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July 22, 1987

MEMORANDUM FOR CARL ANDERSON

FROM: MAX GREEN *MG*
SUBJECT: Bork nomination

I. Jewish Organizations

So far only three organizations of note are fighting the nomination. Two are women's groups concerned about "freedom of choice," B'nai B'rith Women and the National Council of Jewish Women. Only the latter really matter. The other organization opposing is the very liberal American Jewish Congress. Interestingly, the Congress is urging its members to tell their Senators 1) that it is proper to consider ideology and 2) not to make up their minds until after the hearings. That's not so bad coming from the Congress which, from my perspective, is extremist on the church-state issue.

Otherwise the important Jewish organizations are staying out of the fight. This includes the Anti-Defamation League, for certain, and the American Jewish Committee, almost certain to sit on the sidelines throughout. This is all to the good because with these two organizations not participating in the debate and the pro-Israel organizations (e.g. Hadassah and AIPAC) having nothing to say, there is no way that anyone can honestly claim that the "Jewish community" is opposed to Bork.

In addition to the above I am in contact with B'nai B'rith and the Union of American Hebrew Congregations, and Conservative Jewish organizations, who may very well not line up on one side or the other.

I will contact Orthodox groups today, hoping to get some of them to actively support Bork. However, remember that Orthodox only represent about 10 percent of American Jewry.

Otherwise, I would like to request that Judge Bork meet with Jewish leaders in two settings. First, I think we should give Rabbi Haberman the go-ahead to host a dinner party for a few religious leaders. Second, I think it would be helpful to have him participate in a breakfast or lunch next week in New York city with secular Jewish leaders who deal with civil rights and civil liberty matters.

✓ I also think we should put together special packets for distribution to Jewish leaders stressing his stands on social issues.

II. Labor

✓ The AFL-CIO has directed state and local affiliates to stay out until after the hearing and to tell their Senators to do the same. However, international unions are free to take positions.

Once again, I think Bork is the best advertisement himself. I urge that Judge Larry Silberman be asked to host a dinner for Bork and Lane Kirkland. I also think it is important that we have another cocktail or dinner party with moderate labor leaders like Al Shanker, Jack Joyce of the Bricklayers, etc. We also have to get materials out to them, particularly on civil rights and labor-management issues.

III. Liberal and Democrat

We should widely distribute the Lloyd Cutler, Sheilds, and Barone articles and Washington Post editorials, maybe even the not-so-good New Republic editorial. Also expect good moderate op-eds from Walter Berns, Ben Wattenberg, Jack Bunzel. I will talk to others about writing pro-Bork pieces.

David Ifshin is working the Democratic part, unfortunately with little effect so far. We should encourage him but not interfere because the last thing we want is for him to look like a White House agent, which he definitely is not. He just feels strongly that Bork should be confirmed.

IV. Blacks

Bayard Rustin is in Haiti. When he retruns on Friday I will talk to him. We are obviously not going to get officals of any civil rights organizations to support Bork, but I will sound Bayard out on the possiblity of a meeting with some moderate leaders.

✓ Also, we should encourage conservative Blacks to write about the nomination. I am thinking of Larry Wade, Thomas Sewell, Walter Williams.

V. In General

The more the merrier. I think Bork should be asked for names of former students who became prominent in the profession and would sign a statement praising him for his approach to the interpretation of the law. Also, law professors and deans - Justice is already calling them, and is also getting people to write to the Judiciary Committee.

✓ Ken Bialkin, the President of the New York City Bar Association, will say next week or the week after that Bork should be confirmed. This gives rise to the thought that we ought to be after presidents of other local bar associations to make similar endorsements.

✓ In general, we should get as many people to speak and write for Bork as possible. Norman Podhoretz will write a column as will Jeremy Robkin for the American Specator. I will be in touch with other possibles.

2, Doug Besharov of AEI, a moderate, has been arguing for Bork on radio interviews. By the way, Doug reminds me that we ought to prepare an explanation for the New Haven taxes that Bork has just paid.

Harry Silberman good friend of Kirkland
and Bork

Joshua Eisenstadt Mtg - Bork

Ken Bialken Pres - NY Co Bar Ass'n
Former Pres - Anti Defamation League
Presidents of Jewish Organization
Pro Bork Statement next week or two

From Former Students of Bork Pro Statement
(The Nation Institute anti)
Jim Blumstein - Vanderbilt
Durenberger bring Senate to Halt
if filibuster on Bork

Shawker might host meeting, needs
briefing material - next week
has executive board AFT
(met Bork & likes him)

Biden - Hurt - Step Down

Law Enforcement Council must have
agreement of every member may not
have for several more weeks

DRAFT

THE WHITE HOUSE
WASHINGTON

August 3, 1987

Dear _____:

I'm writing to ask for your help on something of great importance to all Americans.

Several weeks ago, I nominated Robert Bork to serve on the United States Supreme Court. Judge Bork has already had a remarkable legal career. As a partner in a leading law firm, as a professor at Yale and as a judge on the most important appeals court in the nation. He has been widely acclaimed for his intellectual power and his fairness. No man in America and few in history have been as qualified to sit on the Supreme Court as Robert Bork.

Judge Bork deserves to be evaluated on his qualifications and he deserves to be considered promptly. When Congress returns after the Labor Day recess each Senator must decide which criteria is right for casting this critical vote -- qualifications or politics? I hope you and your organization will join me in urging the Senate to confirm Judge Bork.

Thank you.

Sincerely,

Ronald Reagan

DRAFT

Over the last month, the press has carried stories about and editorials by special interest groups opposing Judge Robert H. Bork's appointment to the United States Supreme Court. The crux of their opposition appears to be a fear that Judge Bork is not committed to the same political vision that they are and, consequently, cannot be counted on to rule in their favor in every instance.

As a businessman I believe--and I think anyone who thinks about the issue seriously will agree--that the health of American business is crucial to the health of the entire American economy and therefore in the long run is more critical to the quality of life of all Americans than are these very important and emotionally-charged social issues. Unlike these special interest groups for particular social issues, however, I do not want judges deciding cases on the basis of any policy agenda--mine or anyone else's. I, therefore, join the long list of Robert Bork supporters--a list that contains notables of all political persuasions including Supreme Court Justice John Paul Stevens, and President Carter's Counsel, Lloyd Cutler. In my view, Judge Bork would make a superb Supreme Court Justice precisely because no special interest group can count on him; he has proven himself to be a fair, openminded and impartial judge who decides cases free from partisan preferences or political influence.

As a businessman and as a citizen, it is of tremendous importance to me that our courts do in practice what they were designed to

do in theory: impartially decide cases on the basis of preexisting law. I make all kinds of business and social arrangements every day--how to school my children, whom to hire for a particular job, what contracts to enter into, etc. In conducting my affairs, I, like all Americans, need to have confidence first that not every action I take will result in a court case and second, that should a controversy wind up in court, it will be settled on the basis of preexisting law of which all parties were or should have been aware.

Legal uncertainty, more than any particular judicial outcome, is capable of disrupting the efficient operation of the American economy. As Judge Bork himself has so eloquently stated, such uncertainty is a boon only to lawyers; "It makes their practices lucrative and their clients' lives wretched."

Judge Bork's enduring commitment to the rule of law ensures the vital predictability that is sought by those of us who are not lawyers and necessary to a flourishing economy. Relatedly, Judge Bork is adept at resolving any ambiguities in the law that do cause uncertainty in a logical and forthright manner that provides the direction necessary for us to order our affairs within the law. His ability to craft opinions that are both extremely thoughtful and easily understandable to even nonlawyers is a feat that in my view far too few of his colleagues on the federal bench have been able to emulate.

