

AGENDA
FEBRUARY 28, 1984
FEDERAL JUDICIAL SELECTIONS COMMITTEE

- I. U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT
- II. U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA
- III. U.S. DISTRICT COURT FOR THE DISTRICT OF VERMONT
- IV. U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF
LOUISIANA
- V. U.S. ATTORNEYS
 - A. Northern District of Oklahoma
 - B. Southern District of Indiana
- VI. PENDING VACANCIES

H.

U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT

The previously selected candidate for this position has now indicated that she is not interested in a judicial appointment at this time. Set forth below are brief comments on the other individuals previously considered as possible candidates for this position. Because the time for background clearances on judicial candidates averages about 6 to 8 weeks, we should select a candidate for this position as soon as possible.

JEAN G. BISSELL: Previously, this Committee had authorized the Justice Department to seek a favorable rating from the ABA of Ms. Bissell's qualifications. (Because there had been an earlier indication that the ABA would find Bissell "not qualified", this request was made before a full-field background investigation was initiated on Ms. Bissell.)

Bissell is a South Carolina attorney who has been strongly recommended for this position by Senate Judiciary Committee Chairman, Senator Thurmond. She is 48 and has practiced probate, business and banking law in South Carolina since 1958. She engaged in private firm practice from 1958 to 1976, when she became Senior Vice President and General Counsel of a large South Carolina bank. She now serves as Executive Vice President and General Counsel of that bank.

GLENN L. ARCHER, JR.: Assistant Attorney General for the Tax Division. Archer, 54, practiced tax law for nearly 25 years before taking his current position. The Justice Department states that although the Federal Circuit has a negligible tax caseload, Archer's competence in business matters generally, as well as the experience he gained in Government contracts law while serving in the JAG Corps in the 1950's, should enable him to master the court's caseload quickly.

DOUGLAS B. HENDERSON: Henderson, 48, is a respected patent attorney in the District of Columbia. He has extensive trial and litigation experience; the American Patent Law Association's judicial review committee rated Mr. Henderson as the most qualified patent attorney in the country for this position. The government contracts bar also views him favorably, and Senators Warner, Tribble and Hatch have written letters on his behalf. Justice states that although the Federal Circuit still needs another judge experienced in patent law, our previous selection of Pauline Newman for the other vacancy on the court renders the need "less acute".

CHARLES F. LEETOW: Leetow, 42, is an experienced environmental lawyer with the Cleary, Gottlieb firm in the District of Columbia. Leetow is a former law clerk of Chief Justice Burger and has excellent scholastic credentials. He also has substantial courtroom experience at the trial and appellate levels. Justice states, however, that because of Leetow's lack of experience in any of the subject matters within the jurisdiction of the Federal Circuit and because of his background in regulatory matters, Mr. Leetow would be more suitable for the D.C. Circuit.

ROGER B. ANDEWELT: Andewelt, 37, currently serves as chief of the Antitrust Division's Intellectual Property section. Former Assistant Attorney General Baxter gave Andewelt his unqualified endorsement. Justice states that Andewelt is regarded as bright by leaders of the patent bar, but is not well known to the relatively close-knit patent lawyer community. His principal drawback is his lack of extensive trial experience.

B. PAUL COTTER: Administrative Law Judge, Nuclear Regulatory Commission.

II.

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

The previously selected candidate for this position has now indicated that she is not interested in a Federal judicial appointment at this time. Accordingly, this Committee should discuss the various candidates available for appointment to this vacancy.

Possible candidates mentioned for this position include:

Stanley Sporkin (CIA General Counsel)

Judge George W. Revercombe

Stephen Trimble: partner in a D.C. law firm

Jean S. Moore: partner in Hogan and Hartson, a D.C. law firm

WILLIAM J. CASEY

7 January 1984

Mr. President,

I believe that the designation of Stanley Sporkin, now General Counsel at the CIA, to fill the vacancy on the Federal District Court for the District of Columbia would be widely recognized as a distinguished and richly deserved appointment. After graduating from law school, Mr. Sporkin clerked for three years with the Chief Judge of the District Court for the District of Delaware. He then served twenty years with the Securities and Exchange Commission (SEC) culminating with eight years as Director of the Division of Enforcement. The caliber of his performance, his dedication, and his impact on standards in the securities markets resulted in his receiving all the major awards and honors available to a member of the Federal career service--the President's Award for Distinguished Federal Civilian Service, the Rockefeller Award for Public Service, the National Civil Service League's Special Achievement Award, the Securities and Exchange Commission's Distinguished Service Award and Supervisory Excellence Award, and the rank of Meritorious Executive in the Senior Executive Service.

