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DOC NO	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
1	MEMO	ROBERTS TO FRED FIELDING, RE: U.S. INSTITUTE OF PEACE (PARTIAL)	5	6/28/1985	B6	881

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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]
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- 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]
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THE WHITE HOUSE

WASHINGTON

June 28, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: U.S. Institute of Peace

The statute establishing the U.S. Institute of Peace, enacted on October 19, 1984, specified that the President should submit nominations to the Senate for the eleven non-Government members of the Institute Board of Directors by April 20, 1985. 22 U.S.C. § 4605(e)(3). The Office of Presidential Personnel submitted for clearance the names of ten prospective nominees on April 29, 1985, and the name of an eleventh nominee on May 2, 1985.

I began reviewing the statute and the prospective nominees, and in the course of my review was advised that the Administration was seeking to change the statute, including the provisions governing the composition of the Board. I wrote you a memorandum dated May 8, 1985 (copy attached), detailing the requirements of the current law, and the effort to change it. I prepared for your signature a memorandum for Robert Tuttle, advising him not to await passage of the Administration's proposed changes, and also advising him that we must have a list of those who would be filling the four ex officio slots, since under current law the bipartisanship requirement applies to all members of the Board, not simply the non-Government nominees. See 22 U.S.C. § 4605(c). The memorandum noted that, given the current list of non-Government nominees (six Republicans and five Democrats), only two of the four ex officio members could be Republicans. This memorandum was signed on your behalf by Mr. Hauser and sent on May 8 (copy attached). Dianna called Presidential Personnel several times to follow up.

I called Tuttle's office yesterday and Nancy Perot returned my call. I described the various problems with this Board to her. After checking she replied that (1) they were working on the ex officio members, and hoped to have names early next week, (2) they were aware that no more than two of the ex officio members could be Republicans (and that no more than three could be Democrats), and (3) the two non-Government members who have not returned forms (Wendy Borchardt and Allan Weinstein) have been contacted and will return forms as soon as possible.

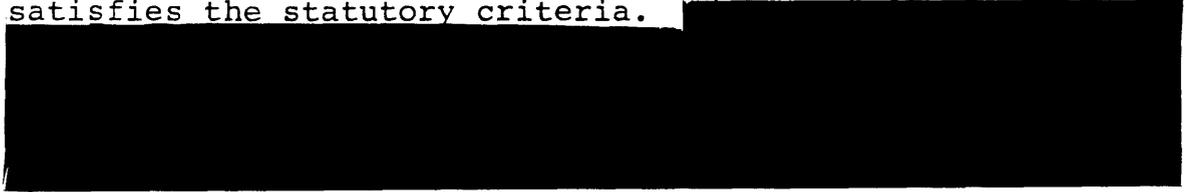
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Nine of the eleven non-Government members have returned forms. These members are to "have appropriate practical or academic experience in peace and conflict resolution efforts of the United States." 22 U.S.C. § 4605(d)(1).

1. W. Bruce Weinrod, a Republican, is Director of Foreign Policy and Defense Studies at the Heritage Foundation. He has a masters degree in international relations and a law degree. He was until recently Legislative Director and Counsel to Senator Heinz. He satisfies the statutory criteria, and his PDS reveals no problems.

2. Dennis Laistner Bark, a Republican, is a Senior Fellow at the Hoover Institution, with a doctorate in history and political science. He has written extensively on east-west relations. He satisfies the statutory criteria, and his PDS reveals no problems.

3. Richard John Neuhaus, a Democrat, is a prominent Lutheran theologian, currently serving as Director of the Rockford Institute Center on Religion and Society. He is active in international affairs and state-church issues. he satisfies the statutory criteria.



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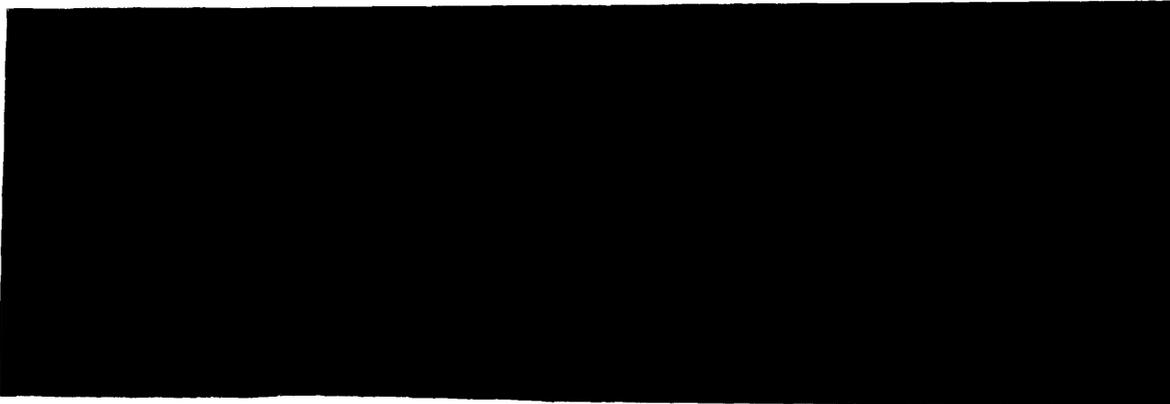
4. Sidney Lovett, a Democrat, is Senior Minister of the First Church of Christ in West Hartford, Connecticut. He has a bachelor's degree from Yale and a masters from the Union Theological Seminary. Though not as prominent an academic theologian as Neuhaus, Lovett's 30 years as a minister, with leadership positions in the Church of Christ, would appear to satisfy the statutory criteria. His PDS reveals no problems.

