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Folder Title: O'Connor, Sandra Day -
Nomination/Remarks [and Correspondence]
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207 Dumont Place
Philadelphia, Pennsylvania 19116

June 30, 1981

Mr. Edward Meese III
The White House
Washington, D.C.

Dear Mr. Meese:

In response to your need, I am writing to express my interest in becoming your next Associate Justice of the United States Supreme Court. I firmly believe that my qualifications (lawyer), disposition (Republican), and career goals make me an ideal candidate for the currently available position. Besides, there hasn't been a Jew on the bench since Abe Fortas, a real mensch.

As indicated in the enclosed resume,* I graduated from Villanova Law School last year. I only got a C+ in Constitutional Law, but I was sick the day of the final exam. Honest.

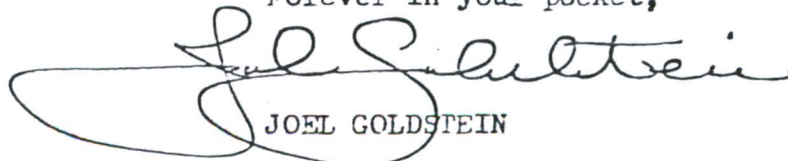
I have been a law clerk in Philadelphia's Motions Court for a year, so I'm real good at Civil Procedure, and my Aunt Carol got arrested for drunk driving last week, so I know a lot about Criminal Law too.

My current salary is \$16,500.00, but we're supposed to get a raise next month. I'd consider \$22,000.00 to be an acceptable starting salary, assuming it includes a dental plan.

Admittedly, one year's experience doesn't seem like much, and 24 years old may seem a tad young. But look at it this way: When I'm 74, I'll have more experience than anyone ever had and will be a great Justice. "Ron Reagan appointed him," they'll say. Think about it!

With gratitude for your kind consideration, I remain

Forever in your pocket,


JOEL GOLDSTEIN

*Writing sample and references supplied on request.

JOEL DANIEL GOLDSTEIN
121 West Wayne Avenue
Wayne, Pennsylvania 19087
(215) 688-2624

DATE OF BIRTH: August 16, 1956
ADMITTED TO PENNSYLVANIA BAR: December 9, 1980
ATTORNEY IDENTIFICATION NUMBER: 32898
OFFICE TELEPHONE NUMBER: (215) MU 6-4415

EDUCATION: Villanova University School of Law
Villanova, Pennsylvania
August 1977 to May 1980
Graduated *Juris Doctor*, May 1980

Pennsylvania State University
University Park, Pennsylvania
June 1974 to August 1977
Graduated *Magna Cum Laude*, political science

Central High School of Philadelphia
Philadelphia, Pennsylvania
September 1970 to June 1974

LEGAL EMPLOYMENT: Hon. Eugene Gelfand, Court of Common Pleas
Philadelphia County
June 1980 to present
Duties: As a law clerk in Civil Motions Court, I am involved in the decision-making and opinion drafting processes in a number of areas of law, with particular emphasis on procedure.

Office of the District Attorney
Delaware County
May 1979 to November 1979
Duties: As a legal intern, certified pursuant to Pennsylvania Bar Admission Rules 321 and 322, I represented the Commonwealth at preliminary hearings and arraignments, conducted pre-trial investigation and preparation for several Assistant District Attorneys, worked on suppression motions, and wrote briefs and memoranda for trial and appeal.

Law Offices of Allen Rothenberg, Esquire
1201 Chestnut Street, Philadelphia
January 1979 to April 1979
Duties: Answered interrogatories; processed no-fault claims; legal research.

MISCELLANEOUS EMPLOYMENT: (Past Five Years):

Construction trade laborer for Altman Construction Company; Delinquent real estate tax inspector for the City of Philadelphia; Drummer for various bands.

INTERESTS AND HOBBIES:

Extensive involvement in law school show as actor, musician, and writer; Squash, swimming, and softball; Music (drums and piano); Collecting political campaign paraphernalia; sketching.

7 July 1981

Dear Mr. Goldstein:

Thank you for your message requesting consideration for an appointment with the Reagan Administration.

Your correspondence has been sent to Pen James, Assistant to the President for Presidential Personnel, for his attention.

With best wishes,

Sincerely,

EDWIN MEESE III
Counsellor to the President

Mr. Joel Goldstein
207 Dumont Place
Philadelphia, PA 19116

cc: with copy of incoming to Ed Meese
Original incoming and carbon to Pen James

EM:ba
EM-6

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

July 14, 1981

FOR: FRED F. FIELDING

FROM: J. MICHAEL LUTTIG

SUBJECT: Correspondence from Self-Identified
Candidate for Vacancy on Supreme Court

I was appalled that this letter received any response of any kind. I strongly believe you should not respond because to do so further lends dignity to this farcical display of immaturity. This is the recommendation by which I would want to be evaluated as an employee.

With this said, however, and concededly with an uncharacteristic vindictiveness, I suggest that you write Judge Gelfand of the Court of Common Pleas, for whom a Joel Daniel Goldstein indeed works, and simply note that you "forward the attached for his information." At the same time, I recommend that you send a note of acknowledgment to Mr. Goldstein, with appropriate notation that a carbon copy of all correspondence was forwarded to Judge Gelfand. In this way, do we best contribute to the "political paraphernalia" which Mr. Goldstein contends in his resume he is so fond of collecting.

I attach drafts should you choose the latter course of activism.

