President Ronald Reagan
Oral History Project

Briefing Materials

Arthur B. Culvahouse, Jr.

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Prepared by Darby Morrisroe, Research Assistant
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**ARTHUR B. CULVAHOUSE, JR. TIMELINE**

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1970  
Culvahouse graduates from the University of Tennessee with high honors.

1973  
Culvahouse earns a law degree from New York University School of Law, where he was Editor-in-Chief of the Annual Survey of American Law.

1973  
After graduating from law school, Culvahouse serves as Chief Legislative Assistant and Counsel to Senator Howard H. Baker, Jr. (R-TN).

1976  
Culvahouse joins the Washington, D.C. office of the Los Angeles-based law firm O’Melveny & Myers as an associate. He is later named a partner in the firm.

1979  
Culvahouse serves as General Counsel for Baker’s presidential campaign. *(Legal Times, 3/9/1987)*

1984  
When Baker retires from the Senate, Culvahouse joins him as a partner in the law firm of Vinson & Elkins.

1987  
*February*  

*March*  
On the 2nd, Baker introduces Culvahouse to Reagan and the three discuss Baker’s plans to have Culvahouse undertake a comprehensive investigation into the Iran-Contra matter. Culvahouse and Baker receive Reagan’s assurance that they will have total access to every document and person during the investigation. *(Woodward, p. 127)*

On the 5th, Reagan announces his intention to nominate Culvahouse as Counsel to the President. Culvahouse will replace current White House Counsel Peter Wallison, whose resignation takes effect on the 20th. *(Legal Times, 3/9/1987)*

On the 6th, Baker and Culvahouse lunch with Reagan supporters, including Attorney General Edwin Meese, III, Senator Paul Laxalt (R-NV), and
Edwin J. Feulner, Jr. of the Heritage Foundation. It is reported that the lunch is part of an effort by Baker to enlist support and suggestions from conservatives and longtime Reagan loyalists. (The Washington Post, 3/7/1987)

Culvahouse begins regular meetings with White House Press Secretary Marlin Fitzwater to discuss potential questions from the media on Iran-Contra. (Woodward, p. 129)

On the 19th, William B. Lytton is named Deputy Special Counsel to the President. Lytton is brought in by Culvahouse to work full time with him on Iran-Contra and to manage the organization of a White House Iran-Contra legal task force. Lytton takes office space in the Old Executive Office Building and soon has more than 60 people working on Iran-Contra. (Woodward, p. 133)

### April

On the 6th, Culvahouse and Lytton hold their first meeting with Iran-Contra independent counsel Lawrence E. Walsh. On the question of access to the President’s personal diaries, Walsh agrees to allow Culvahouse to review the diaries and provide Walsh with any relevant passages. (Woodward, p. 134)

On the 13th, Culvahouse begins his review of Reagan’s diaries. He finds nothing in the diaries that incriminates the President. (Woodward, p. 135)

On the 30th, Culvahouse, Baker and Lytton meet with the President to discuss Iran-Contra. At the meeting, the President agrees to a series of confidential formal meetings with Culvahouse and Lytton to review the law and to discuss with Reagan information they discover during their investigation. (Woodward, p. 135)

### May

On the 5th, Congress begins its hearings on Iran-Contra.

On the 26th, Culvahouse, Baker and Lytton hold their first formal meeting with Reagan on Iran-Contra. By the conclusion of their investigation, they will hold thirteen long sessions with the President, probing his recollections on Iran-Contra and discussing the findings of their investigation. (Woodward, p. 151)

Culvahouse, Baker and Lytton meet with the President on Iran-Contra on the 29th. (Woodward, p. 137)

### June

Culvahouse and Lytton meet with John Poindexter’s attorney, who suggests the possibility of a presidential pardon for Poindexter. (Woodward, p. 138)
The Department of Justice (DOJ) announces its conclusion that the existing independent counsel statute is unconstitutional and urges the President to veto any legislation permitting extension of the law in its current form. The current authorization expires in January. The DOJ announcement is cleared with Culvahouse. (*The New York Times*, 6/17/1987)

On the 18\textsuperscript{th}, Culvahouse, Baker and Lytton meet with the President on Iran-Contra. At the meeting, Reagan rejects the idea of pardoning Oliver North and John Poindexter. They meet again with the President on the 23\textsuperscript{rd}, 24\textsuperscript{th}, and 30\textsuperscript{th}. (Woodward, p. 138)


On the 29\textsuperscript{th}, Reagan meets with Culvahouse, Baker and Meese to discuss potential Supreme Court nominees. It is reported that D.C. Circuit Court Judge Robert Bork is the consensus choice of the group. (*The Washington Post*, 6/30/1987)

*July*

On the 1\textsuperscript{st}, Reagan nominates Judge Robert Bork to fill the Supreme Court vacancy.

