

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

FOIA Number:
S

FOIA MARKER

**This is not a textual record. This is used as an
administrative marker by the George Bush Presidential
Library Staff.**

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: White House Offices Files

OA/ID Number: 29176
Folder ID Number: 29176-001

Folder Title:
Cabinet Affairs (Transition)

Stack:	Row:	Section:	Shelf:	Position:
G	15	25	4	7

Withdrawal/Redaction Sheet (George Bush Library)

Doc. No. / Type	Subject/Title	Date	Restriction	Classification
01. Memo	From David Q. Bates to President Elect Re: Policy Councils (3 pp.)	1/12/89	P-5	
02. Letter with Attachments	From James C. Fletcher to Chase Undermeyer Re: Appointment of NASA Administrator [FOIA RESTRICTIONS REDACTED] (15 pp.)	11/17/88	P-2, P-5 , (b)(6)	
03. Letter	From James C. Fletcher to Chase Undermeyer Re: Appointment of NASA Administrator (2 pp.)	12/12/88	(b)(6)	
04. Letter	From James C. Fletcher to Governor Sununu Re: Appointment of NASA Administrator (1 pp.)	12/9/88	P-2, P-5	
05. Memo	From David Bates to Governor Sununu Re: Executive Secretary Position at EPC (5 pp.)	12/28/88	(b)(6)	
06a. Paper	DOE Facilities Problems and Political Solutions (8 pp.)	n.d.	(b)(1)	
06b. Paper	Candidate for Secretary of Energy (6 pp.)	n.d.	(b)(1)	
07a. Memo	From David Demarest to Bob Teeter Re: Suggested announcements (1 pp.)	11/30/88	P-2, P-5	
07b. Memo	From David Demarest to Bob Teeter Re: Announcement of Drug Czar w/Related Event (2 pp.)	11/30/88	P-2, P-5	

Page 1 of 2

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff to the President, Office of the
Series: Sununu, John, Files
Subseries: White House Offices Files
WHORM Cat.:
File Location: Cabinet Affairs (Transition)

Pinksheet Number: KO0508
OA/ID Number: 29176-001
Date Closed: 11/29/2004
FOIA/Sys Case #: 1998-0004-F[1]
Re-review Case #: 2005-0426-S
P-2/P-5 Review Case #:

Withdrawal/Redaction Sheet

(George Bush Library)

Doc. No. / Type	Subject/Title	Date	Restriction	Classification
07c. Memo	From David Demarest to Bob Teeter Re: Proposal for Announcing the New Secretary of Energy [Open Upon Deed of Gift - March 16, 2015] (2 pp.)	11/30/88	PKM	
08. Memo	From Janet Mullins to V/POTUS Re: Mitchell Breakfast (1 pp.)	11/30/88	P 5	
09. Memo	From John Schmitz to C. Boyden Gray Re: Constitutional Scope of Senate's Advice and Consent Power and the Renomination of PAS Incumbents in the Executive Branch (3 pp.)	10/10/88	P 2, P 5	

Page 2 of 2

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff to the President, Office of the
Series: Sununu, John, Files
Subseries: White House Offices Files
WHORM Cat.:
File Location: Cabinet Affairs (Transition)

Pinksheet Number: KO0508
OA/ID Number: 29176-001
Date Closed: 11/29/2004
FOIA/Sys Case #: 1998-0004-F[1]
Re-review Case #: 2005-0426-S
P-2/P-5 Review Case #:



OFFICE OF THE VICE PRESIDENT
WASHINGTON

January 18, 1989

MEMORANDUM FOR SECRETARY-DESIGNATE BAKER
DIRECTOR-DESIGNATE DARMAN
GOVERNOR SUNUNU

FROM; DAVID Q. BATES 

Listed below is the agenda for the Cabinet Meeting on Monday, January 23, 1989, at 2:15 p.m. in the Cabinet Room. President Bush will run the meeting and will introduce each of your presentations.

- I. Overview of First 90 Days -- Governor Sununu
(15 minutes)
- II. Foreign Policy Overview -- Secretary-designate
Baker
(15 minutes)
- III. Budget Update -- Director-designate
Darman
(15 minutes)

We anticipate your presentation lasting approximately 10 minutes, leaving approximately 5 minutes for questions or comments. A formal picture of the Cabinet will follow Director-designate Darman's presentation.

Please call me should you have any questions or comments.
Thanks.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01. Memo	From David Q. Bates to President Elect Re Policy Councils (3 pp.)	1/12/89	P-5	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff to the President, Office of the
Series: Sununu, John, Files
Subseries: White House Offices File
WHORM Cat.:
File Location: Cabinet Affairs (Transition)

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

Date Closed: 11/29/2004	OA/ID Number: 29176-001
FOIA/SYS Case #: 1998-0004-F-01	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

2

January 12, 1989

MEMORANDUM FOR THE PRESIDENT-ELECT

THROUGH: GOVERNOR SUNUNU

FROM: DAVID Q. BATES 

SUBJECT: Policy Councils

Based on a review of the current policy council structure and conversations with members of the Cabinet, we recommend that you maintain the same basic structure for decision-making in the Cabinet.

All things considered, the EPC and DPC structure during the second term of the Reagan-Bush Administration has worked well. In general, the councils analyzed issues carefully and presented the President with a range of options. Moreover, with just two councils covering economic and domestic issues, there has been little of the duplication of activities and turf-fighting that characterized the seven cabinet councils during the first term.

The membership of each council is appropriate as well, in our opinion. Some incoming cabinet members in one council expressed an interest in sitting on the other council. For example, Secretary-designate Kemp expressed an interest in being a member of the EPC.

We believe that it would be better to maintain the current membership in each council, but provide flexibility to the system by allowing cabinet members to attend and participate in meetings of a council of which they are not a member. For example, Secretary-designate Derwinski's experience in Congress might help the EPC address some economic legislation, while Secretary-designate Dole should be able to contribute to the DPC consideration of the child care issue.

The recommended membership would be as follows:

<u>EPC</u>	<u>DPC</u>
Treasury	Justice
State	Interior
Agriculture	HHS
Commerce	HUD
Labor	Energy
Transportation	Education
OMB	Veterans Affairs
USTR	OMB
CEA	CEA
	EPA

HS Talked to Bates
CEA ≠ member
but will attend

Although the original presidential statement establishing the councils did not name CEA as a member of the DPC, CEA has regularly attended the DPC. In addition, CEA became a regular member in practice during the last year of the Administration. Moreover, many of the issues considered by the DPC like environment and health care will require sound analysis of costs and benefits. CEA is uniquely qualified to conduct such analysis. We recommend that CEA be a formal member of the DPC as well as the EPC.

EPA was also not originally a member of the DPC. However, the DPC subsequently added EPA to the Council because it devoted so much time to environmental issues. Because of the importance of environmental issues and the critical role played by EPA in this area, we believe that EPA should remain a member of the DPC even though it is not a cabinet department.

We recommend that the Vice President and Chief of Staff continue to be ex officio members of both the EPC and DPC.