JML:sd 07/14/81

cc: ✓FFFielding
JMLuttig
✓Subject
Chron.

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

July 14, 1981

FOR: FRED F. FIELDING
FROM: J. MICHAEL LUTTIG *JML*
SUBJECT: Correspondence from Self-Identified
Candidate for Vacancy on Supreme Court

I was appalled that this letter received any response of any kind. I strongly believe you should not respond because to do so further lends dignity to this farcical display of immaturity. This is the recommendation by which I would want to be evaluated as an employee.

With this said, however, and concededly with an uncharacteristic vindictiveness, I suggest that you write Judge Gelfand of the Court of Common Pleas, for whom a Joel Daniel Goldstein indeed works, and simply note that you "forward the attached for his information." At the same time, I recommend that you send a note of acknowledgment to Mr. Goldstein, with appropriate notation that a carbon copy of all correspondence was forwarded to Judge Gelfand. In this way, do we best contribute to the "political paraphernalia" which Mr. Goldstein contends in his resume he is so fond of collecting.

I attach drafts should you choose the latter course of activism.

*Mike
See solution
✓*

THE WHITE HOUSE

WASHINGTON

July 14, 1981

Dear Judge Gelfand:

The enclosed is for your information.

Sincerely,

Fred F. Fielding
Counsel to the President

The Honorable
Eugene Gelfand
Court of Common Pleas for
Philadelphia County
107 1 East Penn Square Building
Philadelphia, Pennsylvania 19102

Enclosures

WASHINGTON

momentarily

Please excuse the
delay in response to
your correspondence as it
was ^{an} inadvertent found
to ~~the~~ ^{the} Parental Permission
Office

Office As a member
closure of the Personnel
that Board, I was
the vacancy
the resign-
are aware
resident
'Connor

to the Court. ~~We~~ We hope you share our
enthusiasm in the Premier's election, despite ~~the~~ your
explicit endorsement ~~for~~ young. Sincerely,
H Even after the fact, however, I want you to know
that I will remember your name; and also you should
be assured that I will be sure that others will ~~also~~ also
be so alerted.
Fred F. Fielding
Counsel to the President

Thank you for being your name and demonstrated
qualifications to our attention.

cc/~~with~~^{encl. also} incoming:
The Honorable
Eugene Gelfand

THE WHITE HOUSE

WASHINGTON

July 24, 1981

Dear Mr. Goldstein:

Thank you for your letter and enclosure of June 30 in which you request that the President consider you for the vacancy on the Supreme Court created by the resignation of Justice Stewart. Please excuse the delay in responding to your correspondence, as it was momentarily and inadvertently forwarded to the Presidential Personnel Office. As a member of the Pennsylvania Bar, I especially appreciate being handed your letter.

You are aware by now, I trust, that the President decided to nominate Sandra Day O'Connor to the court. We hope you share our enthusiasm in the President's selection, despite your explicit endorsement of yourself.

Even after the fact, however, I want you to know that I will remember your name, and also you should be assured that I will be sure that others will also be so alerted.

Thank you for bringing your name and demonstrated qualifications to our attention.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Joel Goldstein
207 Dumont Place
Philadelphia, Pennsylvania 19116

cc: The Honorable
Eugene Gelfand
w/Incoming & Enclosure

FFF:JML:sd 07/24/81

cc: FFFielding
JMLuttig
Subject
Chron.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

August 3, 1981

FOR: FRED F. FIELDING

FROM: J. MICHAEL LUTTIG

SUBJECT: Acknowledgement of Letter and Resolution
Endorsing the O'Connor Nomination

Attached for your signature is a letter of acknowledgement to Kathy Wilson of the National Women's Political Caucus. She wrote to convey the Caucus' pleasure with the Sandra O'Connor nomination.

THE WHITE HOUSE

WASHINGTON

August 3, '1981

Dear Ms. Wilson:

I received your letter of July 15, and attached resolution of the Caucus in support of Sandra O'Connor's nomination to the Supreme Court. I am very pleased to know that the Caucus shares our enthusiasm for Judge O'Connor. She will bring to the High Court a superior intellect, tempered by both sensitivity toward others and a sense of fundamental fairness. In addition, she has a healthy respect for the proper role of the courts in our Constitutional scheme. In sum, I believe as do you, that she is certain to be a credit to the Court in the years ahead.

Thank you for your letter. I hope you will stay in touch.

Sincerely,

Fred F. Fielding
Counsel to the President

Ms. Kathy Wilson
National Chair
National Women's Political Caucus
1411 K Street, N.W.
Washington, D.C. 20005

FFF:JML:sd 08/03/81
cc: FFFfielding
 JMLuttig
 Subject
 Chron.



