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# **President Ronald Reagan Oral History Project**

## **Briefing Materials**

**Peter J. Wallison**

**October 28-29, 2003**

**Prepared by Darby Morrisroe, Chief Research Assistant**  
October 2003

## PETER J. WALLISON TIMELINE

*Prepared by Darby A. Morrisroe*

*Miller Center of Public Affairs, University of Virginia, 9/20/2003*

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- 1963** Wallison receives a Bachelor of Arts degree from Harvard College.
- 1966** After graduating from Harvard Law School, Wallison joins the New York law firm of Rogers & Wells as an associate.
- 1969-1970** During the Nixon Administration, Wallison serves as a Senior Staff Associate for the President's Advisory Council on Executive Reorganization.
- 1972-1973** Wallison works as a Special Assistant to Governor Nelson A. Rockefeller (R-NY).
- 1973-1974** Wallison is Counsel to the Commission for Critical Choices for Americans.
- 1974-1977** During Rockefeller's Vice Presidency, Wallison serves as Counsel to the Vice President. While serving as Rockefeller's principle staff assistant for the work of the President's Commission on CIA Activities Within the United States, Wallison has occasion to work with Commission member Ronald Reagan. (Peter J. Wallison, *Ronald Reagan: The Power of Conviction and the Success of His Presidency*, Boulder, CO: Westview Press, 2003, pp. 86-88)
- 1977** Wallison returns to Rogers & Wells as a partner.
- 1981**
- March* On the 30<sup>th</sup>, John Hinkley, Jr. shoots Reagan in an attempted assassination.
- April* Shortly after the assassination attempt, Treasury Secretary Donald Regan requests a management review of the performance of Treasury Department agencies in connection with the assassination attempt. A Treasury Department team under the direction of Wallison will later conduct the review. (*The New York Times*, 8/20/1981)
- May* On the 15<sup>th</sup>, Reagan announces the nomination of Wallison to be General Counsel of the Department of the Treasury.
- June* The Senate Finance Committee holds a hearing on Wallison's nomination on the 11<sup>th</sup>. Wallison is confirmed on the 16<sup>th</sup>.
- On the 25<sup>th</sup>, the Depository Institutions Deregulation Committee (DIDC), for which Wallison serves as General Counsel, eliminates the government-imposed

interest rate ceilings on savings certificates with deposits of four years or more. (*The New York Times*, 8/1/1981)

*August* Finding that the Committee lacked congressional approval to act, a Federal District Court Judge rules that the June removal of the interest rate ceiling by the DIDC was unconstitutional. Noting the DIDC's awareness of concerns from the thrift industry that the rule change would have deregulated the market too quickly, Wallison says, "The members of the Committee concluded that the speed that deregulation would have occurred over a period of years was at a reasonable speed." (*The New York Times*, 8/1/1981)

On the 19<sup>th</sup>, the Treasury Department releases its report on the handling of the assassination attempt. The review concludes that the Secret Service and other Treasury agencies "performed well" both during and after the attempt. The report offers a number of proposals aimed at improving the ability of the Secret Service to protect the President. Among the recommendations are the removal of intelligence gathering restrictions placed on the F.B.I. and the granting to the Secret Service more access to intelligence from other agencies. Wallison says that the lack of intelligence "may have impaired the ability of the Service to identify dangerous individuals and groups." The report also calls for increased funding of the Secret Service. (*The New York Times*, 8/20/1981; *The Washington Post*, 8/20/1981)

*December* Administration officials, including those at Treasury and Justice, consider a policy change that would allow the IRS to end the practice of denying tax exemptions to non-profit organizations, particularly private schools, that discriminate on the basis of race. Wallison tells Regan that the Administration should not adopt a policy that would allow such exemptions to be granted. He also tells Regan that the Administration should not tell Representative Trent Lott (R-Miss.) it is considering the issue "since we may want to preserve the President's position of noninvolvement in this matter whichever way it goes." (*The Washington Post*, 2/3/1982)

## 1982

*January* On the 8<sup>th</sup>, Treasury and Justice Department officials announce that the IRS will allow tax exemptions to organizations that exercise racial discrimination. Four days later, the Administration announces plans to seek legislation that would prevent organizations that discriminate from receiving tax exemptions. Wallison indicates that the Administration would likely delay granting any exemptions until Congress had an opportunity to act on the legislation. (*The New York Times*, 1/13/1982)