It is for these reasons that I strongly support Judge Bork's appointment to the Supreme Court, and not because he can be counted on to decide all cases in my favor or in favor of business in general. In fact, he cannot be counted as a safe vote for either business or economic freedom--and rightly so. Rather, he is an advocate of judicial restraint. As such, Judge Bork has argued that judicial policymaking is illegitimate whenever the exercise of judicial power is not fairly tied to the Constitution, regardless of whether it happens to favor economic rights, on the one hand, or personal privacy rights, on the other. In rejecting as illegitimate attempts to invalidate economic regulation under a general notion of laissez-faire economic philosophy, he wrote in one article:

Viewed from the standpoint of economic philosophy, and individual freedom, the idea has many attractions. But viewed from the standpoint of constitutional structures, the idea works a massive shift away from democracy and toward judicial rule.

Judge Bork relies on this same neutral approach in interpreting statutes, agency regulations, and contracts as well. For every one of his rulings that can be labelled a business victory, there seems to be another that can be labelled a business defeat. What each of Judge Bork's decisions has in common is its basis in preexisting law, rather than in his political, economic or philosophical preferences. And that is as it should be.

Take, for example, two of Judge Bork's labor cases. In International Brotherhood of Electrical Workers, Judge Bork did not hesitate to uphold a company's decision not to bargain with the union over a Christmas bonus that was not one of the benefits agreed to in the collective bargaining agreement. The victor in this case--the company--won because the terms of its preexisting agreement with the union required that it win. On the other hand, in United Mine Workers of America v. Mine Safety and Health Administration, Judge Bork followed the clear mandate of the relevant statute to hold on behalf of the union that the Mine Safety and Health Administration could not excuse individual mining companies from compliance with a mandatory safety standard, even on an interim basis, without following particular procedures and insuring that the miners were made as safe or safer by the exemption from compliance.

Consequently, while I applaud Judge Bork's fairminded approach to judging, I--like the special interest groups that oppose him--find that I cannot count on him to rule in my favor in every instance. Viewed outside the emotionally-laden context of highly charged social issues such as abortion, busing, and school prayer, however, I think the illegitimacy of supporting or opposing a candidate simply because he can or cannot be counted on always to decide a case for one's interest is as obvious as the sheer impossibility of finding a candidate who can meet that test for even a small fraction of all Americans.

At the risk of sounding politically naive, I believe that the vast majority of Americans join me in neither needing nor wanting a court tilted in their favor. What we do both need and want are judges who will impartially and faithfully apply the laws of this country without regard to their own personal or policy preferences. Robert Bork is the epitome of such a judge. In the words of Justice Stevens, he would be "a very welcome addition to the Supreme Court."

August 3, 1987

5:00 pm meeting in Ward Room
Re: Bork Nomination

1. Wayne Valis/Cheryl Hillen
Valis & Associates
2. John R. Gentile
Associated General Contractors of America
3. Nick Calio
National Assn of Wholesaler-Distributors
4. Wayne Gable
Citizens for a Sound Economy
5. James D. McKevitt (Mike)
Webster, Chamberlain, Bean and McKevitt

THE WHITE HOUSE

WASHINGTON

July 22, 1987

MEMORANDUM FOR CARL A. ANDERSON

FROM: DAN DANNER

SUBJECT: BORK NOMINATION

Per your request, here's a review of what I have heard that various groups are doing to support Judge Bork's nomination.

° U.S. Chamber of Commerce

Although they will not likely take an "official" position supporting Judge Bork, the Chamber will do some very positive "educational" activities.

They will focus on Bork's pro-business record in a series of articles in "Nation's Business," their monthly publication. They are also planning segments for their radio and TV shows (BizNet and Ask Washington) on the nomination and will include an Administration spokesman if we want one.

° Citizens for a Sound Economy (CSE)

CSE is currently working through George Mason University on an op-ed piece outlining Bork's free market stand on economics. This piece will then be sent to key Senators as well.

° The Business Roundtable

Also not expected to take an "official" position. They do anticipate some of their individual CEO's will support the nomination.

° National Association of Manufacturers

No "official" position but do anticipate some "educational" activities similar to those of the Chamber. They are considering an article in their monthly publication.

° Council for National Policy

Will likely be very involved as an organization and individual companies, although they have not begun yet. I expect they will be doing both letters and individual calls on key Senators.

- ° Associated General Contractors

Have indicated support but it's unclear so far what they will do. At the least, an article in their newsletter.

- ° National Association of Wholesaler-Distributors (NAW)

Not expected to take an "official" position but will do "educational" activities. They may also do some "low key" calls on a few key Senators.

- ° American Society of Association Executives (ASAE)

Will likely do an information piece in their monthly publication "Association Management."

These are the activities I know of currently. Let me know if you have any specific questions.

ACTION PLAN ON JUDGE BORK

- I. First and foremost . . . We need good supportive background information -- demonstrating Bork's pro-business history -- to provide groups and individuals willing to help. ^{information}
- II. Second, we need -- with as much specificity as possible -- ~~duration~~ on who are the key votes. Most of the business community will not be way out front but they will work on a few key Senators.
- III. Third, when these materials are available, I suggest a small meeting with some key business people to discuss strategy and make assignments. This should be hosted by someone here fairly high up. Possible invitees are:
 - Mike McKeivitt
 - Wayne Valis, Valis & Associates
 - Richard Rahn, U.S. Chamber
 - Bert Beatty, AGC
 - Al Bourland, U.S. Chamber
 - Dirk Van Dongen, NAW
 - Rich Fink, CSE
 - Jack Wilson, Council for National Policy
 - John Gartland, Amway
- IV. Fourth, this group would then be the conduit to both disseminate information and get feedback. They would see that supporting materials are provided to all major business groups for their use in articles, newsletters, individual calls, etc.
- V. Finally, another meeting with this group after a week or so would be helpful to stay up to date. Depending on progress, meetings could be scheduled on a continuing basis, ~~hosted~~ ^{hosted by them}.

THE WHITE HOUSE

WASHINGTON

July 20, 1987

MEMORANDUM FOR CARL ANDERSON

FROM: CHARLOTTE DE MOSS 

SUBJECT: Meeting Today with Southern Baptists Regarding
Bork Nomination

The following will be attending the meeting with A. B. Culvahouse
today at 4:00 p.m.:

Dr. Adrian Rogers
President
Southern Baptist Convention

Dr. Paige Patterson
President, Criswell College
and Associate Pastor, First Baptist Church, Dallas

Dr. Morris Chapman
Pastor, First Baptist Church, Wichita Falls, Texas
Past President, Pastors Conference, Southern Baptist Convention

Judge Paul Pressler
14th Court of Appeals, Texas

Action Line

Christian Action
Council Newsletter

Volume XI, No. 5

July 20, 1987

Prolifers to Fight for Bork Confirmation

Christmas came early for prolife this year, as 79-year-old Associate Justice Lewis Powell announced his retirement from the U.S. Supreme Court on June 26.

For Powell, retirement came five years later than he had intended, and not a moment too soon for prolife who have long awaited this historic opportunity for the President to appoint a third Justice opposed to Roe vs. Wade.

In addition to Justices O'Connor and Scalia, this third appointment could give prolife a five vote majority on the nine member Court.

Justice Powell, who was appointed to the High Court by President Nixon fifteen years ago, voted for Roe vs. Wade in 1973, and reaffirmed that decision in the Thornburgh case last year. By that time, however,

the original 7-2 abortion majority of 1973, had been narrowed to 5-4.

Only One Vote Away

Upon hearing of Justice Powell's resignation, Senator Gordon Humphrey (R-NH) summed up the sentiments of millions of Americans.

"We seem to be only one vote away from ending the dark night of the abortion holocaust," he said. "All prolife forces are now looking to President Reagan to nominate a distinguished person who has the courage to recognize that abortion kills human beings, and move to restore the protection of the Constitution to all human life."

Mr. Reagan took his opportunity and nominated federal appeals Judge Robert H. Bork.

"Judge Bork is recognized as a premier constitutional authority," said Mr. Reagan as he introduced Bork to reporters at the White House. "His outstanding intellect and unrivaled scholarly credentials are reflected in his thoughtful examination of the broad, fundamental issues of our times."