16 JUL 1981

Response ASD

NATIONAL WOMEN'S POLITICAL CAUCUS

1411 K STREET, N.W. WASHINGTON, D.C. 20005 (202) 347-4456

NATIONAL CHAIR

Iris F. Mitgang

VICE CHAIRS

Kathy Wilson
Mary Stanley
Christine Davis
Olga Moreno

TREASURER

Erla Alexander

RECORDER

Jane Macon

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Marjorie Benton
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Julia Chang Bloch ✓
Betty Blumberg
Rita Mae Brown
Yvonne Brathwaite Burke
Ellen Burstyn
Liz Carpenter
Sey Chasser
Shirley Chisholm
Roxanne Barton Conlin
Mary Crisp
Charles Curry
Miriam J. Dorsey
Marian Wright Edelman
Myrlie Evers
Frances T. Farenthold
Ronnie Feit
Barbara Feldon
Millicent Fenwick
Patricia Goldman
Elisabeth Griffith
Elinor Guggenheimer
Christie Hefner
Dorothy Height
Elizabeth Holtzman
Koryne Horbal
Victor Kamber
Bobbie Greene Kilberg ✓
Coretta Scott King
Odessa Komer
Frances Lear
Norman Lear
Kate Rand Lloyd
Olga Madar
Jane Pierson McMichael
Doris Meissner
Joyce Miller
Midge Miller
Anita Nelam
Eleanor Holmes Norton
Jean O'Leary
Esther Peterson
Lola Redford
Ann Roberts
Sharon Percy Rockefeller
Audrey Rowe
Jill Ruckelshaus
Patricia Schroeder
Felice Schwartz
Martha Smiley ✓
Mary Louise Smith ✓
Gloria Steinem
Mario Thomas
Marietta Tree
Rita Triviz
C. Delores Tucker
Lucia Vaieska
Carmen Delgado Votaw
Maxine Waters
William Winpisinger
Danya Yon

EXECUTIVE DIRECTOR

Carol S. Silverthorn

July 15, 1981

Honorable Fred F. Fielding
Counsel to the President
The White House
Washington, DC 20500

Dear Mr. Fielding:

The National Women's Political Caucus applauded President Reagan's appointment of Judge Sandra Day O'Connor to the U.S. Supreme Court at our recent convention in Albuquerque, New Mexico. Enclosed is our resolution which passed unanimously supporting the historic appointment and a copy of our telegram to the President.

We look forward to Judge O'Connor's speedy confirmation, and to our continued work with you in appointing well qualified women to high-level governmental and judicial positions.

Sincerely,

Kathy Wilson

Kathy Wilson
National Chair

KW/cc
enclosures

NWPC RESOLUTION
ADOPTED AT THE NWPC CONVENTION
ALBUQUERQUE, NEW MEXICO
JULY 11, 1981

SUPPORT FOR SUPREME COURT NOMINEE

- WHEREAS, for almost 200 years women have suffered total exclusion from decision making on the highest court in the United States of America, and
- WHEREAS, more than 50,000 women practice law in the United States, and
- WHEREAS, President Reagan has announced his selection of Honorable Sandra Day O'Connor, distinguished judge of the Arizona Court of Appeals, for appointment to the United States Supreme Court, and
- WHEREAS, Judge Sandra O'Connor, has demonstrated as a jurist those qualities which are the foundation of the American judicial system: integrity, fairness, commitment to equal justice under law and the highest standard of competence, and
- WHEREAS, Sandra O'Connor has distinguished herself as a legal scholar, practitioner of the law and outstanding public official; therefore, be it
- RESOLVED, that the National Women's Political Caucus commend the historic selection by President Reagan of Honorable Sandra Day O'Connor for appointment to the United States Supreme Court, and be it further
- RESOLVED, that the NWPC urge her prompt confirmation by the United States Senate.



4-057494s188002 07/07/81 ICS IPMTZZ CSP WSHB
1 2023474456 MGM TDMT WASHINGTON DC 07-07 0457P EST

JUL 8 1981

IRIS F MITGANG, NATIONAL CHAIR, NATIONAL
WOMENS POLITICAL CAUCUS
1411 K ST NORTHWEST SUITE 1110
WASHINGTON DC 20005

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

2023474456 MGM TDMT WASHINGTON DC 87 07-07 0457P EST

ZIP

PRESIDENT RONALD REAGAN

WHITE HOUSE

WASHINGTON DC 20500

DEAR MR PRESIDENT THE NATIONAL WOMENS POLITICAL CAUCUS APPLAUDS YOUR
HISTORIC NOMINATION OF THE FIRST WOMAN TO THE U.S. SUPREME COURT.
SANDRA OCONNOR'S REPUTATION AS A FINE JURIST ON THE ARIZONA COURT OF
APPEAL GIVES US CONFIDENCE THAT SHE WILL BE A FINE SUPREME COURT
JUSTICE. AFTER 200 YEARS THIS IS A MAJOR STEP TOWARDS A WELL BALANCED
FEDERAL BENCH. SINCERELY

IRIS F MITGANG, NATIONAL CHAIR, NATIONAL WOMENS POLITICAL CAUCUS

1411 K ST NORTHWEST SUITE 1110

WASHINGTON DC 20005

16:58 EST

MGMCOMP

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

August 5, 1981

FOR: FRED F. FIELDING

FROM: J. MICHAEL LUTTIG

SUBJECT: Response to Michael Gallagher Who Objects
to the O'Connor Nomination to the Supreme Court

Attached for your signature is a letter in response to Mr. Michael Gallagher, who write Michael Deaver to express his displeasure with the O'Connor nomination and to urge that the President reconsider his intention to nominate her to the Court.