You would chair both the EPC and DPC, as well as the NSC. But in your absence, there should be a chairman pro tempore for the EPC and DPC. When the DPC was originally established, the President named Attorney General Meese as chairman pro tempore. When Meese left the Administration last summer, Secretary Hodel became chairman pro tempore. Based on protocol and policy, Governor Sununu and I recommend that General Thornburgh be named as chairman pro tempore of the DPC. I have attached suggested talking points for a phone call to General Thornburgh should you decide to name him as chairman pro tempore.

Brady

Recommended actions

Yes No

___	___	Maintain current department membership of EPC and DPC.
___	___	Name CEA as a member of both the EPC and DPC.
___	___	Maintain EPA as a member of the DPC.
___	___	Maintain the Vice President and Chief of Staff as ex officio members of EPC and DPC.
___	___	Name General Thornburgh as DPC chairman pro tem.

cc: Roger Porter
C. Boyden Gray

SUGGESTED TALKING POINTS FOR CALL TO GENERAL THORNBURGH

- I've decided to maintain the same basic structure of the Economic Policy Council and Domestic Policy Council.
- I want these councils to serve as the primary channels for advising me on economic and domestic policy.
- I'm asking Secretary Brady to serve as chairman pro tem of the EPC and I would like you to serve as chairman pro tem of the DPC.
- There are going to be some very important issues I hope the DPC will be able to advise me on, including environment, health care, and education.
- I look forward to working with you on these and other important issues.

OFFICE OF THE VICE PRESIDENT

WASHINGTON, DC

1/10/89

*File
Derwinski*

TO: DAVE DEMAREST
JOE HAGIN

FROM: DAVID Q. BATES 

I made a courtesy visit on Ed Derwinski today, and he told me that he would like to continue to do outreach to various interest groups (other than Veterans) - especially when he is travelling. He said this is something the VP mentioned to him when they first discussed his taking the job as Secretary. Ed did do a great job for us during the campaign in working with our ethnic coalitions.

cc: Governor Sununu
Andy Card

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02. Letter with Attachments	From James C. Fletcher to Chase Undermeyer Re Appointment of NASA Administrator [FOIA RESTRICTIONS REDACTED] (15 pp.)	11/17/88	P2, P5 , (b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff to the President, Office of the
Series: Sununu, John, Files
Subseries: White House Offices File
WHORM Cat.:
File Location: Cabinet Affairs (Transition)

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

Date Closed:	11/29/2004	OA/ID Number:	29176-001
FOIA/SYS Case #:	1998-0004-F-01	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]
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.

(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



National Aeronautics and
Space Administration

Washington, D.C.
20546

Office of the Administrator

November 17, 1988

Honorable Chase Untermeyer
Director of Personnel
Office of the President-Elect
1825 Connecticut Avenue, N.W.
Washington, DC 20270

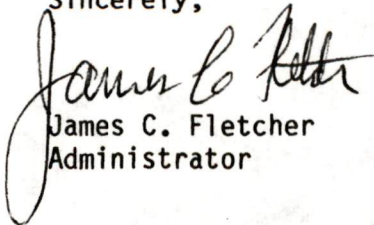
Dear Mr. Untermeyer:

In your consideration of candidates to succeed me as NASA Administrator, I urge you to find a leader who is already experienced in the management of the agency, who already has the respect of the Congress, and is a proven team player with the new Administration.

NASA is just now recovering from the 1986 accident with a careful schedule of operational shuttle flights. NASA's austere budget can be managed to support balanced program progress highlighted by development of Space Station Freedom, the international commitment to a permanent manned presence in space. NASA as an organization, while under some stress, is functioning loyally and well; however, I am very concerned that we will lose a significant number of key senior people if a new leader is not named soon.

Given the really critical importance of this matter to the future of the entire civil space program, I am presuming to make some suggestions as to people I believe would make the agency a centerpiece success in the administration of President Bush. I have added some personal notes as well.

Sincerely,



James C. Fletcher
Administrator

Enclosure

cc: Vice President-Elect Dan Quayle

Civilians
(in order of preference)

(b)(6)

#1.

#2.

#3.

#4.

Retired Military
(in order of preference)

Although the legislation is not always clear, the intent of most of it would indicate a negative feeling about a retired military General Officer serving as NASA Administrator. The Senate could easily waive this, according to NASA's General Counsel, but there is some risk of a Senator raising a point of order in this regard. With this in mind, I have separated out these candidates into a different category.

#1.

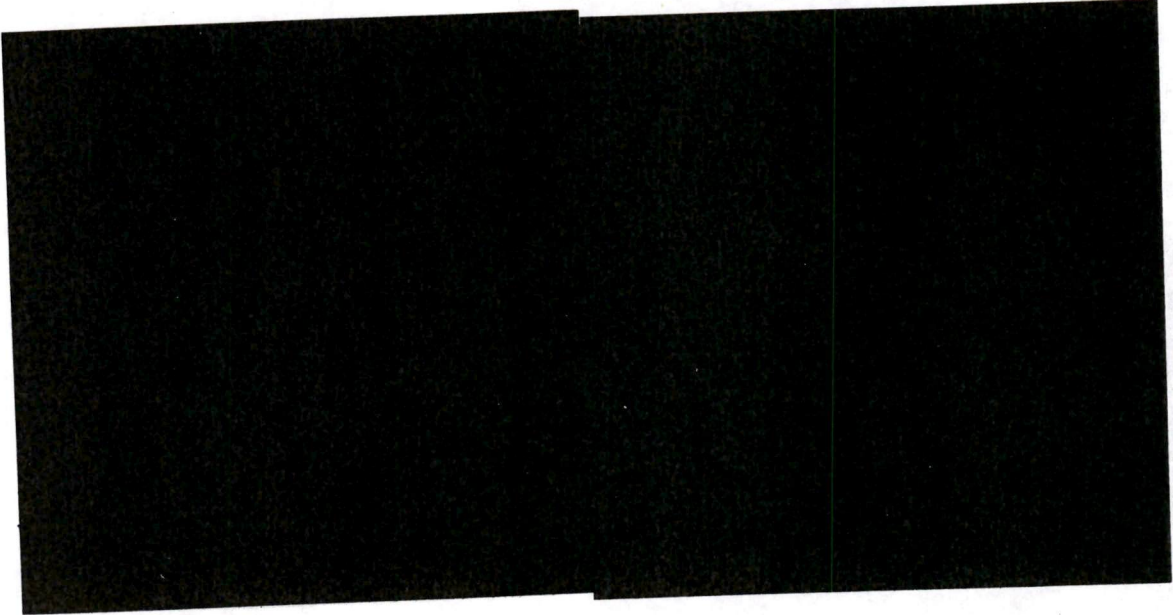
(b)(6)

