



U.S. Department of Justice

Federal Bureau of Investigation
Washington, D.C. 20535

May 26, 2021

MR. JOHN GREENEWALD, JR.
SUITE 1203
27305 WEST LIVE OAK ROAD
CASTAIC, CA 91384-4520

Request No.: 1345115-000
Subject: SCALIA, ANTONIN GREGORY

Dear Mr. Greenewald:

This is in response to your Freedom of Information Act (FOIA) request. Please see the selected paragraphs below for relevant information specific to your request as well as the enclosed FBI FOIPA Addendum for standard responses applicable to all requests.

Records responsive to your request have been processed. We made these records available in the FBI's electronic FOIA Library (The Vault) on the FBI's public website, <http://vault.fbi.gov>. On the right-hand side of the home page, under the heading "Vault Links" you can search for your subject alphabetically (click on "A-Z Index"), by category (click on "Categories"), or by entering text into our search engine (click on "Search Vault"). For records responsive to this request, please enter ANTONIN SCALIA as the search term.

The available documents represent a final Vault posting of information responsive to your FOIPA request.

Please see the selected paragraphs below for relevant information specific to your request.

- ☒ Additional records potentially responsive to your subject may exist. Please inform us by emailing foipaquestions@fbi.gov, faxing 540-868-4391, or standard mail if you would like the FBI to conduct a search of the indices to our Central Records System.
- ☐ Additional records responsive to your request were processed but are not currently available on The Vault. Please inform us if you would like to receive these records.

Please refer to the enclosed FBI FOIPA Addendum for additional standard responses applicable to your request. "Part 1" of the Addendum includes standard responses that apply to all requests. "Part 2" includes additional standard responses that apply to all requests for records about yourself or any third party individuals. "Part 3" includes general information about FBI records that you may find useful. Also enclosed is our Explanation of Exemptions.

For questions regarding our determinations, visit the www.fbi.gov/foia website under "Contact Us." The FOIPA Request number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

If you are not satisfied with the Federal Bureau of Investigation's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within ninety (90) days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information

Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing foipaquestions@fbi.gov. If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

Sincerely,

A handwritten signature in black ink, appearing to read "M. G. Seidel", with a stylized flourish at the end.

Michael G. Seidel
Section Chief,
Record/Information
Dissemination Section
Information Management Division

Enclosure(s)

FBI FOIPA Addendum

As referenced in our letter responding to your Freedom of Information/Privacy Acts (FOIPA) request, the FBI FOIPA Addendum provides information applicable to your request. Part 1 of the Addendum includes standard responses that apply to all requests. Part 2 includes standard responses that apply to requests for records about individuals to the extent your request seeks the listed information. Part 3 includes general information about FBI records, searches, and programs.

Part 1: The standard responses below apply to all requests:

- (i) **5 U.S.C. § 552(c).** Congress excluded three categories of law enforcement and national security records from the requirements of the FOIPA [5 U.S.C. § 552(c)]. FBI responses are limited to those records subject to the requirements of the FOIPA. Additional information about the FBI and the FOIPA can be found on the www.fbi.gov/foia website.
- (ii) **Intelligence Records.** To the extent your request seeks records of intelligence sources, methods, or activities, the FBI can neither confirm nor deny the existence of records pursuant to FOIA exemptions (b)(1), (b)(3), and as applicable to requests for records about individuals, PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (j)(2)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3) [50 USC § 3024(i)(1)]. This is a standard response and should not be read to indicate that any such records do or do not exist.

Part 2: The standard responses below apply to all requests for records on individuals:

- (i) **Requests for Records about any Individual—Watch Lists.** The FBI can neither confirm nor deny the existence of any individual's name on a watch list pursuant to FOIA exemption (b)(7)(E) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (j)(2)]. This is a standard response and should not be read to indicate that watch list records do or do not exist.
- (ii) **Requests for Records about any Individual—Witness Security Program Records.** The FBI can neither confirm nor deny the existence of records which could identify any participant in the Witness Security Program pursuant to FOIA exemption (b)(3) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(3), 18 U.S.C. 3521, and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.
- (iii) **Requests for Records for Incarcerated Individuals.** The FBI can neither confirm nor deny the existence of records which could reasonably be expected to endanger the life or physical safety of any incarcerated individual pursuant to FOIA exemptions (b)(7)(E), (b)(7)(F), and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (b)(7)(F), and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.

Part 3: General Information:

- (i) **Record Searches.** The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching systems or locations where responsive records would reasonably be found. A standard search normally consists of a search for main files in the Central Records System (CRS), an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled by the FBI per its law enforcement, intelligence, and administrative functions. The CRS spans the entire FBI organization, comprising records of FBI Headquarters, FBI Field Offices, and FBI Legal Attaché Offices (Legats) worldwide; Electronic Surveillance (ELSUR) records are included in the CRS. Unless specifically requested, a standard search does not include references, administrative records of previous FOIPA requests, or civil litigation files. For additional information about our record searches, visit www.fbi.gov/services/information-management/foipa/requesting-fbi-records.
- (ii) **FBI Records.** Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.
- (iii) **Requests for Criminal History Records or Rap Sheets.** The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks – often referred to as a criminal history record or rap sheet. These criminal history records are not the same as material in an investigative "FBI file." An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at www.fbi.gov/about-us/cjis/identity-history-summary-checks. Additionally, requests can be submitted electronically at www.edo.cjis.gov. For additional information, please contact CJIS directly at (304) 625-5590.
- (iv) **National Name Check Program (NNCP).** The mission of NNCP is to analyze and report information in response to name check requests received from federal agencies, for the purpose of protecting the United States from foreign and domestic threats to national security. Please be advised that this is a service provided to other federal agencies. Private Citizens cannot request a name check.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552


- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

This document is made available through the declassification efforts
and research of John Greenewald, Jr., creator of:

The Black Vault



The Black Vault is the largest online Freedom of Information Act (FOIA)
document clearinghouse in the world. The research efforts here are
responsible for the declassification of hundreds of thousands of pages
released by the U.S. Government & Military.

Discover the Truth at: **<http://www.theblackvault.com>**

C-20

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PP FBIWMFO

DE RUCNFB #0153 0120415

ZNR UUUUU

P 112235Z JAN 93

FM DIRECTOR FBI

TO FBI WMFO/PRIORITY/

BT

UNCLAS

CITE: //0622//

PASS: SSA [REDACTED]

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SUBJECT: ANTONIN SCALIA, ASSOCIATE JUSTICE, U.S. SUPREME COURT;
POSSIBLE ETHICS IN GOVERNMENT ACT (EIGA); OO: WMFO.

AS WMFO IS AWARE, CAPTIONED MATTER CONCERNS AN ALLEGATION
THAT JUSTICE SCALIA RECEIVED A \$2,500 HONORARIUM IN 9/88 FOR A
SPEECH HE GAVE AT THE UNIVERSITY OF KENTUCKY (UK). HE
SUBSEQUENTLY LISTED THE HONORARIUM ON HIS FINANCIAL DISCLOSURE
REPORT DATED 5/15/89, REFLECTING THAT THE \$2,500 WAS PAID BY THE
UK. HOWEVER, ACCORDING TO INFORMATION PROVIDED TO THE LOUISVILLE
DIVISION, \$1250 OF THAT HONORARIUM CAME FROM THE KENTUCKY BAR

gov
1-12-93

211-WF-184314-1

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 1993	
FBI - WASH. METRO FIELD OFFICE	
[REDACTED]	203

1-13-93

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PAGE TWO DE RUCNFB 0153 UNCLAS

ASSOCIATE (KBA),

THE ISSUE IN THIS MATTER IS THE FACT THAT THERE WAS A MATTER
PENDING BEFORE THE U.S. SUPREME COURT AT THAT TIME IN WHICH THE
KBA HAD AN INTEREST.

BASED UPON A NEWSPAPER ARTICLE APPEARING IN USA TODAY ON
9/14/92 WHICH MADE REFERENCE TO THE DISPUTED HUNDSPARUM, FBIHQ
REQUESTED THAT THE PUBLIC INTEGRITY SECTION (PIS), DEPARTMENT OF
JUSTICE (DOJ), REVIEW THE ALLEGATION TO DETERMINE IF AN EIGA
INVESTIGATION SHOULD BE INITIATED.

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#0153

NNNN

Memorandum



To : SAC, WMFO (211-WF-184314)

Date 5/15/93

From : SA [redacted] (C-20)

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Subject: ANTONIN SCALIA,
Associate Justice,
U.S. Supreme Court;
Possible Ethics in Government Act (EIGA);
OO:WMFO

On 2/16/83 Trial Attorney [redacted] (United States
Department of Justice, Public Integrity Section) [redacted]
[redacted]

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Since no further action has been requested to date, and due to
the writer's squad transfer from C-20 to C-12 effective 4/19/93,
it is recommended that this case be administratively closed.

WPB:wpb
(2)

6.4.93
C-4
6/4/93

211-WF-184314-2

SEARCHED	INDEXED
SERIALIZED	FILED
1 JUN 04 1993	
FBI — WASH. METRO FIELD OFFICE	

FBI

TRANSMIT VIA:

☒ Teletype
☐ Facsimile
☐ _____

PRECEDENCE:

☐ Immediate
☐ Priority
☒ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☒ UNCLAS

Date 6/20/86

679387

FM CHARLOTTE (77-0) (RUC)

TO DIRECTOR (77-131275) ROUTINE

BT

UNCLAS

ATTN: GBI UNIT, ROOM 5136

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT, INITIAL BUDED: JUNE 27, 1986, WOF

RE BUREAU TELETYPE TO ALL OFFICES, JUNE 18, 1986.

ON JUNE 18, 1986, THE CHARLOTTE OFFICE GENERAL INDICES WERE
SEARCHED BY FILE CLERK [REDACTED] CONFIDENTIAL AND ELSUR
INDICES WERE SEARCHED BY FILE ASSISTANT [REDACTED] ON
JUNE 19, 1986, ALL WITH NEGATIVE RESULTS REGARDING APPOINTEE [REDACTED]

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NO REPORT BEING SUBMITTED BY CHARLOTTE, UACB.

BT

MRW:nmd
(1)
nmd

77-131275-2

Approved: 1/6/87

Transmitted

(Number)

108

(Time)

2250

Per

LBM

SENT VIA
ENCIPHERED TELETYPE

TRANSMIT VIA: Airtel

CLASSIFICATION: _____

DATE: 6/23/86

FROM: Director, FBI (77-131275)

TO: SAC, Washington Field (77B-100656) - Enc. (2)
 Pittsburgh (77-9670-344) - Enc. (2)
 Alexandria (77B-3866) - Enc. (2)
 Chicago (77B-20652) - Enc. (2)
 New Haven (77B-8344) - Enc. (2)
 Boston (77B-18511) - Enc. (2)
 New York (77B-40433) - Enc. (2)
Charlotte - Enc. (2)
 Richmond (77B-13982) - Enc. (2)
 Detroit - Enc. (2)
 Los Angeles (77-23402) - Enc. (2)
 Philadelphia - Enc. (2)

ANTONIN GREGORY SCALIA
 DEPARTMENTAL APPLICANT
 CANDIDATE FOR ASSOCIATE JUSTICE
 UNITED STATES SUPREME COURT

MUST BE IN
 DICTATION

BY 6/30/86

ReButel 6/20/86.

Attached for receiving offices are candidates SF-86 and appropriate forms.

*Lead set out
 previously on
 Subtype - also
 leads set for
 USA & Offices
 Greenville, Ral
 & Asheville*

77B-10469
 8-

*Una / Ral
 O Chapel Hill*

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FBI/DOJ

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE CHARLOTTE	OFFICE OF ORIGIN BUREAU	DATE 7/1/86	INVESTIGATIVE PERIOD 6/23/86 - 7/1/86
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY SA 	TYPED BY mw
		CHARACTER OF CASE DEPARTMENTAL APPLICANT CANDIDATE FOR ASSOCIATE JUSTICE UNITED STATES SUPREME COURT	

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Director airtel to Washington Field Office, 6/23/86.
Bureau teletype to Washington Field Office, 6/20/86.

- RUC - 10

ADMINISTRATIVE:

Individuals contacted were apprised of the provisions of the Privacy Act and none requested confidentiality.

Charlotte indices, elsur and security checks were negative for candidate,

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ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO
								PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

2 - Bureau (77-131275)

① - Charlotte (77B-10469)

77B 10469

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Dissemination Record of Attached Report				
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By				

NOTATIONS

A*
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED] Office: Charlotte, North Carolina
Date: July 1, 1986
Field Office File #: CE 77B-10469 Bureau File #: 77-131275
Title: ANTONIN GREGORY SCALIA

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Character: DEPARTMENTAL APPLICANT
CANDIDATE FOR ASSOCIATE JUSTICE
UNITED STATES SUPREME COURT

Synopsis:

[REDACTED] UNC School of Law, Chapel Hill, North Carolina, advised that candidate is highly qualified and recognized legal scholar who is brilliant in his legal analysis but is regarded as being "of a definite mind set". He stated that candidate has a reputation for maintaining his viewpoint regardless of the arguments presented against him and developed a reputation for being inflexible which makes him very controversial in the legal profession. Unable to locate any civil or criminal Federal litigation in closed or current files in which the candidate or cohabitant were a plaintiff or defendant at the United States Attorney's Offices located in Asheville, Greensboro and Raleigh, North Carolina.

- RUC -

DETAILS:

CE 77B-10469
JJR:psc

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The following investigation was conducted by Special Agent [] at Chapel Hill, North Carolina:

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On July 1, 1986, [] [] University of North Carolina School of Law, Chapel Hill, North Carolina, advised that he became acquainted with ANTONIN GREGORY SCALIA when [] was handling the case entitled INS versus CHADHA, which was a major constitutional case in which [] represented the United States House of Representatives and this case was argued two times before the Supreme Court of the United States. [] advised that this case was opposed by United States Justice Department and CHADHA and there was a lot of interest on the part of the American Bar Association in the Constitutional questions involved in this suit. [] advised that the American Bar Association was represented by SCALIA, who filed a brief as an Immeas Curei and SCALIA never actually argued the case but merely filed the brief stating the position of the American Bar Association. He stated that prior to the first argument of this case in late 1981 or early 1982, [] was called to testify before a Congressional Committee and at the same time SCALIA appeared on the same panel as a witness and this was the only direct contact [] has had with SCALIA.

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[] stated that SCALIA has a high professional reputation as a scholar and attorney and admits in his ratings as well as his thoughts that he is conservative in his thinking but according to [] SCALIA has a brilliant mind but a very "hard-nosed approach to the law". [] stated that many law school professors develop a firm attitude towards various positions of the law but he regards SCALIA as very inflexible once he takes a position and [] stated that he has reservations about SCALIA on these grounds. [] characterized SCALIA as a very personable individual and stated that one of the qualities sought in a justice is open mindedness, that is to see all sides of the questions, which ability he doubts that SCALIA possesses.

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[] stated that there is no question in his mind of SCALIA'S legal ability although he admitted to having the usual differences of opinion and he stated that these are usually evidenced in different law schools through articles but he stated that there is no doubt as to SCALIA'S legal ability. [] stated that he assumes that SCALIA has the proper courtroom demeanor but he noted that SCALIA'S manner is very dominant which he does not consider a detriment stating that he considers that SCALIA will be a very active justice.

He stated that SCALIA does have a reputation for fairness although he is strong-willed and holds strong beliefs but he does not regard this as being unfair. He stated that in his opinion, SCALIA is "inflexible once he has staked out his position". He stated, for example, SCALIA has the belief that most independent agencies in the federal government are unconstitutional and that if this issue were to come before the Supreme Court, SCALIA would not see the constitutionality of that agency. He stated that SCALIA may have taken a position on the question of homosexuality although he is not personally aware of it but he stated that he, [REDACTED] is concerned because the rights of homosexuals not specified in the Constitution may not be recognized by SCALIA if they are not so obviously stated. He stated that SCALIA may have to question his own first principals and he may not have this ability. He stated that the common theme in regard to SCALIA from other judicial scholars is that he is brilliant but has a definite mind-set.

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[REDACTED] stated that SCALIA has a reputation in judicial circles of being against the media, no friend of the First Amendment on the free press issue and he stated that SCALIA questions the media's right to question public officials and that he does not know if this constitutes a true bias or not. He stated there is no question that SCALIA does not have, from the best of his knowledge, any racial or ethnic basis against any class, religious or ethnic group. He stated that SCALIA probably has a bias against liberalism.

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[REDACTED] stated that he has never heard of any personal or professional derogatory information concerning SCALIA or any member of his family nor has he ever heard that SCALIA has used excessively, alcohol or indulged in the use of illegal narcotics. He stated that SCALIA puts forth a constitutional philosophy that government should be limited in nature and the courts too.

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[REDACTED] stated that as far as he is concerned if he were making a choice as to a Supreme Court Justice, that he would not choose someone who has a reputation for being so tenacious, that is possessing an inflexible viewpoint. He stated that SCALIA has a reputation for maintaining his viewpoint regardless of the arguments presented against him and developed a reputation for being inflexible which makes him very controversial in the legal profession. [REDACTED] stated that if a United States Senator was nominated for the same position, he usually would not have

such a hard reputation established on constitutional issues as does a justice on the Court of Appeals. [] stated that SCILIA seems to have developed an inflexibility agenda in his decision making and in that sense, that quality may not stand him in good stead in making a Supreme Court Justice. He stated in every other sense of the word, SCALIA is highly qualified for the position.

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CE 77B-10469
TEC:egp

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The following investigation was conducted by IA [REDACTED]
[REDACTED]

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IDENTIFICATION

On June 26, 1986, [REDACTED] United States Attorney's Office, Eastern District of North Carolina (EDNC), Raleigh, North Carolina, advised a check of her files discloses no identifiable record regarding any civil or criminal federal litigation in closed or current files in which the candidate or cohabitant were a plaintiff or a defendant.

CE 77B-NEW

SPW:slh

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The following investigation was conducted by
Special Agent [REDACTED] on June 23, 1986:

AT ASHEVILLE, NORTH CAROLINA

[REDACTED] United States Attorney's
Office, advised that her records were negative regarding ANTONIN
GREGORY SCALIA. She stated that she had checked both her
closed cases as well as her current cases in both the civil and
criminal fields.

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Additionally, [REDACTED] United States District
Court Clerk's Office, advised that her records were also negative
regarding SCALIA. She stated that she also had checked closed
and current files in both the civil and criminal sections of her
office.

CE 77B-10469
GAM:jat

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IA [REDACTED] The following investigation was conducted by

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CIVIL AND CRIMINAL RECORDS
U.S. ATTORNEY'S OFFICE
MIDDLE DISTRICT OF NORTH CAROLINA
GREENSBORO, NORTH CAROLINA

On June 25, 1986, [REDACTED] Civil Division,
and [REDACTED] Criminal Division, advised that a review
of their records both pending and closed contain no information
to indicate that the following individuals were plaintiffs or
defendants in any action in their district:

ANTONIN GREGORY SCALIA, also known as Anton Scalia
Born March 11, 1936



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FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1345080-0

Total Deleted Page(s) = 8

Page 4 ~ b3; b6; b7C;
Page 5 ~ b3; b6; b7C;
Page 6 ~ b3; b6; b7C;
Page 7 ~ b3; b6; b7C;
Page 8 ~ b3; b6; b7C;
Page 9 ~ b3; b6; b7C;
Page 10 ~ b3; b6; b7C;
Page 11 ~ b3; b6; b7C;

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X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
XXXXXXXXXXXXXXXXXXXXXXXXXXXXX

FEDERAL BUREAU OF INVESTIGATION

X
CAN/lbs

Precedence: ROUTINE

Date: 04/06/2006

To: Charlotte

From: Charlotte

Fayetteville Resident Agency

Contact: SA [REDACTED]

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Approved By: [REDACTED]

Drafted By: [REDACTED] lbs

Case ID #: 9A-CE-91809

Title: UNSUB;
UNITED STATES SUPREME COURT
JUSTICE ANTONIN SCALIA;
EXTORTION - OVERT THREATS

Synopsis: Open and assign case.

Details: On 02/15/2006, [REDACTED] telephoned SA [REDACTED] to report that someone posted a threat against United States Supreme Court Justice Antonin Scalia on an AOL message board. The threat read, "SCALIA IS THE FUCKING ANTI-CHRIST, I ADVOCATE HIS ASSASSINATION."

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[REDACTED] advised that the posting was in response to a news article concerning Justice Scalia. [REDACTED] was able to capture the posting and save it to his computer. Upon SA [REDACTED] request, [REDACTED] e-mailed everything he saved regarding the threat. A copy of the AOL message board containing the threat is attached.

The threat was posted from the screen name [REDACTED] and the message ID associated with the posting was [REDACTED]. The message board's URL was as follows:

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http://messageboards.aol.com/aol/en_us/articles.php?boardID=559490&func=3&channell=News&AOL+Managed&refresh=true.

Request this case be opened and assigned to SA [REDACTED]

096LBS02.EC/

[REDACTED]

4/11/06 5/30/06
Am
file copy

9A-CE-91809-1

**You Are Here: News Channel Message Boards >
Politics News > Scalia Calls Philosophical Foes 'Idiots' >
SCALIA IS THE FUCKING ANTI-CHRIST, I ...**

Settings | Help

SCALIA IS THE FUCKING ANTI-CHRIST, I ADVOCATE HIS ASSASSINATION

Community Standards

Add to My Boards | Add Thread

In NATURE/ REALITY
tho...

< Previous
Thread

Next Thread
>

Speaking "THIS" way...

Messages: 1 - 4 of 4 List All | List Unread Page: 1

SCALIA IS THE FUCKING ANTI-CHRIST, I ...

Mark Thread Read

#1 - 2/15/06 11:27 AM

b6
b7C

- 1 View Profile
- 2 Send IM
- 3 Send Mail

Rating:

20 % of 5 people liked this post

Please sign in to rate this post.

GO TO IT

Reply to Message

Ignore

Mark Message Unread

9/19/06

1A1

FD-340 (Rev 4-11-03)

File Number 9A-CE-91809

Field Office Acquiring Evidence CE

Serial # of Originating Document _____

Date Received 5/8/2006

From _____

(Name of Contributor/Interviewee)

(Address)

(City and State)

By SA _____

To Be Returned ☐ Yes

☒ No

Receipt Given ☐ Yes

☒ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)

Federal Rules of Criminal Procedure

☒ Yes

☐ No

Federal Taxpayer Information (FTI)

☐ Yes

☒ No

Title: UNSUB;

U.S. SUPREME COURT JUSTICE ANTONIN SCALIA;
EXTORTION - OVERT THREATS

Reference: _____

FD-302

(Communication Enclosing Material)

Description: ☐ Original notes re interview of

b3

b6
b7C

b6
b7C
b3



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.



March 31, 2006



Attention:

Dear



The Federal Bureau of Investigation formally requests that, pursuant to Title 18, United States Codes, Section 2703(f), you take all necessary steps to preserve all records or other evidence in your possession regarding the following logs or account(s) associated with:



This letter put you on notice that the FBI is in the process of obtaining the appropriate court orders or other documents necessary for the FBI to obtain this data from you. Section 2703(f) requires you to preserve this data for a period of 90 days, which can be extended for an additional 90 days upon renewal of this request. Please note that this letter does not require you to turn over the data to the FBI now, it simply requires that you preserve the data until the FBI returns with the appropriate legal authority.

Please direct any questions you may have about this order to SA



Sincerely yours,



b3
b7E

b3
b6
b7C
b7E

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b7C

9A-CE-91809-2



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.



April 7, 2006



Attention:

Dear 

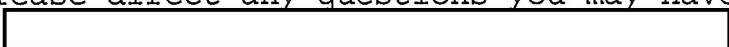
b3
b7E

The Federal Bureau of Investigation formally requests that, pursuant to Title 18, United States Codes, Section 2703(f), you take all necessary steps to preserve all records or other evidence in your possession regarding the following logs or account(s) associated with:



b6
b7C
b3
b7E

This letter put you on notice that the FBI is in the process of obtaining the appropriate court orders or other documents necessary for the FBI to obtain this data from you. Section 2703(f) requires you to preserve this data for a period of 90 days, which can be extended for an additional 90 days upon renewal of this request. Please note that this letter does not require you to turn over the data to the FBI now, it simply requires that you preserve the data until the FBI returns with the appropriate legal authority.

Please direct any questions you may have about this order to SA 

b6
b7C

Sincerely yours,



Supervisory Special Agent

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/16/2006

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Pursuant to the issuance of a Federal Grand Jury (FGJ)
subpoena [redacted]

[redacted] provided the following:

[Large redacted area]

b3
b6
b7C

These items are stored in the 1A section of the file.

Investigation on 05/08/2006 at Fayetteville, NC

File # 9A-CE-91809 -4 Date dictated 05/09/2006

by SA [redacted] lbs

b6
b7C

FEDERAL BUREAU OF INVESTIGATION



Precedence: ROUTINE

Date: 05/25/2006

To: Detroit

From: Charlotte

Fayetteville Resident Agency

Contact: SA [redacted]

b6
b7C

Approved By: [redacted] *off*

Drafted By: [redacted]

lbs

Case ID #: 9A-CE-91809 (Pending)

Title: UNSUB;
UNITED STATES SUPREME COURT
JUSTICE ANTONIN SCALIA;
EXTORTION - OVERT THREATS

Synopsis: Set lead to interview [redacted]

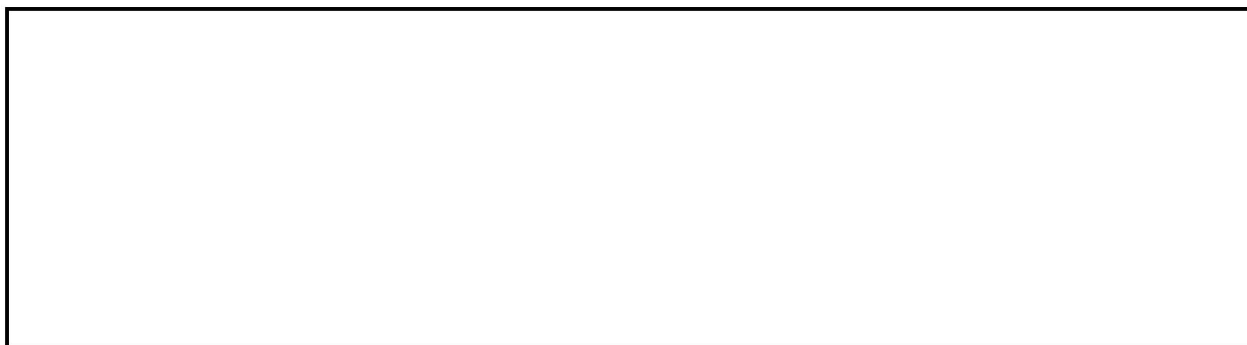
b6
b7C

Enclosures: Enclosed for Detroit Division is a copy of the threat posted on an America Online message board, 02/15/2006.

Details: On 02/15/2006, SA [redacted] received a complaint telephone call. Complainant reported that someone posted a threat against United States Supreme Court Justice Antonin Scalia on an AOL message board. The threat read, "SCALIA IS THE FUCKING ANTI-CHRIST, I ADVOCATE HIS ASSASSINATION."

Complainant advised that the posting was in response to a news article concerning Justice Scalia. Complainant was able to capture the posting and save it to his computer. Upon SA [redacted] request, complainant emailed everything saved regarding the threat. A copy of the AOL message board containing the threat is enclosed.

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file copy

✓
145 LBS02-EC



9A-CE-91809-5

To: Detroit From: Charlotte
Re: 9A-CE-91809, 05/25/2006

LEAD(s) :

Lead 1: (Action)

DETROIT

AT [REDACTED]

Locate and interview [REDACTED]

[REDACTED]
[REDACTED] regarding the threat to United States
Supreme Court Justice Antonin Scalia posted on an AOL Message
board on 2/15/2006.

♦♦

b6
b7c

SA0110 (Rev. 12/89) Subpoena to Testify Before Grand Jury

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF NORTH CAROLINA

TO:

SUBPOENA TO TESTIFY
BEFORE GRAND JURY

SUBPOENA FOR:

b3
b6
b7C

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

Federal Building
310 New Bern Avenue
Raleigh, NC

COURTROOM

Grand Jury

DATE AND TIME

b3
b6
b7C

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

In lieu of appearing before the grand jury, you may provide the requested information to Special Agent [REDACTED]
[REDACTED] FBI, 225 Green Street, Fayetteville, NC 28302, telephone number [REDACTED] fax (910) 321-2100.

b6
b7C

The United States Attorney's Office is conducting an investigation of suspected criminal activity. In connection with the investigation, your company has been served with a subpoena and requested to provide certain records. It is requested that there be no disclosure to persons who are not officers or agents of your company that (1) the subpoena was received (2) the subpoena requested certain records, or (3) the subpoena was complied with.
Please see additional information on reverse.

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

DATE

[REDACTED] ACTING CLERK OF COURT

(By) Deputy Clerk

April 12, 2006

b6
b7C

This subpoena is issued on application
of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

310 New Bern Avenue, Suite 800
Raleigh, NC 27601-1461
Telephone: [REDACTED]

Re: 2006R00249 (2)

* If not applicable, enter "none".

9A-CE-91809
RTH:rth

1

The following investigation was conducted by SA [redacted]
[redacted] on July 7, 2006:

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①
RTH

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b7D

file copy



can

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9A-CE-91809-7

FEDERAL BUREAU OF INVESTIGATION

Precedence: Routine

Date: 08/21/2006

To: Charlotte
Fayetteville Resident Agency

From: Detroit
C-7

Contact: SA [redacted]

Approved By: [redacted] *SAS/km*

Drafted By: [redacted] *rth*

Case ID #: 9A-CE-91809-8 (Pending)

Title: Unsub;
United States Supreme Court,
Justice Antonin Scalia;
Extortion - Overt Threats

Synopsis: Investigation conducted by Detroit Division per EC dated by 05/25/2006 from Charlotte, Fayetteville Resident Agency.

Reference: 9A-CE-91809 Serial 5

Enclosure(s): (1) one original and (1) one copy of each of FD-302 and insert reflecting investigation conducted at the Detroit Division.

Details: For information of New Haven office, on 07/07/2006 an interview was conducted with [redacted] regarding the message he left on the AOL message board regarding Justice Scalia (see enclosed 302). [redacted] advised the message was satire and that he had no intention of harming Justice Scalia. [redacted] was advised by writer that if any threatening messages are written in the future by [redacted] regarding Justice Scalia, it could be considered threatening and could possibly lead to federal criminal charges filed against him. [redacted] stated he understood.

Detroit considers this lead covered. If Charlotte Division Fayetteville RA would need further assistance, it is requested that an additional lead be sent to Detroit for investigation.

9A-CE-91809-8

free copy *nd*

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b6
b7C

To: Charlotte From: Detroit
Re: 9A-CE-91809, 08/21/2006

LEAD(s):

Set Lead 1: (Info)

Charlotte

at Fayetteville

Detroit lead covered. Read and clear.

♦♦

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 07/31/2006

[redacted]
social security account number [redacted] was interviewed at his
residence of [redacted]
telephone number is [redacted] After being advised of the
identities of the interviewing agents and the nature of the
interview, [redacted] provided the following information:

b6
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[redacted] stated he did write the message posted on AOL
Message Board from screen name [redacted] threatening Justice
Antonin Scalia. [redacted] stated he has not used that screen name in
awhile but did write the message and stated the message was satire.
[redacted] stated he had no intention of hurting Justice Scalia nor
anyone else. [redacted] stated [redacted]

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b7C

[redacted] describes himself as a liberal and a
pacifist who is scared of guns and wrote the message in response
to the "right's" views and comments.

[redacted] was advised by writer that if any messages are
written, in the same threatening manner, in the future by [redacted]
regarding Justice Scalia it could possibly lead to federal criminal
charges filed against him.

Investigation on 07/07/2006 at [redacted]File # 9A-CE-91809-9 Date dictated 07/31/2006by SA [redacted]
SA [redacted]

rth [redacted]

b6
b7C



U.S. Department of Justice

Federal Bureau of Investigation

CAH/lbs

In Reply, Please Refer to
File No. 9A-CE-91809

400 South Tryon Street, Suite 900
Charlotte, North Carolina 28285
September 7, 2006

Honorable George E. B. Holding
Acting United States Attorney
Eastern District of North Carolina
Raleigh, North Carolina

Attention: [redacted]
Assistant United States Attorney (AUSA)

b6
b7C

RE: [redacted]

Dear Mr. Holding:

This letter is to confirm a conversation between
Special Agent (SA) [redacted] and AUSA [redacted]
[redacted] on September 1, 2006. At that time, AUSA [redacted]

b5

After discussing the matter, AUSA [redacted] declined to
prosecute the case [redacted]

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b7C
b5

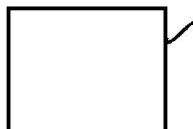
- 1 - Addressee
(2) - Charlotte (9A-CE-91809)
CAH/lbs
(3) lbs

CHARLOTTE COPIES ONLY: It is requested this case
be placed in a closed status.

Close Case
-5
9/18/06

9A-CE-91809-10

20060907




In view of the above opinion, this matter will be placed in a closed status.

Sincerely,

Nathan Thomas Gray
Special Agent in Charge

By: 


Supervisory Special Agent

b6
b7C

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1345080-0

Total Deleted Page(s) = 12
Page 7 ~ Referral/Consult;
Page 8 ~ Referral/Consult;
Page 9 ~ Referral/Consult;
Page 10 ~ Referral/Consult;
Page 11 ~ Referral/Consult;
Page 12 ~ Referral/Consult;
Page 14 ~ Referral/Consult;
Page 15 ~ Referral/Consult;
Page 19 ~ Referral/Consult;
Page 20 ~ Referral/Consult;
Page 21 ~ Referral/Consult;
Page 102 ~ Referral/Consult;

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X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
XXXXXXXXXXXXXXXXXXXXXXXXXXXXX

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Director, FBI

DATE: 6-7-74

FROM: [Redacted]
Exec. Asst. to DAG

SUBJECT Antonin Scalia	DATE OF BIRTH 3-11-36
POSITION Special Candidate	OFFICE OR DIVISION (Location) DAG
(CHECK ONE) <input type="checkbox"/> EMPLOYEE <input checked="" type="checkbox"/> APPLICANT	TYPE OF POSITION <input checked="" type="checkbox"/> SENSITIVE <input type="checkbox"/> NON-SENSITIVE
ENTERED ON DUTY	TYPE OF APPOINTMENT

☒ Please institute the usual character investigation in this matter and forward copies of the reports to this office.

☐ Please furnish results of Name Check and search of Identification Records prior to completion of investigation

Standard Forms 86 are attached. Please return the original signed copy with the final report of this investigation.

☐ Name Check Made

☐ Fingerprint Chart attached

☐ Please institute a name check of this individual whose Standard Form 171/86 is enclosed. The fingerprint chart is being forwarded to the Identification Building.

POS Code:

☐ Please discontinue the character investigation in this matter. Standard Form 86 submitted with our request should be returned to this office.

2 week deadline, please

MCT-24

REC

CH 45

131275

77-

JUN 7 1974

NINE

344
ENCLOSURE
SEP 6 1974

DJ-99
11-9-73

ANTONIN SCALIA

Box: March 11, 1936,
Trenton, New Jersey

Address: 1003 Dalebrook Drive, Alexandria Virginia 22308

Telephone: Home: (703) 360-6256
Office: (202) 395-5614

Marital Status: Married,

Education:

College: Georgetown University, Washington, D.C. - A.B. summa cum laude - 1957.

University of Fribourg, Switzerland (Junior Year).

Law School: Harvard Law School, Cambridge, Massachusetts - LL.B. magna cum laude - 1960. Note Editor, Harvard Law Review.

Post Law School: Sheldon Fellow, Harvard University - 1960-61.

Employment:

Private practice of law with Jones, Day, Cockley and Reavis, Cleveland, Ohio - 1961-67.

Associate Professor of Law and Professor of Law, University of Virginia Law School - 1967 to date. (On leave since March, 1971 but have continued teaching weekend seminars on communications law.)

General Counsel, Office of Telecommunications Policy, Executive Office of the President - March 1971 to date.

Consultant to: U.S. Land Law Revision Commission (1968).

Virginia Court Systems Study Commission (1969-70).

U.S. Civil Service Commission, Office of Hearing Examiners (1970).

Administrative Conference of the U.S., Committee on Hearing Examiners (briefly in 1971).

Publications: Sovereign Immunity and Nonstatutory Review of Federal Administrative Action, Vol. 68, Michigan Law Review pp. 867-924 (1970).

Appellate Justice: A Crisis in Virginia? Vol. 57, Virginia Law Review pp. 3-64 (1971).

The Hearing Examiners Loan Program, Vol. 1971, Duke Law Journal pp. 319-366 (1971).

The Federal Communications Commission Fairness Doctrine--scheduled to appear in the forthcoming issue of Federal Communications Bar Association Bar Journal (reprint of speech before Federal Communications Bar Association).

131275

ENCLOSURE 77-

June 20, 1974

ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE

Antonin Scalia

On June 20, 1974, [REDACTED], Deputy
Special Prosecutor, Special Prosecution Force, U. S.
Department of Justice, 1425 K Street, N. W., Washington,
D. C., advised that a check of the task force chiefs of
the Special Prosecution Force revealed no adverse information
as to the applicant in this case.

b6
b7C

DET-23

CH 100

NOT RECORDED
20 AUG 23 1974

JNC:ldr
(4)

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MAIL ROOM ☐

TELETYPE UNIT ☐

80 AUG 30 1974

June 10, 1974

ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL

The applicant was born on March 11, 1936, in Trenton, New Jersey, and presently resides at 1003 Dalebrook Drive, Alexandria, Virginia. He received an AB degree from Georgetown University, Washington, D. C., in 1957, and an LLB degree from Harvard Law School, Cambridge, Massachusetts, in 1960.

From March 1971 to the present, the applicant has been employed as General Counsel, Office of Telecommunications Policy, Executive Office of the President.

It is requested that you advise, either by letter or by returning a copy of this letter with appropriate notations, as to whether the Special Prosecution Force has any adverse information concerning the applicant.

JMC:ldr
(4)

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MAIL ROOM ☒

TELETYPE UNIT ☐

77-151277-3

By 0-14 on 6/10/74 -
JMC

August 27, 1974

PERSONAL

Honorable Antonin Scalia
Assistant Attorney General
Office of Legal Counsel
Department of Justice
Washington, D. C.

Dear Mr. Scalia:

I was pleased to note your confirmation by the Senate and, on behalf of my associates, extend heartiest congratulations to you. We look forward to working with you in our mutual endeavors and offer our wholehearted cooperation, as well as our best wishes for every success in the discharge of your responsibilities.

Sincerely yours,

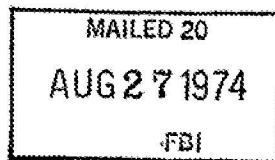
C. M. Kelley

Clarence M. Kelley
Director

1 -

NOTE: Mr. Scalia was the subject of a favorable Departmental Applicant investigation which was begun in June, 1974.

awt:dlw (4)



REC-64
EST 10

7/7/74
6/1/74

AUG 28 1974 SCW

56 SEP 5 1974
MAIL ROOM
TELETYPE UNIT

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b7C

4

md

airtel

6/7/74

To: SACs, Washington Field - Enc.
Richmond - Enc.
Alexandria - Enc.

From: Director, FBI

ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL
BUDED: 6/21/74

Enclosed for each office is one copy applicant's resume. It is noted applicant was the subject of a Special Inquiry in August 1972. The present investigation should be confined to updating that 1972 investigation.

Follow DAPLI instructions.

BUREAU DEADLINE AS SET FORTH ABOVE MEANS THE REPORT MUST BE RECEIVED AT THE BUREAU ON THAT DATE OR PRIOR THERETO.

77-131275-5
NOT RECORDED
5 AUG 21 1974

JMC:lcr
(8)

RETURN TO:
ROOM 1252

MAILED 3

JUN 7 - 1974

A-FBI

344
SEP 6 1974

MAIL ROOM ☐

TELETYPE UNIT ☐

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b7c

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE Richmond	OFFICE OF ORIGIN Bureau	DATE 6/20/74	INVESTIGATIVE PERIOD 6/18-19/74
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 20px;"></div>	TYPED BY mfh
		CHARACTER OF CASE DAPLI	

b6
b7CREFERENCE: Bureau airtel to Washington Field dated 6/7/74.

- RUC -

ADMINISTRATIVE:

Since the information as set forth in this report indicates that SCALIA has not taught at the University of Virginia at Charlottesville since June, 1972, investigation was limited to that set forth in this report.

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED <div style="border: 1px solid black; width: 150px; height: 50px;"></div>					SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
						<div style="font-size: 2em; font-family: cursive;">77-13017-17</div> <div style="border: 1px solid black; padding: 5px; text-align: center;">NOT RECORDED</div>	
COPIES MAILED						b6 b7C	
<div style="font-size: 1.5em; font-family: cursive;">(3) Bureau</div> <div style="font-size: 1.2em; font-family: cursive;">1 - Richmond (77-13017)</div>							
Dissemination Record of Attached Report					Notations		
Agency					<div style="font-size: 1.5em; font-family: cursive;">JUN 27 1974</div>		
Request Recd.							
Date Fwd.							
How Fwd.							
By							

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

Office: Richmond, Virginia

Date:

June 20, 1974

b6
b7C

Field Office File #:

77-13017

Bureau File #:

Title:

ANTONIN GREGORY SCALIA

Character:

DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL

Synopsis: SCALIA has been on leave of absence from University of Va. Law School, Charlottesville, Va., since 9/67 and has not conducted a seminar on weekends at the Law School since 6/72. He is not a member of the Va. Bar Association. SCALIA was admitted to Va. State Bar, Richmond, 10/7/70. He is in good standing and no grievances have been filed against him.

- RUC -

DETAILS:EMPLOYMENT

[redacted] University of Virginia (UVA) Law School, Charlottesville, Virginia, advised on June 19, 1974 that ANTONIN SCALIA has been on leave of absence from the Law School since September, 1967. [redacted] advised that SCALIA had taught a weekend seminar for a period of time up until June, 1972. Subsequent to June, 1972, SCALIA had hoped to continue teaching the weekend seminar, however, his schedule did not permit it and he has not taught at the Law School since that date. [redacted] further advised that SCALIA is resigning from the faculty at UVA effective September 1, 1974.

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b7C

RH 77-13017

MISCELLANEOUS

On June 19, 1974, [REDACTED]

[REDACTED] UVA Law School, Charlottesville,

[REDACTED] advised that a search of the records of her office failed to indicate that SCALIA is a member of the Virginia Bar Association.

On June 18, 1974, [REDACTED]

[REDACTED] advised SC [REDACTED] that ANTONIN GREGORY SCALIA was admitted to the Virginia State Bar on October 7, 1970. He is in good standing and no grievances have been filed against him.

b6
b7c

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE ALEXANDRIA	OFFICE OF ORIGIN BUREAU	DATE 6/24/74	INVESTIGATIVE PERIOD 6/13-21/74
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY SA 	TYPED BY clh
		CHARACTER OF CASE DEPARTMENTAL APPLICANT SPECIAL CANDIDATE OFFICE OF THE DEPUTY ATTORNEY GENERAL	

b6
b7c

REFERENCE: Bureau airtel to WFO, 6/7/74.

- RUC -

FD 205 dated <u>6-21-74</u> From <u>Alexandria</u>
Relayed to <u>6-26-74</u> From <u>In</u>
<u>distortion</u>

/A

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

 APPROVED *[Signature]* SPECIAL AGENT IN CHARGE
 COPIES MADE:

DO NOT WRITE IN SPACES BELOW

77-131275-10

NOT RECORDED
20 JUN 26 1974
 63 - Bureau
 1 - Alexandria (77-3866)

110 to DAG 5.4.82

Dissemination Record of Attached Report

Agency		one to Deputy A.G.	
Request Recd.			
Date Fwd.		JUN 27 1974	
How Fwd.	344		
By			

Notations

[Signature]
 [Stamp]

30 SEP 6 1974

-A*-

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED] Office: Alexandria, Virginia
Date: 6/25/74
Field Office File #: AX 77-3866 Bureau File #:
Title: ANTONIN GREGORY SCALIA

b6
b7C

Character: DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL

Synopsis: Alexandria PD negative re applicant [REDACTED]
Current residence verified; neighbors recommend.

- RUC -

DETAILS:ARREST CHECK

SC [REDACTED] caused a search to be made of the files of the Alexandria, Virginia, Police Department and was advised on June 13, 1974, that no record was located concerning the applicant [REDACTED]

b6
b7CRESIDENCE

1003 Dalebrook Drive
Alexandria, Virginia

On June 21, 1974, [REDACTED] advised she has known the applicant for a period of about three years. [REDACTED] stated that the applicant, applicant's [REDACTED] [REDACTED] reside at 1003 Dalebrook Drive. [REDACTED] pointed out that the [REDACTED] [REDACTED] described the applicant as a very good neighbor, a family man and an all around nice person. [REDACTED] further commented favorably regarding applicant's

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b7C

AX 77-3866

character, loyalty and associates and advised she knew nothing of a derogatory nature regarding the applicant. [redacted] stated she would highly recommend the applicant for a position of trust and confidence with the U.S. government.

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b7c

On June 21, 1974, [redacted] [redacted] advised he is acquainted with the applicant. [redacted] furnished generally the same favorable comments as did his [redacted] regarding the applicant's character, loyalty and associates. [redacted] added that his family and the SCALIAS are good friends and [redacted] [redacted] stated he would recommend the applicant for a responsible position with the U.S. government.

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b7c

On June 21, 1974, [redacted] [redacted] stated she is acquainted with the applicant as a neighbor. [redacted] advised she met the applicant while both of them [redacted] [redacted] described the applicant as a very fine person of fine moral standards and character. She also advised he is a loyal American citizen of good associates. She further stated she would recommend him for a sensitive position with the federal government.

airtel

6-27-74

To: SAC, Cleveland

From: Director, FBI (77-131275)

et/
pa
ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL
BUDED: 6-28-74

This will confirm Bucal 6-27-74 requesting that the Cleveland Bar Association and Grievance Committee be contacted.

It is noted during 1972 Special Inquiry investigation of applicant, similar inquiries were made. Applicant was then a nonresident member in good standing.

Su urgent tel to Bureau 6-28-74, followed promptly by report.

77-131275-11

NOT RECORDED

5 AUG 21 1974

RETURN TO:
ROOM 1250

b6
b7c

WMG:ldr
(4)

MAILED 3

JUN 27 1974

A-FBI

34
SEP 6 1974

MAIL ROOM

TELETYPE UNIT ☐

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Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

airtel

June 27, 1974

To: SAC, Springfield

From: Director, FBI (77-131275)

27
th
ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL
BUDED: 6/28/74

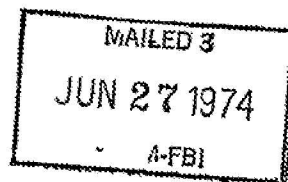
This will confirm Bucal of 6/27/74 requesting you to interview listed reference of applicant.

Reference is

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As indicated in reBucal, you have prior background information concerning applicant from 1972 Special Inquiry investigation.

Submit urgent teletype on 6/28/74 re results of interview with Follow promptly by report.



77-131275-15
NOT RECORDED
5 AUG 21 1974

WMG:pjm
(4)

Return to

Room 1250.

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Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MAIL ROOM ☒ TELETYPE UNIT ☐

airtel

6/27/74

To: SAC, Newark

From: Director, FBI (77-131275)

57
76
ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL
BUDED: 6-28-74

This will confirm Bureau call of 6-27-74 requesting you to expeditiously verify the residence of applicant's parents and to conduct appropriate law enforcement checks concerning them.

Parents are S. Eugene Scalia (born in 1903 in Italy) and Catherine Panaro Scalia (born 1905). Their residence is 44 Wilburtha Road, Trenton, New Jersey.

As indicated in reBucal, review your file 161-1854 concerning applicant. Submit results of your inquiries by urgent teletype followed promptly by report.

77-131275-13
NOT RECORDED

5 AUG 21 1974

WMG:ldr
(4)

MAILED 20

JUN 27 1974

FBI

RETURN TO:
ROOM 1250

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6 1974
MAIL ROOM ☒ TELETYPE UNIT ☐

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Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

airtel

6/27/74

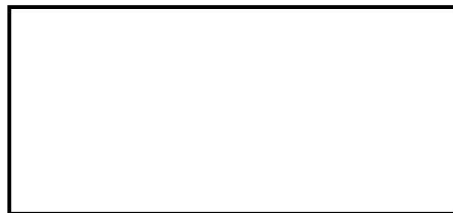
To: SAC, Washington Field (77-100656)

From: Director, FBI (77-131275)

ANTONIN GREGORY SCALIA
DAPLI
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL
BUDED: PAST

This will confirm Bucals of 6/27/74 concerning
the following additional interviews to be conducted in this
case:

AT OFFICE OF TELECOMMUNICATIONS POLICY:



*from
U.S. Dist. Manual
(organizational)*

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AT ADMINISTRATIVE CONFERENCE OF THE UNITED STATES



MAILED 3
JUN 27 1974
A-FBI

77-131275-14

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RECORDED
5 AUG 21 1974

VMG:pjm
(4)

Return to  Room 1250.

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
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- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____
- Director Sec'y _____

344
REC
maw

SEP 6 1974
MAIL ROOM ☐ TELETYPE UNIT ☐

Airtel to Washington Field
Re: Antonin Gregory Scalia

With respect to the latter group of interviews at applicant's current place of employment, [redacted]

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b7C

[redacted] advised that since applicant is being considered for another Presidential appointment, [redacted] is requesting and authorizing that such interviews be conducted. This is mentioned in light of information you furnished Bureau telephonically on 6/27/74 that applicant's assistant stated no interviews should be conducted there as the fact that he is being considered for another high-level Government post is confidential, and that personnel there were not to be contacted. As a result your report contained no interviews of any employees at the Administrative Conference of the United States.

You should also interview the two references who were listed by applicant at the time of his SI in 1972. They are: [redacted] Georgetown University, and [redacted], Department of Commerce.

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You should also contact the Bar Review Incorporated of Virginia on Connecticut Avenue regarding any possible concurrent employment applicant may still have there.

Finally, you should interview the two U. S. Senators from Virginia, Harry Flood Byrd and William Lloyd Scott.

As indicated in reBucals, it is imperative that the foregoing investigation receive immediate expeditious attention. Submit urgent teletype to Bureau 6/28/74 containing summary of investigation conducted through that date. Follow promptly by report. Deputy Attorney General's Office has made specific inquiries re status of remaining investigation.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR 010 NK PLAIN

JUN 27 1974

dk
TELETYPE

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Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

TO DIRECTOR, FBI

FROM NEWARK (77-) (P)

ANTONIN GREGORY SCALIA, DAPLI-
SPECIAL CANDIDATE, OFFICE OF DEPUTY
ATTORNEY GENERAL, BUDED PAST

RE BUREAU TELEPHONE CALL TO NEWARK,

JUNE 27, 1974.

APPOINTEE'S PARENTS, MR AND MRS. SAMUEL EUGENE SCALIA,
PRESENTLY RESIDE AT 44 WILBURTHA ROAD, TRENTON, NJ, AS VERIFIED
THROUGH NEIGHBORHOOD CONTACT. [REDACTED]

[REDACTED], ADVISED THE SCALIAS ARE ELDERLY QUIET COUPLE, OF
EXCELLENT REPUTATION IN NEIGHBORHOOD AND COMMUNITY. [REDACTED]

[REDACTED] STATED SCALIAS ARE WONDERFUL
NEIGHBORS WITH HIGH REGARD IN THE COMMUNITY. [REDACTED]

[REDACTED] ADVISED MR. AND MRS. SCALIA ARE EXCELLENT NEIGHBORS
WHO ARE WELL RESPECTED THROUGHOUT THE NEIGHBORHOOD. ALL

END PAGE ONE

77-131275-15
NOT RECORDED.

5 AUG 21 1974

344
20 SEP 6 1974

*rec'd
6-28-74*

9/10/74

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PAGE TWO

NK 77-

NEIGHBORS AGREE SCALIAS ARE DEDICATED, LOYAL AMERICANS.

ON JUNE 27, 1974, [REDACTED], TRENTON, NJPD,
CENTRAL RECORDS, ADVISED HIS FILES DID NOT REFLECT THE NAMES
OF SAMUEL EUGENE SCALIA OR CATHERINE SCALIA OR VARIATIONS OF
THOSE NAMES.

REPORT FOLLOWS.

END.

b6
b7C

airtel

6-27-74

To: SAC, New York

From: Director, FBI (77-131275)

ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL
BUDED: 6-28-74

This will confirm Bucal of 6-27-74 requesting that you interview reference of captioned individual.

Reference is [redacted]

[redacted] and has known applicant since 1949.

As indicated in reBucal, you should refer to your Special Inquiry investigation of applicant in 1972 for any additional background information necessary.

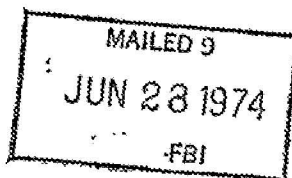
Su urgent tel to Bureau by noon, June 28, 1974, followed promptly by report.

77-131275-116
NOT RECORDED

5 AUG 21 1974

RETURN TO: [redacted]
ROOM 1250

WMG:ldr
(4)



SEP 6 1974

MAIL ROOM ☒ TELETYPE UNIT ☐

airtel

June 27, 1974

To: SAC, New York

From: Director, FBI (77-131275)

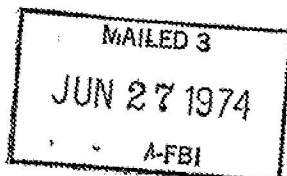
ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL
BUDED: 6/28/74

This will confirm Bucal to New York 6/27/74.

It is requested that you interview the following individuals who are professionally associated with applicant on the Administrative Conference of the United States. Applicant is currently Chairman of this Conference and [] and [] are members of the Council of the Conference.

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b7C

Submit urgent teletype on 6/28/74 containing results of interview. Follow promptly by report.



77-131275-17

NOT RECORDED

5 AUG 21 1974

WMG:pjm
(4)

Return to [] Room 1250.

Assoc. Dir. _____
Dep. AD Adm. _____
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& Eval. _____
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SEP 6 1974

MAIL ROOM ☒

TELETYPE UNIT ☐

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUN 27 1974

TELETYPE *KCE*

NR 003 CV PLAIN

3:00 PM NITEL 6/27/74 RJB

TO DIRECTOR

FROM CLEVELAND (77-NEW) (RUC) 1P

ANTONIN GREGORY SCALIA, DAPLI - SPECIAL CANDIDATE, OFFICE OF
THE DEPUTY ATTORNEY GENERAL.

RE BUREAU TELCALL TO CLEVELAND, THIS DATE.

