

Originally Processed With FOIA(s):
1998-0004-F[1]

FOIA Number:
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FOIA MARKER

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Record Group/Collection: George H.W. Bush Presidential Records
Collection/Office of Origin: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files

OA/ID Number: 29164
Folder ID Number: 29164-004

Folder Title:
Personnel (1 of 2) (1990) [1]: Boards and Commissions [1]

Stack:	Row:	Section:	Shelf:	Position:
G	15	25	3	2

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01. Memo	From Steve Rademaker to POTUS Re: Confirmation of Administrator of the Panama Canal Commission (2 pp.)	8/9/90	P 2 , P 5	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1]:
Boards and Commissions [1]

Open on Expiration of PRA
(Document Follows)
By JP (NLGB) on 12/12/07

Date Closed:	12/10/2004	OA/ID Number:	29164-004
FOIA/SYS Case #:	1998-0004-F[1]	Appeal Case #:	
Re-review Case #:	2005-0426-S	Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

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(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

THE CHIEF of STAFF
has seen AUG 15 1990

THE PRESIDENT HAS SEEN

THE WHITE HOUSE
WASHINGTON
August 9, 1990

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mutual to
15 - Gator
90 AUG 10 PM 2:02
AM 8-13

INFORMATION

MEMORANDUM FOR THE PRESIDENT

THROUGH:

BOYDEN GRAY, Counsel to the President
FREDERICK D. MCCLURE, Assistant to the President
for Legislative Affairs

FROM:

Steve Rademaker, Associate Counsel to the President
Brian Waidmann, Special Assistant for
Legislative Affairs

SUBJECT:

Confirmation of Gilberto Guardia, Nominated to be
Administrator of the Panama Canal Commission

I. SUMMARY

You nominated Gilberto Guardia of Panama to be Administrator of the Panama Canal Commission. Senator Jesse Helms (R-NC) is blocking Senate confirmation of Mr. Guardia. There are unprecedented circumstances surrounding this nomination and Senate confirmation. Failure to confirm Mr. Guardia would raise questions about U.S. compliance with the Panama Canal Treaties and could adversely affect U.S. relations with Panama. Already Panama's President Guillermo Endara has expressed concern that Mr. Guardia has not been confirmed.

This memo briefs you on this nomination, and what is being done to win Senate confirmation. At this point, other than to be informed, there is no need for you to take action.

II. DISCUSSION

The Panama Canal Treaties and subsequent implementing legislation established a Panama Canal Commission to oversee Canal operations. This commission is an agency of the United States Government through 1999. From 1979 to 1989, a U.S. citizen was the Canal's Administrator. After 1989, the Administrator is to be a Panamanian citizen nominated by the President of the United States and confirmed by the U.S. Senate. The Administrator is an officer of the United States, and therefore is constitutionally required to take an oath to support the laws and Constitution of the United States.

You nominated Mr. Guardia on April 20, 1990. So far as we are aware, Mr. Guardia is the first foreign national ever nominated to head a U.S. agency. Mr. Guardia is highly qualified for the post. Even Senator Helms says he is the best man for the job.

The Senate Armed Services Committee unanimously approved Mr. Guardia's nomination. Confirmation by the full Senate is blocked by Senator Helms because of a dispute over the oath of office Mr. Guardia is to take when he assumes office. Senator Helms strongly believes that Mr. Guardia must swear to uphold the Constitution and laws of the United States. Administration lawyers agree. Mr. Guardia is prepared to do so, but he believes that the oath of office should also state his intent to uphold the Constitution and laws of Panama. Senator Helms has no objection to his doing so, provided the oath makes clear that in the event of a conflict between the laws of the two countries, Mr. Guardia would follow U.S. law. Mr. Guardia says it is politically impossible for him to commit to this. Efforts to reach a compromise so far have failed.

Frankly, the inherent conflict created by a foreign national heading a U.S. agency was not addressed nor resolved when the Panama Canal Treaties were negotiated.

Until now, this nomination had been handled directly by the Panama Canal Commission. To overcome the impasse and to win confirmation, we have pulled together a team representing the White House, the Departments of State, Justice and Defense, the Panama Canal Commission and the NSC. The team's present view is that this matter can be resolved.

This is an important issue to Senator Helms. It is also a sensitive matter within Panama. Panamanian President Endara has told officials from the Defense and State Departments that he is concerned about the delay in confirming Mr. Guardia. There is concern that opposition parties within Panama could make this an issue. U.S. Ambassador to Panama Deane Hinton believes that failure to confirm Mr. Guardia will place significant strains on our relationship with the Panamanian Government.

We will be in direct contact with Mr. Guardia to assure him of our continued support for his nomination and our desire to win Senate confirmation. We will ask if his schedule permits him to come to Washington to consult with the legal team working on this issue. We will also negotiate with Senator Helms and other Senate leaders. Our goal is to resolve this matter so that Mr. Guardia can be confirmed soon after the Senate reconvenes September 10th.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02. Memo	From Chase Untermeyer to John Sununu Re: Vacancies on Independent Regulatory Commissions (8 pp.)	2/15/90	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1]:
Boards and Commissions [1]

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Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
03. Memo	From Michael Boskin to John Sununu Re: Appointment to the FTC (1 pp.)	4/5/89	P2 , P 3	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1]:
Boards and Commissions [1]

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(Document Follows)
By JL (NLGB) on 12/12/07

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THE CHAIRMAN OF THE
COUNCIL OF ECONOMIC ADVISERS
WASHINGTON

April 5, 1989

MEMORANDUM FOR THE HONORABLE JOHN H. SUNUNU
CHIEF OF STAFF TO THE PRESIDENT

FROM: MICHAEL J. BOSKIN *mjb*
SUBJECT: Appointment of Margot Machol to the FTC

I am writing to urge that the President retain Margot Machol, a recent recess appointee, as a Commissioner of the FTC. She was nominated after the election. I would think this makes her unique among the Reagan recess appointees, most of whom were nominated many months before the election. I understand her appointment was cleared with the Bush team.

Margot was the Special Assistant to my predecessor at the Council, Beryl Sprinkel, who, you may recall, was an early and prominent Bush supporter. Beryl not only campaigned around the country for the President, but also provided him with a stream of useful economic information during the campaign (such as on the capital gains tax cut proposal) and Margot played an integral role in that process. As you may know, Beryl is trying hard to secure Margot's reappointment.

Margot has done an outstanding job in the four months she has been at the FTC. She shares my philosophy on anti-trust matters, is smart, hard working and collegial. She is also the only economics/business person on the FTC. Having someone with a strong economics background is a proud tradition there, and one which I personally would not want to see ended by our Administration.

I think this is an important matter, otherwise I would not be taking your time.

cc: Chase Untermeyer
Boyden Gray
Bob Estrada

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
04. Memo	From Brian Waidmann to John Sununu Re: Recess appointment (4 pp.)	1/17/90	P/2, P/5	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1];
Boards and Commissions [1]

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January 17, 1990

MEMORANDUM FOR JOHN H. SUNUNU

THROUGH: Frederick D. McClure 
FROM: Brian Waidmann,  Special Assistant for Legislative Affairs
SUBJECT: Recess appointment for Margot Machol

Fred McClure asked you to raise in your meeting with Senator Lugar today the issue of a recess appointment for Margot Machol to the Commodity Futures Trading Commission. Presidential Personnel recommends the appointment because her nomination is stalled in the Senate. She is a victim of unfounded concerns that she is unqualified. Senator Lugar is delaying committee action and objects to a recess appointment.

The issue is whether the threat of a recess appointment will get Senator Lugar to commit to getting within 30 days a favorable hearing and vote. If Senator Lugar does not commit, is the recess appointment made? Without a recess appointment, this nomination may be dead.

It is important to point out that the CFTC currently has a quorum. Thus, the larger principle to be resolved is whether recess appointments to commissions should be used when they are not needed to establish quorums even though they may be the only means available to implement Presidential appointments.

Fred McClure asked me to prepare the following background memo and talking points for today's meeting.

BACKGROUND

Margot Machol's attached resume shows that she has the requisite political, regulatory, academic and substantive experience for the CFTC. She also has heavyweight supporters in Janet Steiger, Jim Miller, Beryl Sprinkel, David Bates and Roger Porter.

Yet Senator Lugar, ranking Republican on the Agriculture Committee, has delayed her confirmation. He says the CFTC -- which he helped create -- faces a crisis requiring strong commissioners. He criticizes recent CFTC actions that have hurt American farmers, particularly the collapse this summer of the soybean market. He indirectly says Ms. Machol is not the right person for the job in part because she does not come from the futures industry. He believes that he was not properly consulted before she was nominated.

Also, Senator Lugar through his staff has indirectly expressed support for another candidate whom he'd hoped might someday be chairman.