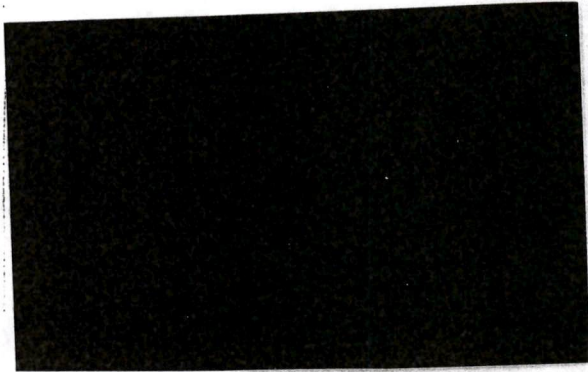
(b)(6)

2

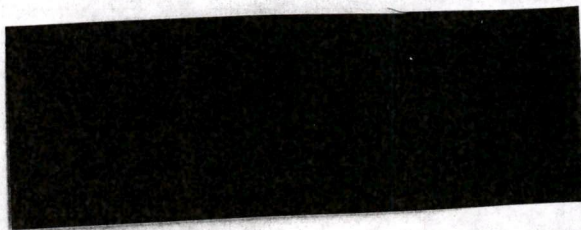
#2.

#3.

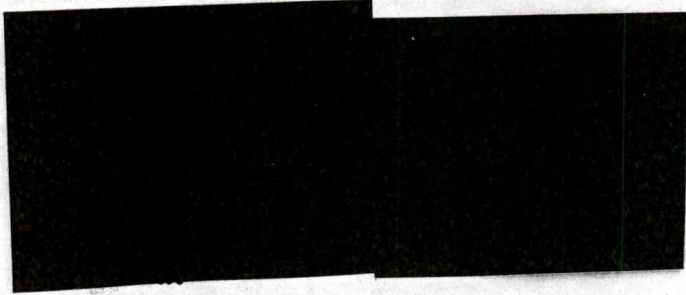




(b)(6)



(b)(6)



(b)(6)

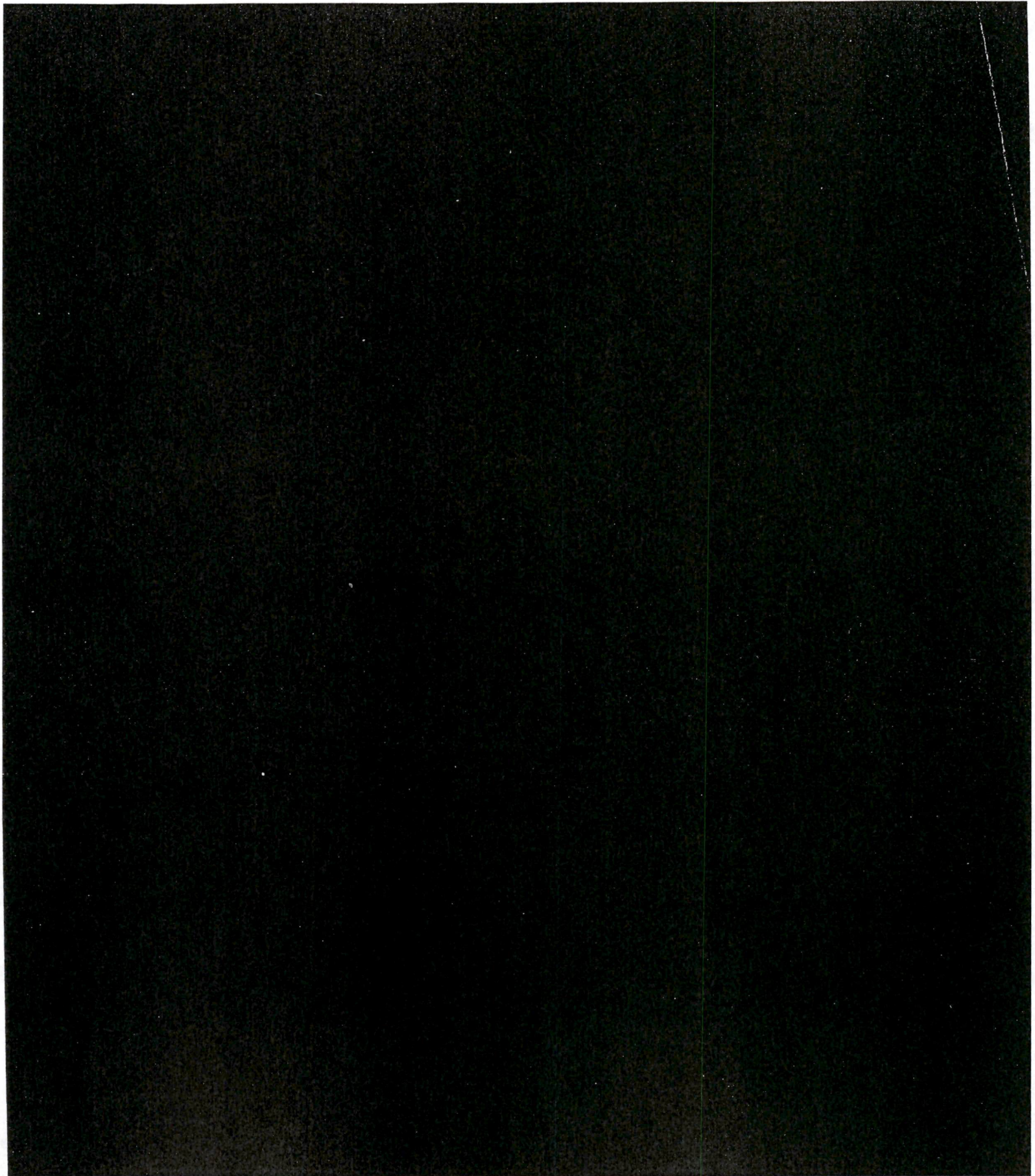


National Aeronautics and
Space Administration

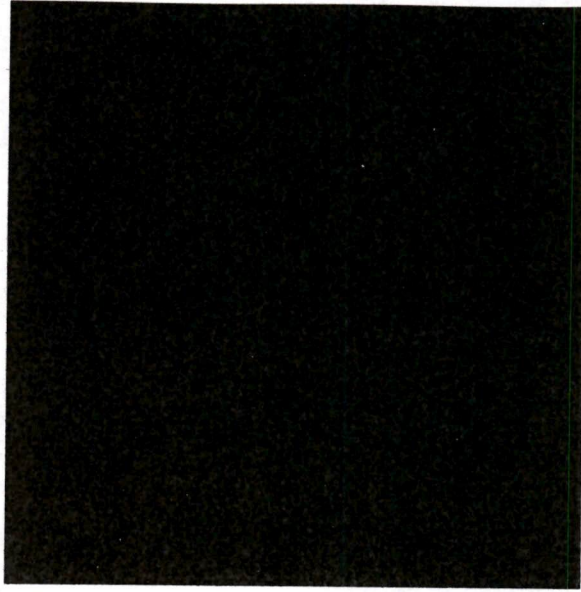
Washington, D.C.
20546



(b)(6)