APPLICANT WAS NONRESIDENT MEMBER OF CLEVELAND, OHIO BAR
ASSOCIATION IN GOOD STANDING UNTIL FEBRUARY 1, 1974 WHEN HE
WAS DROPPED ALONG WITH OTHER NONRESIDENT MEMBERS IN LINE WITH
POLICY OF ASSOCIATION THAT NONRESIDENT MEMBERS WOULD HAVE TO
PAY THE SAME DUES AS RESIDENTS. APPLICANT WAS SPECIFICALLY
DROPPED FOR NONPAYMENT OF DUES. NO GRIEVANCES EVER FILED
AND NOTHING DEROGATORY REGARDING APPLICANT IN FILES OF ABOVE
ASSOCIATION.

END

JTG FBIHQ

Assoc. Dir.	_____
Dep. A.D. Adm.	_____
Dep. A.D. Inv.	_____
Asst. Dir.:	_____
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Rec. Mgmt.	_____
Training	_____
Off. Coun.	_____
Phone Rm.	_____
Director Sec'y	_____

[Redacted]
Room 1246

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b7c

77-131275-18

NOT RECORDED

5 AUG 21 1974

*1cc destroyed
6-29-74
GAMM*

344
20 SEP 6 1974



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

June 28, 1974

ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL

APPLICANT WAS NONRESIDENT MEMBER OF CLEVELAND, OHIO, BAR ASSOCIATION IN GOOD STANDING UNTIL FEBRUARY 1, 1974 WHEN HE WAS DROPPED ALONG WITH OTHER NONRESIDENT MEMBERS IN LINE WITH POLICY OF ASSOCIATION THAT NONRESIDENT MEMBERS WOULD HAVE TO PAY THE SAME DUES AS RESIDENTS. APPLICANT WAS SPECIFICALLY DROPPED FOR NONPAYMENT OF DUES. NO GRIEVANCES EVER FILED AND NOTHING DEROGATORY REGARDING APPLICANT IN FILES OF ABOVE ASSOCIATION.

W.M.G. PJM pjm
(3)

TREAT AS
BLOCKED YELLOW.

enc cc Deputy A.G.

JUN 28 1974

77-131275-14

ENCLOSURE

quinty

airtol

June 23, 1974

To: SAC, Alexandria

From: Director, FBI (77-131275)

ptf
pro
ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL
BUDED: 6/23/74

This will confirm Eucal 6/23/74.

[Redacted Box]

b3
b7E

Submit results by urgent teletype to be promptly followed by report.

77-131275-19

JUN 27 1974

WIG:pjw
(4)

Return to

[Redacted Box]

Room 1250.

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Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

344

MAILED 9
JUN 28 1974
FBI

MAIL ROOM ☒ TELETYPE UNIT ☐

airtel

June 28, 1974

To: SAC, Atlanta

From: Director, FBI (77-131275)

ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL
BUDED: 6/28/74

This will confirm Bucal 6/27/74.

It is requested you interview [redacted]
[redacted] re his profes-
sional association with applicant.

Applicant is Chairman of the Administrative
Conference of the United States and [redacted]
[redacted] Association probably extends two to four years.

Submit urgent teletype to Bureau 6/28/74 to be
followed promptly by report.

77-131275-20

NOT RECORDED

5 AUG 21 1974

VMG:pjm
(4)

Return to [redacted] Room 1250.

MAILED 9

JUN 28 1974

FBI

MAIL ROOM ☒

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Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEW YORK	OFFICE OF ORIGIN BUREAU	DATE 6/28/74	INVESTIGATIVE PERIOD 6/27/74 - 6/28/74
TITLE OF CASE ANTONIN SCALIA aka Antonin Gregory Scalia, Mino		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 20px;"></div>	TYPED BY KS
		CHARACTER OF CASE DAPLI SPECIAL CANDIDATE OFFICE OF THE DEPUTY ATTORNEY GENERAL	

b6
b7cREFERENCE

New York teletype to the Bureau, dated 6/28/74.

- RUC -

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO	
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES				
APPROVED <i>[Signature]</i>					SPECIAL AGENT IN CHARGE			DO NOT WRITE IN SPACES BELOW
COPIES MADE					<div style="border: 1px solid black; padding: 5px; display: inline-block;"> 77-131275-21 NOT RECORDED 1 JUL 2 1974 </div>			
Bureau 1 - New York (77-36874)								
Dissemination Record of Attached Report					Notations			
Agency					<i>[Signature]</i> 20 SEP 6 1974			
Request Recd.	One of Deputy A.G.							
Date Fwd.								
How Fwd.	21 JUL 1974							
By	<i>[Signature]</i>							

- A* -
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

[Redacted]

Office: New York, New York

b6
b7C

Date:

6/28/74

Field Office File #:

77-36874

Bureau File #:

Title:

ANTONIN SCALIA

Character:

DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL

Synopsis:

Two acquaintances recommend. One not available.

- RUC -

NY 77-36874

DETAILS

Acquaintances

On June 27, 1974, [redacted] advised he has known the applicant for 25 years. He described him as extremely honest, straight forward, and of flawless character. There is no question of his ability, stability, character, reputation, associates or loyalty. The applicant's parents reside in Trenton, New Jersey. The applicant has no brothers or sisters. The applicant enjoys a harmonious relationship with [redacted]

[redacted] with the applicant and they have since remained close friends. He highly recommends the applicant for a position of trust.

On June 27, 1974, inquiry at the School of Law, Columbia University, New York, New York, reveals that [redacted] is in Europe until August. Upon his return he will be [redacted]

On June 28, 1974, [redacted] advised [redacted] of the Administrative Conference of the United States, of which the applicant is Chairman. He has known the applicant two years through the Council and has had limited social contact with him through Council functions. [redacted]

[redacted] He described the applicant as capable, honest, legally talented, very highly thought of, has a sense of political realism, is administratively effective, fights for what he believes in, is very sober minded and businesslike. There is no question of the applicant's loyalty, character, reputation or associates. [redacted] recommends the applicant for a position of trust.

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NR005 SV PLAIN

1:34PM URGENT JUNE 28, 1974. EHR

TO DIRECTOR

FROM SAVANNAH (77-3886) (P) 2 PGS

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

TELETYPE

Assoc. Dir.	_____
Dep. A.D.-Adm.	_____
Dep. A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
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Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

ANTONIN GREGORY SCALIA. DAPLI. SPECIAL CANDIDATE. OFFICE OF ATTORNEY GENERAL.

RE ATLANTA TELCALL TO SAVANNAH THIS DATE.

ON JUNE 28, 1974, [REDACTED], [REDACTED]

GAMBRELL, RUSSELL, KILLORIN, WADE AND FORBES, 4000 FIRST NATIONAL BANK TOWER, ATLANTA, GA., WAS INTERVIEWED AT SEA ISLAND, GA., AND ADVISED THAT [REDACTED] ANTONIN GREGORY SCALIA APPROXIMATELY [REDACTED] ON THE ADMINISTRATIVE CONFERENCE OF THE U. S., AND ADVISED SCALIA IS AN EXCELLENT ATTORNEY.

[REDACTED] STATED SCALIA IS AN EXTREMELY COMPETENT INDIVIDUAL AND WOULD MAKE AN EXCELLENT ADDITION TO ANY GOVERNMENT AGENCY.

[REDACTED] STATED SCALIA IS LOYAL, HONEST, TRUSTWORTHY, OF EXCELLENT CHARACTER, HABITS, REPUTATION, AND ASSOCIATES.

[REDACTED] ADVISED HE KNOWS OF NO DEROGATORY INFORMATION CONCERNING SCALIA AND STATED HE WOULD DEFINITELY RECOMMEND HIM FOR A POSITION WITH THE U. S. GOVERNMENT. HE STATED SCALIA HAS THE CORRECT

END PAGE ONE

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77-131275-22

NOT RECORDED

5 AUG 21 1974

100-2876

SEP 6 1974

PAGE TWO

SV 77-3886

TEMPERAMENT FOR A POSITION OF TRUST AND CONFIDENCE AND WOULD BE A CREDIT TO THE U. S. GOVERNMENT.

[] STATED SCALIA IS VERY INTELLIGENT, AND FINISHED AT TOP OF HIS GRADUATING CLASS AT HARVARD UNIVERSITY AND HAS SERVED AS CHAIRMAN OF THE ADMINISTRATIVE CONFERENCE OF THE U. S. WITH EXTREME EFFICIENCY.

[] STATED SCALIA IS A MEMBER OF THE FACULTY AT THE UNIVERSITY OF VIRGINIA, AND THEY HAVE GIVEN HIM AN ULTIMATUM TO RETURN TO THE UNIVERSITY OR LOSE HIS TENURE. [] ADVISED HE FEELS THAT SCALIA, IF OFFERED A POSITION WITH GOVERNMENT, WOULD ACCEPT.

[] RESTATED THAT SCALIA IS AN EXCELLENT ATTORNEY AND HE WOULD HIGHLY RECOMMEND HIM.

REPORT TO FOLLOW.

END.

MSY FBI HQ

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUN 28 1974

TELETYPE

NR 003 SI PLAIN
~~NR 003 SI PLAIN~~

952AM URGENT JUNE 28, 1974 DMM

TO DIRECTOR

FROM SPRINGFIELD (161-603) 2-P

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
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Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

ANTONIN GREGORY SCALIA, DAPLI, SPECIAL CANDIDATE, OFFICE
OF THE DEPUTY ATTORNEY GENERAL.

REBUTELCAL JUNE 27, 1974.

CLOSE PERSONAL ASSOCIATE OF APPLICANT, [REDACTED]

ADVISED

ON JUNE 28, 1974, THAT HE HAS KNOWN APPLICANT SINCE 1953.

[REDACTED] STATED THAT HE WAS VERY CLOSE TO APPLICANT DURING
COLLEGE YEARS, BUT HAS SEEN HIM ONLY OCCASIONALLY DURING
THE LAST FIVE YEARS. [REDACTED] INDICATED APPLICANT'S CHARACTER,
LOYALTY AND REPUTATION ARE OF THE HIGHEST CALIBER AND
FURTHER STATED THAT THE APPLICANT IS ONE OF THE MOST HONEST
AND SINCERE INDIVIDUALS HE HAS EVER KNOWN. [REDACTED]

ENDAGE ONE

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AUG 21

70 SEP. 6 1974

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PAGE TWO

THAT HE DOES NOT KNOW ANY OF SCALIA'S CURRENT ASSOCIATES
BUT INDICATED APPLICANT ASSOCIATED WITH A GOOD CROWD IN
COLLEGE.

☐ STATED THAT HE WOULD NOT HESITATE TO HIGHLY
RECOMMEND APPLICANT FOR A POSITION OF TRUST. REPORT FOLLOWS.

P.

END

KAC FBIHQ HOLD

b6
b7c

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

June 28, 1974

ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL

CLOSE PERSONAL ASSOCIATE OF APPLICANT, [REDACTED]

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b7C

[REDACTED] ADVISED

ON JUNE 28, 1974, THAT HE HAS KNOWN APPLICANT SINCE 1953.

[REDACTED] STATED THAT HE WAS VERY CLOSE TO APPLICANT DURING COLLEGE YEARS, BUT HAS SEEN HIM ONLY OCCASIONALLY DURING THE LAST FIVE YEARS. [REDACTED] INDICATED APPLICANT'S CHARACTER, LOYALTY AND REPUTATION ARE OF THE HIGHEST CALIBER AND FURTHER STATED THAT THE APPLICANT IS ONE OF THE MOST HONEST AND SINCERE INDIVIDUALS HE HAS EVER KNOWN. [REDACTED]

[REDACTED]
THAT HE DOES NOT KNOW ANY OF SCALIA'S CURRENT ASSOCIATES BUT INDICATED APPLICANT ASSOCIATED WITH A GOOD CROWD IN COLLEGE.

[REDACTED] STATED THAT HE WOULD NOT HESITATE TO HIGHLY RECOMMEND APPLICANT FOR A POSITION OF TRUST.

b6
b7C11 MG PJ - one of Deputy A.G.
(3) JUN 28 1974TREAT AS
BLOCKED YELLOW
27-131275-23
ENCLOSURE

[Handwritten signature]

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE DETROIT	OFFICE OF ORIGIN BUREAU	DATE 6/28/74	INVESTIGATIVE PERIOD 6/27-28/74
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY SA [REDACTED]	TYPED BY dm
		CHARACTER OF CASE DAPLI - SPECIAL CANDIDATE, OFFICE OF THE DEPUTY ATTORNEY GENERAL	

b6
b7c

REFERENCE: Bureau telephone call from SA [REDACTED]
6/27/74.

-RUC-

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED <i>NSW/lung</i> COPIES MADE: <i>3</i> Bureau 1 - Detroit (77-9812)						DO NOT WRITE IN SPACES BELOW 77-131275-24 NOT RECORDED 9 JUL 2 1974	
Dissemination Record of Attached Report						Notations	
Agency	<i>one to Deputy AG</i>					<i>Spec Ing</i>	
Request Recd.							
Date Fwd.	<i>JUL 2 1974</i>						
How Fwd.	<i>344</i>						
By	<i>SEP 6 1974</i>						

-A*-

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

SA [REDACTED]

Office: Detroit, Michigan

b6

Date:

6/28/74

b7C

Field Office File #:

77-9812

Bureau File #:

Title:

ANTONIN GREGORY SCALIA

Character:

DEPARTMENTAL APPLICANT - SPECIAL CANDIDATE, OFFICE
OF THE DEPUTY ATTORNEY GENERAL

Synopsis:

Associate [REDACTED] Attorney,
Detroit, Mich., knew applicant approximately
three years on a professional basis. Highly
recommended.

b6

b7C

-RUC-

DETAILS:

DE 77-9812
EGA/dm 1

The following investigation was conducted
by SA [REDACTED]

ASSOCIATE

On June 28, 1974, [REDACTED]

[REDACTED] advised that [REDACTED] of the Administrative Conference of the United States of which the applicant is the Chairman. [REDACTED] has known the applicant approximately three years on a professional basis. Council meets approximately three or four times each year for a period of one to two days and extensive telephonic and written communication is conducted between the applicant and [REDACTED] on an annual basis. [REDACTED] stated that the applicant is a temperate man, has excellent habits and associates and is an excellent administrator. He advised the applicant is an attorney and law teacher. He advised that the applicant's administrative ability and knowledge of law is outstanding. [REDACTED] highly recommended the applicant for a position of trust and confidence with the Federal Government.

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE RICHMOND	OFFICE OF ORIGIN BUREAU	DATE 6/28/74	INVESTIGATIVE PERIOD 6/27-28/74
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY SA [REDACTED]	TYPED BY mbj
		CHARACTER OF CASE DAPLI	

b6
b7C

REFERENCES: Bureau telephone call to Richmond, 6/27/74.
 Richmond report of SA [REDACTED] 6/20/74.
 Richmond teletype to Bureau, 6/28/74.

RUC

ADMINISTRATIVE:

[REDACTED] UVA Law School, Charlottesville, Va., presently traveling with no fixed address until mid July.

b6
b7C

ACCOMPLISHMENTS CLAIMED				<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		
APPROVED <i>[Signature]</i>				SPECIAL AGENT IN CHARGE		
COPIES MADE: <i>[Signature]</i>				DO NOT WRITE IN SPACES BELOW		
1 - Richmond (77-13017)				77-131275-25		
				NOT RECORDED		
				JUL 1 1974		
Dissemination Record of Attached Report				Notations		
Agency	[REDACTED] Deputy A.O.			[REDACTED]		
Request Recd.						
Date Fwd.	JUL 1 1974					
How Fwd.						
BY 20 SEP 6 1974						

A*
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED]
Date: June 28, 1974
Field Office File #: 77-13017
Title: ANTONIN GREGORY SCALIA

Office: Richmond, Virginia

b6
b7C

Bureau File #:

Character: DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL

Synopsis: Professors, UVA, Charlottesville, Va., consider SCALIA to be person of highest integrity, thoroughly conscientious, reliable and recommended for position of trust and confidence with Government. Reference, Richmond, Va., considers SCALIA to be person of excellent character and associates and completely loyal.

RUC

DETAILS:

[REDACTED] University of Virginia (UVA), Charlottesville, Virginia, advised on June 28, 1974, that he has had some dealing with SCALIA concerning his faculty status during the past two years, although SCALIA did not teach at the Law School during that period.

[REDACTED] advised that based on his association during the period SCALIA was on the faculty and his subsequent contacts with SCALIA, he would consider him to be a person of the highest integrity, thoroughly conscientious and reliable, and he had absolutely no question concerning his loyalty to the United States.

b6
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[REDACTED] advised he would recommend SCALIA without reservation for a position of trust and confidence with the Government.

RH 77-13017

[redacted] UVA Law School, advised on June 28, 1974, that he has had only occasional contact with SCALIA during the past two years. [redacted] stated based on his previous association on the faculty, he would consider SCALIA to be highly intelligent and capable, thoroughly honest and dependable, and he would recommend him for any position of trust and confidence with the Government.

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On June 27, 1974, [redacted]

[redacted] advised SA [redacted] he first became acquainted with SCALIA approximately seven years ago through the UVA Law School.

[redacted] has had very limited contact with SCALIA since 1972; however, he still considers him to be a person of excellent character and associates and completely loyal to the United States. [redacted] has known SCALIA both socially and professionally and described him as an extremely capable, dependable person. [redacted] knows nothing of a derogatory nature concerning SCALIA and highly recommends him for a position of trust with the United States Government.

b6
b7C

airtel

June 23, 1974

To: SAC, Washington Field (77-100656)

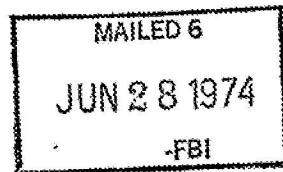
From: Director, FBI (77-131275)

Ed
ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL
BUDED: 6/23/74

This will confirm Bucal 6/23/74.

In addition to leads set forth in Buairtel of 6/27/74, you are requested to check records of Secret Service and include results in your urgent teletype to be received at Bureau 6/28/74. *AK*

77-131275-26



NOT RECORDED

5 AUG 21 1974

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

WFG:pjm
(4)

Return to Room 1250.

b6
b7c

REC
SEP 11 1974
MAIL ROOM ☒

TELETYPE UNIT ☐

airtel

June 28, 1974

To: SAC, Chicago

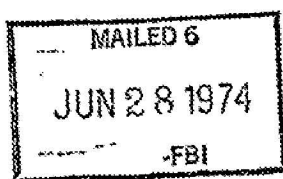
From: Director, FBI (77-131275)

IT
pto
ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL
BUDED: 6/28/74

This will confirm Bucal 6/28/74.

You are requested to check American Bar Association records concerning applicant.

Submit results by urgent teletype 6/28/74 to be promptly followed by report.



77-131275-27
NOT RECORDED

5 AUG 21 1974

WVG:pjm
(4)

Return to

Room 1250.

b6
b7C

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Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MAIL ROOM ☒

TELETYPE UNIT ☐

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE WASHINGTON FIELD	OFFICE OF ORIGIN BUREAU	DATE 6/28/74	INVESTIGATIVE PERIOD 6/27/74 - 6/28/74
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY SA 	TYPED BY jrs
		CHARACTER OF CASE DAPLI	

b6
b7C

REFERENCE: Bureau telephone call dated 6/27/74,
Bureau airtel dated 6/27/74.

- P -

LEADS: WASHINGTON FIELD OFFICE
AT WASHINGTON, D.C.

The following Council members, ACUS, were unavailable for the following reasons, WFO will continue to try to contact..

in Europe

out of town to return 7/1.

other commitments.

b6
b7C

APPROVED <i>DWM/Kep</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: 3 Bureau 1-WFO (77-100656)		77-131275-28	
		NOT RECORDED AUG 21 1974	
1cc to ADG 5.4.22			
DISSEMINATION RECORD OF ATTACHED REPORT		NOTATIONS	
AGENCY	883 cc Deputy A.O.	<i>9/11/74</i>	
REQUEST RECD.			
DATE FWD.	10/28/74		
HOW FWD.			
BY			

10 SEP 6 1974

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED]
Date: June 28, 1974

Office: Washington, D.C.

b6
b7c

Field Office File #: 77-100656

Bureau File #:

Title: ANTONIN GREGORY SCALIA

Character: DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL

Synopsis:

Members and former member, Council, ACUS recommend. Virginia Senators have no personal knowledge of applicant. Applicant carried as instructor BRI, recommended by [REDACTED] Former Associates OTP recommend. Reference recommends.

- P -

DETAILS: AT WASHINGTON, D.C.EMPLOYMENT

WFO 77-100656

MIC:jrs

1

Administrative Conference of the United States (ACUS)
2120 L Street, N.W., Suite 500, Washington, D.C.

The following Council and former Council members of the ACUS were contacted by SA [] on June 27 and June 28, 1974 in Washington, D.C.

[] said the applicant has been the Chairman, ACUS for nearly two years and of course they have worked closely during that time. [] advised that he first met the applicant when the applicant was working as a consultant for ACUS in 1968. [] stated that he has met the [] socially and considers [] to be delightful people. [] knows of no derogatory information concerning the applicant's character, associates, morals or loyalty and highly recommends the applicant for a position of trust and responsibility with the U.S. Government. b6 b7C

[] advised that he has known the applicant, professionally and slightly socially for nearly 2 years. [] stated he knows of no one of higher character, associates, morals, or loyalty. [] stated that the applicant is highly regarded at ACUS for his abilities and leadership. [] highly recommends the applicant for continued employment in a position of trust and responsibility with the U.S. b6 b7C

[] advised that he has been working with the applicant for about 3 months but has known him through sporadic contact with different government agencies for 2 or 3 years. [] has the highest regards for the applicant's abilities. The applicant's character, associates morals and loyalty are above reproach after years of dedicated government service. [] highly recommends the applicant for any position in government or out.

WFO 77-100656

MIC:jrs

1

[redacted] [redacted] advised that he has known the applicant both socially and professionally for about 2 years. [redacted] described the applicant as a very able person, a former professor, who handles himself well both socially and professionally. The applicant is articulate, well mannered, and well groomed. [redacted] considers the applicant's character, associates, morals and loyalty to be excellent and highly recommends the applicant for a position of trust and responsibility with the government.

b6
b7C

[redacted] advised that the applicant is the most capable individual he has met since coming to Washington, D.C. [redacted] stated that the applicant is an outstanding lawyer, very loyal to the country. [redacted] also knows the applicant socially and described the applicant's family as very strong with a great deal of mutual respect. [redacted] knows of no derogatory information concerning the applicant, to the contrary he has never heard anything but the highest accolades. [redacted] gives the applicant his highest recommendation.

b6
b7C

WFO 77-100658

MIC:jrs

1

Office of Telecommunications Policy (OTP)
1800 G Street, N.W., Washington, D.C.

The following investigation was conducted by
SA [] on June 27 and 28, 1974 at OTP.

[] advised he has known the applicant both professionally and socially for about 4 years. [] advised that as he gets to know the applicant better his respect for the applicant's abilities continues to grow. [] stated that the applicant is a very solid citizen, husband, and father. His character, associates and morals are above reproach. [] highly recommends the applicant for a position of trust and responsibility with the U.S. Government.

b6
b7C

[] advised that [] was on leave in Europe and scheduled to return to work on July 1, 1974. He also stated that [] is also on leave and also scheduled to return to work on July 1, 1974.

[], [] advised that he worked with the applicant for about 2 years while the applicant was General Counsel at OTP. [] stated that he has had no contact with the applicant since his departure from OTP. [] advised that he thinks very highly of the applicant's abilities, character, associates, morals and loyalty. He definitely recommends the applicant for continued employment in a position of trust and responsibility with the U.S. Government.

b6
b7C

[], [], advised that the applicant interviewed [] concerning [] present position at OTP but when [] came to work the applicant had already gone to the Administrative Conference of the United States. [] stated that [] could make no further comments concerning the applicant.

WFO 77-100650

MIC:jrs

1

Bar Review Incorporated of Virginia (BRI)
1346 Connecticut Avenue, N.W., Washington, D.C.

On June 28, 1974, [] [] BRI, advised SA [] that the applicant is carried on the rolls as a professor. [] stated that the applicant has not taught at BRI since the fall semester 1973 because the course he was teaching has been dropped by BRI. [] stated that she does not foresee the applicant doing any lecturing in the near future at BRI.

b6
b7C

On June 28, 1974, Professor [] [] advised that the comments he made concerning the applicant two years ago were still valid. Professor [] stated that his respect for the applicant has grown as a result of additional associations during the last two years and he feels the applicant is well qualified to handle a position of trust and responsibility with the Government.

WFO 77-100656

MIC:jrs

1

REFERENCES

Numerous and repeated attempts were made to contact [redacted] at his campus room and office without success. It is to be noted that the University is presently on summer vacation with most of the faculty on leave.

b6
b7c

SA [redacted] was advised by [redacted] that he has known the applicant for about 10 years. [redacted] recruited the applicant from Harvard Law School to work for [redacted]. They practiced law together for about 4 years. [redacted] has the highest respect for the applicant's character, associates, morals and loyalty. They have had only very infrequent contact during the last 6 years. [redacted] stated that he knows of no one he would rather recommend for a position of trust and responsibility with the U.S. Government.

WFO 77-100656

RTT:dah

1

Virginia Senators

On June 27, 1974, Senator HARRY F. BYRD, JR., and Senator WILLIAM L. SCOTT each advised SA [REDACTED], they have no personal knowledge of the applicant, ANTONIN GREGORY SCALIA, and are each unable to furnish any comment concerning him.

b6
b7C

WFO 77-100650

MIC:jrs

1

MISCELLANEOUS

On June 28, 1974, SA caused a search to be made of the files of the U.S. Secret Service, Department of the Treasury and was advised that no record was found concerning the applicant.

b6
b7c

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

TELETYPE

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
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Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

NR003 CG PLAIN
1225PM URGENT 6/28/74 EMM
TO DIRECTOR
FROM CHICAGO (77-20652) (P) 1P

ANTONIN GREGORY SCALIA, DAPLI, SPECIAL CANDIDATE,
OFFICE OF DEPUTY ATTORNEY GENERAL.

RE BUREAU PHONE CALL, JUNE 28, 1974.

APPLICANT CURRENT MEMBER AMERICAN BAR ASSOCIATION.

NO UNFAVORABLE INFORMATION WITH NATIONAL CONFERENCE OF
BAR EXAMINERS. /REPORT FOLLOWS.

END

MSY FBI HQ

77-131275-29

NOT RECORDED

AUG 21 1974

ENCLOSURE

344
30 SEP 6 1974

in Bureau
9/10/74



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

June 28, 1974

ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL

APPLICANT CURRENT MEMBER AMERICAN BAR ASSOCIATION.
NO UNFAVORABLE INFORMATION WITH NATIONAL CONFERENCE OF
BAR EXAMINERS.

WMO:RJM
(3)

one cc Deputy A.G.

JUN 28 1974

TREAT AS

BLACKED YELLOW

77-131275-51
ENCLOSURE

gwm

airtel

June 28, 1974

To: SAC, Richmond

From: Director, FBI (77-131275)

0
ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL
BUDED: 6/28/74

This will confirm Bucal 6/27/74.

You are requested to interview following two personal references of applicant. It is noted that these individuals were interviewed previously during Special Inquiry investigation of applicant in 1972. In this regard, see your file 161-1287.

References are

[redacted]
[redacted] and [redacted] at the University of Virginia Law School in Charlottesville, who resides at [redacted]

As indicated in reBucal, submit urgent teletype on 6/28/74 containing results of interviews and follow promptly by report.

77-131275-30

NOT RECORDED

5 AUG 21 1974

WMG:pjm
(4)

Return to [redacted] Room 1250.

MAILED 9

JUN 28 1974

-FBI

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Assoc. Dir. _____
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Telephone Rm. _____
Director Sec'y _____

34 DEC 6 1974
MAIL ROOM ☒

TELETYPE UNIT ☐

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUN 28 1974

TELETYPE

Assoc. Dir.	_____
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Dep.-A.D.-Inv.	_____
Asst. Dir.:	
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Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

NR002 RH PLAIN

12:50 PM URGENT JUNE 28, 1974 EJM

TO DIRECTOR FBI
FROM RICHMOND (77-13017) P 3P

ANTONIN GREGORY SCALIA, DAPLI

REBUTEL CAL TO RICHMOND, JUNE 27, 1974.

[REDACTED] UNIVERSITY OF VIRGINIA
(UVA), CHARLOTTESVILLE, VA., ADVISED ON JUNE 28, 1974, THAT HE
HAS HAD SOME DEALING WITH SCALIA CONCERNING HIS FACULTY STATUS
DURING THE PAST TWO YEARS, ALTHOUGH SCALIA DID NOT TEACH AT THE
LAW SCHOOL DURING THAT PERIOD.

[REDACTED] ADVISED THAT BASED ON HIS ASSOCIATION DURING THE
PERIOD SCALIA WAS ON THE FACULTY AND HIS SUBSEQUENT CONTACTS
WITH SCALIA, HE WOULD CONSIDER HIM TO BE A PERSON OF THE
HIGHEST INTEGRITY, THOROUGHLY CONSCIENTIOUS AND RELIABLE,
AND HE HAD ABSOLUTELY NO QUESTION CONCERNING HIS LOYALTY TO
THE UNITED STATES.

END PAGE ONE

NOT RECORDED

5 AUG 21 1974

344 / ENCLOSURE
30 SEP 6 1974

77-1312-75-31

1 cc destroyed
6-28-74 JPM

9 WMY

b6
b7c

RH 77-13017

PAGE TWO

[REDACTED] ADVISED HE WOULD RECOMMEND SCALIA WITHOUT RESERVATION FOR A POSITION OF TRUST AND CONFIDENCE WITH THE GOVERNMENT.

b6
b7C

[REDACTED] UVA LAW SCHOOL, ADVISED ON JUNE 28, 1974, THAT HE HAS HAD ONLY OCCASIONAL CONTACT WITH SCALIA DURING THE PAST TWO YEARS. [REDACTED] STATED THAT BASED ON HIS PREVIOUS ASSOCIATION ON THE FACULTY, HE WOULD CONSIDER SCALIA TO BE HIGHLY INTELLIGENT AND CAPABLE, THOROUGHLY HONEST AND DEPENDABLE, AND HE WOULD RECOMMEND HIM FOR ANY POSITION OF TRUST AND CONFIDENCE WITH THE GOVERNMENT.

ON JUNE 27, 1974, [REDACTED]

b6
b7C

[REDACTED] ADVISED HE FIRST BECAME ACQUAINTED WITH SCALIA APPROXIMATELY SEVEN YEARS AGO THROUGH THE UVA LAW SCHOOL.

[REDACTED] HAS HAD VERY LIMITED CONTACT WITH SCALIA SINCE 1972; HOWEVER, HE STILL CONSIDERS HIM TO BE A PERSON OF EXCELLENT CHARACTER AND ASSOCIATES AND COMPLETELY LOYAL TO
END PAGE TWO

RH 77-13017

PAGE THREE

THE UNITED STATES. [REDACTED] HAS KNOWN SCALIA BOTH SOCIALLY AND PROFESSIONALLY AND DESCRIBED HIM AS AN EXTREMELY CAPABLE, DEPENDABLE PERSON. [REDACTED] KNOWS NOTHING OF A DEROGATORY NATURE CONCERNING SCALIA AND HIGHLY RECOMMENDS HIM FOR A POSITION OF TRUST WITH THE UNITED STATES GOVERNMENT.

ADMINISTRATIVE

[REDACTED] UVA LAW SCHOOL, IS PRESENTLY TRAVELING WITH NO FIXED ADDRESS UNTIL MID-JULY.

END

CLR FBIHQ VFR

b6
b7c



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

June 23, 1974

ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL

[REDACTED] UNIVERSITY OF VIRGINIA (UVA), CHARLOTTESVILLE, VA., ADVISED ON JUNE 26, 1974, THAT HE HAS HAD SOME DEALING WITH SCALIA CONCERNING HIS FACULTY STATUS DURING THE PAST TWO YEARS, ALTHOUGH SCALIA DID NOT TEACH AT THE LAW SCHOOL DURING THAT PERIOD.

b6
b7C

[REDACTED] ADVISED THAT BASED ON HIS ASSOCIATION DURING THE PERIOD SCALIA WAS ON THE FACULTY AND HIS SUBSEQUENT CONTACTS WITH SCALIA, HE WOULD CONSIDER HIM TO BE A PERSON OF THE HIGHEST INTEGRITY, THOROUGHLY CONSCIENTIOUS AND RELIABLE, AND HE HAD ABSOLUTELY NO QUESTION CONCERNING HIS LOYALTY TO THE UNITED STATES.

[REDACTED] ADVISED HE WOULD RECOMMEND SCALIA WITHOUT RESERVATION FOR A POSITION OF TRUST AND CONFIDENCE WITH THE GOVERNMENT.

[REDACTED] UVA LAW SCHOOL, ADVISED ON JUNE 28, 1974, THAT HE HAS HAD ONLY OCCASIONAL CONTACT WITH SCALIA DURING THE PAST TWO YEARS. [REDACTED] STATED THAT BASED ON HIS PREVIOUS ASSOCIATION ON THE FACULTY, HE WOULD CONSIDER SCALIA TO BE HIGHLY INTELLIGENT AND CAPABLE, THOROUGHLY HONEST AND DEPENDABLE, AND HE WOULD RECOMMEND HIM FOR ANY POSITION OF TRUST AND CONFIDENCE WITH THE GOVERNMENT.

b6
b7C

ENCLOSURE

BLOCKED YELLOW

(3)

orig to
DAG
clerk
WMC: pjm
77-131275-31

Antonin Gregory Scalia

ON JUNE 27, 1974, [REDACTED]

b6
b7C

[REDACTED]
[REDACTED]
[REDACTED] ADVISED HE FIRST BECAME ACQUAINTED WITH SCALIA APPROXIMATELY SEVEN YEARS AGO THROUGH THE UVA LAW SCHOOL.

[REDACTED] HAS HAD VERY LIMITED CONTACT WITH SCALIA SINCE 1972; HOWEVER, HE STILL CONSIDERS HIM TO BE A PERSON OF EXCELLENT CHARACTER AND ASSOCIATES AND COMPLETELY LOYAL TO THE UNITED STATES. [REDACTED] HAS KNOWN SCALIA BOTH SOCIALLY AND PROFESSIONALLY AND DESCRIBED HIM AS AN EXTREMELY CAPABLE, DEPENDABLE PERSON. [REDACTED] KNOWS NOTHING OF A DEROGATORY NATURE CONCERNING SCALIA AND HIGHLY RECOMMENDS HIM FOR A POSITION OF TRUST WITH THE UNITED STATES GOVERNMENT.

PAGE TWO

DE 77-9812

THREE YEARS ON A PROFESSIONAL BASIS. COUNCIL MEETS APPROXIMATELY
THREE OR FOUR TIMES EACH YEAR FOR A PERIOD OF ONE TO TWO DAYS
AND EXTENSIVE TELEPHONIC AND WRITTEN COMMUNICATION IS
CONDUCTED BETWEEN THE APPLICANT AND [REDACTED] ON AN
ANNUAL BASIS. [REDACTED] STATED THAT THE APPLICANT IS A
TEMPERATE MAN, HAS EXCELLENT HABITS AND ASSOCIATES AND IS
AN EXCELLENT ADMINISTRATOR. HE ADVISED THE APPLICANT IS
AN ATTORNEY AND LAW TEACHER. HE ADVISED THAT THE APPLICANT'S
ADMINISTRATIVE ABILITY AND KNOWLEDGE OF THE LAW IS OUTSTANDING.

[REDACTED] HIGHLY RECOMMENDED THE APPLICANT FOR A POSITION OF
TRUST AND CONFIDENCE WITH THE FEDERAL GOVERNMENT.

REPORT WILL FOLLOW.

END

DKS FBIHQ CLR

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

June 28, 1974

ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL

ON JUNE 28, 1974, [REDACTED]

b6
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[REDACTED] ADVISED

THAT [REDACTED] THE COUNCIL OF THE ADMINISTRATIVE
CONFERENCE OF THE U.S. OF WHICH THE APPLICANT IS THE
CHAIRMAN. [REDACTED] HAS KNOWN THE APPLICANT APPROXIMATELY
THREE YEARS ON A PROFESSIONAL BASIS. COUNCIL MEETS APPROXIMATELY
THREE OR FOUR TIMES EACH YEAR FOR A PERIOD OF ONE TO TWO DAYS
AND EXTENSIVE TELEPHONIC AND WRITTEN COMMUNICATION IS
CONDUCTED BETWEEN THE APPLICANT AND [REDACTED] ON AN
ANNUAL BASIS. [REDACTED] STATED THAT THE APPLICANT IS A
TEMPERATE MAN, HAS EXCELLENT HABITS AND ASSOCIATES AND IS
AN EXCELLENT ADMINISTRATOR. HE ADVISED THE APPLICANT IS
AN ATTORNEY AND LAW TEACHER. HE ADVISED THAT THE APPLICANT'S
ADMINISTRATIVE ABILITY AND KNOWLEDGE OF THE LAW IS OUTSTANDING.

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[REDACTED] HIGHLY RECOMMENDED THE APPLICANT FOR A POSITION OF
TRUST AND CONFIDENCE WITH THE FEDERAL GOVERNMENT.

TREAT AS

BLOCKED YELLOW

ENCLOSURE

77-131275-32

9/10/74

WMB: PJM PHM
(3)

may 15
7/15/74
6/28/74
WMB

airtel

June 28, 1974

To: SAC, Detroit

From: Director, FBI (77-131275)

ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL
BUDED: 6/28/74

This will confirm Bucal of 6/27/74.

You are requested to interview [redacted]

[redacted] re his knowledge of applicant from professional association. Applicant is Chairman of Administrative Conference of the United States and [redacted]

Submit urgent teletype to Bureau 6/28/74 to be followed promptly by report.

b6
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77-131275-33

NOT RECORDED

5 AUG 21 1974

Return to [redacted] Room 1250.

b6
b7C

MAILED 9

JUN 28 1974

FBI

WMG:pjm
(4)

6 1974

MAIL-ROOM ☒

TELETYPE UNIT ☐

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

June 28, 1974

ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL

ON JUNE 27, 1974, [REDACTED]

[REDACTED] ADVISED HAS KNOWN APPLICANT 25 YEARS. DESCRIBED EXTREMELY HONEST, STRAIGHT FORWARD, FLAWLESS CHARACTER. NO QUESTION ABILITY, STABILITY, CHARACTER, REPUTATION, ASSOCIATES, LOYALTY. APPLICANT'S PARENTS RESIDE TRENTON, NEW JERSEY. NO BROTHERS OR SISTERS. HARMONIOUS RELATIONSHIP WITH [REDACTED]

[REDACTED] ATTENDED HIGH SCHOOL WITH APPLICANT AND SINCE CLOSE FRIENDS. HIGHLY RECOMMENDS.

ON JUNE 27, 1974, INQUIRY SCHOOL OF LAW, COLUMBIA UNIVERSITY, NEW YORK, NEW YORK, REVEALS [REDACTED]

[REDACTED] IN EUROPE UNTIL AUGUST. UPON RETURN, WILL BE [REDACTED]

ON JUNE 28, 1974, [REDACTED]

[REDACTED] ADVISED [REDACTED] OF ADMINISTRATIVE CONFERENCE OF THE UNITED STATES, OF WHICH APPLICANT CHAIRMAN. KNOWN TWO YEARS THROUGH COUNCIL, LIMITED SOCIAL CONTACT THROUGH COUNCIL FUNCTIONS. [REDACTED] DESCRIBED APPLICANT CAPABLE,

WMG:pjm 77-131275-34
(3) REAT AS
ENCLOSURE BLOCKED YELLOW

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one cc Deputy A.G.

JUN 28 1974

Antonin Gregory Scalia

HONEST, LEGALLY TALENTED, VERY HIGHLY THOUGHT OF, HAS SENSE OF
POLITICAL REALISM, ADMINISTRATIVELY EFFECTIVE, FIGHTS FOR WHAT
HE BELIEVES IN, VERY SOBER MINDED AND BUSINESS LIKE, NO QUES-
TION CHARACTER, REPUTATION, ASSOCIATES OR LOYALTY. RECOMMENDS.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE WASHINGTON FIELD	OFFICE OF ORIGIN BUREAU	DATE 7/1/74	INVESTIGATIVE PERIOD 6/28/74 - 7/1/74
TITLE OF CASE ANTONIN GREGORY SCALIA This report does not complete the investigation. You will be furnished with additional information when it is received.		REPORT MADE BY SA [REDACTED]	TYPED BY jrs
		CHARACTER OF CASE DAPLI	

b6
b7C

REFERENCE: Report of SA [REDACTED] dated 6/28/74.

- RUC -

APPROVED

COPIES MA

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

b6
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3-Bureau (77-151275)
1-WFO (77-100656)

77-151275-35

NOT RECORDED

5 AUG 21 1974

DISSEMINATION RECORD OF ATTACHED REPORT

NOTATIONS

AGENCY

REQUEST RECD.

DATE FWD.

HOW FWD.

BY

JUL 2 1974

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED]
Date: July 1, 1974

Office: Washington, D.C.

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b7C

Field Office File #: 77-100656

Bureau File #: 77-131275

Title: ANTONIN GREGORY SCALIA

Character: DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL

Synopsis:

Former associates OTP recommend. ACUS associates recommend.
Reference [REDACTED] recommends.b6
b7C

_ RUC _

DETAILS: AT WASHINGTON, D.C.

WFO 77-100656

MIC:jrs

1

Office of Telecommunications Policy (OTP)

On July 1, 1974, SA [] was advised by [] OTP, that he has known the applicant for about 3 years. [] stated he knows nothing adverse concerning the applicant and has no reason to suspect the applicant's character, associates, morals, or loyalty. [] does not know the applicant socially. [] advised that while employed at OTP the applicant did a good job, nothing really outstanding but nothing really wrong either. He recommends the applicant for a position of trust and responsibility with the Government.

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[] advised [] [] was on two weeks leave and was not available for any comments concerning the applicant.

Administrative Conference of the U.S. (ACUS)
2120 L Street, N.W., Washington, D.C.

On July 1, 1974, SA [] interviewed the following [] of the ACUS.

[] advised that he has known the applicant for about 2 years. He knows no derogatory information concerning the applicant's character, associates, morals, or loyalty. He stated that the applicant is highly respected professionally and would appear to be well suited for a position of trust and responsibility within the Justice Department. [] highly recommends the applicant for such a position.

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[] advised he has known the applicant for 2 years. He stated that the applicant has held positions of trust and responsibility in the U.S. Government for at least 3 years without the slightest taint of scandal or impropriety and that the applicant's record is his own best recommendation. [] stated that he knows of absolutely nothing that could possibly discredit the applicant and he has no reservations concerning the applicant's ability or performance in a sensitive Government position.

WFO & 77-100656

MIC:jrs

1

[redacted] advised he has worked with the applicant for about 2 years on the Council, ACUS, and somewhat longer through contacts at the Office of Telecommunications Policy. [redacted] stated that he knows of nothing that could be considered the least bit detrimental concerning the applicant either socially or professionally. [redacted] stated that the applicant is highly regarded both in Government and also in the academic world. [redacted] recommends the applicant without reservation for continued employment in a position of trust and responsibility with the Government.

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WFO 77-100656

WSM:lm

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[redacted]
[redacted]
[redacted] Georgetown

University, a reference, advised SA [redacted] on July 1, 1974, that he has known ANTONIN G. SCALIA since he was a college student in the 1950's. The applicant participated in the first group of Georgetown students who spent their Junior year abroad at the University of Friborg in Switzerland. He graduated in 1957 Summa Cum Laude. He continued his education at Harvard Law School where he ranked either first or second almost all the time he was in law school, and won a fairly coveted prize when he graduated from the law school. [redacted] was very close to the applicant while a student, as the year abroad involved a small group of students and he was with them [redacted]

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[redacted] has kept in touch over the years, [redacted] and that they have several [redacted] and he holds the applicant [redacted] in high regard. Not only is the applicant a very brilliant individual, but he is a man of sound character and he has no question as to his reputation, associates, or loyalty. He highly recommended the applicant for continued access to classified information in the government service.


FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE Springfield	OFFICE OF ORIGIN Bureau	DATE 7/1/74	INVESTIGATIVE PERIOD 6/28/74
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY SA 	TYPED BY blw
SUPPLEMENTAL REPORT		CHARACTER OF CASE DEPARTMENTAL APPLICANT SPECIAL CANDIDATE OFFICE OF THE DEPUTY ATTORNEY GENERAL	

b6
b7cREFERENCE:

Bureau telephone call to Springfield 6/27/74.

- RUC -

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED						DO NOT WRITE IN SPACES BELOW	
COPIES MADE: ② - Bureau 1 - Springfield (161-603)						<div style="text-align: center;"> 72-131275-36 NOT RECORDED RECEIVED JUL 3 15 40 PM '74 FBI </div>	
Dissemination Record of Attached Report						Notations	
Agency						<div style="text-align: center;">  </div>	
Request Recd.	one to Deputy A.G.						
Date Fwd.	JUL 3 1974						
How Fwd.	300						
By							

20 SEP 6 1974

A*
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [redacted] Office: Springfield
Date: July 1, 1974
Field Office File #: SI 161-603 Bureau File #:
Title: ANTONIN GREGORY SCALIA

b6
b7C

Character: DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL

Synopsis:

[redacted] interviewed and highly recommends applicant.

- RUC -

DETAILS:

On June 28, 1974, [redacted]

[redacted] advised that he has known applicant since 1953. [redacted] stated that he met applicant while they were in college together and they were very close friends during their college years, but [redacted] stated he has seen SCALIA only occasionally during the last five years. [redacted] indicated applicant's character, loyalty and reputation are of the highest caliber and further stated that the applicant is one of the most honest and sincere individuals he has ever known.

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[redacted] advised that although he has known applicant's [redacted] only slightly, [redacted]

[redacted] He advised that he does not know any of SCALIA's current associates but did indicate that applicant associated with a good crowd in college.

[redacted] stated that he would not hesitate to highly recommend SCALIA for a position of trust with the United States Government.

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE CLEVELAND	OFFICE OF ORIGIN BUREAU	DATE 7/1/74	INVESTIGATIVE PERIOD 6/27/74
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY SA 	TYPED BY ms
SUPPLEMENTAL REPORT		CHARACTER OF CASE DAPLI SPECIAL CANDIDATE OFFICE OF THE DEPUTY ATTORNEY GENERAL	

b6
b7cREFERENCES

Cleveland teletype to the Bureau, 6/27/74.
Bureau airtel to Cleveland, 6/27/74.

- RUC -

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED					SPECIAL AGENT IN CHARGE		
COPIES MADE:					DO NOT WRITE IN SPACES BELOW		
3 - Bureau (77-131275)					<div style="border: 1px solid black; padding: 5px; display: inline-block;"> NOT RECORDED JUL 5 1974 </div>		
1 - Cleveland (77-7464)							
1 cc to AAG T.C. 82							
Dissemination Record of Attached Report							
Agency		one to Deputy A.G.			Notations Spec. Inq.		
Request Recd.							
Date Fwd.		JUL 8 1974					
How Fwd.							
By							

70 SEP 6 1974

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COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: SUPPLEMENTAL REPORT

Report of:

SA [REDACTED]

Office: Cleveland

Date:

7/1/74

b6

b7C

Field Office File #:

77-7464

Bureau File #: 77-131275

Title:

ANTONIN GREGORY SCALIA

Character:

DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL

Synopsis:

Applicant dropped as non-resident member, Bar Association of Greater Cleveland, Cleveland, Ohio, 2/1/74, for non-payment of dues. No grievances or derogatory information on applicant in files of above Association.

- RUC -

DETAILS:

BAR ASSOCIATION

On June 27, 1974, [REDACTED]

[REDACTED] made available the following information from the records of the Association:

ANTONIN GREGORY SCALIA, 1003 Dalebrook Road, Alexandria, Virginia, was a non-resident member of the Association in good standing during the calendar years 1972 and 1973. At the beginning of 1974 the Association adopted a rule that all non-resident members would henceforth have to pay dues to the Association in the same amount as resident members. SCALIA, along with many other non-resident members, failed to pay these dues for the year 1974,

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CV 77-7464

and was dropped from membership in the Association effective February 1, 1974, solely for that reason.

Nothing of an unfavorable or derogatory nature concerning SCALIA appears in the records of the Association, and no grievances involving SCALIA have ever been filed with the Association.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE CHICAGO	OFFICE OF ORIGIN BUREAU	DATE 7/1/74	INVESTIGATIVE PERIOD 6/28/74
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY SA 	TYPED BY jaz
<p>This report does not complete the investigation. You will be furnished with additional information when it is received.</p>		CHARACTER OF CASE DEPARTMENTAL APPLICANT SPECIAL CANDIDATE OFFICE OF DEPUTY ATTORNEY GENERAL	

b6
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REFERENCE: Chicago teletype to Bureau dated 6/28/74.

- RUC -

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED <i>[Signature]</i>					SPECIAL AGENT IN CHARGE		
COPIES MADE: ③ - Bureau (AM) ① - Chicago (77-20652)					DO NOT WRITE IN SPACES BELOW		
					77-131275-38		
					NOT RECORDED 14 JUL 1 1974		
Dissemination Record of Attached Report					Notations		
Agency					<i>[Handwritten Notations]</i>		
Request Recd.							
Date Fwd.							
How Fwd.							
By							

- A* -
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

SA [REDACTED]

Office: CHICAGO

b6

Date:

7/1/74

b7C

Field Office File #:

77-20652

Bureau File #:

Title:

ANTONIN GREGORY SCALIA

Character:

DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF DEPUTY ATTORNEY GENERAL

Synopsis:

Applicant current member American Bar Association.
No unfavorable information with National Conference
of Bar Examiners.

- RUC -

CG 77-20652

WJB/jaz

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DETAILS:

American Bar Association (ABA)
1155 East 60th Street
Chicago, Illinois

On June 28, 1974, [redacted]
[redacted] advised applicant has been an ABA member
since 1972.

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National Conference of Bar Examiners
333 North Michigan Avenue
Chicago, Illinois

On June 28, 1974, [redacted]
advised her files contained no listed grievances
or any unfavorable information regarding applicant.

THIS REPORT COMPLETES THE INVESTIGATION.

July 3, 1974

ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL

Special Agent [redacted] at Alexandria,
Virginia, [redacted]

[redacted] and was advised on July 3,
1974, that [redacted]

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77-131275-39

NOT RECORDED

6 AUG 23 1974

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

RLB:pjm
(4)

one cc Deputy A.G.

JUL 3 1974

SEP 6 1974

MAIL ROOM ☐

TELETYPE UNIT ☐

gimv

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEWARK	OFFICE OF ORIGIN BUREAU	DATE 7/1/74	INVESTIGATIVE PERIOD 5/27/74
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY SA [REDACTED]	TYPED BY TC
		CHARACTER OF CASE DAPLI SPECIAL CANDIDATE OFFICE OF DEPUTY ATTORNEY GENERAL	

b6
b7c

REFERENCE: Bureau telephone call to Newark, 6/27/74.
Newark teletype to Bureau, 6/27/74.

-RUC-

ACCOMPLISHMENTS CLAIMED				<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO	
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED <i>[Signature]</i>					SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE						77-131275-40 NOT RECORDED 6 JUL 2 1974	
3-Bureau 1-Newark (77-13510)						<i>[Signature]</i>	
Dissemination Record of Attached Report					Notations		
Agency							
Request Recd.							
Date fwd.							
How Fwd.							
By							

A*
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

SA [REDACTED]

Office: Newark, New Jersey

b6

Date:

July 1, 1974

b7C

Field Office File #:

77-13510

Bureau File #:

Title:

ANTONIN GREGORY SCALIA

Character:

DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE, OFFICE OF DEPUTY
ATTORNEY GENERAL

Synopsis:

Applicant's parent's current residence in Trenton, NJ, verified and they have an excellent reputation. No arrest record for applicant's parents.

-RUC-

DETAILS:RELATIVES:

Applicant's parents, Mr. and Mrs. SAMUEL EUGENE SCALIA, presently reside at 44 Wilburtha Road, Trenton, New Jersey, as verified through neighborhood contact. [REDACTED]

[REDACTED] advised on June 27, 1974, that the SCALIAs are an elderly quiet couple, of excellent reputation in neighborhood and community.

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[REDACTED] stated on June 27, 1974, that the SCALIAs are wonderful neighbors with high regard in the community.

[REDACTED] advised on June 27, 1974, that Mr. and Mrs. SCALIA are excellent neighbors who are well respected throughout the neighborhood.

The above neighbors agree that the SCALIAs are dedicated, loyal Americans.

ARREST:

On June 27, 1974, [REDACTED] Trenton,

NK 77-13510

New Jersey, Police Department (NJPD), Central Records, advised his files did not reflect the names of SAMUEL EUGENE SCALIA or CATHERINE SCALIA or variations of those names.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE SAVANNAH	OFFICE OF ORIGIN BUREAU	DATE 7/2/74	INVESTIGATIVE PERIOD 6/28/74
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY SA 	TYPED BY mbh
		CHARACTER OF CASE DAPLI SPECIAL CANDIDATE OFFICE OF ATTORNEY GENERAL	

b6
b7c

REFERENCE: Savannah teletype to the Bureau 6/28/74.

- RUC -

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED <i>[Signature]</i>					SPECIAL AGENT IN CHARGE		
COPIES MADE: 3 - Bureau					DO NOT WRITE IN SPACES BELOW 77-131275-41 NOT RECORDED 5 JUL 8 1974		
Dissemination Record of Attached Report					Notations		
Agency					<i>[Handwritten notes and stamps]</i>		
Request Recd.							
Date Fwd.							
How Fwd.							
By							

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COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

SA [REDACTED]

Office:

SAVANNAH

b6

Date:

7/2/74

b7C

Field Office File #:

77-3886

Bureau File #:

Title:

ANTONIN GREGORY SCALIA

Character:

DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF ATTORNEY GENERAL

Synopsis:

[REDACTED]
[REDACTED]
[REDACTED] was interviewed
at [REDACTED], and recommended applicant highly.

- RUC -

DETAILS: AT [REDACTED]

On June 28, 1974, [REDACTED]
[REDACTED]
[REDACTED]

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[REDACTED] advised SCALIA is an extremely competent individual and would make an excellent addition to any government agency.

1

SV 77-3886

[] stated SCALIA is loyal, honest, trustworthy, of excellent character, habits, reputation, and associates. [] advised he knows of no derogatory information concerning SCALIA and stated he would definitely recommend him for a position with the United States Government. He stated SCALIA has the correct temperament for a position of trust and confidence and would be a credit to the United States Government.

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[] stated SCALIA is very intelligent, and finished at the top of his graduating class at Harvard University and has served as Chairman of the Administrative Conference of the United States with extreme efficiency.

[] stated SCALIA is a member of the faculty at the University of Virginia, and they have given him an ultimatum to return to the university or lose his tenure. [] advised he feels that SCALIA, if offered a position with the government, would accept.