Senator Lugar has not fairly handled this nomination. Senator Lugar did not recommend a candidate for the CFTC post until after she was nominated. Though Senator Lugar says he was not consulted, Ms. Machol's nomination was cleared with his committee staff -- as all Agriculture nominees are -- before it was submitted in September. Since then, Senator Lugar has been unavailable to meet with Ms. Machol, has not asked Ms. Machol nor White House staff to address any concerns he may have and has not sought a hearing let alone approval by the committee or the full Senate. Because of Senator Lugar's views, we have not pressed Committee Chairman Leahy to schedule committee consideration of the nomination.

Senator Lugar has said he is too involved with the CFTC Reauthorization bill to work on the Machol nomination. But at precisely the time when Senator Lugar could not meet with Ms. Machol, the President's Republican nominee, the Senate Agriculture Committee, with the approval of Senator Lugar, approved the nomination of William Albrecht, a Democrat sitting commissioner of the CFTC.

In fairness, Senator Lugar is not the sole source of Ms. Machol's problems. She has been the victim of anonymous allegations that she is unqualified (only one group has opposed her). In fact, these untrue allegations may have prompted an amendment included in the House version of the CFTC bill calling on the President to appoint qualified persons to the CFTC. Also, Senator Leahy before the nomination was submitted, expressed doubts about her qualifications.

As a result of Senator Lugar's delay and the likelihood that she would not be confirmed, Presidential Personnel recommends a recess appointment. In checking with Senator Lugar, he says that would be unwise. Without a recess appointment, her nomination appears dead.

Thus, the issue is whether Senator Lugar can be encouraged not to delay the nomination further. If he does not, is the recess appointment made?

Attached are talking points and a copy of Ms. Machol's resume.

TALKING POINTS FOR MEETING WITH SENATOR LUGAR

SUBJECT: RECESS APPOINTMENT FOR MARGOT MACHOL TO THE CFTC

- Senator Lugar, one issue we are going to resolve around here in the next day or so is a recess appointment for Margot Machol. I understand you have concerns about the nomination and about a recess appointment. Is that true?
- From our perspective, Margot is qualified. She has the necessary regulatory, academic, political, and government experience. She has been a commissioner at the Federal Trade Commission the past year. The chairman there -- you know her -- Janet Steiger says she was a great commissioner...a hardworking, tough regulator. Others say she is superb...including former OMB Director Jim Miller, and CEA Chairman Beryl Sprinkel.
- We don't like recess appointments. But if a recess appointment is the only means to get into office people the President has nominated, we have to consider it. What's your view...is it possible to get a commitment for a favorable hearing and vote within 30 days?

The Honorable Margot E. Machol

- Nominated by President Bush to be a Commissioner of the Commodity Futures Trading Commission for a term expiring April 13, 1994.
- Received both an MBA (1976) in finance, marketing and public management and a BA (1970) from Northwestern University.
- Appointed by President Reagan in November 1988 to be a Commissioner of the Federal Trade Commission, where she set agency policy in the regulation and enforcement of mergers and consumer fraud.
- Led the FTC's efforts to increase daily civil penalties for violating pre-merger filing laws from \$10,000 to \$100,000.
- Served as staff director of the Council of Economic Advisers, coordinating economic policy advice to the President and senior White House staff.
- As Special Assistant to the Under Secretary of the Treasury for Monetary Affairs, gained extensive experience in government securities and foreign exchange markets.
- Was a member of the Treasury financing group, which determined the size and composition of market borrowing; a member of the Yen-Dollar Committee, which negotiated with the Japanese to open their financial markets; and a member of the team which designed and marketed the first foreign targeted Treasury bonds.
- Spent four years working in the Congress, first for the House Banking Committee, then as the Chief LA to Rep. Marc L. Marks (R-PA).
- Grew up in the Midwest, is married, and has two young sons.
- Is the 73rd woman nominated by President Bush this year, breaking the previous record for the most women nominated by any President in one year.

THE WHITE HOUSE
WASHINGTON

Date: 11/21/89

TO: THE CHIEF OF STAFF

FROM: JAMES W. CICCONI
Assistant to the President and
Deputy to the Chief of Staff

**The attached has been forwarded
to the President.**

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
05. Memo	From Roger Porter to POTUS Re: Civil Rights Commission Reauthorization w/note from Jim Cicconi to POTUS Re Nominees for Civil Rights Commission [FOIA RESTRICTIONS REDACTED] (1 pp.)	11/20/89	P/2 , P/5 , (b)(6)	

Collection:

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THE WHITE HOUSE

WASHINGTON

1989 NOV 20 PM 1:44
November 20, 1989

MEMORANDUM FOR THE PRESIDENT

FROM: ROGER B. PORTER *RBP*
SUBJECT: Civil Rights Commission Reauthorization

Last Thursday, the Senate passed by voice vote a 22-month reauthorization of the Civil Rights Commission. On Friday, November 17, the House agreed to the Senate version by vote of 389-0. The bill will be transmitted for your signature shortly.

The bill, as passed, is a simple reauthorization with no changes in the Commission structure or in its authority, powers or duties. This was the option you selected, although we would have preferred a six year extension rather than one through the end of fiscal year 1991. Nonetheless, we are pleased that the life of Commission has been extended and will not require further debate next session.

The terms of two of the four Presidential appointees to the Commission expire November 30, 1989. This provides us with an opportunity through these appointments to rebuild public confidence in the Commission and its work.

cc: Governor Sununu
Frederick D. McClure

MR. PRESIDENT:

Regarding the Commission vacancies mentioned in the last paragraph above, Chase will recommend



jc

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
06a. Memo	From Andy Card to John Sununu Re: Kennedy Center position (1 pp.)	11/10/89	P 2 , P 5	

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THE WHITE HOUSE
WASHINGTON

DATE: November 10, 1989

TO: Governor Sununu

FROM: ANDY CARD

7 Per Susan Porter Rose, "Mrs. Bush has simply not gotten into this at all."

(Senator Kennedy had talked to Mrs. Bush before the Kennedy Center change.)

Susan Porter Rose is positive that Mrs. Bush has no "dog in the hunt."

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
06b. Note	Re: Kennedy Center position (1 pp.)	n.d.	P/2 , P/5	

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Series: Sununu, John, Files
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WHORM Cat.:
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(Document Follows)
By JP (NLGB) on 12/12/07

Date Closed: 12/10/2004	OA/ID Number: 29164-004
FOIA/SYS Case #: 1998-0004-F[1]	Appeal Case #:
Re-review Case #: 2005-0426-S	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
AR Disposition Date:	MR Disposition Date:

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P-3 Release would violate a Federal statute [(a)(3) of the PRA]
- P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

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)(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

Kennedy Center

Kennedy wants

^{James} ~~John~~ Wolfson ^{insan} -
at Carnegie Hall.
Strong Dem.

Does Mrs. Bush etc.
have a name

per HHS
11/9/89

check w/ SPR if Mrs. B has name.

per SPR "Mrs. B has simply not gotten into this
at all."

(Sen. Kennedy had talked to Mrs. B before the K-Center
SPR is positive that Mrs. B. has no "dog in the hunt." change.)

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
07. Note	Re: FERC Chairman candidate (1 pp.)	n.d.	P/2, P/5	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1];
Boards and Commissions [1]

Open on Expiration of PRA
(Document Follows)
By JP (NLGB) on 12/12/07

Date Closed:	12/10/2004	OA/ID Number:	29164-004
FOIA/SYS Case #:	1998-0004-F[1]	Appeal Case #:	
Re-review Case #:	2005-0426-S	Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

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C. Closed in accordance with restrictions contained in donor's deed of gift.

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The President must have a Chairman whose loyalty, beliefs, and dependability are unquestioned. The FERC Chairmanship is highly ~~a~~ political appointment - and easily lost control of.

Suggested ideal situation: Nominate Martin Allday, who was recently confirmed by Senate Energy and Natural Resources Committee as Department of Interior Solicitor. Nominate for Charles Stalon's seat and appoint Chairman later.

Pro

- . Absolutely loyal to President
- . Shares President's beliefs/goals
- . Recently nominated so no lengthy FBI clearance process
- . Recently confirmed by SENR Committee - same FERC committee
- . Mature, stable individual

Con

- . From Midland, Texas as is Commissioner Langdon BUT there are also two Commissioners from Washington, DC (Trabandt and Moler)
- . Martin Allday, Jr. works at FERC BUT could easily be transferred elsewhere

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
08. chart	Comments on members of a commission (1 pp.)	n.d.	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1];
Boards and Commissions [1]

Date Closed:	12/10/2004	OA/ID Number:	29164-004
FOIA/SYS Case #:	1998-0004-F[1]	Appeal Case #:	
Re-review Case #:	2005-0426-S	Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

RESTRICTION CODES

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Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
09. Memo	From William Bennett to John Sununu Re: U.S. Sentencing Commission-- Part-time status (1 pp.)	6/27/89	P 2 , P 5	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1]:
Boards and Commissions [1]

Open on Expiration of PRA
(Document Follows)
By JF (NLGB) on 12/12/07

Date Closed:	12/10/2004	OA/ID Number:	29164-004
FOIA/SYS Case #:	1998-0004-F[1]	Appeal Case #:	
Re-review Case #:	2005-0426-S	Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

RESTRICTION CODES

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

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OFFICE OF NATIONAL DRUG CONTROL POLICY
EXECUTIVE OFFICE OF THE PRESIDENT
Washington, D.C. 20500

JUN 27 1989

MEMORANDUM FOR JOHN H. SUNUNU
CHIEF OF STAFF TO THE PRESIDENT

RICHARD G. DARMAN
DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET

FROM: WILLIAM J. BENNETT *WJB*
DIRECTOR

SUBJECT: U.S. Sentencing Commission -- Part-time Status

I have been advised that the House Judiciary Committee and the House Appropriations Committee are currently considering a proposal to convert the U.S. Sentencing Commission to a part-time agency. I believe this action, were it to become law, would compromise the ability of the Commission to ensure that federal sentences are consistent and accurately reflect the seriousness of the underlying offense. Accordingly, I urge that the Administration take strong steps to oppose this action.