Judge Bork, a former Yale Law School professor, believes that judges should exercise "judicial restraint," interpreting existing laws rather than constructing new ones. This angers those who want an "activ-



Nominee Robert H. Bork

ist" court, the kind that censors the Ten Commandments from public education, approves of abortion, scoffs at parental rights, and turns a blind eye toward infanticide.

A Hard Man To Oppose

Howls of outrage from inside the Beltway were heard across the nation as the President exercised his constitutional prerogative to nominate a person who shares his judicial philosophy.

Regardless, Mr. Bork is a hard man to oppose. His superb qualifications have led the nation's most liberal newspapers to back off a direct attack.

Bork attended the University of Chicago Law School, and afterward practiced law with one of the nation's largest law firms. From there he joined the faculty of Yale Law

Inside Action Line

- * The Nomination of Judge Bork to the Court — D-Day for the Prolife Movement!!
- * HHS Secretary Bowen Fires Jo Ann Gasper, Protects PP...
- * BIG Win in Michigan!

School, was subsequently named solicitor general of the United States, and most recently, in 1982, was added to the U.S. Court of Appeals for the District of Columbia.

Described as "brilliant" by Senator Joe Biden and "highly capable" by Senate Majority Leader Robert Byrd, Bork has nonetheless been attacked by them as well as by others.

Threatened Filibuster

Senator Edward Kennedy (D-MA) called the nomination an "unconscionable assignment in what has become one of the darkest chapters for the rule of law in American history."

Senator Bob Packwood (R-OR), darling of Planned Parenthood, announced that he will filibuster Bork's confirmation unless Bork drops his opposition to Roe vs. Wade.

Presidential hopeful Paul Simon (D-IL) announced he also will oppose the nomination. Simon complained he does not want the Court to become an ideological "pendulum that swings back and forth." He only likes the pendulum swinging to the left.

Jesse Jackson, Michael Dukakis, Bruce Babbitt, and Richard Gephardt, other Democratic contenders for the presidency, followed suit with speeches at this month's NAACP convention.

NAACP's opposition to Mr. Bork is risky for the group. It will be hard to prove that he is insensitive to discrimination against minorities when Judge Bork himself is Jewish.

This status should help him. Since the days of Felix Frank-

furter, the Court has had a "Jewish seat." It was last occupied by Abe Fortas. For reasons of precedent, important in D.C., that seat must be filled.

Groups in the proabortion movement were also quick to react. "We're going to wage an all-out frontal assault like you've never seen before on this nominee," brayed Kate Michelman of the National Abortion Rights Action League.

Abortion proponents led by NOW are raising funds for a media campaign, since many of the nation's papers do not oppose Bork.

Roe vs. Wade Unconstitutional

The pro-abortion establishment should be worried. Judge Bork has made his views on Roe vs. Wade very clear. In 1981, during hearings on the Human Life Bill before the late Senator John East's subcommittee, Mr. Bork commented: "I am convinced, as I think most legal scholars are, that Roe vs. Wade is, itself, an unconstitutional decision, a serious and wholly unjustifiable judicial usurpation of state legislative authority."

While Senate Democratic leaders decried the President requiring his nominee to pass a "litmus test" on abortion, they in fact have adopted their own -- support for Roe vs. Wade.

The hypocrisy is incredible. The same nominee who is now vilified by Senators Kennedy, Packwood, Biden, and others was confirmed in 1982 to the D.C. Court of Appeals by a unanimous vote of the Senate!

Since that time Mr. Bork's record has only become more impressive. His exceptional competence is now underscored

by the Supreme Court's response to decisions of his, which have been appealed. Not one has been overturned!

Hypocrisy may cost one presidential hopeful the election if not the Democratic nomination. Joe Biden, Chairman of the Senate Judiciary Committee, will preside over confirmation hearings, set to begin September 15. During the second week of July, Biden promised to lead opposition forces to the confirmation.

Biden, The Queen of Hearts

Even the Washington Post was chagrined. In a July 10 editorial, the Post denounced Biden's conduct claiming it "doesn't do a whole lot for the senator's claim to be fit for higher office."

"Judge Bork deserves a fair and thorough hearing," the editorial ran. "How can he possibly get one from Senator Biden, who has already cast himself in the role of a prosecutor instead of a juror in the Judiciary Committee? If there is a strong, serious case to be argued against Judge Bork, why do so many Democrats seem unwilling to make it and afraid to listen to the other side?"

The editorial compared Biden with the Queen of Hearts, who opined to Alice, "Sentence first -- verdict afterward."

While Senator Biden's behavior would have discredited him under any circumstances, he actually has placed himself in double jeopardy. Last November, Biden told the Philadelphia Inquirer, "Say the administration sends up Bork and, after our investigation, he looks a lot like Scalia. I'd have to vote for him, and if the

(special interest) groups tear me apart, that's the medicine I'll have to take."

That was the old Joe Biden, before he began running for the White House. Regrettably, for a chance to grasp the ring, he now appears willing to sell his soul, and perpetuate abortion into the Twenty-First Century!

Not all Democrats share Biden's hypocrisy. Senators Howell Heflin (D-AL) and Dennis DeConcini (D-AZ), both members of the Judiciary Committee, contend that barring a problem with a nominee's qualifications, the President should be able to add anyone to the Court he chooses.

The Real Fight, On The Floor

Since Biden already has discredited his hearings and wants to be freed up to pursue his quixotic quest for the presidency, the expectation is that confirmation hearings will be brief. Besides, the Democrats are afraid to face another set of Ollie North style hearings in which they, rather than the man they examine, are on trial.

The real fight will be on the Senate floor where sixty votes will be needed to break a filibuster by Packwood, Kennedy and others willing to keep the ninth seat on the Court from being filled, even as the Court goes about its full load of business.

Given the way Democratic leaders and presidential hopefuls are behaving, the Democratic Party, as never before, deserves to be known as the "Party of Abortion." A backlash from voters is likely.

The strenuous, sometimes hysterical opposition Bork

faces testifies to the fact that abortion, so often treated as a non-issue, has never been far from the center of the political storm in the U.S. It's the issue that will not go away, that shows our leaders' true colors. For all of us, whether pro- or anti-abortion, the issue is fundamental to our convictions and to the kind of society we desire to live in.

Should Mr. Bork be confirmed before the October session, he will hear at least one abortion case.

The Supreme Court has agreed to hear an appeal by Illinois of a decision striking down a state law restricting minors' access to abortions. It is unclear if the Court would use this case (Hartigan vs. Zbaraz) for a broad re-evaluation of Roe vs. Wade, although clearly, it could.

Gasper Fired!

While the President courageously has kept his word on abortion and nominated persons opposed to Roe vs. Wade, others in the Administration are doing whatever they can to undermine the President's pro-life agenda.

As the President nominated Mr. Bork, Otis Bowen, Health and Human Services Secretary, was preparing to take another of his stabs at prolifers the following day, July 2. He fired Jo Ann Gasper for refusing to give blind approval to grants for two Planned Parenthood groups.

Gasper, as Deputy Assistant Secretary for Population Affairs, has faced tremendous opposition within HHS since January, when she tried to bring the law, regs and guidelines to bear on the eligibility

of Planned Parenthood to receive Title X, family planning money. The law says no family planning funds are to go to programs where abortion is a method of family planning. It seemed certain that PP would lose grants, so Bowen intervened, mouthing prolife rhetoric and reprimanding Gasper.

Said Gasper at a July 7 press conference, "Otis Bowen fired me because I refused to fund abortionists. All I did was do my job...I tried to follow President Reagan's agenda, not Secretary Bowen's agenda."

Gasper charged Bowen has made a "closed-door deal" with Senator Packwood that no changes in the Title X program will be made.

The recent battle began on May 1, over an extension of eight training grants which were to expire June 30. Two were earmarked for PP groups.

Mrs. Gasper decided to grant a one year extension for six of the grants, but requested an opportunity to review the two Planned Parenthood grants. Given Planned Parenthood's advocacy of abortion and its position as America's largest abortion provider, its groups are considered "exceptional organizations" under Title X, and hence must be subject to closer scrutiny. Nevertheless, Her plans were repeatedly overruled by Assistant Secretary of HHS, Robert Windom, who ordered her to sign away the money to PP.