Mr. Sporkin's work at the SEC made him very well known and highly esteemed in the legal and accounting profession and in the financial community across the nation. In 1981 he left the SEC to become General Counsel for the Central Intelligence Agency. His ability and dedication was quickly recognized by the Executive Committee at CIA with the Meritorious Officer Award in 1983.

He worked under my immediate supervision at both the Securities and Exchange Commission and the Central Intelligence Agency and I have the highest regard for his character, his legal and managerial ability, his understanding of people and their affairs, and his personal qualities.

At the CIA he very quickly made a distinct and critical contribution in revising the unsatisfactory Executive Order in force when you became President. His negotiating skills were critical in satisfying concerns about the Executive Order in the Intelligence Community, in the Executive Departments and in the Congress. Largely through his efforts you were presented with an Executive Order that has meant a great deal to the Intelligence Community in eliminating unnecessary restrictions which had impaired its effectiveness.

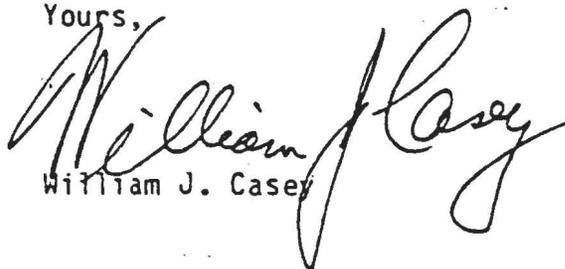
Sporkin was a tower of strength dealing with the so-called Boland Amendment which, as you recall, precluded the Government from spending any money for the purpose of overthrowing the government of Nicaragua. As soon as the law was passed in late 1982, Stan acted to take the steps necessary to bring the Agency's operations in line with the Amendment's restrictions. He provided our operations people with detailed counselling on how to meet the Amendment's requirements and to be able to subsequently prove our compliance to the Congress. It was largely because of Stan's foresight that the Agency and the Administration were able to effectively counter the subsequently made but unfounded allegations that the Agency was not in compliance with the Amendment.

Sporkin is a lifelong Republican. His father still serves as a judge in Philadelphia and, at the age of 88, is the oldest judge in the Pennsylvania Court system. Stan's lifelong ambition is to serve as a judge himself and he has admirably equipped himself to render outstanding service in that capacity.

His work at the SEC was characterized by a special ability which qualifies him exceptionally for outstanding judicial service, to accurately strike and maintain the delicate balance between the critical interests of national policy and the responsibilities of government officials to protect the rights of the American public.

In my observation of Sporkin and, I believe, in the perception of the legal profession and the interested public around the country, what comes through is a nice balance of insistence on strict adherence to and enforcement of the law, a strong sense of justice, and a sensitivity to the human and personal interests involved.

Yours,



William J. Casey

The President
The White House
Washington, D. C. 20500

Mr. Sporkin, General Counsel of the Central Intelligence Agency since May 1981, has had a long career in public service. After graduating from law school, he clerked three years for Judge Caleb M. Wright, Chief Judge of the District Court for the District of Delaware, from 1957 to 1960. Mr. Sporkin then entered the private practice of law in Washington, D.C., with the law firm of Haley Wallenberg and Bader. In 1961 Mr. Sporkin joined the United States Securities and Exchange Commission, initially to work on the SEC's special study of securities markets. In 1963 at the conclusion of his special assignment, Mr. Sporkin became a staff member of the SEC. Between 1963 and 1974 Mr. Sporkin held positions with increasing responsibilities culminating in his appointment as Director of the Division of Enforcement in 1974. Mr. Sporkin held that position until May 1981 when he joined the CIA.

Mr. Sporkin was born in Philadelphia on 7 February 1932. He received his B.A. degree in 1953 from Pennsylvania State University, where he was elected to Phi Beta Kappa. He graduated from Yale Law School in 1957. Mr. Sporkin was admitted to the Pennsylvania and Delaware Bars in 1958 and the District of Columbia Bar in 1963, and was admitted to practice before the U.S. Supreme Court in 1964. He is also a Certified Public Accountant and serves as an Adjunct Professor of securities law at Howard University School of Law.