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b7C

[] restated that SCALIA is an excellent attorney and he would highly recommend him.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE ALEXANDRIA	OFFICE OF ORIGIN BUREAU	DATE 7/3/74	INVESTIGATIVE PERIOD 7/3/74
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY SA 	TYPED BY pll
		CHARACTER OF CASE DAPLI SPECIAL CANDIDATE OFFICE OF THE DEPUTY ATTORNEY GENERAL	

b6
b7C

REFERENCE: Bureau airtel to Alexandria dated 6/28/74.

- RUC -

*R.H. Hunt 8/1/74
on 7-3-74
page 1 of 1
Dissemination
Required
Ref*

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			

APPROVED

RbK
RSPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

③ - Bureau (77-131275)
1 - Alexandria (77-3866)

77-131275-42

NOT RECORDED

17 JUL 8 1974

Dissemination Record of Attached Report

Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By	70 SEP 6 1974			

Notations

R.H. Hunt

A*

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED] Office: Alexandria, Virginia
Date: July 3, 1974
Field Office File #: 77-3866 Bureau File #: 77-131275
Title: ANTONIN GREGORY SCALIA

b6
b7C

Character: DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL

Synopsis

[REDACTED]

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- RUC -

DETAILS:

SA [REDACTED]

[REDACTED] McLean,
Virginia, and was advised on July 3, 1974, that [REDACTED]

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- 1* -

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ☒
Dep. AD Adm. ☐
Dep. AD Inv. ☐
Asst. Dir.:
Admin. ☐
Comp. Syst. ☐
Ext. Affairs ☐
Files & Com. ☐
Gen. Inv. ☐
Ident. ☐
Inspection ☐
Intell. ☐
Laboratory ☐
Plan. & Eval. ☐
Inv. ☐

TO :

DATE: 7/11/74

FROM :

SUBJECT:

ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
SPECIAL CANDIDATE
OFFICE OF THE DEPUTY ATTORNEY GENERAL

This is to advise that we have completed the investigation of Scalia and have furnished the results to the Office of the Deputy Attorney General. [redacted]

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[redacted] has recently advised that Scalia is slated for nomination to the post of Assistant Attorney General, Office of Legal Counsel.

Scalia, aged 33, was graduated from Harvard Law School in 1960 and also took postgraduate law courses there until 1961. He practiced law in Cleveland for several years, taught at the University of Virginia Law School, and has served in various capacities with the U. S. Government since 1971. In 1972 he received a Presidential appointment as Chairman, Administrative Conference of the United States, which position he presently occupies.

Our Special Inquiry investigation of him in 1972 was favorable as were our most recent inquiries in connection with captioned position. He is highly regarded professionally and all knowledgeable sources contacted feel he is an outstanding attorney.

Mr. Scalia has been residing in Alexandria, Virginia, for the last several years. U. S. Senators, Barry F. Byrd, Jr., and William L. Scott, advised they have no personal knowledge of him.

ACTION:

For information.

77-131275-4/3

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NOT RECORDED

5 AUG 21 1974

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70 SEP 6 1975

q-wm

Department of Justice
Washington, D.C. 20530

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Int. Aff.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

August 29, 1974

Honorable Clarence M. Kelley
Director, Federal Bureau of Investigation
Department of Justice
Washington, D. C.

Dear Mr. Kelley:

Many thanks for your kind note of welcome to the Department. I know that OLC and the Bureau have to work in the closest cooperation on quite a few thorny problems. I hope I can contribute to a spirit of shared enterprise, and look forward to a pleasant association.

Sincerely,

Antonin Scalia

Antonin Scalia

Assistant Attorney General SEP 6 1974
Office of Legal Counsel

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SEP 11 1974

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11/28/74

1 -
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1 -

**INDOCTRINATION OF NON-FBI PERSONNEL
FOR ACCESS TO COMMUNICATIONS INTELLIGENCE (COMINT)**

In view of their need for access to Special Intelligence (communications intelligence) and at the specific request of the Attorney General, the below-listed employees of the Department of Justice were, on the dates indicated, indoctrinated by [redacted] for such access.

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In accordance with the provisions of the Director of Central Intelligence Directive (DCID) 6/3, they were apprised of the unique nature of COMINT, its unusual sensitivity, the special security regulations for its handling, storage and dissemination; and each was required to execute the appropriate oath, which is attached.

William B. Saxbe,
Attorney General
Born 6/24/18
Mechanicsburg, Ohio
Social Security No. 269-16-5586
Indoctrinated 11/4/74

Enclosures (9)
62-110117
WJM:tsp (8)

CONTINUED - OVER

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b7C

11-131275-45

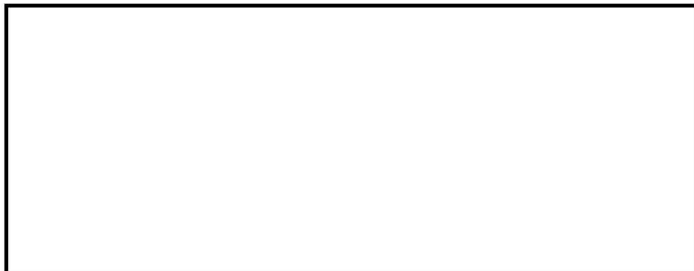
NOT RECORDED

2 - 11/28/74

Memorandum to [REDACTED]
RE: INDOCTRINATION OF NON-FBI PERSONNEL
FOR ACCESS TO COMMUNICATIONS INTELLIGENCE (COMINT)
62-110117

b6
b7C

0
Antonin Scalia, Assistant
Attorney General,
Office of Legal Counsel
Born 3/11/36
Trenton, New Jersey
Social Security No. 111-28-1120
Indoctrinated 11/7/74



All of the above individuals have been the subject of Bureau background investigations within the past five years and no information was indicated therein which would preclude their access to COMINT on a need-to-know basis in accordance with the requirements of DCIB 6/3.

ACTION:

For information and record purposes.

EXTRA YELLOWS:

1 - 161-9923 (SAXRE)

1 -

1 -

1 -

1 -

1 - 77-131275 (SCALIA)

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MEMORANDUM

THE WHITE HOUSE
Washington
May 5, 1975

TO: FBI

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b7C

FROM: JANE DANNENHAUER

SUBJECT: FBI INVESTIGATIONS

Subject's Name Antonin Scalia

Date of Birth 3/11/36 Place of Birth Trenton, New Jersey

Present Address: _____

We request: X Copy of Previous Report

 Name Check

 Full Field Investigation

The person named above is being considered for:

 X White House Staff Position

 Presidential Appointment

Attachments:

 SF 86 (in duplicate)

 SF 87, Fingerprint Card

 - Biography

Remarks:

77-131275-16
ENCLOSURE

September 17, 1975

Honorable Antonin Scalia
Assistant Attorney General
Office of Legal Counsel
Department of Justice
Washington, D. C.

Dear Mr. Scalia:

I would be honored to have you attend the dedication ceremony of the J. Edgar Hoover F.B.I. Building on Tuesday, September 30th, at 10:45 a.m. Inclosed is a ticket for your use.

It is suggested that you enter the Building at the center entrance on Pennsylvania Avenue where you will be met and escorted to your reserved seat. If you will be unable to attend, please have your secretary let us know by calling 324-5799.

I am looking forward to having you with us to celebrate this occasion.

Sincerely,

Enclosure

Clarence

1 -

Attention:

awt:bak (4)

LK

REC-30

77-131015-49
12 OCT 1 1975

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MAILED 6
SEP 17 1975
FBI

Spec. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MAIL ROOM

TELETYPE UNIT

Memorandum



NOTE: FORMER DOJ EMPLOYEE. ASSISTANT AG, OFFICE OF LEGAL COUNSEL, 8/74-1/77.
PREVIOUS INVESTIGATIVE REPORTS DESTROYED.

Subject:

ANTONIN SCALIA

FEDERAL GOVERNMENT

Date:

MARCH 24, 1982

9
DIT

To:

Director
Federal Bureau of Investigations

From:

William R. Robie WRR
Director
Office of Attorney Personnel Management
Office of the Deputy Attorney General
Room 3140 - Main DOJ

SSAN 111-28-1120

DATE OF BIRTH

MARCH 11, 1936

PLACE OF BIRTH

TRENTON, NEW JERSEY

POSITION

CIRCUIT COURT JUDGE

OFFICE OR DIVISION (Location)

DISTRICT OF COLUMBIA

(CHECK ONE)

☐ EMPLOYEE ☒ APPLICANT

TYPE OF POSITION

☒ SENSITIVE ☐ NON-SENSITIVE

ENTERED ON DUTY

TYPE OF APPOINTMENT

☒ Please institute the usual character investigation in this matter and forward copies of the reports to this office.

☐ Please furnish results of Name Check and search of Identification Records prior to completion of investigation.

Standard Forms 86 are attached. Please return the original copy with the final report of this investigation.

☐ Name Check Made

☐ Fingerprint Chart attached

Ident To [redacted] 3.29.82

☐ Please institute a name check of this individual whose Standard Form 171/86 is enclosed. The fingerprint chart is being forwarded to the Identification Building.

POS Code:

77-131275-50

☐ Please discontinue the character investigation in this matter. Standard Form 86 submitted with our request should be returned to this office.

MAR 30 1982

ENCLOSURE

1cc to AAG 5.4.82

1cc 77-131275-42, 41, 40, 38, 37, 36, 35,

1982

28, 25, 24, 21, 10, 9, 8, 7

+6 to AAG 5.4.82

321

1cc 161-8959 to AAG 5.4.82

ANTONIN SCALIA

3-30
109

215Cin-CY-DC

Address:

Permanent: 5725 South Woodlawn Avenue, Chicago, Illinois 60637
1980-81: 1431 Pitman Avenue, Palo Alto, California 94301

Telephone: Home: ~~1980-81-1425~~ 327-6014, Office: ~~1415~~ 497-0318

Born: March 11, 1936, Trenton, New Jersey

Education:

Georgetown University, Washington, D.C., and University of Fribourg, Switzerland
A.B., summa cum laude--1957.

Harvard Law School, Cambridge, Massachusetts--LL.B., magna cum laude--1960.
Note Editor, Harvard Law Review.

Sheldon Fellow, Harvard University--1960-61.

Employment:

UNABLE TO IDENTIFY WITH ARREST RECORD
ON BASIS OF INFORMATION FURNISHED.
FBI IDENTIFICATION DIVISION
MAR 30 1982

✓ 9/80 to Present: Visiting Professor of Law, Stanford University

✓ 8/77 to Present: Professor of Law, University of Chicago

✓ 1/77 to 7/77: Scholar in Residence, American Enterprise Institute;
Visiting Professor of Law, Georgetown University

✓ 8/74 to 1/77: Assistant Attorney General, Office of Legal Counsel, United
States Department of Justice

✓ 9/72 to 8/74: Chairman, Administrative Conference of the United States

3/71 to 9/72: General Counsel, Office of Telecommunications Policy,
Executive Office of the President

1967 to 1974: Professor of Law, University of Virginia Law School, (on
leave 1971-1974)

1961 to 1967: Private practice of law with Jones, Day, Cockley and Reavis,
Cleveland, Ohio

Consultant to: Federal Trade Commission (1980, 1978)
Federal Communications Commission (1977)
U.S. Civil Service Commission (1977, 1970)
Virginia Court Systems Study Commission (1969-70)
U.S. Land Law Revision Commission (1968)

Admitted to Practice: Ohio (1962); Virginia (1970)

Member: American Bar Association (Chairman-Elect, Section on Administrative Law,
1980; Council Member, 1974-77)
Advisory Council, American Enterprise Institute Legal Policy Studies Program
Board of Directors, National Institute for Consumer Justice, 1972-73
Board of Directors, Center for Administrative Justice, 1972-74

Co-Editor: Regulation magazine

Publications:

Co-Editor, Regulation.

"A Note on the Benzene Case," Regulation July/Aug 1980.

"The ALJ Fiasco--A Reprise," 47 U. Chi. L. Rev. 57 (1979).

"The Judges Are Coming," Panhandle Spring 1980, reprinted at 126 Cong. Rec. E 3456 (July 21, 1980).

"The Legislative Veto: A False Remedy for System Overload," Regulation Nov/Dec (1979).

The Disease as Cure: "In order to get beyond racism, we must first take account of race," 1979 Wash. U.L.Q. 147 (1979).

"Vermont Yankee: The APA, the D.C. Circuit and the Supreme Court," 1978 Supreme Court Review.

"Guadalajara! Regulation by Munificence," Regulation March/Apr (1978).

"The Judicialization of Standardless Rulemaking: Two Wrongs Make a Right," Regulation Jul/Aug (1977).

"Oversight and Review of Agency Decisionmaking--the Legislative Veto" (Published Proceedings of Bicentennial Institute of ABA Section on Administrative Law), 28 Admin. Law Review 684 (1976).

"Procedural Aspects of the Consumer Product Safety Act," 20 UCLA Law Review 899 (1973).

"Don't Go Near the Water (A Proposal Concerning the FCC's Fairness Doctrine)" 25 Federal Communications Bar Journal 111 (1972).

"The Hearing Examiners Loan Program," 1971 Duke Law Journal 319 (1971).

"Appellate Justice: A Crisis in Virginia?" 57 Virginia Law Review 3 (1971).

"Sovereign Immunity and Nonstatutory Review of Federal Administrative Action," 68 Michigan Law Review 867 (1970).

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1345080-0

Total Deleted Page(s) = 8

Page 19 ~ b6; b7C;
Page 20 ~ b6; b7C;
Page 21 ~ b6; b7C;
Page 31 ~ b6; b7C;
Page 43 ~ Duplicate;
Page 44 ~ Duplicate;
Page 45 ~ Duplicate;
Page 46 ~ Duplicate;

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DEPARTMENT OF JUSTICE
 FEDERAL BUREAU OF INVESTIGATION
 COMMUNICATION MESSAGE FORM

PAGE 1 of 4

DATE

3-29-82

CLASSIFICATION

UNCLAS

PRECEDENCE

PRIORITY

#F020PP CG PG SF SI WEMDE HQ H0020 #H4UTP 291505Z MAR 82

1. SPECIAL USE

FM DIRECTOR FBI (77-131275)

TO FBI CHICAGO (77-20652) PRIORITY

FBI WASHINGTON FIELD (77-100656) PRIORITY

FBI PITTSBURGH PRIORITY

FBI SAN FRANCISCO PRIORITY

12 FBI SPRINGFIELD PRIORITY

BT

10 UNCLAS

ANTONIN SCALIA, DEPARTMENTAL APPLICANT, U.S. CIRCUIT COURT

8 JUDGE, DISTRICT OF COLUMBIA, BUDED: 4-8-82, WITHOUT FAIL (B)

REBUTEL CALL TO CHICAGO MARCH 26, 1982.

6 APPLICANT BORN MARCH 11, 1936 AT TRENTON, NEW JERSEY.

SSAN 111-28-1120.

4 PRIOR DAFLI CONDUCTED JULY, 1974. BRING UP TO DATE.

SPRINGFIELD, WASHINGTON FIELD: CHECK BAR.

2 RESIDENCE: 5725 SOUTH WOODLAWN AVE, CHICAGO. OFFICE

PHONE 312-753-2437.

DO NOT TYPE MESSAGE BELOW THIS LINE

APPROVED

DRAFTED BY

CAS:KB (4)

DATE

3-29-82

ROOM

5136/6

TELE EXT.

3862

RETURN TO

ROOM 5136

DO NOT TYPE PAST THIS LINE

NOT RECORDED

16 MAY 18 1982

PAGE TWO DE HQ 003*20 UNCLAS

EMPLOYMENT: AUG 1974-JAN 1977, AAG, DOJ, OFFICE OF LEGAL COUNSEL; JAN 1977-JULY 1977, VISITING PROF OF LAW, AMERICAN ENTERPRISE INSTITUTE, GEORGETOWN UNIV; AUG 1977-PRESENT, LAW PROFESSOR, UNIV OF CHICAGO; SEPT 1980-PRESENT, LAW PROFESSOR STANFORD UNIV; CONSULTANT TO FCC, 1977; FTC, 1978 AND 1980; U.S. CIVIL SERVICE COMM. 1970 AND 1977.

CG AND WFO: INTERVIEW APPLICANT FOR COMPLETE BACKGROUND INCLUDING FULL NAME, IF NECESSARY. INCLUDE RESULTS IN REPORT, AS WELL AS TABLE OF CONTENTS. ALL ACTIVITIES, INCLUDING SUMMERS AND PERIODS OF UNEMPLOYMENT SINCE GRADUATION FROM HIGH SCHOOL MUST BE ACCOUNTED FOR. SECURE IDENTITY OF ALL ORGANIZATIONS INCLUDING PRIVATE AND SOCIAL CLUBS OF WHICH HE HAS BEEN OR IS PRESENTLY A MEMBER. DETERMINE MEMBERSHIP POLICIES OF SOCIAL ORGANIZATIONS WHERE APPROPRIATE OF WHICH APPLICANT BELONGS OR HAS BELONGED AS TO WHETHER THEY DISCRIMINATE BECAUSE OF RACE OR RELIGION. LIST THESE UNDER HEADING "ORGANIZATIONAL AFFILIATIONS" NEAR BEGINNING OF REPORT. ASCERTAIN WHETHER APPLICANT IS SERVING AS AN OFFICER, DIRECTOR OR EMPLOYEE OF ANY CORPORATION ORGANIZED FOR PROFIT. VERIFY. HAVE EDUCATIONAL RELEASE AND TAX WAIVER FORMS EXECUTED AND PROMPTLY FORWARD

PAGE THREE DE HQ 0020 UNCLAS

ORIGINAL OF LETTER TO FBIHQ.

SUTEL FBIHQ IDENTITY AND BIRTH DATA OF ANY DECEASED CLOSE RELATIVES. INTERVIEW PERSONAL PHYSICIAN, PRESIDENTS OF LOCAL BARS, ATTORNEYS WHO HAVE OPPOSED APPLICANT, NUMBER OF MEMBERS OF OPPOSING POLITICAL PARTIES. ALSO INTERVIEW LABOR OFFICIALS, RELIGIOUS LEADERS, ATTORNEYS, MINORITY (NAACP, URBAN LEAGUE) AND ETHNIC REPRESENTATIVES, AND APPROPRIATE LAW ENFORCEMENT OFFICIALS, AS WELL AS FEDERAL, STATE AND LOCAL JUDGES. ALSO, INTERVIEW CHAIRMEN OF LOCAL POLITICAL PARTIES. IF APPLICANT HAD HISTORY OF FINANCIAL TROUBLE, ASSURE THAT APPROPRIATE RECORDS ARE CHECKED FOR LOCAL AND STATE TAX LIENS OUTSTANDING AGAINST HIM.

IF APPLICANT OWNS, OR HAS OWNED ANY REAL PROPERTY, DETERMINE WHETHER PROPERTY ENCUMBERED WITH ANY COVENANTS PERTAINING TO RACE, CREED, COLOR, OR RELIGION THROUGH A REVIEW OF THE COUNTY RECORDER OF DEEDS RECORDS.

SUTEL ALEXANDRIA INFORMATION CONCERNING FOREIGN TRAVEL.

WASHINGTON FIELD: THIS IS A PRESIDENTIAL APPOINTMENT, INTERVIEW APPROPRIATE U.S. SENATORS.

ALL OFFICES: IDENTIFY ALL CLOSE RELATIVES AND CONDUCT

PAGE FOUR DE HQ 0020 UNCLAS

ARREST CHECKS. VERIFY BIRTH FROM BUREAU OF VITAL STATISTICS.

FOLLOW DAPLI INSTRUCTIONS.

WHERE APPROPRIATE, VERIFY ADMISSION TO STATE AND LOCAL BARS, AND CHECK GRIEVANCE COMMITTEE RECORDS. ALSO CHECK NEWSPAPER MORGUES FOR ANY PERTINENT INFORMATION.

OBTAIN NAMES OF REFERENCES AND CLOSE PERSONAL ASSOCIATES DURING INTERVIEW AND SET OUT APPROPRIATE LEADS.

DURING INTERVIEWS, OBTAIN COMMENTS RE APPLICANT'S LEGAL ABILITY, SUCH AS TYPES OF CASES HANDLED, TRIAL EXPERIENCE, IF OBSERVED IN COURT, COURTROOM DEMEANOR, ETC., AND IF APPLICANT HAS A REPUTATION FOR BEING FAIR, EVEN TEMPERED, AND FREE OF BIASES AGAINST ANY CLASS OF CITIZENS OR ANY RELIGIOUS OR RACIAL GROUP.

REVIEW PERSONNEL FILES AND INTERVIEW APPROPRIATE NUMBER OF CO-WORKERS.

BUREAU DEADLINE AS SET FORTH ABOVE MEANS THE REPORT MUST BE RECEIVED AT THE BUREAU ON THAT DATE OR PRIOR THERETO.

BT

1

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE SAN FRANCISCO	OFFICE OF ORIGIN BUREAU	DATE 4/5/82	INVESTIGATIVE PERIOD 4/2/82 - 4/5/82
TITLE OF CASE ANTONIN SCALIA		REPORT MADE BY SA 	TYPED BY dvs
		CHARACTER OF CASE DEPARTMENTAL APPLICANT	

REFERENCES: Butel to Chicago et al, dated March 29, 1982.

- RUC -

All individuals contacted were apprised of the provisions of the Privacy Act and those requesting confidentiality have been so noted.

res

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO
								PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
APPROVED <i>[Signature]</i>						SPECIAL AGENT IN CHARGE		
COPIES MADE:						DO NOT WRITE IN SPACES BELOW		
② - Bureau (AMSD)(77-131275) 1 - San Francisco (77B-16783)						11-131275-52 NOT RECORDED 9 APR 9 1982		
Dissemination Record of Attached Report						Notations		
Agency						<i>[Signature]</i> 365		
Request Recd.	1cc to AAG	5.4.82						
Date Fwd.								
How Fwd.								
By								

COVER PAGE

A*

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED]
Date: 4/5/82

Office: San Francisco

b6
b7C

Field Office File #: 77B-16783

Bureau File #: 77-131275

Title: Antonin Scalia

Character: U.S. Circuit Court Judge - Applicant

Synopsis:

Employment, Stanford University Law School, September, 1980 - September, 1981, verified. Associate faculty members recommend highly. Neighbors recommend. No police or credit records located at Palo Alto or San Jose, California.

RUC

DETAILS:EMPLOYMENT

The following investigation was conducted by SA [REDACTED]

b6
b7CAT STANFORD, CALIFORNIA

On April 4, 1982, [REDACTED] Stanford University School of Law, advised that Professor Scalia was a visiting professor at the Stanford Law School from September, 1980 to September, 1981. He continued, that Scalia came to Stanford while on leave from the University of Chicago School of Law. [REDACTED] stated that he, himself, was the one that brought Scalia to Stanford and that he also made most of the arrangements for the visit. [REDACTED] indicated that he first met Scalia [REDACTED] in May of 1980 when they came to Stanford

to look for housing.

[redacted] stated that Professor Scalia is a person of "impeccable character" and that he has the "highest regard for his professional capacity and his personal integrity." He continued, that Scalia is an "outstanding teacher and that he "knows a great deal about the structure of our government and the federal system." [redacted] stated that Scalia has a great deal of common sense and that to the best of his knowledge he is even tempered and free of any prejudice towards any religious or racial group or any class of citizens. [redacted] recommended Scalia highly for such an appointment and supports him for any position with the administration.

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On April 5, 1982, [redacted] Stanford University Law School, advised that he has known Professor Scalia for approximately ten years as a close professional acquaintance. He stated that their first close contact came about in Washington, D.C. when they both attended conferences together during Professor Levy's term as Attorney General. [redacted] stated that Scalia is "very able in the field of constitutional and administrative law," and that he is a person of "great ability." He referred to him as "a very good human being and an excellent citizen." Scalia is said to be "a very engaged family man and a splendid human being." [redacted] stated that he is sure that there is nothing in his background that would ever be embarrassing to the administration, and that he is a "great appointment." [redacted] stated that Scalia has an excellent reputation in the profession and that he is also an exemplary citizen and family man.

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On April 5, 1982, [redacted] Stanford University Law School, advised that he has known Professor Scalia for approximately ten years when they both took part in the Administrative Conference of the United States from 1972-1974. Both were also active in the American Bar Association Administrative Law Section.

[redacted] stated that Scalia is a person of "good judgement and a lot of legal skills." He advised that Scalia has an excellent reputation, and that he is of excellent character, morals and integrity. He is known to be free of religious or racial prejudice and to be fair and even tempered. He is of sound mental and physical health. He has substantial legal experience and a very high aptitude for legal scholarship and writing. [redacted] recommended him highly for this appointment and stated that he feels that Scalia is an excellent choice.

b6
b7C

SF 77B-16783
SLJ/dvs

NEIGHBORHOOD

The following investigation was conducted by SA [REDACTED]

b6
b7C

[REDACTED]:
1431 Pitman Avenue
Palo Alto, California

On April 5, 1982, [REDACTED]

[REDACTED] advised that her family came to know the Scalia family very well during their year in Palo Alto. She stated that they lived at 1431 Pitman from September, 1980 to September, 1981.

[REDACTED] She stated that they are very wonderful people with an excellent reputation in the neighborhood. She recommended Professor Scalia highly for an appointment with the U.S. Government and stated that there is nothing that she is aware of in their background that would ever be embarrassing to the U.S. Government.

She continued, that the house that they resided in at 1431 Pitman [REDACTED]

b6
b7C

On April 5, 1982, [REDACTED]

[REDACTED] advised that he and his family knew the Scalia family while they lived at 1431 Pitman during 1980 and 1981 and that they enjoyed an excellent reputation in the neighborhood.

SF 77B-16783
SLJ/dvs

POLICE AND CREDIT

On April 2, 1982, police records of the Palo Alto, California Police Department and the Santa Clara County Sheriff's Office were searched and no record for Scalia was located.

On April 2, 1982, records at Credit Bureau Metro, San Jose, California, were reviewed and no record located for Antonin Scalia.

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☐ Airtel

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 4/6/82

TO: DIRECTOR, FBI (77-131275)
 FROM: SAC, CHICAGO (77B-20652) (P) (SQ 1)

ANTONIN SCALIA
 DAPLI
 U.S. CIRCUIT COURT JUDGE
 DISTRICT OF COLUMBIA
 BUDED 4/8/82

Re Bureau teletype to Chicago 3/29/82.

Enclosed for the Bureau is original Tax Waiver
 form executed by applicant.

② - Bureau
 1 - Chicago
 LP:pmc
 (3)

77-131275-53
 NOT RECORDED

15 APR 12 1982

Spec. Inv.

Approved: *EDH/p*

Transmitted _____
 (Number) (Time)

Per _____

U.S. DEPARTMENT OF JUSTICE

TAX CHECK WRITER (INDIVIDUAL)

I hereby authorize the Internal Revenue Service pursuant to Internal Revenue Code s 6103 (c) as amended to provide U.S. Department of Justice with tax information, limited to the following:

1. Whether I have filed returns with respect to Federal income taxes for the immediately preceding 3 years. If the tax check request is received by Internal Revenue Service after July 1st then the three years referred to are: the year, for which a return is required to be filed prior to July 1 (without reference to extensions); and, the immediately preceding two tax years. If the tax check request is received by Internal Revenue Service prior to July 1st then the three years referred to are the most recent three tax years available in the files of the Internal Revenue Service. Returns delinquentlv filed subsequent to the date I have affixed to this authorization will be reported as such to the Requesting Agency.
2. Whether I have failed to pay any tax within 10 days after notice and demand, or have been assessed any penalty under the Internal Revenue Code of 1954, as amended, for negligence, in the current year or immediately preceding 3 years.
3. Whether I have been or am under investigation for possible criminal offenses under the Internal Revenue laws and the results of any such investigation.
4. Whether I have been assessed any civil penalty under the Internal Revenue Code of 1954, as amended, for fraud.
5. In the event of a response in the negative to subparagraph 1 or a response in the affirmative to subparagraph(s) 2, 3, or 4 (herein referred to as an "adverse response"), I hereby authorize the Internal Revenue Service to provide to the U. S. Department of Justice upon request, any additional tax information pertaining to such adverse response.

In order for the Internal Revenue Service to locate my tax records, I am volunteering the following information:

Name (Print or Type) ANTONIN SCALIA SSN: 111-28-1120

SSN of Husband (If married woman filing jointly):

Current Address: 5725 S. Woodlawn Ave. Chicago, Ill. 60637

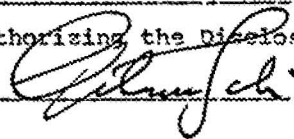
Name(s) and address(es) under which returns were filed:

1980 5725 S. Woodlawn Ave. Chicago, Ill. 60637

1979 same

1978 same

1977 same

Signature of Taxpayer Authorizing the Disclosure of Return Information 

Date: 4/5/82

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77-131215-53

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE Springfield	OFFICE OF ORIGIN Bureau	DATE 4/6/82	INVESTIGATIVE PERIOD 4/2/82
TITLE OF CASE ANTONIN SCALIA		REPORT MADE BY SC 	TYPED BY pal
		CHARACTER OF CASE DEPARTMENTAL APPLICANT U.S. CIRCUIT COURT JUDGE DISTRICT OF COLUMBIA	

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b7cREFERENCE:

Bureau teletype dated 3/29/82.

- RUC -

ADMINISTRATIVE DATA:

Where appropriate, Privacy Act (e)(3) data was furnished to persons interviewed. Express promises of confidentiality, both limited and unlimited, have been noted where granted.

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO
							PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
APPROVED <i>RBA/G</i>						SPECIAL AGENT IN CHARGE	
COPIES MADE:						DO NOT WRITE IN SPACES BELOW	
(2) - Bureau (77-131275)						<div style="border: 1px solid black; width: 100px; height: 100px; display: flex; align-items: center; justify-content: center; font-size: 2em;">54</div>	
1 - Springfield (77B-6515)							
Dissemination Record of Attached Report						Notations	
Agency						<div style="border: 1px solid black; width: 100px; height: 100px; display: flex; align-items: center; justify-content: center; font-size: 2em;">54</div>	
Request Recd.	ICC to AAG 5.4.82						
Date Fwd.							
How Fwd.							
By							

- A* -
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SC [REDACTED]
Date: April 6, 1982

Office: Springfield

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b7C

Field Office File #: SI 77B-6515

Bureau File #: 77-131275

Title: ANTONIN SCALIA

Character: DEPARTMENTAL APPLICANT
U.S. CIRCUIT COURT JUDGE
DISTRICT OF COLUMBIA

Synopsis:

Records reveal applicant has never been admitted to the Illinois State Bar.

- RUC -

DETAILS:Bar Check:

The following investigation was conducted by Special Clerk [REDACTED]

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On April 2, 1982, [REDACTED] Office of the Clerk, Illinois Supreme Court, Springfield, Illinois, advised a check of records failed to reveal applicant ever admitted to the Illinois State Bar.

On April 2, 1982, [REDACTED] Illinois State Board of Law Examiners, Springfield, advised a check of records failed to reveal applicant ever took the Illinois State Bar examination.

On April 2, 1982, [REDACTED] Attorneys Registration and Disciplinary Commission, Springfield, advised a check of records failed to reveal applicant registered with their commission.

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RR HQ

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FM CHICAGO 77B-20652 (SQ.1) (P)

TO DIRECTOR 77-131275 ROUTINE

ALEXANDRIA PRIORITY

BOSTON PRIORITY

CLEVELAND PRIORITY

LOS ANGELES PRIORITY

NEWARK PRIORITY

NEW YORK PRIORITY

RICHMOND PRIORITY

SAN ANTONIO PRIORITY

SAN FRANCISCO PRIORITY

TAMPA PRIORITY

WFO 77B-100656 PRIORITY

BT

UNCLAS

ANTONIN SCALIA; DEPARTMENTAL APPLICANT; U.S. CIRCUIT COURT
JUDGE; DISTRICT OF COLUMBIA; BUDED APRIL 8, 1982 WITHOUT FAIL

NOT RECORDED

18 MAY 13 1982

Exec. AD-Adm.	
Exec. AD-Inv.	
Exec. AD-LES	
Asst. Dir.:	
Adm. Servs.	
Crim. Inv.	
Ident.	
Insp.	
Intell.	
Lab.	
Legal Coun.	
Off. Cong. & Public Affs.	
Rec. Mgmt.	
Tech. Servs.	
Training	
Off. of Cong. & Public Affs.	
Telephone Rm.	
Director's Sec'y	

Civil Rights &
Special Inq. Sect.

1cc

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5/13/82

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PAGE TWO (77B-20652) UNCLAS

RE BUTEL TO CHICAGO, MARCH 29, 1982.

PRIOR DAPLI CONDUCTED JULY 1974. APPLICANT HAS NOT BEEN AVAILABLE FOR INTERVIEW UNTIL APRIL 5, QOIWM APPLICANT BORN MARCH 11, 1936, TRENTON, NEW JERSEY, SOCIAL SECURITY ACCOUNT NUMBER 111-28-1120. SINCE SEPTEMBER 1977, APPLICANT HAS BEEN EMPLOYED AS PROFESSOR OF LAW, UNIVERSITY OF CHICAGO LAW SCHOOL CHICAGO, ILLINOIS. APPLICANT RESIDES 5725 SOUTH WOODLAWN AVENUE, CHICAGO, ILLINOIS.

FROM SEPTEMBER 1980, UNTIL JUNE 1981, APPLICANT SERVED AS VISITING PROFESSOR OF LAW, STANFORD UNIVERSITY, STANFORD, CALIFORNIA. DURING THIS PERIOD, THE APPLICANT WAS ON A LEAVE OF ABSENCE FROM THE UNIVERSITY OF CHICAGO LAW SCHOOL, AND HE RENTED HIS CHICAGO HOME TO SEVERAL UNIVERSITY OF CHICAGO LAW STUDENTS AND RESIDED AT 1431 PITMAN AVENUE, PALO ALTO, CALIFORNIA.

FROM JANUARY 1977, UNTIL JULY 1977, APPLICANT SERVED AS SCHOLAR IN RESIDENCE, AMERICAN ENTERPRISE INSTITUTE; AND VISITING PROFESSOR OF LAW, GEORGETOWN UNIVERSITY, WASHINGTON D.C. FROM AUGUST 1974, UNTIL JANUARY 1977, APPLICANT SERVED AS ASSISTANT ATTORNEY GENERAL, OFFICE OF LEGAL COUNSEL, UNITED

PAGE THREE (77B-20652) UNCLAS

STATES DEPARTMENT OF JUSTICE, WASHINGTON D.C. FROM
SEPTEMBER 1972, TO AUGUST 1974, APPLICANT WAS CHAIRMAN,
ADMINISTRATIVE CONFERENCE OF THE U.S., WASHINGTON D.C.

APPLICANT HAS SERVED AS A CONSULTANT TO THE FEDERAL
TRADE COMMISSION, 1978 AND 1980; FEDERAL COMMUNICATIONS
COMMISSION, 1977; U.S. CIVIL SERVICE COMMISSION, 1970 AND
1977; U.S. LANDLAW REVISION COMMISSION, 1968; ALL
WASHINGTON D.C. APPLICANT WAS ALSO A CONSULTANT TO THE
VIRGINIA COURT SYSTEMS STUDY COMMISSION, 1969-1970,
RICHMOND, VIRGINIA.

APPLICANT ADMITTED TO PRACTICE SUPREME COURT OF THE
UNITED STATES, WASHINGTON D.C. JANUARY 12, 1976, AND TO
THE UNITED STATES COURT OF APPEALS, NINTH CIRCUIT, SAN
FRANCISCO, CALIFORNIA, APRIL 17, 1980.

FROM 1974 UNTIL AUGUST 1977, APPLICANT RESIDED AT
1400 COLA DRIVE, MC LEAN, VIRGINIA. APPLICANT

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[REDACTED]

APPLICANT'S FATHER, SALVATORE EUGENE SCALIA, BORN
DECEMBER 1, 1903, AT SOMMATINO, PROVINCE OF CALTANISSETTA,
SICILY, AND MOTHER, CATHERINE LOUISE SCALIA, NEE PANARO,
BORN NOVEMBER 7, 1905, AT NEW YORK, RESIDE (NO NUMBER)
WILBURTHA ROAD, TRENTON, NEW JERSEY. APPLICANT'S FATHER
NATURALIZED JUNE 26, 1926, IN THE NEW JERSEY COURT OF
COMMON PLEAS, TRENTON, NEW JERSEY, CERTIFICATE NUMBER
2290037M APPLICANT HAS NO BROTHERS OR SISTERS.
APPLICANT MEMBER OF COSMOS CLUB, WASHINGTON D.C.
APPLICANT HAS NO PERSONAL PHYSICIAN, HOWEVER IS CONSIDERED
TO BE IN EXCELLENT PHYSICAL CONDITION.

DURING 1979-1980, APPLICANT WAS OPPOSING COUNSEL TO

[REDACTED]
TELEPHONE NUMBER [REDACTED]

[REDACTED] TELEPHONE NUMBER
[REDACTED]

[REDACTED] TELEPHONE NUMBER [REDACTED]

PAGE FIVE (77B-20692) UNCLAS

APPLICANT APPEARED BEFORE U.S. SUPREME COURT WASHINGTON D.C.
IN 1976, IN THE "DUNHILL CASE" AS AN AMICUS CURIAE. LEAD
COUNSEL WAS [REDACTED] OF FRIED, FRANK, HARRIS,
SHRIVER, AND JACOBSON, NEW YORK, NEW YORK. OPPOSING COUNSEL
WERE [REDACTED]

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THE FOLLOWING REFERENCES AND CLOSE PERSONAL ASSOCIATES
ARE FAMILIAR WITH THE APPLICANT AND HIS BACKGROUND. INASMUCH
AS THE APPLICANT'S RECENT LEGAL EXPERIENCE HAS BEEN IN THE
FIELDS OF TEACHING, ADMINISTRATION, AND LEGAL RESEARCH,
SPECIFIC INQUIRIES SHOULD BE DIRECTED AS TO THE APPLICANT'S
LEGAL SCHOLARSHIP, RESEARCH AND WRITING ABILITIES.

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[REDACTED]

THE APPLIANT CURRENTLY HOLDS U.S. PASSPORT NUMBER J 142280. HE HAS TRAVELED TO THE FOLLOWING FOREIGN COUNTRIES. IT SHOULD BE NOTED THAT ALL DATES ARE APPROXIMATE.

BERMUDA, JANUARY 1973; CANADA, AUGUST 6-12, 1975, AND DATES UNRECALLED IN 1964; ENGLAND, JANUARY 24-29, 1978, JUNE 18-22, 1976, JUNE 9-16, 1978; JULY 12-17, 1971; MEXICO, JANUARY 15-18, 1982, JANUARY 4-26, 1975; PARIS, FRANCE, MAY 7-18, 1972; ROME, ITALY, MAY 7-16, 1976; WEST GERMANY, JANUARY 24-29, 1978, JULY 3-11, 1976; WESTERN AND EASTERN EUROPE, INCLUDING EAST GERMANY, POLAND, YUGOSLAVIA, AND CZECHOSLOVAKIA (WHILE ON SHELDON FELLOWSHIP, HARVARD UNIVERSITY) SEPTEMBER 1960-MAY 1961. VARIOUS COUNTRIES IN WESTERN EUROPE WHILE A STUDENT AT UNIVERSITY OF FRIBOURG, SWITZERLAND, 1955-1956; BRUSSELS, BELGIUM DATE UNRECALLED.

RECEIVING OFFICES ARE REQUESTED TO HANDLE APPROPRIATE LEADS THEIR DIVISION.

BT

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FM NEW YORK (77B-40433) (P) (M-11)

TO DIRECTOR (77-131275) PRIORITY

NEW HAVEN PRIORITY

APR 21 51
FEDERAL BUREAU
OF INVESTIGATION

Exec. AD-Adm.	_____
Exec. AD-Inv.	_____
Exec. AD-LES	_____
Asst. Dir.:	
Adm. Servs.	_____
Crim. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Legal Coun.	_____
Off. of Cong. & Public Affs.	_____
Rec. Mgnt.	_____
Tech. Servs.	_____
Training	_____
Telephone Rm.	_____
Director's Sec'y	_____

BT
UNCLAS

ANTONIN SCALIA; DEPARTMENTAL APPLICANT, U.S. CIRCUIT COURT JUDGE, DISTRICT OF COLUMBIA, BUDED: APRIL 8, 1982 WITHOUT FAIL. Civil Rights & Spec. Inv. Sect

RECGTEL TO DIRECTOR AND OTHERS DATED APRIL 7, 1982, NEW HAVEN RECEIVING NO COPY.

FOR INFORMATION OF NEW HAVEN APPLICANT BORN MARCH 11, 1936, TRENTON, NEW JERSEY, SOCIAL SECURITY ACCOUNT NUMBER 111-28-1120. SINCE SEPTEMBER, 1977 APPLICANT HAS BEEN EMPLOYED AS PROFESSOR OF LAW, UNIVERSITY OF CHICAGO LAW SCHOOL, CHICAGO, ILLINOIS. APPLICANT RESIDES AT 5725 SOUTH WOODLAWN AVENUE, CHICAGO, ILLINOIS.

INVESTIGATION AT NEW YORK HAS DETERMINED [REDACTED]

[REDACTED] (LISTED REFERENCE AND CLOSE PERSONAL ASSOCIATE) [REDACTED]

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77-131275-56
NOT RECORDED

16 MAY 13 1982

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[REDACTED]

NEW HAVEN, AT NEW HAVEN, CONNECTICUT. WILL ATTEMPT TO
CONTACT [REDACTED] AT ABOVE LISTED ADDRESS. INASMUCH AS APPLICANT'S
RECENT LEGAL EXPERIENCE HAS BEEN IN FIELDS OF TEACHING,
ADMINISTRATION, AND LEGAL RESEARCH, SPECIFIC INQUIRIES SHOULD
BE DIRECTED AS TO THE APPLICANT'S LEGAL SCHOLARSHIP, RESEARCH AND
WRITING ABILITIES.

NEW YORK, AT NEW YORK, NEW YORK. INVESTIGATION CONTINUING.

BT

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RP HQ

DE NK

P 82220Z APR 82

FM NEWARK (77B-15405) (P) (C-9)

TO DIRECTOR (77-13127) (PRIORITY)

RECEIVED
TELETYPE UNIT

8 APR 82 22 27Z

FEDERAL BUREAU
OF INVESTIGATION

Exec. AD-Adm.	
Exec. AD-Inv.	
Exec. AD-LES	
Asst. Dir.:	
Adm. Servs.	
Crim. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Legal Coun.	
Rec. Mgmt.	
Tech. Servs.	
Training	
Off. Liaison	
Telephone Rm.	
Director's Sec'y	

UNCLAS

ANTONIN SCALIA; DEPARTMENTAL APPLICANT; U.S. CIRCUIT COURT JUDGE;

DISTRICT OF COLUMBIA; BUDED APRIL 8, 1982.

RE: CHICAGO TELETYPE TO BUREAU APRIL 7, 1982.

REFERENCES AND CLOSE PERSONAL ASSOCIATES: ON APRIL 8, 1982,

[REDACTED]

[REDACTED] TELEPHONE NUMBER [REDACTED] ADVISED HE HAS
KNOWN SCALIA FOR OVER 30 YEARS, PROFESSIONALLY AND SOCIALLY.

[REDACTED] ADVISED SCALIA IS WELL RESPECTED BY HIS PEERS AND IS
RECOGNIZED AS ONE OF THE FOUR OR FIVE BRIGHTEST MEMBERS OF THE
LEGAL COMMUNITY IN LEGAL EDUCATION CIRCLES.

[REDACTED] DESCRIBED SCALIA AS ONE OF THE "SMARTEST HUMAN BEINGS"
HE KNOWS, AND ADVISED SCALIA IS WIDELY PUBLISHED AND WIDELY RESPECTED
BY THOSE IN THE LEGAL FIELD. HE IS FAIR IN HIS JUDGMENTS,

16 MAY 13 1982

66 MAY 23 1982

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77-13127-57
NOT RECORDED

EVEN-TEMPERED AND THERE HAS NEVER BEEN ANY EVIDENCE OF BIAS AGAINST ANY INDIVIDUAL.

[] ADVISED HE IS FAMILIAR WITH SCALIA'S LITERARY WRITINGS, SPECIFICALLY, A BRIEF, WHICH SCALIA PREPARED FOR ONE OF HIS CLIENTS.

[] DESCRIBED THE BRIEF AS "MAGNIFICENT." [] HAS ALSO READ NUMEROUS WRITINGS OF SCALIA'S AND ADVISED THEY ARE BRILLIANT.

[] HIGHLY RECOMMENDED SCALIA FOR A POSITION AS A UNITED STATES CIRCUIT COURT JUDGE, AND CONCLUDED BY SAYING HE COULD NOT OFFER A BETTER QUALIFIED PERSON FOR THE POSITION OF U.S. CIRCUIT COURT JUDGE.

CREDIT AND ARREST: ON APRIL 8, 1982, [] EWING TOWNSHIP, NEW JERSEY, POLICE DEPARTMENT, WHICH COVERS AREAS OF TRENTON, NEW JERSEY, ADVISED THERE IS RECORD IN THE FILES OF THAT DEPARTMENT FOR THE APPLICANT'S MOTHER, CATHERINE LOUISE SCALIA, NEE PANARO.

MISCELLANEOUS: ON APRIL 8, 1982, [] COUNTY CLERK'S OFFICE, MERCER COUNTY COURT HOUSE, TRENTON, NEW JERSEY, ADVISED THAT HER FILES INDICATE THE APPLICANT'S FATHER, SAMUEL EUGENE SCALIA, 12 HAMILTON AVENUE, TRENTON, NEW JERSEY, DATE OF BIRTH DECEMBER 1,

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PAGE THREE, NK (77B-15405) (C-9) UNCLAS

1903, PLACE OF BIRTH SONNATION, ITALY, WAS MADE A UNITED STATES CITIZEN ON JUNE 26, 1926. THIS INFORMATION IS CONTAINED IN VOLUME 31, PETITION NUMBER 6963. IT SHOULD BE NOTED THAT THE APPLICANT'S FATHER CAME INTO THIS COUNTRY WITH THE NAME SALVATORE SCALIA BUT WAS NATURALIZED AS SAMUEL EUGENE SCALIA.

REPORT TO FOLLOW.

ADMINISTRATIVE: ALL PERSONS INTERVIEWED WERE APPRISED OF THE PROVISIONS OF THE PRIVACY ACT OF 1974.

BT

FEDERAL BUREAU OF INVESTIGATION

Reporting Office	Office of Origin	Date	Investigative Period
RICHMOND	BUREAU	4/8/82	4/7/82
TITLE OF CASE		Report made by	Typed By:
ANTONIN SCALIA		SA [REDACTED]	aka [REDACTED]
CHARACTER OF CASE			
DAPLI, U. S. CIRCUIT COURT JUDGE, DISTRICT OF COLUMBIA			

REFERENCES:

Chicago teletype to the Bureau, 4/7/82.

- RUC

ADMINISTRATIVE:

"Where appropriate, Privacy Act (e) (3) data was furnished to persons interviewed. Express promises of confidentiality, both limited and unlimited, have been noted where granted."

Accomplishments Claimed	<input type="checkbox"/> None	Case Has Been:
		Pending Over One Year <input type="checkbox"/> Yes <input type="checkbox"/> No
		Pending Prosecution Over Six Months <input type="checkbox"/> Yes <input type="checkbox"/> No
Approved	Special Agent in Charge	Do not write in spaces below
Copies made:		77-131275-58
2 - Bureau (77-131275)		NOT RECORDED
1 - Richmond (77B-13982)		7 APR 12 1982
Dissemination Record of Attached Report		Notations
Agency		
Request Recd.	100	
Date Fwd.	5 AUG 5 4 82	
How Fwd.		
BY		

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy To:

Report of: SA [REDACTED]
Date: April 8, 1982

Office: Richmond, Virginia

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b7C

Field Office File #: 77B-13982

Bureau File #: 77-131275

Title: ANTONIN SCALIA

DEPARTMENTAL APPLICANT

Character: UNITED STATE CIRCUIT COURT JUDGE
DISTRICT OF COLUMBIA

Synopsis:

References, [REDACTED]
University of Virginia, School of Law, interviewed and both highly
recommended. Arrest checks negative regarding [REDACTED]
of applicant, in [REDACTED]

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- RUC -

DETAILS:

REFERENCES

On March 7, 1982, [REDACTED] School of
Law (SOL), University of Virginia (UVA), Charlottesville, Virginia,
advised that he first became acquainted with Scalia when he
[REDACTED] joined the staff at UVA in 1969. He immediately became

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This document contains neither recommendations nor conclusions of
the FBI. It is the property of the FBI and is loaned to your
agency; it and its contents are not to be distributed outside your
agency.

friends with Scalia and has maintained a very cordial relationship since that time. He considers him to be an extremely intelligent and conscientious person who works well with all people. Scalia is tremendously admired in the legal field regarding his knowledge and legal skills. His writings reflect a keen sense of understanding and comprehension of his principal field of administrative law, as well as on other matters. Scalia has never exhibited any prejudices in either his actions or statements. [redacted] further advised that would recommend Scalia without question for the position of United States Circuit Court Judge. Scalia has demonstrated that he is a compassionate and honest individual who is attentive and has a good temperament for listening, qualities necessary for a good judge.

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On March 7, 1982, [redacted] UVA, SOL, Charlottesville, Virginia, advised that he has been friends with Scalia since 1962 when they worked at the same law firm in Cleveland, Ohio. Since then, he has maintained a close, personal contact with Scalia, knowing him from the professional side, as well as personally. He and Scalia have not always agreed, but he (Scalia) has demonstrated that he will listen to those arguments contrary to his opinion and then completely consider and value those other opinions. Scalia is exceptionally qualified for the position of United States Judge, as he is intelligent, is a superb legal scholar, has a tremendous amount of common sense and knowledge of the law, and is willing to coordinate the two. He is a first-rate scholar and possesses exceptional ability to write, there being few individuals equal to his ability. He knows Scalia to be without bias regarding a person's race, color, creed, or national origin. [redacted] further advised that he would most definitely recommend Scalia as he feels there is no one more qualified than Scalia to fulfill the position of trust and high responsibilities of a Federal judge.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE CLEVELAND	OFFICE OF ORIGIN BUREAU	DATE 4/8/82	INVESTIGATIVE PERIOD 4/8/82
TITLE OF CASE ANTONIN SCALIA		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 1.2em;"></div>	TYPED BY jmp b6 b7C
		CHARACTER OF CASE DAPLI, U. S. CIRCUIT COURT JUDGE, DISTRICT OF COLUMBIA	

REFERENCE

Chicago teletype to Bureau, et al, 4/7/82.

- RUC -

ADMINISTRATIVE

All individuals contacted in this matter have been apprised of the provisions of the Privacy Act and those requesting confidentiality have been so noted.

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED <div style="border: 1px solid black; width: 150px; height: 80px;"></div>						SPECIAL AGENT IN CHARGE		
COPIES MA						DO NOT WRITE IN SPACES BELOW		
3 - Bureau						19 1211 59		
1 - Cleveland (77A-8191)						NOT RECORDED 10 APR 12 1982		
Dissemination Record of Attached Report						Notations		
Agency								
Request Recd.	1cc to AAG 5.4.82							
Date Fwd.	88 MAY 1982							
How Fwd.	72x							
By								

- A* -

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED]
Date: 4/8/82

Office: CLEVELAND

Field Office File #: 77A-8191

Bureau File #:

Title: ANTONIN SCALIA

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b7CCharacter: DEPARTMENTAL APPLICANT, U. S. CIRCUIT COURT JUDGE,
DISTRICT OF COLUMBIASynopsis: Applicant's reference and associate, [REDACTED]
Cleveland, Ohio, highly recommends applicant.

- RUC -

DETAILS:REFERENCE AND ASSOCIATEThe following investigation was conducted by SA
[REDACTED] at Cleveland, Ohio, on April 8, 1982:b6
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[REDACTED] advised he has known the applicant both professionally and socially since approximately 1962. [REDACTED] noted that he has previously served with the applicant on the Administrative Conference of the United States in Washington, D. C.

[REDACTED] considers the applicant to be a very strong legal scholar and noted that the applicant has previously served as Assistant Attorney General for the Office of Legal Counsel in the U. S. Department of Justice. Applicant has written many excellent law reviews and is regarded as a scholar on Constitutional Law. [REDACTED] strongly believes that the applicant would be a fair and unbiased jurist who would not allow his politically conservative leaning to interfere with his judicial decisions.

CV 77A-8191

[] stated that the applicant's personal reputation and character are excellent in every respect, especially in his personal integrity and leadership ability. Applicant is considered to be an extremely loyal American.

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[] very strongly and highly recommends the applicant as a U. S. Circuit Court Judge and feels that there are few other individuals that he could recommend more highly.

NH0007 99 2447Z

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FM NEW HAVEN (77B-8344) (RUO) 9 APR 82 23 55z

TO DIRECTOR

PRIORITY

FEDERAL BUREAU
OF INVESTIGATION

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TELETYPE UNIT

Exec. AD-Adm.	
Exec. AD-Inv.	
Exec. AD-LES	
Asst. Dir.:	
Adm. Servs.	
Crim. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Legal Coun.	
Rec. Mgmt.	
Tech. Servs.	
Training	
Off. of Cong. & Public Affs.	
Telephone Rm.	
Director's Sec'y	

UNCLAS

ANTONIN SCALIA; DEPARTMENTAL APPLICANT, U.S. CIRCUIT COURT
JUDGE, DISTRICT OF COLUMBIA, BUDED PAST
RE NEW YORK TEL TO BUREAU, APRIL 8, 1982.

REFERENCE: ON APRIL 9, 1982, [REDACTED]

Civil Rights &
Special Sect

[REDACTED] ADVISED HE HAS KNOWN APPLICANT IN

A SOCIAL AND PROFESSIONAL CAPACITY SINCE DEC., 1975, AT WHICH
TIME THEY WERE BOTH EMPLOYED AND RESIDED IN THE WASHINGTON, D.C.,
AREA. [REDACTED] ADVISED HE HAD MET "NINO", THE APPLICANT,
THROUGH [REDACTED] DEPT. OF
JUSTICE. [REDACTED] STATED HE WAS EMPLOYED AS AN [REDACTED]
AT THE AMERICAN ENTERPRISE INSTITUTE IN WASHINGTON, D.C., DURING
THE AFOREMENTIONED PERIOD, AND IN FACT, SUCCEEDED IN PERSUADING

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NOT RECORDED
16 MAY 13 1982

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THE APPLICANT TO JOIN THE STAFF SUBSEQUENT TO THE COMPLETION OF HIS TERM IN JUNE, 1976. THE APPLICANT HAS CONTINUED TO CONTRIBUTE SCHOLARLY ARTICLES TO REGULATION, THE MAGAZINE PUBLISHED BY THE AMERICAN ENTERPRISE INSTITUTE.

