

# WITHDRAWAL SHEET

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JGR/NAVAL RESERVE PROGRAM

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DOC NO	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
1	MEMO	ROBERTS TO FRED FIELDING RE COMPLAINT CONCERNING NAVAL RESERVE PROGRAM (PARTIAL)	1	5/4/1983	B6	1251

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.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 4, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Complaint Concerning Naval Reserve Program

Attorney [REDACTED] has been retained by [REDACTED] to represent the interests of [REDACTED] in challenging certain practices of the Naval Reserve System. (The relationship between [REDACTED] and [REDACTED] is unclear.) [REDACTED] objects at length to the practice whereby paid naval reservists are given the option after several years in the reserve of shifting to a non-pay status and preserving accrued, non-vested retirement benefits or leaving the reserve and forfeiting the non-vested benefits. [REDACTED] legal arguments against the practice -- based on equitable estoppel, age discrimination, augmentation of appropriations, equal protection, and even the Thirteenth Amendment -- are not persuasive but neither are they entirely frivolous. [REDACTED] requests immediate reinstatement of [REDACTED] client to a pay billet, with a thinly-veiled threat in the penultimate paragraph of [REDACTED] letter to challenge the practice on a Department-wide basis if this is not done. [REDACTED] notes that efforts to resolve the matter "informally with the Navy Department" have been unproductive. *b6*

I recommend simply referring the matter to Will Taft for appropriate action, with a brief letter to [REDACTED] advising [REDACTED] of this disposition. Our office certainly should not get involved in such a specific matter at such a preliminary stage. *b6*

Attachments

COPY - Reagan Presidential Record

*NAVAL  
JGR  
Fred*