On the 26<sup>th</sup>, a majority of the lawyers in the Department of Justice's Civil Rights Division sign a letter of protest to Assistant Attorney General for Civil Rights William Bradford Reynolds objecting to the Administration's decision to allow

tax exemptions for organizations that discriminate. The letter argues that the decision “violates existing federal civil rights law, as expressed in the Constitution, acts of Congress and federal court interpretation thereof.” Wallison and Reynolds testify on the matter before the Senate Finance Committee. (*The Washington Post*, 2/3/1982)

*October* In response to reports that the Secretary of the Treasury has assumed more control over the activities and decisions of the Comptroller of the Currency, Wallison notes, “I do not know of a single case since I have been here where the comptroller and the Secretary have disagreed. They are, I think, of one mind on banking matters of substance.” (*Legal Times*, 10/25/1982)

## 1984

*March* The Federal Home Loan Bank Board shuts down the Texas-based Empire Savings and Loan Association. The decision comes as Congress is holding hearings on the federal deposit insurance system. Testifying before a congressional committee, Wallison urges a review of the insurance system. (*The New York Times*, 3/15/1984; *The Washington Post*, 3/15/1984; *The Wall Street Journal*, 3/22/1984)

*September* In an effort to end the impasse over banking deregulation legislation being considered by the Senate, Wallison and Federal Reserve General Counsel Michael Bradfield present a compromise plan to a group of bankers representing major banking institutions. The plan, which could lead to nationwide banking chains within five years, allows states to enter into reciprocal banking agreements with neighboring states while allowing the exclusion of banks from some states. After a period of years, such exclusions would be disallowed. (*The New York Times*, 9/12/1984)

## 1985

*January* Treasury Secretary Donald Regan and Chief of Staff James Baker switch jobs. (*The Washington Post*, 1/11/1985)

Wallison leaves the Department of Treasury to join the Washington, D.C. law firm of Gibson, Dunn & Crutcher as a partner. Deputy Assistant for National Security Affairs Robert M. Kimmitt replaces Wallison as Treasury General Counsel. (Peter J. Wallison Official Biography; *The Washington Post*, 5/24/1985)

## 1986

*February* On the 21<sup>st</sup>, after meeting with Wallison and Donald Regan in the Oval Office, Reagan announces his intention to appoint Wallison to be Counsel to the President. Wallison will replace Fred Fielding, who is expected to depart in mid-March. (Wallison, p. 81; *The Washington Post*, 2/22/1986).

- March* Wallison travels to the Reagan ranch home in California to review with the Reagans their tax returns. (Wallison, p. 106)
- April* On the 8<sup>th</sup>, Reagan announces the appointment of Jay B. Stephens to be Deputy Counsel to the President. Stephens will succeed Richard A. Hauser.
- In response to a request from the General Accounting Office (GAO), Wallison sends the agency a report detailing former Deputy Chief of Staff Michael Deaver's role in White House discussions on acid rain before leaving the Administration. The report offers no assessment of the legalities of Deaver's activities. Preparation of the report began under former White House Counsel Fred Fielding. (*The Washington Post*, 4/20/1986)
- May* The General Accounting Office recommends the Deaver matter be referred to the Department of Justice for investigation of possible illegalities. Included in the Justice Department inquiry will be an F.B.I. investigation into Deaver's role in securing a letter from Reagan calling for the return of major league baseball to Washington, D.C. (*The New York Times*, 5/6/1986; *The Washington Post*, 5/15/1986)
- Wallison urges the President to allow him to send a memo to the White House staff requesting their cooperation with investigations associated with the Deaver matter. The President consents. (Wallison, p. 96; *The Washington Post*, 5/15/1986)
- On the 27<sup>th</sup>, Chief Justice Warren E. Burger, accompanied by former White House Counsel Fred Fielding, informs Reagan of his intention to retire from the Supreme Court. Wallison, Reagan and Attorney General Edwin Meese, III constitute a three person team to manage the search for a nominee. On the 29<sup>th</sup>, The three meet with Reagan in the Oval Office to discuss possible replacements, including Associate Justice William H. Rehnquist. In the context of a possible elevation of Rehnquist to the Chief Justice post, Circuit Court Judge Antonin Scalia is considered as a possible replacement for the vacated seat. Over the following two weeks, the team prepares background materials on ten to fifteen potential candidates. (Wallison, p. 150-151; *The New York Times*, 6/18/1986)
- June* On the 9<sup>th</sup>, Wallison, Reagan and Meese meet again with Reagan to further discuss Supreme Court nominations and winnow down the list of potential candidates. At this meeting, Reagan decides to meet with Rehnquist. Three days later, Reagan meets with Rehnquist and offers him the position. Following Rehnquist's acceptance of the nomination, Reagan settles on Scalia to fill the vacated Associate Justice position. (*The New York Times*, 6/18/1986)

