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WITHDRAWAL SHEET

Ronald Reagan Library

Collection: Wallison, Peter J.: Files
OA/Box: ~~OA 14007~~ OA 14288
File Folder: Jefferson Sessions (2)

Archivist: kdb
FOIA ID: 1151 (F94-029/8), Goldman
Date: 04/26/2004

DOCUMENT NO. & TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. memo	Nancy Kennedy to Debbie Owen and Mark Sullivan, re Sessions, 1p [Item is still under review under the provisions of EO 13233] <i>open 11/22/2011</i>	3/25/86	

RESTRICTIONS

- B-1 National security classified information [(b)(1) of the FOIA].
- B-2 Release could disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA].
- B-3 Release would violate a Federal statute [(b)(3) of the FOIA].
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- B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA].
- B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA].
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- B-7c Release could reasonably be expected to cause unwarranted invasion or privacy [(b)(7)(C) of the FOIA].
- B-7d Release could reasonably be expected to disclose the identity of a confidential source [(b)(7)(D) of the FOIA].
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- B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA].

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THE WHITE HOUSE

WASHINGTON

March 25, 1986

TO: DEBBIE OWEN
MARK SULLIVAN

FROM: NANCY KENNEDY *WK*

SUBJECT: Jefferson Sessions

I attended a meeting in Senator Denton's office yesterday. Beside the Senator's staff, also present were representatives from Justice and the Majority Leader's office.

Denton's staff is also preparing a synopsis of the first day's hearing. We went through the synopsis step by step, and as you will read, the press reported about 3%, all negative.

Denton's staff plans to prepare a two page charge - countercharge paper for distribution after the recess.

There was also talk of exploring the possibility of Sessions appearing once more - no other witnesses - to rebut all of these charges leveled by hostile witnesses.

Not being an attorney, I must say it appears to me that he is getting a raw deal.

SESSIONS CONFIRMATION HEARING
SYNOPSIS OF WITNESS TESTIMONY

19 March 1986

John D. Keeney
Deputy Assistant Attorney General
Criminal Division
Department of Justice
Washington, D. C.

Keeney, a career Justice Department official under seven Presidents, reaffirmed that the prosecution of the Perry County case was well-founded and directly approved by the Justice Department. He stated, in fact, that Justice Department attorneys played the major role in preparing the indictment. He noted that all complainants, all candidates and all defendants were black, that Justice Department believed that voters whose ballots were changed had been "in effect disenfranchised," and that the case was not racially motivated.

When asked about his dealing with Sessions, Keeney said: "They have been first-rate. He is a good lawyer and every dealing I have had with him has been fine. I know nothing derogatory about Mr. Sessions except obviously I read the papers in the last few days."

(This testimony, as to the racial motivation question, has been challenged by defendants' attorneys and representatives of certain civil rights organizations.)

James D. Liebman, Associate Professor
Columbia Law School
New York, New York

Liebman claimed that the Perry County case violated departmental guidelines, that there was selective prosecution of defendants, and that a U. S. Magistrate had "concluded" that there was evidence that the case was "activated by constitutionally impermissible motives such as racial...discrimination." Liebman was unable to produce names of others suspected of vote fraud.

(Justice Department officials all testified to the contrary, and a reading of the Magistrate's Order indicates no such finding or conclusion.)

Paul F. Hancock
Assistant for Litigation, Voting Section
Civil Rights Division
Department of Justice
Washington, D. C.

Mr. Hancock, a sixteen year veteran of Civil Rights Division at Justice, testified that his earlier deposition, given on short notice to Committee staff members, about Sessions obstructing an investigation in Conecuh County, Alabama, was incorrect. He stated that he had the wrong county and the wrong U.S. Attorney; having reviewed extensive documentation he discovered that the county was Clarke County and that it was Sessions' predecessor, William Kimbrough, who was in office at the time.

When questioned, Hancock had no explanation for not correcting the same statement provided to the American Bar Association, months earlier and under no time pressure, except that that statement was private and confidential.

(J. Gerald Hebert, attorney with Civil Rights Division, Department of Justice, submitted written testimony recanting his previous testimony, both to Committee staff and in the first day's hearing, on the subject of the "Conecuh County obstruction." He likewise acknowledged that his previous testimony on that subject was incorrect. He did state that this correction "does not affect in any way my other testimony" given in the first day's hearing.)

(Senator Denton made the observation, that if Hebert's recollection on the Conecuh County case was incorrect, perhaps some other recollections might also be incorrect.)

Barry Kowalski
Deputy Chief, Criminal Section
Civil Rights Division
Department of Justice
Washington, D. C.

Kowalski, a career civil rights attorney from Justice, testified to personal knowledge and working relationship with Mr. Sessions. He regarded him as highly competent, very aggressive and most cooperative in civil rights cases, especially the Michael Donald case (young black lynched by KKK).

Kowalski testified that Sessions' comment about the Klan being "okay, but now they're smoking pot," was clearly intended as a joke, and that no one who heard him say it could have taken it otherwise. He testified that, to the best of his recollection, that he (Kowalski) told Figures the joke. He testified that Figures sent him a cartoon of a Klansman (Exhibit A) to which Figures had annotated "good choice if he doesn't use drugs - don't ya think?"

(Figures has acknowledged annotating and sending the cartoon, but said that it was meant as a "serious" reflection.)

Kowalski also testified that he would have absolutely no concerns, if he were a private attorney, about taking a black client before Sessions as a judge. He stated that there was nothing that he knew about Sessions personally or professionally that would disqualify him for appointment as a judge.

Albert Glenn
Criminal Section
Civil Rights Division
Department of Justice
Washington, D. C.

Glenn, also a career civil rights attorney at Justice, testified about working with Sessions, Kowalski, and Figures on the Donald case. He also testified that he believed the Klan comment to be a joke, and that to his knowledge no one was offended. Glenn also testified that the Klan comment was made not contemporaneously with the lynching and murder (as has been suggested), but two years later, during the Federal investigation.

Glenn testified as to Sessions' high degree of racial sensitivity, aggressive pursuit of and cooperation with civil rights cases, and competence. He likewise indicated that he would have no concerns, as a private attorney, bringing a black client before Sessions as a judge.

Daniel Bell
Deputy Chief, Criminal Section
Civil Rights Division
Department of Justice
Washington, D. C.

Bell, also a career civil rights attorney at Justice, testified about working with Sessions, Kowalski, and Figures on the Donald case. Bell mentioned another case going back to 1977-78, in which a Mobile County Sheriff was indicted in a very controversial and sensitive civil rights case, in which Sessions, as an Assistant U. S. Attorney, was very cooperative. Bell testified as to Sessions' high degree of racial sensitivity, aggressive pursuit of and cooperation with civil rights cases, and competence. He likewise indicated that he would have no concerns, as a private attorney, bringing a black client before Sessions as a judge.

Arthur Fleming
President/Chairman

Citizens Commission on Civil Rights
Washington, D. C.

Fleming opened with the qualification that his testimony had been prepared exclusively on what he had "read" in the press, and that it should be considered in that light. His testimony was to the effect that he had serious concerns about the nominee if he had, in fact, made the statements attributed to him. He stated that he did not know Sessions and had never had any conversations or dealings with him.

Robert Turner, Attorney
Chestnut, Sanders, Sanders, Turner & Williams
Marion, Alabama

Turner was an attorney for defendants in the Perry County case, and brother of defendant Albert Turner. The essence of his testimony was that the Justice Department, FBI, and Sessions had handled the investigation and prosecution in a heavy-handed manner; that witnesses were intimidated, fingerprinted, photographed and handwriting samples taken. He also stated, in prepared testimony, that a majority of witnesses taken on a bus to Mobile were over 70 years of age, and one had a heart attack and another had a stroke while on the bus trip.

When questioned, Turner changed his statement and said he heard "that one person had gotten sick on the trip" and "later" had a stroke. He also could not name anyone, other than defendants, who were fingerprinted or photographed.

He also raised the issue of "selective prosecution" of the Perry County defendants. He also called the opposition black faction "a pro-white group." Senator Denton remarked at that point that such a comment might be considered "racist."

(Each point of his testimony was subsequently refuted by LaVon Phillips, a 26 year old black legal assistant to Perry County DA.)

Dr. Robert Gilliard, President
NAACP
Mobile, Alabama, branch

Based on allegations against Sessions, Gilliard testified that opinion in the black community was that Sessions could not be fair and impartial on the question of race. He mentioned an instance when he requested Sessions' help in connection with a matter involving his vote on the Mobile County School Board, and Sessions did not assist.

(This testimony was later partially contradicted by the testimony of George Horn.)

Honorable Ferrill D. McRae
Presiding Judge, Thirteenth Judicial Circuit
Mobile, Alabama

McRae, a Democrat, Presiding Judge of Alabama's 13th Judicial Circuit, testified as to Sessions' competence, professional qualifications and opinion in the legal community. He testified about his aggressiveness and courage in "clean(ing) up the mess" of political corruption in the Mobile area. He also testified about Sessions' involvement in the Michael Donald case, saying that "the State's conviction...would not have been possible without Jeff Sessions' assistance."

He noted the "inconsistencies, half-truths...loose with the truth" statements made about Sessions. He has known Sessions since he started practice and said that he is not a racist, and believes he would be fair and impartial, regardless of race. He stated that he believes Sessions possesses judicial temperament and integrity.

McRae, when asked if he represented the other judges of the Circuit bench, read a telegram (Exhibit B) signed by nine judges including McRae (including a black judge, Cain Kennedy).

He also read a statement adopted by the Mobile Bar Association which expressed the Bar's conviction that Sessions is not racially prejudiced (Exhibit C).

McRae testified that, in his opinion, because of the publicity of this confirmation hearing, a message was being sent out that U. S. Attorneys should not prosecute cases (like the Perry County case).

LaVon Phillips
Legal and Administrative Assistant
Perry County DA's office
Marion, Alabama

Phillips, 26 year old black legal assistant to Perry County DA, testified as to the inaccuracies of allegations concerning the Perry County case. He specifically refuted allegations and testimony concerning the genesis and handling of the Perry County voter fraud case.

He reviewed the 1982 allegations and recommendations, by a predominantly black grand jury, that DOJ and other U.S. agencies investigate the situation.

He gave specific testimony of how black voters' ballots in the 1984 election were obviously changed against their desires, and how black candidates had brought the election contest.