Conversion to part-time status would, I believe, undermine the President's law and order initiatives, especially with respect to drugs and violent firearms offenses. It would be inappropriate to convert the Commission to a part-time agency before it has considered further modifications and/or extensions to the Sentencing Guidelines in drug and drug-related crime cases.

Accordingly, I urge that the Administration take appropriate steps to ensure that the Commission does not become a part-time agency. To do otherwise would undercut a crucial component of the President's commitment to fighting the war on drugs.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
10. Memo	From Chase Untermeyer to POTUS Re: Personnel Selection - Roosevelt Campobello International Park Commission (1 pp.)	6/26/89	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1]:
Boards and Commissions [1]

Date Closed:	12/10/2004	OA/ID Number:	29164-004
FOIA/SYS Case #:	1998-0004-F[1]	Appeal Case #:	
Re-review Case #:	2005-0426-S	Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

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financial information [(a)(4) of the PRA]
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personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of
gift.

PRM. Removed as a personal record misfile.

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

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personal privacy [(b)(6) of the FOIA]
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purposes [(b)(7) of the FOIA]
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financial institutions [(b)(8) of the FOIA]
(b)(9) Release would disclose geological or geophysical information

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
11. Memo	From Chase Untermeyer to John Sununu Re: Personnel (1 pp.)	5/30/89	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1]:
Boards and Commissions [1]

Date Closed:	12/10/2004	OA/ID Number:	29164-004
FOIA/SYS Case #:	1998-0004-F[1]	Appeal Case #:	
Re-review Case #:	2005-0426-S	Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

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Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
12a. Memorandum	From Michael Boskin to John Sununu Re: Federal Reserve Board of Governors Appointments, page 1 (1 pp.)	7/7/89	P/2 , P/5	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1]:
Boards and Commissions [1]

Open on Expiration of PRA
(Document Follows)
By JF (NLGB) on 12/12/07

Date Closed:	12/10/2004	OA/ID Number:	29164-004
FOIA/SYS Case #:	1998-0004-F[1]	Appeal Case #:	
Re-review Case #:	2005-0426-S	Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

RESTRICTION CODES

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THE CHAIRMAN OF THE
COUNCIL OF ECONOMIC ADVISERS
WASHINGTON

July 7, 1989

MEMORANDUM FOR GOVERNOR JOHN H. SUNUNU
CHIEF OF STAFF

FROM: MICHAEL J. BOSKIN *mb*

SUBJECT: Federal Reserve Board of Governors Appointments

The Federal Reserve Board of Governors, via its control of monetary policy, greatly influences the economy, especially the paths of inflation and economic growth. Strong economic growth throughout the Bush Administration--at least on average--will make virtually every other resource constraint decision much easier to make, from accords on the budget deficit to delivering on our kinder and gentler initiatives without gutting defense. Allowing a severe inflation to take hold would ultimately cause a substantial disruption of the economy when the FED finally decides to disinflate from high levels. Therefore, in considering appointments to the Board of Governors, it is important that the prospective Governor be as concerned about sustained economic growth as about inflation, but that he or she have some credibility on the inflation front. If the FED is believed by the financial markets to be reluctant to control inflation, inflationary expectations will rise, causing interest rates to rise.

It is particularly important that concern with economic growth be given high priority since the district bank presidents--5 of 12 of whom are voting members of the FED's primary policy setting committee--generally are hawks on inflation much less concerned with growth. Some have been very vocal in their desire to reduce inflation to zero rapidly, even if that causes a substantial recession.

President Bush will have an opportunity throughout his first term, and hopefully, in a second term to shape the Federal Reserve Board for years to come. Appointments to the seven member Board of Governors are for fourteen years for full term, with one expiring every even numbered year on January 31. Appointments are to the unexpired portion of a term if it becomes vacant before completion. For example, the appointment to Robert Heller's seat is through January 31, 1996. Therefore, I believe it is imperative not only that we appoint quality people whose views are compatible with our own, most especially the strong desire for sustained noninflationary economic growth, but that we think in terms of a potential or contingent sequence of appointments.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
12b. Memorandum	From Michael Boskin to John Sununu Re: Federal Reserve Board of Governors Appointments, pages 2-3 (2 pp.)	7/7/89	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1]:
Boards and Commissions [1]

Date Closed:	12/10/2004	OA/ID Number:	29164-004
FOIA/SYS Case #:	1998-0004-F[1]	Appeal Case #:	
Re-review Case #:	2005-0426-S	Appeal Disposition:	
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Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
13. List	Candidates for NLRB (1 pp.)	n.d.	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1]:
Boards and Commissions [1]

Date Closed: 12/10/2004	OA/ID Number: 29164-004
FOIA/SYS Case #: 1998-0004-F[1]	Appeal Case #:
Re-review Case #: 2005-0426-S	Appeal Disposition:
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Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
14a. Notes	For Meeting w/Governor John Sununu Friday, April 4, 1989, page 1 (1 pp.)	4/14/89	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1]:
Boards and Commissions [1]

Date Closed: 12/10/2004	OA/ID Number: 29164-004
FOIA/SYS Case #: 1998-0004-F[1]	Appeal Case #:
Re-review Case #: 2005-0426-S	Appeal Disposition:
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(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

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
14b. Notes	For Meeting w/Governor John Sununu Friday, April 4, 1989, page 2 (1 pp.)	4/14/89	P/2, P/5	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1];
Boards and Commissions [1]

Open on Expiration of PRA
(Document Follows)
By JF (NLGB) on 12/12/07

Date Closed: 12/10/2004	OA/ID Number: 29164-004
FOIA/SYS Case #: 1998-0004-F[1]	Appeal Case #:
Re-review Case #: 2005-0426-S	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
AR Disposition Date:	MR Disposition Date:

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

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

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P-3 Release would violate a Federal statute [(a)(3) of the PRA]
P-4 Release would disclose trade secrets or confidential commercial or
financial information [(a)(4) of the PRA]
P-5 Release would disclose confidential advice between the President
and his advisors, or between such advisors [(a)(5) of the PRA]
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(b)(9) Release would disclose geological or geophysical information

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

D. Announcement Timing

New NRC Chairman-designate, new Commissioner, and IG should all be announced at same time Assistant Secretary for Energy-designate Vic Stello (currently Executive Director, NRC) is announced.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
15. List	Individuals who have expressed an interest in appointment to International Joint Commission, U.S.-Canada (1 pp.)	n.d.	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1];
Boards and Commissions [1]

Date Closed:	12/10/2004	OA/ID Number:	29164-004
FOIA/SYS Case #:	1998-0004-F[1]	Appeal Case #:	
Re-review Case #:	2005-0426-S	Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

RESTRICTION CODES

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PRM. Removed as a personal record misfile.

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

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Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
16. Memo	From Chase Untermeyer to POTUS Re: Personnel Selection - President's Council on Physical Fitness and Sports (2 pp.)	6/29/89	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1]:
Boards and Commissions [1]

Date Closed:	12/10/2004	OA/ID Number:	29164-004
FOIA/SYS Case #:	1998-0004-F[1]	Appeal Case #:	
Re-review Case #:	2005-0426-S	Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

RESTRICTION CODES

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P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of
gift.

PRM. Removed as a personal record misfile.

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

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(b)(9) Release would disclose geological or geophysical information

EUNICE SHIVER

①

ARNOLD SCHWARTZENAGGER
(HER - SON-IN-LAW)

THANKED PRES -

ARNOLD ON PRES. PHYSICAL
FITNESS COUNCIL

②

OUTLINE ON FITNESS OF KIDS IN SCHOOL
TIME TO REEMPHASIZE

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
17. List	Personnel matters for federal commissions (2 pp.)	n.d.	P-2, P-5	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1]:
Boards and Commissions [1]

Open on Expiration of PRA
(Document Follows)
By SP (NLGB) on 12/12/07

Date Closed: 12/10/2004	OA/ID Number: 29164-004
FOIA/SYS Case #: 1998-0004-F[1]	Appeal Case #:
Re-review Case #: 2005-0426-S	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
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(b)(9) Release would disclose geological or geophysical information

2 - Bd of Commission

ITC

Paper work for 20th Day or two

1. There are no vacancies.
2. There is no permanent Chairman; Anne Brunsdale (R) is Vice-Chairman. A Memo to designate Brunsdale as Chairman and Ron Cass (D) as Vice-Chairman is with Governor Sununu.