[] ADVISED THE APPLICANT'S REPUTATION PRECEDES HIM - HE IS A NATIONALLY KNOWN FIGURE AND HAS PROVEN HIS ABILITY TO BE FAIR, EVEN-TEMPERED AND OF SOUND MENTAL HEALTH IN ALL OF HIS FORMER POSITIONS. [] FURTHER STATED THE APPLICANT IS HIGHLY ESTEEMED BY ALL OF HIS COLLEAGUES BASED UPON THE APPLICANT'S DEMONSTRATED INTEGRITY, CHARACTER AND EXPERTISE IN ADMINISTRATIVE LAW. [] ADVISED HE HAS NO KNOWLEDGE OF APPLICANT'S COURTROOM EXPERIENCE BUT THAT HE FULLY BELIEVES APPLICANT IS WHOLLY QUALIFIED TO BECOME A CIRCUIT COURT JUDGE SINCE, BASED UPON HIS EXPERIENCE, THE POSITION DEMANDS AN APTITUDE FOR LEGAL READING AND WRITING. [] FURTHER STATED APPLICANT'S EXPERTISE IN ADMINISTRATIVE LAW, WHICH DEALS PRIMARILY WITH PROCEDURAL ISSUES, WILL SERVE HIM WELL IN HIS POSITION AS A CIRCUIT COURT JUDGE.

[] HIGHLY RECOMMENDED THE APPLICANT FOR EMPLOYMENT WITH THE U.S. GOVERNMENT.

ADMINISTRATIVE: PERSON CONTACTED WAS ADVISED OF THE

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PAGE THREE NH 77B-8344 UNCLAS

PROVISIONS OF THE PRIVACY ACT AND DID NOT REQUEST CONFIDENTIALITY.

BT

0992352 HQ/2 RH

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE TAMPA	OFFICE OF ORIGIN BUREAU	DATE 4/9/82	INVESTIGATIVE PERIOD 4/9/82
TITLE OF CASE ANTONIN SCALIA		REPORT MADE BY SA 	TYPED BY raf
		CHARACTER OF CASE DEPARTMENTAL APPLICANT, U. S. CIRCUIT COURT JUDGE, DISTRICT OF COLUMBIA	

b6
b7cREFERENCE

Chicago teletype to the Bureau 4/6/82.

RUC

ADMINISTRATIVE

Where appropriate, Privacy Act (e) (3) data was furnished to persons interviewed. Express promises of confidentiality, both limited and unlimited, have been noted where granted.

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED <i>ABK</i>						SPECIAL AGENT IN CHARGE		
COPIES MADE: 2-Bureau (77-131275) 1-Tampa (77B-3067)						DO NOT WRITE IN SPACES BELOW		
						61		
Dissemination Record of Attached Report						Notations		
Agency						<i>CH</i>		
Request Recd.	1cc to AAG 54.82							
Date Fwd.								
How Fwd.								
By								

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED]
Date: April 9, 1982

Office: Tampa

b6
b7C

Field Office File #: 77B-3067

Bureau File #: 77-131275

Title: ANTONIN SCALIA

Character: DEPARTMENTAL APPLICANT,
U. S. CIRCUIT COURT JUDGE,
DISTRICT OF COLUMBIA

Synopsis:

[REDACTED] personal friend and associate of applicant,
[REDACTED]
contacted at [REDACTED]
[REDACTED] 4/9/82, where [REDACTED] furnished applicant the highest
possible recommendation for a position with the U. S.
Government.

RUC

DETAILS:

The following investigation was conducted at
Sarasota, Florida on April 9, 1982, by SA [REDACTED]
Federal Bureau of Investigation:

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[REDACTED] long-time friend and associate
of applicant was contacted at [REDACTED]
[REDACTED] where [REDACTED]
furnished the applicant the highest possible recommendation.

[REDACTED]
[REDACTED] stated, "applicant is a loyal American,
friend and citizen, a brilliant scholar who is totally
qualified in all areas of his expertise, and is a particularly
fine lecturer and writer." The applicant has an extraordinary
sharp mind, and [REDACTED] feels he is a model family man and
U. S. citizen. His reputation amongst his colleagues and
friends is above reproach according to [REDACTED]

1*

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEWARK	OFFICE OF ORIGIN CHICAGO	DATE 4/9/82	INVESTIGATIVE PERIOD 4/7-8/82
TITLE OF CASE ANTONIN SCALIA; DEPARTMENTAL APPLICANT U.S. CIRCUIT COURT JUDGE DISTRICT OF COLUMBIA BUDED 4/8/82		REPORT MADE BY SA 	TYPED BY mf1
		CHARACTER OF CASE DAPLI UNITED STATES CIRCUIT COURT JUDGE	

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Re: Chicago teletype to Bureau, 4/7/82.
Newark teletype to Bureau, 4/8/82.

-RUC-

ADMINISTRATIVE:

All Persons interviewed were apprised of the provisions of the Privacy Act of 1974.

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED <i>Mc [Signature]</i>						SPECIAL AGENT IN CHARGE		
COPIES MADE: 3-Bureau (77-131275) 1-Newark (77B-15405)						DO NOT WRITE IN SPACES BELOW <i>7-7- [Signature]</i> <i>62</i> <i>OK</i>		
Dissemination Record of Attached Report						Notations		
Agency								
Request Recd.	<i>1cc to AAG 5.4.82</i>							
Date Fwd.								
How Fwd.								
By								

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

SA [REDACTED]

Office:

Newark

b6

Date:

April 9, 1982

b7C

Field Office File #: 77B-15405

Bureau File #: 77-131275

Title:

ANTONIN SCALIA;
DEPARTMENTAL APPLICANT
U.S. CIRCUIT COURT JUDGE
DISTRICT OF COLUMBIA
BUDED 4/8/82

Character:

DAPLI

Synopsis:

Reference contacted 4/8/82, highly recommends applicant. No arrest record for applicant's mother. Naturalization of applicant's father verified.

- RUC -

DETAILS:REFERENCES AND CLOSE PERSONAL ASSOCIATES:

On 4/8/82, [REDACTED]

[REDACTED]
[REDACTED] telephone number [REDACTED] advised he has known Scalia for over 30 years, professionally and socially.

[REDACTED] advised Scalia is well respected by his peers and is recognized as one of the four or five brightest members of the legal community in legal education circles.

[REDACTED] described Scalia as one of the "smartest human beings" he knows, and advised Scalia is widely published and widely respected by those in the legal field. He is fair in his judgments, even-tempered and there has never been any evidence of bias against any individual.

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NK 77B-15405

[] advised he is familiar with Scalia's literary writings, specifically, a brief, which Scalia prepared for one of his clients. [] described the brief as "magnificent". [] has also read numerous writings of Scalia's and advised they are brilliant.

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[] highly recommended Scalia for a position as a United States Circuit Court Judge, and concluded by saying he could not offer a better qualified person for the position of U.S. Circuit Court Judge.

CREDIT AND ARREST:

On 4/8/82, [] Ewing Township, New Jersey, Police Department, which covers areas of Trenton, New Jersey, advised there is record in the files of that department for the applicant's mother, Catherine Louise Scalia, née Panaro.

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MISCELLANEOUS:

On 4/8/82, [], County Clerk's Office, Mercer County Court House, Trenton, New Jersey, advised that her files indicate the applicant's father, Samuel Eugene Scalia, 12 Hamilton Avenue, Trenton, New Jersey, date of birth - December 1, 1903, place of birth - Sonnation, Italy, was made a United States citizen on June 26, 1926. This information is contained in Volume 31, Petition Number 6963. It should be noted that the applicant's father came into this country with the name Salvatore Scalia, but was naturalized as Samuel Eugene Scalia.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEW HAVEN	OFFICE OF ORIGIN BUREAU	DATE 4/9/82	INVESTIGATIVE PERIOD 4/9/82
TITLE OF CASE ANTONIN SCALIA		REPORT MADE BY SA [REDACTED]	TYPED BY jmb
		CHARACTER OF CASE DEPARTMENTAL APPLICANT U.S. CIRCUIT COURT JUDGE DISTRICT OF COLUMBIA	

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REFERENCE: New York teletype to Bureau, dated 4/8/82.

- RUC -

ADMINISTRATIVE:

Person contacted herein was advised of the provisions of the Privacy Act, and did not request confidentiality.

(MS)

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED <i>ALL/2TM</i>						SPECIAL AGENT IN CHARGE		
COPIES MADE: ② Bureau 1-New Haven (77B-8344)						DO NOT WRITE IN SPACES BELOW 77-12121-64 NOT RECORDED 9 APR 14 1982		
Dissemination Record of Attached Report						Notations		
Agency						<i>Spec. Agt.</i> 		
Request Recd.	100 to AAG 5.4.82							
Date Fwd.								
How Fwd.	35							
By								

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

SA [REDACTED]

Office: NEW HAVEN

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Date:

APRIL 9, 1982

Field Office File #: NH 77B-8344

Bureau File #:

Title:

ANTONIN SCALIA

Character:

DEPARTMENTAL APPLICANT, U.S. CIRCUIT COURT JUDGE,
DISTRICT OF COLUMBIA

Synopsis:

Reference [REDACTED] highly recommends.

- RUC -

DETAILS: REFERENCE

On April 9, 1982, [REDACTED]

[REDACTED] advised he has known the applicant in a social and professional capacity since December 1975, at which time they were both employed and resided in the Washington D.C. area. [REDACTED] advised he had met Nino, the applicant, through [REDACTED] Department of Justice. [REDACTED] stated he was employed as an [REDACTED] at the American Enterprise Institute in Washington D.C. during the aforementioned period, and, in fact, succeeded in persuading the applicant to join the staff subsequent to the completion of his term in June 1976. The applicant has continued to contribute scholarly articles to Regulation, the magazine published by the American Enterprise Institute.

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[REDACTED] advised the applicant's reputation precedes him - he is a nationally known figure and has proven his ability to be fair, even-tempered, and of sound mental health in all of his former positions. [REDACTED] further stated the applicant is highly esteemed by all of his colleagues based upon the applicant's demonstrated integrity, character, and expertise in administrative law. [REDACTED] advised he has no knowledge of applicant's courtroom

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NH 77B-8344

experience, but that he fully believes applicant is wholly qualified to become a Circuit Court Judge since, based upon his experience, the position demands an aptitude for legal reading and writing. [] further stated applicant's expertise in administrative law, which deals primarily with procedural issues, will serve him well in his position as a Circuit Court Judge.

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[] highly recommended the applicant for employment with the United States Government.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BOSTON	OFFICE OF ORIGIN BUREAU	DATE 4/9/82	INVESTIGATIVE PERIOD 4/8/82
TITLE OF CASE ANTONIN SCALIA		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 1.2em; margin: 0 auto;"></div>	TYPED BY mad
		CHARACTER OF CASE U. S. CIRCUIT COURT JUDGE DISTRICT OF COLUMBIA	

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b7CREFERENCE:

Chicago teletype to Bureau dated 4/7/82.

-RUC-

ADMINISTRATIVE:

All persons contacted in this matter were advised of the provisions of the Privacy Act of 1974 and none desired confidentiality.

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED <i>[Signature]</i>						SPECIAL AGENT IN CHARGE		
COPIES MADE:						DO NOT WRITE IN SPACES BELOW		
2-Bureau 1-Boston (77B-18511)						77-121215-65 NOT RECORDED 9 APR 14 1982		
Dissemination Record of Attached Report						Notations		
Agency						<i>[Signature]</i> 77B-18511-1002		
Request Recd.	100	to AAG 5.4.82						
Date Fwd.								
How Fwd.	65	1002						
By								

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FBI/DOJ

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

Office:

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Date: April 9, 1982

Field Office File #: Boston 77B-18511

Bureau File #:

Title: ANTONIN SCALIA

Character: UNITED STATES CIRCUIT COURT JUDGE
DISTRICT OF COLUMBIA

Synopsis: References recommend.

-RUC-

DETAILS:

REFERENCES

On April 8, 1982, [redacted]

[redacted] advised he has known Antonin Scalia approximately six or seven years on a professional basis. He stated that he and the applicant both teach administrative law, and he has met the applicant on several occasions at the administrative conferences in the Department of Justice. [redacted] also considers the applicant to be a good friend.

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[redacted] described Scalia as an excellent attorney who was fair-minded and is very knowledgeable in the field of law. He stated the applicant exercises good judgement and would make a superior Federal Judge. He noted that the applicant has an outstanding character and reputation, is completely honest, and has the highest degree of integrity. He is aware of no personal problems concerning the applicant and advised the applicant is a very loyal American. He stated as a judge, the applicant would display well balanced judgement and is a perfect candidate for such a position. [redacted] stated that he would highly recommend the applicant for the position of Judge, United States Circuit Court, District of Columbia.

On April 9, 1982, [redacted] Harvard University Law School, Cambridge, Massachusetts, advised he has known Antonin Scalia for 25 years. He stated the applicant [redacted]

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[redacted] He stated both he and the applicant teach administrative law and the applicant has a good knowledge of other areas of law such as contracts and regulations law.

[redacted] stated the applicant is a first-rate person whose loyalty to the United States is unquestioned. He stated the Government could not have a better candidate for a position as a judge than the applicant. He stated the applicant is a top fellow who has brains and is a nice person. He noted that the applicant has [redacted] and is a very good family man. He stated the applicant is a well balanced individual, and the Government would be lucky to have him for the position of Judge, United States Circuit Court, District of Columbia.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE SAN ANTONIO	OFFICE OF ORIGIN BUREAU	DATE 4/13/82	INVESTIGATIVE PERIOD 4/9/82
TITLE OF CASE ANTONIN SCALIA		REPORT MADE BY SA [REDACTED]	TYPED BY csh
		CHARACTER OF CASE DAPLI U. S. CIRCUIT COURT JUDGE DISTRICT OF COLUMBIA	

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b7c

BUDED: PAST

REFERENCE: Chicago teletype to Director, 4/7/82, which was
not received until 4/9/82, by the case Agent.

-RUC-

ADMINISTRATIVE

All persons interviewed were apprised of the provisions
of the Privacy Act and none desired confidentiality.

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED <i>JCL/sur</i>						SPECIAL AGENT IN CHARGE		
COPIES MADE:						DO NOT WRITE IN SPACES BELOW		
2-Bureau (77-131275)						77-131275-66		
1-San Antonio (77B-8580)						NOT RECORDED 10 APR 16 1982		
Dissemination Record of Attached Report						Notations		
Agency						<i>Spec. Agt.</i>		
Request Recd.	100 to AAG 5.4.82							
Date Fwd.								
How Fwd.								
By								

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [redacted] Office: San Antonio
Date: 4/13/82
Field Office File #: 77B-8580 Bureau File #: 77-131275
Title: ANTONIN SCALIA

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b7C

Character: DEPARTMENTAL APPLICANT
U. S. CIRCUIT COURT JUDGE
DISTRICT OF COLUMBIA

Synopsis:

[redacted]
[redacted] has known applicant since 1970 and recommends him favorably.

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DETAILS:ASSOCIATE

On April 9, 1982, [redacted]

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[redacted] advised he has known Antonin Scalia since 1970 when Scalia [redacted] as Chairman of the Administrative Conference of the U. S., a Federal agency. The applicant has also been an Assistant Attorney General in the office of the Attorney General and legal counsel. He is currently a professor at the University of Chicago Law School and is known as an academician.

[redacted] described the applicant as a fine scholar who is a good legalscholar. His legal writings are very good as is his research. He referred to the applicant as a fine individual and one for whom he has high praise for the abilities of Mr. Scalia. He stated that we need judges like him.

[redacted] noted that he recommended Scalia to succeed him and pushed for it at the same time. Presently Scalia is the Chairman of the Administrative Section of the American Bar Association. This latter position is

SA 77B-8580

generally comprised of the top administrative lawyers throughout the country and being elected as Chairman is a tribute to the individual inasmuch as the Chairman every other year comes from the country at large and the alternate years from Washington, D. C.

There is no derogatory information pertaining to him and no question of his integrity or honesty.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEW YORK	OFFICE OF ORIGIN BUREAU	DATE 4/8/82	INVESTIGATIVE PERIOD 4/8/82
TITLE OF CASE ANTONIN SCALIA		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 15px;"></div>	TYPED BY
		CHARACTER OF CASE DEPARTMENTAL APPLICANT U.S. CIRCUIT COURT JUDGE DISTRICT OF COLUMBIA	

b6
b7cREFERENCE

Chicago teletype to Director and others, dated 4/7/82,
and NYtel to Director and New Haven, dated 4/8/82.

ADMINISTRATIVE

All persons interviewed were advised of the provisions of
the Privacy Act of 1974, none of whom requested confidentiality.

-RUC-

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO
								PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED <i>L/DW</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: (3)-Bureau 1-New York 77B 40433		67	

Dissemination Record of Attached Report					Notations <i>GA</i>
Agency					
Request Recd.	ICC to AAG 5.4.82				
Date Fwd.					
How Fwd.					
By					

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA
Date:

Office: NEW YORK, NEW YORK

b6
b7C

Field Office File #: 77B-40433

Bureau File #:

Title: ANTONIN SCALIA

Character: DEPARTMENTAL APPLICANT
U.S. CIRCUIT COURT JUDGE
DISTRICT OF COLUMBIA

Synopsis:

Attorney (Lead Counsel) and opposing counsel interviewed.
References interviewed, recommend.

NY 77B-40433

DETAILS

Lead Counsel and Opposing Counsel

On 4/8/82, [REDACTED]

[REDACTED] advised that he does not recall the applicant who was an Amicus Curiae in the "Dunhill Case." [REDACTED] stated that the Amicus Curiae is an advisor or a friend of the court who would prepare a legal brief pertaining to a particular court matter. [REDACTED] further stated that several Amicus Curiae served on the Dunhill Case and for this reason he was not in a position to furnish any information concerning ANTONIN SCALIA.

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On 4/8/82, [REDACTED]

[REDACTED] (Opposing Counsel), [REDACTED] advised that he does not recall the applicant who was an Amicus Curiae in the Dunhill Case. [REDACTED] further advised that quite often both the Lead Counsel and Opposing Counsel involved in a particular court case would not come in contact with the Amicus Curiae.

[REDACTED] stated that he supervised all the work of [REDACTED] (Legal partners) who were associated with the Dunhill Case. [REDACTED] further stated that [REDACTED] did not come in contact with the Amicus Curiae. [REDACTED] advised that [REDACTED] is no longer with his law firm and that he could suggest no one who would be in a position to comment on the applicant.

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REFERENCES

On 4/8/82, [REDACTED]

[REDACTED] advised that he has known the applicant for approximately seven years. [REDACTED] stated that he first met the applicant when he was the Assistant Attorney General for the Office of Legal Counsel with the United States Department of Justice.

[] characterized the applicant as a "first rate public servant when dealing with people, the White House and Congress." [] considers the applicant a man of "great capacity as an administrator" and one of the brightest individuals in the legal profession.

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[] advised that SCALIA is extremely thorough in his field and that he always maintains the highest legal ethics and standards.

[] advised that he would highly recommend the applicant for a position of trust and confidence with the United States Government and that he had no reason to question his character, associates, reputation or loyalty.

On 4/8/82, [] Columbia University School of Law, 435 West 116th Street, New York, New York, advised that he has known the applicant for approximately eight years. [] stated that the applicant is a man of many talents who is one of the most knowledgeable individuals in the legal field.

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[] characterized the applicant's writing skills as "excellent" and that he has "the ability to write about the law and make it accessible to individuals not in the legal field." [] considers the applicant a fair-minded, extremely capable, and dedicated individual who always presents himself in a very professional and business-like manner.

[] advised that the applicant is a "superlative choice for the bench" and that he had no reason to question his character, associates, reputation or loyalty.

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On 4/8/82, [] Columbia University School of Law, 435 West 116th Street, New York, New York, advised that he has known the applicant for the past ten years. [] stated that he and the applicant are both [] and that his initial contact with SCALIA came about due to their association with the Administrative Conference of the United States. [] stated that SCALIA was the Chairman of the Conference and that []

NY 77B-40433

[] advised that his association with the applicant continued over the years when SCALIA was the Assistant Attorney General with the United States Department of Justice. [] stated that during this time period, he and the applicant were active in the American Bar Association and that they had numerous discussions concerning Administrative Law. [] further stated that the applicant is "undoubtedly one of the most highly regarded scholars in the Administrative Law field."

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[] characterized the applicant's writing abilities as "superb" and that he is extremely knowledgeable and a definite asset to the legal community.

[] advised that he would highly recommend SCALIA for a position of trust and confidence with the United States Government and that he had no reason to question his character, associates, or reputation.

On 4/8/82, []

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[] advised that he has known the applicant for approximately 12 years. [] stated that he first became acquainted with the applicant when SCALIA became Chairman of the Administrative Conference of the United States. During this time period, [] advised that [] for the Administrative Conference.

[] stated that the applicant is highly regarded for his talents as an administrator and his knowledge of Administrative Law.

[] advised that their relationship continued over the years due to their mutual involvement with the American Bar Association in the field of Regulatory Reform.

[] stated that [] has worked with the applicant in the preparation of legal briefs and drafts. [] characterized the applicant's legal talents as "superb" and that [] has an enormous amount of confidence in the applicant's integrity and honesty.

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NY 77B-40433

[] advised that he would highly recommend the applicant for a position of trust and confidence with the United States Government and that he had no reason to question his character, associates, reputation or loyalty.

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE PITTSBURGH	OFFICE OF ORIGIN BUREAU	DATE 4/16/82	INVESTIGATIVE PERIOD 3/30 - 4/12/82
TITLE OF CASE ANTONIN SCALIA		REPORT MADE BY SC [REDACTED]	TYPED BY cal
		CHARACTER OF CASE DAPLI U.S. CIRCUIT COURT JUDGE DISTRICT OF COLUMBIA	

b6
b7CREFERENCE:

Butel to Chicago 3/29/82.

-RUC-

ADMINISTRATIVE:

Individuals contacted in this matter were advised of the provisions of the Privacy Act of 1974, and none requested confidentiality.

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED [REDACTED] SPECIAL AGENT IN CHARGE							DO NOT WRITE IN SPACES BELOW	
COPIES MADE:							147 1121 68	
2-Bureau (77-131275) 1-Pittsburgh (77-9670-344)							NOT RECORDED 12 APR 20 1982	
Dissemination Record of Attached Report							Notations	
Agency							[Signature]	
Request Recd.	100 to AAG 5.4.82							
Date Fwd.	3/1							
How Fwd.								
By								

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FBI/DOJ

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SC [REDACTED] Office: Pittsburgh, Pa.
Date: 4/16/82
Field Office File #: 77-9670-344 Bureau File #: 77-131275
Title: ANTONIN SCALIA

b6
b7C

Character: DEPARTMENTAL APPLICANT
U.S. CIRCUIT COURT JUDGE
DISTRICT OF COLUMBIA

Synopsis:

Office of Personnel Management checks show no information since previous investigation.

- RUC -

DETAILS:

On April 12, 1982, [REDACTED] Records Supervisor, U.S. Office of Personnel Management, NACI Center, Boyers, Pennsylvania, advised that OPM files contain no additional information for captioned individual since last investigation conducted.

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE WASHINGTON FIELD	OFFICE OF ORIGIN BUREAU	DATE 4/19/82	INVESTIGATIVE PERIOD 3/30/82 - 4/12/82
TITLE OF CASE ANTONIN SCALIA		REPORT MADE BY SA [REDACTED] CHARACTER OF CASE DAPLI (B)	TYPED BY bab

REFERENCE: Bureau teletype to CG and WFO, dated 3/29/82, and CG teletype to Bureau, dated 4/7/82.

-RUC-

ADMINISTRATIVE: BUDED: 4/8/82 WITHOUT FAIL.

All persons contacted were advised of the provisions of the Privacy Act of 1974; none requested confidentiality except for the following:

[REDACTED]

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8,45,81
12, 5,4,82

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED *[Signature]* SPECIAL AGENT
IN CHARGE

COPIES MADE:

DO NOT WRITE IN SPACES BELOW

2-Bureau
1-WFO (77B-100656)

NOT RECORDED
16 MAY 13 1982

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Dissemination Record of Attached Report					Notations
Agency					
Request Recd.	1cc to AAG 5.4.82				
Date Fwd.					
How Fwd.					
By					

A*

COVER PAGE

FBI/DOJ

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED]
Date: APRIL 19, 1982

Office: WASHINGTON, D.C.

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Field Office File #: 77B-100656

Bureau File #:

Title: ANTONIN SCALIA

Character: DEPARTMENTAL APPLICANT
U.S. CIRCUIT COURT JUDGE
DISTRICT OF COLUMBIA

Synopsis: Employment at Department of Justice verified and favorable. Unable to verify consultant positions with Federal Trade Commission, Federal Communications Commission and the Office of Personnel Management. Security checks conducted and set forth; none derogatory. Association with American Enterprise Institute and Georgetown University verified. References and close personal associates recommend. Local and Federal Judges interviewed and those familiar with applicant recommend. Current United States Attorney does not know. Former United States Attorney recommends. Assistant United States Attorneys who are familiar with applicant recommend. District of Columbia officials interviewed and do not know applicant. Bar official recommends. Civil Rights leaders are not familiar with applicant. Religious leaders are not familiar with applicant. Organizational membership in Cosmos Club verified, Cosmos Club allows male members only. Credit satisfactory. Police checks negative. Bar membership set out. WF T-1 recommends. Passport check set out.

-RUC-

DETAILS: AT WASHINGTON, D.C.

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EMPLOYMENTS

WFO 77-100656

RLJ:bjm

1

The following investigation was conducted by SA [redacted] at the U. S. Department of Justice (DOJ), Washington, D. C. (WDC), on March 31, 1982:

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[redacted], Office of Legal Counsel (OLC), stated that records available to [redacted] disclose that the applicant, Antonin Scalia held the position of Assistant Attorney General, OLC. He entered on duty August 23, 1974, and resigned effective January 20, 1977. [redacted] did not know the applicant.

[redacted] Administrative Office, OLC, advised [redacted] knew the applicant during his tenure as Assistant Attorney General, having served as the second secretary in his office. [redacted] stated the applicant is known to most of his associates as "Nino" Scalia. The applicant was appointed to his position during the Ford administration, and resigned effective with the January 20th turnover in presidential administrations. [redacted] could not specifically comment on the applicant's legal qualifications because [redacted] is not a lawyer, but [redacted] stated the applicant enjoyed an excellent professional reputation while at the Department, and was considered to be a brilliant and able lawyer. [redacted] described him as a very dynamic individual, and a person of multi-talents, noting he enjoyed singing and playing the piano. [redacted] stated [redacted] knows nothing of an unfavorable nature concerning the applicant's character, reputation or associates, and has no reason to question his loyalty to the U. S. government. [redacted] wholeheartedly recommends him for a position on the U. S. Circuit Court.

[redacted] advised [redacted] had worked for the applicant, for an approximate six month period beginning in July, 1976, as a [redacted] at the DOJ. Their association has been only on a professional basis, but [redacted] has had contact with the applicant on several occasions subsequent to the applicant's departure from the DOJ.

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[redacted] advised that during [redacted] association with the applicant, [redacted] found him to be a very active and energetic individual, who got along well with those in his office, both professional and support personnel. [redacted] recalled the applicant had a good sense of humor, and an outgoing disposition. Personally, the applicant has a large family, is very family orientated, and enjoyed good health.

[] stated he was aware that the applicant was being considered for the U. S. Circuit Court, and stated that in his estimation, there are only a few individuals qualified for this particular position. In his estimation the applicant is eminently qualified for this appointment. [] noted that the applicant's past positions, particularly as a law professor, and as an Assistant Attorney General, coupled with his proficiency in administrative and constitutional law, renders the applicant ideally suited for this court, because, as [] cited, the District of Columbia, U. S. Circuit Court handles a majority of cases involving administrative law, particularly those matters involving Federal regulatory agencies. He said this type of law is where the applicant's expertise lies. [] noted that while the applicant, to his knowledge, has no trial experience, the applicant's experiences in both private and government agencies, as well as his mature and experienced knowledge of the law, are more than enough to compensate for this, noting that the position under consideration is an appeals court, which involves review of matters pertaining to points of law, requiring minimal courtroom activity.

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[] found the applicant to be totally objective in his formulation of opinions and interpretation of the law, citing that as the head of the Department's OLC, he was called to render "straight, true and neutral advice" to the Attorney General, who in turn is the advisor to the President. The applicant enjoyed the complete confidence of Attorney General Levi, and [] advised that the applicant allowed no politics to become involved in decisions on matters of law emanating from his office. He stated that the applicant's impartiality, objectiveness, professional ethics and competency are above reproach and are admirable qualities that he will bring to the bench. The applicant was noted to be an articulate speaker, and one whose writing ability was clear and concise, with a fluid writing style. [] noted these qualities are essential for the position being considered for the applicant.

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The applicant enjoys an excellent personal and professional reputation, and his character and associates are above reproach. His loyalty to the U. S. is unquestioned. He is a member of the American Bar Association, where he has been involved in some committee work; and according to [] the applicant has served as a chairman of various programs on the judiciary for the American Enterprise Institute, a WDC based firm.

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In conclusion, [] highly recommends the applicant to a position on the U. S. Circuit Court bench.

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[] stated [] served as one of the [] during the period that the applicant was the Assistant Attorney General. [] association with the applicant was only professional. [] described the applicant as a very solid person of unimpeachable character and associates, who was quick witted with a warm sense of humor. [] described him as honest, of high personal integrity, in good health, and of good habits. He was, and still is, well regarded by his associates. [] stated he is a loyal American, and a []

[] was aware that the applicant is being considered for a position on the U. S. Circuit Court. Professionally, [] found the applicant to be highly qualified for the position of Assistant Attorney General, OLC, because of his thorough knowledge of the law, particularly administrative and constitutional law. The applicant worked well under pressure, noting that during the period the applicant served at the DOJ, the Department, and specifically the OLC was immersed in the development of policies on intelligence matters. [] stated that the applicant's demeanor and conduct of his office and position, greatly helped the Department in its dealings with various agencies involved in intelligence gathering, such as the FBI, CIA, and the National Security Agency. Additionally, the applicant was called on to testify before Senate intelligence committees, and before other committees on Capitol Hill on a wide variety of subjects. [] commented that the applicant's presentations were always articulate and factual. [] recalled that the applicant was a "compulsive editor," noting that he himself "writes beautifully," and he tended to edit the work of subordinates for style, which was his prerogative.

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[] stated [] has had an occasional opportunity to observe the applicant in his position as a college professor, and has served as a guest lecturer in several of his classes. [] has the highest regard for his teaching ability, and to [] knowledge, he is held in the highest regard by students and peers in the academic community.

[] disclosed the applicant is Chairman of the Administrative Law Section of the American Bar Association, which [] said is a non-paid position except for expenses.

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[] highlighted the significance of this position, citing the fact that because the applicant was selected for this Chairmanship, it is indicative of the high esteem with which he is held by his professional peers, noting that this position is filled only by the most highly qualified individuals.

[] could recall only one other organization to which the applicant belonged, that being the Cosmos Club, which [] described as a private club located in WDC, and which has members throughout the U. S. According to [] recollection, this club is comprised of individuals who have attained academic and/or scientific achievement. [] noted that the club is a men's club, and recalled an occasion, when the applicant was to attend a club function, he consulted with the female members of his staff to determine if any of the ladies desired to attend and/or took any offense to the fact that this was a men's club. [] stated that none of the staff so objected, and several staff members attended, []

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In conclusion, [] stated that the applicant is highly qualified for a judgeship on the U. S. Circuit Court, District of Columbia, because the majority of this court's work involves administrative law appeals, to include approximately 90 percent of the appeals resulting from the Freedom of Information Act. [] said these type of administrative law matters are the applicant's specialty. [] stated that the applicant has the correct temperament and demeanor for this position, and even though [] knows of no trial experience on behalf of the applicant, [] stated this would have no effect on his abilities to review facts and points of law in these appeals matters. [] wholeheartedly endorses the applicant for the bench of the U. S. Circuit Court, District of Columbia.

[] DOJ, advised [] was hired into the Department by the applicant in October, 1975, as the result of the Honors Student Program; and [] served as a [] during the remaining time the applicant was Assistant Attorney General. [] stated that as a [] [] had little personal interaction with the applicant, but could make the following observations: the applicant was devoted to his family, and was honest, fair and impartial in his habits and dealings with others. The applicant could write effectively and was quite persuasive in his oral presentations and contacts. [] characterized the applicant as having a "rigorous

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intellect," one who was extremely knowledgeable in the law, and who enjoys a highly regarded professional reputation.

[] said the applicant possesses the temperament to sit on the U. S. Circuit Court. [] knows nothing of an unfavorable nature concerning the applicant's character and associates, and believes him to be a loyal U. S. citizen. [] highly recommends the applicant for a U. S. Circuit Court judgeship position.

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[] advised [] was acquainted with the applicant during the applicant's tour of duty as the Assistant Attorney General, OLC, and knew him to be a competent administrator possessing a keen legal mind. [] association with the applicant was only through their employment, and [] found the applicant to be professionally ethical, impartial, unbiased and objective. [] recalled accompanying the applicant on several occasions to Capitol Hill for testimony before various committees. [] stated the applicant's thorough knowledge of constitutional law displayed itself on these occasions; and [] recalled that the applicant's written and oral presentations were clear, concise, and factual. The applicant demonstrated the proper temperament and equanimity at all times.

[] stated the applicant's character, reputation and associates are of the highest caliber, and the applicant is a loyal U. S. citizen. [] highly recommended the applicant for a judicial position with the U. S. Circuit Court.

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[] advised [] was a member of the OLC staff at the time the applicant served at the DOJ, and their association was purely professional. [] was impressed with the applicant's "first rate intellect," and his knowledge of the law; and found him to be a personable individual and able administrator. [] recalled the applicant has been associated with the American Enterprise Institute, WDC, in the past, and has served as the editor for the institute's magazine, "Regulation."

[] was aware that the applicant was under consideration for a position on the U. S. Circuit Court, and stated the applicant is extremely well qualified for this position because of his extensive knowledge of administrative and constitutional law, areas in which the applicant has great interest and energy. [] stated the applicant is a

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loyal U. S. citizen, of high character and associates, and his reputation, both personally and professionally is above reproach. [] opined that the applicant's impartiality and objective approach to the law would serve him well on the bench; and [] believes the applicant has the judicial temperament for this position. [] highly recommends the applicant for the U. S. Circuit Court bench.

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[] advised [] served as the [] during the period of August, 1974 - January, 1976, and October, 1976, - January, 1977. [] stated [] knew the applicant only from their work relationship, but found him to be an extremely diligent and hardworking individual, who was dedicated to his duties, and accepted the responsibilities of his position. He worked many long hours, into the night, and on weekends. [] recalled that the OLC, at the time the applicant held his position, was a "very busy place" for the applicant and his staff due to the formulation of policy on intelligence matters. [] stated [] found the applicant to be resourceful, work well under pressure, and to have an outgoing personality, dealing fairly with his subordinates. [] stated that, based on [] experiences in having worked as a [] for many other government officials, [] found the applicant to be an impartial, unbiased and knowledgeable administrator, who possessed articulate oral abilities and a creative writing style. [] did not feel qualified to specifically comment on the applicant's legal ability since [] is not an [] but disclosed that the applicant enjoys an excellent professional reputation according to those with whom [] has spoken.

[] stated [] knows nothing of an unfavorable nature concerning the applicant's character, reputation and associates and believes him to be a loyal U. S. citizen. [] highly recommends the applicant for a high position of trust and responsibility with the U. S. government.

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WFO 77-100656

DWG:lmc

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SA [] attempted to contact

[]
on April 2; April 5; and April 6, 1982, with negative results.

On April 7, 1982, [] was contacted and advised SA [] that the applicant, Antonin Scalia, worked in the Office of Legal Counsel, U.S. Department of Justice, Washington, D.C., from approximately 1974, to 1976. [] said [] was the [] in the Office of Legal Counsel up until one year ago, [] said the applicant was the Assistant Attorney General in the Office of Legal Counsel. [] said the applicant left there and became a law professor at the University of Chicago. [] said the applicant is an excellent attorney and his legal ability is first-rate. [] said the applicant is intelligent and well versed in the law. [] said the applicant has exceptional writing and speaking abilities and has always presented a good appearance. [] knew of nothing adverse regarding the character, associates, reputation or loyalty of the applicant and said the only fault that the applicant has is that he becomes arrogant at times. [] said [] never had any problems with the applicant and did not believe his arrogance would effect his judgment. [] said [] would recommend the applicant for the position of U.S. Circuit Court Judge for the District of Columbia.

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WFO 77-100656

FL:bjm

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SA [] caused a search to be made of the files of the Office of Attorney Personnel Management, Department of Justice (DOJ), and was advised on March 31, 1982, that the applicant, Antonin Scalia, born March 11, 1936, social security account number, 111-28-1120, was employed by the DOJ from August 23, 1974, to January 20, 1977, and his Official Personnel Folder (OPF) was forwarded on April 11, 1977, to the Federal Records Center-Civilian, St. Louis, Missouri. Currently, he is a candidate for the position of judge in the District of Columbia Court of Appeals.

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WFO 77-100656

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SA [] caused a search to be made of the files of the Security Office, Department of Justice (DOJ), and was advised on March 31, 1982, that no record could be located identifiable with the applicant, Antonin Scalia.

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SA [] caused a like search to be made of the files of the Security Office, Federal Trade Commission (FTC), and was advised on April 1, 1982, that no record could be located identifiable with the applicant.

WFO 77-100656

FL:bjm

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SA [] caused a search to be made of the files of the Personnel Office, Federal Trade Commission (FTC) and was advised on April 1, 1982, that no record could be located identifiable with the applicant, Antonin Scalia, who may have been a consultant to FTC in 1977 and 1980.

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WFO 77-100656

RJW:lmc

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On April 2, 1982, SA [] caused a search to be made of the files of the Personnel Office, Office of Personnel Management (OPM), formerly U.S. Civil Service Commission and was advised that no record could be located concerning the applicant having been a consultant to OPM in 1977.

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WFO 77-100656

RJW:lmc

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On April 2, 1982, SA [] caused a search to be made of the files of the Personnel Office, Federal Communications Commission (FCC) and was advised that no record could be located concerning the applicant's employment as a consultant to FCC in 1977.

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WFO 77-100656

GDD:smg

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The following investigation was conducted on
April 2, 1982, by Special Agent [redacted]

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[redacted]
[redacted] advised he has been acquainted with Scalia for five years. [redacted] commented that he has never had any knowledge that Scalia belongs to any racially prejudiced organization and felt that Scalia's views on civil rights were constant with the law. [redacted] believes Scalia to enjoy a reputation for being fair, even tempered and free from any biases against any class of citizens or any religious group. [redacted] described Scalia as a person of sound physical and mental health and one who has always demonstrated a commitment to equal justice under the law. [redacted] personally attested to the fact Scalia possesses the legal ability to deal with complex legal problems and to be a most competent student of the law.

[redacted] stated he knew of no reason to question Scalia's trustworthiness, associates, or loyalty to the United States and its form of government.

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[redacted] has no knowledge of Scalia belonging to any civic or professional organization except for his membership in the American Bar Association.

[redacted] advised that Scalia has been and is currently the editor of Regulation magazine, a publication of the American Enterprise Institute.

In concluding, [redacted] opined that Scalia would be an outstanding addition to the bench and therefore would highly recommend him for the position of judgeship.

WFO 77-100656

GDD:smg

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The following investigation was conducted on
April 2, 1982, by Special Agent [redacted]

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[redacted]
[redacted]
[redacted] advised he has been acquainted with Scalia for eight years. [redacted] commented that he has never had any knowledge that Scalia belongs to any racially prejudiced organization and felt that Scalia's views on civil rights were constant with the law. [redacted] believes Scalia to enjoy a reputation for being fair, even tempered and free from any biases against any class of citizens or any religious group. [redacted] described Scalia as a person of sound physical and mental health and one who has always demonstrated a commitment to equal justice under the law. [redacted] personally attested to the fact Scalia possesses the legal ability to deal with complex legal problems and to be very thorough.

[redacted] stated he knew of no reason to question Scalia's trustworthiness, associates, or loyalty to the United States, and its form of government. [redacted] had no knowledge of Scalia belonging to any civic or professional organization except for his membership in the American Bar Association.

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In concluding, [redacted] opined that Scalia would be an outstanding addition to the bench and therefore would highly recommend him for the position of judgeship.

WFO 77-100656

GDD:smg

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The following investigation was conducted on
April 2, 1982, by Special Agent [redacted]

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[redacted]
[redacted]
[redacted] advised he has been acquainted with Scalia for seven years. [redacted] commented that he has never had any knowledge that the applicant belongs to any racially prejudiced organization and felt that the applicant's views on civil rights were constant with the law. [redacted] believes Scalia to enjoy a reputation for being fair, even tempered and free from any biases against any class of citizens or any religious group. [redacted] described Scalia as a person of sound physical and mental health and one who has always demonstrated a commitment to equal justice under the law. [redacted] personally attested to the fact Scalia possesses the legal ability to deal with complex legal problems with sound judgement.

[redacted] stated he knew of no reason to question Scalia's trustworthiness, associates, or loyalty to the United States and its form of government.

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[redacted] had no knowledge of Scalia belonging to any civic or professional organization except for his membership in the American Bar Association.

In concluding, [redacted] opined that Scalia would be an outstanding addition to the bench and therefore would highly recommend him for the position of judgeship.

WFO 77-100656

GDD:smg

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The following investigation was conducted on
April 2, 1982, by Special Agent [redacted]

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[redacted]
[redacted] advised he has been acquainted
with Scalia for five years. [redacted] commented that he has
never had any knowledge that Scalia belongs to any racially
prejudiced organization and felt that Scalia's views on civil
rights were constant with the law. [redacted] believes Scalia
to enjoy a reputation for being fair, even tempered and free
from any biases against any class of citizens or any religious
group. [redacted] described Scalia as a person of sound physical
and mental health and one who has always demonstrated a
commitment to equal justice under the law. [redacted] personally
attested to the fact that Scalia possesses the legal ability
to deal with complex legal problems and to be professionally
subperb.

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[redacted] stated he knew of no reason to question
Scalia's trustworthiness, associates, or loyalty to the
United States and its form of government. [redacted] had no
knowledge of Scalia belonging to any civic or professional
organization except for his membership in the American Bar
Association.

In concluding, [redacted] opined that Scalia would be
an outstanding addition to the bench and therefore would
highly recommend him for the position of judgeship.

WFO 77-100656

MDS:smg

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The following interviews were conducted on campus by SA [redacted] on April 12, 1982, on Antonin Scalia. [redacted]

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[redacted] Administrative Office, advised that her inactive adjunct records only go back as far as the spring of 1978. She said she could not locate any record for the appointee.

[redacted] advised he recalls the appointee for the semester that he worked as a visiting adjunct professor (spring and summer, 1977). [redacted] said that he had limited contact with him, but was very impressed with his credentials and invited him to join the Georgetown faculty on a full time basis.

[redacted] stated that he would be pleased to recommend him for a position as a United States Circuit Court Judge because he feels that he is eminently qualified, both professionally and personally. He said he could easily vouch for his character, loyalty, reputation and associates. He said he is without prejudice or bias, and to the best of his knowledge is physically able to handle the stress of the position. He said that he has no derogatory or adverse information to report regarding him professionally or personally. He strongly recommended him for the position of Federal Judge.

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[redacted] advised that he recalls the appointee from his brief tenure as an adjunct faculty member in 1977. He said that he has had limited contact with him, but has the highest professional and personal regard for the appointee. He said that he would easily vouch for his character, loyalty, reputation, and associates, and could recommend him for a position as Judge of the District of Columbia Circuit Court.

REFERENCES
AND
CLOSE PERSONAL ASSOCIATES

WFO 77-100656

SJS:smh

1

On April 9, 1982, SA [redacted] con-
tacted [redacted] who advised
that he has known the applicant, Antonin Scalia, since 1969. He
[redacted] was with the United States Information Agency
and Scalia was with the Office of Telecommunication Policy
in the Nixon Administration. [redacted] advised that, in his
opinion, Scalia is one of the most erudite and competent
attorneys he has known. [redacted] said that he knows of no
one who has a broader knowledge of Administrative and
Procedural Law, consequently he said he feels Scalia is
well-suited for a position as a judge at the U.S. Circuit
Court for the District of Columbia. [redacted] said that per-
haps Scalia's lack of litigation experience would be a
detriment were he being considered for a different court,
however, he felt that Scalia's background made him the per-
fect choice for a judge of a review court. [redacted] indicated
that Scalia is a prolific writer and cited that Scalia is
presently the editor of the Regulation Magazine, published
under the American Enterprise Institute. [redacted] referred
to Scalia as an excellent legal scholar, researcher and
writer and said he has no reservations concerning Scalia
becoming a judge. [redacted] concluded by stating that he
knows of no derogatory information concerning Scalia's
character, associates, reputation or loyalty to the
United States. [redacted] said he knows the applicant is a
gentleman and possessed of the necessary demeanor and even
temper. [redacted] said he was able to give Scalia the highest
recommendation for a position with the United States Circuit
Court for the District of Columbia.

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The following interviews were conducted by
SA [redacted] on April 8, 1982, at Washington, D.C.

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[redacted], advised she has known the applicant, Antonin Scalia, for approximately six years having met him through membership in the Administrative Law Section of the American Bar Association (ABA). Their association has been on a professional basis. She finds the applicant to be a delightful and sensitive individual, who is able to put people he meets at ease. He has a good sense of humor, projects an excellent appearance, is in good health, maintains good associates, is a loyal U.S. citizen, and enjoys and excellent personal reputation.

Professionally, the applicant is held in the highest regard by his peers, citing as witness of this, the applicant's esteemed position, as Chairman of the Administrative Law Section, ABA, professor at the University of Chicago Law School and Assistant Attorney General; and other positions such as consultant to the American Enterprise Institute (AEI) and visiting Professor of Law, Georgetown University. The applicant is a brilliant scholar, who has specialized in administrative and constitutional law, and his knowledge is extensive. He thoroughly researches matters before rendering opinions, and [redacted] noted that meticulous research ability has been a staple for the applicant because of his serving as editor of the AEI magazine, "Regulation," which is read by a broad, cross-section of lawyers. The applicant possesses a fluid writing ability; and a marvelous and persuasive speaking manner, through which he employs a quick wit to make his point. She finds him to be an engaging and articulate speaker.

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In considering the applicant's qualifications for the U.S. Circuit Court, [redacted] stated the applicant has a very high regard for the law, the judiciary and based on the applicant's professional competency and personal integrity, he would be objective, unbiased and impartial in his approach to the law, and to matters for his consideration. He has the proper temperament for this position. She stated that based on her knowledge of the applicant, she highly recommends him to the U.S. Circuit Court, adding that he would make an excellent appointment to that bench.

WFO 77-100656

JWR:lmc

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On April 8, 1982, [redacted]

[redacted] telephone number [redacted] furnished
SA [redacted] the following information about
Antonin Scalia:

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Scalia's intelligence and knowledge of the law are both first rate, with Scalia having extensive experience in writing and speaking in law publications and before law students.

Prior to his position at the University of Virginia, Scalia had a law practice for three to four years and he appeared before the Supreme Court in his position of Assistant Attorney General, Office of Legal Counsel, along with [redacted] who was then the [redacted], in the Dunham case.

Scalia is a friendly, witty, lively and augumentative (debates the law) type of individual, conservative in his appearance, with good conduct, no drinking problems, and is a very religious Catholic family man with [redacted]
[redacted]

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Scalia's state of health is good, his personal and professional reputations are excellent, he is honest, of high integrity and very loyal to the United States of America.

His temperament is bouncy and lively, qualities that [redacted] finds charming. According to the [redacted] Scalia is impartial, unbiased and objective when dealing with legal issues, and his professional ethics are fine.

Scalia is active in his church, the American Bar Association Committee on Law and the National Security, and the American Enterprise Institute, which publishes the Regulation magazine in which Scalia is well published. [redacted] advised Scalia's views on civil rights totally lack prejudice and he does not belong to any racial organization.

Scalia is the top choice for the Judgeship vacancy in the opinion of [redacted], based upon their time together at the Department of Justice and all that the [redacted] has heard and read since.

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WFO 77-100656

TAO:smg

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On April 12, 1982, [REDACTED]

[REDACTED] advised Special Agent [REDACTED] that he has known the applicant, Antonin Scalia, for the past ten years.

He indicated that he first met Scalia when Scalia was employed in the White House as the General Counsel for the Office of Telecommunication Policy; his main responsibility was to draft letters for the President.

He indicated that Scalia served as the Chairman of the Administrative Conference of the United States. This is a statutory agency that is made up of two-thirds Chiefs of the Legal Offices of the large agencies within the government and one-third legal experts of the private firms of the United States. This agency deals with the legal and administrative procedures and problems confronting government and the private sector.

He then advised that Scalia was the Assistant Attorney General Legal Counsel, dealing with economic and general government problems. He stated that while he was [REDACTED]

[REDACTED] worked very closely with Scalia on the difficulties encountered between the Federal Government and the City of New York, during the time the New York City was going bankrupt. He described Scalia as a lawyer's lawyer. He stated that he gave advice and wrote opinions for the Attorney General.

He indicated that he has no personal knowledge of any courtroom experience by Scalia, however, he did state that he was aware that Scalia had been in private practice and may have had some experience. He stated that Scalia is an extraordinary legal scholar and analyst, based on personal observation by him, and his dealing with Scalia during his employment with OMB. He advised that the product delivered by Scalia was outstanding in all respects, as to research, and was written in a superb fashion. He knew this to be true, in that he received copies of Scalia's opinions while at OMB.

He advised that he had no knowledge of Scalia's position as consultant with the Federal Trade Commission (FTC)

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from 1978 to 1980. He indicated that he was the former [redacted] however, he left the agency in the fall

He further advised that as well as knowing Scalia on a professional level he had the opportunity to reside next door to Scalia, when Scalia resided at [redacted] [redacted] He advised that the Scalia family were perfect neighbors in every way and he hated to see them leave for Chicago, Illinois.

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He has had no reason to question the character, associates, reputation, or loyalty of Scalia, and recommends Scalia, without reservation, for the position of United States Circuit Court Judge for the District of Columbia.

[redacted] [redacted]
[redacted]
[redacted] advised he met the applicant in 1952 when [redacted] served on the faculty of Georgetown University, WDC, and the applicant was a freshman student in [redacted]. [redacted] has maintained an off-and-on professional relationship with the applicant since that time, mostly through their attendance or participation in activities or areas of mutual interest.

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The applicant is described as a brilliant student during his undergraduate years, which description would logically carry over to his later studies. He possessed excellent writing and speaking skills which he has continued to develop to the present. [redacted] recalled the applicant to have been an effective and persuasive participant on the Georgetown Debating Team, of which [redacted] was [redacted].

Personally, the applicant enjoys an excellent reputation as the devoted father of a large family, of excellent habits and associates, and who is a loyal U.S. citizen. The applicant enjoys excellent health, and [redacted] commented that approximately three years ago, the applicant began a running/jogging program for himself to maintain his otherwise excellent health and stamina, and also to loose a controlled amount of weight. As the result, the applicant has experienced a weight loss and projects an excellent appearance.

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Professionally, the applicant is accepted as one of the outstanding legal scholars in the field of administrative and constitutional law, by his peers. His career speaks for itself, since the positions held by the applicant are those only held by the most qualified individuals. [redacted] specifically cited the applicant's position as a former Assistant Attorney General, Office of Legal Council, and that of professor, University of Chicago Law School as demonstrative of positions requiring extensive knowledge and abilities.

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[redacted] was unaware of any trial experience by the applicant, but indicated that this should not be considered a shortcoming when considering this applicant for the position of judge on the U.S. Circuit Court, District of [redacted].

WFO 77B-100656

GDD:ep

2

Columbia, since the nature of the matters before this court require a vast and scholarly knowledge of administrative and constitutional law which the applicant possesses, and prior trial experience should be a matter of last concern. The applicant's character is such that he maintains the highest professional ethics. He is honest, unbiased, objective and impartial in the conduct of his profession, and this could carry over to the court. He possesses equanimity and temperament for a judicial position, and otherwise enjoys an impeccable professional reputation. [] stated he could wholeheartedly recommend the applicant to the bench of the U.S. Circuit Court, District of Columbia.

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[] disclosed that other than membership in the American Bar Association, and an association with the American Enterprise Institute, he could recall no other organizational affiliations by the applicant.

WFO 77-100656

TAO:smg

1

On April 8, 1982, [redacted]

[redacted] advised Special Agent [redacted] that he has known the applicant, Antonin Scalia, since 1971. He indicated that he knows Scalia both on a social level and professional level. He stated that he first met Scalia when both were employed at the White House, in the General Counsel for Office of Telecommunication Policy. He indicated that the time of employment was from 1971 to 1973. In 1973, Scalia left the White House employment but remained in the Washington, D.C. area. He stated that he has maintained social contact with Scalia since that time. He stated that Scalia is currently residing in the Chicago, Illinois area, where he is employed as Professor of Law, University of Chicago.

He also advised that Scalia's former employment at the White House was that of a legal analyst, doing research, drafting letter for the White House and giving legal opinion.

He indicated that the research and writing ability of Scalia is excellent, in that the previous employment at the White House gave him plenty of experience. He stated that Scalia has excellent legal scholarship and ability to convey that knowledge of others.

He has not known the applicant to be in any type of trouble nor does he have any reason to question the character, associates, reputation, or loyalty of Scalia. He highly recommended Scalia for the position of United States Circuit Judge for the District of Columbia.

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WFO 77-100656

LJJ:cdd

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The following investigation was conducted by Special Agent (SA) [redacted] on April 5, 1982, regarding the applicant, Antonin Scalia.

[redacted] (WDC), advised that he has known the applicant for approximately twelve years. [redacted] added that he did not get to know the applicant well until about two years after they met, and this was through bar associations and when the applicant was the Chairman of the Administrative Conference of the United States and he was a [redacted]

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[redacted] described the applicant as a brilliant, scholarly, strong willed, charming person who additionally was a tremendously hard worker who looks younger than his age. [redacted] continued by saying that "Nino" was a universal man, a masterful worker, a tremendous teacher, an oral advocate and has a fair knowledge of the classics. The applicant plays the piano, tennis and speaks Latin and French.

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[redacted] described the applicant's writing abilities as extraordinary and that as far as he is concerned, within the past several years, there has been no equal to his prolific writing. [redacted] explained that the applicant has the ability that all attorneys strive to achieve in that he can present complex problems in "a simple sort of way without missing any important details". [redacted] added that the applicant thinks quickly and is good impromptu on his feet as well as in writing.

[redacted] commented that the applicant's research abilities and legal scholarship are extraordinary also.

