

**The original documents are located in Box 32, folder “Supreme Court Nomination” of the John Marsh Files at the Gerald R. Ford Presidential Library.**

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[11/75?]

Notwithstanding any other provision of law, if a member of Congress resigns to accept appointment to any other civil office under ~~the~~ <sup>the</sup> authority of the United States, the ~~compensation~~ <sup>compensation</sup> and emoluments available during the remainder of the time for which he was elected shall not exceed the level of <sup>which would have been</sup> compensation and emoluments available for service such <sup>in</sup> office at the beginning of the ~~the~~ time for which he was elected.

(See Article I, Sec. 6, Clause 4  
of the U.S. Constitution)

Above given to me by  
Sen. Bob Griffin  
jm



Paul  
Mittels memo

II

Griffin

Clearants

Rod

Rocky

NOV 20 1975

M

THE WHITE HOUSE  
WASHINGTON

November 19, 1975

EYES ONLY

MEMORANDUM FOR: PHILIP W. BUCHEN  
JOHN O. MARSH

FROM: WILLIAM J. BAROODY, JR. (B)

SUBJECT: Supreme Court Vacancy and the  
Qualifications of Robert H. Bork

Enclosed find my unsolicited comments about the qualifications of Robert H. Bork for the Douglas vacancy. I hope you find these reflections useful.

Robert H. Bork has an exceedingly impressive record (see resume at Tab A). Unlike many, however, the substance of his career is in fact greater than appears on the face of the record.

He served in the Marine Corps during World War II and the Korean conflict. He had an impressive record as an undergraduate and law student at the University of Chicago. He was Executive Editor of the University of Chicago Law Review and, shortly after graduating, joined one of the largest law firms in Chicago. He became a partner, but, because he wanted to broaden his horizons intellectually, he decided to go into teaching.

As a Professor of Law at Yale, Mr. Bork was an excellent teacher -- although espousing viewpoints which were hardly coin of the realm on Kingman Brewster's campus -- and a prolific scholar. He wrote several long articles on anti-trust problems, and when nominated to be Solicitor General, had an exhaustive book on the subject on the verge of publication. Because he thought it improper for a high official of the Justice Department to publish an extensive critique of matters concerning his official responsibilities, publication will not occur until he leaves government. Those who have read it, however, believe it an outstanding work.

Bork's intellectual breadth is demonstrated by the fact that he has written on many problems other than anti-trust law, even though his teaching career was relatively short in comparison with the stature he attained.

[see document case in box 73 - Baroody, Wm, 11/11-30/75]

WHM 2/14/86

NOV 21 1975

November 21, 1975

MEMORANDUM FOR THE PRESIDENT

FROM: MAX FRIEDERSDORF

SUBJECT: Senator Hruska/Supreme Court

The President should be aware that Senator Hruska and the Republicans on the Senate Judiciary Committee this week were successful in blocking an attempt by Ted Kennedy to set up a Senate Judiciary Committee advise and consent procedure on the Supreme Court vacancy prior to the President naming a nominee.

Kennedy proposed that the committee set up a screening process to review those people who the President was considering.

Hruska and the other Republicans successfully blocked this on a tabling motion and Hruska may bring up the subject the next time he talks to the President.

bcc: ~~Jack Marsh~~  
Dick Cheney



miscellaneous

November 21, 1975

*Handwritten notes:*  
miscellaneous  
Buckley  
*Signature*

MEMORANDUM FOR: PHIL BUCHEN

FROM: JACK MARSH

Please note the attached memo from Pat Lindh.

Her comments on the selection of a successor to Justice Douglas, I believe, will be of special interest to you.

cc: Pat Lindh

JOM/dl



THE WHITE HOUSE


WASHINGTON

November 17, 1975

MEMORANDUM FOR THE PRESIDENT

THRU:

JOHN O. MARSH, JR.

WILLIAM J. BAROODY, JR. 

FROM:

PAT LINDH 

The purpose of this memorandum is to advise you of the numerous comments I have received regarding the nomination of a successor to Justice Douglas.

Letters and phone calls have been coming in from women's organizations and from leaders throughout the country urging the appointment of a woman to the Supreme Court. A number of groups have submitted names of women for consideration.

It has also been brought to my attention that two or three of the candidates on the Attorney General's list are opposed to the Equal Rights Amendment, which really puts us in double jeopardy.

You have been forthright in your many statements concerning the status of women in our society. International Women's Year and our Bicentennial have served to highlight both the achievements and the aspirations of women.

I realize that you have many factors to consider in making this appointment. But, all else being equal, your nomination of a properly qualified woman for the Supreme Court would be appropriate and just.

THE WHITE HOUSE  
WASHINGTON

November 28, 1975

MEMORANDUM FOR THE PRESIDENT

FROM: MAX L. FRIEDERSDORF *M.L.F.*  
SUBJECT: Judge John Paul Stevens/Congressional Reaction

While having some difficulty reaching Members, we have the following comments concerning the President's announcement today about the Supreme Court vacancy:

Chuck Wiggins - "Would have been my first guess. He is an excellent choice and should have no trouble being confirmed."

Bob Michel - Pleased with nominee being from the 7th Circuit.

John McFall - Should be easy to confirm. Sounds like a good fella with a good legal background.

Ed Hutchinson - Very pleased with the President's selection, applauded the abilities of Stevens and commented about the fine job Stevens had done while being a member of the House Judiciary Committee staff.

Bob McClory - In route home from West Virginia, was not able to personally contact him. Talked to Martha Morrison of his Washington, D. C. staff who said she recognized Stevens' name and said she would get word to the Congressman as soon as he arrived.

John Rhodes - Left word, unable to reach him

The Speaker - Left word with Mike Reed. He hoped there would be no trouble on confirmation.

Peter Rodino - Not available, left word with staff.

John Anderson - Left word, unable to reach.

Tip O'Neill - "Who?" "I never heard of him -- who is he?" Read biography to him and he said, "Good luck."

Ed Derwinski - Didn't know him, but pleased to be notified in advance.

Morgan Murphy - Unable to reach, left word. He and Stevens live a few blocks apart on the same street in South Chicago.





REACTIONS ON  
JOHN PAUL STEVENS

(Calls made November 28, 1975, between  
3:15 and 4:00 p.m.)

SCOTT, H.                      Did not know him. Thought it was the Levi-Rumsfeld influence. "Probably a fraternity brother of Don's."

THURMOND                      "Is he a strict constructionist?"

PERCY                          Knows him well, of course, and says he is an "exceptional jurist". He said he told the FBI when they called that his health might be a problem. Was a classmate of his.

MANSFIELD                      Never heard of him. Will he cause trouble with the Reagan people?

HART, P.                        Unreachable. Left word with Sid Woolner.

BAYH                            Left word with L.A. --he is trying to reach Senator.

TUNNEY                         No answer at office, home or district office.



REACTIONS ON  
JOHN PAUL STEVENS  
(Calls made November 28, 1975, between  
3:15 and 4:00 p.m.)

FONG	Thank you.
MATHIAS	Out of pocket; left word with David Winstead.
R. BYRD	Left word.
McCLELLAN	Left word.
KENNEDY	Thank you. Good to learn that it is a Federal judge. They do not get enough recognition and are well trained for the position.
BURDICK	Thanks for the courtesy.
ABOUREZK	Thanks but what happened to the plans to name a woman? Too bad for you guys that Nancy Reagan isn't an attorney.
STEVENSON	Out of pocket -- left word with Les Goldman.
W. SCOTT	Thanks.