CPSC

Three vacancies exist, but only one is funded by Congress. Technically, the new appointment, who should be nominated as Chairman, could be a Republican, although the two remaining Commissioners are also Republicans.

SEC

1. Charles Cox's (R) term expired last June. He was renominated but not confirmed and is holding over.
2. Mary Schapiro (I) was recessed last November.
3. David Ruder is Chairman. His term as Commissioner expires in June, 1991, but, as Chairman, he serves at the President's pleasure.

Sherris
FCC

1. There are two Republican vacancies. President Reagan nominated Brad Holmes and Susan Wing.
2. Chairman Dennis Patrick's (R) term as Commissioner expires in June, 1992. As Chairman, he serves at the pleasure of the President.

FTC

1. Chairman Daniel Oliver's (R) term expired last September. He is holding over.
2. Margot Machol (R) was recess appointed by President Reagan last November.

CFTC

1. William Albrecht (D) was recess appointed by President Reagan last November.
2. Chairman Wendy Gramm's (R) term expires in April, 1990. As Chairman, she serves at the pleasure of the President.

get credit fast

Charles
Cooper

Sherris
FCC

Easy on
Rich
Williamson

Sherris
FCC

Carol Crawford

New Nominee

Resubmit

ICC

There are two Republican vacancies. Chairman Heather Gradison, whose term expired at the end of 1988, is holding over. (The Chairman serves as Chairman at the pleasure of the President.) Frederic Andre, whose term expired at the end of 1987, is holding over also. He was renominated by President Reagan, but the nomination was not acted upon.

Give (B) Chance

Replace

9 *(Vapour)*
FMC

Montone

1. There is one Democrat (or Independent) vacancy.
2. Chairman Elaine Chao's (R) term as Commissioner expires in June 1991. As Chairman, she serves at the pleasure of the President.

Leave

FERC

1. There are no vacancies until October 1989. when a term held by Democrat Charles Stalon expires.
2. Chairman Martha Hesse's (R) term as Commissioner expires in October 1991. As Chairman, she serves at the pleasure of the President.

Confirm

Joyce Hampers
Betty Tampusio

1) Memo on TPC
will meet under
know -
Pres. would like
the following
invited^y
to attend

2) EO on EPC
will receive
and review
the work of
TPC and
work flow through
them to Pres.

W. J. Thompson to J. J. Thompson
for Forward.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD (DNFSB)
P.L. 100-456

- o Establishes the DNFSB composed of five members (not more than 3 members of the same political party) appointed by the President with the advice and consent of the Senate. The members are appointed in staggered five year terms and may be reappointed.
- o Mission includes independent oversight of production and utilization facilities under the control of the Secretary operated for national security defense purposes. It is undetermined how the DNFSB will interact with EH or the Ahearne Committee.
 - The Board may conduct hearings, establish resident field inspectors, hire up to 100 federal employees (FTE), establish binding reporting requirements.
- o Board jurisdiction includes: 1) Defense Reactors, 2) Nuclear Waste Storage Facilities (e.g., Waste Isolation Pilot Plant but not facilities covered by the Nuclear Waste Policy Act), 3) Uranium Enrichment facilities (e.g., Portsmouth, Paducah), 4) Nuclear materials processing plants, 5) most weapons facilities (e.g., Rocky Flats, Y-12), 6) National Laboratories, and 7) Extrusion Plants (e.g., Ashtabula, Fernald). (Excludes: Naval Reactor Operations, Nuclear Weapons Assembly, Testing, and Transportation.)
- o Board functions include: 1) evaluating the content and implementation of DOE standards for defense nuclear facilities, 2) investigating dangerous events and practices at defense nuclear facilities, 3) reviewing the design of new defense nuclear facilities, and 4) making recommendations to the Secretary necessary to ensure adequate public health and safety.
- o Board Process:
 - A. Recommendations that do not relate to imminent or severe threat to public health and safety are sent to the Secretary and made public. The Secretary will respond to the Board within 45 days. The Board may accept, reject, modify the Secretary's response, or resubmit their findings. The Secretary issues the final decision.
 - B. Recommendations that relate to severe or imminent threat to public health and safety are transmitted simultaneously to Congress, the President, DOE, and DOD. DOE transmits recommendations to the President and the President issues the final decision.
- o Concerns:
 - DP is planning to meet the budget requirements of the Board (\$7 million per year).
 - OMB objects to retaining FTE positions both in an internal oversight organization (EH) and also in an external oversight organization (DNFSB).

- o Next steps:
 - DOE as tasked by the White House should provide a list of potential candidates for board vacancies.
 - President to submit nominations to the Senate by March 28, 1989.

potential problems in stockpile reliability and safety in existing designs of nuclear weapons.

(2) To assure that the specific materials, components, processes, and personnel needed for the remanufacture of existing nuclear weapons or the substitution of alternative nuclear warheads are available to support such remanufacture or substitution if such action becomes necessary in order to satisfy reliability and safety requirements under a low-threshold or comprehensive test ban agreement.

Research and development.

(3) To assure that a vigorous program of research in areas related to nuclear weapons science and engineering is supported so that, if a low-threshold or comprehensive test ban agreement is entered into, the United States is able to maintain a base of technical knowledge about nuclear weapons design and nuclear weapons effects.

(d) **CONDUCT OF PROGRAM.**—The Secretary of Energy shall carry out the program provided for in subsection (b). The program shall be carried out with the participation of representatives of the Department of Defense, the nuclear weapons production facilities, and the national nuclear weapons laboratories.

Public information.
Classified information.

(e) **ANNUAL REPORT.**—The Secretary of Energy shall submit to Congress each year an unclassified report (with a classified annex as necessary) that describes the progress made to the date of the report in achieving the purposes of the program required to be established under subsection (b).

PART D—DOE DEFENSE NUCLEAR FACILITIES SAFETY OVERSIGHT BOARD

SEC. 1441. ESTABLISHMENT OF DEFENSE NUCLEAR FACILITIES SAFETY BOARD

(a) **ESTABLISHMENT.**—(1) The Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) is amended by adding at the end the following new chapter:

“CHAPTER 21. DEFENSE NUCLEAR FACILITIES SAFETY BOARD

“SEC. 311. ESTABLISHMENT.

“(a) **ESTABLISHMENT.**—There is hereby established an independent establishment in the executive branch, to be known as the ‘Defense Nuclear Facilities Safety Board’ (hereafter in this chapter referred to as the ‘Board’).

President of U.S.

“(b) **MEMBERSHIP.**—(1) The Board shall be composed of five members appointed from civilian life by the President, by and with the advice and consent of the Senate, from among United States citizens who are respected experts in the field of nuclear safety with a demonstrated competence and knowledge relevant to the independent investigative and oversight functions of the Board. Not more than three members of the Board shall be of the same political party.

“(2) Any vacancy in the membership of the Board shall be filled in the same manner in which the original appointment was made.

“(3) No member of the Board may be an employee of, or have any significant financial relationship with, the Department of Energy or

“(4) Not later than 180 days after the date of the enactment of this chapter, the President shall submit to the Senate nominations for appointment to the Board. In the event that the President is unable to submit the nominations within such 180-day period, the President shall submit to the Committees on Armed Services and on Appropriations of the Senate and to the Speaker of the House of Representatives a report describing the reasons for such inability and a plan for submitting the nominations within the next 90 days. If the President is unable to submit the nominations within that 90-day period, the President shall again submit to such committees and the Speaker such a report and plan. The President shall continue to submit to such committees and the Speaker such a report and plan every 90 days until the nominations are submitted.

President
Reports.
42 USC 228

“(c) **CHAIRMAN AND VICE CHAIRMAN.**—(1) The President shall designate a Chairman and Vice Chairman of the Board from among members of the Board.

President

“(2) The Chairman shall be the chief executive officer of the Board and, subject to such policies as the Board may establish, shall exercise the functions of the Board with respect to—

“(A) the appointment and supervision of employees of the Board;

“(B) the organization of any administrative units established by the Board; and

“(C) the use and expenditure of funds.

“(3) The Chairman may delegate any of the functions under this paragraph to any other member or to any appropriate officer of the Board.

“(4) The Vice Chairman shall act as Chairman in the event of the absence or incapacity of the Chairman or in case of a vacancy in the office of Chairman.

“(d) **TERMS.**—(1) Except as provided under paragraph (2), the members of the Board shall serve for terms of five years. Members of the Board may be reappointed.

“(2) Of the members first appointed—

“(A) one shall be appointed for a term of one year;

“(B) one shall be appointed for a term of two years;

“(C) one shall be appointed for a term of three years;

“(D) one shall be appointed for a term of four years; and

“(E) one shall be appointed for a term of five years, as designated by the President at the time of appointment.