Culvahouse, Baker and Lytton meet with the President on Iran-Contra on the 2\textsuperscript{nd}. (Woodward, p. 143)

Culvahouse intervenes in a dispute between the Department of Justice and the House committee investigating Iran-Contra over the ability of DOJ lawyers to represent both the Department’s officials and the Department itself in appearances before congressional committees. (*Legal Times*, 7/6/1987)

On the 10\textsuperscript{th}, Culvahouse, Baker and Lytton meet with the President on Iran-Contra. The same day, the three interview the First Lady. (Woodward, p. 146)

Oliver North and John Poindexter testify publicly before Congress under a grant of immunity on the Iran-Contra matter. Nothing in their testimony implicates the President.

Culvahouse, Baker and Lytton return to the Oval Office to meet with the President on Iran-Contra on the 20\textsuperscript{th}. (Woodward, p. 137)
September  On the 15\textsuperscript{th}, the Senate Judiciary Committee begins its hearings on Supreme Court nominee Judge Robert Bork. (1987 Congressional Quarterly Almanac, p. 271)

October  Following two weeks of contentious hearings, the Senate Judiciary Committee votes, 9 to 5, against recommending Bork’s confirmation. The Committee then votes, 9 to 5, to send the nomination to the Senate floor with an unfavorable recommendation. (1987 Congressional Quarterly Almanac, p. 273)

After bitter debate on the Senate floor, Bork’s nomination to the Supreme Court is rejected, 58 to 42, on the 23\textsuperscript{rd}. (1987 Congressional Quarterly Almanac, p. 273)

On the 29\textsuperscript{th}, Reagan nominates Circuit Court Judge Douglas H. Ginsburg to fill the Supreme Court vacancy. (The Washington Post, 10/30/1987)

November  On the 7\textsuperscript{th}, Ginsburg asks Reagan to withdraw his nomination following admission of past marijuana use by the nominee. (The Washington Post, 11/8/1987)

On the 11\textsuperscript{th}, Reagan nominates Circuit Court Judge Anthony Kennedy to the Supreme Court.

On the 18\textsuperscript{th}, Congress issues its report on Iran-Contra.

December  In a surprise move, Reagan signs legislation reauthorizing the independent counsel statute on the 14\textsuperscript{th}. In his signing statement, Reagan indicates he is signing the measure “in order to ensure that public confidence in government not be eroded while the courts are in the process” of deciding on the constitutional issues. (The Washington Post, 12/16/1987)

The Senate Judiciary Committee holds three days of hearings on Supreme Court nominee Judge Anthony Kennedy. (1987 Congressional Quarterly Almanac, p. 276)

1988


February  On the 3\textsuperscript{rd}, the Senate unanimously confirms Kennedy’s nomination to the Supreme Court. (The Washington Post, 2/4/1988)
Culvahouse forms an interagency panel to review the classification of information requested by independent counsel James C. McKay in his investigation of Attorney General Edwin Meese’s role in an Iraqi oil pipeline deal. (*The New York Times*, 2/5/1988)

**March**

On the 17th, the White House informs Senate Republicans of the Administration’s opposition to a condition Senate Democrats are expected to attach to a resolution approving the Intermediate-Range Nuclear Forces (INF) Treaty. The condition would prohibit the Administration from revising its interpretation of the Treaty without congressional approval. In a letter critiquing the proviso, Culvahouse says, “We agree the executive is...required to adhere to the interpretation... authoritatively shared with, and clearly intended, generally understood and relied upon by the Senate” but that the condition would require the Administration to adhere to statements by all officials “no matter how trivial or unimportant the issue may be” to the Senate’s ratification debate. Culvahouse describes the provision as “an unprecedented arrogation of the treaty power by the Senate.” (*The Washington Post*, 3/19/1988)