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[redacted] added that he was acquainted with the applicant [redacted] and described [redacted]

[redacted] knew nothing of a derogatory nature regarding the character, associates, reputation or loyalty of the applicant and recommended him for the position of U. S. Circuit Court Judge for the District of Columbia.

WFO 77-100656

SJS:smh

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On April 9, 1982, SA [redacted] contacted [redacted]

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[redacted], and she advised that she has known Antonin Scalia on a primarily professional basis, since 1972. She indicated that at that time Scalia was Chairman, Administrative Conference, Washington, D.C., and [redacted] stated that the applicant is a highly competent attorney and that she felt his qualifications for a position on the U.S. Circuit Court Bench for the District of Columbia were impeccable. She advised that his history as Assistant Attorney General, Office of Legal Council, as a professor and his overall experience in the Federal arena more than compensate for his lack of actual trial or litigation experience. She commented that during the period Scalia was Assistant Attorney General she was also with the U.S. Justice Department in the Civil Division. She said that this was a troublesome period for the country and that Scalia dealt with such problems as oil tariff litigation and the Nixon-tape problems, all of which had Constitutional repercussions. [redacted] said Scalia has published prolifically and his writing and research abilities rank among the best. [redacted] said she considers Scalia to be a most intelligent legal scholar who is highly regarded as a consultant and advisor. [redacted] said that she could think of no derogatory information associated with Scalia either professionally or personally. [redacted] said she feels Scalia is an excellent choice for the position of Judge, U.S. Circuit Court, District of Columbia, and she highly recommends the applicant.

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WFO 77-100656

SJS:lmc

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On April 8, 1982, SA [] contacted []

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[], and he indicated that he has known the applicant, Antonin (Nino) Scalia, for at least nine years. [] said he is familiar with Scalia in professional, academic and social settings. [] advised that [] worked with Scalia on almost a daily basis when Scalia was an Assistant Attorney General and [] and []

[] said that Scalia is one of the most intelligent individuals he has ever worked with and stated Scalia has a broad basis of experience in the Federal law from which to draw. [] stated Scalia has always had the ability and the temperament to be a neutral and mediating force in complex issues and his opinions and advice are held in the highest regard. [] said Scalia has always been more respected as a counselor rather than an advocate. [] said Scalia's background in administrative and procedural law are of such a degree that he, Scalia, has constantly been sought out as a professor, lecturer and consultant. [] said that Scalia is an excellent researcher and writer and intellectually, he is quite sound.

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[] characterized the applicant as pleasant, patient, affable and stable. [] said Scalia has always exhibited moderate behavior and a restrained demeanor. [] said Scalia has always been the adhesive individual in a problem situation and an excellent problem solver. [] concluded by stating that he knew of absolutely no derogatory information concerning the applicant's character, associates, reputation or loyalty to the United States. [] said he feels Scalia is an excellent choice for the U.S. Circuit Court for the District of Columbia and he highly recommends.

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On April 8, 1982, Special Agent (SA) []
[] contacted the Office of the Solicitor General,
United States Department of Justice, and interviewed []
[] regarding
Antonin Scalia, who is being considered for the United
States Circuit Court, District of Columbia.

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[] stated that he has known Mr. Scalia for
seven years and they have been very close friends since the
Ford Administration. [] stated that the applicant was
his best friend among the Assistant Attorneys General during
the period that he (Scalia) held that position.

[] considers Mr. Scalia to be one of the
top twelve lawyers in the nation. [] continued by stating
that the writing and speaking abilities of the applicant
were top notch and that he writes with clarity and fine
style which is readable, persuasive and entertaining.

[] added that Mr. Scalia is very knowledgeable
of the law and keeps abreast of current legal writings and
rulings in the courts.

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[] also stated that Mr. Scalia is honest,
of the highest integrity, responsible and could be trusted
with sensitive material in that he has handled national
security matters in the past.

[] further stated that Scalia was not biased
nor partial, but objective and fair-minded in matters
pertaining to civil rights. He does not know him (Scalia)
to have any ill feelings towards any racial organizations,
but does know him to be supportive of the civil rights
objectives. [] stated that the applicant believes
that equality is utmost no matter of race, color or religion.

[] continued by stating that the applicant
is an individual of fine personality, that he knew of no
one who did not like him, that he has a good sense of humor,
is of quick wit and those who meet him like him immediately.

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[] stated that Scalia is a
devoted family man of the utmost moral values and principles
of American society.

[] also stated that he (Scalia) always maintains a businesslike appearance and is well groomed.

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b7C

[] has no reason to consider the health of the applicant anything but good and does not know him to drink to excess.

[] also stated that he knows the [] to be a [] but is not familiar with [] other than the fact []

[] stated that he is aware the applicant belongs to the American Enterprise Institute and that he has held several consultant positions with various private firms and federal agencies such as Federal Trade Commission and the Office of Personnel Management.

[] very highly recommended Antonin Scalia for a position of trust and responsibility and concluded that [] would have made him (Scalia) his first choice for appointment to the United States Circuit Court for the District of Columbia.

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WFO 77-100656

JLS:cdd

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On April 7, 1982, [REDACTED]

[REDACTED] advised Special Agent (SA) [REDACTED] that he recruited the applicant from law school and spirited him away from a Philadelphia firm which had offered him a position. [REDACTED] stated that the applicant's writing, research and speaking ability are superb as evidenced by numerous published articles and his personal observations. During his association with [REDACTED] the applicant handled a wide variety of cases and though [REDACTED] did not observe him, [REDACTED] feedback indicated that Scalia did a very fine job.

[REDACTED] characterized the applicant as a warm, friendly individual, who loved to exercise his very disciplined mind in discussing analytical problems. His personal habits, health, sobriety and reputation are excellent and his reputation is that of an objective, impartial, unbiased man, a lawyer's lawyer who believes in precedent, and in applying precedent. His professional ethics are unquestionable. He is fair, moral and totally dedicated to civil rights. [REDACTED] concluded by recommending Scalia, a fine family man, scholar, and lawyer, for a position to which he is eminently suited; United States Circuit Court Judge for the District of Columbia.

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WFO 77-100656

JLS:cdd

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On April 7, 1982, [REDACTED]

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[REDACTED] advised Special Agent (SA) [REDACTED] that the applicant is a former member of the firm's Cleveland Office where he and Scalia became close friends. He characterized the applicant as an extremely intelligent individual with an extensive knowledge of the law. He was unaware of the type of cases handled by Scalia while employed by the firm, and consequently had no knowledge of his courtroom experience. He did, however, state that the applicant's breadth of experience and high intelligence assured his success in adapting to the role of circuit judge.

[REDACTED] stated that the applicant's personal habits, loyalty, integrity, sobriety and reputation are of the highest order and added that Scalia is a devoted husband and father. Though he is not familiar with his [REDACTED]

Though [REDACTED] was unfamiliar with the applicant's courtroom experience and type of practice, numerous conversations have led him to believe that Scalia is a well controlled, impartial lawyer with professional ethics that are above reproach.

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[REDACTED] knew of no civil or professional organizations for which the applicant may belong and stated that he had never had the occasion to discuss the applicant's views on civil rights.

In conclusion, [REDACTED] felt that the applicant has proven himself through a wide range of professional endeavors and that he is ideally suited to the position of United States Circuit Court Judge. He provided his highest recommendation for Scalia and stated that the circuit bench would be strengthened by his presence.

WFO 77-100656

LJJ:cdd

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The following investigation was conducted by Special Agent (SA) [redacted] on April 8, 1982, regarding the applicant, Antonin Scalia.

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[redacted] advised that he has known the applicant for approximately ten years. They met when both were active with the American Bar Association (ABA) section of Administrative Law. The applicant was the Chairman of the Administrative Conference of the United States and [redacted] was elected to the Council. [redacted] added that he [redacted] in this position.

[redacted] described the applicant as a smart, very able person who was a delight to be with. He continued by saying that the applicant had the highest quality of character, had a good sense of humor, and was a friendly person. [redacted] holds the applicant in the highest regard.

[redacted] stated that the applicant has outstanding writing abilities, research abilities and legal scholarship.

[redacted] commented that his niece's husband was a student of the applicant's and had commented that "Nino" was the best legal instructor he ever had.

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[redacted] knew nothing of a derogatory nature regarding the character, associates, reputation or loyalty of the applicant and recommended him enthusiastically for the position of U. S. Circuit Court Judge for the District of Columbia.

WFO 77-100656

JLS:cdd

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On April 8, 1980, [redacted]

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[redacted] advised Special Agent (SA) [redacted] that the applicant is a brilliant lawyer and one of the highest intellects he has encountered. He further stated that evidence of the applicant's high reputation lies in his current Chairmanship of the Administrative Section of the American Bar Association.

Scalia's writing and speaking abilities are in order with his intellect and experience, the top of his profession. To [redacted] knowledge, the applicant has no distinct specialty, and he added that his professional experience has given him a breadth of knowledge that ideally suits him to the bench. [redacted] was unaware of the extent of the applicant's trial experience.

Scalia was characterized by [redacted] as being an aggressive, intelligent person who has an excellent sense of humor. He is even-tempered and totally in control of all aspects of his life. His health is good, his appearance is robust, and his family is large and very close. He is a religious, impartial, unbiased individual who [redacted] has previously recommended to the Attorney General for a position as a jurist. His professional ethics and moral dedication to civil rights are above reproach.

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[redacted] was unaware of any civic organizations to which the applicant may belong. He delighted in recommending Scalia for U. S. Circuit Court Judge, and was excited at the prospect of his acceptance of the position.

U.S. COURT OF APPEALS

WFO 77-100656

JWR:sgt

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Between March 30, 1982, and April 5, 1982, Special Agent [] contacted the below listed Judges at the Court of Appeals for the District of Columbia, regarding Department of Justice applicant, Antonin Scalia, with each Judge advising he or she did not know Scalia or the Judges' secretaries advising the Judge is traveling out of the area or sick in the hospital:

[] - out of the United States of American until April 10, 1982.

[] - Out of town until April 7, 1982.

[] - Does not know him.

[] - In hospital, could not be disturbed.

[] - Does not know him.

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WFO 77-100656

JWR:bjm

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On April 1, 1982, [redacted] Court of Appeals for the District of Columbia, [redacted] U. S. Courthouse, Washington, D. C., telephone [redacted], furnished SA [redacted] the following information about the applicant, Antonin Scalia:

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Scalia has a strong background in his knowledge of the law as he was once a professor of law at the University of Virginia, and he is very strong in Administrative Law based on his position with the Department of Justice (DOJ). Scalia has had numerous articles published and he is an accomplished speaker and lecturer. [redacted] knows nothing of any legal practice or actual courtroom or trial experience.

Scalia is an outgoing family man with at least [redacted] who presents himself well in public, conducts himself in a business-like manner, does not drink to excess, has good personal habits and plays doubles tennis. He has a good reputation among his colleagues, is honest, of high integrity and is loyal to the U. S.

As to Scalia's temperament and equanimity, [redacted] feels he will fit in fine with the other judges of the court, that he would be impartial in his rulings even though his personal outlook is a bit conservative, and his professional ethics are very good. [redacted] did not know anything about Scalia's civil rights views, or any organizations he may belong to either professional, civic, or racial, except that he is probably a member of the Bar.

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[redacted] recommended Scalia and thought he would be a fair judge and an asset to the court.

WFO 77-100656

JWR:bjm

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On April 1, 1982, [redacted] for the Court of Appeals for the District of Columbia, [redacted] telephone number [redacted] U. S. Courthouse, Constitution and John Marshall Place, N. W., Washington, D. C., voluntarily furnished the following information about the applicant, Antonin Scalia, to SA [redacted] of the Washington Field Office of the Federal Bureau of Investigation:

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Regarding Scalia's legal ability and experience, he is very knowledgeable of the law and discusses it intelligently as he has taught law for many years. He is well written, having numerous articles published, but [redacted] does not agree with his philosophy.

[redacted] does not have any knowledge regarding legal practice and courtroom or trial experience.

[redacted] advised Scalia is a pleasant person of short stature, is well groomed, but could stand to lose perhaps five to ten pounds of body weight. Scalia is no "shrinking violet" in that he does not back away from an issue he believes should be discussed. To the best of his knowledge, Scalia is honest, of high integrity, is loyal to the U. S., has a good reputation both personally and professionally and has no apparent problems with his conduct, sobriety or personal habits.

Scalia is a very conservative person with very high professional ethics, but [redacted] could not comment on his temperament, views on civil rights, or any organizations he may belong to. [redacted] believes Scalia would be impartial, unbiased and objective in rendering legal opinions according to the laws of the land.

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[redacted] advised Scalia should be a good judge and recommended.

WFO 77-100656

JWR:sgt

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On April 1, 1982, [redacted] Court of Appeals for the District of Columbia, [redacted] United States Courthouse, Washington, D.C., telephone number [redacted] furnished Special Agent [redacted] the following information concerning Antonin Scalia:

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Scalia is very bright, has a good knowledge of the law, is well written regarding administrative law, is a good public speaker, in that he is a professor of law, has a congenial personality, appears presentable and properly attired in public, conducts himself as you would expect of a college professor, and has a good personal and professional reputation. There is no question that he is honest, of high integrity, and is very loyal to the United States and the freedom we all enjoy here.

[redacted] has seen Scalia only in very partisan roles, in which he is very definitely not neutral, but feels that he probably would be impartial, unbiased, objective, and of even temperament in his role of Judge if appointed. Scalia has very commendable professional ethics, was the Director of the Administrative Conference of the United States, and belongs to the Association of American Law Schools, which all law professors belong to. [redacted] has no knowledge regarding any legal practice, courtroom or trial experience, state of health, family members and their activities, impartiality, objectiveness, memberships in racial organizations or civil rights views of Scalia.

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[redacted] believes Scalia would be a good Judge and recommends.

WFO 77-100656

JWR:sgt

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On April 5, 1982, [redacted] Court of Appeals for the District of Columbia [redacted] United States Courthouse, Washington, Virginia, telephone [redacted] furnished Special Agent [redacted] the following information regarding Antonin Scalia:

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Scalia is a brilliant individual, who is very knowledgeable of the law, is an excellent speaker, and is one of the editors of "Regulatory Review," and who has legal experience as a consultant. He is charming, friendly, affable, and he has the talent of disagreeing without being disagreeable. He presents a very good appearance, has a lot of integrity, good conduct, does not drink to excess, has no bad habits, has an excellent state of health, and has a large family, about which [redacted] knows nothing having met [redacted]

Scalia enjoys a good personal and professional reputation, is honest, loyal to the United States, is of even temperament, can be impartial, unbiased and objective, and exhibits first rate professional ethics.

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Scalia is a very active member of the American Bar Association (ABA), is a strong supporter of the constitution and its civil rights, and to the best of [redacted] knowledge, does not belong to any racial organizations.

[redacted] recommends Scalia "with enthusiasm" for the Judgeship opening, and is unaware whether or not Scalia has any courtroom or trial experience.

WFO-77-100656

JWR:lmc

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On April 2, 1982, [redacted]
Court of Appeals for the District of Columbia [redacted]
U.S. Courthouse, Washington, D.C. (WDC), telephone number
[redacted] furnished SA [redacted] the following
information concerning Antonin Scalia:

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Scalia is very knowledgeable of the law, possesses exceptional writing and speaking abilities as he is well published and spoke well at a weekend seminar in Charlottesville at the University of Virginia Law School regarding the Congressional Veto of Executive Regulations. He is a very personable individual with a reasonable, practical grasp of the subject of the Congressional Veto (above).

Scalia appears conservative in his dress, about what you would expect a law professor to wear, dignified yet slightly sloppy. His reputation is good professionally and as a law student. Scalia left the Department of Justice with a good reputation. Scalia's temperament is good and he can be impartial, unbiased and objective.

[redacted] knows nothing of Scalia's practical legal experience, extent of trial or courtroom experience, conduct, sobriety, habits, state of health, family members and their activities, professional ethics, participation in professional, civic or racial organizations or his views on civil rights.

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[redacted] was impressed by Scalia in his performance in his high level Department of Justice position, his knowledge of legal subjects generally and his specific knowledge on the subject of administrative law as he served for a time as the head of the Administrative Conference of the United States.

He cited a case entitled "Natural Resources Defense Council, Incorporated vs. U.S. Nuclear Regulatory Commission" (547 F. 2d 633) in the District of Columbia Circuit Court in 1976, referred to as The Vermont Yankee case.

[redacted] for the District of Columbia Court of Appeals set aside portions of the rule pertaining to waste disposal and reprocessing issues. Upon remand, the NRC was expected to conform to the judicial mandate.

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WFO 77-100656

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It was subsequently appealed to the Supreme Court entitled "Vermont Yankee Nuclear Power Corporation vs. Natural Resources Defense Council" (435 US 519) in which Justice Rhenquist wrote the opinion.

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Scalia wrote an article which appeared in "The Supreme Court Review" for 1978, at page 345 in which Scalia writes in support of the Supreme Court ruling and delivers a blistering attack against Appeals Court Chief Judge Bazelon.

[redacted] knew of no reason Scalia should not be appointed to the District of Columbia Circuit Court and recommended.

WFO 77-100656

JWR:sgt

JWR
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On April 5, 1982, [redacted] Court of Appeals for the District of Columbia [redacted] United States Courthouse, Washington, D.C., telephone [redacted] furnished the following information about Antonin Scalia to Special Agent [redacted]

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[redacted] advised he knew nothing about Scalia's courtroom and trial experience, whether or not he was ever in private practice, his conduct, sobriety or habits, (except that he had not heard any derogatory comments regarding same), family members and their activities, views on civil rights, or any racial organizations. The only organization he is involved in is the American Bar Association, in which he participates heavily.

Scalia is very intelligent, extremely knowledgeable of the law, possesses excellent writing and speaking ability, is very personable, neat in his appearance, is of excellent health, has an immaculate personal and professional reputation, is honest, loyal to the United States, and his integrity is without question.

He is of even temperament, is impartial, unbiased, and objective in his legal dealings.

Scalia's professional ethics are without question, and he would be a fine Judge.

[redacted] has already sent Scalia a note welcoming him to the Court.

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UNITED STATES DISTRICT COURT

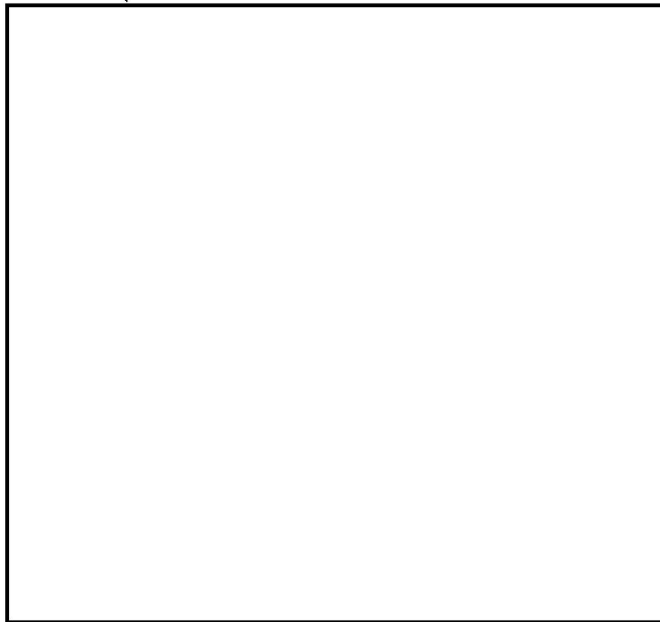
JMK WFO 77-100656

JWR:sgt

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Between March 30, 1982, and April 5, 1982, Special Agent [redacted] [redacted] contacted the below listed Judges at the District Court for the District of Columbia, regarding Department of Justice applicant, Antonin Scalia, with each Judge advising he or she did not know Mr. Scalia:

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WFO 77-100656

JWR:bjm

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On April 1, 1982, [redacted] for the District Court for the District of Columbia, [redacted], advised SA [redacted] of the FBI, that he does not know Antonin Scalia, and cannot comment upon Scalia other than to say he has heard the name and has no derogatory remarks concerning Scalia.

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WFO 77-100656

FWR:bjm

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On April 1, 1982, [redacted] of the District Court for the District of Columbia, [redacted] U. S. Courthouse, Washington, D. C. (WDC), telephone number, [redacted] furnished SA [redacted] the following information about the applicant, Antonin Scalia:

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Scalia is very knowledgeable of the law as he has been a law school professor which indicates he speaks well. He has published several articles and has good writing ability. [redacted] did not know if Scalia had any courtroom or trial experience or any private practice. His appearance is business-like, and he is intelligent and competent.

Per his reputation, Scalia has impeccable conduct, and habits.

The status of his health, family members and their activities is unknown to [redacted].

[redacted] had no derogatory remarks about Scalia's honesty, integrity or loyalty to the U. S., and does not know about his temperament.

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Scalia's professional ethics are impeccable, he belongs to the American Law Institute, and he has no knowledge about other organizations Scalia may belong to.

[redacted] advised he believed Scalia would be a good judge and recommended him.

gmr WFO 77-100656

JWR:sgt

1

On April 1, 1982, [redacted] of the District Court for the District of Columbia, [redacted] United States Courthouse, Washington, D.C., telephone [redacted] furnished Special Agent [redacted] the following information about Antonin Scalia:

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[redacted] advised Scalia's knowledge of the law, his writing and speaking abilities, and his overall intelligence regarding legal matters were all superior in his opinion. [redacted] has no knowledge of any courtroom or trial experience, and said that Scalia's time in the Attorney General's Office and as Chairman of the Administrative Law Section of the American Bar Association (ABA) were the only examples of practice he was aware of.

Scalia's personality and appearance are personable, businesslike, and he has an excellent personal and professional reputation. [redacted] has no knowledge regarding Scalia's conduct, sobriety, habits, state of health, family members and their activity, membership in any organizations, including racial, professional or civic, or Scalia's views on civil rights, except that he is very active in the ABA.

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Scalia's honesty, integrity, loyalty to the United States and temperament are all top notch, and he would be impartial, unbiased, and objective in his court rulings. Scalia has very high professional ethics.

[redacted] recommended Scalia for the Circuit Court Judgeship.

D.C. COURT OF APPEALS

WFO 77-100656

GDD:ep

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On March 30, 1982, Chief Judge [redacted]
[redacted] D.C. Court of Appeals advised SA [redacted]
[redacted] that he does not know the applicant.

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On March 30, 1982, [redacted] D.C.
Court of Appeals, Washington, D.C., advised the writer
that he does not know the applicant.

On March 30, 1982, [redacted]
D.C. Court of Appeals, advised SA [redacted] that
she does not know the applicant.

D.C. SUPERIOR COURT

WFO 77-100656

GDD:ep

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On March 30, 1982, [redacted]
D.C. Superior Court, advised SA [redacted] that
he does not know the applicant.

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On March 30, 1982, D.C. Superior Court
[redacted] advised SA [redacted]
that he does not know the applicant.

On March 31, 1982, D.C. Superior Court
[redacted] advised SA [redacted] that
he does not know the applicant.

UNITED STATES
ATTORNEY'S OFFICE

WFO 77-100656

GDD:smg

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The following persons in the United States Attorney's office, Washington, D.C., were contacted, but the applicant was unknown to them:

[REDACTED]

[REDACTED] Appellate Division.

[REDACTED] Fraud Division.

[REDACTED] Major Crimes Division.

[REDACTED] Narcotics Division.

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WFO 77-100656

JNR:sgt

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On April 5, 1982, [redacted] with the [redacted] and [redacted] for the District of Columbia, furnished the following information to Special Agent [redacted]

[redacted] is acquainted with the applicant only on a professional basis. Their acquaintance dates from 1975, or 1976, when [redacted] was a [redacted] and the applicant was an Assistant Attorney General, and both were serving under then [redacted]. During that period, [redacted] and the applicant had a "couple" of meetings concerning matters of official Department of Justice business. Since that time, [redacted] has met the applicant only by chance and only in passing.

[redacted] has no knowledge of the applicant's courtroom experience or public speaking ability. The applicant is known to [redacted] as a highly intelligent writer, who has published many of what [redacted] considers as first-rate memoranda. From these memorandas and from his limited personal contacts, [redacted] has seen no indication of political, racial or self-serving motivations influencing the applicant. Also, [redacted] has had no indication, either personally or otherwise, that the applicant's personal and professional conduct is anything but unimpeachable. [redacted] has no knowledge of the applicant's family, other than it is large.

In conclusion, [redacted] has no doubt the applicant is intellectually qualified for the position of a United States Circuit Court Judge, and that if it is the case that the applicant has no courtroom experience, the applicant would have little, if any, problem in acquiring the necessary knowledge.

On March 30, 1982, the following investigation was conducted by SA [redacted]

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[redacted] Civil Division, advised that he is personally acquainted with the applicant only on a professional basis. [redacted] first heard of the applicant when an article written by the applicant appeared in a legal journal. The article apparently expressed opinions concerning the United States Court of Appeals for the District of Columbia, and [redacted] was impressed with the style and content of the article.

[redacted] is aware the applicant was Assistant Attorney General in the Office of Legal Counsel of the United States Department of Justice during the period when Gerald Ford was President, and that presently, the applicant is a law professor at the University of Chicago. In addition, the applicant is the Chairman of the Administrative Law Section of the American Bar Association, with [redacted] as

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[redacted] The applicant also may be a member of the Federal Bar Association. [redacted] and the applicant appeared together two weeks ago to present and discuss ways in which the Freedom of Information Act might be revised.

[redacted] actual contacts with the applicant have been infrequent, and he has no knowledge concerning the applicant's family or their activities, or of the applicant's social habits or activities. However, [redacted] credits the applicant with having an outstanding reputation, and with being a brilliant legal scholar as well as a person of high integrity. The applicant's conduct has always seemed to [redacted] to be above reproach, and on the occasions when [redacted] has seen him, the applicant always presented an excellent appearance. [redacted] has also observed that the applicant seems to be in good health.

[redacted] is not aware of the extent of the applicant's courtroom and/or trial experience, but knows the applicant has written extensive legal opinions, both while serving as assistant attorney general and during his tenure as a professor. From the applicant's published opinions, as well as from personal contacts with and observations of the applicant, [redacted] is of the opinion the applicant would make a very fair judge, and would be an outstanding choice for such a position.

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[] further believes the applicant would make an excellent judge because the applicant possesses the ability to see all sides of issues with equal clarity. This ability, coupled with the applicant's published and stated opinions and beliefs, leads [] to expect the applicant would be a "moderate" in matters and questions concerning civil rights. As a moderate, the applicant would make decisions on civil rights matters based on an even-handed interpretation of the constitution; the applicant would not, by any means, be an advocate of the repeal of existing civil rights legislation.

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LOCAL OFFICIALS

WFO 77-100656

RJW:bjm

1

The following individuals were contacted by
SA [redacted] All individuals contacted indicated
that they did not know the applicant, Antonin Scalia. The
individuals that were contacted are:

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[redacted] Washington, D. C. (WDC)

[redacted] D. C. City Council

[redacted] WDC.

BAR OFFICIALS

WFO 77-100656

RJW:bjm

1

On March 30, 1982, [redacted] Bar
Association of the District of Columbia, 1215 19th Street, N. W.,
Washington, D. C., advised SA [redacted] that he does
not know the applicant, Antonin Scalia.

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CIVIL RIGHTS LEADERS

WFO 77-100656

RJW:bjm

1

The following individuals were contacted by
SA [redacted] and both individuals stated that they
did not know the applicant Antonin Scalia:

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RELIGIOUS LEADERS

WFO 77-100656

RJW:bjm

1

On March 30, 1982, the following individuals were contacted by SA [redacted] and all individuals that were contacted stated that they did not know the applicant, Antonin Scalia:

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ORGANIZATION MEMBERSHIP

WFO 77-100656

RLJ:bjm

1

advised SA [redacted] files disclose that Antonin Scalia was elected into the membership of the club on September 28, 1971, and is a current member in good standing. He has held no position of office in the club.

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[redacted] described the club as an honorary men's social organization that was formed in Washington, D. C., in November, 1878, and which has a highly regarded reputation throughout the country. She said that members to the club are admitted by vote, after nomination by two members. The requirements for nomination include one of the following:

1. The individual must have conducted meritorious, original work in his field of endeavor;
2. The individual must have distinguished himself in his field of endeavor at an international level of recognition;
3. Or the individual must have cultivated another field of expertise to that area of his professed occupation.

She stated that other than club membership being limited to males, there are no restrictions to membership other than those standards of self-distinction delineated above.

BAR MEMBERSHIP

WFO 77-100656

RLJ:bjm

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On March 30, 1982, SA [redacted] caused a search to be made of the files of The District of Columbia Bar (D. C. Unified Bar), through [redacted] concerning bar membership, and no record was found for the applicant.

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WFO 77-100656

RJW:lmc

1

On March 30, 1982, SC [] searched the records of the Lawyer's Register, U.S. District Court for the District of Columbia concerning bar membership and no record was found for the applicant.

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A check of the U.S. Supreme Court on March 30, 1982, revealed that the applicant was admitted to practice before this court on January 12, 1976.

CREDIT AND POLICE

CREDIT AND POLICE AGENCIES

SC [] caused a search to be made of the files of the Credit Bureau, Incorporated, Washington, D.C., and was advised on April 2, 1982, that the files contained a satisfactory credit record for the applicant.

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On April 1, 1982, a query was made in the Washington Area Law Enforcement computer (WALEC) and it was determined that no record was located for Metropolitan Police Department concerning the applicant or relatives.

It is to be noted that at all times an indefinite number of unidentified records may not be in the computer and not available for review.

On March 30, 1982, SC [] determined that no record was contained in the Department of Transportation, Bureau of Motor Vehicle Services, Government of the District of Columbia files concerning the applicant or relatives.

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On March 31, 1982, SC [] searched the files of the United States Park Police and no identifiable adult criminal or traffic record could be located regarding the applicant or relatives.

MISCELLANEOUS

WFO 77-100656

RJW:bjm

1

On March 30, 1982, WF T-1 was contacted by Special Agent (SA) [REDACTED], and WF T-1 advised that the applicant, Antonin Scalia, is known to WF T-1 and recommends him highly for the position of U. S. Circuit Court Judge.

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PASSPORT OFFICE

WFO 77-100656

GDD:bab

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On April 14, 1982, SC [] caused a search to be made of the records of the United States Department of State Passport Office, which revealed that the applicant holds U.S. Passport J 142280 issued January 20, 1978, and expires January 19, 1983.

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Applicant previously held Official Passport Y 1374686 issued July 1, 1976. The records of the Passport Office do not show where the applicant may have utilized the Passport for the purpose of travel.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE Alexandria	OFFICE OF ORIGIN Bureau	DATE 4/21/82	INVESTIGATIVE PERIOD 4/14/82
TITLE OF CASE ANTONIN SCALIA		REPORT MADE BY SA 	TYPED BY db
This report does not complete the investigation. It is to be furnished with necessary information when it is received.		CHARACTER OF CASE DEPARTMENTAL APPLICANT U.S. CIRCUIT COURT JUDGE DISTRICT OF COLUMBIA	

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REFERENCE: Chicago teletype to Bureau, 4/7/82.

-P-

ADMINISTRATIVE:

All individuals contacted were apprised of the provisions of the Privacy Act and those requesting confidentiality have been so noted. NEW

LEAD:ALEXANDRIA

Will report results of arrest, credit and checks when available.

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ACCOMPLISHMENTS CLAIMED						<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO		
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES					
APPROVED <i>dy/a</i>						SPECIAL AGENT IN CHARGE			DO NOT WRITE IN SPACES BELOW	
COPIES MADE:									<i>11-121516 70</i>	
2-Bureau 1-Alexandria (77B-3866)						NOT RECORDED 16 APR 26 1982				
Dissemination Record of Attached Report						Notations				
Agency						<i>Spec. Inv.</i>				
Request Recd.	<i>ICC to AAG 5.4.82</i>									
Date Fwd.										
How Fwd.										
By										

A*
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED] Office: Alexandria, Virginia
Date: 4/21/82
Field Office File #: 77B-3866 Bureau File #:
Title: ANTONIN SCALIA

b6
b7C

Character: DEPARTMENTAL APPLICANT
UNITED STATES CIRCUIT COURT JUDGE
DISTRICT OF COLUMBIA
Synopsis: Former neighborhood verified and favorable.

-P-

DETAILS:NEIGHBORHOOD

1400 Cola Drive
McLean, Virginia
1974 - August, 1977

The following investigation was conducted by
SA [REDACTED], on April 14, 1982:

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[REDACTED] advised that she knew applicant and his family from July, 1975, when [REDACTED] family moved into their home, to August, 1977, when applicant's family moved out. [REDACTED] described applicant as a hard working, honest and church-going individual who was a good [REDACTED] Applicant had the highest character and excellent mental health. [REDACTED] recommended

AX 77B-3866

applicant without reservation as to character, associates, reputation and loyalty as well as to a position of trust and confidence in the United States Government. [redacted] further advised that the [redacted] would be the only other residents who would have known applicant and be in a position to comment about applicant.

[redacted] advised that she and [redacted] had lived in their home since 1966, and had known applicant [redacted] since they moved into their home in the fall of 1974. [redacted] described applicant as an intelligent and friendly individual who had an excellent reputation in the neighborhood. [redacted] and one of [redacted] were good friends and the families regularly socialized together. The [redacted] were sorry to see applicant's family move away and they kept in touch since that time. [redacted] was not aware of anything derogatory regarding applicant or [redacted] [redacted] highly recommended applicant as to character, associates, reputation and loyalty as well as to a position of trust and confidence with the United States Government.

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DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATION MESSAGE FORM

PAGE 1 OF 1		CLASSIFICATION UNCLAS		PRECEDENCE PRIORITY
DATE 4-30-82		*F083WPP SLIDE HQ H0083 *H04UWP 301843Z APR 82		
FM DIRECTOR FBI				
TO FBI ST LOUIS {FRC-C} PRIORITY				
BT				
UNCLAS				
ANTONIN SCALIA, DAPLI, U.S. CIRCUIT COURT JUDGE, DISTRICT OF COLUMBIA, BUDED: PAST {B}				
APPLICANT BORN 3/11/36, TRENTON, N.J. SSAN 111-28-1120.				
REVIEW OPF AND FURNISH RESULT BY TELETYPE.				
NO REPORT NECESSARY.				
BT				
1				
DO NOT TYPE MESSAGE BELOW THIS LINE				
APPROVED BY CM/ma	DRAFTED BY CAS:KB {2}	DATE 4-30-82	ROOM 5136/b	TELE EXT. 3862

DO NOT TYPE PAST THIS LINE

(Handwritten initials)

RETURN TO [Redacted] ROOM 5136

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS CENTER
22152-13
APR 30 1982

NOT RECORDED
16 MAY 13 1982

DO NOT FILE WITHOUT COMMUNICATIONS STAMP

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE ALEXANDRIA	OFFICE OF ORIGIN BUREAU	DATE 5/5/82	INVESTIGATIVE PERIOD 4/12/82 - 4/26/82
TITLE OF CASE ANTONIN SCALIA		REPORT MADE BY SA 	TYPED BY ser
		CHARACTER OF CASE DAPLI U.S. CIRCUIT COURT JUDGE DISTRICT OF COLUMBIA	

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REFERENCE: Chicago teletype to Bureau, 4/7/82.

-RUC-

ADMINISTRATIVE:

All individuals contacted were apprised of the provisions of the Privacy Act and those requesting confidentiality have been so noted.

ACCOMPLISHMENTS CLAIMED						<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			

APPROVED <i>hy/ka</i> SPECIAL AGENT IN CHARGE COPIES MADE:	DO NOT WRITE IN SPACES BELOW <div style="font-size: 2em; font-weight: bold; margin: 10px 0;">77-15420-72</div> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;">NOT RECORDED</div> <div style="margin: 10px 0;">12 MAY 7 1982</div>
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Dissemination Record of Attached Report					Notations <i>SP-8/K</i>
Agency					
Request Recd.	100 & AAG 5.12.82				
Date Fwd.					
How Fwd.					
By					

COVER PAGE

FBI/DOJ

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED] Office: Alexandria, Virginia
Date: 5/5/82b6
b7C

Field Office File #: 77B-3866 Bureau File #:

Title: ANTONIN SCALIA

Character: DEPARTMENTAL APPLICANT
UNITED STATES CIRCUIT COURT JUDGE
DISTRICT OF COLUMBIASynopsis: Arrest checks revealed no record. [REDACTED]
[REDACTED]b3
b7E

-RUC-

DETAILS:ARREST CHECKS

On April 12, 1982, a computerized check of the Central Criminal Records Exchange, Virginia State Police, Richmond, Virginia, failed to reflect any information identifiable with applicant.

SC [REDACTED] caused a search to be made of the files of the Fairfax County, Virginia, Police Department, and was advised on April 14, 1982, that no record was located regarding applicant. It is to be noted that in applicant matters only class 3 and 4 misdemeanors are available.

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AX 77B-3866

CREDIT CHECK

On April 14, 1982, SC [REDACTED] caused a search to be made of the files of the Credit Bureau of Northern Virginia, Inc., Post Office Box 232, Manassas, Virginia, which covers the Washington Metropolitan Area, and was advised the files contained no derogatory record regarding applicant.

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE CHICAGO	OFFICE OF ORIGIN BUREAU	DATE 5/6/82	INVESTIGATIVE PERIOD 4/5 - 5/6/82
TITLE OF CASE ANTONIN SCALIA		REPORT MADE BY SA 	TYPED BY tm
		CHARACTER OF CASE DEPARTMENTAL APPLICANT U.S. CIRCUIT COURT JUDGE DISTRICT OF COLUMBIA	

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b7CREFERENCE:

Bureau teletype to Chicago dated 3/29/82, Chicago teletype to Bureau dated 4/6/82.

-RUC-

LEADSCHICAGO DIVISIONAT CHICAGO, ILLINOIS

Will interview additional persons knowledgeable regarding applicant.

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			

APPROVED

EDH

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

NOT RECORDED

15 MAY 11 1982

- (2) - Bureau (77-131275)
1 - Chicago (77B-20652)

Dissemination Record of Attached Report				
Agency				
Request Recd.	100	to AAG	5/12/82	
Date Fwd.				
How Fwd.				
By				

Notations

COVER PAGE

ADMINISTRATIVE:

Where appropriate, Privacy Act (e) (3) data was furnished to persons interviewed. Express promises of confidentiality, both limited and unlimited, have been noted where granted.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED]
Date: MAY 6, 1982

Office: CHICAGO

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Field Office File #: 77B-20652

Bureau File #: 77-131275

Title:
ANTONIN SCALIACharacter: DEPARTMENTAL APPLICANT --
U.S. CIRCUIT JUDGE,
DISTRICT OF COLUMBIA

Synopsis:

Applicant interviewed at which time he furnished background information and organizational affiliations. Employment at University of Chicago Law School as a Professor of Law verified and favorable. Neighbors, references and associates highly recommend. [REDACTED]

[REDACTED] highly recommends. Other [REDACTED] not personally acquainted with applicant. Credit satisfactory. Arrest negative. Review of deed for applicants residence fails to disclose any restrictive covenant. Newspaper morgue negative. Applicant does not have a personal physician.

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- RUC -

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DETAILS:

INTERVIEW WITH APPLICANT

On April 5, 1982, the applicant, Antonin Scalia furnished the following information:

He was born March 11, 1936 at Trenton, New Jersey. His Social Security Account Number is 111-28-1120. He is currently employed as a Professor of Law, University of Chicago Law School, 1111 East 60th Street, Chicago, Illinois. He resides with his wife and their nine children at 5725 South Woodlawn Avenue, Chicago, Illinois.

He has no middle name, however, at the time of his confirmation in the Catholic Church he selected the confirmation name of "Gregory". He has never otherwise used this name, although, it may appear on some school records. He does not considered it to be part of his legal name.

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[REDACTED]
[REDACTED] at 5725 South Woodlawn
Avenue, Chicago, Illinois.

The applicant has no brothers or sisters. The applicant's father, Salvatore Eugene Scalia, date of birth December 1, 1903 at Sommatino, Province of Caltanissetta, Sicily. His father became a naturalized United States citizen on June 26, 1926 in the New Jersey Court of Common Pleas, Trenton, New Jersey. The applicant's mother, Catherine Louise Scalia, nee Panaro, was born November 7, 1905 at New York City, New York. His parents reside on Wilburtha Road, Trenton, New Jersey. There is no street number for this residence.

In September, 1953 he entered Georgetown University, Washington, D.C. He attended this institution until June, 1957 at which time he received a BA Degree. This degree was awarded Summa Cum Laude. During what would have been his junior year at Georgetown University, 1955-1956, he studied at the University of Fribourg, Switzerland.

In September, 1957 he entered Harvard University Law School, Cambridge, Massachusetts and attended this institution until June, 1960 at which time he received an LL.B. Degree. This degree was received Magna Cum Laude. During his senior year he was the editor of the Harvard Law Review.

From September, 1960 until May, 1961 he was the recipient of the Sheldon Fellowship awarded by Harvard University. During this period he travelled extensively in Western and Eastern Europe.

From 1961 until 1967 he engaged in the private practice of law with the law firm Jones, Day, Cockley and Reavis, Cleveland, Ohio.

From 1967 until 1974 he served as a Professor of Law, at the University of Virginia Law School, Charlottesville, Virginia. From 1971 until 1974 he was on a leave of absence from the law school.

From March, 1971 until September, 1972 he served as the General Counsel, Office of Telecommunications Policy, Executive Office of the President, Washington, D.C.

From September, 1972 until August, 1974 he served as the Chairman, Administrative Conference of the United States, Washington, D.C.

From August, 1974 until January, 1977 he served as an Assistant Attorney General, Office of Legal Counsel, United States Department of Justice, Washington, D.C.

From January, 1977 until July, 1977 he served as a Scholar in Residence, American Enterprise Institute, 1150 17th Street N.W., Washington, D.C. and currently serves as the editor of its publication Regulation Magazine. During this period he also served as a visiting Professor of Law, Georgetown University, Washington, D.C.

From July, 1977 until September, 1980 he served as a Professor of Law, University of Chicago Law School, Chicago, Illinois.

From September, 1980 until August, 1981 he served as a visiting Professor of Law at Stanford University, Stanford, California.

From September, 1981 until the present he has served as a Professor of Law at the University of Chicago Law School, Chicago, Illinois.

He has served as a consultant to the Federal Trade Commission, Washington, D.C. in 1978 and 1980. He also served as a consultant to the Federal Communications Commission, Washington, D.C. in 1977 and to the U.S. Civil Service Commission, Washington, D.C. in 1970 and 1977.

He was a consultant to U.S. Land Law Revision Commission, Washington, D.C. in 1968. From 1969 until 1970 he served as a consultant to the Virginia Court Systems Study Commission, Richmond, Virginia.

He was admitted to practice law in the State of Ohio in 1962 and in the State of Virginia in 1970. He was admitted to practice before the Supreme Court of the United States, Washington, D.C. on January 12, 1976 and to the United States Court of Appeals, 9th Circuit, San Francisco, California on April 17, 1980.

From 1974 until August, 1977 he and his family resided at 1400 Cola Drive, McLean, Virginia.

From September, 1977 until September, 1980 he and his family resided at 5725 South Woodlawn Avenue, Chicago, Illinois.

From September, 1980 until June, 1981 while he was a visiting Professor of Law at Stanford University he and his family resided at 1431 Pitman Avenue, Palo Alto, California. During this period he rented his home in Chicago to several University of Chicago Law School students. From June, 1981 to date he and his family have resided at 5725 South Woodlawn Avenue, Chicago, Illinois.

He is not serving as an officer, director, or employee of any corporation organized for profit.

He does not have any deceased close relatives. He has no personal physician. Any illnesses he has had have been minor in nature and were treated with non-prescription drugs. He considers himself to be in excellent physical condition and plays squash, tennis, and jogs on a regular basis. He would take a physical examination if requested.

He has never had any financial problems and his only outstanding debt is the mortgage on his residence at 5725 South Woodlawn Avenue, Chicago, Illinois. This mortgage is held by the First National Bank of Chicago, Chicago, Illinois.

He currently holds U.S. Passport number J 142280. On the approximate dates indicated below he travelled to the following foreign countries:

Bermuda	January, 1973
Canada	August 6-12, 1975
	and dates unrecalled in 1964
England	January 24-29, 1978
	June 18-22, 1976
	June 9-16, 1974
	July 12-17, 1971
Mexico	January 15-18, 1982
	January 4-26, 1975
Paris, France	May 7-18, 1972
Rome, Italy	May 7-16, 1976
West Germany	January 24-29, 1978
	July 3-11, 1976
Western and Eastern Eurpoe, including East Germany, Poland, Yugoslavia and Czechoslovakia, while on Sheldon Fellowship, Harvard University	September, 1960-May, 1961

In addition he visited various countries in Western Europe while a student at the University of Fribourg, Switzerland, during the period 1955-1956. He has also visited Brussels, Belgium, however, he is unable to specifically recall the dates of that visit.

ORGANIZATIONAL AFFILIATIONS:

The applicant is a member of the following organizations:

American Bar Association, Chicago, Illinois (Chairman, Section on Administrative Law 1980; counsel member 1974-1977).

CG 77B-20652

American Enterprise Institute Legal Policy Studies Program, Washington, D.C. (member of advisory counsel).

National Institute for Consumer Justice, Washington, D.C. (member Board of Directors 1972-1973).

Center for Administrative Justice, Washington, D.C. (member Board of Directors 1972-1974).

The Cosmos Club, Washington, D.C.

The Quadrangle Club, 1155 East 57th Street, Chicago, Illinois (this is a club for faculty members at the University of Chicago).

CG 77B-20652

On April 13, 1982, [REDACTED] The
Quadrangle Club, 1155 East 57th Street, Chicago, Illinois
furnished the following information:

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The Quadrangle Club is a faculty dining club at the University of Chicago and takes its name from the arrangement of the building at the university. Membership in the club is open to all members of the faculty at the University of Chicago regardless of their race or religion.

The applicant has been a member of this club since September, 1977.

EMPLOYMENT

University of Chicago
1111 East 60th Street
Chicago, Illinois

On April 30, 1982, [redacted] University of Chicago Law School, furnished the following information:

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The applicant, date of birth March 11, 1936, social security account number 111-28-1120, was appointed a Professor at the Law School effective July 1, 1977. The applicant actually started teaching during the Fall Quarter, 1977. The applicant was granted a leave of absence during the academic year 1980-1981. During that period, the applicant served as a Visiting Professor of Law at Stanford University, Stanford, California. The applicant returned to his position at the University of Chicago Law School for the Fall Quarter, 1981.

He first met the applicant in 1976 at which time the applicant was interviewed by a faculty screening committee for a position on the Law School's faculty. This committee was very impressed with the applicant and his background. The applicant graduated with honors, from Harvard Law School, Cambridge, Massachusetts. The applicant was engaged in the private practice of law and was a Professor of Law at the University of Virginia, Charlottesville, Virginia. The applicant later served as the Chairman of the Administrative Conference, Washington, D.C. The applicant has also served as an Assistant Attorney General, Office of the Legal Council, United States Department of Justice, Washington, D.C. The applicant has written a number of articles which have appeared in various legal journals. The applicant is widely considered to be an expert in administrative and Constitutional law.

The applicant has done an excellent job at the University of Chicago. He is consistently rated highly as a Professor by the student body on their faculty evaluation sheets. In his position as [redacted] he has had the opportunity to observe the applicant in the classroom and considers him to be an excellent Professor of Law. He has read a number of legal articles written by the applicant and in his opinion the applicant is a "first rate" legal scholar and writer. The applicant is thoroughly familiar

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with the courts and its procedures. The applicant is fair-minded and is free of biases against any class of citizens or any religious or racial group. The applicant is in excellent physical condition and is more than able to assume the rigorous duties of a Circuit Court Judge.

He knows of nothing that would reflect unfavorably upon the applicant, personally or professionally. The applicant is completely loyal to the United States Government and he has never had any reason to question the applicant's moral character, associates, or his family background. The applicant is devoted to his family and to the legal profession.

To his knowledge the applicant has never engaged in any conduct that would cause embarrassment to himself, his family, or his profession.

In his opinion the applicant is eminently qualified for the position of Circuit Court Judge and he highly recommends the applicant for such a position.

On April 29, 1982, [redacted]
[redacted] University of Chicago Law School, 1111 East 60th Street,
Chicago, Illinois, furnished the following information:

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He first met the applicant in September, 1977, when the applicant joined the law school faculty at the University of Chicago. Since that time he has become well acquainted with the applicant, both professionally and socially. He considers the applicant to be a very fine attorney who is also an excellent Professor of Law. The applicant is quick and alert and has a fine legal mind. In his opinion the applicant is an excellent choice for the position of Circuit Court Judge. The applicant has engaged in the private practice of law and has served as the Chairman of the Administrative Conference of the United States, Washington, D.C. In addition, the applicant has served as an Assistant Attorney General in the Office of the Legal Council, United States Department of Justice, Washington, D.C. The applicant is a recognized expert in the fields of administrative and constitutional law. The applicant has served, on a number of occasions, as an amicus curiae in these areas.

The applicant is fair minded, honest, and possesses excellent judicial temperament. He is totally familiar with the courts and their processes and is free of any biases against any class of citizens or racial or religious groups. The applicant has written a number of articles for legal journals and is considered to be a legal scholar and writer. The applicant is highly regarded in the legal community.

The applicant and [redacted] and he is devoted to his family. To his knowledge the applicant is in excellent physical condition. He plays tennis, squash and jogs on a regular basis. He knows of nothing that would reflect unfavorably upon the applicant, either personally or professionally. The applicant and his family are fine American citizens and are completely loyal to the United States Government. He has never had any reason to question the applicant's moral character or his associates. To his knowledge the applicant does not engage in the abusive use of alcohol nor does he use drugs of abuse.

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He would highly recommend the applicant for the position of Circuit Court Judge.

On April 29, 1982, [REDACTED]
furnished the following information:

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He first met the applicant in Washington, D.C. in 1973. At that time the applicant was the Chairman of the Administrative Conference of the United States and he was with the United States Department of Justice.

The applicant is highly regarded by all who know him both professionally and personally. The applicant is a legal scholar and writer. The applicant has done an outstanding job at the Law School and will be greatly missed. The applicant is completely honest, possesses the highest integrity, is fair-minded, and is free of biases against any class of citizens or any religious or racial group.

He has never had any reason to question the applicant's abilities and considers him to be outstanding in his field of Administrative Law. The applicant is an excellent choice for the position of Circuit Court Judge and his nomination for this position will be highly approved by the legal community.

The applicant is a devoted family man and is completely loyal to the United States Government. He has never had any reason to question the applicant's family background, moral character or his associates. The applicant is in excellent physical condition and jogs and plays tennis on a regular basis.

He would highly recommend the applicant for the position of Circuit Court Judge.

On May 6, 1982, [redacted]

[redacted] University of Chicago Law School,
1111 East 60th Street, Chicago, Illinois, furnished the
following information:

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When [redacted] in 1975, the applicant was serving in the Department of Justice, Washington, D.C., as an Assistant Attorney General, Office of the Legal Counsel. He was very impressed with the applicants legal abilities. The applicant is a highly regarded legal scholar and writer. He is an expert in administrative and constitutional law. He considers the applicant to be highly qualified for the position of Circuit Court Judge.

The applicant is fair minded and is free of biases against any class of citizens or any religious or racial group. He knows of nothing that would reflect unfavorably upon the applicant, personally or professionally. The applicant is a loyal United States citizen and is devoted to his family.

He thinks very highly of the applicant and recommended, in 1976, that the applicant be offered a professorship at the University of Chicago Law School. The applicant has done an excellent job at the law school and his services will be missed.

He highly recommends the applicant for the position of Circuit Court Judge.

NEIGHBORHOOD:

5725 South Woodlawn Avenue
Chicago, Illinois

On April 6, 1982, [REDACTED]

[REDACTED] furnished the following information:

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The applicant and his family have [REDACTED] [REDACTED] at the captioned address since the fall of 1977. They both moved into their respective homes at about the same time. In addition [REDACTED] at the University of Chicago. [REDACTED] and the applicant is a Professor of Law.

There are only four private homes on this block. The rest of the buildings are all multiple family buildings that are occupied by students attending the University of Chicago which is only a block away.

The applicant during the academic year 1980-1981 served as a visiting Professor of Law at Stanford University, Stanford, California. During that period the applicant rented his home in Chicago and he and his family lived in Palo Alto, California. The applicant has been an ideal neighbor. The applicant is highly respected in the neighborhood and is devoted to his family. He is aware that the applicant has the reputation at the University of Chicago Law School of being a legal scholar and writer. The applicant is considered to be fair minded and unbiased. He knows of nothing that would reflect unfavorably upon the applicant either professionally or personally. He considers that the applicant will be an excellent addition to the Federal Court System.

He has never had any reason to question the applicant's family background, moral character, associates, or his loyalty to the United States Government.

He would highly recommend the applicant for the position of Circuit Court Judge.

On April 7, 1982, [redacted]
[redacted] furnished the following information:

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The applicant and his family have lived [redacted]
[redacted] at the captioned address since August or September, 1977. He and the applicant are at the University of Chicago. In addition [redacted] is currently [redacted]

There are only four private homes on this block and all other buildings are multiple family buildings which are occupied by individuals associated with the University of Chicago either as students or members of the staff. The University of Chicago surrounds the immediate area.

He considers the applicant and his family to have been excellent neighbors. The applicant is highly respected in the neighborhood and he knows of nothing that would reflect unfavorably upon the applicant or his family.

From his association with the University of Chicago he is aware that the applicant is highly thought of as a Professor of Law and is considered to be an outstanding member of the Law School's faculty. The applicant is considered to be a legal scholar and writer. During the academic year 1980-1981 the applicant served as a visiting Professor of Law at Stanford University, Stanford, California. During that school year the applicant and his family resided in Palo Alto, California and returned to their home on Woodlawn Avenue in Chicago at the conclusion of the school year.

He considers the applicant to be a person of high moral character, and has never had any reason to question his associates, moral character, or his loyalty to the United States Government.

He would highly recommend the applicant for the position of Circuit Court Judge.

On April 8, 1982, [redacted]

[redacted] furnished the following information:

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He has known the applicant since September, 1977 at which time the applicant and his family moved into the residence at the captioned address. They are both on the faculty at the University of Chicago and have become very good friends. [redacted] and it has been their custom to celebrate this occasion together. He considers the applicant and his family to have been very fine neighbors who are highly regarded by all who know them. Although [redacted] is aware, from his contact with various members of the law school faculty, that the applicant is considered to be an outstanding legal scholar, writer and member of the law school faculty. The applicant's services will be greatly missed by the law school.

The applicant is highly intelligent, hard working, honest, fair minded, articulate, personable and is completely free of biases against any class of citizens or racial groups.

He knows of nothing that would reflect unfavorably upon the applicant professionally or personally. The applicant [redacted]

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The applicant is completely loyal to the United States Government and he has never had reason to question the applicant's associates, moral character, or his family background.