“(3) Any member appointed to fill a vacancy occurring before the expiration of the term of office for which such member's predecessor was appointed shall be appointed only for the remainder of such term. A member may serve after the expiration of that member's term until a successor has taken office.

“(e) **QUORUM.**—Three members of the Board shall constitute a quorum, but a lesser number may hold hearings.

“SEC. 312. FUNCTIONS OF THE BOARD.

“The Board shall perform the following functions:

“(1) **REVIEW AND EVALUATION OF STANDARDS.**—The Board shall review and evaluate the content and implementation of the standards relating to the design, construction, operation, and decommissioning of defense nuclear facilities of the Department of Energy (including all applicable Department of Energy orders, regulations, and requirements) at each Department of

the Secretary of Energy those specific measures that should be adopted to ensure that public health and safety are adequately protected. The Board shall include in its recommendations necessary changes in the content and implementation of such standards, as well as matters on which additional data or additional research is needed.

"(2) INVESTIGATIONS.—(A) The Board shall investigate any event or practice at a Department of Energy defense nuclear facility which the Board determines has adversely affected, or may adversely affect, public health and safety.

"(B) The purpose of any Board investigation under subparagraph (A) shall be—

"(i) to determine whether the Secretary of Energy is adequately implementing the standards described in paragraph (1) of the Department of Energy (including all applicable Department of Energy orders, regulations, and requirements) at the facility;

"(ii) to ascertain information concerning the circumstances of such event or practice and its implications for such standards;

"(iii) to determine whether such event or practice is related to other events or practices at other Department of Energy defense nuclear facilities; and

"(iv) to provide to the Secretary of Energy such recommendations for changes in such standards or the implementation of such standards (including Department of Energy orders, regulations, and requirements) and such recommendations relating to data or research needs as may be prudent or necessary.

"(3) ANALYSIS OF DESIGN AND OPERATIONAL DATA.—The Board shall have access to and may systematically analyze design and operational data, including safety analysis reports, from any Department of Energy defense nuclear facility.

"(4) REVIEW OF FACILITY DESIGN AND CONSTRUCTION.—The Board shall review the design of a new Department of Energy defense nuclear facility before construction of such facility begins and shall recommend to the Secretary, within a reasonable time, such modifications of the design as the Board considers necessary to ensure adequate protection of public health and safety. During the construction of any such facility, the Board shall periodically review and monitor the construction and shall submit to the Secretary, within a reasonable time, such recommendations relating to the construction of that facility as the Board considers necessary to ensure adequate protection of public health and safety. An action of the Board, or a failure to act, under this paragraph may not delay or prevent the Secretary of Energy from carrying out the construction of such a facility.

"(5) RECOMMENDATIONS.—The Board shall make such recommendations to the Secretary of Energy with respect to Department of Energy defense nuclear facilities, including operations of such facilities, standards, and research needs, as the Board determines are necessary to ensure adequate protection of public health and safety. In making its recommendations the Board shall consider the technical and economic feasibility of implementing the recommended measures.

"SEC. 313. POWERS OF BOARD.

42 USC 2293

"(a) HEARINGS.—(1) The Board or a member authorized by the Board may, for the purpose of carrying out this chapter, hold such hearings and sit and act at such times and places, and require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such evidence as the Board or an authorized member may find advisable.

"(2)(A) Subpoenas may be issued only under the signature of the Chairman or any member of the Board designated by him and shall be served by any person designated by the Chairman, any member, or any person as otherwise provided by law. The attendance of witnesses and the production of evidence may be required from any place in the United States at any designated place of hearing in the United States.

"(B) Any member of the Board may administer oaths or affirmations to witnesses appearing before the Board.

"(C) If a person issued a subpoena under paragraph (1) refuses to obey such subpoena or is guilty of contempt, any court of the United States within the judicial district within which the hearing is conducted or within the judicial district within which such person is found or resides or transacts business may (upon application by the Board) order such person to appear before the Board to produce evidence or to give testimony relating to the matter under investigation. Any failure to obey such order of the court may be punished by such court as a contempt of the court.

"(D) The subpoenas of the Board shall be served in the manner provided for subpoenas issued by a United States district court under the Federal Rules of Civil Procedure for the United States district courts.

"(E) All process of any court to which application may be made under this section may be served in the judicial district in which the person required to be served resides or may be found.

"(b) STAFF.—The Board may, for the purpose of performing its responsibilities under this chapter—

"(1) hire such staff as it considers necessary to perform the functions of the Board, but not more than the equivalent of 100 full-time employees; and

"(2) procure the temporary and intermittent services of experts and consultants to the extent authorized by section 3109(b) of title 5, United States Code, at rates the Board determines to be reasonable.

"(c) REGULATIONS.—The Board may prescribe regulations to carry out the responsibilities of the Board under this chapter.

"(d) REPORTING REQUIREMENTS.—The Board may establish reporting requirements for the Secretary of Energy which shall be binding upon the Secretary. The information which the Board may require the Secretary of Energy to report under this subsection may include any information designated as classified information, or any information designated as safeguards information and protected from disclosure under section 147 or 148 of this Act.

"(e) USE OF GOVERNMENT FACILITIES, ETC.—The Board may, for the purpose of carrying out its responsibilities under this chapter, use any facility, contractor, or employee of any other department or agency of the Federal Government with the consent of and under appropriate support arrangements with the head of such depart-

Classified
information

42 USC 2296b.

ment or agency and, in the case of a contractor, with the consent of the contractor.

"(f) ASSISTANCE FROM CERTAIN AGENCIES OF THE FEDERAL GOVERNMENT.—With the consent of and under appropriate support arrangements with the Nuclear Regulatory Commission, the Board may obtain the advice and recommendations of the staff of the Commission on matters relating to the Board's responsibilities and may obtain the advice and recommendations of the Advisory Committee on Reactor Safeguards on such matters.

"(g) ASSISTANCE FROM ORGANIZATIONS OUTSIDE THE FEDERAL GOVERNMENT.—The Board may enter into an agreement with the National Research Council of the National Academy of Sciences or any other appropriate group or organization of experts outside the Federal Government chosen by the Board to assist the Board in carrying out its responsibilities under this chapter.

"(h) RESIDENT INSPECTORS.—The Board may assign staff to be stationed at any Department of Energy defense nuclear facility to carry out the functions of the Board.

"(i) SPECIAL STUDIES.—The Board may conduct special studies pertaining to adequate protection of public health and safety at any Department of Energy defense nuclear facility.

"(j) EVALUATION OF INFORMATION.—The Board may evaluate information received from the scientific and industrial communities, and from the interested public, with respect to—

"(1) events or practices at any Department of Energy defense nuclear facility; or

"(2) suggestions for specific measures to improve the content of standards described in section 312(1), the implementation of such standards, or research relating to such standards at Department of Energy defense nuclear facilities.

"SEC. 314. RESPONSIBILITIES OF THE SECRETARY OF ENERGY.

"(a) COOPERATION.—The Secretary of Energy shall fully cooperate with the Board and provide the Board with ready access to such facilities, personnel, and information as the Board considers necessary to carry out its responsibilities under this chapter. Each contractor operating a Department of Energy defense nuclear facility under a contract awarded by the Secretary shall, to the extent provided in such contract or otherwise with the contractor's consent, fully cooperate with the Board and provide the Board with ready access to such facilities, personnel, and information of the contractor as the Board considers necessary to carry out its responsibilities under this chapter.

"(b) ACCESS TO INFORMATION.—The Secretary of Energy may deny access to information provided to the Board to any person who—

"(1) has not been granted an appropriate security clearance or access authorization by the Secretary of Energy; or

"(2) does not need such access in connection with the duties of such person.

"SEC. 315. BOARD RECOMMENDATIONS.

"(a) PUBLIC AVAILABILITY AND COMMENT.—Subject to subsections (g) and (h) and after receipt by the Secretary of Energy of any recommendations from the Board under section 312, the Board promptly shall make such recommendations available to the public in the Department of Energy's regional public reading rooms and shall publish in the Federal Register such recommendations and a

request for the submission to the Board of public comments on such recommendations. Interested persons shall have 30 days after the date of the publication of such notice in which to submit comments, data, views, or arguments to the Board concerning the recommendations.

"(b) RESPONSE BY SECRETARY.—(1) The Secretary of Energy shall transmit to the Board, in writing, a statement on whether the Secretary accepts or rejects, in whole or in part, the recommendations submitted to him by the Board under section 312, a description of the actions to be taken in response to the recommendations, and his views on such recommendations. The Secretary of Energy shall transmit his response to the Board within 45 days after the date of the publication, under subsection (a), of the notice with respect to such recommendations or within such additional period, not to exceed 45 days, as the Board may grant.

"(2) At the same time as the Secretary of Energy transmits his response to the Board under paragraph (1), the Secretary, subject to subsection (h), shall publish such response, together with a request for public comment on his response, in the Federal Register.

"(3) Interested persons shall have 30 days after the date of the publication of the Secretary of Energy's response in which to submit comments, data, views, or arguments to the Board concerning the Secretary's response.