On the 17<sup>th</sup>, Reagan announces Chief Justice Burger's resignation and the nominations of William H. Rehnquist for Chief Justice and Antonin Scalia for Associate Justice.

*July* On the 31<sup>st</sup>, Reagan asserts executive privilege in denying a request from the Senate Judiciary Committee to see internal memorandums written by Rehnquist during his service in the Nixon Administration's Department of Justice. Reagan decides to assert executive privilege after a meeting on the subject with Wallison, Meese and Charles Cooper, Assistant Attorney General in charge of the Office of Legal Counsel. (*The New York Times*, 8/1/1986)

*August* On the 5<sup>th</sup>, Reagan hears opposing arguments from Wallison and Meese about invoking executive privilege for the Rehnquist memos. Wallison opposes granting a waiver of executive privilege. Reagan decides to waive executive privilege and allow the Senate Judiciary Committee to view the Rehnquist memos. (Wallison, p. 98; *The New York Times*, 8/6/1986)

It is reported that the Department of Justice investigations into the activities of Michael Deaver are extending to cover allegations Deaver used his influence within the Administration to arrange a White House meeting between Reagan and Kim Kahwan, an economic adviser to the President of South Korea. Wallison finds no evidence Deaver contacted the White House to help set up the meeting; instead he finds documents indicating that the meeting had been set up at the request of the U.S. Ambassador to Korea. (Wallison, p. 120-121; *The New York Times*, 8/11/1986)

The Senate Judiciary Committee approves, 13-5, Rehnquist's nomination as Chief Justice on the 14<sup>th</sup>. The Committee also approves Scalia's nomination. (*The Wall Street Journal*, 8/15/1986)

On the 17<sup>th</sup>, the Senate confirms both Rehnquist, 65-33, and Scalia, 98-0.

*September* It is reported that while Administration officials have largely agreed on supporting a policy of drug testing of federal government employees, there remains disagreement over whether employees failing their second test should be subject to dismissal. This issue is the subject of intense debate among Cabinet members and senior White House officials during a September 10<sup>th</sup> meeting of the Domestic Policy Council. Wallison is among those opposing the termination of employees for a second failed test. Instead, he argues, employees should be provided further treatment. On the 11<sup>th</sup>, the Cabinet unanimously calls for significant increases in drug testing of federal employees as part of a nearly \$1 billion plan to reduce drug abuse. The proposal to the President recommends that employees who fail a second drug test be dismissed. (*The New York Times*, 9/11/1986)

On the 15<sup>th</sup>, Reagan issues an executive order that subjects federal employees who work in sensitive positions to mandatory drug tests at the discretion of the agency head. Reagan also sends the \$900 million anti-drug plan developed by the Cabinet to Congress for consideration. Reagan further endorses important features of a House-passed drug bill. Wallison notes the “tremendous similarities” between the two bills and says, “Much of the material that is included in the House-passed bill was material that the Justice department...had furnished over time to the Hill as recommended legislative changes.” (*The Washington Post*, 9/16/1986)

*October* Wallison is selected to head the Administration’s Task Force on Budget Reform, a group charged with considering wide-ranging changes to the federal budget process. The thirteen member task force begins meeting on the 10<sup>th</sup> and is comprised of officials from the White House, the Office of Management and Budget, the Treasury Department, the GAO and the General Services Administration. According to Wallison, one objective of the group is to identify “a better method to display the budget to make it more informative for Congress and the American people.” Along these lines, the task force is exploring the possibility of dividing the budget into day-to-day and capital spending. (*National Journal*, 10/25/1986; *The Washington Post*, 10/30/1986)