He would highly recommend the applicant for the position of Circuit Court Judge.

REFERENCES AND ASSOCIATES:

On April 5, 1982, [REDACTED]

[REDACTED] advised Special Agent (SA) [REDACTED] that he met the applicant two years ago through their joint work for the American Bar Association Committee on Law and National Security. [REDACTED] continues to see the applicant frequently.

He considers the applicant to be a man of impeccable moral character and reputation. Applicant is intelligent, dedicated, and a loyal U.S. citizen. He is a good worker who works well with others, and is known to be a legal scholar. [REDACTED] believes that applicant is fair minded, and free from any bias or prejudice. He has had numerous contacts with the applicant, and said that his work is reliable, and extremely well done.

He said that to his knowledge, the applicant neither drinks alcohol to excess, nor uses drugs of abuse. Applicant is a man of unquestioned integrity, and his associates are people of similar background and sound moral character.

[REDACTED] would recommend the applicant for a position as U.S. Circuit Court Judge without reservation.

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On April 5, 1982, [REDACTED]

[REDACTED] advised Special Agent (SA) [REDACTED] that he has known the applicant and his family as parishioners for over ten years. [REDACTED]

He described the applicant and his family as people of outstanding moral character and reputation. Applicant is presently a Criminal Law Professor at the University of Chicago. He is intelligent, fair minded, reliable, and a loyal U.S. Citizen. Applicant is known to be a good husband and father, and is family oriented. His associates are fine people of similar background and interest.

[REDACTED] said that he would highly recommend the applicant for a position as Circuit Court Judge.

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CG 77B-20652

On April 6, 1982, [REDACTED]

[REDACTED], advised Special Agent (SA) [REDACTED] that he met applicant in 1974 in Washington, D.C. At that time, the applicant was employed by the Justice Department as Assistant Attorney General. Applicant is presently on the faculty at the University of Chicago, School of Law, Chicago, Illinois.

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He considers the applicant to be a person of outstanding moral character, honest, and a loyal American citizen. Applicant has an excellent reputation as a legal scholar. The applicant is a ~~honor~~able man of unquestioned integrity. In his dealings with the applicant, he has found him to be fair minded and unprejudiced. Applicant's associates are people of diverse and varied occupations and backgrounds, who neither drink alcohol to excess, nor use drugs of abuse.

[REDACTED] would highly recommend the applicant for a position as Circuit Court Judge and feels the applicant is "the right man for the job."

On April 6, 1982, [redacted]

[redacted] advised Special Agent (SA) [redacted] that she met the applicant approximately twenty years ago when they were students together at Harvard Law School, Cambridge, Massachusetts. Applicant and [redacted] are presently on the Law School faculty at the University of Chicago, Chicago, Illinois.

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She considers the applicant to be a man of outstanding moral character, intelligent, and personable. He has an excellent reputation as a legal scholar and has held many diverse positions in the legal field. He was a member of the Attorney General's Staff, Justice Department, Washington, D.C. during the Nixon Administration and is presently teaching and lecturing at the law school level.

Applicant has a large family and is a devoted family man. He neither drinks alcohol to excess, nor uses drugs of abuse. He is fair minded and free from prejudice or bias.

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She would have no reason to question the applicant's loyalty to the U.S. Government. [redacted] said that applicant's current friends and associates include many faculty members at the University of Chicago, who are fine people of high moral character.

[redacted] would highly recommend the applicant for a position as Circuit Court Judge.

On April 22, 1982 [redacted]

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[redacted] furnished the following information:

He first met the applicant in 1972 at which time the applicant was serving as the Chairman, Administrative Conference of the United States, Washington, D.C. They became good friends and have kept in touch through the years. He was delighted when he learned that the applicant was appointed to the faculty at the University of Chicago Law School. The applicant is highly intelligent, honest, personable, and is considered to be a legal scholar and writer. The applicant has a thorough knowledge of the courts and their processes. The applicant writes numerous articles for various legal journals which are well read and respected in the legal community.

The applicant is an expert in the fields of administrative and constitutional law and is consulted in these areas by other attorneys. The applicant has excellent judicial temperament and in his opinion has one of the finest legal backgrounds of anyone who has ever been considered for a position as a Circuit Court Judge. The applicant is highly respected in the legal community.

The applicant is fair minded and is completely free of any biases against any class of citizens or any religious or racial group. He knows of nothing that would reflect unfavorably upon the applicant, either personally or professionally. The applicant is devoted to his family and to the legal profession. The applicant is completely loyal to the United States Government and he has never had any reason to question the applicant's family background, associates, or his moral character.

He would highly recommend the applicant for the position of Circuit Court Judge.

U. S. Court of Appeals Seventh Circuit
219 South Dearborn Street
Chicago, Illinois

On April 13, 1982, [redacted] advised Special Agent (SA) [redacted] that he met the applicant approximately ten years ago at which time the applicant was interviewed by the University of Chicago Law School, Chicago, Illinois, for a faculty position. At that time he, [redacted], was a member of the faculty. Through the years he and the applicant have become good friends and enjoy both a professional as well as a social relationship.

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He described the applicant as a man of outstanding moral character, intelligent, honest, and a loyal United States citizen. The applicant has an excellent reputation as an able and experienced lawyer and is considered to be a distinguished legal scholar.

The applicant possesses an outgoing personality, and is easy to work with. The applicant gets along well with others and is fair minded and unbiased.

In addition to his work as a professor of law, the applicant writes articles for various legal journals and edits Regulation Magazine, a publication of the American Enterprise Institute, Washington, D.C. The applicant practiced law in Cleveland, Ohio, during the 1960's and currently he occasionally appears in court as an amicus curiae. The applicant is familiar with court procedures and is an accomplished legal writer and speaker.

The applicant and he, [redacted], share many mutual friends and they are all fine people of similar backgrounds and interests. To his knowledge, the applicant neither drinks alcohol to excess, nor uses drugs of abuse.

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He would highly recommend the applicant for the position of Circuit Court Judge.

CG 77B-20652

The following [redacted] were contacted on the dates indicated, each advised that although they were not personally acquainted with the applicant, they had never heard anything that would reflect unfavorably upon him:

[redacted]	April 13, 1982
[redacted]	April 13, 1982
[redacted]	April 13, 1982
[redacted]	April 14, 1982
[redacted]	April 14, 1982

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United States District Court
Northern District of Illinois
219 South Dearborn Street
Chicago, Illinois

On the dates indicated the following [] advised that they were not personally acquainted with the applicant and knew of nothing that would reflect unfavorably upon him. Other than as indicated below, these [] were unable to make any comments regarding the applicant:

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[]	April 13, 1982
[]	April 14, 1982
[]	April 13, 1982
[]	April 13, 1982
[]	April 16, 1982
[]	April 13, 1982
[]	April 14, 1982
[]	April 14, 1982
[]	April 14, 1982
[]	April 13, 1982
[]	April 15, 1982
[]	, April 13, 1982
[]	, April 13, 1982

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[] stated that they had heard the applicants name. [] recalled that he had heard the applicant as a speaker.

CG 77B-20652

Circuit Court of Cook County
Richard J. Daley Center
Chicago, Illinois

On the dates indicated the following [] advised
that they were not personally acquainted with the applicant
and knew of nothing that would reflect unfavorably upon him:

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b7C

		, April 14, 1982.
	April 14, 1982	
	April 14, 1982	
	April 15, 1982	
	April 15, 1982	

CREDIT AND ARREST

On April 15, 1982, Special Clerk (SC) [redacted] was advised by the Trans Union Credit Information Company, Chicago Division, 444 North Michigan Avenue, Chicago, Illinois, that the applicant has been known to the Company's credit files since April, 1977, and is considered to have a satisfactory credit rating.

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On April 15, 1982, SC [redacted] was advised by Chicago, Illinois Police Department Records Clerk Alpha number 118, that a search of the Department's arrest records for the applicant's name, [redacted]

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b7C

On April 15, 1982, SC [redacted] was advised by [redacted] Paletine, Illinois Police Department, that a search of the Department's arrest records for the name [redacted]

On April 14, 1982, [redacted] furnished the following information:

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On March 9, 1977, the bank granted a mortgage to the applicant in the original amount of \$75,000.00 for the purchase of a residence at 5725 South Woodlawn, Chicago, Illinois.

The current balance due on due on this loan is \$64,849.00. The loan has never been delinquent, and the applicant is considered to have a very good credit standing.

RECORDER OF DEEDS:

On April 8, 1982, [redacted] Office of the Recorder of Deeds, Cook County, 121 North LaSalle Street, Chicago, Illinois, furnished the following information:

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The property under Real Estate Tax number 20-14-214-005-0000 is identified as a residence at 5725 South Woodlawn Avenue, Chicago, Illinois.

A review of the deed for this property fails to disclose any restrictive covenant regarding race, creed, color, or national origin.

CG 77B-20652

NEWSPAPER MORGUE:

On may 6, 1982, [REDACTED] Editorial Information Center, Chicago Tribune, 441 North Michigan Avenue, Chicago, Illinois, was contacted. She advised as follows:

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A review of the newspapers' "morgue" fails to disclose any newspaper clippings regarding the applicant.

CG 77B-20652

PERSONAL PHYSICIAN:

See applicants remarks under section captioned "Interview with Applicant."

SL0009 1270150Z

RR HQ

DE SL

R 062256Z MAY 82

FM ST. LOUIS (161B-3284) (RUC)

TO DIRECTOR ROUTINE

BT

UNCLAS

ANTONIN SCALIA; DAPLI, U. S. CIRCUIT COURT JUDGE, DISTRICT OF
COLUMBIA (B); BUDED PAST

RE BUTEL TO ST. LOUIS, APRIL 30, 1982.

ALL INDIVIDUALS CONTACTED WERE APPRISED OF THE PROVISIONS
OF THE PRIVACY ACT, AND THOSE REQUESTING CONFIDENTIALITY HAVE
BEEN SO NOTED.

on
a review of
~~REVIEW~~ MAY 6, 1982, PERSONNEL RECORDS ON FILE AT FEDERAL
RECORDS CENTER, CIVILIAN BRANCH, ST. LOUIS, MISSOURI, INDICATED
ANTONIN SCALIA, SSAN 111 28 1120, WAS TEMPORARILY EMPLOYED ON
JUNE 17, 1970, AS SUMMER FACULTY MEMBER WITH OFFICE OF EXECUTIVE
DIRECTOR, OFFICE OF HEARING EXAMINERS, U. S. CIVIL SERVICE
COMMISSION, WASHINGTON, D. C. THIS EMPLOYMENT WAS TERMINATED ON
SEPTEMBER 8, 1970, BY REASON OF RESIGNATION TO RESUME TEACHING
DUTIES AT UNIVERSITY OF VIRGINIA LAW SCHOOL.

Exec. AD-Adm.	_____
Exec. AD-Inv.	_____
Exec. AD-LES	_____
Asst. Dir.:	
Adm. Servs.	_____
Crim. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Legal Coun.	_____
Off. of Cong. & Public Affs.	_____
Rec. Mgnt.	_____
Tech. Servs.	_____
Training	_____
Telephone Rm.	_____
Director's Sec'y	_____

Civil Rights &
Spec. Inq. Sect.

1574
NOT RECORDED

16 MAY 13 1982

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new CB

PAGE TWO 161B-3284 UNCLAS

HE WAS INTERMITTENTLY EMPLOYED ON SEPTEMBER 7, 1970, AS EXPERT WITH ADMINISTRATIVE CONFERENCE OF THE UNITED STATES, CHARLOTTESVILLE, VIRGINIA. THIS EMPLOYMENT WAS TERMINATED ON FEBRUARY 6, 1971, BY REASON OF COMPLETION OF ASSIGNMENT. HE WORKED ELEVEN DAYS DURING THIS EMPLOYMENT. OVERLAP OF EMPLOYMENT DATE IS NOTED.

HE WAS INTERMITTENTLY EMPLOYED ON DECEMBER 9, 1970, AS CONSULTANT WITH OFFICE OF TELECOMMUNICATIONS POLICY, OFFICE OF EMERGENCY PREPAREDNESS, WASHINGTON, D. C. THIS EMPLOYMENT WAS TERMINATED ON SEPTEMBER 21, 1972, BY REASON OF SEPARATION AND APPOINTMENT WITH ADMINISTRATIVE CONFERENCE OF THE UNITED STATES. HE WORKED FORTY FIVE DAYS DURING THIS EMPLOYMENT. OVERLAP OF EMPLOYMENT DATE IS NOTED.

HE WAS TEMPORARILY EMPLOYED ON SEPTEMBER 22, 1972, AS CHAIRMAN WITH ADMINISTRATIVE CONFERENCE OF THE UNITED STATES, WASHINGTON, D. C. THIS EMPLOYMENT WAS TERMINATED ON AUGUST 22, 1974, BY REASON OF SEPARATION AND APPOINTMENT WITH DEPARTMENT OF JUSTICE.

HE WAS EMPLOYED ON AUGUST 23, 1974, AS ASSISTANT ATTORNEY

PAGE THREE SL 161B-3284 UNCLAS

GENERAL WITH OFFICE OF LEGAL COUNSEL, DEPARTMENT OF JUSTICE, WASHINGTON, D. C. THIS EMPLOYMENT WAS TERMINATED ON JANUARY 20, 1977, BY REASON OF RESIGNATION DUE TO CHANGE IN ADMINISTRATION.

HE WAS INTERMITTENTLY EMPLOYED ON AUGUST 17, 1980, AS CONSULTANT WITH BUREAU OF CONSUMER PROTECTION, DIVISION OF MARKETING ABUSES, FEDERAL TRADE COMMISSION, WASHINGTON, D. C. THIS EMPLOYMENT WAS TERMINATED ON MARCH 31, 1981, BY REASON OF EXPIRATION OF APPOINTMENT. HE WORKED SIXTEEN DAYS DURING THIS EMPLOYMENT.

HE WAS GRANTED TOP SECRET CLEARANCE ON MARCH 5, 1971, WHICH TERMINATED WHEN HE SEPARATED HIS EMPLOYMENT WITH OFFICE OF EMERGENCY PREPAREDNESS.

PERSONNEL AT THIS CENTER ADVISED THEY WERE NOT ABLE TO LOCATE OFFICIAL PERSONNEL FOLDER FOR SCALIA FOR HIS EMPLOYMENT WITH U. S. LAND LAW REVISION COMMISSION, U. S. CIVIL SERVICE COMMISSION, FROM JUNE, 1968, TO SEPTEMBER, 1968.

HIS DATE AND PLACE OF BIRTH WERE SHOWN AS MARCH 11, 1936, AT TRENTON, NEW JERSEY.

BT

THIS REPORT COMPLETES THE INVESTIGATION.

May 12, 1982

ANTONIN SCALIA
DEPARTMENTAL APPLICANT
U.S. CIRCUIT COURT JUDGE
DISTRICT OF COLUMBIA

FEDERAL GOVERNMENT

On May 6, 1982, a review of personnel records on file at Federal Records Center, Civilian Branch, St. Louis, Missouri, indicated Antonin Scalia, SSAN 111-28-1120, was temporarily employed on June 17, 1970, as summer faculty member with Office of Executive Director, Office of Hearing Examiners, U.S. Civil Service Commission, Washington, D.C. This employment was terminated on September 8, 1970, by reason of resignation to resume teaching duties at University of Virginia Law School.

He was intermittently employed on September 7, 1970, as expert with Administrative Conference of the United States, Charlottesville, Virginia. This employment was terminated on February 6, 1971, by reason of completion of assignment. He worked eleven days during this employment. Overlap of employment date is noted.

He was intermittently employed on December 9, 1970, as consultant with Office of Telecommunications Policy, Office of Emergency Preparedness, Washington, D.C. This employment was terminated on September 21, 1972, by reason of separation and appointment with Administrative Conference of the United States. He worked forty five days during this employment. Overlap of employment date is noted.

He was temporarily employed on September 22, 1972, as chairman with Administrative Conference of the United States, Washington, D.C. This employment was terminated on August 22, 1974, by reason of separation and appointment with Department of Justice.

He was employed on August 23, 1974, as Assistant Attorney General with Office of Legal Counsel, Department of Justice, Washington, D.C. This employment was terminated on January 20, 1977.

Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.:
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Insp. _____
Intell. _____
Lab. _____
Legal Coun. _____
Off. Cong. & Public Affs. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Telephone Rm. _____
Director's Sec'y _____

CAS:KB VI
(2) 3/5

11) 12/12/75
Orig to aag 5/12/82

NOT RECORDED
16 MAY 13 1982

MAIL ROOM ☐

LHM: Antonin Scalia

by reason of resignation due to change in administration.

He was intermittently employed on August 17, 1980, as consultant with Bureau of Consumer Protection, Division of Marketing Abuses, Federal Trade Commission, Washington, D.C. This employment was terminated on March 31, 1981, by reason of expiration of appointment. He worked sixteen days during this employment.

He was granted top secret clearance on March 5, 1971, which terminated when he separated his employment with Office of Emergency Preparedness.

Personnel at this center advised they were not able to locate official personnel folder for Scalia for his employment with U.S. Land Law Revision Commission, U.S. Civil Service Commission, from June, 1968, to September, 1968.

His date and place of birth were shown as March 11, 1936, at Trenton, New Jersey.

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1345080-0

Total Deleted Page(s) = 5

Page 4 ~ b6; b7C; b7D;

Page 6 ~ b6; b7C; b7D;

Page 7 ~ b6; b7C; b7D;

Page 8 ~ b6; b7C; b7D;

Page 9 ~ b6; b7C; b7D;

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August 30, 1982

PERSONAL

TO: [Handwritten signature]

Honorable Antonin Scalia
Judge of the United States
Circuit Court
District of Columbia
United States Courthouse
3rd Street and Constitution Avenue, N.W.
Washington, D. C. 20001

FEDERAL GOVERNMENT

Dear Judge Scalia:

My associates and I extend warm congratulations on your Senate confirmation. I know you will find your work on the bench vastly rewarding and we wish you the very best as you undertake your new position.

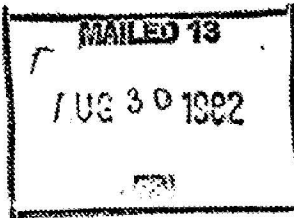
With every good wish,

Sincerely yours,

[Handwritten signature]

William H. Webster
Director

[Handwritten circle with "11-"]



1 - Washington Field

NOTE: Judge Scalia was a law professor at Stanford University at the time of his confirmation. He was Assistant Attorney General, Office of Legal Counsel, Department of Justice, from 8/74 to 1/77. Address per U. S. Court Directory.
ESH:rfw (4)

gw

1-131275-76

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Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.:
Adm. Servs. _____
Crim. Inv. _____
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Insp. _____
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Lab. _____
Legal Coun. _____
Off. Cong. & Public Affs. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Telephone Rm. _____
Director's Sec'y _____

APPROVED:

Director *[initials]*
Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____

Adm. Serv. _____
Crim. Inv. _____
Ident. _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Insp. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Off of Cong. & Public Affs. _____

AUG 31 1982

ENCLOSURE

AWT

eh

ORDER FOR PRO FORMA SESSION TOMORROW VACATED

Mr. BAKER. Mr. President, an order had been entered for a pro forma session tomorrow and that the Senate go over until Monday. There is no need for a pro forma session. The length of time in which the Senate can stand in recess without the concurrence of the House will not be exceeded by the order for the Senate to convene Monday.

Therefore, I ask unanimous consent that the order for the pro forma session be vacated.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR CERTAIN ACTION DURING RECESS

Mr. BAKER. Mr. President, I ask unanimous consent that the Secretary of the Senate may receive messages from the House of Representatives and from the President of the United States until 4 p.m., on Friday and that Senators may have until 4 p.m. to introduce bills and resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL MONDAY, AUGUST 9, 1982

Mr. TOWER. Mr. President, I move, in accordance with the previous order, that the Senate stand in recess until next Monday at noon.

The motion was agreed to; and at 6:07 p.m., the Senate recessed until Monday, August 9, 1982, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate August 5, 1982:

DEPARTMENT OF STATE

James Malone Rentschler, of Pennsylvania, a Career Member of the Senior Foreign Service, class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Malta.

Theodore George Kronmiller, of Virginia, Deputy Assistant Secretary of State for Oceans and Fisheries Affairs, for the rank of Ambassador.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

The following-named persons to be Members of the National Commission on Librar-

ies and Information Science for terms expiring July 19, 1987:

John E. Juergensmayer, of Illinois, vice Frances Healy Naftalin.

Jerald Conway Newman, of New York, vice Joan Helene Gross.

Julia Li Wu, of California, vice Clara Stanton Jones.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 5, 1982:

IN THE ARMY

The U.S. Army Reserve officers named herein for appointment as Reserve Commissioned Officers of the Army, under the provisions of title 10, United States Code, sections 593(a), 3371 and 3384:

To be major general

Brig. Gen. Clifton C. Capp, 319-20-8036
Brig. Gen. Mack J. Morgan, Jr., 408-24-6760
Brig. Gen. James L. Pelton, 298-28-5456
Brig. Gen. Norbert J. Rappl, 053-28-4309
Brig. Gen. Garnet R. Reynolds, 538-22-0701
Brig. Gen. John Ricottilli, Jr., 037-20-4783

To be brigadier general

Col. Roger R. Blunt, 035-20-8871
Col. Dean L. Linscott, 505-36-0788
Col. Bernard H. Thorn, 238-40-8806
Col. Foster Marshall II, 251-35-6499
Col. Stuart E. Harlowe, 404-30-1192
Col. Harry J. Mott III, 140-22-0302
Col. George J. Vukasin, 549-42-4904
Col. John R. Davis, 032-24-7695
Col. Albert E. Gorsky, 514-28-3886

The Army National Guard of the United States officers named herein for appointment as Reserve Commissioned Officers of the Army, under the provisions of title 10, United States Code, section 593(a), 3385, and 3392:

To be major general

Brig. Gen. Melvin J. Crain, 146-12-4014
Brig. Gen. James W. Duffy, 516-42-0253
Brig. Gen. John F. Gore, 047-14-4207
Brig. Gen. Bruce Jacobs, 090-20-8669
Brig. Gen. Joseph M. Lank, 103-22-5959

To be brigadier general

Col. Douglass D. Bradley, 367-26-2233
Col. Richard I. Braund, 339-24-3159
Col. Willard G. Burks, 429-70-7107
Col. Julius J. Chosy, 271-26-1051
Col. Bernard G. Ehrlich, 103-22-3118
Col. Melvin V. Frandsen, 529-32-9949
Col. John M. Hilliard, Jr., 251-34-9957
Col. David T. Kent, 236-48-8197
Col. Charles H. Kone, 437-44-0134
Col. Claude H. McLeod, 267-26-0937
Col. Allan R. Meikner, 474-34-8064
Col. Oliver W. Myers, 429-38-8071
Col. Frank J. Schober, Jr., 552-44-3189
Col. James H. Throwe, 047-22-3810

IN THE NAVY

The following-named officer, under the provisions of title 10, United States Code, section 5143 (b), to be assigned as Judge Advocate General of the Navy:

To be judge advocate general of the Navy

Rear Adm. James J. McHugh, 201-22-8966, Judge Advocate General's Corps, U.S. Navy.

THE JUDICIARY

Antonin Scalia, of Illinois, to be U.S. circuit judge for the District of Columbia circuit.

Michael M. Mihm, of Illinois, to be U.S. district judge for the central district of Illinois.

DEPARTMENT OF JUSTICE

Frederick J. Scullin, Jr., of New York, to be U.S. attorney for the northern district of New York for the term of 4 years.

Faith P. Evans, of Hawaii, to be U.S. Marshal for the district of Hawaii for the term of 4 years.

Larry D. Thompson, of Georgia, to be U.S. attorney for the northern district of Georgia for the term of 4 years.

IN THE AIR FORCE

Air Force nominations beginning Phillip S. Core, and ending Elvira C. Remo, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on July 26, 1982.

IN THE ARMY

Army nominations beginning Alfred T. Forrest, and ending Mary L. M. Hagan, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on July 12, 1982.

Army nominations beginning Creighton W. Abrams, and ending Buck R. Deal, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on July 12, 1982.

Army nominations beginning Paul J. Luedtke, and ending Peter L. Yee, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on July 26, 1982.

IN THE NAVY

Navy nominations beginning Richard Sanford Abele, and ending Daniel Allan Wexland, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on July 26, 1982.

Navy nominations beginning Norbert P. Reichenback, and ending Herminio C. Valenzuela, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on July 26, 1982.

Navy nominations beginning Terry R. Otterman, and ending John Thomas Yates, Jr., which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on July 26, 1982.

ENCLOSURE

77-131275-7

U.S. Courthouse
3rd & Constitution Ave. N.W.
Washington, D.C. 20001

See to sealed
F5H-15
8-27-82
30

O.P.A.
1/1

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OO HQ

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O 152345Z JUL 82

FM CHICAGO (77B-20652) (RUC) (SQUAD 1/19)

TO DIRECTOR (77B-31275) IMMEDIATE

BT

UNCLAS

ATTENTION: BUREAU SUPERVISOR [REDACTED]

ANTONIN SCALIA, DAPLI - U.S. CIRCUIT COURT JUDGE,
DISTRICT OF COLUMBIA, OO: BUREAU.

RE CHICAGO TELCALL TO BUREAU SUPERVISOR [REDACTED]

JULY 15, 1982 AND CHICAGO TELETYPE TO THE BUREAU, JULY
15, 1982.



Exec. AD-Adm.	
Exec. AD-Inv.	
Exec. AD-LES	
Asst. Dir.:	
Adm. Servs.	
Crim. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Legal Coun.	
Off. of Cong. & Public Affs.	
Rec. Mgmt.	
Tech. Servs.	
Training	
Telephone Rm.	
Director's Sec'y	

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Civil Rights &
Special Sect.

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NOT RECORDED

SEP 28 1982

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66 SEP 28 1982

2d

1275-77

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00 HQ

DE CG

O 152335Z JUL 82

FM CHICAGO (77B-20652) (SQ.1/SQ.19) (P)

TO DIRECTOR (77-131275) IMMEDIATE

BT.

UNCLAS

ATTENTION: UNIT CHIEF, [REDACTED] DEPARTMENTAL

APPLICANT UNIT

ANTONIN SCALIA, DAPLI-U.S. CIRCUIT COURT JUDGE, DISTRICT
OF COLUMBIA, OO: BUREAU.

RE CHICAGO TELCALL TO BUREAU SUPERVISOR [REDACTED]

JULY 15, 1982.

ON JULY 15, 1982, A SPECIAL AGENT (SA) OF THE CHICAGO
DIVISION, NOT PREVIOUSLY ASSIGNED TO INVESTIGATE THIS
CAPTIONED MATTER, NOTED A NEWSPAPER ARTICLE IN THE JULY 15,
1982, EDITION OF THE CHICAGO "SUN-TIMES" NEWSPAPER AT PAGE
46, REFLECTING THAT CAPTIONED SUBJECT WILL BE NOMINATED BY
PRESIDENT REAGAN TO SERVE ON THE UNITED STATES CIRCUIT
COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA.

Exec. AD-Adm.	_____
Exec. AD-Inv.	_____
Exec. AD-LES	_____
Asst. Dir.:	_____
Adm. Servs.	_____
Crim. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Legal Coun.	_____
Off. of Cong. & Public Affs.	_____
Rec. Mgmt.	_____
Tech. Servs.	_____
Training	_____
Telephone Rm.	_____
Director's Sec'y	_____

Civil Rights &
Special Sect.

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See

77-131275-78

NOT RECORDED

SEP 23 1982

308
66 SEP 28 1982

[Signature]

SSP

FD-36 (Rev. 5-78)

CLASS
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FBI

TELETYPE

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2/26/86

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PRIORITY
NEW YORK (77B-40433) (P) (A4)
PRIORITY
DIRECTOR FBI (77-131275) ()
BT
UNCLAS

ANTONIN GREGORY SCALIA, DEPARTMENTAL APPLICANT, CANDIDATE FOR
ASSOCIATE JUSTICE, UNITED STATES SUPREME COURT, INITIAL BUREAU
DEADLINE; JUNE 27, 1986, WITHOUT FAIL.

REFERENCE BUREAU TELETYPE TO ALL FIELD OFFICES, DATED JUNE 18,
1986.

THE FOLLOWING NYO INDICES WERE SEARCHED CONCERNING THE
CANDIDATE, [REDACTED] WITH NEGATIVE
RESULTS:

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4 AUG 21 1989

1 - New York
1 - Supervisor A4
JRM:msm012V2
(2)

*Rec'd
6/27/86
Original lost
DBL*

Approved: _____ Transmitted _____ Per _____

NOTE: AFTER APPROVAL, PLEASE ROUTE THIS DOCUMENT BACK TO THE WORD
PROCESSING SUPERVISOR, NOT TO THE TELETYPE ROOM.

WP Initials: _____

70 NOV 1 1989

TREAT AS ORIGINAL

26

GENERAL INDICES BY SUPPORT EMPLOYEE [REDACTED] JUNE 24,
1986.

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CIFU INDICES WERE DONE BY [REDACTED] ALSO ON JUNE 24,
1986.

ELSUR INDICES DONE ON JUNE 24, 1986, BY [REDACTED]

ICIS INDICES BY [REDACTED] JUNE 23, 1986.

114

3 SSP	1 3	6/18/86	UNCLAS	IMMEDIATE
CLASS SRC'D SER REC				
FM DIRECTOR FBI (77-131275) TO ALL FBI FIELD OFFICES IMMEDIATE BT UNCLAS ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE, U.S. SUPREME COURT, INITIAL BUDED: 6/27/86 WOF. CANDIDATE DPOB 3/11/36, TRENTON, NJ; SSN: 111-28-1120; EMPLOYMENT: U.S. CIRCUIT COURT JUDGE, DC CIRCUIT, WASHINGTON, DC; RESIDENCE: MCLEAN, VA. THE PRESIDENT OF THE UNITED STATES IS CONSIDERING THIS INDIVIDUAL FOR APPOINTMENT TO THE SUPREME COURT. ALTHOUGH THE NEWS MEDIA WILL REPORT THAT THIS INDIVIDUAL IS BEING CONSIDERED NO FBI EMPLOYEE SHOULD DISCUSS BACKGROUND INVESTIGATION PROCEDURES WITH MEDIA REPRESENTATIVES: NEITHER ABOUT THIS CASE NOR PROCEDURES IN GENERAL. IN ACCORDANCE WITH REVISED BACKGROUND INVESTIGATIVE PROCEDURES YOU ARE REQUESTED TO CHECK THE CANDIDATE, CLOSE				
BAR/1 DL/AT 6/18/86 5136 3863				

 RETURN TO ROOM 5136

 77-131275-81
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FAMILY MEMBERS, COHABITANTS AND BUSINESS ENTITY OR AFFILIATION THROUGH FBI INDICES. YOU MAY BE ASKED TO CONDUCT ADDITIONAL INDICES CHECKS AS THIS INVESTIGATION PROGRESSES.

THE FBI INDICES TO BE CHECKED ARE: GENERAL, CONFIDENTIAL, ELECTRONIC SURVEILLANCE (ELSUR) AND ANY SPECIALIZED INDICES UNIQUE TO YOUR DIVISION (SUCH AS WOODMUR). YOU NEED NOT CHECK: ORGANIZED CRIME INFORMATION SYSTEM (OCIS), [REDACTED] OR INVESTIGATIVE SUPPORT INFORMATION SYSTEM (ISIS) WHICH ARE NOW CHECKED AT FBIHQ.

b7E

THE FOLLOWING INFORMATION SHOULD BE USED TO SEARCH:

[REDACTED]

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[REDACTED] FATHER:

SALVATORE EUGENE SCALIA, DOB: 12/1/03, RESIDENCE: WILBURTHA

3

RD, TRENTON, NJ; MOTHER: CATHERINE LOUISE PANARO SCALIA, DOB:
11/7/05, RESIDES W/ABOVE.

ALL OFFICES: PROMPTLY SUTEL ALL RESULTS {POSITIVE OR
NEGATIVE} BY TELETYPE SUMMARY ATTN: GENERAL BACKGROUND
INVESTIGATION UNIT {GBI}, ROOM 5136. DUE TO THE PRIORITY OF
THIS MATTER, ANY DELAYS OR PROBLEMS SHOULD BE BROUGHT TO THE
ATTENTION OF UNIT CHIEF [REDACTED] EXT. 3862 OR
SUPERVISORY SPECIAL AGENT [REDACTED] EXT. 4198.

BT

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Mail Sequence & Filing Production Record
4-140 (Rev. 3-11-82)

Date _____

Mail _____

Abstracts _____

Classification # _____

From _____

No. of pieces _____

To _____

Sequenced by _____

Filed by _____

Date filed _____

FBI/DOJ

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[Redacted]
Staff Assistant

June 18, 1986

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[Redacted]
Unit Chief
General Background Investigation Unit

ANTONIN GREGORY SCALIA
CANDIDATE FOR ASSOCIATE JUSTICE
UNITED STATES SUPREME COURT

Attached is a set of the following:

- 1) Security Investigation Data for Sensitive Position (SF-86),
- 2) Supplemental Instructions for Completing form SF-86,
- 3) Tax Check Waiver (individual),
- 4) Authority to Release Information form, and
- 5) Supplement to SF-86.

Please provide these forms to the candidate and advise him that special agents of the FBI will be contacting him for an interview in the near future.

Also, please obtain the names and addresses of 5 peers - preferably not fellow Justices/Judges to be interviewed as associates. In addition, we would like the names and addresses of 5 individuals with whom he has interacted who have opposing views.

Enclosures (5)

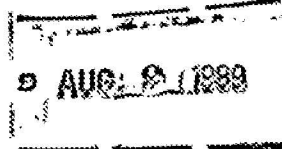
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77-13125-82

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Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.:
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Insp. _____
Intell. _____
Lab. _____
Legal Coun. _____
Off. Cong. &
Public Affs. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Telephone Rm. _____
Director's Sec'y _____

PFN/pms (5) Original and lcc sent on 6/18/86

1 - [Redacted]
1 - [Redacted]



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MAIL ROOM

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OU HQ

RECEIVED

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Mr. Holmes	
Miss Gandy	

DE SA

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FM SAN ANTONIO (77B-8605-337) (RUC)

TO DIRECTOR, IMMEDIATE

BT

UNCLAS E F T O

General Appellate Spin Room 5153
IL 232

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,

U.S. SUPREME COURT, INITIAL BUDED: JUNE 27, 1986 WOF

REBUTEL TO ALL FIELD OFFICES, DATED JUNE 18, 1986.

THE FOLLOWING SAN ANTONIO CHECKS FAILED TO REVEAL ANY
IDENTIFIABLE INFORMATION CONCERNING APPLICANT [REDACTED]

[REDACTED]

GENERAL/WOODMUR, SEARCHED BY FILE CLERK [REDACTED]

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JUNE 19, 1986;

INFORMANT, SEARCHED BY CONFIDENTIAL CLERK TYPIST [REDACTED]

[REDACTED]

JUNE 19, 1986;

77-131275-83

EL SUR, SEARCHED BY CONFIDENTIAL CLERK TYPIST [REDACTED]

JUNE 19, 1986.

AUG 9 1989

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me

[Handwritten signatures]

PAGE TWO SA 77B-8605-337 UNCLAS

A REVIEW OF GENERAL INDICES REVEALED APPOINTEE IS THE SUBJECT
OF SA FILE 77B-8580, A PREVIOUS DAPLI INVESTIGATION. [REDACTED]

[REDACTED] DISTRICT OF COLUMBIA ASSOCIATE, [REDACTED]
WAS INTERVIEWED AND RECOMMENDED FAVORABLY.

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FM DENVER (77B-9907) (RUC)

TO DIRECTOR PRIORITY

BT

UNCLAS

ATTENTION GENERAL BACKGROUND INVESTIGATIONS UNIT (GBI), ROOM 5136.

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,

U. S. SUPREME COURT, INITIAL BUDED: JUNE 27, 1986, WOF.

REBUTEL TO ALL FIELD OFFICES, DATED JUNE 18, 1986.

ON JUNE 19, 1986, GENERAL INDICES CHECKED BY CLERK [REDACTED]

[REDACTED] CONFIDENTIAL INDICES CHECKED BY CLERK [REDACTED]

AND ELSUR INDICES CHECKED BY FILE ASSISTANT [REDACTED] WITH
NEGATIVE RESULTS REGARDING APPLICANT [REDACTED]

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PP HQ

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FM MOBILE (77A-R-376) (RUC)

TO DIRECTOR (77-131275) PRIORITY

BT

UNCLAS

ATTENTION: GBI, ROOM 5136

Central Document & Spill Room 5136

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,

U.S. SUPREME COURT; INITIAL BUDED: JUNE 27, 1986, WOF.

RE BUREAU TELETYPE TO ALL OFFICES, JUNE 18, 1986.

THE FOLLOWING INDICES AND COMPUTER LIST OF THE MOBILE OFFICE
WERE SEARCHED ON APPOINTEE AND ALL OF APPOINTEE'S RELATIVES
WITH NEGATIVE RESULTS, AS INDICATED BELOW:

OFFICE INDICES BY FILE CLERK [REDACTED] ON JUNE 18,
1986.

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EL SUR INDICES BY FILE ASSISTANT [REDACTED] ON JUNE 19,
1986.

INFORMANT INDICES BY FILE ASSISTANT [REDACTED] ON
JUNE 19, 1986.

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AUG 9 1986

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PAGE TWO MO 77A-R-376 UNCLAS

NAME/ IDENT COMPUTER LIST OF ARCHIVED DATA BASE CASE "OPFOPEN"

BY STAFFING ASSISTANT

BT

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DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATION MESSAGE FORM

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PAGE 1 OF 22

CLASS

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REC

6/20/86

CLASSIFICATION

UNCLAS E F T O

PRECEDENCE

IMMEDIATE

FM DIRECTOR FBI

FM

TO

TO FBI WASHINGTON FIELD {77B-100656} IMMEDIATE

FBI PITTSBURGH {77-9670-344} IMMEDIATE

FBI ALEXANDRIA {77B-3866} IMMEDIATE

FBI CHICAGO {77B-20652} IMMEDIATE

FBI NEW HAVEN {77B-8344} IMMEDIATE

FBI BOSTON {77B-18511} IMMEDIATE

FBI NEW YORK {77B-40433} IMMEDIATE

FBI CHARLOTTE IMMEDIATE

FBI RICHMOND {77B-13982} IMMEDIATE

FBI DETROIT IMMEDIATE

FBI LOS ANGELES {77-23402} IMMEDIATE

FBI PHILADELPHIA IMMEDIATE

BT

UNCLAS E F T O SECTION 1 OF 4

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE

JUSTICE, U.S. SUPREME COURT, BUDED: 7/3/86 WOF.

DO NOT TYPE MESSAGE BELOW THIS LINE

APPROVED BY

DRAFTED BY

DL/PMS

DATE

6/20/86

ROOM

5136

TELE EXT

4198

RETURN TO

ROOM 5136

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COMMUNICATIONS CENTER0853-PL
JUN 21 1986

AUG 21 1989

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DO NOT FILE WITHOUT COMMUNICATIONS STAMP

FBI/DOJ

DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATION MESSAGE FORM

PAGE 2

CONTINUATION SHEET

START HERE

RE BUTEL TO ALL FIELD OFFICES 6/18/86.

20 THE PRESIDENT OF THE UNITED STATES IS CONSIDERING THIS
18 INDIVIDUAL FOR APPOINTMENT TO THE SUPREME COURT. IF NOMINATED
BY THE PRESIDENT, CONFIRMATION WOULD BE SOUGHT FROM THE U.S.
16 SENATE BEFORE APPOINTMENT. (ALTHOUGH THE MEDIA HAS REPORTED
THAT THIS INDIVIDUAL IS BEING CONSIDERED NO FBI EMPLOYEE
14 SHOULD DISCUSS THE FBI'S BACKGROUND INVESTIGATION PROCEDURES
WITH MEDIA REPRESENTATIVES.)

12 THE INFORMATION GATHERED BY VIRTUE OF THIS BACKGROUND
INVESTIGATION IS AN INTEGRAL PART IN THE DETERMINATION OF THE
10 CANDIDATE'S SUITABILITY AND WILL ACCORDINGLY BE DISSEMINATED
TO THE DEPARTMENT OF JUSTICE AND THE WHITE HOUSE. THIS
8 INVESTIGATION UPDATES A PREVIOUS BACKGROUND INVESTIGATION
COMPLETED DURING JULY 1982. THE U.S. SENATE CAN BE EXPECTED
6 TO HAVE ACCESS TO REPORTS OF THIS INVESTIGATION PRIOR TO
CONDUCTING CONFIRMATION HEARINGS.

4 WHEN THE FBI WAS NOTIFIED OF THIS INDIVIDUAL'S CANDIDACY,
DOJ ACTING IN BEHALF OF THE FBI FURNISHED THE CANDIDATE: 1} A
2 STANDARD FORM 86 ENTITLED "SECURITY INVESTIGATION DATA FOR
SENSITIVE POSITION;" 2} A MEMORANDUM ENTITLED "SUPPLEMENTAL

DO NOT TYPE MESSAGE BELOW THIS LINE

DO NOT TYPE PAST THIS LINE

DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATION MESSAGE FORM

PAGE

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CONTINUATION SHEET

START HERE

INSTRUCTIONS FOR COMPLETING FORM SF-86;" 3) A "TAX CHECK
WAIVER" FORM (DOJ-488); 4) AN FD-406 FORM ENTITLED "AUTHORITY
TO RELEASE INFORMATION;" AND 5) A FORM ENTITLED "SUPPLEMENT TO
SF-86." THE CANDIDATE WAS ASKED IN THE LETTER TO COMPLETE THE
FORMS UPON RECEIPT AND RETAIN THEM UNTIL INTERVIEWED BY A
SPECIAL AGENT FROM YOUR OFFICE. IN ADDITION TO THE FORMS THE
CANDIDATE WAS ASKED TO PROVIDE THE NAMES OF 10 OTHER
INDIVIDUALS: 5 PEERS NOT ON THE COURT AND 5 INDIVIDUALS WITH
WHOM HE INTERACTS BUT DO NOT HOLD HIS VIEWS. THE CANDIDATE
HAS SINCE RETURNED THE FORMS DIRECTLY TO FBIHQ.

UPON RECEIPT OF THIS TELETYPE, THE ASSIGNED SPECIAL AGENT
SHOULD FAMILIARIZE HIM/HERSELF WITH THE REFERENCED AIRTEL AND
THE MANUAL OF INVESTIGATIVE OPERATIONS AND GUIDELINES, PART
II, SECTION 17, AND PART I, SECTION 77. IT IS ALSO HELPFUL
FOR THE SPECIAL AGENT TO BE COGNIZANT OF MIOG PART II, SECTION
23-6.

ADMINISTRATIVE

FIELD OFFICES SHOULD INSURE THAT ALL INTERVIEWS ARE
CONDUCTED BY EXPERIENCED, MATURE SPECIAL AGENTS. IN INSTANCES
IN WHICH MEDIA INTEREST COULD BE GENERATED ASACS AND

DO NOT TYPE MESSAGE BELOW THIS LINE

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DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATION MESSAGE FORM

PAGE

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CONTINUATION SHEET

START HERE

SUPERVISORY SPECIAL AGENTS MAY WANT TO PARTICIPATE.

CANDIDATE INTERVIEW

AN INTERVIEW OF JUDGE SCALIA SHOULD NOT BE NEEDED AND IT WILL NOT BE NECESSARY TO OBTAIN HIS FINGERPRINTS. IF DEVELOPMENTS CAUSE THE CASE AGENT TO BELIEVE AN INTERVIEW OF THE CANDIDATE OR ANY PRESENT SUPREME COURT JUSTICE IS NECESSARY FBIHQ APPROVAL MUST BE SECURED BEFORE PROCEEDING.

THE INVESTIGATION

ALL INVESTIGATION REQUIRED BY MIOG IS OF COURSE TO BE CONDUCTED. THE INVESTIGATION SHOULD DETERMINE THE CANDIDATE'S PROFESSIONAL REPUTATION; LEGAL ABILITY; COURTROOM DEMEANOR; REPUTATION FOR FAIRNESS; TEMPERAMENT; BIAS AGAINST SOCIAL CLASSES OF CITIZENS, MEMBERS OF ANY GROUP - RELIGIOUS, ETHNIC, RACIAL OR SEXUAL DISCRIMINATION; BAR MEMBERSHIP; PERSONAL HEALTH; PERSONAL CONDUCT IN REGARD TO CHARACTER, ASSOCIATES, REPUTATION AND LOYALTY; CREDIT STANDING; ETC. IN SUMMARY, OUR EFFORT IS TO SOLICIT COMMENTS RELATIVE TO HIS SUITABILITY TO BE AN ASSOCIATE JUSTICE OF THE UNITED STATES SUPREME COURT. THESE OBJECTIVES SHOULD BE REACHED THROUGH THE INTERVIEWS SET OUT IN THIS TELETYPE.

DO NOT TYPE MESSAGE BELOW THIS LINE

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DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATION MESSAGE FORM

PAGE

5

CONTINUATION SHEET

START HERE

REPORTING

ALL INVESTIGATION MUST BE SUBMITTED IN REPORT FORMAT AS
OUTLINED IN MIOG. INTERVIEWS RELATING TO DEROGATORY
INFORMATION MUST BE RECORDED ON FD-302 FORMS (MAOP, PART II,
SECTION 10-13.3.5). EACH OFFICE SHOULD SEND REPORTS VIA AN
OVERNIGHT PACKAGE EXPRESS COMPANY TO FBIHQ MARKED: THE
DIRECTOR, ATTN: BACKGROUND INVESTIGATION UNIT, ROOM 5136.

ISSUES

MAJOR ISSUES DEVELOPED THAT REQUIRE FBIHQ PARTICIPATION
FOR RESOLUTION SHOULD BE COMMUNICATED IN WRITING BUT PRECEDED
BY TELEPHONE DISCUSSION (FTS-324-3863). REFER ALL MEDIA
INQUIRIES TO THE DEPARTMENT OF JUSTICE PRESS OFFICE 202-633-
2000 OR, IF THE REQUEST INVOLVES ONLY THE FBI, FBI'S PRESS
OFFICE, 202-324-3691.

DEADLINES

COMPLETED REPORTS ARE TO REACH FBIHQ BY NOON EDT JULY 3,
1986. ALL DEADLINES ARE EXPECTED TO BE MET.

BIOGRAPHICAL

THE FOLLOWING INFORMATION WAS PROVIDED BY THE CANDIDATE:
{1} ANTONIN SCALIA, AKA ANTONIN GREGORY SCALIA, DPOB

DO NOT TYPE MESSAGE BELOW THIS LINE

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DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATION MESSAGE FORM

PAGE

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CONTINUATION SHEET

[* START HERE

3/11/36, TRENTON, NEW JERSEY, SSAN 111-28-1120, 6713 WEMBERLY
WAY, MC LEAN, VIRGINIA.

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DO NOT TYPE PAST THIS LINE

ALL OFFICES:

{1} CHECK CANDIDATE AND CLOSE FAMILY MEMBERS THROUGH FBI
FIELD OFFICE INDICES: GENERAL, CONFIDENTIAL, ELECTRONIC
SURVEILLANCE {ELSUR} AND ANY SPECIALIZED INDICES UNIQUE TO

BT

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DEPARTMENT OF JUSTICE
 FEDERAL BUREAU OF INVESTIGATION
 COMMUNICATION MESSAGE FORM

PAGE 7 OF 22					
DATE 6/20/86		CLASSIFICATION UNCLAS E F T O		PRECEDENCE IMMEDIATE	
14 FM DIRECTOR FBI TO FBI WASHINGTON FIELD {77B-100656} IMMEDIATE FBI PITTSBURGH {77-9670-344} IMMEDIATE FBI ALEXANDRIA {77B-3866} IMMEDIATE FBI CHICAGO {77B-20652} IMMEDIATE FBI NEW HAVEN {77B-8344} IMMEDIATE FBI BOSTON {77B-18511} IMMEDIATE FBI NEW YORK {77B-40433} IMMEDIATE FBI CHARLOTTE IMMEDIATE FBI RICHMOND {77B-13982} IMMEDIATE FBI DETROIT IMMEDIATE FBI LOS ANGELES {77-23402} IMMEDIATE FBI PHILADELPHIA IMMEDIATE BT UNCLAS E F T O SECTION 2 OF 4 ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE, U.S. SUPREME COURT, BUDED: 7/3/86 WOF.					
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APPROVED BY <i>EIC/Amr</i>	DRAFTED BY SL/PMS	DATE 6/20/86	ROOM 5136	TELE EXT. 4198	

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DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
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CONTINUATION SHEET

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YOUR DIVISION (SUCH AS WOODMUR). ALTHOUGH OCIS- [REDACTED] AND ISIS ARE CHECKED AT FBIHQ, THEY SHOULD ALSO BE CHECKED IN EACH FIELD OFFICE FOR THIS INVESTIGATION. IF COHABITANTS (MAIDS, ETC.) ARE SUBSEQUENTLY IDENTIFIED THESE INDIVIDUALS SHOULD ALSO BE CHECKED.

{2} CHECK CANDIDATE AND COHABITANTS AT THE U.S. ATTORNEY'S OFFICES IN YOUR TERRITORY TO DETERMINE IF THERE IS ANY INDICATION OF FEDERAL LITIGATION (CIVIL OR CRIMINAL) IN CLOSED OR CURRENT FILES IN WHICH THE CANDIDATE OR COHABITANTS WERE A PLAINTIFF OR A DEFENDANT. CLOSE FAMILY MEMBERS SHOULD BE CHECKED THROUGH U.S. ATTORNEY'S OFFICE IN THE DISTRICT IN WHICH THEY NOW RESIDE.

{3} CHECK STATE BAR AND GRIEVANCE RECORDS IN ALL STATES CANDIDATE HAS LIVED AND WORKED SINCE GRADUATION FROM LAW SCHOOL.

{4} INTERVIEW LOCAL AND STATE BAR LEADERS IN ANY STATE IN WHICH THE CANDIDATE HAS BEEN FOUND TO BE ADMITTED TO PRACTICE.

ALEXANDRIA DIVISION:

{1} INTERVIEW [REDACTED]

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CONTINUATION SHEET

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{2} INTERVIEW [REDACTED]

{3} INTERVIEW [REDACTED]

16 [REDACTED]

14 {4} CONDUCT NEIGHBORHOOD INVESTIGATION AT 1509 TWISTING
TREE LANE, MC LEAN, VIRGINIA, WHERE THE CANDIDATE [REDACTED]
12 RESIDED FROM 9/1/82 THROUGH 5/30/83.

10 {5} CONDUCT NEIGHBORHOOD INVESTIGATION AT 6713 WEMBERLY
WAY, MC LEAN, VIRGINIA, WHERE THE CANDIDATE [REDACTED] HAS
8 RESIDED SINCE 6/1/83.

6 {6} CONDUCT ARREST CHECKS OF CANDIDATE, [REDACTED]
4 [REDACTED]

2 {7} VERIFY OWNERSHIP OF HIS PRESENT RESIDENCE AND EXPLORE
ANY LIENS OR RESTRICTIVE COVENANTS REGARDING RACE, RELIGION,
ETC.

{8} CHECK COUNTY CLERK (OR EQUIVALENT) TO LOCATE OR
ESTABLISH THE EXISTENCE OF ANY PERSONAL, TAX OR MECHANICAL
LIENS. ONCE ANY ARE LOCATED THE INFORMATION EXPLAINING THE

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LIEN(S) SHOULD BE GATHERED IN ADDITION TO THE AMOUNT. DO NOT
CONTACT IRS FOR DETAILS OF ANY FEDERAL TAX LIENS IDENTIFIED
BUT SET LEAD FOR FBIHQ CONTACT IRSHQ.

{9} CONTACT OFFICIALS OF THE LANGLEY CLUB INC., DETERMINE
ITS MEMBERSHIP POLICIES, ITS OBJECTIVES AND DEGREE OF
PARTICIPATION BY THE CANDIDATE.

{10} CONTACT OFFICIALS OF THE MC LEAN SWIMMING AND TENNIS
ASSOCIATION, DETERMINE ITS MEMBERSHIP POLICIES, ITS OBJECTIVES
AND DEGREE OF PARTICIPATION BY THE CANDIDATE.

{11} DETERMINE CANDIDATE'S HEALTH BY INTERVIEW OF

BOSTON DIVISION:

{1} INTERVIEW OPPOSING ATTORNEYS

CHARLOTTE DIVISION:

{1} INTERVIEW OPPOSING ATTORNEY,

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CHICAGO DIVISION:

{1} INTERVIEW [REDACTED]

{2} CONTACT OFFICIALS OF THE JUSTIMAN SOCIETY, DETERMINE
THE MEMBERSHIP POLICIES, THE OBJECTIVES OF THE GROUP AND
DEGREE OF PARTICIPATION BY THE CANDIDATE.

{4} INTERVIEW ADVERSARY [REDACTED]

DETROIT DIVISION:

{1} INTERVIEW [REDACTED]

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CONTINUATION SHEET

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LOS ANGELES DIVISION:

{1} INTERVIEW [REDACTED]

NEW HAVEN DIVISION:

{1} INTERVIEW [REDACTED]

NEW YORK DIVISION:

{1} INTERVIEW [REDACTED]

{2} INTERVIEW [REDACTED] THE NEW YORK TIMES, 229
WEST 43RD STREET, NEW YORK CITY, AND OBTAIN COPIES OF ALL
ARTICLES RETRIEVABLE FROM THE NEW YORK TIMES DATA BANK ABOUT
THE CANDIDATE. {SUBMIT NEWSPAPER ARTICLES 1971 TO DATE AS AN
EXHIBIT TO THIS REPORT.}

{3} INTERVIEW RELIGIOUS LEADER [REDACTED]

NYC.

{4} INTERVIEW RELIGIOUS LEADER [REDACTED]

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DATE

6/20/86

CLASSIFICATION

UNCLAS E F T O

PRECEDENCE

IMMEDIATE

FM DIRECTOR FBI

TO FBI WASHINGTON FIELD {77B-100656} IMMEDIATE

FBI PITTSBURGH {77-9670-344} IMMEDIATE

FBI ALEXANDRIA {77B-3866} IMMEDIATE

FBI CHICAGO {77B-20652} IMMEDIATE

FBI NEW HAVEN {77B-8344} IMMEDIATE

FBI BOSTON {77B-18511} IMMEDIATE

FBI NEW YORK {77B-40433} IMMEDIATE

FBI CHARLOTTE IMMEDIATE

FBI RICHMOND {77B-13982} IMMEDIATE

FBI DETROIT IMMEDIATE

FBI LOS ANGELES {77-23402} IMMEDIATE

FBI PHILADELPHIA IMMEDIATE

BT

UNCLAS E F T O SECTION 3 OF 4

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE

JUSTICE, U.S. SUPREME COURT, BUDED: 7/3/86 WOF.