He denied the charges of heavy-handedness by the FBI and prosecutors, and charges of selective prosecution.

He also denied specific allegations of harassment and intimidation of witnesses. He gave extensive, detailed testimony about the witnesses' bus trip to Mobile (which he was on); that witnesses were not forced to go (in fact, subpoenaed witnesses who failed to appear were not brought to task); that the trip was uneventful and witnesses were well-cared for; that no one got sick, or had a heart attack or stroke; that witnesses were not photographed, fingerprinted or required to give writing samples.

Phillips likewise denied allegations that the area around the bus at departure was like an "armed camp" with numerous law enforcement officials around the bus and on other street corners with guns drawn or ready to be drawn.

He noted the black factions in Perry County and the divisiveness between them, calling this a "black on black" situation. He referred to abusive language and physical threats he had received as a result of his cooperation with other law enforcement officials in the voter fraud investigation and prosecution.

During the course of extensive contact with Sessions, he said he had gotten to know him well, had never heard him say anything that would indicate racial insensitivity, and believed that Sessions would make a fair and impartial judge.

(Phillips' testimony about the Perry County case contradicts testimony by Robert Turner, Hank Sanders and Rev. O. C. Dobyne.)

Larry Thompson
Attorney
King & Spaulding
Atlanta, Georgia

Thompson, a black, a former U. S. Attorney from Atlanta and a partner in King & Spaulding law firm, testified as to an extensive personal and professional relationship with Sessions, "as a man and a friend."

He testified specifically about work with Sessions on the Drug Task Force, including attendance at meetings and conferences, where he had roomed with Sessions on two different occasions.

He testified pointedly that the allegations and "statements and testimony in opposition" to Sessions "... pain me. But, they do not comport with what I know about Jeff." He went on to say

that Sessions "will serve our nation well as a United States District Court Judge" and "he will do so in a completely fair and impartial manner." He called Sessions "a good and honest man, untainted by any form of prejudice."

Thompson noted that he is a member of the National Bar Association, and has "worked very hard over the years for the Atlanta NAACP."

Eddie Menton
Mobile Press Register
Mobile, Alabama

Menton testified, as a long time journalist and business and city editor of the Mobile Press Register, and a personal friend of Sessions, that Sessions' reputation in the community was very high, that he was not racially prejudiced and possessed racial sensitivity.

William Kimbrough
Former U. S. Attorney
Southern District of Alabama

Kimbrough, Sessions' predecessor under President Carter, a self-styled "yellow-dog Democrat," said "Jeff Sessions will serve well on the bench. He will treat people fairly." Sessions served as an assistant under Kimbrough for two years.

Kimbrough testified that he did not win a number of civil rights cases, as U. S. Attorney, but "(t)hat is not to say they should not be brought."

20 March 1986

Thomas Figures, Attorney
Figures, Ludgood & Figures
Mobile, Alabama

Figures, the principal source of the allegations, testified that he heard Sessions make the "Klan" comment and took the comment as "a serious statement; Mr. Kowalski on the other hand apparently did not take the comment as serious as I did." He explained his annotation of the Klan cartoon (Exhibit A) as a "serious" reference on his part to the earlier Sessions' comment.

Figures was questioned about his allegation that Sessions believed that the "NAACP, the Southern Christian Leadership Conference, Operation Push, and the National Council of Churches were all un-American organizations teaching anti-American values." He answered that he (Figures) initiated the conversation, when Sessions came into his office one day while Figures was reading an article about some action of the NAACP, with the comment from Figures: "Well, there goes that subversive NAACP again." He said Sessions then went on to make the statement above.

Senator Denton commented that he found it "bizarre and somewhat convenient" that Figures could joke about the NAACP being "subversive" but could not understand that Sessions' comment about the Klan could have been a joke.

(Sessions has denied making the statement attributed to him. For the text of his sworn testimony, see Exhibit D)

Figures testified that Sessions had made the statement that Sessions wished he could "decline all civil rights criminal prosecutions."

(Sessions has previously denied the statement and such a statement is at substantial variance with testimony of all Justice Department civil rights attorneys.)

Figures testified that Sessions had also cautioned at one time to be "careful" what you say to white folks."

(Sessions has denied the comment, stating that he said for Figures to be "careful what you say to folks.")

Figures also testified that Sessions encouraged Figures to drop the Michael Donald case.

(That testimony is at substantial variance with testimony by several Justice Department attorneys working on the Donald case, and the Mobile County DA's Chief Investigator, Robert Eddy.)

For the first time in any of his statements or testimony (including two prepared statements and an extensive investigation), Figures alleged that Sessions and others in the U. S. Attorney's office (Vulevich and Favre) had "regularly called (me) 'boy,'" and that such remarks were were overhead by Assistants Ginny Granade and E. T. Rolison.

(Though Sessions has been unable to testify since this testimony, he has publicly denied ever making that reference to Figures. Affidavits from Granade and Rolison, denying hearing such remarks, are being sent to the Committee. Vulevich testified, emphatically denying any such accusation.)

Senator Denton commented that it was "remarkable", given the seriousness of a charge of such derogatory nature, that Figures had not complained about the comments earlier. Denton said "I find that so incredible that it makes me wonder that others can find it credible."

(Figures mentioned that he believed he had said something about them to the ABA representative and the National Bar representative, but nothing appears in reports.)

Hank Sanders
Alabama State Senator
Montgomery, Alabama

Sanders, a Democratic State Senator, and law partner of one of the Perry County defendants and two defense lawyers, testified to the excessive use of law enforcement in the Perry County case, particularly in connection with the bus trip.

He also testified to the heavy-handedness and selectivity of the prosecution.

(This testimony was refuted by Justice Department attorneys and LaVon Phillips.)

O. C. Dobynes
Perry County, Alabama

Dobyne, a black preacher and candidate in the 1984 Perry County primary and called as a witness for the grand jury in Mobile, testified particularly as to the bus trip.

He called the area around the bus departure site an "armed camp," and stated in prepared testimony that the bus was "surrounded by six Alabama State troopers, three or four Marion City Policemen, about nine FBI agents and four state game wardens... The street around the courthouse was blocked off and

about eight officers stood on different corners with their guns drawn."

Dobynes changed his oral testimony to say that the prepared statement should have said "guns ready to be drawn."

(A sworn affidavit from the Marion Police Chief (Exhibit E) and testimony by LaVon Phillips categorically contradicts Dobynes testimony.)

Deval L. Patrick, Assistant Counsel
Legal Defense Fund
New York, New York

Patrick testified that Sessions "conducted the prosecution in (the Perry County) case." He also testified about the heavy-handedness of the prosecution.

(The record is clear that Sessions did not conduct the trial of the Perry County case. His other testimony was refuted by Justice attorneys and LaVon Phillips).

Edward Vulevich
Assistant U. S. Attorney
Southern District of Alabama

Vulevich, a 16 year career Assistant U. S. Attorney, testified that he came to Washington to express his concerns over the distortions and false allegations being reported on Sessions nomination.

He emphatically denied Figures accusation that he had called Figures "boy."

He testified that Figures was highly sensitive about racial matters and "wore his feelings on his sleeve," and that he tended to be secretive, suspicious and in his view had a persecution complex.

Vulevich described Figures as "a good lawyer with a bad attitude."

Honorable Braxton Kittrell
Judge, Thirteenth Judicial Circuit
Mobile, Alabama

Kittrell, a Democrat, Circuit Judge, who sentenced one of the Klan defendants in the Michael Donald case, testified as to Sessions' professional competence, high opinion in the legal community, racial sensitivity and judicial temperament.

Robert Eddy, Chief Investigator
District Attorney's Office
Mobile, Alabama

Eddy, a Democrat, veteran investigator, credited with solving the 1963 bombing of the 16th Street Baptist Church, in which several black children were killed, testified as to Sessions' total cooperation in and commitment to the successful prosecution of all persons involved in Michael Donald case.

Eddy stated that he was convinced that Sessions would have gone forward with the Federal case against one defendant if the state prosecution had not been successful.

He testified as to Sessions courage and success in prosecuting white-collar crime, and as to his racial sensitivity and judicial temperament.

George Horn
Mobile County Republican Executive Committee
Mobile, Alabama

Horn, an elderly black man, member of the Mobile County and Alabama State Republican Executive Committees, testified as to his friendship with Sessions, to his racial sensitivity, and to the opinion of those in the black community "who know" Sessions as to fairness and impartiality.

Rev. Ben Sawada
Ashland Place United Methodist Church
Mobile, Alabama

Rev. Sawada, a Japanese-American and Sessions' pastor, testified as to his close relationship with Sessions, his work and reputation in the church; particularly the fact that Sessions had held many positions in the church and was currently "Lay Leader," the highest lay position. He said Sessions was free from racial bias.

Honorable Clarence Mitchell
Maryland State Senator
National Black Caucus of State Legislators
Washington, D. C.

Mitchell testified as to the "chilling" effect that unjust or heavy-handed voter fraud investigations or prosecutions could have on black voters. He did not know Sessions and had no knowledge of his professional competency or judicial temperament.

STATEMENT BY LAVON PHILLIPS, OF PERRY COUNTY, ALABAMA
BEFORE THE SENATE JUDICIARY COMMITTEE

20 March 1986

My name is LaVon Phillips. I am a 26 year old black man from Perry County, Alabama. I am presently employed as a legal and administrative assistant to the District Attorney, Roy Lockhart Johnson. I am a graduate of Alabama State University, and Miles School of Law.

I am here before the Senate Judiciary Committee to testify on behalf of Jefferson B. Sessions, III, for the confirmation to the Federal bench for the Southern District of Alabama. I also will be testifying as to the extreme high standard of professionalism evidenced during the voter fraud investigation in Perry County, Alabama. My testimony will reflect that the allegations stipulated by several people in opposition to Mr. Sessions are unfounded and both ludicrous as well as unconscionable.

First of all, I would like to have the Committee focus its attention on the 1982 voter fraud investigation conducted by the Perry County District Attorney's Office. The investigation was commenced for several reasons. Our office received complaints from elderly black voters that they were receiving absentee ballot applications without making a request; this one fact established our probable cause to pursue the matter. Subsequent to the return of the absentee applications to the Perry County Election Manager, our office came to a precise conclusion that the people soliciting these applications were members of the Perry County Civic League, including Albert Turner, Evelyn Turner, and Spencer Hogue. After arriving at this conclusion, our office interviewed several voters concerning whether or not these voters requested an absentee ballot. There were about 75

to 100 voters who said that they did not request an absentee ballot. The above evidence constitutes the 1982 primary election in Perry County.