On June 29, after numerous meetings, Dr. Windom ordered the extension of all eight grants, with no investigation into allegations against the PP groups. Gasper refused, stating she could not "in good con-

science" extend the two PP grants without examining the groups' abortion advocacy activities to ensure there was no violation of the law.

Mrs. Gasper then invoked the "conscience clause" for HHS employees. It protects them from being forced to violate their consciences with regard to abortion. Windom ignored it.

In a June 30 memo to Windom, Gasper advised that if he really believed there was no impropriety in funding abortion advocacy organizations without prior examination, he or Bowen could sign the award documents, or order someone other than her to sign. She even provided Windom with the necessary documents to sign.

Windom (and subsequently, Bowen) refused to sign the extensions, permitting the grants to expire. On July 1, Gasper received written orders to sign away the money to PP. She explained to Windom that HHS rules prohibit the extension of lapsed grants. Those grants must be opened to applications from other groups.

On July 2, Windom for the fifth time ordered Gasper to sign the grant extensions. She refused, again explaining her concerns and what the law required.

Fund First, Ask ???s Later

He then asked her to resign, which she refused to do. Shortly after 5:00 pm, Bowen fired her himself. His commitment to fund first, and ask questions later, outraged pro-life Members of Congress.

Senator Gordon Humphrey called a press conference in

which Gasper "told all," to the embarrassment of the Reagan Administration.

Senator Humphrey asked Inspector General Richard P. Kusserow to investigate Gasper's firing and the department's extension of the two Planned Parenthood grants. "The law is crystal clear: advocate abortion, no federal money," said Humphrey.

Congressman Bob Dornan (R-CA) charged Dr. Bowen is "out of step with the president and his own statement that he is pro-life. I am angry and disappointed," he said.

At the press conference, Mrs. Gasper cited the words of President Reagan, "We came to Washington to do a job, not get a job...We cannot be content with the status quo...The defense of innocent life is an affirmative duty...We will continue to look for opportunities to address this issue whenever possible."

Whether the President will replace Mr. Bowen remains to be seen. As long as HHS officials fire those who do their duty, in order to cover for abortionists receiving family planning money, the President's house is not in order.

A BIG Win in Michigan

In Michigan, proliferers experienced the thrill of victory as they won a nine year battle to end tax funded abortions.

In late June the Michigan legislature approved a ban on state Medicaid funding for abortion, 66 to 41. Similar legislation had been vetoed 17 times by pro-abortion Governor James Blanchard and his predecessor, William Milliken.

This bill, however, faced no threat of veto. Proliferers had worked for months gathering 460,000 signatures in support of the bill. Under the Michigan constitution, once the legislature approved the measure, it must become law.

Abortion proponents have appealed the law but are getting nowhere, except to prolong Medicaid funding through the issuance of temporary injunctions. After this tactic is exhausted in several weeks, Medicaid funds, which have paid for 45% of Michigan abortions, will be cut off.

D-Day For Prolifers

President Reagan's nomination of Judge Bork marks the beginning of a battle we must win, D-day for the movement.

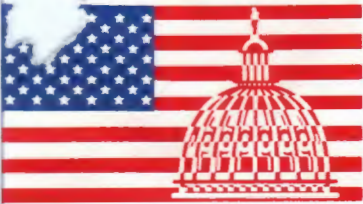
We have a fighting chance to win confirmation of Mr. Bork and with it, a reversal of Roe vs. Wade. Literally millions of letters from proliferers to their senators are needed now. Not only must we write our two senators, we must recruit others to do the same. Most important, pray as if lives depend on it. They do.



**Action
Lines**

**Write both your Senators
and urge them to vote to
confirm Judge Bork as
Associate Justice of the
Supreme Court.**

**Senator _____
Senate Office Building
Washington, D.C. 20510**



FOR IMMEDIATE RELEASE

703/471-0913

INTERCESSORS FOR AMERICA

CALLING CHRISTIANS TO UNITE IN PRAYER AND FASTING SEPTEMBER 15-17, 1987 "LET US NOW REPENT..."

"Now therefore, says the Lord, turn to me with all your heart, with fasting, with weeping, and with mourning." So rend your heart, and not your garments; return to the Lord your God, for He is gracious and merciful, slow to anger, and of great kindness; and He relents from doing harm." (Joel 2:12, 13)

WHEREAS the carnality and unconfessed sin of the Church in America and the sin of the citizenry of these United States has mounted high unto heaven and is grossly evidenced by the present public exposures of pride, arrogance, ingratitude, greed, debt, corruption, racism, rampant promiscuity, adultery, perversion, abortion, divorce, pornography, child abuse, drug and alcohol abuse, suicide, mental illness, venereal disease epidemics, the AIDS pestilence, and return to superstition, paganism and satanism, a garish cultural nihilism, general lawlessness and a loss of enterprising productivity;

WHEREAS citizens in all 50 states have succumbed to the U.S. Supreme Court's 1973 judicial devaluation of human life and have adopted a lifestyle and callous disregard for human life which has resulted in the routine killing of their offspring at the rate of one unborn child each 20 seconds, even while advances in natology and photographic technologies graphically record and repeatedly demonstrate that abortion is, in fact, the destruction of genetically-determined human life in the womb;

WHEREAS this nation has thereby fallen below a zero reproductive replacement rate, has gravely depleted its national pool of genius and leadership and has placed itself in unpredictable moral, social, political and economic jeopardy;

WHEREAS we have thereby most assuredly despised God's authority, violated His order and broken His Divine Laws, greatly displeasing Him and placing ourselves in confusion and a position worthy only of oppression, punishment and judgement;

WHEREAS we have transgressed to a place where, apart from Divine mercy and redeeming grace found only in Christ Jesus, we have forfeited God's blessing upon ourselves, our children, our nation, her appointed National Destiny and have placed future generations at risk;

THEREFORE Intercessors for America, after prayerful counsel, and in conjunction with elected officials and church leadership, hereby calls leadership within its ranks, the entire IFA membership and the U.S. body of Christ at large to a three day period of repentance, united prayer and fasting, September 15-17, 1987—to be implemented as deemed appropriate by each individual and group participating.

"If my people, who are called by my name, will humble themselves and pray and seek my face and turn from their wicked ways, then will I hear from heaven and will forgive their sin and will heal their land."

2 Chronicles 7:14

The Washington Post

AN INDEPENDENT NEWSPAPER

Judge Bork and the Democrats

SHOULD JUDGE Robert Bork be elevated to the Supreme Court? To answer the question intelligently you need to know a lot of things. Aside from the basic questions of what standards the Senate ought to apply in judging nominees and how Judge Bork's constitutional philosophy will play out on the court, there is a mountain of published work and court opinions to be read. It also usually helps to pose questions to the nominee in a public hearing and take account of his responses. Apparently this is too much to ask of the chairman of the committee that will consider the nomination. While claiming that Judge Bork will have a full and fair hearing, Sen. Joseph Biden this week has pledged to civil rights groups that he will lead the opposition to confirmation. As the Queen of Hearts said to Alice, "Sentence first—verdict afterward."

Sen. Biden's vehement opposition may surprise those who recall his statement of last November in a Philadelphia Inquirer interview: "Say the administration sends up Bork and, after our investigation, he looks a lot like Scalia. I'd have to vote for him, and if the [special-interest] groups tear me apart, that's the medicine I'll have to take."

That may have been a rash statement, but to swing reflexively to the other side of the question at the first hint of pressure, claiming the leadership of the opposition, doesn't do a whole lot for the senator's claim to be fit for higher office. Sen. Biden's snap position doesn't do much either to justify the committee's excessive delay of the start of hearings until Sept. 15. If minds are already made up, why wait?