THE WHITE HOUSE

WASHINGTON

August 5, 1981

Dear Mr. Gallagher:

I was asked to respond to your letter of July 21 to Mr. Michael Deaver, Deputy Chief of Staff. In your letter, you urge that the President reconsider his decision to nominate Judge Sandra O'Connor to the Supreme Court of the United States. I am sorry that you are displeased with the selection of Judge O'Connor. We believe, however, that her intellectual ability and sound judgement make her an excellent choice for the High Court.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Michael Gallagher
400 Groveland Avenue, #1814
Minneapolis, Minnesota 55403

FFF:JML:sd
cc:

08/05/81
FFFielding
JMLuttig
Subject
Chron.
CFiles

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1/1Name of Correspondent: Michael Gallagher☐ MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: Against Senator O'Connor

ROUTE TO:

ACTION

DISPOSITION

Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CU Holland</u>		ORIGINATOR	<u>DD 8/107,29</u>			<u>1/1</u>
<u>CU AT 07</u>		Referral Note: <u>D</u>	<u>8/107,30</u>		<u>S</u>	<u>8/108,06</u>
		Referral Note:	<u>1/1</u>			<u>1/1</u>
		Referral Note:	<u>1/1</u>			<u>1/1</u>
		Referral Note:	<u>1/1</u>			<u>1/1</u>
		Referral Note:	<u>1/1</u>			<u>1/1</u>

ACTION CODES:

A - Appropriate Action
C - Comments
D - Draft Response
F - Fact Sheet
I - Info Copy/No Action Necessary
R - Direct Reply w/Copy
S - For Signature
X - Interim Reply

DISPOSITION CODES:

A - Answered
B - Non-Special Referral
C - Completed
S - Suspended

FOR OUTGOING CORRESPONDENCE:

Type of Response = Initials of Signer
Code = "A"
Completion Date = Date of Outgoing

Comments: _____

Keep this worksheet attached to the original incoming letter.

Send all routing updates to Central Reference (Room 75, OEOB).

Always return completed correspondence record to Central Files.

Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

29 JUL 1981

THE WHITE HOUSE
WASHINGTON

To

Jack Harding

FROM:

MICHAEL K. DEEVER
Assistant to the President
Deputy Chief of Staff

☐ Information

☒ Action

July 21, 1981
400 Cleveland Ave, #1814
Mpls., Minn. 55403

Red
Zeldens
034878

Dear Mr. Deaver,

I am deeply outraged at the proposed appointment of Sandra Day O'Connor for the Supreme Court vacancy! This is a blatant betrayal of the Republican Party platform and is a stab in the back to the pro-life movement. I strongly urge that her name be withdrawn from consideration and that a full investigation be made of the deceptive information found in the memo of Kenneth Starr of the Justice Department concerning O'Connor. We must have a truly pro-life judiciary.

Sincerely Yours,
Michael Gallagher

THE WHITE HOUSE

WASHINGTON

August 7, 1981

Dear Mr. Gallagher:

I was asked to respond to your letter of July 21 to Mr. Michael Deaver, Deputy Chief of Staff. In your letter, you urge that the President reconsider his decision to nominate Judge Sandra O'Connor to the Supreme Court of the United States. I am sorry that you are displeased with the selection of Judge O'Connor. We believe, however, that her intellectual ability and sound judgement make her an excellent choice for the High Court. We hope that in time you will come to share that view.

With regards and appreciation for your taking the time to share your feelings with us,

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Michael Gallagher
400 Groveland Avenue, #1814
Minneapolis, Minnesota 55403

FFF:JML:sd 08/07/81
cc: FFFfielding
JMLuttig
Subject
Chron.
File

THE WHITE HOUSE

WASHINGTON

August 5, 1981

Dear Mr. Gallagher:

I was asked to respond to your letter of July 21 to Mr. Michael Deaver, Deputy Chief of Staff. In your letter, you urge that the President reconsider his decision to nominate Judge Sandra O'Connor to the Supreme Court of the United States. I am sorry that you are displeased with the selection of Judge O'Connor. We believe, however, that her intellectual ability and sound judgement make her an excellent choice for the High Court. *We hope that in*

the coming years you will come to share that view.
Sincerely,

With regards and appreciation for your letter, the
White House feels within us, ~~there~~
there to share your
Fred F. Fielding
Counsel to the President

Mr. Michael Gallagher
400 Groveland Avenue, #1814
Minneapolis, Minnesota 55403

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

August 5, 1981

FOR: FRED F. FIELDING

FROM: J. MICHAEL LUTTIG *JML*

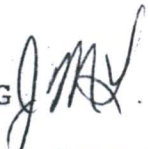
SUBJECT: Response to Michael Gallagher Who Objects
to the O'Connor Nomination to the Supreme Court

Attached for your signature is a letter in response to Mr. Michael Gallagher, who wrote Michael Deaver to express his displeasure with the O'Connor nomination and to urge that the President reconsider his intention to nominate her to the Court.

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

August 10, 1981

TO: FRED F. FIELDING
FROM: J. MICHAEL LUTTIG 
SUBJECT: Response to Letter from Shep Abell Regarding
Future Appointments to the Supreme Court

Attached for your signature is a letter of acknowledgement and thanks to Shep Abell. Mr. Abell wrote to give some thoughts on the selection of Supreme Court Justices.

JML:sd
cc: FFFielding
JMLuttig
Subject
Chron

THE WHITE HOUSE

WASHINGTON

August 10, 1981

Dear Shep:

I received your letter of July 21, and I very much appreciate your thoughts on the Supreme Court. Contrary to your suggestion, your advice is always welcomed.

Decisions on appointments to the High Court, as you know Shep, are some of the most significant decisions that a President makes. Not surprisingly, they also are some of the most difficult. There are a myriad of factors to be considered and typically a relatively brief period in which to do so. The more observations and insights circulated in advance of the time of a nomination, the better.