"(4) The Board may hold hearings for the purpose of obtaining public comments on its recommendations and the Secretary of Energy's response.

"(c) PROVISION OF INFORMATION TO SECRETARY.—The Board shall furnish the Secretary of Energy with copies of all comments, data, views, and arguments submitted to it under subsection (a) or (b).

"(d) FINAL DECISION.—If the Secretary of Energy, in a response under subsection (b)(1), rejects (in whole or part) any recommendation made by the Board under section 312, the Board shall either reaffirm its original recommendation or make a revised recommendation and shall notify the Secretary of its action. Within 30 days after receiving the notice of the Board's action under this subsection, the Secretary shall consider the Board's action and make a final decision on whether to implement all or part of the Board's recommendations. Subject to subsection (h), the Secretary shall publish the final decision and the reasoning for such decision in the Federal Register and shall transmit to the Committees on Armed Services and on Appropriations of the Senate and to the Speaker of the House of Representatives a written report containing that decision and reasoning.

"(e) IMPLEMENTATION PLAN.—The Secretary of Energy shall prepare a plan for the implementation of each Board recommendation, or part of a recommendation, that is accepted by the Secretary in his final decision. The Secretary shall transmit the implementation plan to the Board within 90 days after the date of the publication of the Secretary's final decision on such recommendation in the Federal Register. The Secretary may have an additional 45 days to transmit the plan if the Secretary submits to the Board and to the Committees on Armed Services and on Appropriations of the Senate and to the Speaker of the House of Representatives a notification setting forth the reasons for the delay and describing the actions the Secretary is taking to prepare an implementation plan under this subsection. The Secretary may implement any such recommendation (or part of any such recommendation) before, on, or after the

Federal
Register
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Report42 USC 2296c.
Contracts.42 USC 2296d.
Federal
Register,
publication.

date on which the Secretary transmits the implementation plan to the Board under this subsection.

Reports.

"(f) IMPLEMENTATION.—(1) Subject to paragraph (2), not later than one year after the date on which the Secretary of Energy transmits an implementation plan with respect to a recommendation (or part thereof) under subsection (e), the Secretary shall carry out and complete the implementation plan. If complete implementation of the plan takes more than 1 year, the Secretary of Energy shall submit a report to the Committees on Armed Services and on Appropriations of the Senate and to the Speaker of the House of Representatives setting forth the reasons for the delay and when implementation will be completed.

Reports.

"(2) If the Secretary of Energy determines that the implementation of a Board recommendation (or part thereof) is impracticable because of budgetary considerations, or that the implementation would affect the Secretary's ability to meet the annual nuclear weapons stockpile requirements established pursuant to section 91 of this Act, the Secretary shall submit to the President, to the Committees on Armed Services and on Appropriations of the Senate, and to the Speaker of the House of Representatives a report containing the recommendation and the Secretary's determination.

Public health and safety.

"(g) IMMINENT OR SEVERE THREAT.—(1) In any case in which the Board determines that a recommendation submitted to the Secretary of Energy under section 312 relates to an imminent or severe threat to public health and safety, the Board and the Secretary of Energy shall proceed under this subsection in lieu of subsections (a) through (d).

"(2) At the same time that the Board transmits a recommendation relating to an imminent or severe threat to the Secretary of Energy, the Board shall also transmit the recommendation to the President and for information purposes to the Secretary of Defense. The Secretary of Energy shall submit his recommendation to the President. The President shall review the Secretary of Energy's recommendation and shall make the decision concerning acceptance or rejection of the Board's recommendation.

President of U.S.

Public information.

"(3) After receipt by the President of the recommendation from the Board under this subsection, the Board promptly shall make such recommendation available to the public and shall transmit such recommendation to the Committees on Armed Services and on Appropriations of the Senate and to the Speaker of the House of Representatives. The President shall promptly notify such committees and the Speaker of his decision and the reasons for that decision.

President of U.S.

"(h) LIMITATION.—Notwithstanding any other provision of this section, the requirements to make information available to the public under this section—

"(1) shall not apply in the case of information that is classified; and

"(2) shall be subject to the orders and regulations issued by the Secretary of Energy under sections 147 and 148 of this Act to prohibit dissemination of certain information.

42 USC 2286e.

"SEC. 316. REPORTS.

"(a) BOARD REPORT.—(1) The Board shall submit to the Committees on Armed Services and on Appropriations of the Senate and to the Speaker of the House of Representatives each year, at the same time that the President submits the budget to Congress pursuant to

section 1105(a) of title 31, United States Code, a written report 42 US concerning its activities under this chapter, including all recommendations made by the Board, during the year preceding the year in which the report is submitted. The Board may also issue periodic unclassified reports on matters within the Board's responsibilities.

"(2) The annual report under paragraph (1) shall include an assessment of—

"(A) the improvements in the safety of Department of Energy defense nuclear facilities during the period covered by the report;

"(B) the improvements in the safety of Department of Energy defense nuclear facilities resulting from actions taken by the Board or taken on the basis of the activities of the Board; and

"(C) the outstanding safety problems, if any, of Department of Energy defense nuclear facilities.

"(b) DOE REPORT.—The Secretary of Energy shall submit to the Committees on Armed Services and on Appropriations of the Senate and to the Speaker of the House of Representatives each year, at the same time that the President submits the budget to Congress pursuant to section 1105(a) of title 31, United States Code, a written report concerning the activities of the Department of Energy under this chapter during the year preceding the year in which the report is submitted.

"SEC. 317. JUDICIAL REVIEW.

42 US

"Chapter 7 of title 5, United States Code, shall apply to the activities of the Board under this chapter.

"SEC. 318. DEFINITION.

42 US

"As used in this chapter, the term 'Department of Energy defense nuclear facility' means any of the following:

"(1) A production facility or utilization facility (as defined in section 11 of this Act) that is under the control or jurisdiction of the Secretary of Energy and that is operated for national security purposes, but the term does not include—

"(A) any facility or activity covered by Executive Order No. 12344, dated February 1, 1982, pertaining to the Naval nuclear propulsion program;

"(B) any facility or activity involved with the assembly or testing of nuclear explosives or with the transportation of nuclear explosives or nuclear material; or

"(C) any facility that does not conduct atomic energy defense activities.

"(2) A nuclear waste storage facility under the control or jurisdiction of the Secretary of Energy, but the term does not include a facility developed pursuant to the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.) and licensed by the Nuclear Regulatory Commission.

"SEC. 319. CONTRACT AUTHORITY SUBJECT TO APPROPRIATIONS.

42 US

"The authority of the Board to enter into contracts under this chapter is effective only to the extent that appropriations (including transfers of appropriations) are provided in advance for such purpose.

42 USC 2296i.

"SEC. 329. ANNUAL AUTHORIZATION OF APPROPRIATIONS.

"Authorizations of appropriations for the Board for fiscal years beginning after fiscal year 1989 shall be provided annually in authorization Acts."

(2) The table of contents at the beginning of the Atomic Energy Act of 1954 is amended by adding at the end the following:

"CHAPTER 21. DEFENSE NUCLEAR FACILITIES SAFETY BOARD

"Sec. 311. Establishment.

"Sec. 312. Functions of the Board.

"Sec. 313. Powers of Board.

"Sec. 314. Responsibilities of the Secretary of Energy.

"Sec. 315. Board recommendations.

"Sec. 316. Reports.

"Sec. 317. Judicial review.

"Sec. 318. Definition.

"Sec. 319. Contract authority subject to appropriations.

"Sec. 320. Annual authorization of appropriations."

(b) **SALARY FOR BOARD MEMBERS AT EXECUTIVE SCHEDULE LEVEL III.**—Section 5314 of title 5, United States Code, is amended by inserting after "Members, Nuclear Regulatory Commission." the following:

"Members, Defense Nuclear Facilities Safety Board."

(c) **REQUIREMENTS FOR FIRST ANNUAL REPORT.**—(1) Before submission of the first annual report by the Defense Nuclear Facilities Safety Board under section 316(a) of the Atomic Energy Act of 1954 (as added by subsection (a)), the Board shall conduct a study on whether nuclear facilities of the Department of Energy that are excluded from the definition of "Department of Energy defense nuclear facility" in section 318(1)(C) of such Act (hereafter in this subsection referred to as "non-defense nuclear facilities") should be subject to independent external oversight. The Board shall include in such first annual report the results of such study and the recommendation of the Board on whether non-defense nuclear facilities should be subject to independent external oversight.

(2) If the Board recommends in the report that non-defense nuclear facilities should be subject to such oversight, the report shall include a discussion of alternative mechanisms for implementing such oversight, including mechanisms such as a separate executive agency and oversight as a part of the Board's responsibilities. The discussion of alternative mechanisms of oversight also shall include considerations of budgetary costs, protection of the security of sensitive nuclear weapons information, and the similarities and differences in the design, construction, operation, and decommissioning of defense and non-defense nuclear facilities of the Department of Energy.

