

Enforcement-Sensitive Documents of the Environmental Protection Agency

*Statement by the President.
February 18, 1983*

I am very pleased to learn that we have been able to reach agreement with the Congress on the procedures for handling the EPA enforcement-sensitive documents that have been sought by Mr. Levitas' subcommittee and the contempt citation of Administrator Gorsuch. The agreement strikes an appropriate balance in that it is consistent with the doctrine of executive privilege, while it also assures that necessary information is made available to the Congress in the legitimate pursuit of its responsibilities. I thank Mr. Levitas for his cooperation and statesmanship in effecting this resolution.

I asserted executive privilege as to the enforcement-sensitive documents because I have a constitutional obligation to the people—and to those who have held this Office in the past and will hold it in the future—to ensure that the integrity of sensitive law enforcement documents be preserved.

Under our constitutional system, the legislative branch has a responsibility for oversight and the executive branch has a responsibility for enforcing the laws. Occasionally there is a legitimate dispute over the respective roles of each. This is nothing new—it has been going on for almost 200 years. In the past the branches have managed to reach compromises that acknowledge and preserve the legitimate interests of each branch. What we both sought to do in these negotiations was to reach a solution which would do that. That is what we have done.

Note: The agreement is detailed in a 5-page document entitled "Memorandum of Understanding Between the Committee on Public Works and Transportation and the Department of Justice Concerning Documents Subpoenaed From Environmental Protection Agency." The document was signed by Elliott H. Levitas, chairman of the Subcommittee on Investigations and Oversight of the Committee on Public Works and Transportation, Fred Fielding,

Counsel to the President, and Edward Schmults, Deputy Attorney General, following their meeting on February 18.

The President's statement was not available in time for inclusion in last week's issue.

Defense Spending

*Radio Address to the Nation.
February 19, 1983*

My fellow Americans:

This Monday will mark the 251st birthday of George Washington, the Father of our Country. Unlike Abraham Lincoln, Franklin Roosevelt, and most other famous Presidents, Washington was not a great orator or man of words. He was, above all, a man of action and character. His courage, firmness, and integrity first led a ragged, outnumbered army to triumph against the mightiest empire of his time and then guided our infant republic to maturity as the first President of the United States.

George Washington didn't say much, but when he did speak, as both a soldier and a statesman, what he said was worth listening to. As President, in his first annual address to the Congress, he offered a wise piece of advice on defense preparedness that is as timely today as it was when he uttered it nearly two centuries ago.

"To be prepared for war," George Washington said, "is the most effectual means of preserving the peace." When I reread this quote a few days ago, it brought to mind the current public debate over this administration's efforts to protect the peace by restoring our country's neglected defenses.

Now, I know that this is a hard time to call for increased defense spending. It isn't easy to ask American families who are already making sacrifices in the recession, or American businesses which are struggling to reinvest for the future, and it isn't easy for someone like me who's dedicated his entire political career to reducing government spending.

On the other hand, it's always very easy and very tempting politically to come up