*November* On the 4<sup>th</sup>, Reagan is re-elected President of the United States. During a daily operations meeting the same day, Wallison first learns of press reports that Former Assistant to the President for National Security Bud McFarlane visited Tehran to obtain release of American hostages. (Wallison, pp. 167-168; *Note: For a more detailed description of Wallison’s activities during the Iran-Contra crisis than is provided in this timeline, please refer to chapters seven, eight and nine in Wallison’s book*)

On the 7<sup>th</sup>, Wallison learns from Regan of the Administration’s sale of arms to Iran. At Regan’s request, Wallison seeks further information from Assistant to the President for National Security John Poindexter regarding the legal issues associated with the action. Poindexter is not forthcoming on the matter. Wallison later writes that on this occasion he might “have had the dubious distinction of being the first person outside this little group to be lied to about the President’s role in the Iran arms sales matter.” Regan is unable to direct Poindexter to respond to Wallison’s questions. (Wallison, pp. 175-179)

On the 11<sup>th</sup>, Wallison writes Regan a memo “outlining the difficulties...in the President’s legal position” and recommending a waiver of executive privilege for requests from those investigating the Iranian arms sales. (Wallison, pp. 180-181)

Wallison is among those designated to work on the President’s October 13<sup>th</sup> speech regarding the sale of arms to Iran. Based on his understanding of the facts, Wallison objects to the inclusion of a sentence that asserts that “all laws have

been complied with.” The sentence makes it into the final statement. (Wallison, pp. 182-184)

On the 18<sup>th</sup>, Wallison holds a meeting with the general counsels of all agencies with possible involvement in the Iranian arms sales, including counsels from the Departments of State, Defense and Justice, the Central Intelligence Agency and the National Security Council. Wallison writes that the objective of the meeting is to attempt to find agreement “on a common set of legal theories to support the position the Administration would have to take on the Iranian initiatives” during congressional hearings. (Wallison, pp.187-188)

On the 19<sup>th</sup>, Reagan holds his first press conference on the Iranian arms sales matter.

The President assigns Meese the task of investigating the Iranian arms sales on the 21<sup>st</sup>. (Wallison, p.195)

Wallison learns from Regan, on the 24<sup>th</sup>, that Meese’s investigation discovered evidence that funds from the Iranian arms sales were used to fund the Nicaraguan Contras. Wallison and Assistant to the President Dennis Thomas work on a draft for a presidential statement on the diversion of funds to the Contras. (Wallison, pp. 197)

On the 25<sup>th</sup>, Poindexter resigns and Reagan meets with congressional leaders to inform them that the Administration did sell arms to Iran, and used the proceeds to fund the Nicaraguan Contras. Wallison and Assistant Attorney General Charles Cooper complete drafts of both the President’s statement on the diversions of funds to the Contras and the proposal for a special review board. Later that day, Wallison attends a luncheon with Reagan for the Justices of the U.S. Supreme Court. (Wallison, pp. 1-2, 200)

*December* On the 1<sup>st</sup>, the President, Regan and Wallison meet with members of the President’s Special Review Board (Tower Board) to discuss the charge of the Board. (Wallison, p. 207)

On the 4<sup>th</sup>, Meese requests appointment of Independent Counsel to investigate the Iran-Contra matter.

Lawrence Walsh is appointed Independent Counsel in the Iran-Contra matter on the 19<sup>th</sup>.

## 1987

*January* In anticipation of the release of the Senate Select Committee on Intelligence report on Iran-Contra, Wallison, Regan and Deputy Counsel to the President Jay Stephens meet with Reagan on the 3<sup>rd</sup>. During this meeting Wallison is able, for

the first time, to directly question the President on his recollection of events associated with the Iran-Contra matter. (Wallison, pp. 225-228)

On the 22<sup>nd</sup> and 23<sup>rd</sup>, Wallison, Vice President George Bush, Regan, David Abshire (22<sup>nd</sup> only) and Charles Brower (23<sup>rd</sup> only), meet with the President to prepare him for his interview with the Tower Board. (Wallison, pp. 249-250)

Reagan is interviewed by the Tower Board on the 26<sup>th</sup>. Wallison attends the interview. (Wallison, p. 251)

*February* On the 10<sup>th</sup>, Wallison, Regan and Abshire meet with the President to prepare him for his second interview with the Tower Board. (Wallison, p. 260)

On the 11<sup>th</sup>, Wallison participates in the President's second meeting with the Tower Board. (Wallison, pp. 91, 258-259)

The Tower Board issues its report on the 26<sup>th</sup>.