I also was pleased to know that you share our enthusiasm for Judge O'Connor's nomination. I think she will be well received on the Court and by the public.

Again, thank you for taking the time to write.

Sincerely,

Fred F. Fielding
Counsel to the President

W. Shepherdson Abell, Esq.
Furey, Doolan, Abell & Hogan
8401 Connecticut Avenue
Chevy Chase, Maryland 20015

FFF:JML:sd 08/10/81
cc: FFFielding
JMLuttig
Subject
Chron.

23 JUL 1981

LAW OFFICES

FUREY, DOOLAN, ABELL & HOGAN

E. WILLIAM FUREY
DEVIN JOHN DOOLAN
W. SHEPHERDSON ABELL
THOMAS FRANCIS HOGAN
PATRICK W. FUREY
ELSIE L. REID
LAURA A. QUIGLEY *
KATHLEEN E. SCHEG
ROBERT C. ANDERSON +
CHRISTOPHER S. ABELL °

8401 CONNECTICUT AVENUE
CHEVY CHASE, MARYLAND 20015
(301) 652-6880

DISTRICT OF COLUMBIA OFFICE
1128 16TH STREET, N.W.
WASHINGTON, D.C. 20036

*MD., D.C., VA.
+D.C. ONLY
°MD. ONLY

WILLIAM S. ABELL
OF COUNSEL

July 21, 1981

The Hon. Fred F. Fielding
Counsel to the President
White House
Washington, D.C.

Dear Fred:

Let me begin by assuring you that this is not the first in a series of pieces of unsolicited advice from me to you. Even if it were, there would be no good reason for the Reagan White House to pay any attention to the musings of a life-long Democrat (albeit one who defected to your man in 1980). But you are in such a strategic position that I cannot resist giving you my views on the Supreme Court.

First, I think Mr. Reagan made a wise redemption of his campaign promise with Mrs. O'Connor, and I hope that the right-to-life people do not make continuing fools of themselves over her nomination (although I do consider myself a right-to-lifer).

The next time around, however, I think the President is in a position to leave his mark on the Court in a different way. The Court needs not just "conservative" or "strict constructionist" Justices, although it does need them indeed. What it desperately needs is a strict constructionist who can provide intellectual leadership and strong, well-crafted underpinnings for the strict constructionist position. It needs somebody of the intellectual quality of, say, Frankfurter or Harlan. The Court has not really seen their like since their respective deaths.

*Mike Luttinger - pls for
signature
7/26*

The Hon. Fred F. Fielding
July 21, 1981
Page 2

If you have merely a series of conservative Justices, but none of truly stellar intellectual quality, you will probably have a continuing lack of cohesiveness as long as there is any significant number of dissenters on the Court - and that's bad because it provides precious little guidance to lower courts. More important, you also risk losing respect for the strict constructionists' philosophy itself. I am not sure that a poorly written and poorly reasoned "conservative" opinion is not far worse in the long run than a more "liberal" construction. If lawyers and lay people around the country get the idea that the opinions of the Court are dominated by reflexive and ill-reasoned prejudices, then in the long run there will be an erosion of support for those positions.

The name that comes to mind is Robert Bork, who I believe to be a conservative of this caliber intellectually. There may be others of his type around. I really feel that the next step in the reconstruction of the Court ought to be to find a "star" of that level and appoint him (or her). The President will likely have other opportunities to put people whom he knows personally on the Court, and there is nothing wrong with that in my opinion, particularly if he had laid the ground work by placing on the Court an intellectual leader of the sort I have described.

Well, that's the end of this sermon. I'm sure I have said nothing that hasn't occurred to you, the President himself, or his other advisors. I also know that you are not necessarily the sole individual responsible for the selection, and I recognize that there are numerous other political and non-political factors which enter into that choice. However, you are the only person of my personal acquaintance who is influential in these matters, and I couldn't let the opportunity pass without unburdening my own views. I really do think this is a unique opportunity to do something that desperately needs to be done, i.e., to reconstruct a widely respected, but judicially restrained, Supreme Court.

The Hon. Fred F. Fielding
July 20, 1981
Page 3

Hope all is going well, but that you are not working
yourself to death.

Best regards.

Sincerely,

A handwritten signature in cursive script, appearing to read "Shep", written in dark ink.

W. Shepherdson Abell

WSA:kd

ml

THE WHITE HOUSE

WASHINGTON

August 10, 1981

Dear Shep:

I received your letter of July 21, and I very much appreciate your thoughts on the Supreme Court. Contrary to your suggestion, your advice is always welcomed.

Decisions on appointments to the High Court, as you know Shep, are some of the most significant decisions that a President makes. Not surprisingly, they also are some of the most difficult. There are a myriad of factors to be considered and typically a relatively brief period in which to do so. The more observations and insights circulated in advance of the time of a nomination, the better.

I also was pleased to know that you share our enthusiasm for Judge O'Connor's nomination. I think she will be well received on the Court and by the public.

Again, thank you for taking the time to write.

Sincerely,



Fred F. Fielding
Counsel to the President

W. Shepherdson Abell, Esq.
Furey, Doolan, Abell & Hogan
8401 Connecticut Avenue
Chevy Chase, Maryland 20015

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

August 14, 1981

FOR: FRED F. FIELDING
FROM: J. MICHAEL LUTTIG
SUBJECT: Thoughts

1. In a couple of conversations, Judge O'Connor has mentioned in passing that she wished she had more of an idea of specific questions that are likely to be directed to her at the hearings. I am confident that someone is helping her anticipate questions, and that someone is gathering an assortment of materials that might be of help, but I thought I should mention it. Presently she plans to leave Arizona on August 28 to drive to Washington.
- 2: Should there be a suggestion that selected members of Congress be included at the proposed reception September 23 for the Judiciary, perhaps we should talk. (Nothing indicates, however, a need to include any Congressmen at this particular reception.)