In the 1982 Perry County general election this same practice was used by the Perry County Civic League, but it was more extensive. There were over a thousand absentee ballots cast which would mean that one out of every five voters voted absentee in the 1982 general election. After receiving numerous complaints from black voters, as well as black incumbent elected officials seeking re-election, a circuit judge in Perry County ordered the Election Manager to number the absentee ballot envelopes in accordance with the ballots. This was done in conjunction while the ballots were being counted. Subsequent to the General Election, our office interviewed several voters who voted absentee in which these ballots were changed. Several voters with changed ballots said that they did not vote their convictions. Our investigation concluded that Albert Turner, Evelyn Turner, Spencer Hogue, and other members of the Perry County Civic League were collecting and changing these ballots. Also, I would like to point out that at that time, Albert Turner was a candidate for Perry County Probate Judge; therefore he is prohibited under Alabama law, section 17-10-17, Code of Alabama, 1975 from handling or soliciting absentee ballots. Lamar Miller, a handwriting analyst expert from Auburn, Alabama, examined the changed ballots. It was Lamar Miller's expert opinion that Albert Turner wrote his name in on several absentee ballots for the Probate Judge position. Even with this write-in effort, he lost in the general election to the incumbent Probate Judge.

After the District Attorney's investigation was consummated, the investigation results were presented to the Perry County Grand Jury. The Grand Jury fell short by two votes to indict Albert Turner, Evelyn Turner, and Spencer Hogue. The racial make-up of the Grand Jury was eleven blacks and seven whites; the Grand Jury foreman was black.

During the course of the 1982 investigation, I received numerous threats. I received several threatening phone calls and was subject to abusive social treatment. I was also assaulted by Spencer Hogue as I was leaving the Perry County Courthouse one afternoon in 1982. Mr. Hogue said to me, "If you don't leave my people alone, I'm going to hurt you."

After the Perry County Grand Jury failed to render indictments our office asked U.S. Attorney Jefferson B. Sessions to investigate the Perry County voter fraud case. He declined!! Jeff Sessions' decision not to investigate the 1982 voter fraud case caused our office to be highly upset. But later I learned that Jeff's decision not to prosecute at that time was a competent one. Mr. Session's reason for not prosecuting the case was based on the fact that the Perry County Grand Jury is the conscious of the the community and therefore any action by his office would have been highly unprofessional.

Let us turn our attention to the 1984 Primary Election. We received complaints from Col. Warran Kynard, Reese Billingslea, and Ann Nichols concerning irregularities in the Perry County absentee voting process. Mr. Kynard, who is black, as well as Reese Bellingslea (black), complained of Albert Turner, his wife Evelyn and

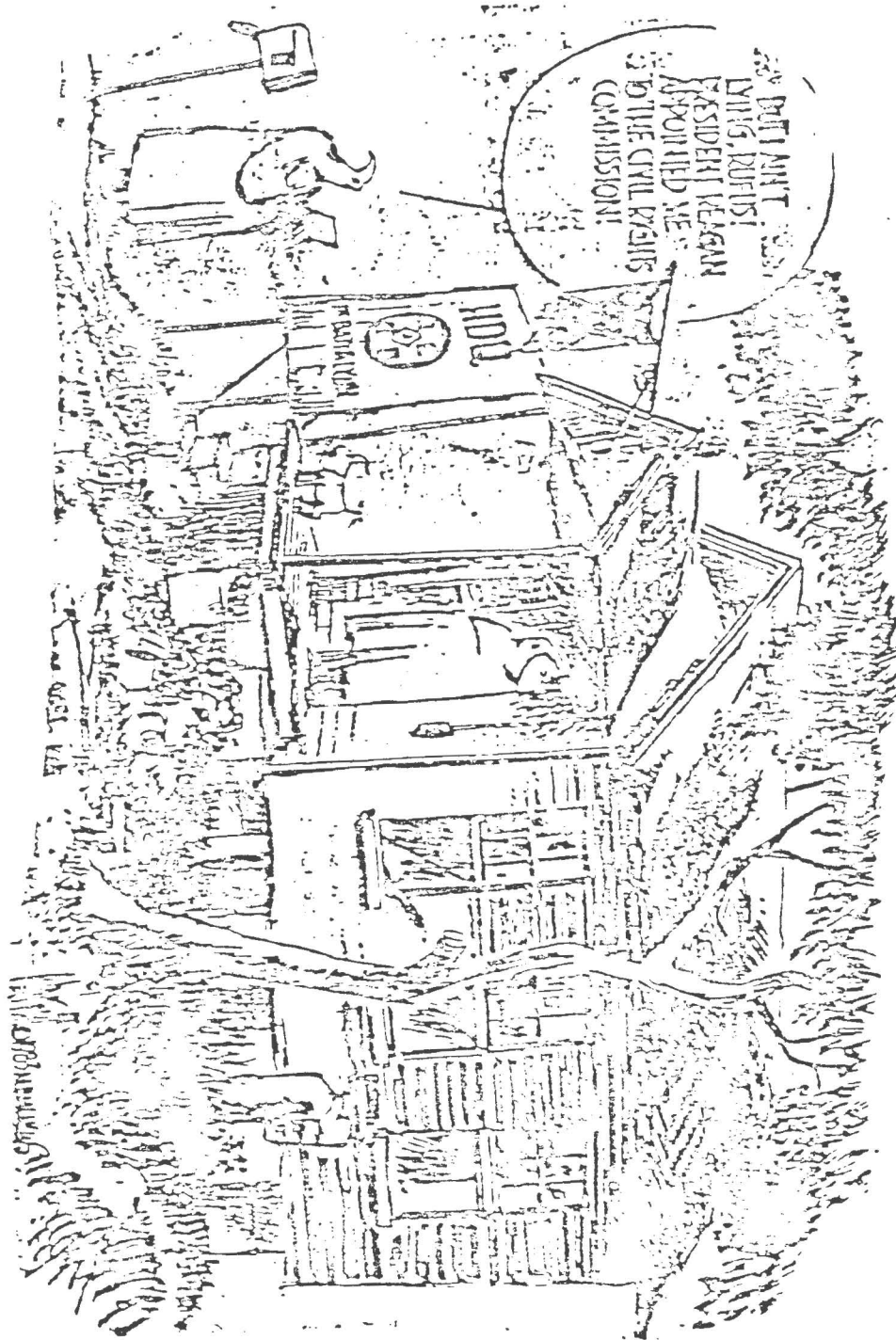
Spencer Hogue, trying to steal the election on behalf of the Perry County Civic League candidates. Subsequent to these complaints, Circuit Judge Ann Ferrell McKelvy issued a court order ordering the Perry County Election Manager to repeat the same procedure as was done in 1982. The District Attorney's Office reviewed some of the ballots and found that there were over 200 changed. We again went to Jeff Sessions and he decided that the situation in Perry County needed to be dealt with. The FBI investigation proved that Albert Turner, Evelyn Turner, and Spencer Hogue mailed over 800 absentee ballots at the U.S. Post Office depository the day before the election. Several voters were interviewed by the FBI in my presence. Several voters whose ballots were changed, stated that they gave their ballot to either the Turners or Mr. Hogue.

After the FBI completed their investigation, 30 absentee voters were bused to Mobile, Alabama, to appear before a Federal Grand Jury. I was on that bus trip. The witnesses had no complaints about the trip, nor did anyone become ill. There was one witness on that bus who I would consider a hostile witness on behalf of Albert Turner, Evelyn Turner and Spencer Hogue. The witness I'm speaking of is Rev. O. C. Dobyne. Rev. Dobyne was harrassing the witnesses on the bus or questioning them concerning their testimony. Due to Rev. Dobyne's behavior, I have lost respect for him as a person, but also as a member of the clergy.

This is the nexus of the whole Perry County case in a nutshell. Because of this, the Perry County Civic League will seek any means

necessary whether it is fair or unfair, legal or illegal, and any other gutter political tactic, to win control.

"A"



Good choice if he doesn't use
drugs - don't ya think?



CIRCUIT COURT
THIRTEENTH JUDICIAL CIRCUIT
FERRILL D. McRAE, JUDGE
MOBILE, ALABAMA
36602

JUDGE'S CHAMBERS

March 17, 1986

Honorable Howell Heflin
United State Senator
For the State of Alabama
Senate Office Building
Washington, D.C. 20510

Dear Senator Heflin:

We have all known Jeff Sessions for many years and are familiar with his reputation which is excellent. We are confident that he would make an excellent Federal District Judge and would rule impartially in all matters presented to him. The Federal Judicial system is fortunate to have someone of Jeff's stature available for this judgeship. We urge you to support this fine candidate in his nomination to the Federal Bench.

Sincerely,

Ferrill D. McRae, Presiding Judge
Thirteenth Judicial Circuit of Alabama

Judge Michael E. Coghby, Circuit Judge
Judge Braxton L. Kittrell, Jr., Circuit Judge
Judge Robert L. Byrd, Jr., Circuit Judge
Judge Edward B. McDermott, Circuit Judge
Judge Robert G. Kendall, Circuit Judge
Judge Charles H. Dodson, Jr., Circuit Judge
Judge Cain J. Kennedy, Circuit Judge
Judge John F. Butler, Circuit Judge

STATEMENT ADOPTED BY
MOBILE BAR ASSOCIATION
EXECUTIVE COMMITTEE
ON MARCH 17, 1986

The Executive Committee of the Mobile Bar Association, Mobile, Alabama, hereby re-affirms its endorsement of U. S. Attorney Jefferson B. Sessions, III, for the position of U. S. District Judge for the Southern District of Alabama, and states its firm belief that Mr. Sessions is eminently qualified for the position of U. S. District Judge, that he has been fair with all persons regardless of race or national origin, and that any suggestion Mr. Sessions is racially prejudiced is both unfounded and unfair.

MOBILE BAR ASSOCIATION
EXECUTIVE COMMITTEE
153 Government Street
Mobile, Alabama 36602

4 place like this. My assistant, former assistant, Thomas
5 Figures, who is black--his office was right across the hall
6 from mine for four years.