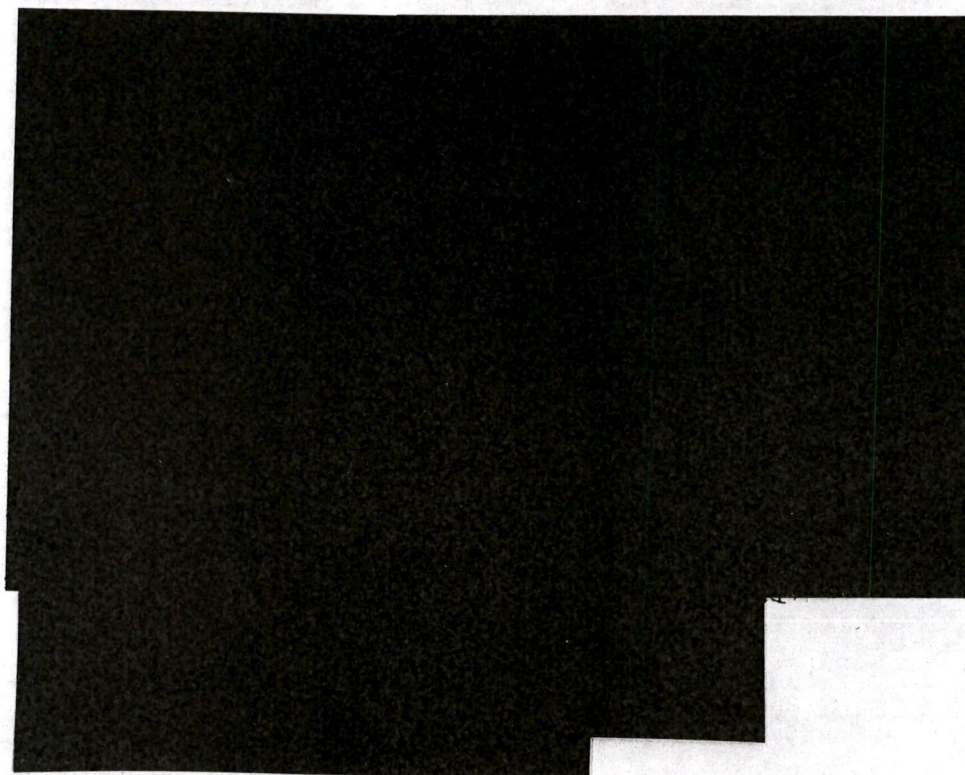


(b) (c)

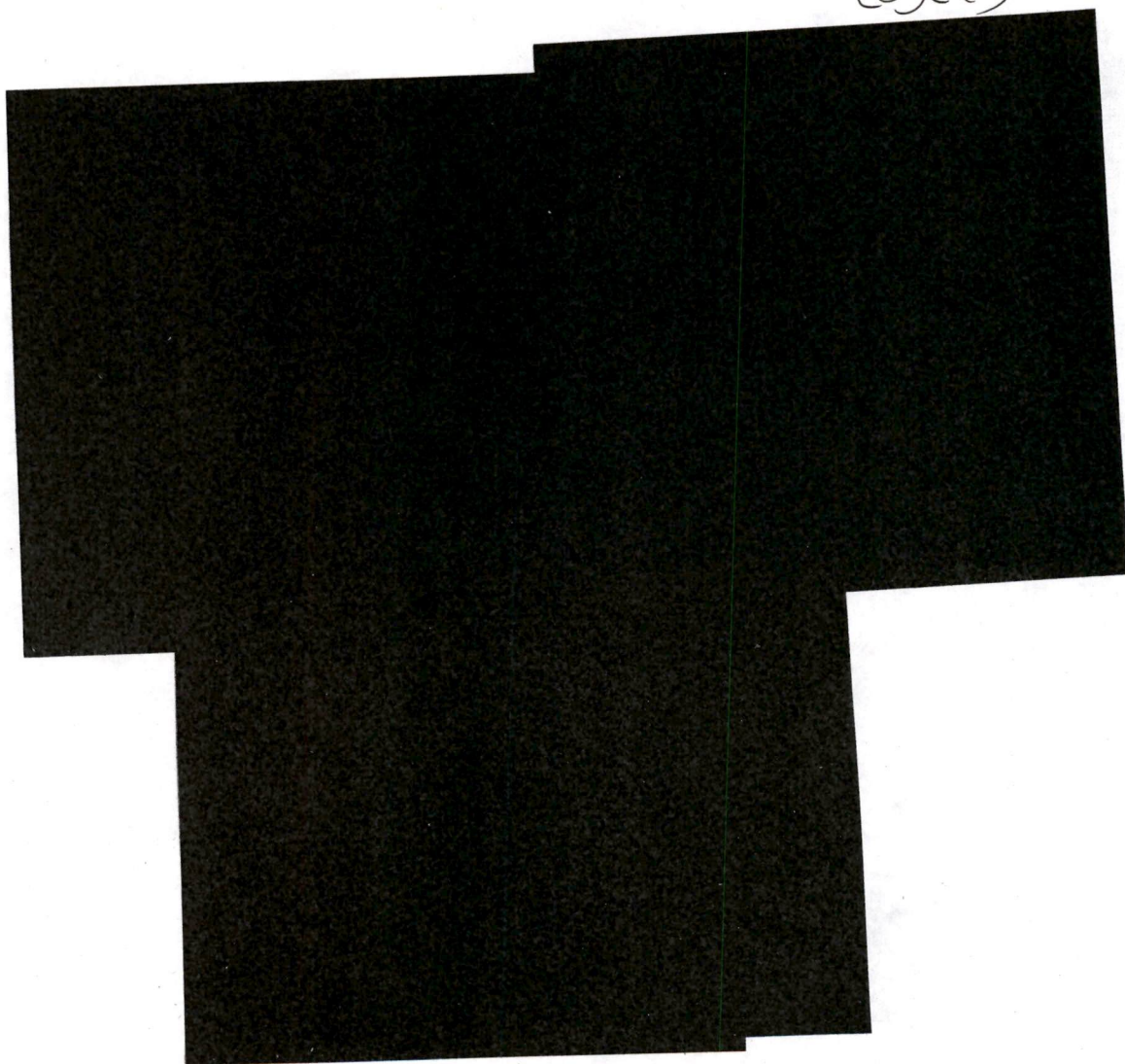


(b)(6)

(b)(6)



(b)(6)



Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
03. Letter	From James C. Fletcher to Chase Untermeyer Re Appointment of NASA Administrator (2 pp.)	12/12/88	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff to the President, Office of the
Series: Sununu, John, Files
Subseries: White House Offices File
WHORM Cat.:
File Location: Cabinet Affairs (Transition)

Date Closed:	11/29/2004	OA/ID Number:	29176-001
FOIA/SYS Case #:	1998-0004-F-01	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.
04. Letter	From James C. Fletcher to Governor Sununu Re Appointment of NASA Administrator (1 pp.)	12/9/88	P-2 , P-5	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff to the President, Office of the
Series: Sununu, John, Files
Subseries: White House Offices File
WHORM Cat.:
File Location: Cabinet Affairs (Transition)