Subject

THE WHITE HOUSE

WASHINGTON

August 24, 1981

Dear Reverend McIntyre:

I was asked to respond to your Mailgram to the President of July 14, in which you request time to present your views on Judge O'Connor's nomination to the Supreme Court of the United States.

The President has forwarded to the Senate his nomination of Judge O'Connor. After the Senate returns from its August recess the Senate Judiciary Committee will finalize the schedule for its hearings. Currently, the hearings are tentatively scheduled to begin September 9. The Judiciary Committee Chairman decides who may testify before the Committee, or in other ways formally offer views, on the nomination. These are not decisions made by the President or by the White House.

I recommend, Reverend McIntyre, that you're-direct your request to Senator Strom Thurmond's office and to the attention of Mr. Duke Short, Chief Investigator for the Judiciary Committee. It is my understanding that Mr. Short staffs all such requests for Senator Thurmond.

If further questions arise, please let me know.

Sincerely,

Fred F. Fielding
Counsel to the President

Reverend Carl McIntyre
c/o Shelton College
Cape May, New Jersey 08204

FFF:JML:sd 08/21/81

cc: FFFielding
JMLuttig
Subject
Chron.

THE WHITE HOUSE

WASHINGTON

August 24, 1981

Dear Reverend McIntyre:

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Reverend Carl McIntyre
c/o Shelton College
Cape May, New Jersey 08204

FFF:JML:sd 08/21/81

cc: FFFfielding
JMLuttig
Subject
Chron.

THE WHITE HOUSE
WASHINGTON

7/28/81

Tricia -

You probably know of the Reverend Carl McIntyre (I thought it McIntire) - if not, I wanted to tell you he is very controversial and for many years wrote Presidents about one thing or another, such as the attached, but mainly about the fact that the FCC denied him a license for his religious radio station in New Jersey.

I am frank to tell you I don't know where this should go for appropriate handling - certainly, I do not interpret it as a request to meet with the President.

Mary R

For the President

3 AUG 1981

REV CARL MCINTYRE
NO STR ADD
CAPE MAY NJ 08204

() No previous file
() Sent to
not ackd. by White House

4-0615308195 07/14/81 JCS IPMMTZZ CSP WSHB
6098848391 MGM TDMT CAPE MAY NJ 109 07-14 0733P EST

SS RAWZ

PRESIDENT RONALD REAGAN
WASHINGTON DC 20500

034174

Scheduling

PLEASE GIVE US TIME FOR HEARING ON OCONNOR FOR FIRST AMENDMENT RIGHTS FOR FUNDAMENTALISTS THE MOST VITAL ISSUE. SHE WANTS SUPREME COURT DEFERRED TO STATE COURTS ON CONSTITUTIONAL QUESTIONS. THIS HAS RUINED OUR SHELTON COLLEGE. WE ARE NOT IN THREE COURTS. OUR BIBLE CONFERENCE ALSO HAS HAD ITS TAX EXEMPTION DENIED AND THE SUPREME COURT REFUSED TO LOOK AT THE CASE. SHE OPPOSED FIRST AMENDMENT RIGHTS FOR BROADCASTERS. HELMS, THURMAN, IRWIN MADE THEIR SPEECHES BEFORE THE SENATE ON THIS MATTER. MY BROADCAST HAS SUFFERED THE LOSS OF HUNDREDS OF STATION. CAN'T I GET THIS STORY BEFORE THE PEOPLE. DON'T REPRESS

(REV CARL MCINTYRE)

19:35 EST

MGMCOMP

*(609) 884-8443 Shelton College, Cape May, NJ.
9/20/94*

THE WHITE HOUSE

WASHINGTON

August 24, 1981

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If further questions arise, please let me know.

Sincerely,



Fred F. Fielding
Counsel to the President

Reverend Carl McIntyre
c/o Shelton College
Cape May, New Jersey 08204

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

August 26, 1981

FOR: FRED F. FIELDING
FROM: J. MICHAEL LUTTIG *JML*
SUBJECT: Opposition to Judge O'Connor's Nomination

Greg L. Cunningham, a Member of the Pennsylvania House of Representatives, telexed the President to register his opposition to Judge O'Connor.

Attached for your signature is a letter in response, adapted from a letter you approved earlier for responding to such opposition.

Attachment

THE WHITE HOUSE

WASHINGTON

August 26, 1981

Dear Representative Cunningham:

I was asked to respond to your telex of July 4 to the President, in which you urge that he reconsider any decision to nominate Judge Sandra O'Connor to the Supreme Court of the United States. As you may be aware, the President now has formally forwarded Judge O'Connor's name to the Senate. We believe that her intellectual ability and sound judgement make her an excellent choice for the High Court. We hope that in time you will come to share this view.

With regards and appreciation for your taking the time to share your feelings with us,

Sincerely,

Fred F. Fielding
Counsel to the President

The Honorable
Greg L. Cunningham
Member, Pennsylvania
House of Representatives
412 South Allen Street
State College, Pennsylvania 16801

FFF:JML:sd 08/26/81

cc: FFFfielding
JMLuttig
Subject
Chron.

