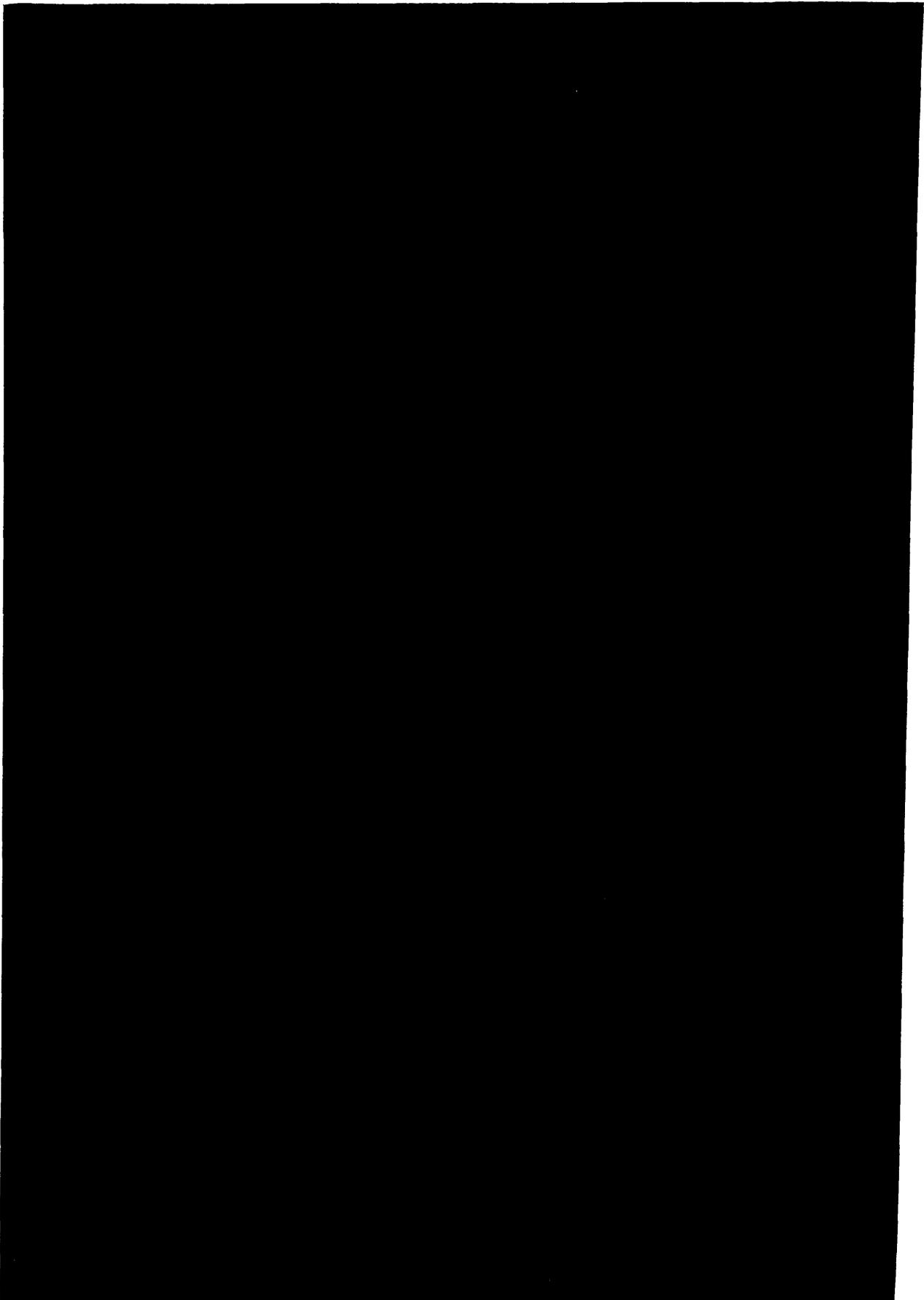
Report of            Mr. Eckman then asked Mrs. Brown, Chairwoman of the Special  
the                    Committee to present the report of the Special Committee. A copy of  
Special               that report dated April 22, 1983 is appended to and made a part of  
Committee           these minutes.