7 We went over and I chatted in his office and
8 philophized, I called it, a number of times, and I was over
9 there regaling about the National Council of Churches. I am
10 a United Methodist and we fund them and my money goes to them
11 but I have complained about them.

12 And I was making this point, as I recall this conversa-
13 tion, and I said, you know, when an organization like the
14 National Council of Churches gets involved in political
activities and international relations that people consider
to be un-American, they lose their moral authority and
15 ability to function, or to speak with authority in the public
because people see them as political.

19 And I also barreled on and said that that is true; the
20 NAACP and other civil rights organizations, when they leave
21 the basic discriminatory questions and start getting into
22 matters such as foreign policy and things of that nature and

STATE OF ALABAMA)
)
PERRY COUNTY)

A F F I D A V I T

Before me, Sabrah H. Agee, the undersigned Authority, came the Affiant, John Anderson, Chief of Police, City of Marion, Perry County, Alabama, and deposes and says as follows:

My name is John Anderson. I am thirty-nine years of age, and a life-time resident of Marion, Perry County, Alabama. I have served the City of Marion as its Police Chief for the past fifteen years, and was serving in this capacity during the Vote Fraud Investigation in 1984.

On October 21, 1984, Special Agent Leslie Sue of the Federal Bureau of Investigation contacted my office and informed me that he had received information that there was going to be an attempt to prevent the Federal Grand Jury witnesses from going to Mobile to testify before the Grand Jury concerning the Perry County Vote Fraud Investigation. When I received this information, it was decided that the police department would provide whatever security necessary to protect these witnesses from harrassment.

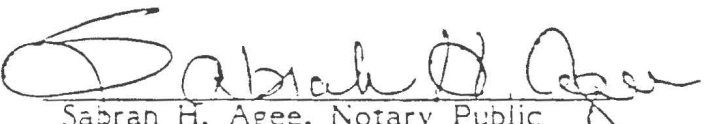
On October 22, 1984, my department supplied two officers, Lt. Don Caver, and Patrolman Gabriel Jones, as security while the witnesses were boarding the bus bound for Mobile. Also on the scene was Conservation Officer Mike Nichols, who was assigned to Perry County at that time, and who worked out of the Marion Police Department. Three F. B. I. Agents were also present at the loading site. One was the aforementioned Special Agent Leslie Sue, and two were agents from Montgomery. I do not know the names of the Montgomery Agents. Capt. George Jones, of the Alabama State Troopers Office, came to Marion, but waited inside the Marion Police Department, along with three other Troopers. The bus loading zone was in a public parking lot, next to the U. S. Post Office, and it was directly across the street from the Perry County Courthouse. After all

The Grand Jury witnesses were loaded onto the bus, the Alabama State Troopers drove over to the loading site and waited for the bus to leave for Mobile. To the best of my knowledge, there were no other Law Enforcement Officers assigned to the aforementioned detail, and there were no other Law Enforcement Officers present at the loading site. The only uniformed Law Enforcement personnel in the immediate vicinity of the bus were Lt. Caver, and Officer Jones, of the Marion Police Department. There were no streets blocked, and at no time were any weapons displayed other than the pistols belonging to the uniformed officers at the site, and these pistols were in the officer's holsters at all times.

The above statement is true and correct to the best of my knowledge and belief.


John Anderson, Chief of Police
Marion, Alabama

Sworn and subscribed before me on this the 17th day of March, 1986.


Sabran H. Agee, Notary Public
State of Alabama at Large



News Summary

OFFICE OF THE PRESS SECRETARY

TUESDAY, APRIL 1, 1986 -- 6 a.m. EST EDITION

TODAY'S HEADLINES

INTERNATIONAL NEWS

ENERGY SECRETARY: OIL PRICES BOTTOM OUT -- Secretary Herrington says oil prices are bottoming out and will rebound soon because the current glut on the market will result in decreased competition in the industry.

(Washington Post, UPI)

U.S. WARNS EUROPEANS ON TRADE -- The Reagan Administration said yesterday that it would impose sanctions on some European exports to the United States, such as wine and cheese, unless the European Community removed new curbs on U.S. farm product exports to Spain and Portugal.

(Baltimore Sun, UPI)

NATIONAL NEWS

DEAVER MET WITH OMB CHIEF TO DISCUSS B-1 BOMBER -- Michael Deaver met recently with OMB director Miller, and the two talked about the B-1 bomber, whose maker is a Deaver client, an OMB spokesman said Monday night.

(Washington Post, AP)

REAGAN'S GUARDS DECLINE PETITION FROM VETERANS -- About 60 military veterans who marched to the gate of President Reagan's ranch today were rebuffed in efforts to present a petition calling on the President to end assistance to rebels fighting Nicaragua's leftist government.

(Washington Post)

NETWORK NEWS (Monday Evening)

MEXICAN AIRLINER -- Rescuers reaching a Mexican mountain-side confirmed what had been suspected: No survivors.

LIABILITY INSURANCE -- Mr. Reagan endorses limits on awards for pain and suffering.

SUMMIT -- Ronald Reagan and Gorbachev continued their tap dance over another summit.

INTERNATIONAL NEWS...A-2

NATIONAL NEWS.....A-5

NETWORK NEWS.....B-1

INTERNATIONAL NEWS

SAUDIS ARE WARNED ON OIL OUTPUT

Secretary Herrington said yesterday that Saudi Arabia is approaching "a point of diminishing" in its effort to force lower oil prices through overproduction, and suggested that there will be "political implications" if the price war continues.

"It's got to be apparent to the Saudis and the rest of the Arabs that their production is causing problems in our producer industries," Herrington told reporters in an informal briefing.

DOE officials said Herrington was speaking as energy secretary, and that his remarks were not coordinated with the White House. The Administration has held steadfastly to a hands-off policy on energy markets, a philosophy that Herrington repeated to a Senate hearing as recently as last week.

(Cass Peterson, Washington Post, A1)

Energy Secretary: Oil Prices Bottom Out

Secretary Herrington says oil prices are bottoming out and will rebound soon because the current glut on the market will result in decreased competition in the industry.

Herrington told reporters Monday the oil glut and its accompanying rock-bottom prices inevitability will prompt a cutback in production because there is no economic incentive to keep pumping. He said that will tighten up oil supplies and send prices back up.

(George Lobsenz, UPI)

REAGAN TO RETALIATE AGAINST EEC TRADE RESTRICTIONS

SANTA BARBARA, Calif. -- President Reagan says he will retaliate against agricultural trade restrictions that affect \$1 billion worth of farm products and were imposed by the European Economic Community after Spain and Portugal joined EEC.

Reagan's announcement from his vacation ranch in California prompted a warning from the EEC, that there could be "appropriate action" in return, and that the action risks "open commercial conflict."

(UPI)

U.S. Warns Europeans On Trade

The Reagan Administration said yesterday that it would impose sanctions on some European exports to the United States, such as wine and cheese, unless the European Community removed new curbs on U.S. farm product exports to Spain and Portugal.

U.S. officials described the announcement as an ultimatum: Either the new restrictions are removed or a trade war will begin. The Administration said, however, that the sanctions would not begin to take effect for at least 30 days to give time for the two sides to negotiate.

(Reuters story, Baltimore Sun, A1)

EGYPT REBUFFS 3 U.S. OFFERS TO FIGHT LIBYA

Administration sources confirmed yesterday that Egypt has refused three offers from the United States in the last eight months to launch a joint military operation against Libya.

The American offer and the Egyptian refusal were confirmed separately by the Washington Times from knowledgeable Administration sources. "This is my understanding of what happened," said one official.

(Roger Fontaine, Washington Times, A1)

SOVIET DELAY ON SUMMIT CAUSES CONCERN

SANTA BARBARA, Calif. -- Top Administration officials expressed renewed concern today about Soviet delays in setting a date for the next summit meeting, scheduled to be held in the United States.

"The only way we could do it in June now would be to have a Washington summit, not the tour of America," one official said. However, officials said a July summit was still feasible.

(David Hoffman, Washington Post, A7)

U.S. POLICY ON NUCLEAR TESTING HIT

The Soviet Union may overcome a U.S. lead in nuclear weapons technology and expand its knowledge of controversial X-ray lasers if Mikhail Gorbachev ends his eight-month moratorium by renewing underground nuclear weapons testing, according to Rep. Les Aspin (D-Wis), chairman of the House Armed Offices Committee.

Aspin, in an interview, criticized the Reagan Administration for summarily rejecting Moscow's call for a superpower moratorium on nuclear testing and for not adequately studying "the tradeoffs" that would come from a permanent halt to Soviet tests.

(Walter Pincus, Washington Post, A10)

Officials Question Reagan's Rejection Of Soviet Weapons Offer

The chairman of the House Armed Services Committee and three former U.S. arms control negotiators are expressing regret over President Reagan's rejection of a proposed U.S.-Soviet summit on banning nuclear weapons tests, calling it a missed opportunity to slow the arms race.

Paul Nitze said American critics were trying to "exploit" the Administration position. "Most in the West recognize we must depend on nuclear weapons as the bottom line in Western defense, and testing is necessary," Nitze said.

(Barry Schweid, AP)

TERRORISM PROVES TOUGH TOPIC FOR CONGRESS

When House Democrats began drawing up a long-awaited bill to combat world terrorism, they received a rather frosty response from the Reagan Administration.

Deputy Assistant Attorney General Victoria Toensing said the bill "would further hamper the already limited ability of the United States to extradite...fugitives." State Department legal adviser Abraham Sofaer said part of the bill "reads more like...a Pro-Terrorism Act of 1986."

(Howard Kurtz, Washington Post, A10)

U.S. RENEWS EFFORT TO GAIN ADMISSION TO SPAIN FOR MARCOS

The United States has reopened talks with Spain on the possibility that deposed President Marcos might be permitted to move there, according to U.S. officials.

The officials, speaking Monday on condition of anonymity, said Spain has been asked to reconsider its decision two weeks ago to deny refuge to Marcos.

(Tim Ahern, AP)

NATIONAL NEWS

DEAVER MET WITH OMB CHIEF ON BEHALF OF B1 CONTRACTOR

SANTA BARBARA, Calif. -- Former White House deputy chief of staff Michael Deaver, now a lobbyist and consultant, recently met with James Miller, director of the White House OMB, on behalf of a client, Rockwell International Corp., which is trying to persuade the Administration and Congress to build more B1 bombers.

