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FOIA

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DOC NO	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
1	MEMO	ROBERTS TO HOLLAND RE NOMINATION FOR THE RANK OF AMBASSADOR (PARTIAL)	1	3/2/1984	B6	753
2	MEMO	ROBERTS TO FIELDING RE REMOVAL FROM PROMOTION LIST (PARTIAL)	4	3/2/1984	B6	754
3	MEMO	ROBERTS TO FIELDING RE ACADEMIC FINANCIAL SERVICES ASSOCIATION (PARTIAL)	1	3/5/1984	B6	755

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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THE WHITE HOUSE

WASHINGTON

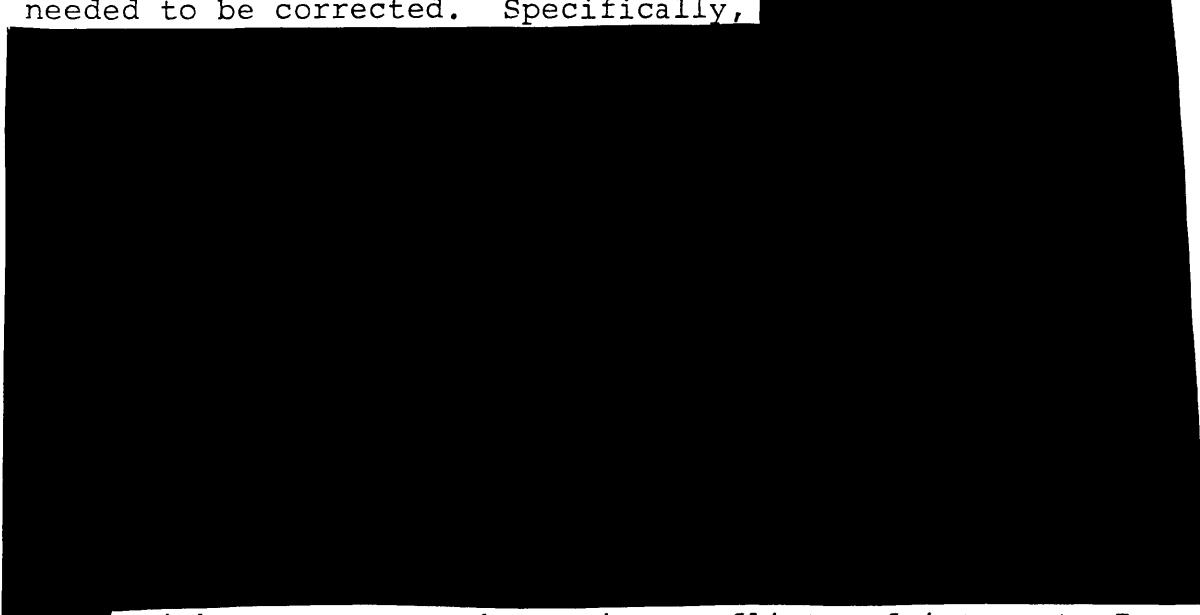
March 2, 1984

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.

THE WHITE HOUSE

WASHINGTON

March 2, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *OR*SUBJECT: Litigation Concerning Removal of [REDACTED] b6
[REDACTED] from Promotion List

On September 15, 1982, the President submitted a list of military promotions to the Senate. [REDACTED] name had been removed from the list by the President, upon the recommendation of the Department of Defense, as provided by 10 U.S.C. § 629. [REDACTED] filed suit challenging his removal, and the case is now in trial. Major Wayne Price, who is handling the case for the Army, has advised that he needs to prove that the President did in fact exercise his authority to remove [REDACTED] name from the promotion list.

The evidence of this removal is the President's signature on the nomination list, which does not contain [REDACTED] name. By memorandum dated August 26, 1982, Deputy Secretary of Defense Frank Carlucci submitted for the President's approval a list of 526 officers recommended for promotion (enclosure 1), the board reports on the promotions (enclosure 2), and a list of 12 officers recommended for removal from promotion lists (enclosure 3). Carlucci's memorandum stated "Your signature signifies approval of the board reports at Enclosure 2 and removal of the officers at Enclosure 3." As noted, the President signed the promotion list on September 15, 1982 -- thereby signifying his decision to remove [REDACTED] b6

Price would like the Executive Clerk to sign a statement that the packet from Carlucci -- the August 26 memorandum and three enclosures -- was submitted as a packet. Price has submitted a one-sentence certification to be signed by Ron Geisler, certifying that "the attached" -- the Carlucci memorandum and three enclosures -- is a true and exact copy of what was provided by Carlucci to the President.

I have no objections. The documents are not internal White House memoranda, and in fact are already in the possession of the plaintiff's counsel (obtained from Defense). Price feels that he needs to link the President's signature on the promotion list to [REDACTED] removal, which is accomplished by b6

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the Carlucci memorandum if it is also established that the removal papers were attached to the nomination list. The one-sentence certification establishes the latter fact. If you agree, I will have Geisler sign the certification on Monday.

Attachment

THE WHITE HOUSE

WASHINGTON

March 5, 1984

I hereby certify that the attached is a true and exact copy of documents provided to the President of the United States by the Deputy Secretary of Defense in August 1982, pertaining to the promotion and removal of certain officers of the United States Army, and the President's action thereon.

RONALD R. GEISLER
Executive Clerk



THE SECRETARY OF DEFENSE
WASHINGTON, THE DISTRICT OF COLUMBIA

26 AUG 1982

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Promotions

I recommend the nomination of 526 officers whose names appear at Enclosure 1 for promotion to the grades indicated in the United States Army.

I also recommend, in accordance with Title 10, United States Code, Section 629, the removal from promotion lists of the 12 officers whose names appear at Enclosure 3 for the reasons indicated.

Your signature signifies approval of the board reports at Enclosure 2 and removal of the officers at Enclosure 3.

The Secretary of the Army and Chief of Staff, United States Army, are in agreement with the nominations, board reports and removals.

Frank C. Carlucci
Deputy

Enclosures

THE WHITE HOUSE

WASHINGTON

March 5, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*SUBJECT: [REDACTED] Correspondence Concerning
Money His Daughter Owes to the Academic
Financial Services Association*b6*

[REDACTED] the father of [REDACTED] has "copied" us on a letter sent to Academic Financial Services Association, concerning [REDACTED] student loans. [REDACTED] states that his daughter is handicapped in both arms and legs, and requests "entitlement forms" from the Association. [REDACTED] also states that he sent some of the Association's previous "duns" to the President and Senators Denton and Heflin, whereupon they stopped.

b6

Our office is in no position to decipher [REDACTED] letter. I do not know if any Federal agency is, but the best place to start is the Department of Education. A memorandum referring the letter to Education's General Counsel is attached for your review and signature.

b6

Attachment