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

Date Closed: 11/29/2004	OA/ID Number: 29176-001
FOIA/SYS Case #: 1998-0004-F-01	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



National Aeronautics and
Space Administration

Washington, D.C.
20546

Office of the Administrator

6130-
SENSITIVE

DEC 9 1988

*Fullen - the V.P.
does want to set
this up*

347-0004

December 9, 1988

Honorable John H. Sununu
c/o Presidential Transition Office
1825 Connecticut Avenue, N.W.
Washington, DC 20270

Dear Governor Sununu:

I feel it is extremely important to the future of the entire civil space program to find the proper leader to take my place as soon as feasible. We are in an unusually difficult period at NASA from several aspects:

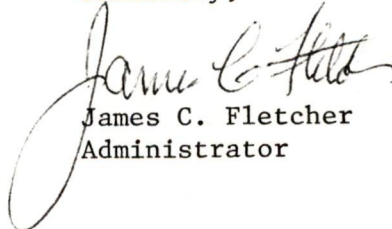
1. Even though we have had two very successful flights of the Space Shuttle, we have a long way to go to fully recover from the Challenger accident.

2. This change in Administration comes at a time when both the Administrator and his Deputy plan to leave as soon as possible. In past transitions normally the Deputy, at least, has agreed to stay on for a time.

3. Although NASA is functioning very well as an organization with highly competent people in charge, many will want to leave when I do. This could be devastating to the Agency unless the new Administrator is announced soon and the key members of the team are encouraged to stay, thereby indicating the priority the Bush Administration attaches to the civil space program.

I realize the President-Elect has a very busy schedule and Cabinet Secretaries must be highest on his list of priorities, but I think my replacement should have high priority as well. With this in mind, at the earliest opportunity, I'd like to meet with him for 30 minutes to discuss the situation at NASA. The President-Elect knows me well and I'm sure would want to see me as soon as he has the time. Please let me know when this might be done.

Sincerely,


James C. Fletcher
Administrator

SENSITIVE

OFFICE OF THE PRESIDENT-ELECT
WASHINGTON, D.C. 20270

OFFICE OF GOVERNOR JOHN SUNUNU

DATE: 1-9-89 REPLY/ACTION DUE: _____

FROM: Ed Rogers

SUBJECT: Attached Farren memo re: status of Reagan cabinet appointees

	ACTION	FYI		ACTION	FYI
GOVERNOR SUNUNU	☐	☐	<u>David Bates</u>	☐	☒
ANDY CARD	☐	☐	_____	☐	☐
LINDA CASEY	☐	☐	_____	☐	☐
JACKIE KENNEDY	☐	☐	_____	☐	☐
TRACY LEE	☐	☐	_____	☐	☐
ED ROGERS	☐	☐	_____	☐	☐

COMMENTS: _____

FAX NUMBERS: New Hampshire (603) 271-2130
Washington (202) 745-7360

RETURN TO: _____
1825 Connecticut Ave, N.W.
Washington, D.C. 20270
(202) 673-2300

January 6, 1989

MEMORANDUM FOR JOHN TUCK

FROM: MIKE FARREN *mf*
SUBJECT: Attached Memorandum

We would like the attached memorandum to be sent out as soon as possible. We would also request that a list of those cabinet offices/agencies that receive the material be forwarded to the Transition Office for our files.

Thank you for your cooperation.

bcc: Governor Sununu

OFFICE OF THE PRESIDENT-ELECT
WASHINGTON, D.C. 20270

January 6, 1989

MEMORANDUM FOR ALL CABINET AND AGENCY HEADS

FROM: CRAIG L. FULLER
ROBERT M. TEETER 
SUBJECT: Post Inauguration status of Reagan appointees,
non-career SES and Schedule C appointees

Since all incumbent political appointees have been asked to submit resignations to appointing officials, guidance to those incumbents on their status upon President-elect Bush's inauguration is timely. The following guidance is being offered after consultation with President-elect Bush.

All incumbents are free to remain at their posts until their successors arrive for duty. Incumbents wishing to leave immediately or prior to the appointment of a successor are free to do so.

A policy allowing incumbents to remain at their posts, following President-elect Bush's inauguration, until successors are appointed, assures continuity of leadership and an effective transition of authority to Bush Administration appointees. This policy will in no way impede the flexibility of newly appointed agency heads, upon confirmation, to accept the resignations of subordinate incumbents immediately.

This guidance applies to all Presidential appointees, non-career SES and Schedule C appointees. Please convey this guidance to appointees in your agency immediately.

Thank you for your cooperation.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
05. Memo	From David Bates to Governor Sununu Re Executive Secretary Position at EPC (5 pp.)	12/28/88	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff to the President, Office of the
Series: Sununu, John, Files
Subseries: White House Offices File
WHORM Cat.:
File Location: Cabinet Affairs (Transition)

Date Closed:	11/29/2004	OA/ID Number:	29176-001
FOIA/SYS Case #:	1998-0004-F-01	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

OFFICE OF THE PRESIDENT-ELECT
WASHINGTON, D.C. 20270

28 December 1988

To: Craig Fuller & Bob Teeter

Here is the proposed memo to incumbent/ appointees which can go out in your names:

-----draft-----draft-----draft-----draft---

MEMORANDUM TO ALL CABINET AND AGENCY HEADS

President-elect Bush has asked us to say on his behalf that he desires all appointees of the Reagan Administration to remain at their posts after his inauguration until such time as their successors arrive. Anyone who for personal reasons wishes to depart earlier than this may of course do so.

In this way, there will be continuity of the principles and leadership of the Reagan Administration and a smoother transition to the Bush Administration.

This same policy should apply to all non-career SES and Schedule C appointees who serve with you.

Thank you for your cooperation and loyal service.

Craig L. Fuller

Robert Teeter

Co-Directors, 1988-89 Transition



OFFICE OF THE PRESIDENT-ELECT
WASHINGTON, D.C. 20270

-----draft-----draft-----draft--

And here is the cable along the lines the VP wants sent to all ambassadors (Untermeyer's proposed draft):

President-elect Bush has indicated he wishes all chiefs of mission to remain at their posts until such time as their successors are appointed. Anyone who for personal reasons desires to leave prior to this time may of course do so. In this manner, there will be continuity of the policies of the Reagan-Bush Administration abroad as well as at home. The President-elect is grateful for the loyal service given by all ambassadors in this period. SHULTZ.