The meeting unsettled some White House officials, Administration sources said, because of federal rules that prohibit a senior official who leaves the government from lobbying his former department or agency for a year. The rules also prohibit top officials from lobbying on issues in which they were personally and substantially involved while in government.

Deaver said in a telephone interview today that he "absolutely" did not violate the rules because the the budget office is separate from the White House and he did not work on the B1 issue while at the White House.

(David Hoffman, Washington Post, A1)

Deaver Met With OMB Chief To Discuss B-1 Bomber

Michael Deaver met recently with OMB director Miller, and the two talked about the B-1 bomber, whose maker is a Deaver client, an OMB spokesman said Monday night.

However, the budget office spokesman, Edwin Dale, pointed out that the OMB is separate from the White House, so the meeting was not a violation of the lobbying prohibition contained in rules published last year by the Office of Government Ethics.

(AP)

REAGAN'S GUARDS DECLINE PETITION FROM VETERANS

SANTA BARBARA, Calif. -- About 60 military veterans who marched to the gate of President Reagan's ranch today were rebuffed in efforts to present a petition calling on the President to end assistance to rebels fighting Nicaragua's leftist government.

Edgar Jack, a Santa Barbara County sheriff's deputy who met the marchers, said he was not authorized to accept their petition but suggested that they take it to a Santa Barbara hotel where he said it could be accepted by someone from the White House staff.

(AP story, Washington Post, A7)

REAGAN BACKS LIMITS FOR DAMAGE AWARDS

SANTA BARBARA, Calif. -- President Reagan has approved the broad outlines recommended by his Domestic Policy Council for restricting liability and damage awards and the fees lawyers may receive.

Mr. Reagan, according to a White House official, has agreed that there has been an explosion in liability awards that has cost the insurance industry \$25 billion in recent years.

(Jeremiah O'Leary, Washington Times, A3)

-more-

SOCIAL SECURITY FISCALLY STRONG

Social Security is in strong financial shape and will be able to pay all old-age and disability benefits well into the next century, the system's trustees reported yesterday, but the Medicare hospital insurance program faces bankruptcy by 1996, two years earlier than projected last year.

In their annual report on the condition of the giant system, which will pay out \$202 billion in old-age and disability benefits and \$76 billion in Medicare benefits this year, the trustees called for new steps to strengthen financing the hospital fund.

(Spencer Rich, Washington Post, A3)

ILLEGAL ALIENS BARRED FROM HOUSING AID

The Reagan Administration will publish final regulations today barring illegal aliens from public housing assistance and requiring the evidence of those already receiving aid, according to a HUD spokesman.

More than 10 million people now living in public housing or receiving rent supplements or mortgage interest assistance would be affected by the rules, a HUD official said.

(Ann Mariano, Washington Post, A17)

U.S. Housing Dept. Orders Evictions Of Illegal Aliens

The Department of Housing Urban Development today directed local housing authorities to evict illegal aliens who have been receiving Federal housing assistance.

The department issued a final rule prohibiting the payment of such assistance to people who are not United States citizens or legal aliens. The purpose, it said, is "to reserve scarce housing assistance resources for persons with the most legitimate claim, namely citizens and other persons lawfully present in the United States.

(Robert Pear, New York Times, A1)

INTEREST RATES DEREGULATED APRIL 1

The federal government, beginning today, will allow banks and other financial institutions to offer any rate of interest they wish on all personal savings and checking accounts and most commercial accounts.

The April 1 interest rate deregulation, expected to give depositors better rates of return on some accounts and a broader choice of savings instruments, is the final phase of a six-year process that began in 1980 with an act of Congress.

(T.R. Eastham, UPI)

WHITE HOUSE NOT EXPECTING HIRING OR SALARY FREEZE DESPITE GRAMM-RUDMAN

SANTA BARBARA, Calif. -- The White House says it does not expect any hiring or salary freezes for its own staff, although some officers are operating at reduced strength to comply with Gramm-Rudman budget cuts.

Christopher Hicks said Monday the White House is also saving on paper and computers, but most of the cuts are coming out of the budget for people.

Since 60 percent of the budget is personnel-related, Hicks said, "we can save a lot of money by leaving positions vacant when possible." He said no employees have been let go and there have been no hiring or salary freezes.

(Dale Nelson, AP)

EDITOR'S NOTE: "Easter Eggstasy: 35,000 on a Roll at the White House" appears on page E1 of the Washington Post.

NETWORK NEWS SUMMARY

(Monday Evening, March 31, 1986)

MEXICAN AIRLINER

CBS's DAN RATHER: Rescuers reaching the stormy scene on a rugged Mexican mountainside late today confirmed what had been suspected: No survivors. All 166 people on board a Mexican Boeing 727 airliner bound from Mexico City to Los Angeles were dead. There is no immediate way to confirm how many, if any, Americans were on board....CBS correspondent Peter Van Sant reports he was told by U.S. officials who quoted Mexican authorities that they believe three Americans were on that Mexicana flight.

(ALL NETS LEAD)

LIABILITY INSURANCE

RATHER: In what some call a big victory for the insurance industry lobby, President Reagan confirmed what he recommends to solve the liability insurance crisis that's effecting more and more American individuals, businesses and whole cities. It involves billions and billions of dollars. Among other things, Mr. Reagan endorses limits on awards for pain and suffering.

CBS's BILL PLANTE: With liability insurance for scores of towns and businesses either too expensive or just plain unavailable, President Reagan plans to endorse legislation calling for major limits on the amount of money courts and juries can award. Across the nation, doctors are quitting, police departments and city governments have no insurance coverage, businesses are in a bind, and the Cony Island roller coaster is grounded as insurance companies raise their premiums and cancel their insurance in the face of larger and larger damage awards in court. A special Justice Department task force told the President there has been a breakdown in the system.

(Assistant Attorney General Richard Willard: "There are an increasing number of cases where the awards are simply too large. Juries sometimes view civil litigation like a lottery or a game show and some plaintiffs strike it rich, and others strike out.")

Legislation now being drawn up is expected to include recommendations for a limit on punitive damages, a ceiling on awards for pain and suffering, and restrictions on attorneys' fees, but no limit on actual damages such as medical costs and lost wages. Trial lawyers, who often receive a third of the money they win, see this as a bailout for the insurance industry.

(Trial lawyers' representative: "The insurance industry and corpoptate America is very organized on this issue. They would like to carve out protective legislation to protect themselves. That's what they're after.") Some consumer groups are critical of the idea for different reasons, pointing out that so far there is nothing in the proposal to bring down insurance rates or broaden coverage. Others will object because new legislation would pre-empt state laws. So opponents predict a tough battle ahead.

CBS's NED POTTER reports America's towns and cities are drowning in liability claims.

(ABC-13, CBS-2)

-more-

SUMMIT

BROKAW: Ronald Reagan and Mikhail Gorbachev today continued their diplomatic tap dance over when or whether there will be another superpower summit. Gorbachev said in Moscow today that he was waiting for what he called a responsible approach from the U.S. to his proposal for a test ban agreement. Even though the White House has already rejected that.

NBC's CRHIS WALLACE reports from Santa Barbara that in both Moscow and Washington top officials were complaining today about the state of U.S.-Soviet relations. Georgi Arbatov said things have gotten worse, not better, since last year's summit.

(Georgi Arbatov: "They are much worse than they were before Geneva. This makes me and everybody here concerned. We expected quite a different development after Geneva.")

But Secretary of State George Shultz had his own complaint. Why don't the Soviets agree to a date for a summit, this year in the U.S.

(George Shultz on the 'Today' Show: "It's a mystery to us if Mr. Gorbachev, I'm sure he's anxious to meet us, he says. Why doesn't he accept that and let's get a date set and let's get working?")

It wasn't supposed to be this way, but the spirit of Geneva has quickly faded....A top U.S. official says both leaders are playing to folks back home, showing hardliners they can stand up to each other.

(Zbigniew Brzezinski: "I think once they discover the U.S. is not going to make pre-emptive concessions just to obtain a summit. The Soviets will come to the summit.")

U.S. officials hope to get that word when Anatoly Dobrynin visits the U.S. next month.... Today, spokesman Larry Speakes said it is getting critical for the Soviets to agree to a date. (NBC-3)

ARMS CONTROL

ABC's JEAN MESERVE reports some analysts believe the Administration is making a mistake by rejecting Mikhail Gorbachev's test-ban offer.

(Raymond Garthoff of the Brookings Institution: "I think it's a mistake because I believe a test ban would be in our interest and there's a case where there is a possible coincident Soviet and American interest.")

The Administration objects to a moratorium on the grounds that verification would be difficult, that the reliability of existing weapons systems must be checked periodically, and that testing is needed to develop new systems, including the SDI. But a former Carter Administration arms control official says these arguments are overblown.

(Barry Blechman: "Well, the Administration simply is opposed to a test ban, period; it doesn't want one under any condition. And that's a difficult political sell, so it's trying to hide it, trying ease the pain a little bit by exaggerating the problems, the technical problems of a test ban.")

President Reagan has invited the Soviets to monitor a U.S. nuclear test in April. The Soviets won't come, but officials say Gorbachev is likely to use the test as a pretext for ending the unilateral Soviet moratorium.

(ABC-6)

KHADAFFY

RATHER: Now that the U.S. fleet is gone from the Gulf of Sidra, more boasts and threats from Col. Khadaffy. He says louder that he has the right to hit any American targets anywhere in the world.

CBS'S RITA BRAVER reports that it was with the gruesome slaughter of a cow that Khadaffy denounced the U.S. in a bloody ceremony symbolic of terrorist attacks he pledged against Americans. In fact, U.S. officials say, Khadaffy was preparing to strike even before the Gulf of Sidra actions. They cite intelligence reports that several dozen overseas U.S. Government and private concerns are active targets, from embassies to military bases to private businesses. U.S. Embassy personnel in the Middle East -- in particular Khartoum and Cairo -- have been under surveillance by Libyans. There has been surveillance in Western Europe too, and last week Khadaffy sent messages to his operatives in Europe with vague orders to prepare for action against Americans. Security has increased at foreign and domestic military bases, though U.S. officials believe overseas attacks are most likely. And experts say, as he did for the Vienna and Rome airport massacres, Khadaffy will recruit non-Libyans to carry out the attack. But the White House says any action linked to Libya will provoke swift retribution. One official explained the Gulf of Sidra proves the U.S. will be very assertive. (CBS-7)

JENNINGS: Col. Khadaffy said it again -- but he's been a little more cautious. The colonel told UPI he will fight the U.S., but not unless the Reagan Administration renews its pressure on Libya....