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20

18

{5} INTERVIEW

16

14

12

{ALFRED DUNHILL VS. REPUBLIC OF CHINA}.

PHILADELPHIA DIVISION:

10

{1} INTERVIEW RELIGIOUS LEADER

8

6

PITTSBURGH DIVISION:

{1} CONDUCT CHECK OF OPM RECORDS.

4

RICHMOND DIVISION:

2

{1} INTERVIEW

AND DETERMINE DEGREE OF INVOLVEMENT OF

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CANDIDATE WHO SERVES AS A MEMBER OF THE NATIONAL ADVISORY
BOARD.

{2} CHECK VIRGINIA STATE BAR AND GRIEVANCE RECORDS.

WASHINGTON FIELD OFFICE:

{1} CONDUCT FULL CREDIT AND ARREST CHECKS OF THE
CANDIDATE.

{2} INTERVIEW [REDACTED] ADMINISTRATIVE
OFFICE OF THE U.S. COURTS, WDC [REDACTED] AND REVIEW ANY
PERSONNEL OR GRIEVANCE FILES AT AOUSC.

{3} INTERVIEW [REDACTED]

{4} INTERVIEW [REDACTED]

{5} INTERVIEW [REDACTED]

{6} INTERVIEW [REDACTED]

{7} INTERVIEW RELIGIOUS LEADER, [REDACTED]

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{8} INTERVIEW

{9} INTERVIEW

{10} INTERVIEW

{11} INTERVIEW THE TWO SENATORS FROM VIRGINIA, RESPONSES FROM SPOKESMEN SHOULD BE DECLINED, IN FAVOR OF AN IN PERSON INTERVIEW WITH THE SENATOR.

{12} REVIEW [REDACTED] RECORDS REGARDING CANDIDATE AND CLOSE FAMILY MEMBERS.

{13} INTERVIEW

{14} INTERVIEW

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20

18

{15} INTERVIEW

16

14

{16} INTERVIEW

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{17} INTERVIEW

8

{18} CONTACT

6

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{19} CONTACT

2

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{20} CONTACT [REDACTED]

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{21} INTERVIEW [REDACTED]

{22} INTERVIEW [REDACTED]

U.S. COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA [REDACTED]

{23} INTERVIEW [REDACTED] U.S. COURT OF
APPEALS FOR THE DISTRICT OF COLUMBIA [REDACTED]

{24} INTERVIEW [REDACTED] U.S. COURT OF
APPEALS, FOR THE DISTRICT OF COLUMBIA [REDACTED]

{25} INTERVIEW [REDACTED] U.S.
COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA.

{26} INTERVIEW [REDACTED] U.S. COURT
OF APPEALS FOR THE DISTRICT OF COLUMBIA.

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PAGE 19 OF 22			
DATE 6/20/86		CLASSIFICATION UNCLAS E F T O	PRECEDENCE IMMEDIATE
<p>FM DIRECTOR FBI</p> <p>TO FBI WASHINGTON FIELD {77B-100656} IMMEDIATE</p> <p>FBI PITTSBURGH {77-9670-344} IMMEDIATE</p> <p>FBI ALEXANDRIA {77B-3866} IMMEDIATE</p> <p>FBI CHICAGO {77B-20652} IMMEDIATE</p> <p>FBI NEW HAVEN {77B-8344} IMMEDIATE</p> <p>FBI BOSTON {77B-18511} IMMEDIATE</p> <p>FBI NEW YORK {77B-40433} IMMEDIATE</p> <p>FBI CHARLOTTE IMMEDIATE</p> <p>FBI RICHMOND {77B-13982} IMMEDIATE</p> <p>FBI DETROIT IMMEDIATE</p> <p>FBI LOS ANGELES {77-23402} IMMEDIATE</p> <p>FBI PHILADELPHIA IMMEDIATE</p> <p>BT</p> <p>UNCLAS E F T O SECTION 4 OF 4</p> <p>ANTONIN GREGORY SCALIA, DADPLI, CANDIDATE FOR ASSOCIATE JUSTICE, U.S. SUPREME COURT, BUDED: 7/3/86 WOF.</p> <p>DO NOT TYPE MESSAGE BELOW THIS LINE</p>			
APPROVED BY <i>[Signature]</i>	DRAFTED BY DL/PMS	DATE 6/20/86	ROOM 5136
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COMMUNICATION MESSAGE FORM

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{27} INTERVIEW [REDACTED]

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA (FTS

{28} CONTACT OFFICIALS OF THE COSMOS CLUB, DETERMINE ITS
MEMBERSHIP POLICIES, ITS OBJECTIVES AND THE DEGREE OF
PARTICIPATION BY THE CANDIDATE.

{29} CONTACT OFFICIALS OF THE CAPITOL HILL SQUASH AND
TENNIS CLUB, DETERMINE ITS MEMBERSHIP POLICIES, ITS OBJECTIVES
AND THE DEGREE OF PARTICIPATION BY THE CANDIDATE.

{34} INTERVIEW ASSOCIATE [REDACTED] U.S.
COURT OF APPEALS [REDACTED]

{35} INTERVIEW ASSOCIATE [REDACTED] U.S. COURT

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COMMUNICATION MESSAGE FORM

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OF APPEALS [REDACTED]

{36} INTERVIEW [REDACTED]

U.S. COURT OF APPEALS [REDACTED]

{37} INTERVIEW PEER [REDACTED]

USDJ

{38} INTERVIEW PEER [REDACTED]

{39} INTERVIEW [REDACTED]

{40} INTERVIEW [REDACTED]

{41} INTERVIEW ADVERSARY [REDACTED]

{42} INTERVIEW [REDACTED]

{43} INTERVIEW [REDACTED]

{44} CHECK DC BAR AND GRIEVANCE COMMITTEE.

ALL OFFICES: COPIES OF CANDIDATE'S COMPLETED APPLICATION

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United States Court of Appeals
District of Columbia Circuit
Washington, D.C. 20001

Antonin Scalia
United States Circuit Judge

June 20, 1986

[redacted]
Office of the Deputy Attorney General
U.S. Department of Justice
Washington, D.C. 20530

Dear [redacted]

Attached is the completed Security Investigation Data form that you forwarded on June 18. I have answered all the questions, but for those that require lifelong information I have, as you instructed, provided information only from the date of my last security clearance in March, 1982. That limitation, where applicable, is indicated by an asterisk.

The letter to you from [redacted] requested (I presume in addition to the names of references and associates requested in Item 26 of the form) the names and addresses of five peers (preferably not fellow Justices/Judges to be interviewed as associates). These are shown on the attachment. Also attached are the names and addresses of five individuals with whom I have interacted who have opposing views.

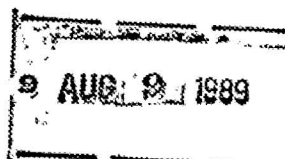
Sincerely,


Antonin Scalia

P.S. At [redacted] request, I am sending the enclosures directly to him instead of to you, with copy of this letter.

ENCLOSURE

original maintained at DOR



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626

* Indicates material includes information postdating most recent background investigation (March, 1982)

SCA approved No 30-8205

SI Form 88
Rev. 1-1-64
U.S. CIVIL SERVICE COMMISSION
(FPMR, CHAPTER 79)
44-107

SECURITY INVESTIGATION DATA FOR SENSITIVE POSITION

CASE SERIAL NO. (CSC use only)

INSTRUCTIONS.—Prepare in triplicate, using a typewriter. Fill in all items. If the answer is "No" or "None," so state. If more space is needed for any item, continue under item 28.

1. FULL NAME (Initials and abridgements of full name are not acceptable. If no middle name show "(NMN)"; if initials only, show "(no given or middle name)".)	(LAST NAME) SCALIA	(FIRST NAME) Antonin	(MIDDLE NAME)	2. DATE OF BIRTH 3/11/36
	OTHER NAMES USED (Maiden name, names by former marriages, former names changed legally or otherwise, aliases, nicknames, etc. Specify which, and show dates used)			3. PLACE OF BIRTH Trenton, New Jersey
	At one time used middle name "Gregory"			4. <input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE
	5. HEIGHT 5'10"	WEIGHT 185	COLOR EYES brn	COLOR HAIR brn

8. DATES AND PLACES OF RESIDENCE. (If actual places of residence differ from the mailing addresses, furnish and identify both. Begin with present and go back to January 1, 1937. Continue under item 28 on other side if necessary.)

FROM	TO	NUMBER AND STREET	CITY	STATE
9/1/82	5/30/83	1509 Twisting Tree Lane	McLean	Virginia
6/1/83	Date	6713 Wemberly Way	McLean	Virginia

9.	<input checked="" type="checkbox"/> BY BIRTH	<input type="checkbox"/> NATURALIZED	ALIEN REGISTRATION NO.	DATE, PLACE, AND COURT
	<input checked="" type="checkbox"/> U.S. CITIZEN		CERT. NO.	PETITION NO.
<input type="checkbox"/> DERIVED-PARENTS CERT. NO(S)				
<input type="checkbox"/> ALIEN	REGISTRATION NO.	NATIVE COUNTRY	DATE AND PORT OF ENTRY	

10. EDUCATION. (All schools above elementary.)

NAME OF SCHOOL	ADDRESS	FROM (Year)	TO (Year)	DEGREES
No supplementation				

11. THIS SPACE FOR FBI USE (See also item 29)	12. SOCIAL SECURITY NUMBER 111-28-1120			
	13. MILITARY SERVICE (Past or present) none			
	(If none, show date of discharge)	BRANCH OF SERVICE (Army, Navy, Air Force, etc.)	FROM (Yr.)	TO (Yr.)

ENCLOSURE

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14. HAVE YOU EVER BEEN DISCHARGED FROM THE ARMED FORCES UNDER OTHER THAN HONORABLE CONDITIONS? ☐ YES ☒ NO.
(If answer is "Yes," give details in item 28.)

15. EMPLOYMENT. (List ALL employment dates starting with your present employment. Give both month and year for all dates. Show ALL dates and addresses when unemployed. Give name under which employed if different from name now used.)

FROM	TO	NAME OF EMPLOYER (Firm or agency) AND SUPERVISOR (Full name, if known)	ADDRESS (Where employed)	TYPE OF WORK	REASON FOR LEAVING
8/82	Date	U.S. Court of Appeals	318 Constitution Ave.	Judge	
		District of Columbia Cir.	Wash., D.C.		

16. HAVE YOU EVER BEEN DISCHARGED (FIRED) FROM EMPLOYMENT FOR ANY REASON? ☐ YES ☒ NO.

17. HAVE YOU EVER RESIGNED (QUIT) AFTER BEING INFORMED THAT YOUR EMPLOYER INTENDED TO DISCHARGE (FIRE) YOU FOR ANY REASON? ☐ YES ☒ NO.
(If your answer to 16 or 17 above is "Yes" give details in item 28. Show the name and address of employer, approximate date, and reasons in each case. This information should agree with the statements made in item 15—EMPLOYMENT.)

18. HAVE YOU EVER BEEN ARRESTED, TAKEN INTO CUSTODY, HELD FOR INVESTIGATION OR QUESTIONING, OR CHARGED BY ANY LAW ENFORCEMENT AUTHORITY?
(You may omit: (1) Traffic violations for which you paid a fine of \$30 or less; and (2) anything that happened before your 16th birthday. All other incidents must be included, even though they were dismissed or you merely forfeited collateral.) ☐ YES ☐ NO. XOther

IF YOUR ANSWER IS "YES," GIVE FULL DETAILS BELOW:

DATE	CHARGE	PLACE	LAW ENFORCEMENT AUTHORITY	ACTION TAKEN
------	--------	-------	------------------------------	--------------

In the summer of 1955, when I was en route to New York City to depart for my junior year of college in Europe, I received a traffic ticket for speeding which required my personal appearance some weeks later in East Brunswick, N.J. municipal court. My parents tried to get a waiver of this appearance in my absence -- which they ultimately did, but not before an arrest warrant had issued. I do not believe the fine was above \$50.00.

19 HAVE YOU EVER HAD A NERVOUS BREAKDOWN OR HAVE YOU EVER HAD MEDICAL TREATMENT FOR A MENTAL CONDITION? ☐ YES ☒ NO.
 (If your answer is "Yes," give details in item 20.)

20 FOREIGN COUNTRIES VISITED (SINCE 1930). (Exclusive of military service.)

COUNTRY	DATE LEFT U.S.A.	DATE RETURNED U.S.A.	PURPOSE
England	5/5/84	5/15/84	Conference
Italy	6/3/84	6/23/84	Conference
England	7/14/84	7/30/84	Legal Exchange
Greece	6/21/85	7/15/85	Teaching

21. ARE YOU NOW, OR HAVE YOU EVER BEEN, A MEMBER OF THE COMMUNIST PARTY, U.S.A., OR ANY COMMUNIST OR FASCIST ORGANIZATION? ☐ YES ☒ NO.

22. ARE YOU NOW OR HAVE YOU EVER BEEN A MEMBER OF ANY FOREIGN OR DOMESTIC ORGANIZATION, ASSOCIATION, MOVEMENT, GROUP, OR COMBINATION OF PERSONS WHICH IS TOTALITARIAN, FASCIST, COMMUNIST, OR SUBVERSIVE, OR WHICH HAS ADOPTED, OR SHOWS, A POLICY OF ADVOCATING OR APPROVING THE COMMISSION OF ACTS OF FORCE OR VIOLENCE TO DENY OTHER PERSONS THEIR RIGHTS UNDER THE CONSTITUTION OF THE UNITED STATES, OR WHICH SEEKS TO ALTER THE FORM OF GOVERNMENT OF THE UNITED STATES BY UNCONSTITUTIONAL MEANS? ☐ YES ☒ NO.

23. IF YOUR ANSWER TO QUESTION 21 OR 22 ABOVE IS "YES," STATE THE NAMES OF ALL SUCH ORGANIZATIONS, ASSOCIATIONS, MOVEMENTS, GROUPS, OR COMBINATIONS OF PERSONS AND DATES OF MEMBERSHIP IN ITEM 28 OR ON A SEPARATE SHEET TO BE ATTACHED TO AND MADE A PART OF THIS FORM, GIVE COMPLETE DETAILS OF YOUR ACTIVITIES THEREIN AND MAKE ANY EXPLANATION YOU DESIRE REGARDING YOUR MEMBERSHIP OR ACTIVITIES.

NAME IN FULL	ADDRESS	FROM	TO	OFFICE HELD
--------------	---------	------	----	-------------

24. MEMBERSHIP IN OTHER ORGANIZATIONS (List all organizations in which you are now a member or have been a member, except those which show religious or political affiliations.) (If none, so state.)

NAME IN FULL	ADDRESS	TYPE	FROM	TO	OFFICE HELD
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ATTACHMENT

25. RELATIVES. (Parents, spouse, divorced spouse, children, brothers, and sisters, living or dead. Name of spouse should include maiden name and any other names by previous marriage. If person is dead, state "dead" after relationship and furnish information for other columns as of time of death.)

RELATION	NAME IN FULL	Complete Date of Birth	ADDRESS	COUNTRY OF BIRTH	PRESENT CITIZENSHIP
----------	--------------	---------------------------	---------	---------------------	------------------------

ATTACHMENT

ATTACHMENT TO SECURITY INVESTIGATION DATA FORM

ANTONIN SCALIA

June, 1986

Item 24 - Membership in Other Organizations

American Bar Ass'n	Chicago, Ill.	Legal	'82	1/86	Chairman, Conference of Section Chairmen
Justinian Society	Chicago, Ill.	Legal	'84	1/86	
Fellows of the American Bar Assoc.	Chicago, Ill.	Legal	'84	1/86	
Cosmos Club	Wash., D.C.	Social	'82	1/86	
Langley Club, Inc.	McLean, Va.	pool/ tennis	'83	Date	
Capitol Hill Squash and Tennis Club	Wash., D.C.	sports	1/86	Date	
McLean Swimming and Tennis Assoc.	McLean, Va.	pool/ tennis	5/83	5/86	

ATTACHMENT TO SECURITY INVESTIGATION DATA FORM

ANTONIN SCALIA

June, 1986

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<div></div>				
father	Dr. S. .Eugene Scalia	12/1/03	deceased Wilburtha Road Trenton, N.J. 08628	Italy US
mother	Catherine L. Panaro Scalia	11/7/05	deceased Wilburtha Road Trenton, N.J. 08628	US US

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26a REFERENCES (Name three persons, relatives or employers, who are aware of your qualifications and fitness.)

NAME IN FULL

HOME ADDRESS

BUSINESS ADDRESS

YEARS KNOWN

ATTACHMENT

26b CLOSE PERSONAL ASSOCIATES. (Name three persons, such as friends, schoolmates or colleagues, who know you well.)

NAME IN FULL

HOME ADDRESS

BUSINESS ADDRESS

YEARS KNOWN

ATTACHMENT

27. TO YOUR KNOWLEDGE, HAVE YOU EVER BEEN THE SUBJECT OF A FULL FIELD OR BACKGROUND PERSONAL INVESTIGATION BY ANY AGENCY OF THE FEDERAL GOVERNMENT? ☒ YES ☐ NO. (If your answer is "Yes," show in item 28. (1) the name of the investigating agency (2) the approximate date of investigation, and (3) the level of security clearance granted, if known.)

28. SPACE FOR CONTINUING ANSWERS TO OTHER QUESTIONS. (Show item numbers to which answers apply. Attach a separate sheet if there is not enough space here.)

27. FBI investigation in March, 1982

29. REPORT OF INFORMATION DEVELOPED. (This space reserved for FBI use.)

DATE:

Before signing this form check back over it to make sure you have answered all questions fully and correctly.

CERTIFICATION

I CERTIFY that the statements made by me on this form are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

False statement on this form
is punishable by law.

6/20/86
(DATE)

(SIGNATURE—Sign original and first carbon copy)

INFORMATION TO BE FURNISHED BY AGENCY

INSTRUCTIONS TO AGENCY: See Federal Personnel Manual Chapter 736 and FPM Supplement 296-31, Appendix A, for details on when this form is required and how it is used. If this is a request for investigation before appointment, insert "APPL" in the space for Date of Appointment and show information about the proposed appointment in the other spaces for appointment data. The original and the first carbon copy should be signed by the applicant or appointee. Submit the original and the unsigned carbon copy of the form, Standard Form 87 (Fingerprint Chart), and any investigative information about the person received on voucher forms or otherwise, to the United States Civil Service Commission, Bureau of Personnel Investigations, Washington, D.C., 20415. If this is a request for full field security investigation, submit these forms to the attention of the Division of Reimbursable Investigations; if this is a request for preappointment national agency checks, submit these forms to the attention of the Control Section.

RETAIN THE CARBON COPY OF STANDARD FORM 86 (SIGNED BY THE APPLICANT OR APPOINTEE) FOR YOUR FILES

DATE OF APPOINTMENT	TYPE OF APPOINTMENT <input type="checkbox"/> EXCEPTED <input type="checkbox"/> COMPETITIVE. (Include indefinite and temporary types of competitive appointments.)	CIVIL SERVICE REGULATION NUMBER OR OTHER APPOINTMENT AUTHORITY	TITLE OF POSITION AND GRADE OR SALARY
DEPARTMENT OR AGENCY	DUTY STATION	SEND RESULTS OF PREAPPOINTMENT CHECK TO:	
THIS IS A SENSITIVE POSITION			
(SIGNATURE AND TITLE OF AUTHORIZED AGENCY OFFICIAL)			

ATTACHMENT TO SECURITY INVESTIGATION DATA FORM

ANTONIN SCALIA

June, 1986

Item 26a - References

[Redacted]

(twenty-three years)

phone:

[Redacted]

[Redacted]

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[Redacted]

(twelve years)

phone:

[Redacted]

[Redacted]

[Redacted]

(twelve years)

phone:

[Redacted]

[Redacted]

b6
b7C

ATTACHMENT TO SECURITY INVESTIGATION DATA FORM

ANTONIN SCALIA

June, 1986

Item 26b - Close Personal Associates

[redacted] (four years)
U.S. Court of Appeals
D.C. Circuit
3318 U.S. Courthouse
3d & Constitution Avenue
Washington, D.C. 20001
phone: [redacted]

[redacted]

b6
b7C

[redacted] (four years)
U.S. Court of Appeals
D.C. Circuit
3800 U.S. Courthouse
3d & Constitution Avenue
Washington, D.C. 20001
phone: [redacted]

[redacted]

[redacted] (twelve years)
U.S. Court of Appeals
D.C. Circuit
5128 U.S. Courthouse
3d & Constitution Ave., N.W.
Washington, D.C. 20001
phone: [redacted]

[redacted]

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b7C

ADDITIONAL NAMES SUBMITTED WITH SECURITY INVESTIGATION DATA FORM

ANTONIN SCALIA

June, 1986

PEERS

[Redacted]

U.S. Department of Justice
Washington, D.C. 20530
phone: [Redacted]

[Redacted]

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[Redacted]

phone: [Redacted]

[Redacted]

[Redacted]

phone: [Redacted]

[Redacted]

[Redacted]

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phone: [Redacted]

[Redacted]

[Redacted]

[Redacted]

phone: [Redacted]

[Redacted]

ADDITIONAL NAMES SUBMITTED WITH SECURITY INVESTIGATION DATA FORM

ANTONIN SCALIA

June, 1986

INDIVIDUALS WHO HAVE OPPOSING VIEWS

[Redacted Name]

phone: [Redacted Phone]

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[Redacted Name]

phone: [Redacted Phone]

[Redacted Name]

phone: [Redacted Phone]

[Redacted Name]

phone: [Redacted Phone]

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[Redacted Name]

phone: [Redacted Phone]

SUPPLEMENT TO SF-86

1. Please furnish the names and addresses of all corporations, firms or other business enterprises, partnerships, nonprofit organizations, and educational or other institutions with which you are presently associated or have been associated during the past five years either as officer, director, trustee, sole owner, partner or stockholder with controlling interest.

American Bar Association
750 North Lake Shore Drive
Chicago, Illinois 60611

Chairman, Conference of Section Chairmen

Journal of Law & Politics
University of Virginia
School of Law
Charlottesville, Virginia

Member, National Advisory Board

2. Have you ever been a candidate for Federal, State or local elected office, or a treasurer or other officer of a political committee? Were there any complaints lodged with the Federal Election Commission or state or local election authorities against you or your political committee? If so, please explain.

No

3. Do you maintain any residence other than your permanent residence; e.g., vacation home? If so, furnish address.

No

4. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of a complaint to, any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, please give full details.

No

5. To your knowledge have your activities or those of any of your business enterprises, or associates in those enterprises, ever been the subject of criminal investigation, or a civil enforcement investigation or proceeding? If so, give full details.

No

6. Have you ever been a party in any civil court action?

In about 1976 (I am very uncertain of the date) I filed an action in Small Claims Court in the District of Columbia to recover for damage done to my car by a parking garage. I prevailed.

While I was in practice in Cleveland (1961-67) I was named in an amended complaint filed in a small case (I cannot even recall the subject matter) with which my only connection was that I represented the defendant. I do not remember the reason the plaintiff thought it proper to join me, though I vaguely recollect that it had to do with his perception that I was a trustee in the matter under litigation. The suit was ultimately dismissed.

7. Please identify all organizations, including private and social clubs in which you now or have during the past five year period held membership.

Same as Item 24, Form 86

8. Provide the identity and addresses of at least five attorneys who have opposed you in litigation.

ATTACHMENT

9. Identify your personal physician with his address and any other physician who may have knowledge of your present health.



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ATTACHMENT TO SUPPLEMENT TO SF-86

ANTONIN SCALIA

June, 1986

Item 8 - Attorneys

[REDACTED]
[REDACTED]

(In Alfred Dunhill of London, Inc.
v. Republic of Cuba, United
States Supreme Court)

[REDACTED]
[REDACTED]
[REDACTED]

(In Payton v. Abbott Labs, Supreme
Judicial Court of Massachusetts)

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[REDACTED]
School of Law
University of North Carolina
Chapel Hill, North Carolina 27514
[REDACTED]

(In INS v. Chadha, United States
Supreme Court)

[REDACTED]
[REDACTED]

(same)

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INBOX.9 (#5982)

TEXT:

PH 001 1711545

OO HQ

DE PH

O 20 1545 JUN 86

FM PHILADELPHIA (77-18706-132) (SQ 11) (RUC)

TO DIRECTOR IMMEDIATE

BT

U N C L A S

ATTENTION: SPECIAL AGENT [REDACTED] ROOM 50136.

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,

U.S. SUPREME COURT - BUDED; JUNE 27, 1986

RE BUREAU TELETYPE, DATED JUNE 18, 1986.

GENERAL INDICES, ELSUR AND CONFIDENTIAL CHECKS WERE NEGATIVE REGARDING THE APPLICANT AND RELATIVES. GENERAL INDICES CHECK

CONDUCTED BY SUPPORT EMPLOYEE [REDACTED] ELSUR AND

CONFIDENTIAL CHECKS CONDUCTED BY SUPPORT EMPLOYEE [REDACTED]

BT

Exec AD Adm.	
Exec AD Inv.	
Asst. Dir.:	
Adm. Serv.	
Crim. Inv.	
Ident.	
Insp.	
Intell.	
Lab.	
Legal Coun.	
Off. Cong. & Public Affs.	
Rec. Mgmt.	
Tech. Serv.	
Training	
Off. Liaison	
Telephone Rm.	
Director's Sec'y	

General Appoint - Spin Room 5133
TL 221

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77-131575-88

● AUG 9 1986

CALLER: [REDACTED]

M. [REDACTED]

By [REDACTED] Time 1709Z

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[Handwritten signature]

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OMC 506-171-2148Z

PP HQ

DE OM

P 20 2148Z JUNE 86

FM OMAHA (77-6292 SERIAL 349)

TO DIRECTOR, FBI PRIORITY

BT

UNCLAS

ANTONIN GREGORY SCALIA; DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT; INITIAL BUDED: 6/27/86, WITHOUT FAIL.

RE BUREAU TELETYPE TO ALL OFFICES, DATED JUNE 18, 1986.

SEARCH OF GENERAL AND ELSUR INDICES OF THE OMAHA DIVISION
NEGATIVE RE APPLICANT AND CLOSE RELATIVES. GENERAL INDICES SEARCHED
BY [REDACTED] ON JUNE 18, 1986. ELSUR INDICES SEARCHED BY

[REDACTED] ON JUNE 20, 1986.

BT

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Case #	
Date Recd	
Date Filed	
Date Recd	
Adm. Serv.	
Chc. Div.	
Ident.	
Inspection	
Intell.	
Lab. Div.	
Legal Coun.	
Plan. & Insp.	
Rec. Mgmt.	
Tech. Serv.	
Training	
Off. of Cong. & Public Affs.	
Telephone Rm.	
Director's Sec'y	

FORMS, TEXT HAS 1 DOCUMENT

INBOX.11 (#6005)

TEXT:

SVO 0002 171 1645Z

PP HQ1

DE SV

F 20 1706Z JUN 86

FM SAVANNAH (77A-77-352)(RUC)

TO DIRECTOR, FBI PRIORITY

BT

UNCLAS

ATTN: GBIU, ROOM 5136

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT, INITIAL BUDED: 6/27/86, WOF.

RE BUREAU TELETYPE TO ALL OFFICES, 6/18/86.

SAVANNAH OFFICE INDICES AND ELSUR INDICES NEGATIVE REGARDING
RELATIVES AND BUSINESS ENTITIES OR AFFILIATIONS AS LISTED IN
REFERENCED TELETYPE.

A REVIEW OF GENERAL INDICES REVEALED THAT THE APPLICANT WAS
PREVIOUSLY THE SUBJECT OF SV FILE 77-3886, ENTITLED, "ANTONIN
GREGORY SCALIA, DAPLI, SPECIAL CANDIDATE OFFICE OF ATTORNEY GENERAL".
A REVIEW OF SAVANNAH RUC REPORT OF SA [REDACTED], DATED 7/2/74,
REVEALED THAT THE APPLICANT'S PARTNER [REDACTED]

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PAGE TWO SV (77A-77-352) UNCLAS

[] WAS INTERVIEWED ON 6/28/74, REGARDING THE APPLICANT.

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[] ADVISED THAT SCALIA WAS AN EXCELLENT ATTORNEY AND HIGHLY
RECOMMENDED HIM. NO DEROGATORY INFORMATION WAS DEVELOPED AND NO
FURTHER INVESTIGATION WAS CONDUCTED AT SAVANNAH.

SPECIAL AND ELSUR INDICES WERE NEGATIVE REGARDING THE APPLICANT.

OFFICE INDICES WERE SEARCHED BY FILE CLERK []

ON 6/18/86 AND FILE ASSISTANT [] ON 6/19/86.

ELSUR INDICES WERE SEARCHED BY FORFEITURE SPECIALIST []

[] ON 6/19/86.

BT

SSR
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DND
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WLC

RECEIVED

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Mr. Holmes	
Miss Gandy	

FORMS.TEXT HAS 1 DOCUMENT

INBOX.31 (=5968)

TEXT:

JK00001 1711317

RR HQ

DE JK

R 201317Z JUN 86

FM JACKSONVILLE (77B-R-308) (RUC)

TO DIRECTOR, FBI PRIORITY

BT

UNCLAS

ATTN: GENERAL BACKGROUND INVESTIGATION UNIT (GEI); ROOM 5136.
ANTONIN GREGORY SCALIA, DPLI, CANDIDATE FOR ASSOCIATE
JUSTICE, U.S. SUPREME COURT, INITIAL BUDED: JUNE 27, 1986,
WOF.

REFERENCE BUREAU TELETYPE DATED JUNE 18, 1986.

ON JUNE 20, 1986, A REVIEW OF THE JACKSONVILLE GENERAL
INDICES, CONFIDENTIAL INDICES AND ELSUR INDICES WAS CONDUCTED
WITH NEGATIVE RESULTS CONCERNING APPLICANT, CLOSE RELATIVES
AND PRESENT BUSINESS ESTABLISHMENT.

ADMINISTRATIVE:

JACKSONVILLE CHECKS CONDUCTED BY IA [REDACTED]

FA [REDACTED] AND FA [REDACTED]

BT

Send Applicant to Spn Room 5136
IL 233

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FM COLUMBIA (77-0)

TO DIRECTOR ROUTINE

BT

UNCLAS

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT, INITIAL BUDED: JUNE 27, 1986 WOF.

RE BUREAU TELETYPE, JUNE 18, 1986.

Central Intelligence Agency
Y. 233

SEARCH OF COLUMBIA INDICES AND ELSUR FILES REVEALS NO
RECORD REGARDING APPOINTEE OR HIS LISTED RELATIVES. COLUMBIA
ELSUR INDICES SEARCHED BY ASSISTANT ELSUR COORDINATOR

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ON JUNE 20, 1986.

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RR HQ

DT 00

R 20 2250Z JUN 86

CV

FM CHARLOTTE (77-9) (RUC)

TO DIRECTOR (77-131275) ROUTINE

BT

UCLAS

ATTN: GBI UNIT, ROOM 5136

General Appellate & Spm Room 5150
EL 233

ANTHONY GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT, INITIAL BUDED: JUNE 27, 1986, WOF

RE BUREAU TELTYPE TO ALL OFFICES, JUNE 18, 1986.

ON JUNE 18, 1986, THE CHARLOTTE OFFICE GENERAL INDICES WERE
SEARCHED BY FILE CLERK [REDACTED] CONFIDENTIAL AND ELSUR
INDICES WERE SEARCHED BY FILE ASSISTANT [REDACTED] ON
JUNE 19, 1986, ALL WITH NEGATIVE RESULTS REGARDING APPOINTEE AND
RELATIVES.

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AUG 2 1986

NO REPORT BEING SUBMITTED BY CHARLOTTE, UACB.

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OO HQ

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O 202300Z JUN 86

FM SALT LAKE CITY (77A-R-220) (RUC)

TO DIRECTOR (77-131275) IMMEDIATE

BT

U N C L A S

ATTN: GENERAL BACKGROUND INVESTIGATION UNIT (GBI), ROOM 5136.

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,

U.S. SUPREME COURT, INITIAL BED: 6/276291

REBURL TO ALL FBI FLD OFFICES DATED 6/18/86.

A CHECK OF THE SALT LAKE CITY GENERAL INDICES BY [REDACTED]

[REDACTED] SECURITY COMPLAINT ASSISTANT, ON 6/18/86; ELSUR

INDICES BY [REDACTED] CLERK TYPIST, ON 6/19/86; AND

INFORMANT INDICES BY [REDACTED] CONFIDENTIAL CLERK, ON

6/19/86, REFLECTED NOTHING IDENTIFIABLE WITH APPLICANT, CLOSE

RELATIVES, OR BUSINESS ESTABLISHMENTS.

BT

Exec. Sec.	
Asst. Dir.:	
Adm. Serv.	
Crim. Inv.	
Ident.	
Insp.	
Intell.	
Lab.	
Legal Coun.	
Off. Cong. & Public Affs.	
Rec. Mgmt.	
Tech. Serv.	
Training	
Telephone Rm.	
Director's Sec'y	

DL

General Background Investigation Unit Room 5136
JL 233

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Exec. AD-Inv.	
Exec. AD-LES	
Asst. Dir.:	
Adm. Serv.	
Crim. Inv.	
Ident.	
Insp.	
Intell.	
Laboratory	
Legal Coun.	
Off. Cong. & Public Affs.	
Spec. Inv.	
Rec. Mgmt.	
Tech. Serv.	
Training	
Telephone Rm.	
Director's Sec'y	

FM ANCHORAGE (77-0)

TO DIRECTOR (77-131275) ROUTINE

DL

UNCLAS

ATTN: GBI, ROOM 5136.

General Applicant - Spin Room 5136
IL 223

ANTONIN GREGORY SCALIA; DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U. S. SUPREME COURT; INITIAL BUDED: JUNE 27, 1986, WITHOUT FAIL.

REBUTEL TO ALL FIELD OFFICES, JUNE 18, 1986.

ANCHORAGE DIVISION GENERAL INDICES, AS CHECKED BY SCA

[REDACTED] ON JUNE 18, 1986, AND CONFIDENTIAL AND

LSUR INDICES, AS CHECKED BY SAC SECRETARY [REDACTED] ON

JUNE 20, 1986, NEGATIVE REGARDING APPLICANT AND CLOSE RELATIVES,

AS SET FORTH IN REBUTEL.

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[Signature]

[Signature]

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TEXT:

ALOW006 1712356Z

PP HQ

DE AL

P 202100Z JUN 86

FM SAC, ALBANY (77B-R-333) (RUC)

TO DIRECTOR, FBI (PRIORITY)

LT

UNCLAS

ANTHONY GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT, INITIAL BUDED: JUNE 27, 1986.

RE BUREAU TELETYPE TO ALL FBI OFFICES DATED JUNE 18, 1986.

ALBANY INDICES NEGATIVE REGARDING APPLICANT AND ALL CLOSL
RELATIVES LISTED IN REPTTEL.

GENERAL INDICES SEARCHED ON JUNE 20, 1986 BY [REDACTED]

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CFR INDICES SEARCHED ON JUNE 20, 1986 BY FILE ASSISTANT
[REDACTED]

LLSUR INDICES SEARCHED ON JUNE 20, 1986 BY CONFIDENTIAL

TYPIST [REDACTED]

BT

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TEXT:

LVO00003 1720935Z

PP HQ

DE LV

P 212300Z JUN 86

FM LAS VEGAS (77B-R-150) (RUC)

TO DIRECTOR (PRIORITY)

BT

UNCLAS

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATES
JUSTICE, U.S. SUPREME COURT, INITIAL BUDED JUNE 27, 1986
WOF.

RE BUREAU TELETYPE TO ALL OFFICES, JUNE 18, 1986.

THE FOLLOWING CHECKS WERE CONDUCTED IN LAS VEGAS
DIVISION REGARDING APPOINTEE AND FAMILY MEMBERS BY THE
INDIVIDUALS LISTED BELOW, WITH NEGATIVE RESULTS:

GENERAL INDICES, INVESTIGATIVE ASSISTANT [REDACTED]

[REDACTED] ON JUNE 19, 1986.

ELSUR INDICES, INVESTIGATIVE ASSISTANT [REDACTED]

[REDACTED] ON JUNE 19, 1986.

CONFIDENTIAL INDICES, [REDACTED] ON JUNE 19, 1986.

BT

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Mr. Holmes	
Miss Gandy	

General Agent [REDACTED] Room 5153
TL 253

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FILES INCOMING DAY 16-23, 2267 (#6416)

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DE SD

P 2120322 JUN 86

FM SAN DIEGO (77B-R-233)(RUC)

TO DIRECTOR (77-131275) PRIORITY

BT

UNCLAS

ANTONIN GREGORY SCALIA; DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,

U.S. SUPREME COURT; INITIAL BUDED; JUNE 27, 1986 WITHOUT FAIL

REBUTEL TO ALL OFFICES DATED JUNE 18, 1986.

THE NAMES OF THE APPLICANT, ANTONIN GREGORY SCALIA, AND

CLOSE RELATIVES, [REDACTED]

[REDACTED] SALVATORE EUGENE SCALIA AND CATHERINE LOUISE
PANARO SCALIA; WERE SEARCHED BY THE FOLLOWING INDIVIDUALS WITH
NEGATIVE RESULTS.

ELSUR INDICES, [REDACTED] JUNE 19, 1986; ASSET

INDICES, [REDACTED] JUNE 19, 1986; AND GENERAL INDICES,

[REDACTED] JUNE 19, 1986.

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FM JACKSON (77B-R-193) (PUC)

TO DIRECTOR, FBI ROUTINE (77-131275)

ATTENTION: GENERAL BACKGROUND INVESTIGATION UNIT, ROOM 5136

BT

UNCLAS

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,

U. S. SUPREME COURT, RUDED: JUNE 27, 1986.

RE BUREAU TELETYPE TO ALL FIELD OFFICES DATED JUNE 18, 1986.

JACKSON GENERAL INDICES WERE CHECKED BY [REDACTED] ELSUR

INDICES BY [REDACTED] AND CONFIDENTIAL INDICES BY [REDACTED]

[REDACTED] ALL WERE NEGATIVE REGARDING THE APPOINTEE AND
CLOSE RELATIVES.

JACKSON DOES NOT HAVE ISIS.

BT

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General Applicant Spin Room 5136

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FM CLEVELAND (77B-R-221) (RUC)

TO DIRECTOR PRIORITY

ATTENTION: [REDACTED] (GBI), RM 5136

BT

UNCLAS

~~Confidential~~ Exempt 2 Spm 3000 DWD
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ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE, U.S.
SUPREME COURT, INITIAL BUDED: JUNE 27, 1986, WOF

REFERENCE BUREAU TELETYPE TO ALL OFFICES, DATED JUNE 18, 1986,
ON JUNE 19, 1986, INVESTIGATIVE ASSISTANT (IA) [REDACTED]
AND CLERKS [REDACTED] AND [REDACTED] RESPECTIVELY, REVIEWED
GENERAL INDICES, CONFIDENTIAL INDICES, AND ELSUR FILES REGARDING
CANDIDATE AND CLOSE RELATIVES, COHABITANTS, AND PRESENT BUSINESS
ESTABLISHMENT.

THERE WAS NOTHING IN THE FILES IDENTIFIABLE WITH CANDIDATE,
CLOSE RELATIVES, COHABITANTS OR PRESENT BUSINESS ESTABLISHMENT.

BT

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General Accounting & Staff Room BUREAU
71 25A

[Handwritten signature]

FM OKLAHOMA CITY (77B-P-25) (RUC)

TO DIRECTOR, FBI ROUTINE

BT

UNCLAS

ATTN: GENERAL BACKGROUND INVESTIGATION UNIT, (GBI), ROOM 5136.
ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT, INITIAL BUDED: JUNE 27, 1986, WOF.

RE BUREAU TELETYPE TO ALL FIELD OFFICES, JUNE 18, 1986.

ON JUNE 18, 1986, SPC [REDACTED], OKLAHOMA CITY
DIVISION, CHECKED GENERAL INDICES FOR APPLICANT AND CLOSE RELATIVES;
FILE CLERK, [REDACTED], REVIEWED CONFIDENTIAL INDICES FOR
APPLICANT AND CLOSE RELATIVES ON JUNE 23, 1986; [REDACTED]
FILE ASSISTANT, SEARCHED THE ELSUR INDICES ON JUNE 21, 1986,
FOR APPLICANT AND CLOSE RELATIVES. ALL INDICES CHECKED NEGATIVE.

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[Handwritten signature]

[Handwritten signature]

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INBOX.1 (#6453)

TEXT:

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RR HQ

DE RH #0004 1712020

ZNY UUUUU

R 202008Z JUN 86

FM FBI RICHMOND (77B-13982) (P)

TO DIRECTOR FBI ROUTINE

BT

UNCLAS

ANTONIN GREGORY SCALIA; DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE U. S. SUPREME COURT; INITIAL BUDED; JUNE 27, 1986, WITHOUT FAIL.

RE BUREAU TELETYPE TO ALL OFFICES DATED JUNE 18, 1986.

WHERE APPROPRIATE, PRIVACY ACT (E) (3) DATA WAS FURNISHED TO PERSONS INTERVIEWED. EXPRESS PROMISES OF CONFIDENTIALITY, BOTH LIMITED AND UNLIMITED, HAVE BEEN NOTED WHERE GRANTED.

ON JUNE 20, 1986, ELSUR INDICES OF THE RICHMOND DIVISION, AS CHECKED BY [REDACTED] THE INFORMANT INDICES, AS CHECKED BY [REDACTED]

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[REDACTED] AND THE GENERAL INDICES, AS CHECKED BY [REDACTED] [REDACTED] WERE NEGATIVE AS TO APPLICANT AND ALL CLOSE RELATIVES.

RICHMOND DIVISION AT RICHMOND AND CHARLOTTESVILLE, VIRGINIA - INVESTIGATION CONTINUING.

BT

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Exec AD-Adm.	
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Training	
Off. of the Inspector General	

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77-131275-103

AUG 9 1986


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CLASS
RUC
Antonin Scalia
United States Circuit Judge

United States Court of Appeals
District of Columbia Circuit
Washington, D.C. 20001

June 23, 1986


FBI Headquarters
9th and Pennsylvania Ave., N.W.
Washington, D.C. 20053

Dear 

With respect to Item 24 of SF86, which I submitted under date of June 20, 1986, it should be noted that I am a member of the Bicentennial Constitutional Commemorative Committee, a project of the Center for Legal Studies on Intergovernmental Relations of Tulane Law School, New Orleans, Louisiana. I had orally agreed to serve on the Committee earlier, but have now been formally notified of its establishment.

If further information would be helpful, please let me know.

Sincerely,


Antonin Scalia

77-131215-104

AUG 2 1986

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FEDERAL BUREAU OF INVESTIGATION

CLASS 1
SRC'D 1

REPORTING OFFICE RDC PHILADELPHIA	OFFICE OF ORIGIN BUREAU	DATE 6/24/86	INVESTIGATIVE PERIOD 6/23/86
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY SA 	TYPED BY ts
		CHARACTER OF CASE DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE, U.S. SUPREME COURT	

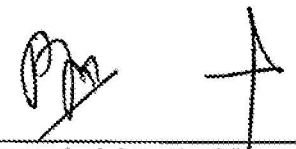
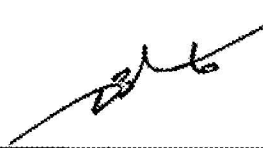
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Bureau teletype to WFO, 6/20/86.

-RUC-

ADMINISTRATIVE

Where appropriate, Privacy Act (e) (3) data was furnished to persons interviewed. Express promises of confidentiality, both limited and unlimited, have been noted where granted.

APPROVED <u>WGD/AB</u>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: (2 - Bureau 1 - Philadelphia (77B-18996) (SQ11) <div style="text-align: center;">  </div>		77-131275-105	
		<div style="border: 1px solid black; padding: 5px; text-align: center;"> AUG 2 1986 </div>	
Dissemination Record of Attached Report		Notations	
Agency		<div style="text-align: right;">  </div>	
Request Recd.	1 CC TO AAG 7/8/86		
Date Fwd.			
How Fwd.	1 CC TO WHITE HOUSE		
By	7/9/86		

COVER PAGE

A*

UNITED STATES DEPARTMENT OF JUSTICE
Federal Bureau of Investigation

Copy to:

Report of:
Date:SA [REDACTED]
6/24/86

Office: PHILADELPHIA, PA

Field Office File #:

77B-18996

Bureau File #:

Title:

ANTONIN GREGORY SCALIA

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Character:

DEPARTMENTAL APPLICANT, CANDIDATE FOR
ASSOCIATE JUSTICE, U.S. SUPREME COURT

Synopsis:

[REDACTED]
recommends applicant.

-RUC-

DETAILS:

ETHNIC LEADEROn June 23, 1986, [REDACTED]
[REDACTED]
[REDACTED] advised he does not know

[REDACTED] applicant personally. He has read some of applicant's written opinions and considers applicant an extremely bright judge who is a fine and worthy candidate for consideration for the United States Supreme Court. Applicant is a conservative man whose views differ from those of [REDACTED]. However, applicant is an honorable, reputable, extremely able judge who will do well. [REDACTED] recommended applicant. He stated applicant's character, reputation, loyalty, and associates are beyond reproach and there is no reason to believe he uses illegal drugs, abuses alcohol or has exhibited any evidence of bias or prejudice.

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FM ST. LOUIS (77B-1) (RUC)

TO DIRECTOR (77-131275) PRIORITY

BT

UNCLAS

ATTENTION: GBI, ROOM 5136, FBIHQ

ANTONIN GREGORY SCALIA, DAPLI (B), BUDED: JUNE 13, 1986

WHERE APPROPRIATE, PRIVACY ACT (E) (3) DATA WAS FURNISHED TO
PERSONS INTERVIEWED. EXPRESS PROMISES OF CONFIDENTIALITY, BOTH
LIMITED AND UNLIMITED, HAVE BEEN NOTED WHERE GRANTED.
INDICES CHECKS;

ON JUNE 23, 1986, SEARCH OF ST. LOUIS GENERAL INDICES BY FILE CLERK
[REDACTED] MET WITH NEGATIVE RESULTS CONCERNING APPOINTEE WITH
EXCEPTION TO 1972 REFERENCE TO PRIOR SPECIAL INQUIRY INVESTIGATION AND
1982 REFERENCE TO PRIOR DAPLI INVESTIGATION, OF WHICH BUREAU IS AWARE,
AND MET WITH [REDACTED] IDENTIFIED IN REBUTEL.
ON THE JUNE 23, 1986 DATE, SEARCH OF ST. LOUIS CONFIDENTIAL AND ELSUR
INDICES BY FILE ASSISTANT [REDACTED] MET WITH NEGATIVE RESULTS REGARDING

Exec. AD Adm.	
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Exec. AD LES	
Asst. Dir.:	
Adm. Servs.	
Crim. Inv.	
Ident.	
Inspection	
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Laboratory	
Legal Coun.	
Off. of Cong. & Public Affs.	
Rec. Mgnt.	
Tech. Servs.	
Training	
Telephone Rm.	
Director's Sec'y	

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77-131275-106

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APPOINTEE IN RETEL.

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P 24 2000Z JUNE

FM ALBUQUERQUE (773-3594-198)

TO DIRECTOR , 12FBI PRIORITYP

TO DIRECTOR, FBI PRIORITY

BT

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CONFIDENTIAL
VI 242

ATTENTION: GENERAL BACKGROUND INVESTIGATION UNIT, ROOM

5136

ANTONIN GREGORY SCALA, DAFLI, CANDIDATE FOR ASSOCIATE

JUSTICE, U.S. SUPREME COURT, BUDED: JUNE 27, 1986,

(WITHOUT FAIL) B.

RE FBIHQ TEL, JUNE 18, 1986.

ON JUNE 19, 1986, THE ALBUQUERQUE GENERAL AND ELSUR INDICES
WERE CHECKED FOR APPLICANT, HIS EMPLOYER, AND MEMBERS OF
APPLICANT'S FAMILY BY THE FOLLOWING SUPPORT PERSONNEL WITH
NEGATIVE RESULTS:

[REDACTED] GENERAL INDICES;

[REDACTED] ELSUR INDICES.

ON DATES SHOWN, THE U.S. ATTORNEY'S (USA) OFFICE, DISTRICT

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PAGE TWO AD 77B-3594-198 UNCLAS

OF NEW MEXICO, ALBUQUERQUE, NEW MEXICO, CRIMINAL, COLLECTION,
AND CIVIL RECORDS WERE CHECKED FOR APPLICANT BY THE FOLLOWING
USA EMPLOYEES WITH NEGATIVE RESULTS:

JUNE 20, 1986,	[REDACTED]	CRIMINAL INDICES;
JUNE 23, 1986,	[REDACTED]	CIVIL INDICES;
JUNE 28, 1986,	[REDACTED]	, COLLECTION INDICES.

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NO REPORT BEING SUBMITTED OR FURTHER INVESTIGATION
BEING CONDUCTED.

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FM DETROIT (77B-9812) (C-4)

TO DIRECTOR ROUTINE

BT

UNCLAS E F T O

ANTONIN GREGORY SCALIA; DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE
U.S. SUPREME COURT; BUDED: JULY 3, 1986, WITHOT FAIL(B)

RE BUREAU TELETYPE TO ALL FIELD OFFICES DATED JUNE 18, 1986.

DETROIT INDICES CHECKS PERFORMED ON JUNE 19, 1986, BY CLERK

[REDACTED] REGARDING APPLICANT AND CLOSE RELATIVES REVEALED
NO RECORD.

ON JUNE 23, 1986, DETROIT ELSUR CHECKS PERFORMED BY CLERICAL
EMPLOYEE [REDACTED] REVEALED NO RECORD REGARDING APPLICANT
AND CLOSE RELATIVES.

DETROIT CONFIDENTIAL INDICES CHECKS PERFORMED ON JUNE 19, 1986,
BY CLERK [REDACTED] REGARDING APPLICANT AND CLOSE RELATIVES
REVEALED NO RECORD.

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TEXT:

MMO 0004 1751848

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FM MIAMI (77E-R-234) (RUC)

TO DIRECTOR (77-131275) PRIORITY

ATTN: GENERAL BACKGROUND INVESTIGATION UNIT (GBI) ROOM 5136

BT

UNCLAS

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,

U.S. SUPREME COURT, INITIAL BUDED: JUNE 27, 1986, WOF

RE BUREAU TELETYPE TO MIAMI DATED JUNE 18, 1986.

ON JUNE 23, 1986, THE FOLLOWING MIAMI OFFICE RECORDS WERE
CHECKED WITH NEGATIVE RESULTS REGARDING APPLICANT [REDACTED]

Spec. AD-Adm.	
Spec. AD-Inv.	
Spec. AD-LES	
Asst. Dir.:	
Adm. Servs.	
Crim. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Legal Coun.	
Off. of Cong. & Public Affs.	
Rec. Mgmt.	
Tech. Servs.	
Training	
Telephone Rm.	
Director's Sec'y	

77-131275-109

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MIAMI NOT FORWARDING COPIES TO FBIHQ UACB.

*Summed with
Relief/Sup. for Monseratte
Miami - to respl. -
4/25/86*

Q5

*noted
+ advised above
a relative
who currently lives
in New Jersey + is
no relative to candidate*

*Have Miami find
determine who
Relief is through
driver's license bureau
to records etc.*

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PAGE TWO MM 77B-R-234 UNCLAS

GENERAL OFFICE INDICES WERE CHECKED BY CLERK [REDACTED]

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ELSUR INDICES WERE CHECKED BY CLERK [REDACTED]

CONFIDENTIAL INDICES WERE CHECKED BY CLERK [REDACTED]

MIAMI INVESTIGATION COMPLETE.

BT

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P 241715Z JUN 86

FM MEMPHIS (77B-R-228) (RUC)

TO DIRECTOR (77-131275) PRIORITY

BT

UNCLAS E F T O

ATTN: GBI UNIT, ROOM 5136

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,

U. S. SUPREME COURT, INITIAL BUDED: JUNE 27, 1986, WOF.

RE BUTEL TO ALL FIELD OFFICES DATED JUNE 18, 1986.

[REDACTED] SECURITY AND COMPLAINT ASSISTANT CHECKED
MEMPHIS GENERAL INDICES ON JUNE 18, 1986.

[REDACTED] FILE ASSISTANT, CHECKED MEMPHIS CONFIDENTIAL
INDICES ON JUNE 19, 1986.

[REDACTED] FILE ASSISTANT, CHECKED MEMPHIS ELSUR
INDICES ON JUNE 19, 1986.

ALL OF THE ABOVE CHECKS WERE MADE RE CANDIDATE AND CLOSE
RELATIVES WITH NEGATIVE RESULTS.

BT

Exec AD-Adm.	
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Adm. Serv.	
Crim. Inv.	
Ident.	
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Legal Coun.	
Off. Cong. & Public Affs.	
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Off. of the Inspector General	

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FM LITTLE ROCK (77-2-423)

TO DIRECTOR (77-131275) ROUTINE

BT

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~~CONFIDENTIAL~~
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ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U. S. SUPREME COURT, INITIAL RUDED: JUNE 27, 1986, WITHOUT FAIL.

RE BUREAU TELETYPE TO ALL OFFICES, JUNE 18, 1986.

A REVIEW OF ALL LITTLE ROCK INDICES FAILED TO DISCLOSE ANY
RECORD IDENTIFIABLE WITH APPLICANT OR CLOSE RELATIVES.

SEARCHES CONDUCTED BY CFC [REDACTED] (GENERAL
INDICES) (JUNE 18, 1986), AEC [REDACTED] (ELSUR INDICES)
(JUNE 18, 1986), AND CFC [REDACTED] (CONFIDENTIAL
INDICES) (JUNE 18, 1986).

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FM KNOXVILLE (77A-R-76) (RUIC)

TO DIRECTOR PRIORITY

BT

UNCLAS

ATTN: GENERAL BACKGROUND INVESTIGATION UNIT (GBI), RO
ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,

U.S. SUPREME COURT, INITIAL BUDED: JUNE 27, 1986, WOF

RE BUTEL DATED JUNE 18, 1986.

ON THE DATES INDICATED, THE FOLLOWING KNOXVILLE INDICES
WERE CHECKED AND NO INFORMATION CONCERNING THE CANDIDATE OR
LISTED RELATIVES WAS LOCATED:

1. GENERAL INDICES - NEGATIVE, CHECKED BY SCA

ON JUNE 19, 1986.

2. INFORMANT AND ELSUR INDICES - NEGATIVE, CHECKED BY

ON JUNE 23, 1986.

BT

Exec AD-Adm.	
Exec AD-LES	
Asst. Dir.:	
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Crim. Inv.	
Ident.	
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Intell.	
Laboratory	
Legal Coun.	
Off. of Cong. & Public Affs.	
Rec. Mgmt.	
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FM BALTIMORE (77-33189-390) (SQ 9)

TO DIRECTOR ROUTINE

BT

UNCLAS

ANTONIN GREGORY SCALIA; DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT; BUDED; JUNE 27, 1986.