-----draft-----draft-----draft-----

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
06a. Paper	DOE Facilities Problems and Political Solutions (8 pp.)	n.d.	(b)(1)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff to the President, Office of the
Series: Sununu, John, Files
Subseries: White House Offices File
WHORM Cat.:
File Location: Cabinet Affairs (Transition)

Date Closed:	11/29/2004	OA/ID Number:	29176-001
FOIA/SYS Case #:	1998-0004-F-01	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.
06b. Paper	Candidate for Secretary of Energy (4 pp.)	n.d.	(b)(1)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff to the President, Office of the
Series: Sununu, John, Files
Subseries: White House Offices Files
WHORM Cat.:
File Location: Cabinet Affairs (Transition)

Date Closed:	11/29/2004	OA/ID Number:	29176-001
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

ATTACHMENT A - RECENT ENVIRONMENTAL RECORD IN CONGRESS

A. 98th Congress (1983-84):

1. Voted for the Water Quality Renewal Act (strengthened Clean Water Act).
2. Voted for the Superfund Expansion and Protection Act.
3. Was co-author in Ways and Means Committee of compromise tax title of Superfund Expansion and Protection Act to add additional \$1.2 billion in funding to cleanup of hazardous waste sites.
4. Voted for increased funding of EPA (HUD and Independent Agencies Appropriations bill).
5. Voted for additional 2.4 million acres of new national forest land (Oregon Wilderness Act, White Mountain National Forest [N.H.], White Rock National Recreation Area [Vt.], North Carolina Wilderness Act and California Wilderness Act).
6. Wrote to Administrator of EPA protesting announced slowdown of Superfund cleanup program.
7. Voted to add the Tuolumne River (Calif.) as a Wild and Scenic River.
8. Voted for the Clean Water Act Revision which doubled the authorization for sewage treatment plant construction grants.

B. 99th Congress (1985-86):

1. Voted for Superfund reauthorization.
2. Wrote to Secretary of Commerce urging limits be implemented on size and number of redfish taken in Gulf of Mexico.
3. Voted for Safe Drinking Water Act.
4. Co-authored Superfund broad-based tax structure approved in Ways and Means Committee but later stricken on House floor which based tax more closely on environmental damage done by responsible parties.
5. Voted for Clean Water Act reauthorization.
6. Opposed dumping of gypsum tailings containing low level radioactive waste in Mississippi River.

7. Brought Secretary of the Interior Don Hodel to Louisiana to tour coastal erosion problems.
8. Voted to continue the Anadromous Fish Conservation Act.

OFFICE OF THE PRESIDENT-ELECT
WASHINGTON, D.C. 20270

OFFICE OF GOVERNOR JOHN SUNUNU

DATE: 12-2 REPLY/ACTION DUE: _____

FROM: Ed Rogers

SUBJECT: Cabinet announcements

	ACTION	FYI		ACTION	FYI
GOVERNOR SUNUNU	☐	☒	_____	☐	☐
ANDY CARD	☐	☒	_____	☐	☐
LINDA CASEY	☐	☐	_____	☐	☐
JACKIE KENNEDY	☐	☐	_____	☐	☐
TRACY LEE	☐	☐	_____	☐	☐
ED ROGERS	☐	☐	_____	☐	☐

COMMENTS: _____

*Dr W.H.
Structure*

FAX NUMBERS: New Hampshire (603) 271-2130
Washington (202) 745-7360

RETURN TO: _____
1825 Connecticut Ave, N.W.
Washington, D.C. 20270
(202) 673-2300

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
07a. Memo	From David Demarest to Bob Teeter Re Suggested announcements (1 pp.)	11/30/88	P-2 , P-5	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff to the President, Office of the
Series: Sununu, John, Files
Subseries: White House Offices File
WHORM Cat.:
File Location: Cabinet Affairs (Transition)

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

Date Closed:	11/29/2004	OA/ID Number:	29176-001
FOIA/SYS Case #:	1998-0004-F-01	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

*Routing slip - file
Govt and ZY2*

November 30, 1988

MEMORANDUM TO: BOB TEETER
CRAIG FULLER

9 DEC 1988

FROM: DAVID DEMAREST *DD*

RE: SUGGESTED ANNOUNCEMENTS

I have asked my staff for one-page memos suggesting creative ways for the President-elect to announce his Cabinet nominees. By choosing the location, backdrop and timing of the announcement event, we can enhance its news value. The "message" associated with that particular policy area is given more mileage as well.

Attached are the first couple of idea memos that have been done by the staff. As we complete more, I will forward them to you for consideration.

The Vice President should be made aware of the benefits of choosing strategic locations and backdrops for his announcements. Announcing his choices from the briefing room is fine, but the potential exists for sending a more positive message on the issues.

Thanks very much.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
07b. Memo	From David Demarest to Bob Teeter Re Announcement of Drug Czar w/Related Event (2 pp.)	11/30/88	P2 , P5	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff to the President, Office of the
Series: Sununu, John, Files
Subseries: White House Offices File
WHORM Cat.:
File Location: Cabinet Affairs (Transition)

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

Date Closed:	11/29/2004	OA/ID Number:	29176-001
FOIA/SYS Case #:	1998-0004-F-01	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

November 30, 1988

MEMORANDUM FOR CRAIG FULLER
ROBERT TEETER

FROM: DAVE DEMAREST ⁴⁴

SUBJECT: ANNOUNCEMENT OF DRUG CZAR WITH RELATED EVENT

Although all of the Cabinet-level announcements up until now have been made at the Old Executive Office Building, it might be beneficial to highlight a few of the remaining announcements by holding them in an alternate location in conjunction with a related event in order to reinforce the themes of the announcement.

The announcement of the Administration's drug czar carries the potential for the Vice President to send powerful signals regarding the type of anti-drug policy he intends to pursue. By highlighting this announcement as much as possible, we can signal that the Bush Administration will give the fight against illegal narcotics its highest priority.

The South Florida area is probably the region of the country most readily identified with the influx of illegal narcotics, which makes this area the logical place for the drug czar announcement. There are several different symbolic approaches that the Vice President could take, however, the region's reputation as a port for drug smugglers seems to make interdiction the logical theme to follow.

The Vice President participated in a Customs coastline patrol in Miami in 1985, an event which received extremely positive coverage and which he apparently enjoyed as well. The Customs Service requested his participation for such an event during the campaign, and would be eager to put something together for us now.

The announcement itself could be made as part of an address, either to local narcotics law enforcement officers or to an education or rehabilitation clinic. The Metro Dade County Police have suffered the killings of several officers in recent weeks, and a memorial service might be appropriate. Also, the Village South Rehabilitation Center, recognized as the finest in the state, is located only a couple of miles from the Customs harbor. Either location would be appropriate for the announcement.

Even if another format is determined to be preferable for the actual announcement of a drug czar, a trip of this nature would have excellent public relations and political benefits. In either case, it would be appropriate for the Vice President to be accompanied by his nominee for the position. This would also be an appropriate trip for Vice President-elect Quayle to accompany him on as well. Even though the bill passed by Congress would prevent Quayle from assuming the office of drug czar, this would signal Bush's intentions of keeping his Vice President at the forefront of the war on drugs.

This event could occur at any time during the transition period, although an optimum time would be in either the week preceding or following New Year's. This would allow us to tie in the New Year/new challenges themes, or give the Vice President a chance to make New Year's "resolutions" toward winning the war on drugs. This timing would also give this announcement the advantage of being the Vice President's final major appointment, helping to signify the importance of this office.