ABC's STEVE SHEPARD reports Libya appears to have accelerated construction of its second SA-5 missile site, this one located on the Gulf of Sidra. While Khadaffy had no luck striking at the U.S. fleet off Libya, there is some concern about terrorist attacks being directed at U.S. servicemen ashore. Some ships are moored at a few Mediterranean ports, but it appears the Administration wants passions to cool a bit before the bulk of the Sixth Fleet is allowed to disembark. There is a feeling in Washington that the U.S. and Libya may not be done tangling yet. (CBS-5)

SOCIAL SECURITY/MEDICARE

RATHER reports the U.S. Government's annual report predicts Social Security will remain solvent well into the next century. But they say the outlook for keeping Medicare solvent is much bleaker and early action is needed to stave off bankruptcy by the mid-1990s. One way or another, the trustees say, Medicare will likely have to cut spending by 22% or increase what it takes in by 28%. (ABC-12, CBS-3)

CENTRAL AMERICA

RATHER reports U.S. diplomats have begun emphasizing that President Ortega appears to have reversed his earlier statements and now openly confirms that his Cuban and Soviet-aided troops did strike into Honduras and may strike again. (CBS-9)

STINGER MISSILES

RATHER: Congressional sources confirmed today that the most sophisticated weapon yet is on its way to rebels fighting Soviet-backed regimes in two parts of the world. The hardware: hundreds of potent shoulder-fired ground-to-air missiles that for the first time will put such advanced U.S. military technology out in the open.

CBS's DAVID MARTIN reports the Stinger missiles are to be used in Afghanistan and Angola to shoot down Soviet planes and helicopter gunships. And according to the man who coined the phrase, the Reagan Doctrine of supporting freedom fighters has come all the way out of the closet.

(Charles Krauthammer: "The Administration has finally gotten serious about the Reagan Doctrine, and also that there is enough support for it in the country to go ahead to this further step of giving the real weapons to anti-communist governments around the world.")

(Sen. Dole: "If you're going to be providing assistance, it ought to be effective assistance, not blankets and band-aids.")

All that sophistication is not free. The Army pays \$75,000 for each Stinger, and Americans will have to train guerrillas how to use them. Pentagon officials say this is a watershed event. If Stingers can be sent to anti-Soviet guerrillas, then so can other types of U.S. military equipment. And if they can be sent to Angola and Afghanistan, they can also be sent to other guerrilla fighters in Nicaragua.

CBS's TOM FENTON reports on the rebels' inferior weapons in the Afghanistan war. (CBS-5)

CRIME/PUNISHMENT SURVEY

RATHER: A Justice Department survey of more than 300,000 criminal cases in 30 states and covering the year 1983. Among the main findings: more than half the convicted murderers released from state prisons had served less than seven years; half the convicted rapists released in 1983 had served less than four years; and of those sentenced to life imprisonment -- mostly for murder, rape or armed robbery -- 18% were free after serving three years or less behind bars. (CBS-11)

PHILIPPINES

RATHER: Ferdinand Marcos hinted he may try to return to the Philippines. In a letter and taped telephone call obtained by the Associated Press in Manila, the deposed Marcos also charges the U.S. helped Corazon Aquino carry out her "coup d'etat." Marcos charges a U.S. official threatened to use Marines against him, and Marcos also claims a U.S. transport plane was taking him from Manila to his home province when in fact he was going to Hawaii. The State Department called Marcos's charges "absurd."

(CBS-6)

JENNINGS reports that about 80 members of Marcos's party said they believe Aquino had no right to dissolve the National Assembly and take so much power unto herself. They said they will try to hold an assembly meeting next month.

ABC's JOHN MARTIN reports on tracking Mrs. Marcos's wealth.

(ABC-8)

PHILIPPINES (continued)

BROKAW reports that Corazon Aquino said today that she would intervene in the strike by 24,000 Filipino workers at U.S. military bases. The strike has become violent and Philippine soldiers guarding one of the bases reportedly fired in the air to disperse the strikers. But labor unrest is not her only major problem these days. There is also political unrest. Supporters of the ousted Ferdinand Marcos continue to challenge the Aquino rule.

NBC's STEVE MALLORY reports from Manila that in a letter made public in the Philippines today, Marcos hinted he would return to his homeland. In a tape recorded telephone message released today, Marcos accused the U.S. of helping those who overthrew him. Referring to himself as the president, Marcos said, "The duty officer in the U.S. Embassy threatened the use of Marines, U.S. Marines, against Marcos to prevent President Marcos from using his superior military power against the rebels."

(NBC-5)

BROKAW reports that the Madrid government said it might reconsider its earlier rejection if Corazon Aquino asks for the asylum. (NBC-6)

SOVIET DEFECTORS

CBS's BOB SCHIEFFER reports on the question of whether the CIA treats Soviet defectors well, or makes good use of information supplied by defectors. The CIA refused to discuss the issue of handling defectors with CBS News. The CIA's handling of defectors is now under the magnifying glasses of the White House and several congressional investigating committees. Already there is a growing feeling here that the U.S. is missing out on valuable information, information that could be obtained otherwise only through costly and sometimes dangerous intelligence-gathering operations.

(CBS-10)

SOUTH KOREA

JENNINGS: We have a footnote this evening to our broadcast on Friday. In one of our reports we showed how the Armed Forces Radio and Television Network overseas sometimes censors whole broadcasts because a report might offend a foreign government. Friday's report, which contained some criticism of that practice in South Korea, was not censored there.

(ABC-9)

TOKYO PALACE

JENNINGS: In Tokyo, somebody fired a couple of homemade rockets at the palace where President Reagan and other leaders of the industrialized nations will hold their economic summit meeting in May. One person was injured. Several left-wing groups have threatened to disrupt the summit.

(ABC-10)

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White House News Summary -- Tuesday, April 1, 1986 -- B-6

OIL PRICES

ABC's DAN CORDTZ reports motorists across the country are continuing to reap a bonanza as the oil price collapse reaches the gasoline pumps. Many home buyers are benefiting indirectly because plunging oil prices have slashed inflation, and that has sharply reduced mortgage interest rates. But in some energy-producing states, the economy has been devastated.

(ABC-11)

CALIFORNIA EARTHQUAKE

RATHER reports a strong earthquake rumbled through Northern California today. The quake measured 5.3 on the Richter Scale, but no serious injuries or damage are reported.

(ABC-2, NBC-2, CBS-4)

FOREST FIRES

ABC's MIKE VON FREMD reports on the outbreak of forest fires in the eastern U.S. Firefighters in Tennessee say the hot, dry weather is not the only problem. They say one of the biggest threats is arson. Twelve states across the southeast and midwest are reporting outbreaks of fires.

(ABC-3)

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B-Section-

THE WHITE HOUSE
WASHINGTON

April 10, 1986

MEMORANDUM FOR PETER J. WALLISON

FROM: ALAN CHARLES RAUL *ACR*

SUBJECT: Proposed Draft Memorandum on the Judicial
Nomination of Jefferson B. Sessions, III

As we discussed, attached for your review and signature is a draft memorandum to the President regarding the nomination of Jefferson B. Sessions, III.

Attachment

*I think that the position
for which Sessions was
nominated should be
mentioned in the first
paragraph.*

1ST STORY of Level 1 printed in FULL format.

The Associated Press

The materials in the AP file were compiled by The Associated Press. These materials may not be republished without the express written consent of The Associated Press.

March 24, 1986, Monday, PM cycle

SECTION: Washington Dateline

LENGTH: 788 words

HEADLINE: Two Distinct Portraits Of Judicial Nominee Emerge From Hearings

BYLINE: By DAVID PACE, Associated Press Writer

DATELINE: WASHINGTON

KEYWORD: Alabama Judge

BODY:

After listening to more than 20 witnesses during a three-day confirmation hearing, the Senate Judiciary Committee must choose between two strikingly different portraits of the man President Reagan has nominated for a federal judgeship in south Alabama.

On the one hand, there is the Jefferson B. Sessions III portrayed by witnesses as an able and hard-working U.S. attorney respected throughout the Mobile, Ala., community for his honesty, compassion and even-handed application of the law.

On the other, there is the Sessions portrayed by witnesses as a petty racist who refers to his black assistant as "boy," describes church and civil rights groups as "un-American" and refuses to use his office to protect the rights of blacks.

The sharp contrasts between those two portraits of Sessions can be traced in part to two factors:

Sessions' decision last year to inject the U.S. attorney's office into the racial and political struggle that began in west Alabama's predominantly black counties in the mid-1960s.

And the decision last year by Democrats on the Judiciary Committee to "fully and fairly" investigate all judicial nominees submitted by Reagan.

Sessions' decision to prosecute three Perry County, Ala., civil rights activists on vote fraud charges struck a raw nerve in the nation's civil rights community.

One of the targets of that prosecution was Albert Turner, a former aide to the late Dr. Martin Luther King Jr. Turner earned his stripes in the civil rights movement in 1965, when he led marchers across the Edmund Pettus Bridge in Selma for their "Bloody Sunday" encounter with Alabama state troopers.

The Associated Press, March 24, 1986

A week after that encounter, King led the historic Selma-to-Montgomery march that produced the 1965 Voting Rights Act, the one piece of legislation most responsible for enfranchising Southern blacks.

The idea that two decades later the same Albert Turner could be charged by a Republican prosecutor with stealing the votes of elderly blacks simply was incomprehensible to civil rights veterans.

And when Turner and his two co-defendants were acquitted of all charges by a federal court jury, the trial became for civil rights groups the proof they needed that the prosecution was a politically motivated attempt by the Reagan administration to turn back the clock on the gains of the civil rights movement.

Against that background, Reagan last October submitted Sessions' name to the Senate for a U.S. District Court judgeship in Mobile. Within days, civil rights groups were charging that the nomination was a payoff for Sessions' participation in the vote fraud prosecution.

Sessions' nomination, and the charges that accompanied it, arrived at the Judiciary Committee just as the panel's Democrats were beginning to flex their muscle out of fear that Reagan's judicial nominees would leave a conservative mark on the federal judiciary for decades.