5. William Roscoe Kinter, a Republican, is Professor of Political Science at the University of Pennsylvania. He is affiliated with numerous foreign affairs study groups, serving on the boards of several. He satisfies the statutory criteria, and his PDS reveals no problems.

6. Martin Colman, a Democrat, is in the retail fashion business in Beverly Hills. His principal qualification for this Board is his role as Chairman of the Human Rights and Security Committee, which sponsored and secured passage of "Proposition A" in Los Angeles County in June of 1984. The Committee had no purpose beyond Proposition A, and is now largely defunct. Proposition A directed the Board of

Supervisors to tell the leaders of the United States and the Soviet Union that:

The risk of nuclear war between the United States and the Soviet Union can be reduced if all people have the ability to express their opinions freely and without fear on world issues including their nations' arms policies; therefore, the people of Los Angeles County urge all nations that signed the Helsinki International Accords on Human Rights to observe the Accords' provisions of freedom of speech, religion, press, assembly and emigration for all their citizens.



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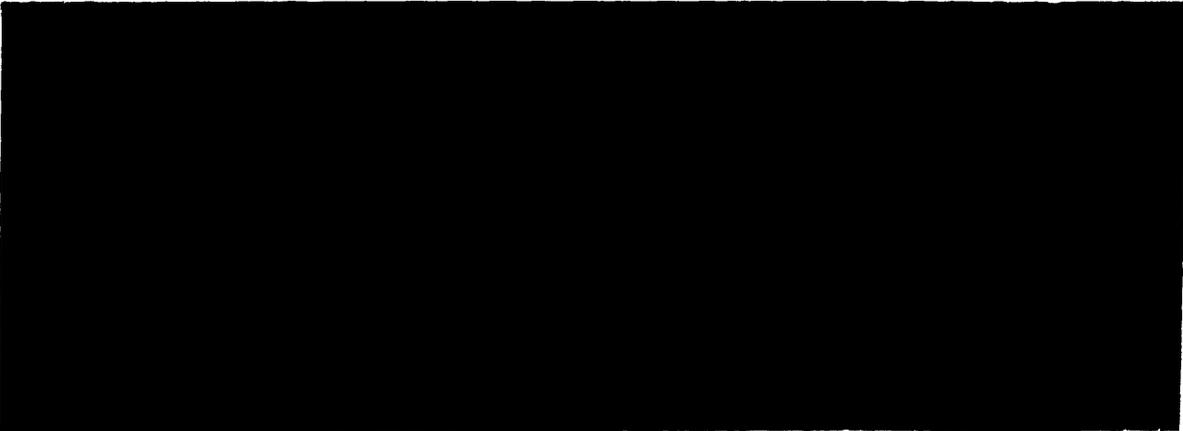
7. Evron Kirkpatrick, the husband of Jeanne Kirkpatrick, is President of the Helen Dwight Reid Educational Foundation and a resident scholar at the American Enterprise Institute. He holds a doctorate from Yale. He is still a registered Democrat, not yet having followed his spouse into the G.O.P. He also serves on an advisory committee to U.S.I.A. The position is unpaid, and I do not think his service on such a purely advisory committee makes him an officer or employee of the United States Government whose appointment would be barred by 22 U.S.C. § 4605(d)(2). He satisfies the statutory criteria, and his PDS reveals no problems, 

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8. W. Scott Thompson, a Republican, is Professor of International Politics at the Fletcher School. A former Rhodes Scholar and White House Fellow, he was until February of 1984 Associate Director at U.S.I.A. He has been active in the Committee on the Present Danger and Americans for An Effective Presidency. His education and experience satisfy the statutory criteria.