A whole string of contenders for the Democratic presidential nomination have reacted in the same extravagant way. Maybe Judge Bork should not be confirmed. But nothing in their overstated positions would persuade you of that. These Democrats have managed to convey the impression in their initial reaction *not* that Judge Bork is unqualified to be on the Supreme Court, but rather that they are out to get him whether he is or not. Judge Bork deserves a fair and thorough hearing. How can he possibly get one from Sen. Biden, who has already cast himself in the role of a prosecutor instead of a juror in the Judiciary Committee? If there is a strong, serious case to be argued against Judge Bork, why do so many Democrats seem unwilling to make it and afraid to listen to the other side?

PROBABLE SENATE VOTING PATTERNS ON ROBERT BORK NOMINATION

Group 1 - 99% definite votes for Reagan nominee

Group 2 - usually supports Reagan nominee

Group 3 - can sometimes be counted on to support Reagan nominee

Group 4 - almost never votes right - can probably be written-off

GROUP 1

Armstrong
Bond*
Boschwitz
+ Chafee
Cochran
+ Cohen
D'Amato
Danforth
Dole
Domenici
Durenberger
+ Evans
Garn
Gramm
Grassley
Hatch
+ Hatfield
Hecht
+ Heinz
Helms
Humphrey
Karnes*
Kasten
Lugar
McCain
McClure
McConnell
Murkowski
Nickels
+ Packwood
Pressler
Quayle
Roth
+ Rudman
Simpson
Stafford
Stevens
Symms
Thurmond
Trible
Wallop
Warner
Wilson

GROUP 2

Bentsen
Boren
Breaux*
DeConcini
Ford
Heflin
Hollings
Johnston
Kassebaum
Pryor
Shelby*
Specter
Stennis

13

GROUP 3

Bingaman
Bumpers
Chiles
Dixon
Graham*
Nunn
Pall
Proxmire
Sanford*
Weicker

10

GROUP 4

Adams*
Baucus
Biden
Bradley
Burdick
Byrd
Conrad*
Cranston
Daschle*
Dodd
Exon
Fowler*
Glenn
Gore
Harkin
Inouye
Kennedy
Kerry
Lautenberg
Leahy
Levin
Matsunaga
Melcher
Metzenbaum
Mikulski
Mitchell
Moynihan
Reid*
Riegle
Rockefeller
Sarbanes
Sasser
Simon
Wirth*

34

In addition to prayer for individual Senators, please remember the following Christian individuals who are serving to alert and coordinate the Washington and Church communities:

Patrick McGuigan & staff
Free Congress Foundation
Dan Casey & staff
American Conservative Union
Elizabeth Keypley & staff
Concerned Women for America
Hon. Mark Siljander
Peter Waldren & staff
Contact America Radio
Gary Bergel & staff
Intercessors for America

Let us also remember Judge Bork himself, and his wife, who are and will continue under intense ridicule and pressure.

43

circled names represent key Senators, both pro and con the nomination
* represents arbitrary assignment of freshman
+ indicates a normally "precitable" Senator who, for various reasons, should be considered a possible switch on the Bork vote.

LYNCH & LYNCH CO., L.P.A.

ATTORNEYS AT LAW

STATLER OFFICE TOWER - SUITE 711

EAST 12TH & EUCLID AVENUE

CLEVELAND, OHIO 44115

(216) 771-2545

RECEIVED OPL-WW

87 JUL 29 AM : 21

JOHN KENNEDY LYNCH
ROBERT TROLL LYNCH
MATTHEW JOSEPH DUMONT LYNCH
DAVID MARLBOROUGH LYNCH
CHARLES J. LALLY

OF COUNSEL
RICHARD STANDISH LYNCH
DAVID ALAN JESSE

July 27, 1987

Mr. Carl Anderson
c/o The White House
Washington, DC

Re: Nomination of Robert Bourke to the U.S. Supreme Court

Dear Mr. Anderson:

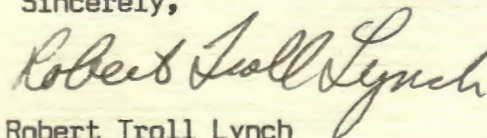
I represent a group of pro-life lawyers in the Cleveland area who are quite anxious to see Mr. Bourke have his nomination approved by the Senate. I understand from the Office of Legislative Affairs that you are helping to coordinate his nomination.

First of all, I would like to obtain from you the two reports emanating from The White House concerning Mr. Bourke. I understand one was offered by the Justice Department and another one done by the White House itself.

Secondly, please let us know if there are any other efforts that we can do to help the nomination. As we see it, an approach that focuses on the moderate position help by Mr. Bourke (especially in specific legal opinions), is the approach that will win the day. Please advise at your earliest convenient opportunity, and the pro-life attorneys I am associated with will do what we can to aid in this crucial nomination.

Thanking you for your kind assistance,

Sincerely,


Robert Troll Lynch

RTL:kb

WE THE PEOPLE



A Citizens' Committee to Support the Confirmation of Judge Robert Bork

RECEIVED OPL-WW
E7 AUG 14 P 6:28

gave KC copy 8-25-87

August 12, 1987

Mr. Carl Anderson
Special Assistant to the President/
Acting Director for Public Liaison
White House
Washington, D.C. 20500

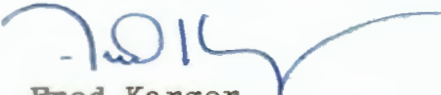
Dear Mr. Anderson:

Enclosed you will find general information regarding our effort to form the Organizing Committee of We The People, A Citizens' Committee to Support the Confirmation of Judge Robert Bork.

As more information becomes available, we will be happy to keep you advised of our progress.

Your assistance in referring any interested parties to us is greatly appreciated. In addition, we welcome any information which you may be able to send to us as it becomes available.

Sincerely,



Fred Karger

FK/kk

Enclosures

July 28, 1987

4:15 pm meeting in Ward Room

Re: Bork Nomination

1. Wayne H. Valis
Valis Associates
2. Hubert Beatty (Bert)
Executive Vice President
Associated General Contractors of America
3. Dr. Richard W. Rahn
Vice President & Chief Economist
U.S. Chamber of Commerce
4. Dirk Van Dongen
President
National Assn. of Wholesaler-Distributors
5. Richard H. Fink
President
Citizens for a Sound Economy
6. Jack Wilson
Council for National Policy
7. James D. McKevitt (Mike)
Webster, Chamberlain, Bean and McKevitt
8. George Webster
Webster, Chamberlain, Bean and McKevitt

THE WHITE HOUSE
WASHINGTON

Date:

July 24, 1987

Copy for
Will Ball

TO: Carl Anderson

FROM: Linda L. Arey
Special Assistant to the President
and
Deputy Director for Public Liaison

SUBJECT: Attached Correspondence

The attached is for:

- | | |
|---|---|
| ☒ Information | ☐ Review & Comment |
| ☐ Direct Response | ☐ Appropriate Action |
| ☐ Draft Reply | ☐ Per Request |
| ☐ File | ☐ Signature |

Comments:

Copy of top letter to Will Ball
w/ FYI note from me,
then Bork file



**FOOD INDUSTRIES
OF ALABAMA, INC.**

2100 Data Park One
Suite 207 - Riverchase
Birmingham, Alabama 35244
Telephone (205) 988-9880

July 16, 1987

The Honorable Howell Heflin
United States Senate
728 Hart Senate Office Building
2nd and C Street, N.E.
Washington, D.C. 20510

Dear Senator Heflin:

It is my pleasure to serve as Executive Director for The Food Distributors of Alabama Association and The Alabama Meat Packers and Processors Association, in the Great State of Alabama.

These trade Associations met jointly for the first time at the New Perdido Beach Hilton in Gulf Shores, Alabama this past week, and it was at this joint meeting that the attached petition was generated.

I and the membership of the Associations would respectfully ask that you, as a member of the Judiciary Committee of the United States Senate vote to confirm the appointment of Judge Bork to the United States Supreme Court. It is the Strong feeling of the Associations's membership that Judge Bork be confirmed prior to the Court convening in October 1987, and certainly with your help this will be reality.