In 1979 Mr. Sporkin was a recipient of the President's Award for Distinguished Federal Civilian Service, the highest honor that can be granted to a member of the federal career service. He received in 1978 the Rockefeller Award for Public Service from the Woodrow Wilson School of Public and International Affairs at Princeton University and in 1976 the National Civil Service League's Special Achievement Award. He has also been presented the Securities and Exchange Commission's Distinguished Service Award and Supervisory Excellence Award. In 1979 Mr. Sporkin was given the Alumnus of the Year Award by Pennsylvania State University. In 1981 Mr. Sporkin received the rank of the Meritorious Executive in the Senior Executive Service for sustained superior accomplishment in management of programs of the United States Government and for noteworthy achievement of quality and efficiency in the public service.

Mr. Sporkin and his wife, the former Judith Sally Imber of Philadelphia, are the parents of three children, Elizabeth, Mel and Thomas.

UNITED STATES COURT OF APPEALS
WASHINGTON, D. C. 20001

(12)

MALCOLM RICHARD WILKEY
UNITED STATES CIRCUIT JUDGE

10 January 1984

The Honorable Fred Fielding
Counsel to the President
The White House
Washington, D.C. 20500

Re: George Revercomb
U.S. District Court for the District of Columbia

Dear Fred:

When the first vacancy on the U.S. District Court occurred in this Administration, I immediately wrote a letter to the Attorney General in regard to Judge George Revercomb of the D.C. Superior Court. My understanding is that he was considered for that vacancy and for two others which occurred subsequently. Now we have another vacancy on the U.S. District Court occasioned by Judge June Green taking senior status.

I know that you and the Attorney General both have a role in the selection of the nominations for the courts, and I don't believe that I have made known to you my strong belief that George Revercomb would be an excellent appointment. I am enclosing a copy of the letter which I wrote two years ago in regard to the then current vacancy. I fully endorse today everything I said therein. And, in the intervening months I have heard nothing but praise for Judge Revercomb's work on the Superior Court. While the appointments made by this Administration to the U.S. District Court have been indeed excellent, I reiterate that George Revercomb would be an absolutely top-notch appointment.

There is one additional factor, not mentioned in my original letter, to which you should give serious consideration. The last three District Court appointments have been able men whose origin and background were the District of Columbia itself. The U.S. District Court here handles cases whose origin and whose effect cover the entire United States. It is highly desirable, just as it is on the Court of Appeals, to have men and women of diverse geographical and legal backgrounds on the U.S. District Court. It has been recognized in the Court of Appeals that we handle cases involving energy, airlines, television, environment, banking, transportation, and communication which impact on the entire United States, and the composition of our court reflects the scope of our problems. That is now not true of the District Court, although the District Court increasingly in the last fifteen years has had a higher and higher percentage of its work devoted to these national issues. I would wager that over 50% of the cases in the District Court could be so classified at the present time. George Revercomb comes from West Virginia, where his father was a United States Senator. He has grown up with natural resources law, which is a large part of what both the District Court and Court of Appeals handle, and is familiar with the problems of the mining industry, energy, forestry, water, and natural resources and the environment in general. This background would be particularly helpful on the U.S. district bench, especially since there are few if any judges now with that type of life and legal experience.

We are absolutely delighted with Ken Starr over here. Keep up the good work.

As always,

Your friend,

Maleski

RESUME

Jean S. Moore

Address:

1419 Janneys Lane
Alexandria, Va. 22302
703-370-4621

Married:

Thomas S. Moore

Born:

Akron, Ohio
December 18, 1947

Education:

B.A.	Ohio State University (Finance)	1969
J.D.	Ohio State University (summa cum laude)	1972

Legal Experience:

Law Clerk, Squire, Sanders & Dempsey, Cleveland, Ohio	Summer 1971
United States Department of Justice Honors Program -- Civil Appellate Section	1972 - 1973
Office of Special Counsel to the President, The White House	1974
Joined Hogan & Hartson Partner	October 1974 1980

Bar Admissions:

State of Ohio	1972
District of Columbia	1974
Federal Courts of Appeals: First Circuit, Third Circuit, Fourth Circuit, Sixth Circuit, Seventh Circuit, Tenth Circuit and C.A.D.C.	1973

Professional Activities:

District of Columbia Bar Association
American Bar Association
Young Lawyers Committee
Ohio State Bar Association
Defense Research Institute
Order of Coif

Organizations and Clubs:

The American Fencing Association
The Republican Party, Alexandria, Virginia

Past Activities:

American University Law School
Adjunct Professor (1975-1976)
National Institute of Trial Advocacy
Ohio State Law Review, Board of
Editors, Articles Editor (1971-72)

III

U.S. DISTRICT COURT FOR THE DISTRICT OF VERMONT

Following our last meeting, Legislative Affairs indicated to Senator Stafford that Lawrence A. Wright would be our candidate for nomination to the current vacancy on this court. Following that discussion, Senator Stafford indicated to Jim Baker and Fred Fielding that he strongly supported the nomination of Vermont Chief Justice Billings for this position.

The Justice Department has now formally recommended that the background investigations be initiated on Mr. Wright. (See attached memorandum.)

Accordingly, this Committee must decide whether to initiate the background investigations on Wright, or Billings, as the selected candidate to fill this judicial vacancy.

U.S. District Judge, District of Vermont
-- Lawrence A. Wright

Lawrence A. Wright, age 56, was one of four individuals originally recommended by Senator Stafford to fill the vacancy in the District of Vermont created by the retirement of Judge James S. Holden. Arthur E. Crowley, Jr., who was originally selected from that list, has withdrawn his name from consideration. Since the withdrawal of Mr. Crowley's name, Senator Stafford has submitted as his "principal recommendation" the name of Franklin Swift Billings, Jr., Chief Justice of the Supreme Court of Vermont.

Mr. Wright is a highly regarded tax attorney who is bright, well respected in the community, and reputed to be "moderate to conservative." He was an early supporter of President Reagan, and served as the state chairman of the President's 1980 campaign. Although the Vermont Bar Association criticized Mr. Wright's qualifications based on an alleged lack of trial experience, investigation by the Department of Justice indicates that he has had substantial trial experience in the U.S. Tax Court and in the Vermont state courts. He has also participated in numerous administrative proceedings where witnesses are sworn and evidence is taken, both as an advocate and as an adjudicator.

Although Chief Justice Billings is a highly qualified and respected jurist, he appears to be a less acceptable candidate than Mr. Wright for several reasons. First, at age 60, he is older than most of the President's appointees to the district courts. Second, while serving in Vermont's state legislature in the 1960's, Chief Justice Billings was a leader of the liberal wing of the state's Republican Party.

Third, and most importantly, Chief Justice Billings' actions on the state bench indicate that he is a judicial activist. For example, he has been leading an attack on Vermont's "side-judge" system, which provides for popular control of the judiciary. Under that system, which has continued in Vermont since 1783, two side-judges (usually laymen) preside over trials along with an attorney-judge. Chief Justice Billings has sought to limit the authority of side-judges through expansive interpretation of the due process clause. His decisions in this area have created a storm of controversy in the Vermont legal community. While his criminal law decisions are less conclusive, they also present cause for concern. In one recent case, he overruled a 1978 decision by holding that it is discretionary with the trial court, rather than a matter of right for the prosecutor, to impeach with evidence of prior convictions a criminal defendant who testifies in his own behalf.

Chief Justice Billings has asserted the prerogatives of the judiciary vis-a-vis the state legislature in a manner that raises questions about his understanding of the proper role of the judiciary. For example, as Chief Justice he saw to it that a new judicial rule, which provides for the use of interest on attorneys' trust fund accounts to fund legal services programs, was not submitted to the legislature, even though a statute requires the submission of judicial rules to a legislative committee for approval. He also battled the legislature on control over bar admissions and legislative control of judicial appropriations.

Based upon the foregoing, it appears that Mr. Wright, in addition to being amply qualified, possesses a philosophy that is more compatible with this Administration's views than that of Chief Justice Billings. Senator Stafford has stated that, while he strongly prefers Chief Justice Billings, he would not prevent Mr. Wright's nomination from proceeding in the Senate. Therefore, the Department of Justice recommends commencing a background investigation of Mr. Wright.

Attachments:

Resume of Lawrence A. Wright
Biography of Franklin Swift Billings, Jr.