MEMORANDUM TO: BOB TEETER & CRAIG FULLER

FROM: DAVID DEMAREST
BILL MCNUTT

DATE: NOVEMBER 30, 1988

**SUBJECT: PROPOSAL FOR ANNOUNCING THE NEW
SECRETARY OF ENERGY**

PROPOSAL

By traveling to North Texas to the sight of the Super Collider to announce his choice for Secretary of Energy the President-elect can accomplish a number of objectives. The super collider has captured the imagination of the country. It represents the future, clean technology that can be harnessed to benefit economic growth, maintain our leadership in technology, and increase our ability to compete Internationally.

POLITICAL ADVANTAGES

The Dallas / Ft.. Worth area was a key to carrying the Lone Star State and there are some hard feelings because the Vice President was not in the North Texas Metroplex between Labor day and the election. We had the luxury of ignoring Dallas/ Ft Worth because we were so far ahead, but now would be a good time to make an appearance to thank the troops.

POSSIBLE NEGATIVES & RESPONSES

The negative on this event idea would be the possibility that the media might again raise the charge that the Collider was a political payoff for Texas. One way to over come this impression is to make it a very bi-partisan event and paint it as it truly is, an American project and not just a Texas project. The Super-Collider project has the strong support of Speaker of the House Jim Wright and the Senate Finance Committee Chairman Lloyd Bentsen. They should both be invited. This would be the first public appearance of the President-elect and Senator Bentsen. This will communicate good will for the political healing process that we are trying to foster now that the election is over.

MESSAGE

The super-collider has implications for:

- * Education,
- * Leadership, America's position as leader of the free world
- * Technology that will benefit all mankind
- * Defense
- * Industrial Competitiveness

CONCLUSION

By announcing the Secretary of Energy at the sight, a strong statement is made that this administration will fulfill its campaign promise to fund this vital national project. By spinning the Energy Secretary announcement with the Super Collider we down play the Vice Presidents ties to the Oil and Gas Industry. Politically, just the appearance of the President elect is a pay back to a state that strongly supported the Vice President in spite of the fact Texas's energy sector has not been healthy. The President-elect is scheduled to go to Houston for the Christmas Holiday. This would be a strong front end to a trip that is already scheduled.

OFFICE OF THE PRESIDENT-ELECT
WASHINGTON, D.C. 20270

OFFICE OF GOVERNOR JOHN SUNUNU

DATE: 12-2 REPLY/ACTION DUE: _____

FROM: Ed Rogers

SUBJECT: Cabinet Holdovers

	ACTION	FYI		ACTION	FYI
GOVERNOR SUNUNU	☐	☒	_____	☐	☐
ANDY CARD	☐	☒	_____	☐	☐
LINDA CASEY	☐	☐	_____	☐	☐
JACKIE KENNEDY	☐	☐	_____	☐	☐
TRACY LEE	☐	☐	_____	☐	☐
ED ROGERS	☐	☐	_____	☐	☐

COMMENTS: _____

FAX NUMBERS: New Hampshire (603) 271-2130
Washington (202) 745-7360

RETURN TO: _____
1825 Connecticut Ave, N.W.
Washington, D.C. 20270
(202) 673-2300

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
08. Memo	From Janet Mullins to V/POTUS Re Mitchell Breakfast (1 pp.)	11/30/88	P-5	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff to the President, Office of the
Series: Sununu, John, Files
Subseries: White House Offices File
WHORM Cat.:
File Location: Cabinet Affairs (Transition)

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

Date Closed:	11/29/2004	OA/ID Number:	29176-001
FOIA/SYS Case #:	1998-0004-F-01	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

*Routig
Analy - Gen Zyd*

0 1DEC 1988

MEMORANDUM TO THE VICE PRESIDENT

FROM: Janet Mullins
RE: Mitchell Breakfast: Your Request for Early Hearings
DATE: November 30, 1988

At the leadership lunch today, Senator Byrd raised the issue of reconfirmation of Cabinet holdovers.

As you know, there is no precedent for reconfirmation. However, this is a pet issue for Sen. Byrd. In fact, he introduced legislation to require reconfirmation in 1984. It was never acted upon.

This is clearly Byrd's agenda, not Mitchell's. Byrd is Majority Leader until January 3rd, and we must assume he will try to push this agenda on the new leader.

There is concern he will ask for reconfirmation hearings in return for early hearings for your nominees. Your position should be:

1. There is no precedent for reconfirmation (see attached memo for background.)
2. There is precedent for early hearings. (It was done in 1981)
3. Politically, you believe the Congress should be cooperative, rather than obstructionist, in aiding you in putting your government in place as quickly as possible.

CC: NICHOLAS BRADY, CRAIG FULLER, GOV. JOHN SUNUNU, BOB TEETER

MEMORANDUM

TO: SENATOR DOLE

FROM: BOB DOVE

RE: WHETHER SITTING CABINET MEMBERS MUST BE RECONFIRMED

DATE: Nov. 29, 1988

This issue was considered at length in the 71st Congress when Secretary of the Treasury Andrew Mellon continued in office under President Herbert Hoover although he had been appointed by President Calvin Coolidge. No reconfirmation was required in that instance and a Senate report issued pursuant to S. Res. 2 adopted March 5, 1929 concluded as follows: "the head of any department of the Government may legally hold office as such after expiration of the term of the President by whom he was appointed." (Congressional Record 73d Congress Vol. 77 Part 1, p. 9)

Since 1789 there has never been required the reconfirmation of any cabinet member upon the death of a President, nor at the end of a President's term of office. Those Senators closest in time to the writing of the Constitution required no reconfirmation of Secretary of State Pickering who was appointed in 1795 by President Washington and who continued under President Adams until 1800. All of the members of President Jackson's cabinet continued under President Van Buren without new commissions.

**TABLE SHOWING INSTANCES WHERE HEADS OF DEPARTMENTS HAVE
HELD OFFICE, WITHOUT REAPPOINTMENT, AFTER THE EXPIRATION
OF THE TERM OF THE PRESIDENT BY WHOM THEY WERE APPOINTED.**

Table showing instances where heads of departments have held office, without reappointment, after the expiration of the term of the President by whom they were appointed