(d) **REQUIREMENTS FOR FIFTH ANNUAL REPORT.**—The fifth annual report submitted by the Defense Nuclear Facilities Safety Board under section 316(a) of the Atomic Energy Act of 1954 (as added by subsection (a)) shall include—

(1) an assessment of the degree to which the overall administration of the Board's activities are believed to meet the objectives of Congress in establishing the Board;

(2) recommendations for continuation, termination, or modification of the Board's functions and programs, including recommendations for transition to some other independent oversight arrangement if it is advisable; and

42 USC 2296e
note.

(3) recommendations for appropriate transition requirements in the event that modifications are recommended.

SEC. 1442. TRANSFER

The Secretary of Energy, to the extent provided in appropriations Acts, shall transfer to the Defense Nuclear Facilities Safety Board established by section 311 of the Atomic Energy Act of 1954 (as added by section 1441) from sums available for obligation for national security programs such sums as may be necessary, as determined by such Board, for the operation of the Board during fiscal year 1989, but in no case may more than \$7,000,000 be transferred for such purpose. Sums transferred shall be available to such Board to carry out its responsibilities under chapter 21 of the Atomic Energy Act of 1954 (as added by section 1441) and shall remain available until expended.

TITLE XV—NATIONAL DEFENSE STOCKPILE**SEC. 1501. AUTHORIZED DISPOSALS**

50 USC 964

(a) **AUTHORITY.**—Notwithstanding section 5(b) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98d(b)) but subject to subsection (c), the President may during fiscal year 1989 dispose of materials in the National Defense Stockpile in accordance with this section. The value of the materials disposed of may not exceed \$180,000,000 and may only be made as specified in subsection (b).

(b) **MATERIALS AUTHORIZED TO BE DISPOSED.**—Any disposal pursuant to the authority in subsection (a) shall be made from materials in the National Defense Stockpile previously authorized for disposal by law and from the following materials in the National Defense Stockpile, such materials having been determined to be excess to stockpile requirements:

Material	Quantity
Asbestos, chrysotile	2,100 short tons
Asbestos, crocidolite	36 short tons
Celestite	13,500 short dry tons
Iodine	772,000 pounds
Kyanite	1,200 short dry tons
Manganese dioxide, battery grade, natural ore	65,000 short dry tons
Mercury	7,500 flasks
Mica, muscovite block (S&L)	181,000 pounds
Mica, muscovite splittings	750,000 pounds
Mica, phlogopite splittings	500,000 pounds
Quartz	1,249,000 pounds
Silicon Carbide	44,000 short tons
Talc, block and lump	930 short tons
Talc, ground	1,100 short tons
Thorium nitrate	6,520,000 pounds
Tin	5,000 metric tons
Tungsten ore and concentrates	1,000,000 pounds
Vegetable tannin chestnut	3,500 long tons
Vegetable tannin quebracho	77,000 long tons

(c) **DISPOSALS DURING FISCAL YEAR 1989.**—The President may dispose of materials under this section during fiscal year 1989 only to the extent that the total amount received (or to be received) from such disposals does not exceed the amount expended from the National Defense Stockpile Transaction Fund during fiscal year 1989 for purposes authorized under section 9(b)(2) of such Act.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
18. Letter	From William Martin to Chase Untermeyer Re: Suggestions for Nuclear Weapons Safety Board (2 pp.)	2/22/89	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990)-[1]:
Boards and Commissions [1]

Date Closed:	12/10/2004	OA/ID Number:	29164-004
FOIA/SYS Case #:	1998-0004-F[1]	Appeal Case #:	
Re-review Case #:	2005-0426-S	Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P-3 Release would violate a Federal statute [(a)(3) of the PRA]
P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

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

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
19. Memo	From Chase Untermeyer to Martha Re: Defense Nuclear Facilities Safety Board Appointments (1 pp.)	3/9/89	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1]:
Boards and Commissions [1]

Date Closed:	12/10/2004	OA/ID Number:	29164-004
FOIA/SYS Case #:	1998-0004-F[1]	Appeal Case #:	
Re-review Case #:	2005-0426-S	Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P-3 Release would violate a Federal statute [(a)(3) of the PRA]
P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

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

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
20. Memo	From Chase Undermeyer to John Sununu Re: Family Ties (1 pp.)	3/13/89	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1]:
Boards and Commissions [1]

Date Closed:	12/10/2004	OA/ID Number:	29164-004
FOIA/SYS Case #:	1998-0004-F[1]	Appeal Case #:	
Re-review Case #:	2005-0426-S	Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P-3 Release would violate a Federal statute [(a)(3) of the PRA]
P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

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]
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(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

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
21. Memo	From Fred McClure to John Sununu Re: Candidate for Family Service Administration (1 pp.)	3/17/89	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1]:
Boards and Commissions [1]

Date Closed: 12/10/2004 **OA/ID Number:** 29164-004

FOIA/SYS Case #: 1998-0004-F[1]

Appeal Case #:

Re-review Case #: 2005-0426-S

Appeal Disposition:

P-2/P-5 Review Case #:

Disposition Date:

AR Case #:

MR Case #:

AR Disposition:

MR Disposition:

AR Disposition Date:

MR Disposition Date:

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

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

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P-3 Release would violate a Federal statute [(a)(3) of the PRA]
P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

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(b)(3) Release would violate a Federal statute [(b)(3) of the FOIA]
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(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

June 15, 1990

Board of Governors and FOMC Membership

Listed below are the current Governors and their terms of office:

Alan Greenspan of New York.....January 31, 1992
Chairmanship.....August 11, 1991
Manuel H. Johnson of Virginia.....January 31, 2000
Vice Chairmanship.....August 3, 1990
Wayne D. Angell of Kansas.....January 31, 1994
Edward W. Kelly, Jr. of Texas.....January 31, 2004
John P. LaWare of Massachusetts.....January 31, 2002
-David W. Mullins, Jr. of Arkansas.....January 31, 1996
Martha R. Seger of Michigan.....January 31, 1998

The replacement for Johnson's Governorship will serve out the remainder of Johnson's term, and if appointed Vice Chairman, will serve for a period of four years beginning on the date of his confirmation by the Senate (note: the four year term of the Vice Chairman is not coincident with that of the Chairman). Alternatively, if one of the existing members is appointed Vice Chairman, then the Administration would choose an individual to fill the remainder of Manley Johnson's term.

Since no two governors can serve from the same Federal Reserve district, the new member must (plausibly) be from one of the following districts:

Philadelphia
Cleveland
St. Louis

Minneapolis
San Francisco
Richmond

NOTE: A map of the boundaries of the Federal Reserve districts is attached.

The Federal Open Market Committee (FOMC) is made up of the Board of Governors and five of the Federal Reserve regional bank presidents. The President of the Federal Reserve Bank of New York is the permanent Vice Chairman of the FOMC. The other four district bank president positions on the FOMC are filled on a rotating basis. The Cleveland and Chicago districts share one position, while the other three positions are shared by three districts--Philadelphia, Richmond, and Boston; Dallas, St. Louis, and Atlanta; and Minneapolis, San Francisco, and Kansas City. All the district bank presidents attend the FOMC meetings and

participate in the discussions, but only the current members can vote. The presidents of the district banks are as follows (the current member of the FOMC is listed first, followed by the member for the next year, etc.):

New York.....E. Gerald Corrigan

Cleveland.....W. Lee Hoskins

Chicago.....Silas Keehn

Philadelphia.....Edward G. Boehne

Richmond.....Robert P. Black

Boston.....Richard F. Syron

Dallas.....Robert H. Boykin

St. Louis.....Thomas C. Melzer

Atlanta.....Robert P. Forrestal

Minneapolis.....Gary H. Stern

San Francisco.....Robert T. Parry

Kansas City.....Roger Guffey

For your information, the make-up of the FOMC for Calendar year 1990 and 1991 is as follows:

Calendar Year 1990

BOARD MEMBERS

Alan Greenspan, Chairman
Vice Chairman--Vacant
Wayne D. Angell
David W. Mullins, Jr.
John P. LaWare
Edward W. Kelly, Jr.
Martha R. Seger