On the 29th, the Senate Foreign Relations Committee votes, 12 to 6, to add the proposed treaty interpretation condition language to the INF Treaty’s resolution of ratification. (*The Washington Post*, 3/30/1988)

**April**


**May**

After working out a compromise on the treaty interpretation proviso, the Senate approves, 93 to 5, the resolution approving the INF Treaty. (*1988 Congressional Quarterly Almanac*, p. 369)

**June**

President Reagan appoints Kenneth M. Duberstein as Chief of Staff upon the resignation of Howard Baker. (*The Washington Post*, 6/15/1988)

**July**

On the 5th, Meese announces his intention to resign as Attorney General later in the summer. Reagan discusses possible replacements with Duberstein and Culvahouse. Soon after Meese’s announcement, McKay releases his report. Though cleared of any criminal wrongdoing, the report calls into question Meese’s judgment as Attorney General. (*1988 Congressional Quarterly Almanac*, p. 77)

On the 12th, Reagan nominates Richard Thornburgh, a former governor of Pennsylvania, to succeed Meese as Attorney General. (*1988 Congressional Quarterly Almanac*, p. 79)
August

Following smooth confirmation hearings, Thornburgh’s nomination as Attorney General is unanimously confirmed by the Senate on the 11th. He is sworn into office the following day. (1988 Congressional Quarterly Almanac, p. 79)

1989

January

Reagan awards Culvahouse the Presidential Citizen’s Medal, an honor that recognizes “citizens who performed exemplary deeds of service for the country or their fellow citizens.”

Culvahouse returns to O’Melveny & Myers, where he currently serves as Chairman.
Counsel to the President

- Discuss the circumstances surrounding your selection as Counsel to the President.
- Did you have any conversations with Baker or Reagan about your role as Counsel? What challenges did you face upon your arrival at the White House?
- 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?
- Discuss the range and nature of your responsibilities as White House Counsel. What issues and investigations occupied most of your time (Iran-Contra, judicial selection, independent counsel statute, INF treaty, etc.)?
- 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.
- Discuss your role in investigating the Iran-Contra matter. In what ways did you and the Counsel’s office become involved? Comment on your decision to hire William Lytton and the creation of the White House Iran-Contra task force. Describe your relationship and interactions with Independent Counsel Lawrence Walsh and his operation.
- Comment on the President’s decision to sign the independent counsel law over the objections of the Department of Justice. How was this decision made?
- Describe your relationships with other legal policymakers in the Administration (Attorney General, Solicitor General, DOJ’s Office of Legal Counsel, agency counsels, etc.).
- Comment on the selection of Thornburgh as Attorney General.
- What role did you and your staff play in reviewing presidential speeches, legislation (proposed language, signing statements, enrolled bills, etc.), executive orders and pardons? Do any instances of review stand out in your mind?

Judicial Selection

- What political concerns and philosophies guided President Reagan’s judicial appointments?
- What were the Administration’s objectives in nominating Robert Bork, Douglas Ginsburg and Anthony Kennedy to replace Justice Powell? Discuss the selection and confirmation process for each nominee. Who were the strongest supporters of each of these nominees?
- What part did you and the White House Counsel’s office play in selecting and screening the nominees for the lower federal bench? Discuss the division of judicial selection responsibilities with the Department of Justice. Comment on the Administration’s impact on the federal courts.
The Reagan Presidency in Retrospect

- Comment on the transition to the Bush Administration. How would you characterize the relationship between Reagan’s staff and the Bush team?
- 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 overlooked or misunderstood by the press?
- How should the Reagan presidency be viewed in historical perspective?
TIMELINES


SELECTED WRITINGS AND PUBLIC STATEMENTS BY ARTHUR B. CULVAHOUSE, JR.

- Arthur B. Culvahouse, Jr., Notes for remarks delivered at the Museum of Natural History, Smithsonian Institution, Washington, D.C., 2/6/1990. (provided by respondent)

- Arthur B. Culvahouse, Jr., Text of remarks delivered at a conference of the American Society of Newspaper Editors at New York University, 4/6/1995. (provided by respondent)


JOINING THE ADMINISTRATION


Office of the White House Counsel


JUDICIAL SELECTION

Supreme Court Nominations


Lower Court Selection

IRAN-CONTRA


SELECTED ISSUES

Department of Justice

Independent Counsel Statute

INF Treaty