The result was a prolonged and detailed investigation by committee Democrats into Sessions' personal background, his public and private statements and his record as an attorney and federal prosecutor.

The fruits of that investigation were laid out for the committee during the past two weeks in a series of hearings that included testimony from 21 witnesses and written statements from another half-dozen. Ten more witnesses who wanted to testify against Sessions, including the Rev. Jesse Jackson, never made it because of scheduling conflicts.

Many of the witnesses who did testify were summoned to Washington from Mobile as part of a counterattack led by Sen. Jeremiah Denton, the Alabama Republican who recommended Sessions to Reagan and who has insisted that opponents of the nomination are waging a "smear campaign."

"It has been the most amazing thing that's ever happened to me," Sessions said in a telephone interview Friday. "The charges and statements ... were so horrible and terrible that you almost didn't know how to respond to them."

While insisting that he is not a racist and would never support anyone for a federal judgeship who is, Sessions said he is concerned that because of the hearings, blacks will perceive him as a racist and believe they cannot obtain justice from him should he win confirmation.

"I am very concerned about that," he said. "That troubles me and I really don't know how to handle it, how to react to it. It seems to me that you can't allow yourself to be skewered and to run and hide because someone unfairly charges you."

Despite reports that the White House is opening the door for Sessions to withdraw his nomination, Sessions said he has received no pressure from anyone to pull out and intends to see the battle through to the end.

The Associated Press, March 24, 1986

The committee has not scheduled a date for a vote.

7TH STORY of Level 1 printed in FULL format.

Proprietary to the United Press International 1986

March 21, 1986, Friday, PM cycle

SECTION: Washington News

LENGTH: 534 words

HEADLINE: Sessions: Charges he called former assistant 'boy' untrue

BYLINE: By ROBERT DOHERTY

DATELINE: WASHINGTON

KEYWORD: Sessions

BODY:

Jefferson Sessions III, President Reagan's nominee to the federal bench in Alabama, denied assertions he called a black assistant prosecutor 'boy,' saying they are 'absolutely untrue.'

Thomas Figures, until last July an assistant U.S. attorney, told the Senate Judiciary Committee Thursday that Sessions, the U.S. attorney in Mobile, Ala., also made other racist statements that should prevent his confirmation.

'I am convinced the committee should disapprove his nomination,' Figures said during the panel's third day of hearings on the controversial nomination. 'The statements he has made fall far short of the high standards that should be required of a federal judge.'

Sessions, however, said the charge he called Figures 'boy' was 'absolutely untrue.' He said he had never made the remark, even in jest. Another assistant U.S. attorney Figures claimed also had called him 'boy' also denied the charge.

Sen. Jeremiah Denton, R-Ala., who nominated Sessions, said he found the charge 'so incredible that it makes me wonder that others can find it credible.'

Civil rights groups object to Sessions's nomination because they say he selectively prosecuted three civil rights leaders for voter fraud in Alabama's Perry County. The three were acquitted. Justice Department officials have defended Sessions's action.

Justice Department attorney J. Gerald Hebert earlier told the committee that Sessions had referred to the NAACP and the American Civil Liberties Union as 'un-American' groups.

Sessions replied the 'un-American' remark was taken out of context. On Thursday, Figures also said Sessions had made similar comments to him.

'Mr. Sessions ... stated that he believed the NAACP, the Southern Christian Leadership Conference, Operation PUSH and the National Council of Churches were all un-American organizations teaching anti-American values,' Figures testified. 'The statement clearly was not intended as a joke.'

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Proprietary to the United Press International, March 21, 1986

Figures also said he was present when Sessions said he believed the Ku Klux Klan was OK until he learned its members smoked marijuana -- a statement Sessions has said was clearly made in jest.

'I certainly took it as a serious statement,' Figures said.

Asked by Sen. Edward Kennedy, D-Mass., whether Sessions had made any other similar remarks, Figures replied, 'I was regularly called 'boy.'

Asked by Kennedy who had made the remark, Figures said, 'Mr. Sessions did, one or two of the other assistants.'

Later, under questioning by Denton, Figures detailed only one alleged instance when Sessions had called him 'boy.' Figures refused to detail his charges to reporters after he testified.

Assistant U.S. Attorney Edward Vulevich, whom Figures also said had called him 'boy,' categorically denied the charge, and praised Sessions as 'a man of utmost integrity.'

Justice Department officials produced a document signed by Assistant U.S. Attorney Ginny Granade, whom Figures said may have overheard Sessions call him 'boy.'

'I have never heard Mr. Sessions refer to Mr. Figures as 'boy' or to call him by anything other than his given name,' said her statement, issued in Mobile about an hour after Figures made the charge.

9TH STORY of Level 1 printed in FULL format.

The Associated Press

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March 20, 1986, Thursday, PM cycle

SECTION: Washington Dateline

LENGTH: 629 words

HEADLINE: Judge Nominee Accused Of Hindering Probe of Klan Murder

BYLINE: By DAVID PACE, Associated Press Writer

DATeline: WASHINGTON

KEYWORD: Sessions

BODY:

A black lawyer who resigned last year as an assistant federal prosecutor says President Reagan's nominee for an Alabama federal judgeship tried to induce him to drop his investigation into the murder of a black man whose body was hung in a tree after he was fatally beaten.

But Thomas Figures, in testimony prepared for today's confirmation hearing of U.S. Attorney Jefferson B. Sessions III, said Sessions never ordered him to drop the investigation and became supportive of his efforts once it became apparent "we were going to break the case."

Figures was scheduled to testify this afternoon when the Senate Judiciary Committee resumed its confirmation hearing on Sessions' nomination to be a U.S. district judge. Copies of his testimony were released Wednesday, but Figures refused to discuss it with reporters.

Sessions' nomination has become embroiled in controversy because of his role in the unsuccessful prosecution last year of three Alabama civil rights activists on vote fraud charges and because of a series of statements attributed to him by lawyers with whom he has worked.

Part of Figures' written testimony centered on Sessions' role in the federal and state investigation into the 1981 slaying of Michael Donald.

A Ku Klux Klanman, Henry Francis Hays, was convicted in 1983 of state capital murder charges after another Klansman, James Knowles, pleaded guilty to a federal charge and agreed to testify against Hays.

Figures said in his testimony that Sessions attempted "to persuade me to discontinue pursuit of the case." He said Sessions told him that the case was "a waste of time, that it wasn't going anywhere, that I should spend more time on other things."

"All of these statements were well calculated to induce me to drop the case," Figures said. "On the other hand, none of them amounted to a direct order that

The Associated Press, March 20, 1986

I do so."

Figures' testimony was in sharp contrast to the comments Wednesday of Barry Kowalski, the deputy chief of the Justice Department's civil rights division. He said he worked with Sessions on the Donald investigation and found him to be "very supportive."

Lawyers said last week that Sessions had labeled civil rights and church groups "un-American" and had agreed with the statement that a prominent white lawyer was a "disgrace to his race" because he represented blacks.

CBS reported Wednesday night that Reagan was embarrassed by the comments attributed to Sessions and that the White House was quietly opening the door for Sessions to withdraw.

Asked about the report, White House spokesman Albert R. Brashear said: "He's still the president's nominee. He remains the president's nominee and that's the extent of our comment."

Sen. Jeremiah Denton, R-Ala., who recommended Sessions to Reagan, was accused Wednesday by Sen. Edward Kennedy, D-Mass., of misrepresenting Kennedy's position on the Sessions' nomination.

Denton said twice during the confirmation hearing Wednesday that Kennedy no longer objected to Sessions' role in the prosecution of three Perry County, Ala., civil rights activists on vote fraud charges.

Kennedy, who had called last week for Sessions to resign and withdraw as a nominee for the judgeship, was not at the hearing when Denton made the statements. But he arrived soon afterwards and quickly took issue with Denton.

"I find the Perry County prosecutions very, very troublesome," Kennedy said.

Also at Wednesday's session, Kowalski and two other career lawyers in the Justice Department's civil rights division said they had never heard Sessions make any comment they would consider racially insensitive.

Former U.S. Attorney Larry Thompson of Atlanta, who is black, also testified in support of Sessions, describing him as "a good man and an honest man, untainted by prejudice."

20TH STORY of Level 1 printed in FULL format.

The Associated Press

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March 14, 1986, Friday, PM cycle

SECTION: Washington Dateline

LENGTH: 599 words

HEADLINE: Judicial Nominee Admits Labeling NAACP Activities Un-American

BYLINE: By DAVID PACE, Associated Press Writer

DATELINE: WASHINGTON

KEYWORD: Prosecutor-Civil Rights

BODY:

A federal prosecutor, nominated by President Reagan to be a federal judge in Alabama, has acknowledged describing the political activities of prominent civil rights and church organizations as un-American.

U.S. Attorney Jefferson B. Sessions III of Mobile, Ala., told the Senate Judiciary Committee Thursday that he meant no harm when he made such comments about the National Council of Churches, the National Association for the Advancement of Colored People and other civil rights groups.

During the stormy six-hour confirmation hearing, Sessions denied that he once told a black attorney he should "be careful about how he talked to white folks" and denied using a derogatory term to refer to blacks.

But he conceded that he once had agreed with a statement made in the presence of a Justice Department lawyer that a prominent white attorney was a "disgrace to his race" because he represented blacks.

"I guess I said that," Sessions replied when asked whether he had agreed with the statement about the lawyer. "But I can't imagine why I would have said it."

Sessions also acknowledged that he once made a statement about the Ku Klux Klan to the effect that, "I used to think they were okay. But they're pot smokers."

Sessions said that statement was made in jest to other attorneys in his office while they were reviewing a report about Klan involvement in the murder of a young black man in Mobile. He told the committee he views the Klan as "a force for hatred and bigotry."

A long list of civil rights and voting rights activists, led by the Rev. Jesse Jackson, had been scheduled to testify against Sessions' nomination because of his prosecution last year of three black activists in Perry County, Ala., on vote fraud charges. All three were acquitted.

The Associated Press, March 14, 1986

But the testimony from those witnesses was postponed until next week after the new accusations against Sessions kept the 38-year-old prosecutor on the witness stand throughout the hearing.

A number of the allegations were made in a sworn statement signed Wednesday by J. Gerald Hebert, a Justice Department civil rights attorney who worked with Sessions on voting rights cases.