We are "private Enterprise" - hard working business people - pledged to uphold the Constitution of the United States - proud to be a part of "The Land of the Free" and humble that God has given us the privilege of living in a land where we are able to communicate with those we have elected to represent us in our Government and know that our viewpoints are noted.

You are to be commended as a statesman and for your ideals for a great America. I pray that the Good Lord will continue to bless you and yours.

Sincerely,

Stewart P. McLaurin



Concerned Women for America

122 "C" ST. NW, SUITE 800 WASHINGTON, D.C. 20001 (202) 628-3014

Beverly LaHaye
President

July 21, 1987

The Honorable Linda Arey
Special Assistant to the President
and Deputy Director of Public Liaison
The White House
Washington, D.C. 20500

Dear Linda,

Please find enclosed a letter I received from the Executive Director of the Food Industries of Alabama, Inc., Stewart P. McLaurin. He has generated a great deal of support on behalf of Judge Bork and the President. I thought you might want to see the project he has worked on and I will let you know about the visits, etc. that he is generating to Senator Heflin.

Also, please find enclosed a information sheet that we are going to include in our receipt mail. I followed through on the wonderful idea you had to start a chain reaction for Bork throughout the communities.

Thanks for all of your help and keep up the good work.

Sincerely,

Elizabeth Kepley
Director
Legislative Affairs

/eyk

Enclosure



**FOOD INDUSTRIES
OF ALABAMA, INC.**

2100 Data Park One
Suite 207 - Riverchase
Birmingham, Alabama 35244
Telephone (205) 988-9880

July 16, 1987

Miss Elizabeth Kepley
Director of Legislative Affairs
Concerned Women of America
122 C Street, NW, Suite 800
Washington, D.C. 20001

Dear Miss Kepley:

I appreciate your letter of July 9, 1987 relating to the Confirmation of Judge Bork, and assure you that we in Alabama are becoming organized and will be quite vocal in our desire to get Alabama Senator Howell Heflin to vote for Judge Bork's confirmation.

The copy of signatures mailed to Senator Heflin from the membership of two Alabama trade Associations which I represent is attached. We have four similar petitions being completed that will be sent to Senator Heflin in Washington, and to all his Alabama offices.

Should there be any other way that we can help in this matter please let me know.

Sincerely,

Stewart P. McLaurin

July 10, 1987

The Honorable Howell Heflin
United States Senate
Washington, D.C.

Dear Senator Heflin:

We the undersigned business men and women of Alabama are writing to you as our Senator and as a distinguished member of the Judiciary Committee of the United States Senate. We are writing on behalf of Judge Bork, President Reagan's nominee to the United States Supreme Court. We are writing to ask that you use every means within your influence to encourage a prompt hearing by the Committee for the purpose of confirming Judge Bork as quickly as possible and most certainly before the Court convenes in October. As Alabamians, we fully support the President in this nomination and respectfully ask for your support of Judge Bork. We are looking to you, as our Senator to take a leadership role on behalf of this nominee to the Court.

<u>NAME</u>	<u>BUSINESS</u>	<u>CITY</u>
Lytle, Frank, retired	Simmons Meat Co.	Bham, Al.
James A. Scott	Oxford Chemical	Bham, Al.
Stewart S. McLaughlin	Food Industries of the	Bham, Al.
Richard E. Jones	And. D.I.T. Co.	Andalusia, AL.
Charles M. Thompson	Attorney	Bham
Andrew Foxworth	Fleming Foods	Monroeville, Al.
Jim Bennett	Fleming Foods	Geneva, AL
Jack Helms	Fleming Foods	Geneva, Ala.
Bob Lemming	Helms Sausage	Pell City Ala.
Charles Parker	associated Dr.	Birmingham, Al.
James R. Spethard	Flav. o. Rich, Inc.	Montgomery, Ala.

NAME

BUSINESS

CITY

NAME	BUSINESS	CITY
James T. Waepu	Flou-o-Rich, Inc.	Montgomery, Ala.
Reggie Spraggins	Flou-o-Rich Inc	Alex City, AL
Carroll Sander	Golden Flake Soda Food	Mobile, Ala
John H. Legal	Brown & Williams H.	Birmingham, AL
James Younger	H.B. Paulk Bro Co.	OPP. A12
Larry W. Anderson	H.B. Paulk Bro. Co.	OPP. A16.
Clifford Snuffer	Super Value Stores Inc.	Anniston, AL.
MAX FERGUSON	ADIA	B'ham, AL
Charles Johnson	Knapp Sales Co. Inc	Bham. AL.
Adeline Davis	ADIA	B'ham, Ala
Bill Kanta	Con Aqua	Athens, Ala
Gene Bartlett	Cam Agria	Enterprise Ala,
Wallace Justice	Webster 100. INC.	Montgomery AL
J. Gene Anderson	Albany Duling Co.	Albany, GA.
Mark D. Holt	Holt's Trilling & Feed	Nectar, AL.
Robert Amley	Griffin Industries	Russellville, Ky.
Charles (Copp)	Koy's Luggage	Enterprise, AL.
Don E. Wilson	Freestone Products	Monte, AL.
Smith Kelly	Elba Packing Co. Inc	Elba, AL.
Samuel H. Smith, Jr.	Heath Brokerage Co.	Montg, AL.
William Pierce	Metakase Dist Co. Inc.	Andalusia, AL.
Jack S. Tate	Gold Kust.	Dayville, Ala.
James H. F. Page	Richardson Sales Co.	Montgomery, Ala.
	D. O. O. H. O. H.	Montgomery, AL.

NAME

BUSINESS

CITY

NAME	BUSINESS	CITY
Bob Daniel	Cherokee Prod. Co.	Haddock, Ga.
Eddie Kelly	Elba Packing Co.	Elba, AL
Samuel R. Ruchart	STEWART, KING & MCKENZIE	Selma, AL.
Terry Headley	Stewart, King & McKenzie	Selma, AL.
Robert C. Easter	Jeepak Inc.	B'ham AL.
Kenneth C. Moore	Buddy's Sausage House	Hamilton, AL
James E. Purvis	A. C. Legg Packing Co. Inc.	Birmingham, Ala.
Don Downs	Birmingham Industrial Prod.	B'ham., Ala.
John M. Bagley	La Stratten Saus. Co.	Birmingham, Ala.
Frank E. Helms	Silver City Mills Inc.	Grantsdale, AL.
Charles Johnson	Knapp Sales Co. Inc.	Birmingham, AL
Ray Catts	Philip Mann USA	Flatville AL
John Dushke	Mid American Farms	Springfield Mo
Mickey Megginson	NABISCO BRANDS	Birmingham, AL.
James B. Wood	Dorson Off Co	Birmingham AL.
J. J. Snodden	R. J. Reynolds	BIRMINGHAM AL
Frances Campbell	Food Industries of AL.	B'ham, AL
Rudie Mionthron	Food Industries (AL)	B'ham, AL

YES, BORK! YES, BORK! YES, BORK! YES, BORK! YES, BORK!

ACTION ITEM

Americans are faced with the opportunity to influence history and the Judicial system for years to come. President Reagan's nomination of Judge Robert Bork to the Supreme Court has the potential of bringing the court back to the philosophy and traditional values of mainstream America.

Talking Points:

A graduate of University of Chicago and the University of Chicago Law School, he taught antitrust law for 10 years at Yale Law School. He served 5 years on Appeals Court and four years as Solicitor General in the Justice Department.

Judge Bork is highly qualified for the position of Supreme Court Justice. He is now a Judge on the United States Court of Appeals for the District of Columbia Circuit. During the confirmation proceedings for his present position, he received the American Bar Association's highest rating (Exceptionally Well Qualified).

As the author of over 100 opinions as an appellate judge, most of which have been upheld by the Supreme Court. Bork's reputation in the legal community is impeccable. He is an advocate of judicial restraint and interpretation of the Constitution according to the intent of the Founding Fathers. He has publically stated that judges should not create new rights out of the Constitution, but merely interpret the Constitution according to the original intent. Judge Bork has said that Constitutional change and creation of new rights should come through constitutional amendments or actions by elected officials.