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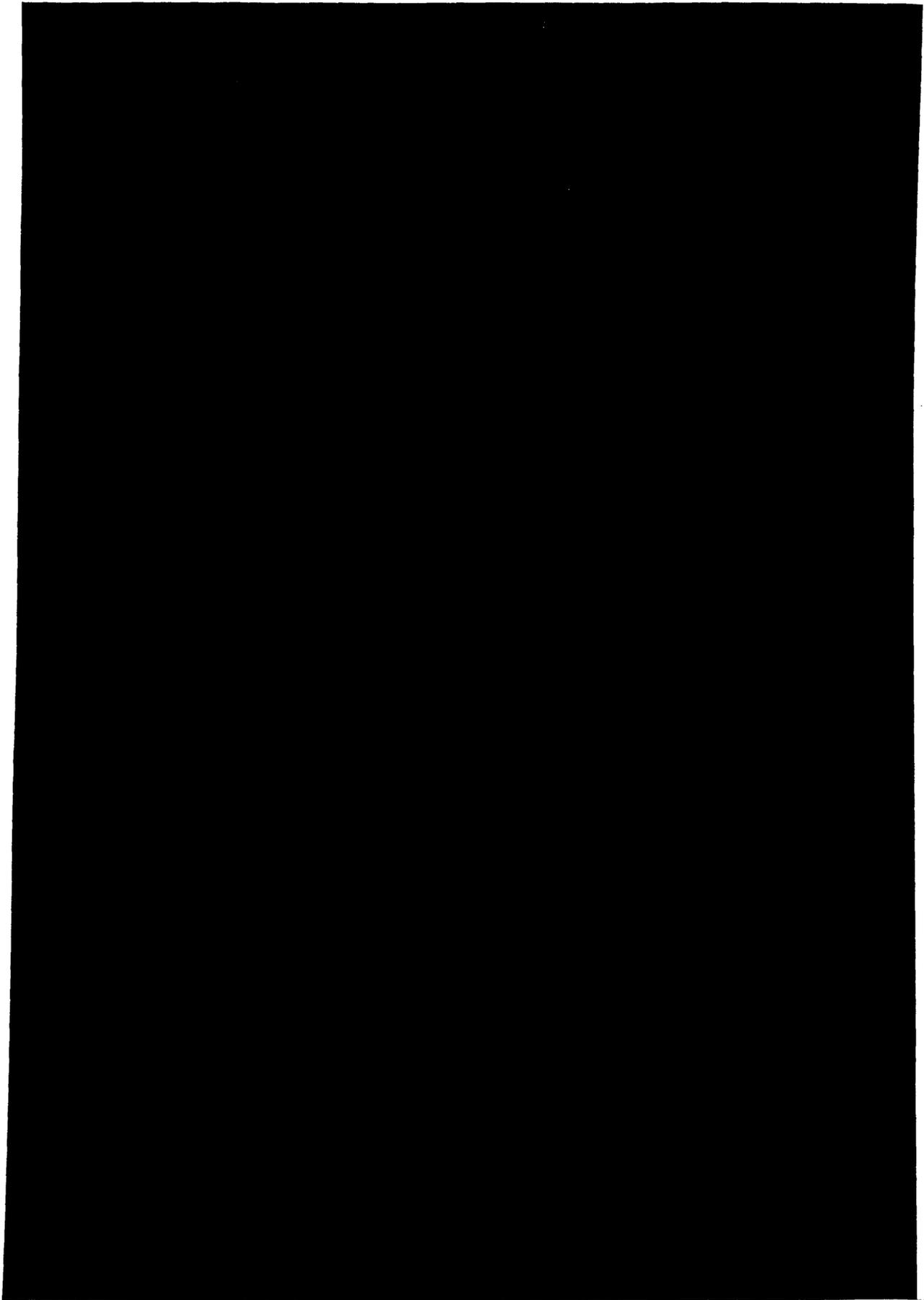
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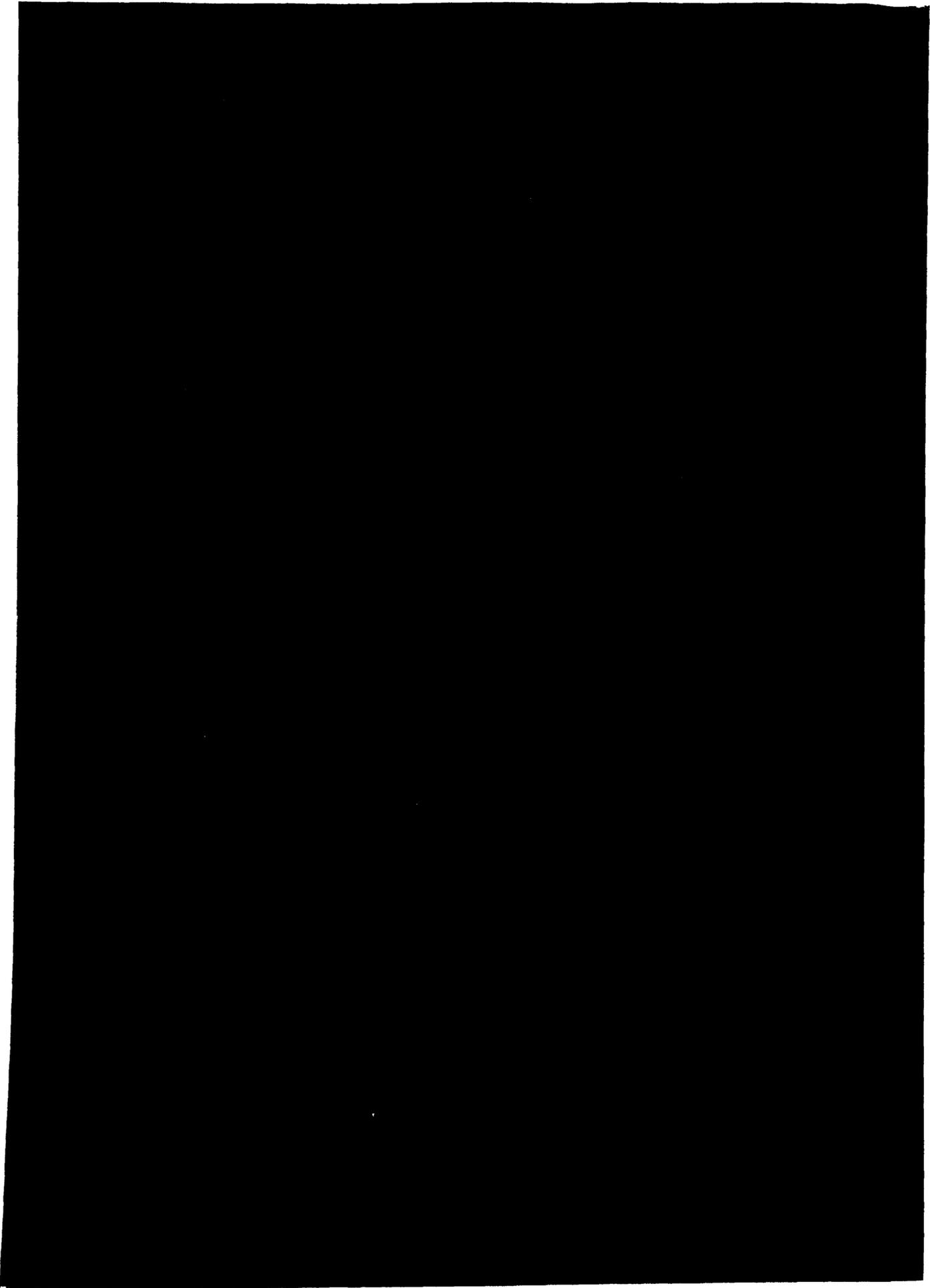




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Dr. Nowell remarked that he believed that the matter had been most amicably resolved.

There being no further business, the meeting adjourned at 11:15 A.M.

Respectfully submitted

Donald Vail Rhoades, M. D.  
Secretary

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