According to Hebert's statement, "It was in the context of my talking to Jeff about the NAACP that he made some comments about the NAACP and the ACLU (American Civil Liberties Union). He said he thought they were un-American.

"He said that he thought they did more harm than good when they were trying to force civil rights down the throats of people who were trying to put problems behind them."

Sessions denied making such an accusation, but he acknowledged using the word un-American in a conversation about the NAACP, the National Council of Churches and other civil rights groups _ but not the ACLU.

"I said when they take positions that people think are un-American they hurt themselves," Sessions said. "I don't think of the National Council of Churches and the NAACP as being un-American organizations. The NAACP has done more than any organization to promote racial progress in the South."

After Sessions was questioned about Hebert's statement, Hebert showed up at the hearing and volunteered to testify, saying he was "troubled" that his statement was being used to create the impression that Sessions is a racist.

"I don't know whether he is (a racist) or not," Hebert said, adding later, "I think that some of the comments he has made ... showed a lack of racial sensitivity."

Hebert said Sessions was one of the most cooperative federal prosecutors in the South when the Justice Department needed help prosecuting cases.

22ND STORY of Level 1 printed in FULL format.

Proprietary to the United Press International 1986

March 14, 1986, Friday, PM cycle

SECTION: Washington News

LENGTH: 534 words

HEADLINE: Judicial nominee accused of racism

BYLINE: By ROBERT DOHERTY

DATELINE: WASHINGTON

KEYWORD: Sessions

BODY:

A Reagan nominee to a federal judgeship in Alabama has been accused of making racist remarks and calling such civil rights groups as the NAACP and the American Civil Liberties Union "un-American."

During six hours of confirmation hearings Thursday for Jefferson Sessions III as U.S. Attorney in Mobile, Ala., Sen. Edward Kennedy, D-Mass., charged Sessions was a "disgrace to the Justice Department" and urged the nomination be withdrawn.

"Mr. Sessions is a throwback to a shameful era," Kennedy told the Senate Judiciary Committee, which was considering Sessions's nomination to be a federal district judge in southern Alabama.

"He is, I believe, a disgrace to the Justice Department. He should withdraw his nomination and resign his position," Kennedy said.

White House spokesman Larry Speakes said today Reagan stands behind the selection "because he's the president's nominee and he's the best person for the job." Speakes said he did not know whether Reagan knows of Sessions' remarks.

"The president still supports the nominee," Speakes said.

Sessions, 38, was controversial because of his unsuccessful prosecution of three civil rights leaders in a voter-fraud case, and several civil rights organizations have accused him of making racist remarks.

Sessions defended his handling of the voter-fraud case and tried to explain the context of his alleged racist statements. He said Kennedy's charges were "the most painful thing I have ever had said to me."

In one case a Justice Department attorney interviewed by the committee, J. Gerald Hebert, said Sessions had referred to the NAACP and the American Civil Liberties Union as "un-American" organizations.

Sessions denied actually using the term, and said he "respects" the NAACP.

Proprietary to the United Press International, March 14, 1986

Sen. Jeremiah Denton, R-Ala., the man who recommended Sessions, said the allegations against Sessions were actually "part of a whole network of activity to discredit me and turn me out of office."

Sen. Strom Thurmond, R-S.C. and the panel chairman, said he expected to support Sessions.

Sessions' nomination was before the committee late last November but Sen. Joseph Biden, D-Del., ranking Democrat on the panel, used a parliamentary maneuver to delay consideration. The committee staff has been investigating Sessions since then.

Several senators also asked Sessions about Hebert's accusation that when Hebert asked Sessions about a claim that white civil rights attorney James Blackshire was a "disgrace to his race," Sessions replied, "Maybe he is."

"I don't know why I would have said that. I don't believe that," he added during nearly six hours of questioning. "He's one of the best lawyers in the country."

Hebert, who testified under oath Wednesday, said he believed some of Sessions's statements showed "racial insensitivity," but he did not believe Sessions was a racist. He said Sessions had cooperated well with him on cases.

"He is a man of his word. When he says something, I believe him," said Hebert, who described himself as a friend of Sessions. "If he says he's going to enforce the law ... I believe him."

The panel was scheduled to hear from witnesses on Session's nomination next week.

The Bad Humor of Mr. Sessions

"I'm often loose with my tongue," Jefferson Beauregard Sessions 3d told the Senate Judiciary Committee. "I may have said something about the N.A.A.C.P. being un-American or Communist, but I meant no harm by it."

Neither do most people who like to pop off now and then. But Mr. Sessions is not most people. He is the United States Attorney for the Southern District of Alabama and President Reagan's nominee for the Federal District Court in Mobile. His racial witticisms, as reported to Congress by black lawyers, are unfunny, widely resented and disqualifying.

Mr. Sessions and his supporters say his remarks are made "amiably" and meant to be appreciated by black listeners. He defends himself further by denying some of the remarks and saying that still others have been misinterpreted. To reject him for the Federal bench, the Senate need only consider what he admits to having said.

Mr. Sessions has pinned the un-American label

on the American Civil Liberties Union, the National Council of Churches, the Southern Christian Leadership Conference and other groups with which he disagrees. When told that a judge considered a white lawyer "a disgrace to his race" for litigating a big voting rights case in Mobile, Mr. Sessions replied, "Well, maybe he is." When the subject was the Ku Klux Klan murder of a black man, Mr. Sessions quipped to a black lawyer that he thought Klansmen were "O.K." until he learned that some of them smoked pot.

These indecencies may not shock Attorney General Edwin Meese, who has himself slandered the A.C.L.U. But the Senate ought to have no trouble finding Mr. Sessions unqualified on the basis of his immature utterances. The Federal court in which he would sit must render equal justice in a district nearly half of whose citizens are black. There is no place on the bench for his racist brand of bad humor.

Federal Court Nominee Attacked Rights Groups

NAACP 'Un-American,' Klansmen 'Okay'

By Howard Kurtz
Washington Post Staff Writer

Jefferson B. Sessions III, President Reagan's nominee for a federal judgeship in Alabama, has called the NAACP and the American Civil Liberties Union "un-American" and "communist-inspired" groups that "force civil rights down the throats of people," according to sworn statements disclosed yesterday.

Sessions, 38, the U.S. attorney in Mobile, also referred to the National Council of Churches, the Southern Christian Leadership Conference and Operation PUSH as "un-American," according to depositions by four Justice Department attorneys that were given under oath Wednesday to the Democratic staff of the Senate Judiciary Committee for Sessions' confirmation hearing.

In another controversial remark, about Ku Klux Klan members, Sessions said, "I used to think they're okay," until learning that some were "pot smokers," according to the sworn statements by the civil rights attorneys, who had worked with Sessions.

The disclosures appeared to virtually doom Sessions' chances of confirmation, according to committee sources, who said he would come under pressure to withdraw.

Sessions was already the most controversial of Reagan's judicial nominees—and to many Democrats is a symbol of insensitivity on civil rights—because he unsuccessfully prosecuted Albert Turner, a former aide to the Rev. Martin Luther King Jr., and two codefendants last year. The case was one in a series of voting fraud prosecutions that the Justice Department brought against black civil rights activists in rural Alabama, most of which did not result in convictions.

Sessions acknowledged making most of the comments disclosed yesterday, but said he was joking or had been misinterpreted. He said he greatly respects the National Association for the Advancement of Colored People and views the Klan as "a force for hatred and bigotry."

But he said the NAACP, the National Council of Churches and other groups are "considered un-American . . . when they involve themselves in promoting un-American positions" in foreign policy. Pressed for specifics, he cited only "the Sanctuary movement [which harbors refugees] and the Sandinistas."

Sessions also said he thinks the NAACP and the American Civil Liberties Union sometimes "do more harm than good" by "demanding things that are not justified."

Sen. Edward M. Kennedy (Mass.), leading a Democratic assault on Sessions, called him "a throwback to a disgraceful era" and said his nomination is "a disgrace to the Justice Department."

"That is the most painful thing I have ever heard . . . It breaks my heart to hear that said," Sessions replied.

J. Gerald Hebert, a Justice Department lawyer here who submitted one of the depositions, told the panel, "I really don't know" whether Sessions is a racist. "He has made some comments that show racial insensitivity," Hebert said.

Repeatedly questioned about his statements as recounted in the sworn depositions, Sessions denied that he had called a black official in Mobile a "nigger." But he acknowledged that he had agreed with another person's statement that a prominent white civil rights attorney was "a disgrace to his race."

"I don't know why I would have said that," Sessions said. "I certainly don't believe that." He also said he did not remember calling the NAACP "a pinko organization" that "hates white people," as one of the sworn statements said, but added that he had criticized the group for taking positions viewed as "un-American."

"I'm loose with my tongue on occasion," Sessions said. "I may have said something similar to that."

Sessions called his remark about having previously respected the Klan "a silly comment" that he made to a black assistant during an investigation into the murder of a black Alabama man.

"Don't you think it was insensitive to say that in front of a black man, after a black man had just been brutally beaten and hung?" Sen. Howard M. Metzenbaum (D-Ohio) asked. Sessions said the comment was so "ludicrous" that no one could have taken it seriously.

Metzenbaum, noting that Sessions has not hired a black lawyer in more than four years in office, asked: "Could any black person come into your court and feel they had a chance of getting justice before you?"

Sessions also confirmed that he believes "that the Voting Rights Act is an intrusive piece of legislation"

but added that he thinks the law has been "effective."

Democrats have sharply criticized Sessions for initiating a voting fraud probe in Perry County, Ala., which focused on absentee ballots that Turner and others gathered from elderly voters in 1984. The Federal Bureau of Investigation interviewed dozens of people whose ballots appeared altered, and elderly voters were bused 200 miles to testify before a grand jury in Mobile.

Civil rights lawyers charge that the FBI intimidated some of the witnesses. Turner said he urged elderly voters to change their ballots and made some changes himself, but that he did so with their permission.

While committee chairman Strom Thurmond (R-S.C.) held a blown-up copy of an absentee ballot, Sessions cited testimony from black voters who said their ballots had been picked up by Turner and changed without their knowledge.

"Are these the defendants that were found not guilty?" Kennedy interrupted.

"Please evaluate me on whether the indictment should [have been] brought," Sessions replied. "Cases do fail and you do lose cases."