Washington, 1793, Secretary of State, Secretary of the Treasury, Secretary of War, Attorney General, and Postmaster General.	5
Adams, 1797, Secretary of State, Secretary of the Treasury, Secretary of War, Attorney General, and Postmaster General.	5
Jefferson, 1801, Secretary of the Treasury, Secretary of the Navy, and Postmaster General.	3
Jefferson, 1805, Secretary of State, Secretary of the Treasury, Secretary of War, Secretary of the Navy, and Postmaster General.	5
Madison, 1809, Secretary of the Treasury, Secretary of the Navy, Attorney General, and Postmaster General.	4
Madison, 1813, Secretary of State, Secretary of the Treasury, Secretary of War, Secretary of the Navy, Attorney General, and Postmaster General.	6
Monroe, 1817, Secretary of the Navy, Attorney General, and Postmaster General.	3
Monroe, 1821, Secretary of State, Secretary of the Treasury, Secretary of War, Secretary of the Navy, Attorney General, and Postmaster General.	6
Adams, 1825, Secretary of the Navy, Attorney General, and Postmaster General.	3
Jackson, 1829, Postmaster General.	1
Jackson, 1833, Secretary of State, Secretary of the Treasury, Secretary of War, Secretary of the Navy, Attorney General, and Postmaster General.	6
Van Buren, 1837, Secretary of State, Secretary of the Treasury, Secretary of War, Secretary of the Navy, Attorney General, and Postmaster General.	6
Harrison, 1841.	None.
Tyler, 1841, Secretary of State, Secretary of the Treasury, Secretary of War, Secretary of the Navy, Attorney General, and Postmaster General.	5
Polk, 1845.	None.
Taylor, 1849.	None.
Fillmore, 1850.	None.
Pierce, 1853.	None.
Buchanan, 1857.	None.
Lincoln, 1861.	None.
Lincoln, 1865, Secretary of State, Secretary of War, Secretary of the Navy, Secretary of the Interior, Attorney General, and Postmaster General.	6
Johnson, 1865, Secretary of State, Secretary of the Treasury, Secretary of War, Secretary of the Navy, Secretary of the Interior, Attorney General, and Postmaster General.	7
Grant, 1869.	None.
Grant, 1873.	None.
Hayes, 1877.	None.
Garfield, 1881.	None.
Arthur, 1881, Secretary of War, Secretary of the Navy, and Secretary of the Interior.	3
Cleveland, 1885.	None.
Harrison, 1889.	None.
Cleveland, 1893.	None.
McKinley, 1897.	None.
McKinley, 1901.	None.
Roosevelt, 1901, Secretary of State, Secretary of the Treasury, Secretary of War, Secretary of the Navy, Secretary of the Interior, Secretary of Agriculture, Secretary of Commerce, Secretary of Labor, and Postmaster General.	8
Roosevelt, 1905.	None.
Taft, 1909.	None.
Wilson, 1913.	None.
Wilson, 1917, Secretary of State, Secretary of War, Secretary of the Treasury, Secretary of the Navy, Secretary of the Interior, Secretary of Agriculture, Secretary of Commerce, Secretary of Labor, and Attorney General.	9
Harding, 1921.	None.
Coolidge, 1923, Secretary of State, Secretary of War, Secretary of the Treasury, Secretary of the Navy, Secretary of the Interior, Secretary of Agriculture, Secretary of Commerce, Secretary of Labor, Attorney General and Postmaster General.	10
Coolidge, 1925, Secretary of the Treasury, Secretary of War, Secretary of the Navy, Secretary of the Interior, Secretary of Commerce, and Secretary of Labor.	6
Hoover, 1929, Secretary of the Treasury and Secretary of Labor.	2
Total.	110

NOTE.—Table does not include instances where officers held over for only a few weeks or less.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
09. Memo	From John Schmitz to C. Boyden Gray Re Constitutional Scope of Senate's Advice and Consent Power and the Renomination of PAS Incumbents in the Executive Branch (3 pp.)	10/10/88	P-2 , P-5	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff to the President, Office of the
Series: Sununu, John, Files
Subseries: White House Offices File
WHORM Cat.:
File Location: Cabinet Affairs (Transition)

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

Date Closed:	11/29/2004	OA/ID Number:	29176-001
FOIA/SYS Case #:	1998-0004-F-01	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

TO: C. Boyden Gray

FROM: John P. Schmitz
David B. Rivkin, Jr.

RE: Constitutional Scope of the Senate's Advice and Consent
Power and the Renomination of PAS Incumbents in the
Executive Branch

DATE: 10 October 1988

Per your request, we reviewed the issue of whether the renomination and reconfirmation of PAS incumbents in the Executive Branch is either constitutionally required, or at least desirable from the policy standpoint. The answer to this question is an emphatic no. Our conclusions are as follows:

- The historical analogy with the Presidency of Martin Van Buren is very instructive. He kept at least three of Andrew Jackson cabinet officers on after his election in 1836, and did not resubmit their names to the Senate for reconfirmation.
- Constitutionally, the scope of the Senate's power to provide advice and consent to Executive nominations is a narrow one. The underlying intent was to establish a check against presidential appointment of incompetent or corrupt individuals. This view is clearly reflected in the pre-constitutional practices that influenced the Framers, and in the Framers' own writings. There is absolutely no evidence to suggest that the advice and consent power was intended to give the Senate a broad policy role in determining the composition of each President's cabinet. Given the narrow scope of the Senate's advice and consent power, once a given individual has been confirmed by the Senate, he has been determined to be free from corruption or incompetence and can continue in his job indefinitely, subject of course to removal by the President at any time.
- Given ongoing congressional efforts to arrogate to itself traditional Executive constitutional prerogatives and to micromanage the activities of the Executive Branch, renominating PAS incumbents is likely to contribute to the further erosion of the Presidency as an institution, and would set an unfortunate precedent. It might be easily construed as legitimizing the constitutionally erroneous

I am aware of no legal theory or authority which would require the renomination and reconfirmation of PAS** incumbents in the executive branch. Although Congress has the power to create offices not established by the Constitution and to establish qualifications required of such an officer, the Constitution distinguishes between creation of an office and appointment thereto. In creating an office, Congress can specify a limited term of office. Additionally, the Constitution limits the term of recess appointments (art. II, sec. 2, cl. 3). Once Congress has given its advice and consent to a PAS nominee, however, its Constitutional role is limited to the power of impeachment (art. I, sec. 2, cl. 5; art. I, sec. 3, cl. 7; art. II, sec. 4).

With respect to your second question, officers of an executive agency serve at the President's pleasure and are subject to the President's illimitable power of removal. See Myers v. United States, 272 U.S. 52 (1926). These officers may be removed by the President at any time. Of course, the officer may also resign, effective either on a day certain or upon the occurrence of some future event, such as the appointment and qualification of a successor. (See TAB A for examples of appropriate wording for resignations with various effective dates.)

A resignation "to be effective upon the appointment and qualification of my successor" is especially appropriate in a "friendly" transition because it obviates a period of vacancy between resignation of the incumbent and appointment of a successor. The Department of Justice has specifically approved this procedure, saying it is not an infringement on the President's constitutional authority because it does not limit his power to remove the officer earlier. 3 Op. Off. Legal Counsel 152 (1979). Finally, a PAS officer is removed by operation of law, regardless of resignation, when the President appoints a successor with the advice and consent of the Senate.

** Presidential appointee requiring Senate confirmation.

view, oft propounded by congressional partisans, that Congress has a right to co-determine both the personnel and substantive politics of the Executive. Furthermore, taking such a step at this time might easily arouse congressional and public expectations that a renomination of PAS incumbents is required at the beginning of each presidential term, irrespective of whether or not a new President takes office.