ACTION! ACTION! ACTION!

It is important for your U.S. Senators to hear from you, members of your family, your friends and associates. Please call and follow up with a letter asking that the confirmation of Judge Bork take place before the Supreme Court convenes in October, 1987. We encourage you to contact at least five other people for this action item. You may want to give a copy of this to your pastor for the church bulletin. Please call and write now!!!!

THE WHITE HOUSE

WASHINGTON

July 22, 1987

MEMORANDUM FOR CARL ANDERSON

FROM: LINDA L. AREY

SUBJECT: JUDGE BORK UPDATE

- o CWA is working with the Pro-life Task Force and the Grove City Coalition garnering support. CWA's national convention is in September. We will do a briefing for 200 of the leaders of the group. I plan to include remarks regarding the merits of the appointment. Elizabeth Kepley is looking into including a presentation in the Convention schedule.
- o Eagle Forum is encouraging members to attend church meetings with envelopes stamped, paper and ball point pens. They will then write a letter on the blackboard for all present to copy. They will collect the written letters and mail them themselves.
- o The National Federation of Republican Women is currently sending out a mailing to 2500 regional presidents asking that they generate a letter writing campaign among their members. As the vote gets closer, they will also activate their telephone "tree." They will also include an article on Judge Bork in their newsletter with a circulation of 140,000.
- o Nina May of Renaissance Women has appeared on some radio and television programs.
- o The President of the National Association of Pro America is out of town so we will get specifics later.
- o The women's bar associations will, I am advised, at best be neutral.
- o The Federalist Society agreed to call current law students and recent law grads. These "young Federalists" are going to make inquiries of friendly law faculty ultimately requesting letters and/or op ed pieces.

THE WHITE HOUSE

WASHINGTON

July 22, 1987

MEMORANDUM TO: CARL ANDERSON, SPECIAL ASSISTANT TO THE
PRESIDENT AND ACTING DIRECTOR, OFFICE OF
PUBLIC LIAISON

FROM: RUDY BESERRA, ASSOCIATE DIRECTOR
OFFICE OF PUBLIC LIAISON

SUBJECT: Hispanic support for Bork nomination

Following are some suggestions on Hispanic organizations:

- o Contact and brief friendly Hispanic national organizations.
- o Brief local Hispanic organizations in Washington.
- o Brief local representatives directly with Bork, if possible.

Hispanic leaders to be contacted include:

LULAC - there are 9 national leaders who would be most receptive to going around to speak on behalf of Bork. It is important that they be briefed to make them feel part of the team.

POLICE organizations- there are four very conservative groups which I believe would be supportive.

Leaders such as Hector Barreto, Manuel Olivares of Image, Eduardo Landron of G.I. Forum.

They would be receptive to coming to Washington. At this point they may be undecided and need to know what Bork's legislative background is all about.

THE WHITE HOUSE

WASHINGTON

July 22, 1987

MEMORANDUM FOR CARL ANDERSON

FROM: CAROL HORNBY ^{gh} AND CHARLOTTE DE MOSS ^{cd}

SUBJECT: Summary of constituent activity on the Bork
Nomination

AMERICAN COALITION FOR LIFE:

- * called 4000 grassroots activists to mobilize telephone trees, expect to have called 30,000 by mid-August;
- * gearing up for extensive promotional campaign with their "Adopt a Congressman" program.

AMERICAN CONSERVATIVE UNION:

- * mailing to members across the country;
- * gearing up for extensive promotional campaign, have already begun visiting Members.

CHRISTIAN ACTION COUNCIL:

- * article/updates in newsletter and legislative alerts;
- * placed on CAC hotline -- callers get a quick synopsis of bill as a priority issue.

[CAC is a national organization; circulation of their newsletter is about 50,000. Legislative alerts go to about 1000 activists across the country.]

CONCERNED WOMEN FOR AMERICA:

- * activated all state chapters;
- * enclosing one page fact sheet on Bork in all mailings;
- * urging their members to call/write their Senators;
- * urging each of their members to contact 5 additional people and encourage them to get involved in the nomination;
- * report on Bork in August newsletter;
- * running newspaper ads in Arizona and Pennsylvania and setting up Western Union hotlines for mailgram responses to Senators; and
- * have requested to testify at hearings.

[CWA is a conservative women's organization with over 500,000 members nationwide.]

EAGLE FORUM:

- * article on Bork nomination for mailing.

[Eagle Forum is a national organization with 80,000 members and chapters in every state. The mailings go to about 1000 key activists and state leaders who then use the information as needed.]

FOCUS ON THE FAMILY:

- * preparing article on Bork for magazine;
- * cover the Bork nomination in monthly newsletter; and
- * will be airing two radio broadcasts on the Bork nomination, one in late August and one in September.

[Focus on the Family is a 30 minute daily radio program in 930 markets across the country with an audience of 4 million.]

FREE CONGRESS FOUNDATION:

- * article on Bork in Family Protection Report; and
- * will be taking the lead in organizing other conservative organizations.

[FPR circulates to about 1000 profamily activists across the country.]

HERITAGE FOUNDATION:

- * television and radio spots.

LIBERTY FEDERATION:

- * article in August newsletter;
- * contacting key pastors; and
- * gearing up for extensive promotional campaign.

NATIONAL ASSOCIATION OF EVANGELICALS:

- * provide regular updates in individual and church editions of monthly newsletter;
- * will be taping radio broadcasts on the nomination;
- * special mailings to denominational leaders; and
- * spoke on the Bork nomination at the Conservative Baptist Annual Convention to over 4000 attendees.

[NAE has an estimated individual membership of 5 million. They represent 46,000 churches and 41 denominations across the country. The individual edition of their newsletter has a circulation of about 80,000, the church edition has a circulation of about 200,000.]

NATIONAL LAW ENFORCEMENT COUNCIL:

- * mailing on the Bork nomination to the National Presidents and Executive Directors of the 15 council organizations which will reach over 300,000 law enforcement officers across the country.

721 COALITION:

- * meets weekly to take action items on the nomination.

[721 is the conservative law enforcement/judicial reform coalition group.]

THE WHITE HOUSE

WASHINGTON

July 22, 1987

MEMORANDUM FOR CARL ANDERSON, ACTING DIRECTOR AND SPECIAL
ASSISTANT TO THE PRESIDENT FOR PUBLIC LIAISON

FROM: MILDRED WEBBER, ASSOCIATE DIRECTOR, OFFICE OF *you*
PUBLIC LIAISON

SUBJECT: Update on Bork Nomination Memo

The American Conservative Union called in to tell me that they have done or will be doing the following things over the next few days:

- * Sent out 2 mailings to the 1700 dailies across the country.
- * Contacted 1700 Southern Baptists in Alabama.
- * Contacted 10,000 people in Pennsylvania.
- * Sent out letter to all newspapers in Arizona along with an article by Bruce Babbitt on the O'Connor nomination. Babbitt states in the article that O'Connor is a great choice and that we shouldn't be partisan on nominations. This is in an effort to shore up Deconcini.
- * Having a press conference in Room 116, House Annex 1 on July 23 - asking for Biden to step down from the chairmanship of the Judiciary Committee. Biden is making his first anti-Bork floor statement tomorrow. The press conference is at 2:00 p.m.

THE WHITE HOUSE

WASHINGTON

July 22, 1987

MEMORANDUM FOR CARL ANDERSON

FROM:

MEL BRADLEY 

SUBJECT:

Activities In Connection With The Bork Supreme
Court Nomination

Our activities thus far have included explanations during our meetings and consultations with constituencies, group leaders and organizations. We have also held informal sessions with small groups of influential persons during our speaking engagements and appearances before various organizations.

Now that we have a copy of the Cox general overview on Bork, we are making arrangements to mail a copy to each of the Administration's black appointees so that they are armed with factual information to dispel any misimpressions that they encounter in their own interactions with black leaders, black organizations and members of the general public. We are making similar mailings to the President's close friends and supporters of the black community.