RESUME OF LAWRENCE A. WRIGHT

BORN:

Stratton, Maine
December 25, 1927

MARITAL STATUS:

Married to Avis F. Leahy Wright
June 14, 1953
at Orono, Maine

DEPENDENTS:

Five Sons (Youngest two, ages 16 and 20, still reside at home)

CIVILIAN EDUCATION:

Attended high school, Stratton, Maine
Attended University of Maine, Bachelor of Arts in Government, 1953;
Attended Georgetown University Law School, JD 1956; Attended Boston
University Law School, Master of Law in Taxation 1962

MILITARY SERVICE:

Graduated from Infantry OGS, Fort Benning, Georgia 1947;
Served on active duty for 42 months;
Served in Army Reserve until 1978 when retired as Colonel;
At time of retirement was Senior Reserve Office commanding the three
largest reserve units in Vermont;
Decorations include Legion of Merit

EMPLOYMENT EXPERIENCE:

Employed upon graduation from University of Maine in 1953 by
the United States Department of Justice, Washington, DC
Employed as Security Officer, Central Intelligence Agency Headquarters,
Washington, DC from 1954 to 1958;
Employed as Senior Trial Counsel, Litigation Division,
Office of the Regional Counsel, Internal Revenue Service, Boston,
Massachusetts, 1958 to 1969;
Employed as State Tax Commissioner for the Vermont Department
of Taxes, Montpelier, Vermont, 1969 to 1971;
Employed in private practice of law as attorney in Burlington,
Vermont, 1971 to present date;
Presently a senior member of the Burlington law firm of Gravel, Shea &
Wright, Ltd.

Main occupation at the present time is as a senior member of the law firm of Gravel, Shea & Wright, Ltd. This firm presently employs 12 fulltime attorneys, 9 fulltime secretaries, an office manager and a receptionist, and it is one of the largest law firms in the State of Vermont.

As one of the senior members, I am primarily responsible for handling my own accounts and supervising office attorneys in the handling of legal matters involving my clients. Also participates with the other senior members in the management and day-to-day operations of a major law firm. My particular field of activity is focused primarily on corporate law and taxation, and I am the local tax counsel for International Business Machines Corporation, the largest industrial employer in the State of Vermont. I am also involved in local state tax matters in connection with General Electric Company, the state's second largest employer, and numerous other local multi-state and international corporations. Additionally, I am involved in the day-to-day practice of commercial law, including a heavy emphasis on corporate tax problems and the organization, operation reorganization and liquidation of small companies. I also handle financial planning and financial matters for many commercial and industrial clients.

The law firm of Gravel, Shea & Wright, Ltd. is a general practice firm which handles corporate matters, litigation, domestic relations, negligence and patent matters and tax planning and deals with commercial law. A great deal of my time as a senior member of the firm is devoted to estate planning and tax planning, as well as the drafting of legal documents, consulting and meeting with clients, litigation in both the federal and state courts, administrative law and the preparation and oral arguments of cases appealed to the Vermont Supreme Court.

As a representative of business clients, I am frequently required to appear before governmental agencies. I am also engaged and registered as a lobbyist in the Vermont State Legislature in Montpelier, Vermont, primarily in the areas of tax litigation and the drafting and revision of state tax laws. Additionally, I attend conferences in Boston and Washington, DC, when matters require my participation with governmental agencies and conferences with out-of-state counsel. I have also served on the Governor's Cost Control Council.

The category of cases handled by the firm may involve minor traffic violations and routine domestic relation problems as well as extremely complex corporate reorganizations and corporate refinancing, purchases and sale agreements and tax controversies, which frequently involve millions of dollars. In all major cases one of the senior members is directly responsible for the work product of the associates assigned to the matter.



DEANE C. DAVIS
5 DYER AVENUE
MONTPELIER, VERMONT 05602

December 20, 1983

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

This letter is in reference to the forthcoming vacancy in the office of Federal District Judge for Vermont, occasioned by the retirement of Judge James Holden.

Senator Stafford tells me that he is to recommend several names including that of Lawrence A. Wright of Hinesburg.

I strongly endorse Mr. Wright.

Mr. Wright is highly qualified for this position on all counts: ability, age, judicial temperament and trial experience. When I was Governor of Vermont I selected Mr. Wright for appointment to the office of Vermont Tax Commissioner. The Legislature had just passed a new and highly complicated Sales Tax and a highly qualified man was needed to set up and administer the new system. He performed in a superb manner.

