

United States of America  
**Office of  
Government Ethics**

RF  
Office of Personnel Management  
Washington, D.C. 20415

OCT 20 1983

Honorable Richard Hauser  
Deputy Counsel to the President  
The White House  
Washington, D.C. 20500

Dear Mr. Hauser:

You have requested us to confirm our oral advice of October 18, 1983 regarding whether or not the conflict of interest laws (18 U.S.C. §§ 202-209) and the standards of conduct regulations (see 3 C.F.R. Part 100) would prohibit the President from taking part in official matters relating to the entertainment industry which may from time to time arise.

In brief, the Department of Justice's views, with which we agree, are that the President and the Vice President are not legally subject to the restrictions of (1) the conflict of interest laws, Title 18 U.S.C. §§ 202-209, and (2) the standards of conduct as set forth in Executive Order No. 11222 of May 8, 1965 and the regulations thereunder, 5 C.F.R. Part 735 (pertaining to the whole executive branch) and 3 C.F.R. Part 100 (pertaining specifically to the Executive Office of the President), but as a matter of policy, the President and the Vice President should conduct themselves as if they were so bound. See, e.g., letter opinion from Laurence H. Silberman, Acting Attorney General, Department of Justice, to Senator Howard W. Cannon, Chairman, Committee on Rules and Administration, dated September 20, 1974 and Memorandum from Antonin Scalia, Assistant Attorney General, Office of Legal Counsel, Department of Justice, to Honorable Kenneth A. Lazarus, Associate Counsel to the President, dated December 19, 1974. (Copies attached).

You have informed us that the President and Mrs. Reagan intend to donate to charity any money that they may receive during the President's tenure in office from any of their movie, television or radio residuals. In our opinion, this would remove the appearance that the President or Mrs. Reagan would stand to benefit financially from his official participation in such entertainment industry matters.

Sincerely,



David H. Martin  
Director

Enclosures