July 22, 1987

MEMORANDUM FOR CARL ANDERSON

FROM: MAX GREEN *ML*

SUBJECT: Bork nomination

I. Jewish Organizations

So far only three organizations of note are fighting the nomination. Two are women's groups concerned about "freedom of choice," B'nai B'rith Women and the National Council of Jewish Women. Only the latter really matter. The other organization opposing is the very liberal American Jewish Congress. Interestingly, the Congress is urging its members to tell their Senators 1) that it is proper to consider ideology and 2) not to make up their minds until after the hearings. That's not so bad coming from the Congress which, from my perspective, is extremist on the church-state issue.

Otherwise the important Jewish organizations are staying out of the fight. This includes the Anti-Defamation League, for certain, and the American Jewish Committee, almost certain to sit on the sidelines throughout. This is all to the good because with these two organizations not participating in the debate and the pro-Israel organizations (e.g. Hadassah and AIPAC) having nothing to say, there is no way that anyone can honestly claim that the "Jewish community" is opposed to Bork.

In addition to the above I am in contact with B'nai B'rith and the Union of American Hebrew Congregations, and Conservative Jewish organizations, who may very well not line up on one side or the other.

I will contact Orthodox groups today, hoping to get some of them to actively support Bork. However, remember that Orthodox only represent about 10 percent of American Jewry.

Otherwise, I would like to request that Judge Bork meet with Jewish leaders in two settings. First, I think we should give Rabbi Haberman the go-ahead to host a dinner party for a few religious leaders. Second, I think it would be helpful to have him participate in a breakfast or lunch next week in New York city with secular Jewish leaders who deal with civil rights and civil liberty matters.

I also think we should put together special packets for distribution to Jewish leaders stressing his stands on social issues.

II. Labor

The AFL-CIO has directed state and local affiliates to stay out until after the hearing and to tell their Senators to do the same. However, international unions are free to take positions.

Once again, I think Bork is the best advertisement himself. I urge that Judge Larry Silberman be asked to host a dinner for Bork and Lane Kirkland. I also think it is important that we have another cocktail or dinner party with moderate labor leaders like Al Shanker, Jack Joyce of the Bricklayers, etc. We also have to get materials out to them, particularly on civil rights and labor-management issues.

III. Liberal and Democrat

We should widely distribute the Lloyd Cutler, Sheilds, and Barone articles and Washington Post editorials, maybe even the not-so-good New Republic editorial. Also expect good moderate op-eds from Walter Berns, Ben Wattenberg, Jack Bunzel. I will talk to others about writing pro-Bork pieces.

David Ifshin is working the Democratic part, unfortunately with little effect so far. We should encourage him but not interfere because the last thing we want is for him to look like a White House agent, which he definitely is not. He just feels strongly that Bork should be confirmed.

IV. Blacks

Bayard Rustin is in Haiti. When he retruns on Friday I will talk to him. We are obviously not going to get officals of any civil rights organizations to support Bork, but I will sound Bayard out on the possiblity of a meeting with some moderate leaders.

Also, we should encourage conservative Blacks to write about the nomination. I am thinking of Larry Wade, Thomas Sewell, Walter Williams.

V. In General

The more the merrier. I think Bork should be asked for names of former students who became prominent in the profession and would sign a statement praising him for his approach to the interpretation of the law. Also, law professors and deans - Justice is already calling them, and is also getting people to write to the Judiciary Committee.

Ken Bialkin, the President of the New York City Bar Association, will say next week or the week after that Bork should be confirmed. This gives rise to the thought that we ought to be after presidents of other local bar associations to make similar endorsements.

In general, we should get as many people to speak and write for Bork as possible. Norman Podhoretz will write a column as will Jeremy Robkin for the American Specator. I will be in touch with other possibles.

Doug Besharov of AEI, a moderate, has been arguing for Bork on radio interviews. By the way, Doug reminds me that we ought to prepare an explanation for the New Haven taxes that Bork has just paid.

THE WHITE HOUSE

WASHINGTON

July 15, 1987

MEMORANDUM FOR CARL ANDERSON

FROM: LINDA L. AREY
SUBJECT: JUDGE BORK UPDATE

I elaborate with regard to our telephone conversation yesterday:

- o Gene Meyer of the Federalist Society agreed to call current law students and recent law grads. These "young Federalists" are going to make inquiries of friendly law faculty ultimately requesting letters and/or op ed pieces.
- o A Judge Bork fan who is a Republican and former President of the Virginia Women's Bar, Randy Parris, suggests that the best we can hope for from women's bars is a neutrality on the Bork nomination. They have not taken positions regarding nominees in the past, but she affirmed my perception that they tend to be very liberal organizations. The Judge's brilliant constitutional scholarship would be ignored in favor of the new "fiction" of Supreme Court balance, should they become involved.
- o I have talked with Elizabeth Kepley of CWA regarding my idea about each activist prevailing on three non-activists to write letters and/or make calls. Perhaps the activist could even volunteer to draft the letters. She really liked the idea and plans to share it with Beverly LaHaye. In addition to CWA, she is working with the Pro-life Task Force and the Grove City Coalition garnering support. CWA's national convention is in September. We will do a briefing for 200 of the leaders of the group. I plan to include remarks regarding the merits of the appointment. Elizabeth is looking into including a presentation in the Convention schedule. I am sharing my three non-activist to every one activist suggestions with Pro America, National Federation of Republican Women, Renaissance Women and Eagle Forum.

My July 7 memo is attached.

THE WHITE HOUSE

WASHINGTON

July 7, 1987

MEMORANDUM FOR CARL ANDERSON

FROM: LINDA L. AREY

SUBJECT: JUDGE BORK

With regard to educating the public about the outstanding qualifications of Judge Bork, I propose to do the following:

1. Phyllis Schlafly is Chairman of the Defense and Foreign Policy Committee of the Daughters of the American Revolution. I am going to telephone her to see if there is some way we can get the DAR involved by tying Bork's respect for the intent of the drafters (strict constructionist) to the Bicentennial of the Constitution. This could, in my opinion, have appeal for that organization. Bork's respect for the intent of the framers could possibly be invoked with other patriotic civic groups who are attempting to honor the Bicentennial of the Constitution.
2. I will motivate my usual strong supporters suggesting where they target their efforts. As these groups are activists, I will suggest that we need to gear up for the biggest fight of the second term. As soon as we get talking points I will share them so they can get them out to their members. In view of the importance of seeing Judge Bork confirmed, I will ask if, on a one time only basis, they can encourage each activist member to prevail on 3 friends or family members who are non-activist who will agree to sign letters or make calls. Such groups are:

Renaissance Women
National Federation of Republican Women
Eagle Forum
National Association of Pro America
Concerned Women for America
3. I also want to try to get the National Council of Catholic Women involved, if possible. Their President is Toni Bischoff, a lovely woman with whom I have worked in the past. I have spoken to this group on

pornography. What do you think, since you work with the rest of the Roman Catholics?

4. I have a call into the President of the Virginia Women's Bar. She is a moderate Republican. I intend to ask if she is amenable to obtaining support for Justice Bork on the basis of his outstanding qualifications. I will point out the dangers posed by groups rallying around single issues for the selection or rejection of nominees and that I was certain women members of the legal profession would want to discourage the practice early on. If she is agreeable, I will try to obtain her assistance working with women's bars in other states. (FYI: This could be a long shot. I have never joined a women's bar because they are generally very liberal. However, I strongly feel that it is worth a try.)
5. I have talked with Gene Meyer at the Federalist Society. He is talking to the Press and saying that if you had done a poll prior to the nomination inquiring about the best legal mind in America, Judge Bork would probably have won. The Federalist society should be meeting in Washington the last Friday in July. I suggest we contact some members who can fire up the membership, as most are now supportive, but they haven't yet been mobilized. If this issue drags into the fall, we can urge them to fire up the student members who will have returned to school.