His extensive experience with the Internal Revenue Service as a trial attorney eminently qualifies him to become a judge. He is fully at home in the court room.

As you may recall you asked me to undertake the Chairmanship of the Reagan Campaign in Vermont in the Primary. By that time Mr. Wright had retired as Tax Commissioner and had joined one of the most prestigious law firms in the State, the firm of Gravel, Shea and Wright. His work in that practice has earned him wide recognition and an excellent clientele. He is highly regarded throughout the State by the lawyers as well as the general public.

I asked Mr. Wright to assume the Chairmanship of the Reagan Campaign and I acted in the capacity of Honorary Chairman, but he managed the campaign. Although we started late we won and Mr. Wright's handling of that campaign must be given the major credit because we had started late and many of our natural supporters had become committed to Mr. Bush.

The outstanding manner in which he managed that campaign resulted in a demand for his election as Republican National Committeeman from Vermont. He was unanimously elected.

Mr. President, I assure you that this would be an extremely popular appointment in Vermont. And he would make an excellent Judge and a credit to your Administration.

I recommend him without reservation.

Respectfully yours,



Deane C. Davis

VERMONT STATE SUPREME COURT JUSTICE

FRANKLIN SWIFT BILLINGS, JR.

FRANKLIN SWIFT BILLINGS, JR. of Woodstock, was born at Woodstock, Vermont, on June 5, 1923. Occupation: Attorney. He was educated in the public schools in Woodstock; Milton Academy; Harvard College (S.B., 1943); University of Virginia (LL.B., 1947). He is married to the former Pauline R. Gillingham and they have two sons and two daughters. Member of the American, Vermont and Windsor County Bar Associations, past president. He has been village trustee, town agent, selectman, planning commission member, school director, library trustee, and moderator for the village, town and school district. He was Assistant Secretary of the Senate, 1949-53; Executive Clerk, 1955-57; Secretary of the Senate, 1957-59; Secretary of Civil and Military Affairs, 1959-60; Judge of the Hartford Municipal Court, 1955-62; member, Legislative Council, 1965-66; appointed Superior Judge, December 5, 1966; reelected, 1967, 1967-72. Appointed Associate Justice, Supreme Court April 15, 1975, reelected 1981 and 1983. Named Chief Justice in 1983. He served with the British 8th Army in the 6th Armored Division, 1943-46. Member of the Vermont House of Representatives, 1961-62; 1963-64; 1965-66; Speaker of the House, 1963-66. Office phone: (802)457-2121. POST OFFICE ADDRESS: COURT HOUSE, WOODSTOCK 05091.

11.

U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF LOUISIANA

The Justice Department has recommended the initiation of the background investigations on Judge John M. Duhe, Jr. as the candidate for nomination to the current vacancy on the U.S. District Court for the Western District of Louisiana. Judge Duhe was recommended for this position by Congressmen Moore and Livingston of Louisiana.

Judge Duhe, 50, practiced law in New Iberia, Louisiana with the firm of Helm, Simon, Caffery & Duhe from 1957 to 1979. He has served on Louisiana's Sixteenth Judicial District Court, the state trial court of federal jurisdiction, since January 1, 1979. He was elected to that position as an unopposed Republican seeking election in a heavily Democratic district. Justice points to that election as a measure of the respect with which the people of the 16th Judicial District regard Duhe. Justice also states that the local legal community holds Judge Duhe in high esteem, and, "he is widely regarded as a skillful, industrious judge of unquestioned integrity and sound temperament."

Justice states that in criminal matters Judge Duhe has a reputation for applying the rules of evidence correctly, and for imposing firm but fair sentences. Justice also reports that the lawyers who have practiced before Duhe regard him as a judicial conservative who does not read statutes to include rights or remedies beyond those intended by the legislature. For example, when presented with the opportunity to expand a state contracts statute to include a course of action for tortious interference with a contract, Judge Duhe construed the statute narrowly, declining to imply such a cause of action, despite the urging of plaintiff's attorney. His decision was upheld on appeal.

V

U.S. ATTORNEY FOR THE NORTHERN DISTRICT OF OKLAHOMA

The Justice Department has recommended the initiation of the background investigations on Layn R. Phillips as the candidate for nomination as U.S. Attorney for the Northern District of Oklahoma. Phillips was recommended by Senator Nickles.