Dg

13 JUL 1981

ID # 030780

FB 051

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☒ I - INCOMINGDate Correspondence
Received (YY/MM/DD)

81 07 10

Name of Correspondent: Greg L. Cunningham☒ MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: Opposes appointment of Judge Sandra O'Connor as
a member of the Supreme Court

ROUTE TO:

ACTION

DISPOSITION

Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
PPJAMF		ORIGINATOR	81 07 10			1 1
CW AT 07		Referral Note: D	81 08 11		5	81 08 19
		Referral Note:				
		Referral Note:				
		Referral Note:				
		Referral Note:				

ACTION CODES:

A - Appropriate Action
C - Comment/Recommendation
D - Draft Response
F - Furnish Fact Sheet
to be used as Enclosure

I - Info Copy Only/No Action Necessary
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S - For Signature
X - Interim Reply

DISPOSITION CODES:

A - Answered
B - Non-Special Referral
C - Completed
S - Suspended

FOR OUTGOING CORRESPONDENCE:

Type of Response = Initials of Signer
Code = "A"
Completion Date = Date of Outgoing

Comments: _____

Keep this worksheet attached to the original incoming letter.

Send all routing updates to Central Reference (Room 75, OEOB).

Always return completed correspondence record to Central Files.

Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

I EMPLOY YOU TO ASSIST A POLICE JUDGE.

RESPECTFULLY,

GRAD L. UNHIL

MEMBER OF PENNSYLVANIA HOUSE OF REPRESENTATIVES

412 South Allen St.
State College, Pa.
16801

WHE 114(1227)(4-008114S135)FD 07/04/81 1225

01 JUL 4 P 1:39

105 JPM122 CSP

6142385 05 IDMT STATE COLLEGE PA 102 07-04 1225P EST

MR. PRESIDENT RONALD REAGAN
WHITE HOUSE DC

DEAR PRESIDENT REAGAN:

AS ONE REPUBLICAN MEMBER OF THE PENNSYLVANIA HOUSE OF REPRESENTATIVES WHO HAS SUPPORTED YOUR CANDIDACY AND INCUMBENCY AND WHO HAS HELPED LEAD THE PROLIFER LEGISLATIVE BATTLE IN PENNSYLVANIA I AM APPALLED TO BE ADVISED THAT JUDGE EDWARD CONNOR OF ARIZONA MIGHT BE UNDER ACTIVE CONSIDERATION FOR APPOINTMENT TO THE SUPREME COURT. WHILE I CAN ONLY BELIEVE I HAVE BEEN GIVEN THIS INFORMATION IN THIS REGARD I MUST ADVISE THE COURT AND THE SENATE WITH REJECTION OF THIS OFFER AS A BETRAYAL OF THE PEOPLE AND WISH THAT THE SENATE WILL REFUSE TO

make

THE WHITE HOUSE

: WASHINGTON

August 26, 1981

Dear Representative Cunningham:

I was asked to respond to your telex of July 4 to the President, in which you urge that he reconsider any decision to nominate Judge Sandra O'Connor to the Supreme Court of the United States. As you may be aware, the President now has formally forwarded Judge O'Connor's name to the Senate. We believe that her intellectual ability and sound judgement make her an excellent choice for the High Court. We hope that in time you will come to share this view.

With regards and appreciation for your taking the time to share your feelings with us,

Sincerely,

Orig. signed by FFF

Fred F. Fielding
Counsel to the President

The Honorable
Greg L. Cunningham
Member, Pennsylvania
House of Representatives
412 South Allen Street
State College, Pennsylvania 16801

FFF:JML:sd 08/26/81

cc: FFFielding
JMLuttig
Subject
Chron.

1- Possible Responses to Questions
About Meetings with the President

Good copy of C-11-10-2174
to O'Connor
8/27/81

1. General Questions, e.g.,

"How often did you meet with the President?"

"What did you and the President discuss?"

"What did you tell the President about your judicial philosophy?"

"Who was present at your meetings with the President?"

Possible Response

"As has been reported, I met with the President both before and after his announcement of intention to nominate me; I have not met with him since formal submission of my nomination to the Senate. Some of the President's senior aides were present during portions of our meetings.

"I considered my conversations with the President to be private, much like the private meetings I was privileged to have with many Senators in the days following announcement of my nomination, and I think it would be inappropriate for me to testify about precisely what the President said to me or I to him. Generally, of course, I am sure the President's purpose in meeting with me was to assist in his evaluation both of my fitness and qualifications for this position and of my views on the role of the Judiciary in our Constitutional system. I can assure the Committee, however, that the President did not seek any 'commitments' or anything of the sort concerning how I might vote on particular cases that might be presented to the Supreme Court for decision.

"Beyond that, I can only reiterate that I believe it would be improper for me to discuss publicly the specifics of my conversations with the President, as he exercised his Constitutional responsibility to select a nominee to the Supreme Court. At this, the public stage of the Constitutional appointment process, I am of course happy to respond directly to the Committee's questions, as ^{the Senate} ~~you~~ exercise ^{your} ~~your~~ Constitutional responsibility to determine whether I should be confirmed."

2. Specific Questions, e.g.,

"The President said he was 'satisfied' with your views on abortion; what did you tell him on this subject?"

"Did you tell the President whether you thought Roe v. Wade was a correct decision?"