*March* Wallison resigns on the 13<sup>th</sup>, returning to the firm of Gibson, Dunn & Crutcher. He is replaced as Counsel to the President by A.B. Culvahouse.

## **PETER J. WALLISON SUGGESTED TOPICS**

*Prepared by Darby A. Morrisroe*

*Miller Center of Public Affairs, University of Virginia, 10/12/2003*

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### ***Joining the Administration***

- Discuss the origins of your relationship with Reagan and your early impressions of him as a political leader.
- Were you involved in the 1980 presidential campaign or transition?
- How did you come to be selected as General Counsel for the Department of Treasury?
- How did your prior service as Counsel to Vice President Nelson Rockefeller inform your understanding of the role of an executive branch counsel?

### ***Department of Treasury General Counsel***

- Describe your role and responsibilities as Treasury's General Counsel.
- What issues and activities occupied your time (post-assassination performance review, IMF, banking deregulation, tax exemption policy, etc)?
- Discuss your relationship with Treasury Secretary Donald Regan. How would you assess his management style? Comment on Regan's relationship with Reagan and the White House staff. With whom in the Department of Treasury did you work most closely?
- How did the Administration coordinate economic policymaking? How did the various economic agencies, including Treasury, OMB, CEA, and the Federal Reserve, interact?
- Did you have occasion to work closely with White House staff?
- Describe your relationship with White House Counsel Fred Fielding and other legal policymakers in the Administration.
- Why did you decide to leave Treasury?

### ***Counsel to the President***

- Comment on the circumstances surrounding your return to the Administration.
- Discuss the range and nature of your responsibilities as White House Counsel. Did you have any conversations with Regan or Reagan about your role as Counsel?
- Describe your relationships and interactions with other members of the White House staff and Cabinet (Chief of Staff, policy development staff, press staff, national security staff, cabinet councils, etc.). With whom did you work most closely? Discuss the frequency and nature of your interactions with President Reagan.
- Did you make any changes to the organization or operation of the Counsel's office after your arrival? What were the priorities of the Counsel's office? Discuss the staffing of the Counsel's office. What issues and activities most occupied your staff?
- What issues and investigations occupied most of your time as Counsel?
- Discuss your role in heading up the White House Budget Task Force. What were the main objectives and challenges faced by the group?
- Comment on the conflict of interest investigations associated with Michael Deaver.
- Discuss your role in investigating the Iran-Contra matter. In what ways did you and the Counsel's office become involved? Did your responsibilities in the investigation change after David Abshire was brought in? How did the emergence of the Iran-Contra affair affect the morale in the White House? In what ways did it affect White House activities and operations?

- Discuss your relationships with other legal policymakers in the Administration (Attorney General, Solicitor General, DOJ's Office of Legal Counsel and Office of Policy Development, agency counsels, etc.).
- What role did you and your staff play in reviewing presidential speeches, legislation, executive orders and pardons? Do any instances of review stand out in your mind?
- Some have characterized the work of the Counsel's office as being more defensive than offensive. How would you describe the nature of the Counsel's office work during your tenure?
- Discuss your decision to return to private practice.

### ***Judicial Selection***

- What political concerns and philosophies guided President Reagan's judicial appointments?
- What part did you and the White House Counsel's office play in selecting and screening the nominees? Discuss the division of judicial selection responsibilities with Justice.
- What were the Administration's objectives in nominating Justice William Rehnquist to succeed Chief Justice Burger? What factors led to your selection of Antonin Scalia? Discuss the process of choosing these nominees.
- Comment on the Administration's impact on the federal courts.

### ***The Reagan Presidency in Retrospect***

- Discuss your observations of Reagan's decision-making style. What were the distinctive characteristics of Reagan as a public leader, a legislative leader, an economic leader, and a party leader?
- What do you consider to be your most significant contributions during your years in the Reagan Administration?
- What were the strengths and weaknesses of the Reagan presidency?
- What features of the Reagan presidency were missed or misunderstood by the press?
- How should the Reagan presidency be viewed in historical perspective?