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1	MEMO	ROBERTS TO FIELDING RE RAILROAD RETIREMENT BOARD (PARTIAL)	1	2/3/1984	B6	677

COPY - Reagan Presidential Record

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

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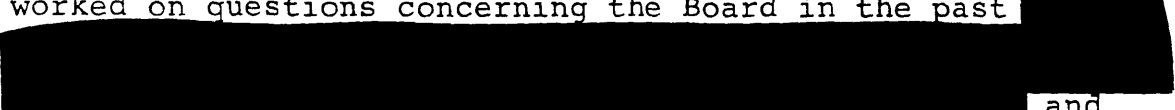
February 3, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Power of the President to Remove  
Members of the Railroad Retirement  
Board

Presidential Personnel has asked for an opinion from our office concerning the authority of the President to remove members of the Railroad Retirement Board ("the Board") from office, particularly those in a holdover status. I have worked on questions concerning the Board in the past

 and have begun to research this question. I send it over at this point only to alert you to the inquiry, and for formal staffing.

I would point out, however, that my preliminary view is that the President may not remove members of the Board, even those in a holdover status. The Board is an "independent agency" and appears to have quasi-judicial functions, see 45 U.S.C. § 231f. The members serve fixed five-year terms, and there is a statutory holdover provision. I will advise further when I have completed some additional research.

*b6*