PRESIDENTS OF BANK DISTRICTS

E. Gerald Corrigan, Vice Chairman
W. Lee Hoskins
Edward G. Boehne
Robert H. Boykin
Gary H. Stern

Calendar Year 1991

BOARD MEMBERS

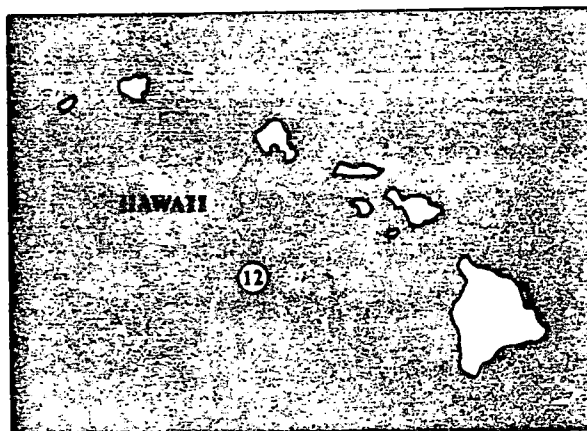
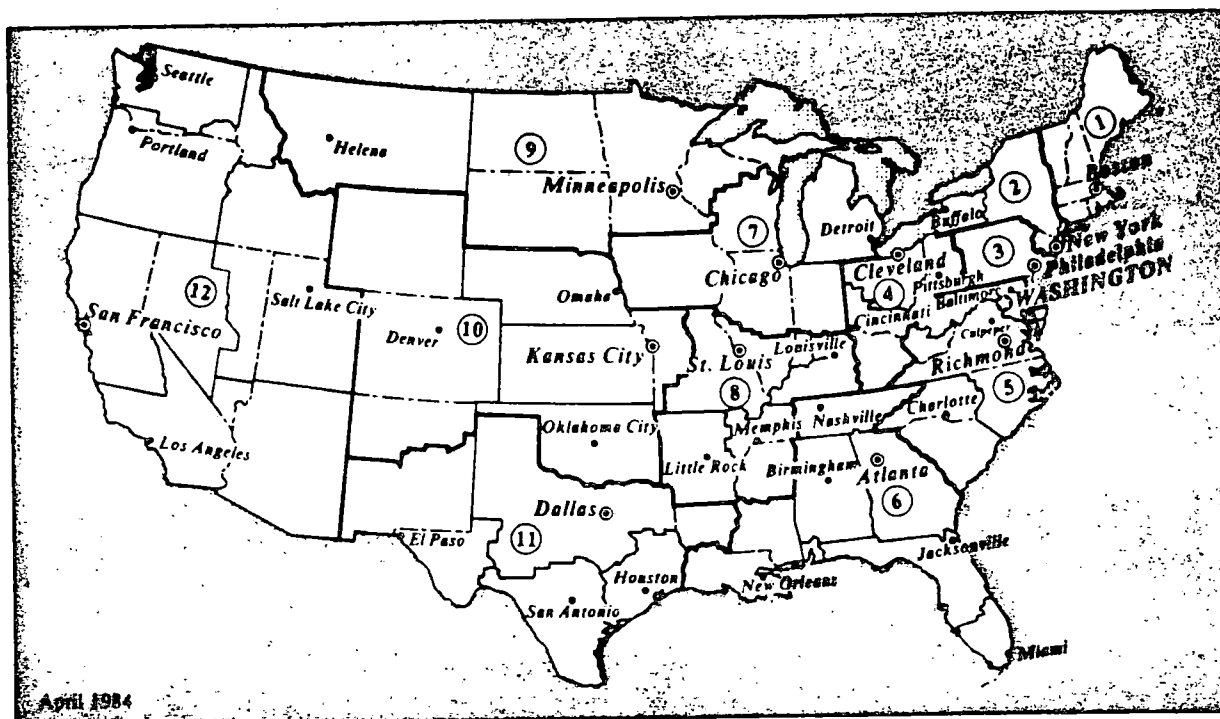
Alan Greenspan, Chairman
Vice Chairman--Vacant
Wayne D. Angell
David W. Mullins, Jr.
John P. LaWare
Edward W. Kelly, Jr.
Martha R. Seger

PRESIDENTS OF BANK DISTRICTS

E. Gerald Corrigan, Vice Chairman
Silas Keehn
Robert P. Black
Thomas C. Melzer
Robert T. Parry

The Federal Reserve System

Boundaries of Federal Reserve Districts and Their Branch Territories



LEGEND

- Boundaries of Federal Reserve Districts
- Boundaries of Federal Reserve Branch Territories
- ★ Board of Governors of the Federal Reserve System
- ⊙ Federal Reserve Bank Cities
- Federal Reserve Branch Cities
- Federal Reserve Bank Facility

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
22. Memo	From Chase Untermeyer to POTUS Re: U.S. International Trade Commission Appointments (2 pp.)	5/18/90	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1]:
Boards and Commissions [1]

Date Closed:	12/10/2004	OA/ID Number:	29164-004
FOIA/SYS Case #:	1998-0004-F[1]	Appeal Case #:	
Re-review Case #:	2005-0426-S	Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P-1 National Security Classified Information [(a)(1) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

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)(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

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
23. Memo	From Roger Porter to John Sununu Re: ITC Appointments (3 pp.)	5/4/90	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1]:
Boards and Commissions [1]

Date Closed:	12/10/2004	OA/ID Number:	29164-004
FOIA/SYS Case #:	1998-0004-F[1]	Appeal Case #:	
Re-review Case #:	2005-0426-S	Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P-3 Release would violate a Federal statute [(a)(3) of the PRA]
P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

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

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
24. List	Farm Credit Administration Board Vacancy [2 copies] (2 pp.)	4/12/90	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1]:
Boards and Commissions [1]

Date Closed:	12/10/2004	OA/ID Number:	29164-004
FOIA/SYS Case #:	1998-0004-F[1]	Appeal Case #:	
Re-review Case #:	2005-0426-S	Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

RESTRICTION CODES

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Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
25. Resumes	Submitted for Farm Credit Administration Board Vacancy (8 pp.)	n.d.	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, White House Office of
Series: Sununu, John, Files
Subseries: Issues Files
WHORM Cat.:
File Location: Personnel (1 of 2) (1990) [1]:
Boards and Commissions [1]

Date Closed:	12/10/2004	OA/ID Number:	29164-004
FOIA/SYS Case #:	1998-0004-F[1]	Appeal Case #:	
Re-review Case #:	2005-0426-S	Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

RESTRICTION CODES

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BOARD FOR INTERNATIONAL BROADCASTING

United States of America

Suite 400
1201 Connecticut Avenue, NW.
Washington, DC 20036
(202) 254-8040

October 26, 1989

The Honorable John Sununu
Chief of Staff
The White House
Washington, DC 20050

Dear Governor Sununu:

This letter to President Bush concerning the possibility of re-appointing Lane Kirkland to the Board for International Broadcasting may seem out of the ordinary. But Lane has been a hard-working, extremely effective member of the BIB. He has been indispensable in helping make bipartisanship a living concept in the area of public diplomacy. He has been particularly effective on the Hill in behalf of Administration funding requests for the BIB. His loss would be enormous.

Would it be possible for you to bring this letter to the President's attention?

On another note, it has been heartening to see how you have confounded the skeptics and critics in your critical post. I had the privilege of meeting you in December of 1986, when we were each speaking at the Stone & Webster Executive Conference in New York. At the time, you were courageously defending Seabrook from the depredations of Dukakis and Co.

Thank you so much for your consideration.

Sincerely,


Malcolm S. Forbes, Jr.
Chairman



BOARD FOR INTERNATIONAL BROADCASTING

United States of America

Suite 400
1201 Connecticut Avenue, NW.
Washington, DC 20036
(202) 254-8040

October 25, 1989

The Honorable George Bush
President of the United States
The White House
Washington, D.C. 20050

Dear Mr. President:

I am writing to you what must be an unusual letter -- a plea from a lifelong Republican on behalf of a Democrat, Lane Kirkland.

I currently have the privilege of serving as Chairman of the Board for International Broadcasting which oversees Radio Free Europe and Radio Liberty. As you consider possible candidates for appointment to the Board for International Broadcasting, I would urge you to renominate Lane Kirkland, who has been an outstanding member. Mr. Kirkland exemplifies the bipartisanship of our Board. His support for the Administration's policies concerning Radio Free Europe and Radio Liberty has been unwavering. His unparalleled prestige and influence among Democrats and many Republicans on Capitol Hill have been indispensable in securing adequate funding for the BIB. Time and again, he has personally helped out. Just recently, he effectively supported the Administration's budget request for the BIB among key Congressional Democrats. Mr. Kirkland has always spoken forcefully and eloquently about the mission of Radio Free Europe and Radio Liberty and has played a vital role in making the Radios so successful.

Lane Kirkland has also provided the board with a profound insight into the economic and political developments in Eastern Europe. As President of the AFL/CIO, he has been a long-time supporter of the Solidarity movement in Poland. His work on behalf of democracy has won him deep respect and admiration on the part of Poland's non-Communist leaders and other prominent non-Communist figures in Eastern Europe and the Soviet Union.

This is a time of great hope and challenge for Radio Free Europe and Radio Liberty. As Eastern Europe and the Soviet Union turn away from Communism, RFE/RL programming is committed to providing its millions of listeners with information and ideas about free enterprise, the democratic form of government, and the

state of East-West relations. These radio stations are an important part of U.S. foreign policy, and Mr. Kirkland's presence on the board underscores the bipartisan nature of our public diplomacy.

You have eloquently pleaded for the restoration of the kind of bipartisan approach that served the United States and freedom so well in the years following World War II. Lane has been to this critical area of public diplomacy what Arthur Vandenburg was to American foreign policy in the late 1940s when, like today, the world was in considerable flux.

Thank you so much for your consideration.

Sincerely,


Malcolm S. Forbes, Jr.