Phillips, 31, has been serving as the court appointed U.S. Attorney for the Northern District of Oklahoma since December 1983. Prior to that he was an Assistant U.S. Attorney in the Central District of California for three years, and a trial attorney for the Federal Trade Commission from 1977-80. Phillips graduated from the University of Tulsa College of Law in 1977.

U.S. ATTORNEY FOR THE SOUTHERN DISTRICT OF INDIANA

The Justice Department has recommended the initiation of the background investigations on John Daniel Tinder as the selected candidate for nomination as the U.S. Attorney for the Southern District of Indiana. Senators Lugar and Quayle submitted the names of three candidates for this position; however, they also stated that Mr. Tinder was their first choice and the first choice of their merit selection committee.

Tinder, 34, has been engaged in the practice of law in Indiana since 1975. He served as an Assistant U.S. Attorney for the Southern District of Indiana from 1975-1977; was a partner in the law firm of Tinder & Tinder from 1977-1982; and is currently an associate in the law firm of Harrison & Moberly. He is a 1975 graduate of the University of Indiana School of Law.

VI.

PENDING VACANCIES

The Justice Department should give us a progress report on the pending and anticipated vacancies in the Federal courts.

JUDICIAL APPOINTMENTS PROGRESS REPORT

February 24, 1984

VACANCIES WITH WORK COMPLETED BY
JUSTICE DEPARTMENT WORKING GROUP

<u>Dist./Cir.</u>	<u>Candidate</u>	<u>FBI Inves.</u>	<u>ABA</u>	<u>To WH</u>	<u>To Sen/Hrng</u>
D. Alaska	H. Holland	completed	Q-inf.		
D. Arizona	P. Rosenblatt	began 1/5			
" "	W. Browning	began 1/18			
C.D. Cal.	H. Hupp	completed	EWQ/WQ	1/25	2/14
" "	A. Stotler	began 12/2			
E.D. Cal.	E. Garcia	completed	Q	2/1	2/16
D. Del.	J. Longobardi	began 2/17			
S.D. Ind.	S. Barker	completed	WQ	1/17	2/14
N.D. Miss.	N. Biggers	completed	Q/WQ	12/8	
S.D. Miss.	T. Lee	began 1/17			
D. Nev.	L. George	began 2/16			
E.D. N.C.	T. Boyle	began 1/17			
D. Ore.	E. Leavy	began 1/25			
W.D. Tex.	E. Prado	began 1/5	Q-inf.		
4th Cir.	J. Wilkinson	completed	Q/NQ	11/10	11/10* 11/16 1/30 2/22
9th Cir.	R. Beezer	completed	WQ-inf.		
Fed. Cir.	P. Newman	completed	Q	12/19	1/30 2/22

* Returned to the White House on 11/22 without action having been taken.
Renominated 1/30.

VACANCIES WITH WORK IN PROGRESS

<u>District/Circuit</u>	<u>Date Vacant</u>	<u>Principal Candidates</u>
D. D.C.	1/15/84	
W.D. La.	11/16/83	John M. Duhe, Jr.
D. Vermont	1/29/84	Franklin S. Billings, Jr.
		Lawrence A. Wright
Fed. Cir.	10/1/83	
Ct. Int'l. Trade (2)	12/31/83	

VACANCIES NOT READY FOR ACTION

<u>District/Circuit</u>	<u>Date Vacant</u>	<u>Awaiting Action by</u>
N.D. Calif.	12/31/83	Sen. Wilson
S.D. Calif.	1/22/84	Sen. Wilson
N.D. Ill.	6/1/83	Sen. Percy
S.D. N.Y.	9/29/83	Sen. Moynihan
S.D. N.Y.	10/3/83	Sen. D'Amato
E.D. Tex.	1/30/84	Sen. Tower

SUMMARY OF VACANCIES

At Senate.....	5
Pending FBI/ABA review and White House processing.....	12
Candidate Selection in Process.....	6
Not Ready for Action.....	6
 Total Vacancies.....	 29
 Art. III Appointments made in 1984	 1
Art. III Appointments made in 1983.....	34
Art. III Appointments made in 1982.....	47
Art. III Appointments made in 1981.....	42
	<u>124</u>

APPOINTMENTS DURING 98th CONGRESS, SECOND SESSION

<u>District/Circuit</u>	<u>Appointee</u>	<u>Date</u>
D. Md.	John Hargrove	2/10/84