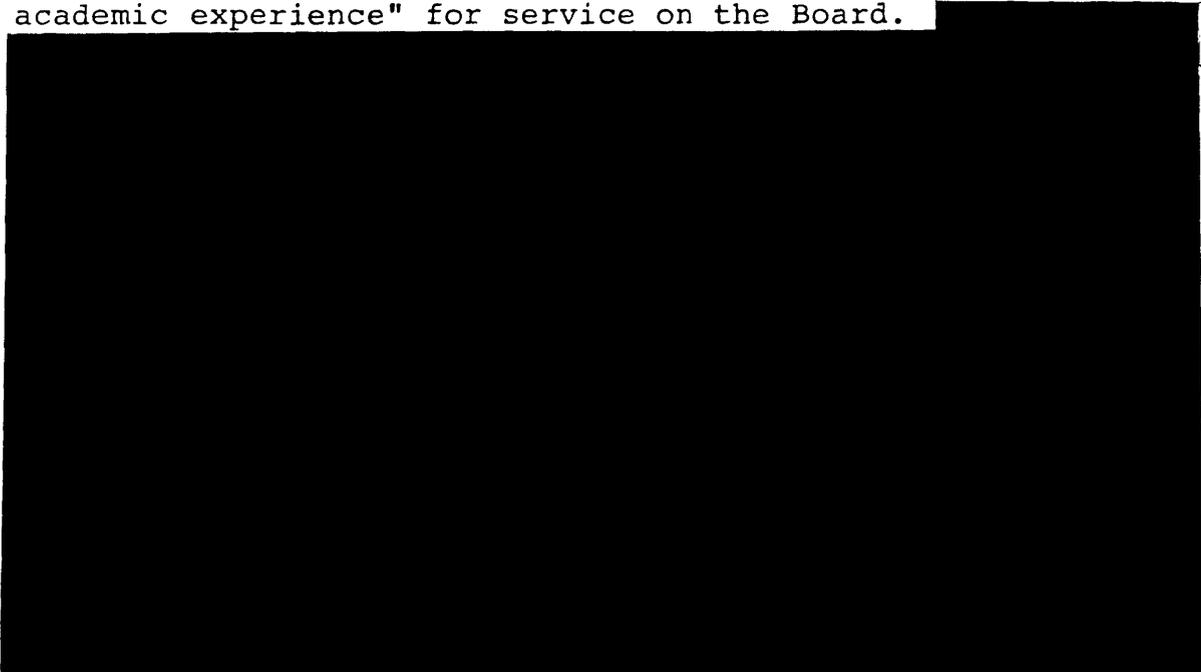
Thompson currently serves as a consultant to the Department of Defense one day per week. He advised me that this arrangement was only temporary, for the summer, and that he

was willing to terminate it if necessary. Thompson is a consultant to numerous clients, and I do not think he can be characterized as an "employee" of the United States Government by virtue of this temporary arrangement, any more than a private attorney would be a Government employee if he represented an agency on a retainer. The issue is closer than that described with respect to Mr. Kirkpatrick, however, but Thompson has offered to end the arrangement if anyone (such as a Senator on the confirmation committee) objects, so I do not view it as a bar to nomination. In any event, the consultancy is for the summer only, and I think the leaves will be turning before this Board is confirmed and begins work.



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9. John Norton Moore, a Republican, is a widely-respected law professor at the University of Virginia, and a recognized authority on international law. There is no question that he is qualified by virtue of "practical or academic experience" for service on the Board.



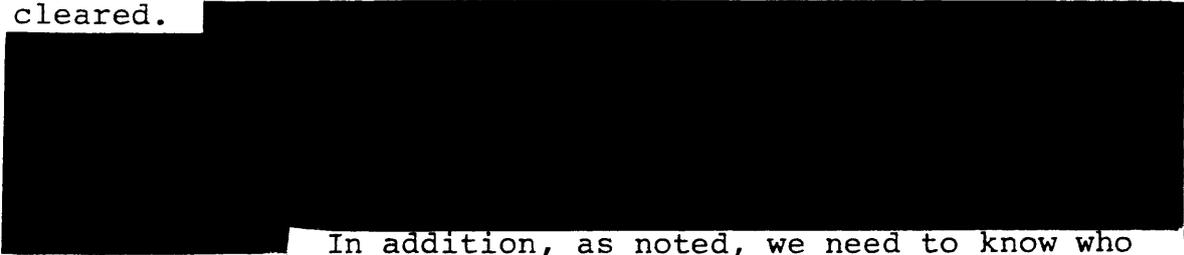
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resurface if Professor Moore is again retained by the State Department for a significant period on a full-time basis.

10. Allen Weinstein, a Democrat: no forms.

11. Wendy Borchardt, a Republican: no forms.

We have not yet received FBI background investigation reports on any of these individuals, so they cannot be cleared.



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In addition, as noted, we need to know who the ex officio members are before clearing the entire Board.