[Similar questions on busing, affirmative action, death penalty, exclusionary rule and similar controversial topics, as well as past Supreme Court decisions in these areas]

Possible Response

"As I have stated, I believe it would be improper for me to testify concerning my private conversations with the President. However, I am happy to state directly to the Committee my view on this issue.

[Proceed to substantive statement, with appropriate qualifications about not expressing an opinion on which specific decisions might be overruled or on how specific future cases would be decided.]

3. Follow-up Questions, e.g.,

"Is that what you told the President?"

"Have your views changed since you met with the President"

"Did your views change because you were meeting with the President and you knew you were being considered for the Supreme Court?"

Possible Response

"Without commenting on specific matters that the President and I may have discussed, I can state that my views did not

8-
change because I was being considered for nomination to
the Supreme Court, and that I have not changed them since
my meetings with the President."

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

September 9, 1981

FOR: FRED F. FIELDING
FROM: J. MICHAEL LUTTIG *JML*
SUBJECT: Women Considered for Supreme Court Vacancy

Ms. Joan Solms, Director, Family Life League, requests that the President provide her with the names of the other women considered for the recent Supreme Court vacancy. Apparently, this is her second request for the names.

Attached for your review and signature is a response to Ms. Solms, denying the request.

Attachment

THE WHITE HOUSE

WASHINGTON

September 9, 1981

Dear Ms. Solms:

I was asked to respond to your letter of August 7 to the President in which you request, on behalf of the Family Life League, the names of the women from among whom the President selected Judge Sandra O'Connor to be his nominee to the Supreme Court. Please accept my apologies for the oversight of your initial letter.

For reasons which I trust you will appreciate, Ms. Solms, the list of names submitted to the President and the process by which he narrows that list in deciding upon his nominee are matters confidential to the President and his immediate advisors, until such time as the President should choose to publicly disclose them. Thus, I am not at liberty to provide the names requested. I will say that a number of women were recommended either to the President or to the Attorney General, and that the President carefully considered a number of women for the position before deciding that Judge O'Connor was pre-eminently qualified by intellect and by temperament to serve on the Supreme Court. He continues to be enthusiastic about her selection, as do others of us in the Administration.

I regret that I could not provide the specific information requested, but if I can be of help with further questions, please do not hesitate to contact me.

Sincerely,

Fred F. Fielding
Counsel to the President

Ms. Joan Solms
Director
Family Life League
Post Office Box 293
River Forest, Illinois 60305

FFF:JML:sd 09/09/81

cc: FFFielding
JMLuttig
Subject
Chron.

ID # 038224

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

FGOSI

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1 / 1

Name of Correspondent: Joan Salome

☐ MI Mail Report

User Codes: (A) (B) (C)

Subject: List of other women considered
for Supreme Court

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
W Holland	ORIGINATOR	DD 8/11/09/01			1 1
WAT07	Referral Note:	DD 8/11/09/01			5 8/11/09/01
	Referral Note:				1 1
	Referral Note:				1 1
	Referral Note:				1 1
	Referral Note:				1 1

ACTION CODES:

A - Appropriate Action
C - Comment/Recommendation
D - Draft Response
F - Furnish Fact Sheet
to be used as Enclosure

I - Info Copy Only/No Action Necessary
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S - For Signature
X - Interim Reply

DISPOSITION CODES:

A - Answered C - Completed
B - Non-Special Referral S - Suspended

FOR OUTGOING CORRESPONDENCE:

Type of Response = Initials of Signer
Code = "A"
Completion Date = Date of Outgoing

SEP 4 1981

Comments:

Keep this worksheet attached to the original incoming letter.
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Always return completed correspondence record to Central Files.
Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

FAMILY LIFE LEAGUE

P. O. BOX 293 RIVER FOREST, ILLINOIS 60305

*Assign
H. Luttig*

August 7, 1981

038224

*Port
H. Luttig
Fred Felling*

President Ronald Reagan
The White House
Pennsylvania Avenue
Washington, D.C. 20050

Dear Mr. Reagan:

Since we have not received a reply to our original request, we are once again writing to ask you to supply us with the names of the other women who were being considered for the position of Supreme Court Justice. We have recently heard that there was a list of five women from which you finally selected Sandra D. O'Connor as your nominee for this position. We feel that this information would be very educational for us and would help us to possibly understand your point of view when you selected Mrs. O'Connor.

Sincerely,

Joan Solms
Joan Solms
Director

JS: mk

cc: Representative Henry J. Hyde
Senator Jesse Helms

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

September 21, 1981

STATEMENT BY THE PRESIDENT

I want to express my gratitude to the Senate for unanimously approving today the nomination of Judge Sandra Day O'Connor as an Associate Justice of the United States Supreme Court.

Judge O'Connor is, as I have come to know personally, a very warm and brilliant woman who has had an outstanding career in Arizona. I know the Court and the Nation will benefit both from her lifetime of work, service and experience in the legal profession, and from her solid grasp of our Constitution, which she reveres. This truly is a happy and historic day for America.

Judge O'Connor's judicial philosophy is one of restraint. She believes, as she said in her Senate testimony, that a judge is on the bench to interpret the law, not to make it. This philosophy of judicial restraint needs representation in our courtrooms and especially on the highest court in our land.

Let me also say that Judge O'Connor's confirmation symbolizes the richness of opportunity that still abides in America -- opportunity that permits persons of any sex, age or race, from every section and every walk of life to aspire and achieve in a manner never before even dreamed about in human history.

#