RE BUTEL TO ALL OFFICES, DATED JUNE 18, 1986.

ON JUNE 20, 1986, A SEARCH OF BALTIMORE INDICES, GENERAL,
CONFIDENTIAL AND ELSUR, CONDUCTED BY CLERK [REDACTED] DISCLOSED
NO IDENTIFIABLE INFORMATION REGARDING THE APPLICANT, HIS LISTED
RELATIVE(S), BASED ON THE INFORMATION PROVIDED.

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FM FBI RICHMOND (77B-13982) (P)

TO DIRECTOR FBI (77-131275) IMMEDIATE

ATTN: GENERAL BACKGROUND INVESTIGATION UNIT, ROOM 5136

BT

UNCLAS

ANTONIN GREGORY SCALIA; DEPARTMENTAL APPLICANT, CANDIDATE FOR
ASSOCIATE JUSTICE, UNITED STATES SUPREME COURT; INITIAL BUDED: JUNE
27, 1986, WITHOUT FAIL

RE BUREAU TELETYPE TO ALL FIELD OFFICES DATED JUNE 18, 1986.

WHERE APPROPRIATE, PRIVACY ACT (E) (3) DATA WAS FURNISHED TO
PERSONS INTERVIEWED. EXPRESS PROMISES OF CONFIDENTIALITY, BOTH
LIMITED AND UNLIMITED, HAVE BEEN NOTED WHERE GRANTED.

ON JUNE 23, 1986, [REDACTED] UNIVERSITY OF VIRGINIA
POLICE DEPARTMENT; [REDACTED] ALBEMARLE COUNTY POLICE
DEPARTMENT; AND [REDACTED] POLICE DEPARTMENT, ALL OF
CHARLOTTESVILLE, VIRGINIA, ADVISED SA [REDACTED] THAT THE

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FILES OF THEIR RESPECTIVE DEPARTMENTS DID NOT REFLECT ANY ARREST
RECORDS OR REFERENCES IDENTIFIABLE WITH [REDACTED]

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[REDACTED]

RICHMOND DIVISION, AT RICHMOND, VIRGINIA - INVESTIGATION
CONTINUING.

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FM PITTSBURGH (77B-R-1043) (P)

TO DIRECTOR (77-131275) ROUTINE

BT

UNCLAS

ANTONIN GREGORY SCALIA; DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,

U.S. SUPREME COURT, INITIAL BUDED: JUNE 27, 1986, (WOF(B)

RE BUREAU TEL TO ALL OFFICES DATED JUNE 18, 1986.

A REVIEW OF PG INDICES AND ELSUR FILES FAILED TO REFLECT ANY INFORMATION IDENTIFIABLE WITH APPLICANT OR ANY MEMBER OF HIS IMMEDIATE FAMILY.

ON JUNE 19, 1986, ELSUR CHECKS WERE CONDUCTED BY ELSUR CLERK

AND INDICES CHECKS WERE CONDUCTED BY INDICES CLERK

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INFORMATIVE NOTE

Date 7/16/82

Re: ANTONIN SCALIA, DEPARTMENTAL APPLICANT,
U.S. CIRCUIT COURT JUDGE, DISTRICT OF
COLUMBIA

The background investigation concerning the applicant was completed on 5/12/82. No derogatory information was developed and all interviews were laudatory of applicant's ability and highly recommended.

On 7/15/82, the Chicago Division advised that an Agent not previously assigned to investigate the captioned case, noted a Chicago newspaper article, dated 7/15/82, that the applicant will be nominated to serve on the U.S. Circuit Court for the District of Columbia.

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The applicant was interviewed during the background investigation and he provided [REDACTED]

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Antonin Scalia's nomination was

forwarded by the White House to the
Senate Judiciary, 7/15/82. Senate hearings
have not been set.

The Department of Justice has been
advised of this information and it will be
forwarded to them today.

7/15/82
APPROVED: *WJN*

QAC
Director _____

Exec. AD-Adm. _____

Exec. AD-Inv. _____

Exec. AD-LES _____

Adm. Servs. _____

Crim. Inv. *QAC*

Ident. _____

Inspection _____

Intell. _____

Laboratory _____

Legal Coun. _____

Off. of Cong. _____

& Public Affs. _____

Rec. Mgnt. _____

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FM NEW ORLEANS (77B-R-228)(RUC)

TO DIRECTOR PRIORITY

BT

UNCLAS

ATTENTION: ROOM 5136

ANTONIN GREGORY SCALIA; DAFLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT; BUDED: JUNE 27, 1986.

RE BUREAU TELETYPE TO ALL FIELD OFFICES, DATED JUNE 18, 1986.

ON JUNE 24, 1986, THE NEW ORLEANS INDICES AND ELSUR RECORDS
WERE SEARCHED RE APPLICANT AND CLOSE RELATIVES, WITH NEGATIVE
RESULTS. INDICES SEARCHED BY CLERKS [] AND []

[] ELSUR SEARCHED BY CLERK [] REVIEWED

BY IA []

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FM SPRINGFIELD (77BB-6515) RUC.

TO DIRECTOR PRIORITY

BT

UNCLAS

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT, INITIAL BUDDER: JUNE 27, 1986 WOF.

RE BUREAU TEL TO ALL FBI OFFICES, JUNE 18, 1986.

ON JUNE 20, 1986, A SEARCH OF SPRINGFIELD GENERAL INDICES
AND ELSUR INDICES REGARDING CANDIDATE AND CLOSE RELATIVES
NEGATIVE, WITH THE EXCEPTION OF PREVIOUS SPIN AND DAPLI
BACKGROUND INVESTIGATIONS.

GENERAL INDICES SEARCH CONDUCTED BY [REDACTED]

ELSUR INDICES SEARCH CONDUCTED BY [REDACTED]

BT

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Mr. Holmes	
Miss Gandy	

Classified by [REDACTED] on [REDACTED]
by [REDACTED]

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*recontact Springfield
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FM SAN FRANCISCO (77B-16783) (RUC)

TO DIRECTOR ROUTINE

BT

UNCLAS

ATTN: GENERAL BACKGROUND INVESTIGATIVE UNIT, ROOM 5136

ANTONIN GERGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,

U.S. SUPREME COURT, INITIAL BUDED: JUNE 27, 1986, WITHOUT FAIL

REBUTEL, JUNE 18, 1986.

ON JUNE 19, 1986, ELSUR INDICES WERE CHECKED BY CLERK

ON JUNE 18, 1986, CONFIDENTIAL INDICES WERE CHECKED

BY AND OFFICE INDICES WERE CHECKED BY

ALL INDICES WERE NEGATIVE REGARDING APPOINTEE AND HIS RELATIVES.

BT

RECEIVED

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Mr. Holmes	
Miss Gandy	

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TO DIRECTOR ROUTINE

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ATTENTION: GENERAL BACKGROUND INVESTIGATION (GBI) UNIT, ROOM 5136.
ANTONIN GREGORY SCALIA; DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE, U.S.
SUPREME COURT; BUDED: JUNE 27, 1986.

RE BUREAU TELETYPE, JUNE 18, 1986.

ON JUNE 23, 1986, THE INDICES AND ELSUR FILES OF THE ATLANTA
DIVISION WERE SEARCHED AND FOUND TO CONTAIN NO INFORMATION IDENTIFI-
ABLE WITH THE APPLICANT OR CLOSE MEMBERS OF HIS FAMILY BASED UPON
AVAILABLE INFORMATION.

ELSUR SEARCHED BY CLERICAL EMPLOYEE (CE) [REDACTED]

GENERAL INDICES/FOIMS SEARCHED BY CE [REDACTED] SPECIAL INDICES

SEARCHED BY CE [REDACTED]

BT

Exec. AD-Adm.	
Exec. AD-Inv.	
Exec. AD-LES	
Asst. Dir.:	
Adm. Servs.	
Crim. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Legal Coun.	
Off. of Cong. & Public Affs.	
Rec. Mgmt.	
Tech. Servs.	
Training	
Telephone Rm.	
Director's Sec'y	

~~General Background Investigation Unit~~

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FORMS TEXT HAS 1 DOCUMENT

INBOX 14 (#7454)

TEXT SRC'D
EPO 558 1761305
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OO HQ

DE EF

C 251905Z JUN 86

FM EL PASO (77B-6936-375)

TO DIRECTOR (77-131275) (IMMEDIATE)

BT

UNCLAS

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT. INITIAL BUDED: 6/27/86 WCF.

RE DIRECTOR TELETYPE TO ALL FIELD OFFICES, JUNE 18, 1986.

ON JUNE 20, 1986, [REDACTED] CONFIDENTIAL CLERK. REVIEWED
THE EL PASO DIVISION ELSUR AND SECURE INDICES WITH NEGATIVE RESULTS
RE CAPTIONED CANDIDATE AND HIS CLOSE RELATIVES AS SET OUT IN
REFERENCED COMMUNICATION.

ON JUNE 25, 1986, A REVIEW OF THE EL PASO DIVISION GENERAL
INDICES BY I.A. [REDACTED] FAILED TO REFLECT ANY INFORMATION
IDENTIFIABLE WITH CANDIDATE AND RELATIVES.

BT

Exec. AD-Adm.	
Exec. AD-Inv.	
Exec. AD-LES	
Asst. Dir.:	
Adm. Servs.	
Crim. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Legal Coun.	
Off. of Cong. & Public Affs.	
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Telephone Rm.	
Director's Sec'y	

General Agent & Spin Room 5153
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17-7-15-120
AUG 1986
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FORMS TEXT HAS 1 DOCUMENT

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INBOX.3 (#7068)

TEXT:

CGO 0025 175 2139

PP HQ

DE CG

P 24 2139Z JUN86

FM CHICAGO (77B-20652) (P) (SQ 12)

TO DIRECTOR (77-131275) PRIORITY

BT

UNCLAS

ATTN: GENERAL BACKGROUND INVESTIGATION UNIT (GBI),
ROOM 5136).

ANTONIN GREGORY SCALIA DAPLI, CANDIDATE FOR
ASSOCIATE JUSTICE US SUPREME COURT; INITIAL BUDED
JUNE 27, 1986.

RE BUTEL TO ALL OFFICES DATED JUNE 18, 1986.

CHICAGO GENERAL INDICES REVIEWED JUNE 18, 1986
BY CLERK [REDACTED] AND JUNE 20, 1986 BY
CLERK [REDACTED] BASED ON INFORMATION SET
FORTH IN RE BUTEL, THESE REVIEWS DISCLOSED NO
IDENTIFIABLE REFERENCES TO APPLICANT'S RELATIVES

[REDACTED] AND THE
APPLICANT, HIMSELF.

Exec. AD-Adm.	
Exec. AD-Inv.	
Exec. AD-LES	
Asst. Dir.:	
Adm. Servs.	
Crim. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Legal Coun.	
Off. of Cong. & Public Affs.	
Rec. Mgnt.	
Tech. Servs.	
Training	
Telephone Rm.	
Director's Sec'y	

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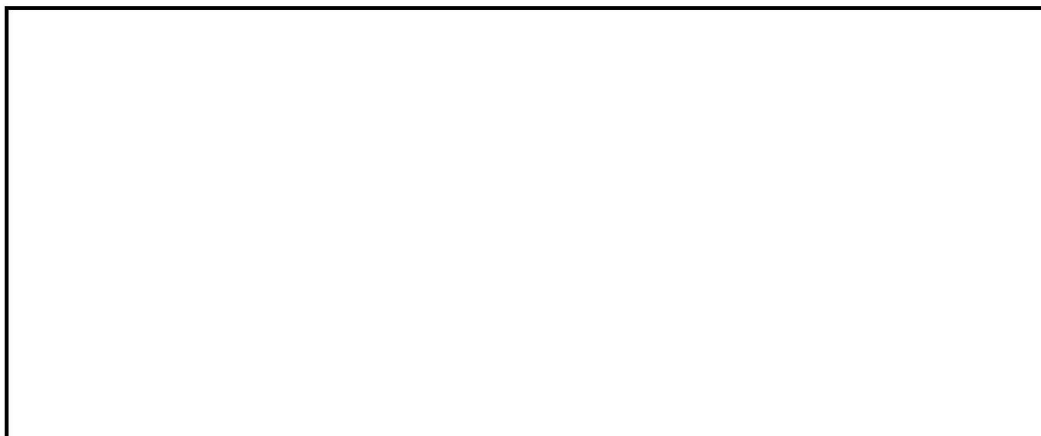
sumpl.
note pg 2.

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PAGE TWO

CG 77B-20652

UNCLAS



*Ensure this is
the same info
previously reported
to DOJ.*

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THEREFORE, NO COPY IS BEING FURNISHED TO THE BUREAU.

THERE ARE ALSO REFERENCES TO APPLICANT IN CG FILE
161-2351, JULY, 1972, ENTITLED, "ANTONIN SCALIA;
DAPLI, US CIRCUIT COURT JUDGE, DISTRICT OF
COLUMBIA," (NO BU FILE NUMBER), AND CG FILE
77-20652, JUNE, 1974, ENTITLED, "ANTONIN GREGORY
SCALIA DAPLI, SPECIAL CANDIDATE, OFFICE OF DEPUTY
ATTORNEY GENERAL," (NO BU FILE NUMBER).

ELSUR AND CONFIDENTIAL INDICES WERE REVIEWED
JUNE 20, 1986 BY CLERKS [REDACTED] AND [REDACTED]

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[REDACTED] RESPECTIVELY. BASED ON INFORMATION SET
FORTH IN RE BUTEL, THESE REVIEWS DISCLOSE NO IDENTIFIABLE
REFERENCES TO APPLICANT AND HIS RELATIVES.

INVESTIGATION CONTINUING AT CHICAGO.

BT

FEDERAL BUREAU OF INVESTIGATION

Reporting Office REC	Office of Origin BUREAU	Date 6/25/86	Investigative Period 6/24-25/86
TITLE OF CASE ANTONIN GREGORY SCALIA		Report Made By SA [REDACTED]	Typed By: jzg
		CHARACTER OF CASE DEPARTMENTAL APPLICANT CANDIDATE FOR ASSOCIATE JUSTICE UNITED STATES SUPREME COURT	

REFERENCES: Bureau teletype to Washington Field Office dated 6/20/86.
Bureau airtel to Washington Field Office dated 6/23/86.

-RUC-

ADMINISTRATIVE:

Where appropriate, Privacy Act (e) (3) data was furnished to persons interviewed. Express promises of confidentiality, both limited and unlimited, have been noted where granted.

Approved TDA	Special Agent In Charge	DO NOT WRITE IN SPACES BELOW
Copies Made:		174/13275+122
② - Bureau (77-131275) Attn: Background Investigation Unit, Room 5136 1 - Richmond (77B-13982)		AUG 9 1986
DISSEMINATION RECORD OF ATTACHED REPORT		NOTATIONS
Agency		
Request Recd.	ICC TO AAG 7/8/86	
Date Fwd.		
How Fwd.	ICC TO WHITE HOUSE 7/2/86	
By		

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy To:

Report of: SA [REDACTED]
Date: June 25, 1986

Office: Richmond, Virginia

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Field Office File #: 77B-13982

Bureau File #: 77-131275

Title: ANTONIN GREGORY SCALIA

Character: DEPARTMENTAL APPLICANT
CANDIDATE FOR ASSOCIATE JUSTICE,
UNITED STATES SUPREME COURT

Synopsis: The "Journal of Law and Politics" is a student publication at the School of Law, UNIVERSITY OF VIRGINIA (UVA), Charlottesville, Va. There is an Academic Advisory Board composed of faculty members at the School of Law and a National Advisory Board composed of members from outside of UVA. Members of the Academic Advisory Board were interviewed and advised that the "Journal" is almost exclusively student run and the role of the advisory boards is solely to provide topics and suggest authors for the "Journal" and to help locate sources of funding for the "Journal." Board members could not state the extent of SCALIA'S participation on the board, as the boards have never formally met. No information developed that would reflect unfavorably upon SCALIA. Files of DMV, Richmond, Va., negative regarding SCALIA. Files of USA's Office, Richmond, Va., negative regarding SCALIA. SCALIA was a member of the VIRGINIA STATE BAR, Richmond, Va., via reciprocity as of 10/7/70; however, license cancelled 9/18/78, for failure to pay dues and he has not been a member since that date. VIRGINIA STATE BAR files failed to reveal any grievances on file for SCALIA or any derogatory information regarding him.

-RUC-

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

DETAILS:

ARREST

On June 24, 1986, a computerized check of the files of the DEPARTMENT OF MOTOR VEHICLES, Richmond, Virginia, by IA [redacted] failed to reveal any information identifiable with SCALIA.

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MISCELLANEOUS

On June 25, 1986, [redacted] Dean's Office, School of Law (SOL), UNIVERSITY OF VIRGINIA (UVA), Charlottesville, Virginia, advised that the "Journal of Law and Politics" is a student run journal published at the SOL. [redacted] stated that the "Journal" has both an Academic Advisory Board (AAB) composed of faculty members at UVA and a National Advisory Board (NAB) composed of distinguished individuals from outside of UVA. [redacted] confirmed that the Honorable ANTONIN GREGORY SCALIA was a member of the NAB and had been since the "Journal" started in 1983.

On June 25, 1986, [redacted] the [redacted] SOL, UVA, advised [redacted] is a member of the AAB of the "Journal of Law and Politics." [redacted] stated that both of the boards were relatively inactive boards and functioned mainly at the inception of the "Journal" by providing guidance and direction and to help locate financial backing for the "Journal." [redacted] stated the "Journal" is entirely student run and that [redacted] has never met formally with SCALIA in connection with the "Journal." [redacted] did state that SCALIA had written a preface for the initial issue of the "Journal."

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On June 25, 1986, [redacted] SOL, UVA, advised [redacted] has been a member of the AAB of the "Journal" since its inception in 1983 and that SCALIA was a member of the NAB. [redacted] could not state how active SCALIA had been on the board. [redacted] stated that the "Journal" is student run

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and [] doubted that the boards had ever met as a single body, but that the board members had been contacted individually by students to obtain ideas for articles and the names of authors for these articles.

On June 25, 1986, [] the [] SOL, UVA, stated [] was a member of the AAB of the "Journal." [] could not state how active SCALIA'S involvement with the "Journal" had been but stated that as the "Journal" was solely student run, the AAB and NAB functioned solely to more or less provide credence and guidance to the students in the preparation of the "Journal" and did not serve in an editorial capacity.

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On June 24, 1986, [] UNITED STATES ATTORNEY'S OFFICE, Richmond, Virginia, advised IA [] that the files of that office failed to reveal any information identifiable with SCALIA.

On June 24, 1986, [] VIRGINIA STATE BAR, Richmond, Virginia, advised IA [] that SCALIA was admitted as a member of the VIRGINIA STATE BAR by reciprocity, receiving his license on October 7, 1970. However, his license was cancelled September 18, 1978, for failure to pay dues and he has not been a member since that date. [] advised the files of that office failed to reveal any grievances on file for SCALIA or any derogatory information regarding him.

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FM BUFFALO (77B-5311-193) (RUC)

TO DIRECTOR ROUTINE

BT

UNCLAS

ANTONIN GREGORY SCALIA; DAFLI, CANDIDATE FOR ASSOCIATE JUSTICE
U.S. SUPREME COURT; INITIAL BUDED: 6/27/86, WITHOUT FAIL.

RE BUREAU TELETYPE, 6/18/86.

ON 6/18/86, SUPPLY TECHNICIAN [REDACTED] CHECKED GENERAL
INDICES; ON 6/20/86, FILE ASSISTANT [REDACTED] CHECKED
SPECIAL INDICES; AND ON 6/23/86, ASSISTANT ELSIR COORDINATOR [REDACTED]
[REDACTED] CHECKED ELSIR INDICES RE CAPT APPLICANT AND CLOSE RELATIVES
LISTED IN REF TELETYPE WITH NEGATIVE RESULTS.

BT

Exec AD-Adm.	
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Exec AD-LES	
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FM BIRMINGHAM (161B-R-347) (RUC)

TO DIRECTOR (77-131275) PRIORITY

BT

UNCLAS

ATTN: GBI, ROOM 5136.

ANTONIN GREGORY SCALIA, DAFLI, CANDIDATE FOR ASSOCIATE JUSTICE, U.S.
SUPREME COURT, BUDED: JUNE 27, 1986, WOF.

RE BUREAU TELETYPE TO ALL FIELD OFFICES, JUNE 18, 1986.

BH GENERAL, CONFIDENTIAL, AND ELSUR INDICES CONTAIN NO REFERENCES
RE APPLICANT, CLOSE FAMILY MEMBERS, COHABITANTS, AND BUSINESS ENTITY
OR AFFILIATION.

BH GENERAL INDICES SEARCHED BY CLERK [REDACTED]
CONFIDENTIAL INDICES SEARCHED BY CLERK [REDACTED] AND ELSUR
INDICES SEARCHED BY LCT [REDACTED] ON JUNE 23-24, 1986.

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FM MINNEAPOLIS (77B-8644-379) (RUC)

~~TO DIRECTOR~~ ROUTINE

BT

UNCLAS

ATTENTION: GENERAL BACKGROUND INVESTIGATION UNIT, ROOM 513
ANTONIN GREGORY SCALIA; DAPLI - CANDIDATE FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT; BUDED: JUNE 27, 1986.

REFERENCE BUREAU TELETYPE TO ALL FIELD OFFICES DATED JUNE 18, 1966.

NO REFERENCE WAS FOUND REGARDING APPLICANT AND LISTED CLOSE RELATIVES. THE FOLLOWING MINNEAPOLIS DIVISION INDICES WERE CHECKED ON JUNE 24, 1986, BY THE INDICATED MINNEAPOLIS EMPLOYEES:

GENERAL INDICES

CONFIDENTIAL INDICES

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DIA/INTELLIGENCE OFFICE
CHINA/INTELLIGENCE

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Exec. AD-Adm. _____
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 Exec. AD-LES _____
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FM TAMPA (77B-3067) (SQ.6) (RUC)

TO DIRECTOR (77-131275) PRIORITY

BT

UNCLAS

ATTENTION: GBI UNIT, ROOM 5136

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT, INITIAL BUDED: JUNE 27, 1986, WOF.

RE BUREAU TELETYPE TO ALL FIELD OFFICES, JUNE 19, 1986.

WHERE APPROPRIATE, PRIVACY ACT (E) (3) DATA WAS FURNISHED TO
PERSONS INTERVIEWED. EXPRESS PROMISES OF CONFIDENTIALITY, BOTH
LIMITED AND UNLIMITED, HAVE BEEN NOTED WHERE GRANTED.

ON JUNE 20, 1986, A SEARCH OF ELSUR FILES BY [REDACTED]

[REDACTED] ELSUR FILE ASSISTANT; CONFIDENTIAL INDICES BY [REDACTED]

[REDACTED] INFORMANT CLERK, AND GENERAL INDICES BY [REDACTED]

APPLICANT CLERK, FAILED TO REVEAL ANY RECORD IDENTIFIABLE WITH
THE APPLICANT OR ANY OF HIS IDENTIFIED RELATIVES. 77-131275-127

THE ABOVE COMPLETES ALL INVESTIGATION AT TAMPA AND NO
REPORT IS BEING SUBMITTED AS ALL LEADS NEGATIVE.

BT

Exec. AD-Adm.	
Exec. AD-Inv.	
Exec. AD-LES	
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FM LOUISVILLE (772 F-108) (RUC)

TO DIRECTOR (7-131275) IMMEDIATE

BT

UNCLAS

ATTENTION: GCI, ROOM 5136

ANTONIN GREGORY SCALIA DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U. S. SUPREME COURT; INITIAL BUDED: JUNE 27, 1986, WITHOUT FAIL

RE BUREAU TELETYPE TO ALL FBI FIELD OFFICES, JUNE 18, 1986.

BASED UPON AVAILABLE INFORMATION CONCERNING APPLICANT, ANTONIN
GREGORY SCALIA, HIS CLOSE RELATIVES, AND PRESENT BUSINESS ESTABLISH-
MENT, THE LOUISVILLE GENERAL INDICES WERE SEARCHED ON JUNE 18, 1986,
THE ELSUR INDICES WERE SEARCHED ON JUNE 24, 1986, AND THE
CONFIDENTIAL FILE INDICES WERE SEARCHED ON JUNE 24, 1986, WITH
NEGATIVE RESULTS.

THE LOUISVILLE GENERAL INDICES WERE SEARCHED BY RECORDS UNIT
CLERK [REDACTED] THE ELSUR INDICES WERE SEARCHED BY IA
[REDACTED], AND THE CONFIDENTIAL FILE INDICES WERE SEARCHED
BY CONFIDENTIAL FILE CLERK [REDACTED]

BT

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177-131275-128
AUG 1986

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INBOX.12 (#7391)

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WFOJ06 1761518

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FM NORFOLK (77A-5123)

TO DIRECTOR (77-131275) ROUTINE

BT

UNCLAS

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,

U.S. SUPREME COURT, INITIAL BUDED: JUNE 27, 1986, WITHOUT FAIL

RE BUREAU TELETYPE, JUNE 18, 1986, AND NORFOLK TELETYPE TO
BUREAU, JULY 24, 1972

ON JUNE 18, 1986, NORFOLK INDICES WERE CHECKED, ON JUNE 19,
1986, ELSUR INDICES WERE CHECKED, AND ON JUNE 20, 1986, SECURE
INDICES WERE CHECKED, ALL WITH NEGATIVE RESULTS RE APPLICANT; ALL
LISTED MEMBERS OF HIS FAMILY, AND HIS PRESENT EMPLOYER, EXCEPT FOR
NON DEROGATORY INFORMATION CONTAINED IN RE NORFOLK TELETYPE.

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6/26/86

Director, FBI

SAC, Alexandria

ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
CANDIDATE FOR ASSOCIATE JUSTICE
U.S. SUPREME COURT

[REDACTED]
DEPARTMENTAL APPLICANT
CANDIDATE FOR CHIEF JUSTICE
U.S. SUPREME COURT
BUDED: 7/3/86 WOF

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ReButel call to AX 6/26/86.

Per retel call, AX is requested to discontinue lead to
interview [REDACTED]
[REDACTED]

Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.:
Adm. Servs. _____
Crim. Inv. _____
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Director's Sec'y _____

DL [initials]

RETURN TO [REDACTED] ROOM 5136

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AX copy delivered by courier

INDICES CHECK

TO: _____ OCIS, Rm. 3050 TL# 231

Rm. 4166 TL# 232

ELSUR, Rm. 4997 TL# 114

✓ NCIC, Rm. 7233 TL# 245

Wanted & CCH Files (Attn:

IDENT Rm. 1126B Tube J1 (Attn:

FROM: BACKGROUND INVESTIGATION UNIT, Division 6, Rm. 5136
Extension 4198, Attn: PSS [redacted]

SUBJECT: ANTONIN GREGORY SCALIA

BUDED: 7/3/86

The Bureau has been requested to conduct an expedite background investigation of the above-captioned subject, who is being considered for Presidential appointment. The indicated unit is requested to check appropriate indices based upon available information concerning subject, employment, and all close relatives. It is requested that the results of your checks, whether positive or negative, be indicated in the spaces provided below, and relayed to the Background Investigation Unit, Rm. 5136, via routing slip marked "URGENT."

Subject is described as follows:

Result NAME: ANTONIN GREGORY SCALIA

DOB: 3/11/36

POB: TRENTON, NJ

SSN: 111-28-1120

CURRENT RESIDENCE: 6713 WEMBERLY WAY

EMPLOYMENT: McLEAN, VA
U.S. CIRCUIT JUDGE, DC CIRCUIT

CLOSE RELATIVES: WASHINGTON, DC

Result	Name	DOB	Residence
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FAMEL

SALVATORE EUGENE SCALIA	12/1/03	DECEASED
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MOTHER

~~CATHERINE L. PANARO SCALIA 11/9/05~~

Check conducted by _____, on _____

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* TRANSMITTED *

1L010017MGT17813.QW.DCFBIV000.NAM/SCALIA, ANTONIN GREGORY.DOP/031136.SOC/111281
20

* RECEIVED *

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NO NCIC WANT SOC/111281120

NO NCIC WANT DOP/031136 NAM/SCALIA, ANTONIN GREGORY

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JUDY MANN

Conservative Steamroller

This session of the Senate ought to be remembered as the one in which the liberals wrung their hands a lot and then succumbed to the August heat and died. The steamroller that is transforming the federal judiciary into a retirement community for conservatives went right over them with the ease of a well-connected developer turning an ancient graveyard into a high-rise office complex.

The score in the Senate Judiciary Committee was 13 to 5 in favor of confirming Justice William Rehnquist to be the new chief justice, but by the time the voting got around to Judge Antonin Scalia the liberal opposition had wilted, like tea roses on the bush at summer's end. The committee approved his nomination with an 18-to-0 vote, as Democrats Edward Kennedy of Massachusetts, Howard Metzenbaum of Ohio, Paul Simon of Illinois, Joseph Biden of Delaware and Patrick Leahy of Vermont—the five who had opposed Rehnquist—wrestled their consciences to the ground.

During grueling confirmation hearings, Rehnquist seemed unsure and confused. Scalia, by contrast, seemed assured, affable. He's also got a shorter record to defend.

It is a record that has repeatedly been described as conservative. Late on Aug. 6, however, Audrey Feinberg, a lawyer with the firm of Paul, Weiss, Rifkind, Wharton & Garrison, one of the top firms in New York City, disputed that. She is a consultant to the Supreme Court Watch project of the Nation Institute, a civil rights foundation that has monitored the records of Supreme Court nominees since 1984. For the last year, Feinberg has analyzed Scalia's judicial record and his public statements and writings.

"A review of Judge Scalia's decisions in the U.S. Circuit Court of Appeals for the

District of Columbia shows a record that is far removed from mainstream judicial thought," Feinberg testified. "During his few years on the bench, Judge Scalia's rulings have repeatedly espoused extreme views, far to the right of even traditional conservative legal thought. Judge Scalia's opinions not only reflect extreme results, but are based on misconstruing of precedents and of accepted methods of legal analysis."

"Further, Judge Scalia's decisions reveal a remarkably consistent record of failure to support civil liberties and civil rights and of narrowly interpreting the Constitution. In case after case, Judge Scalia has shown a closed mind and continuing insensitivity to the needs of women, minorities and the poor. Since his first public statements on these issues until his most recent judicial opinions, Judge Scalia has shown no change or growth."

In the area of sex discrimination, Feinberg testified, Scalia "has taken a position that is even farther to the right than the views of Justice Rehnquist," who wrote the recent opinion holding that sexual harassment in the work place was actionable discrimination. On the lower court, Scalia had found that sex harassment did not constitute discrimination and called such a view "bizarre."

Feinberg testified that Scalia opposes busing and affirmative action, which he called "the most evil fruit of a fundamentally bad seed" in a 1979 Washington University Law Quarterly. In another case, Scalia ruled that "differential treatment" was not sufficient to prove discrimination. This, in a case in which a black plaintiff established at trial that she had been paid less than whites, that her desk had been hidden in a back room, and that she had been barred from staff meetings. "As a majority of Scalia's court wrote," said

Feinberg, "Judge Scalia's view was 'without precedent' and would 'effectively eviscerate' discrimination laws."

Feinberg cited equally extreme positions that Scalia has taken in First Amendment and libel cases. He has been highly critical of the court's privacy decisions, and the exclusionary rules that prevent prosecutors from submitting evidence obtained unconstitutionally. He has restricted consumers' rights, and the rights of unions to sue on behalf of their members, enforce collective bargaining agreements and organize the work force.

This 50-year-old man could be making decisions affecting American citizens for the next three decades, far longer than Rehnquist. To say his extreme judicial positions on such significant matters as civil rights, women's rights, workers and consumers' rights are irrelevant to his credentials is nuts. They are as relevant as they can be. But liberal senators concentrated their fire on Rehnquist, where the bright lights were, then they faded. They may not be able to defeat either nomination, but they have a moral obligation to oppose both.

Exec AD Adm. _____
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The Washington Post C3
 The Washington Times _____
 Daily News (New York) _____
 The New York Times _____
 The Wall Street Journal _____
 The Chicago Tribune _____
 The Los Angeles Times _____
 The Christian Science Monitor _____
 USA Today _____

Date 8-20-86

Page _____ FBI/DOJ

The society that has liberals talking scared

By Stephen Goode
THE WASHINGTON TIMES

To its admirers, The Federalist Society for Law and Public Policy Studies, a Washington, D.C.-based organization for conservative young lawyers and law students, is a dream come true. Before the society got started in 1982, there was the Lawyers' Guild for budding law-school radicals; blacks, Hispanics and women had groups of their own on campus. But conservative law students had no organization where they could meet each other and make contacts that would carry into the job world.

"It's a first-rate group, and it already has a network going among conservative attorneys, academics and judges in this country," says Leslie Lenkowsky, president of the neo-conservative Institute for Educational Affairs, which has helped fund the Federalist Society since its founding.

Detractors say the Federalist Society is a menace. If it succeeds as a networking operation — there is evidence it already has — it could produce a tight web of powerful lawyers and judges bent on the disruption, if not the undoing, of more than 30 years of activist U.S. jurisprudence.

"It's a group that's unified by a deep hostility against compassionate, caring judges who protect the rights of the powerless," says Nan Aron, executive director of the liberal Alliance for Justice, a coalition of public interest groups.

Detractors and admirers agree on one point, however: The Federalist Society has already begun to exert an influence far greater than its age, the average age of its members or its numbers — 2,000 nationwide — would suggest.

Six members of the organization now hold high posts in the Department of Justice. They include Lee Liberman, a deputy associate attorney general, and special assistants to the attorney general Steven Calabresi and David McIntosh. All are under 30. A list of the professionals associated with the group reads like a Who's Who of conservative jurisprudence. Judge Antonin Scalia of the U.S. Court of Appeals for the District of Columbia, named by President Reagan to the U.S. Supreme Court last month, served for a year as the first faculty adviser to

the group's chapter at the University of Chicago, long known as a hatchery of conservative legal minds.

Others associated with the society include Judge Robert Bork, also on the appellate court in the District of Columbia and rumored to be Mr. Reagan's choice for the next Supreme Court opening, and Judge Richard Posner of the 7th U.S. Circuit Court of Appeals in Chicago, another possible Supreme Court candidate.

The group's Washington chapter attracts influential government figures to its monthly meetings.

The society dates from an April 1982 symposium held at Yale University that brought together law students from Yale, Harvard University, Stanford University and the University of Chicago to hear legal experts discuss "Federalism: Legal and Political Ramifications." Conservative students from the four law schools organized the event, and the Institute for Educational Affairs supplied the money.

"It was a watershed," says Mr. McIntosh, a founder of the Chicago chapter. "We discovered that there was a great deal of interest nationwide in the conservative viewpoint." That fall, the Federalist Society was officially incorporated.

Today, the society has about 40 solid chapters, says Executive Director Eugene Meyer, "and if you add chapters coming into being, there's about 50 or 60 more."

About 1,000 members nationwide pay annual dues that range from \$5 for students to \$10 for academics and \$25 for lawyers. Another 1,000 are more loosely connected with the group and don't pay the dues "for whatever reason," says Mr. Meyer. About 1,200 of the 2,000 members are students; the rest are professionals.

Expenses run about \$400,000 per year, says Mr. Meyer, an amount the dues don't even begin to cover. Most of the Federalist Society's funding comes from conservative-affiliated private organizations and corporations, including the Institute for Educational Affairs, Pfizer Inc. and the John M. Olin Foundation, headed by former Treasury Secretary William E. Simon. The society's budget this year also includes a \$73,835 grant from the National Endowment for the Humanities.

The society holds at least one symposium per year on topics that have included judicial activism (1983), legal education (1984) and the First Amendment (1986).

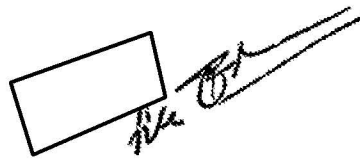
In addition, there is a speakers' bureau that has provided such conservative luminaries as Mr. Scalia and Fordham University law professor Ernest van den Haag to address local chapter meetings. The society also has two publications. The group took over the Harvard Journal of Law and Public Policy in 1982 and also publishes a quarterly newsletter, the Federalist Paper.

The Federalist Society's logo is a silhouette of James Madison, the "father of the Constitution," a major contributor to the original Federalist Papers and fourth president of the United States. The organization's publicity brochure opens with a quotation from the Federalist Paper No. 78, written by Alexander Hamilton, warning against a judiciary that exercises its "will" rather than its "judgment" in interpreting the law.

Mr. Meyer insists the society is not a group of like-minded individuals.

"We're a diverse lot," he says. "We're made up of libertarians, traditional conservatives, the New

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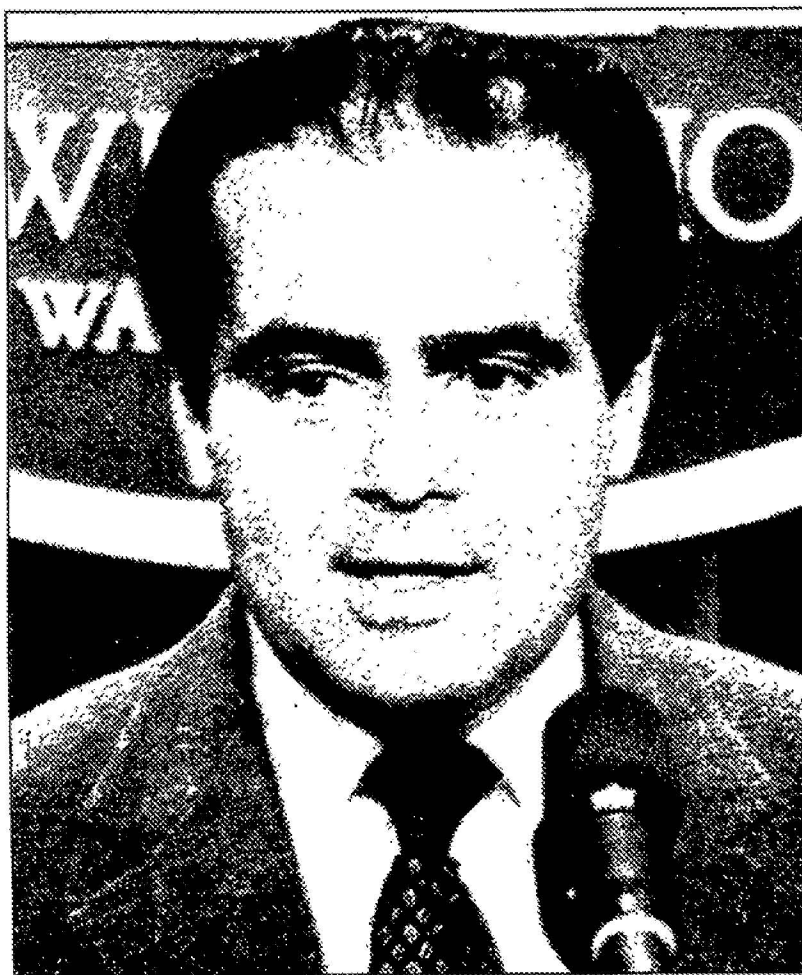
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Right and others. What we share is a belief that the Constitution doesn't supply a way to fix everything. There's simply not a legal remedy for every fault in society."

Says Tony Podesta, president of the liberal People for The American Way: "I hardly agree with anything Federalist Society people have to say. But they're bright, they're capable, they know how to market themselves, and they're going places."



AP

Judge Antonin Scalia, named by President Reagan to the U.S. Supreme Court last month, is a former faculty adviser to a chapter of The Federalist Society for Law and Public Policy Studies at the University of Chicago.

Scalia Need Not Squeeze the Press

By R. Emmett Tyrrell

WASHINGTON — As the Reagan revolution encroaches even onto the staid regions of the judiciary, conservatives are joyous. Yet what is a conservative to make of the Administration's most recent Supreme Court nominee, Judge Antonin Scalia? It is said that he is a witty, literate intellectual but so hostile to the press that he is itching to make it easier to sue for libel. To do so would be a grave mistake.

Given Judge Scalia's lively cast of mind, his hostility to our press is understandable and perhaps inescapable. Our press is the most monotonous in the free world. So rarely does one encounter a journalist with anything daring or even original to say that our First Amendment is really quite unnecessary. Yet easing libel law will not improve the press or increase freedom or preserve the values of the Founding Fathers.

Look around you, Judge Scalia. We live in a country where a psychic, having charged that a CAT scan destroyed her miraculous powers, successfully sued for a million dollars. America is already an unpleasantly litigious place. Conservatives have been trying to remove the police power of the state from private lives. Easing the restraints on libel will do precisely the opposite; and the American press will become, if the thing be possible, even more timorous and tedious.

Already, our journalists live in dire fright of offending the reigning orthodoxy. They are at pains to ask only the approved questions, to affect the proper pieties, to express themselves in the same asphyxiating middle-brow argot. They approach practically every issue from the same direction, like a herd in mindless motion. To force them to confront any added terrors would be cruel and futile. After all, easier libel actions will most likely affect only private citizens and that stalwart band of independent journalists who write in the Republic's intellectual journals.

Such journals are a rare source of diversity and originality in the otherwise bleak realm of American media. The journalists of the herd usually work for vast communications organizations rich with lawyers capable of sustaining lawsuits for years. Small journals have no such resources, nor do private citizens. Growing evidence indicates that easing the grounds for libel will not affect CBS or Time-Life. Rather, independent citizens who

might complain publicly about shady business or governmental practices will be the victims of libel actions. This is already a problem.

Judge Scalia has expressed his fear that many journalists have no regard for the truth and "often destroy private reputations at will." But it is not easy for the press to destroy reputations. For one thing, standards of public conduct are far from Victorian. Whatever the reason, ours is a very forgiving society, or at least a neglectful society. There disport before us notables whose past deeds would in more discriminating times have placed them beyond the pale. Then, too, whenever a reporter or commentator sets out to wreck a reputation, sensible readers usually know what he is up to and discount his heroics.

Admittedly, in politics the press has set back some political ambitions — for instance, those of Richard Allen, the former national security adviser. Yet the press's success in damaging the careers of innocents has usually depended on the pusillanimity of political leaders. When political leaders have stood by such appointees as Kenneth Adelman, head of our Arms Control and Disarmament Agency, and Attorney General Edwin Meese 3d, these decent men have triumphed. The press is not the revered institution that its heroes assume. Most of the tempests that it has perpetrated have receded rapidly into the vapors of uncertain memory as Americans forgive and forget.

The promise of conservatives such as Judge Scalia is not more restrictions on personal freedom but an end to what Nathan Glazer has called the Imperial Judiciary and a return to the original intent of the Founding Fathers. In the Founders' time, political expression was bold and varied. Royal governors found themselves being vilified as "criminals." Ordinary colonists suspected of trading with the Crown found their names published in colonial newspapers. Surely, when the Founding Fathers wrote the First Amendment, this tradition of free speech was on their minds. It should be on our minds now. Judge Scalia's challenge is not to tame the press but to enliven it and to expose it to intellect. □

R. Emmett Tyrrell is editor in chief of *The American Spectator*.

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He Has Own Style of Conservatism

Scalia's Independent Past Suggests Future Surprises

By ROBERT L. JACKSON
and RONALD J. OSTROW,
Times Staff Writers

WASHINGTON—At a 1972 party at San Clemente, John Gavin, then president of the Screen Actors Guild, complained to President Richard M. Nixon that television reruns were siphoning income away from actors. He asked the President to do something about it.

Nixon's staff soon asked the Office of Telecommunications Policy, a piece of the White House bureaucracy, to order the Federal Communications Commission to intervene. But a hitch developed: Antonin Scalia, then Telecommunications Policy general counsel, said that such intervention would be illegal.

"You have to remember the times to appreciate what integrity that represented," a former OTP official said. "We were involved in a difficult Administration with a lot of politics flying around." The White House ultimately settled for ordering a study of the issue.

Now the same Antonin Scalia is President Reagan's nominee to the Supreme Court. And those who have worked both with him and against him agree that he remains today what he was in 1972: a staunch conservative with a deep respect for the law, no matter where it leads him.

Jack Fuller, a former colleague of Scalia at the Justice Department and now editorial page editor at the Chicago Tribune, said that Scalia may surprise those who expect a predictably conservative Supreme Court justice. Fuller looks for a continuing display of independence and integrity if, as expected, the Senate confirms Scalia to the Supreme Court.

Indeed, Scalia's personal qualities have held as constant as his conservative views throughout a career as a young lawyer in Cleveland, a high-ranking official of the Nixon and Gerald R. Ford administrations, a University of Chicago law professor and, finally, a federal appeals court judge in Washington.

At all stops, the 50-year-old Scalia has demonstrated an intense devotion to his work, tempered by wit and a gregarious nature. And,

despite a family of nine children, he has shown a remarkable disregard for making a lot of money.

The son of a professor of Romance languages at Brooklyn College who had immigrated from Italy, Scalia received his undergraduate education at Georgetown University in Washington and got his law degree from Harvard University, where he was a magna cum laude graduate in 1960 and an editor of the Harvard Law Review.

As such, he drew the attention of some of the nation's top law firms and chose the blue-chip firm of Jones, Day, Reavis & Pogue in Cleveland, which has since become the country's second largest.

Richard W. Pogue, its managing partner, recalled in an interview that when Scalia first met other Jones-Day attorneys at a private home, the young Harvard graduate stayed up until 3 a.m. arguing with eight of them in defense of a law review note he had edited in support of blue laws.

'Loved to Debate'

"It never bothered Nino that everybody else was on the other side," Pogue said. "He always loved to debate. But even when you disagreed with him, you couldn't help but like him."

Scalia worked as an "inside lawyer" at Jones-Day, principally doing legal research to support litigators who were defending electrical equipment clients in civil antitrust suits. Because the firm had so many more experienced lawyers, he never appeared in court during his six years with the firm.

After four years as a law professor at the University of Virginia came Scalia's first tour in Washington. After stints in the Nixon White House and as chairman of the Administrative Conference of the United States, a federal inter-agency group on legal issues, he became assistant attorney general in charge of the Justice Department's Office of Legal Counsel in August, 1974. It was days after the Watergate scandal had forced Nixon from office and Ford became President.

The new job meant a salary cut of several thousand dollars. But associates said Scalia regarded this post, which is sometimes called

"the attorney general's lawyer," as so significant and challenging that it was worth the cut in pay.

"He's never been one who cared a fig about making money," said Harold R. Tyler Jr., Scalia's former boss as deputy attorney general in 1975 and 1976.

At the Justice Department, Scalia did not have to wait long for a challenge. On his first day, said James A. Wilderotter, a former department colleague, "Nino reported for duty and said, 'What can I do?'"

Deputy Atty. Gen. Laurence H. Silberman, Scalia's new boss, replied without hesitation: "Tell us who owns the presidential tapes and papers." The ownership of Nixon's tapes, which helped establish his involvement in Watergate, was a particularly thorny issue left hanging by Watergate.

Made Tough Decision

Scalia concluded that the papers of previous presidents uniformly had been regarded as their personal property. Wilderotter said the conclusion established Scalia as "a guy who calls the shot as he sees it and refuses to take the easy way out."

"It was very gutsy," Wilderotter said. "It would have been much easier to join in kicking Nixon while he was down." Congress later passed a bill declaring the tapes public property.

As assistant attorney general, Scalia later served as the key drafter of the precedent-setting presidential order that established new restrictions on intelligence agencies.

Tyler recalled that Scalia worked on other difficult issues "on which reasonable men could differ," including whether Congress could write legislation allowing either the Senate or the House to veto a presidential action. Tyler said that Scalia's "valiant work on

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this issue succeeded in mollifying and, in some cases, actually persuading members of Congress that such veto power would infringe on the constitutional powers of the President.

As with the issue of presidential papers, Scalia's arguments opposing one-House veto power were unpopular in Congress, which sought to rein in the presidential excesses disclosed by the Watergate scandal. But Tyler noted that Scalia's views were later vindicated by the Supreme Court.

"I always admired him for his amiability," Tyler added. Although Scalia was a tenacious advocate of any position he adopted, Tyler said, he also "listened well" and won the respect of colleagues who disagreed with him.

After the Ford Administration, Scalia taught law for five years at the University of Chicago, where he is remembered as a demanding teacher whose intellectual intensity and Socratic methods scared the wits out of some of his students.

Mary E. Becker, one of 165 students in Scalia's first-year contracts class, recalled recently that he was "unrelenting on preparation. You had to work hard to keep from being humiliated. He would call on you whether you were ready or not. It was frightening."

Now a member of the law faculty herself, Becker recalls vividly Scalia's "constant interplay with the students. I thought he was a good teacher, and I've adopted his style somewhat. But I try never to do it in such a scary way."

Scalia's former colleagues on the law school staff recalled that same intensity of purpose, punctuated with a wry sense of humor and a twinkle in his eyes. And Scalia enjoyed the relaxation of monthly poker games with other faculty members.

"He'd always wear a beat-up old fishing hat—as if it were a symbol of his night out with the boys," said Prof. Geoffrey R. Stone. "They were nickel-and-dime games, so the stakes were not important. And there was no shop talk."

Scalia told associates that aside from the law school's reputation for excellence, he had been attracted by the University of Chicago's generous practice of paying half

the private school tuition costs for the children of its faculty members. Scalia then had seven pre-college children in Catholic schools. To accommodate his large family, he and his wife, Maureen, bought and renovated an old fraternity house three blocks from the campus.

Although Scalia seemed much at home at the largely conservative law school, his colleagues were not surprised when he returned to Washington in 1982 to accept President Reagan's appointment to the U.S. Court of Appeals for the District of Columbia.

Richard A. Epstein, a friend on the Chicago faculty, said: "You knew he was not one to wait 25 years for a gold watch. His heart was in public affairs. He always wanted to be a judge."

On the appellate court, Scalia gained a reputation as a hard-working jurist who pored over the draft opinions of his colleagues and filled the margins with suggested changes. In line with Reagan Administration thinking, he generally has espoused strict limits on the powers of the federal government.

"I've often disagreed with Nino, but he's no ideologue," said a Scalia colleague on the appellate court who requested anonymity. "He forms his views only after great study. And no one is more congenial to work with."

Robert L. Jackson reported from Cleveland and Chicago and Ronald J. Ostrow reported from Washington.

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Scalia Trivia

Since President Reagan announced his selection of Judge Antonin Scalia for the Supreme Court, the search for Scalia trivia has turned into something of a Washington parlor game. For example: One of the judge's nine children, 22-year-old Eugene, works as a writer and researcher in the Department of Education. His duties include speechwriting for William J. Bennett, Secretary of Education, according to a spokesman for the department.



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Court rules proof of malice is required before libel trial

By David Sellers
THE WASHINGTON TIMES

A public figure bringing a libel suit must present convincing evidence at the pretrial stage that the press acted with malice or the case will be dismissed, the Supreme Court ruled yesterday in a key victory for the media.

The 6-3 ruling means the Washington-based Liberty Lobby must show a judge proof that syndicated columnist Jack Anderson acted with malice when his now-defunct Investigator magazine called the group neo-Nazis in two 1981 stories.

The decision overturns a lower court ruling by Supreme Court nominee Antonin Scalia, who said that a determination of media malice should not be made until the conclusion of the case.

Yesterday's ruling expands the reach of a landmark libel decision 22 years ago, involving The New York Times, in which the high court said that public officials trying to prove they were libeled must present with "convincing clarity" evidence that the media acted with "actual malice."

But The New York Times decision applied only to cases decided after both sides had presented their evidence. Yesterday's ruling extends the malice standard to pretrial "summary judgment" motions in which the defendant asks the judge to dismiss the case before the evidence is submitted.

Under the ruling, libel plaintiffs who cannot show a judge sufficient evidence that the media acted with malice will have their cases dismissed.

Lawyers for the Liberty Lobby claimed that in all cases a jury should have the opportunity to decide if malice was involved. The group's attorney, Mark Lane, told the justices that placing the decision in the hands of jurors would not curtail journalists' aggressiveness, as Mr. Anderson's lawyers had argued.

"They [journalists] are not easily chilled and could go through the Ice

Under the ruling, libel plaintiffs who cannot show a judge sufficient evidence that the media acted with malice will have their cases dismissed.

Age without having their body temperature lowered," he said.

"I think what the Supreme Court has done, in yielding to the pressures of the major news media, has been to make a mess of libel law," Mr. Lane said yesterday.

Mr. Anderson's attorney, David Branson, called yesterday's ruling "a very important victory for the press."

"An enormous number of lower courts had thought they should be especially careful in granting summary judgment in libel cases. This opinion restores balance to the process," he said.

Mr. Anderson was sued for \$24

million for two articles that appeared in the Investigator magazine that called the Liberty Lobby and its founder, William Carto, neo-Nazi fascists, anti-Semitic and racist.

A federal judge in Washington granted Mr. Anderson's summary judgment motion, finding there was no evidence of malice. But a three-judge appeals panel reinstated the lawsuit, saying the Liberty Lobby should not have been required to present pretrial proof of malice. Mr. Anderson appealed.

"In essence, the inquiry is whether the evidence presents a sufficient disagreement to require submission to a jury or is so one-sided that one party must prevail as a matter of law," Justice Byron White said.

"A plaintiff may not defeat a defendant's properly supported motion for summary judgment in libel cases such as this one without offering any concrete evidence from which a reasonable jury could return a verdict in his favor."

In a dissenting opinion, Justice William Brennan said the majority ruling is confusing.

"In my view the court's analysis is deeply flawed and rests on a shaky foundation of unconnected and unsupported observations, assertions and conclusions," Justice Brennan wrote.

"The court's result is the product of an exercise akin to the child's game of 'telephone,' in which a message is repeated from one person to another and then another; after some time, the message bears little resemblance to what was originally spoken," he said.

Chief Justice Warren Burger and Justice William Rehnquist also dissented.

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ROWLAND EVANS & ROBERT NOVAK

Reagan's next Supreme Court move

WASHINGTON — Within months, the second shoe in the Reaganization of the Supreme Court is expected to drop when Justice Lewis F. Powell Jr. retires and is replaced by Appeals Court Judge Robert Bork.

No firm commitment has been made, and Powell may well stay despite age (77) and infirm health — scuttling President Reagan's long-range judicial strategy. But the anticipated Bork-for-Powell switch was an integral part of last week's appointments.

THESE WERE NOT either-or choices, but based on expectation of a second vacancy. That is part of administration strategy to extend its influence, far beyond Ronald Reagan's eight years in the White House, through lifetime appointments on the federal bench. The current imperative is confirmation this year, while the Senate is still assuredly Republican-controlled, of a potentially dominant Reaganite conservative core on the Supreme Court.

The nominations of William H. Rehnquist as chief justice and Judge Antonin Scalia as associate justice, compounded by Bork's prospective nomination, stymie the liberals. Beyond mere numbers, their intellectual firepower profoundly changes the Court. But their unchallenged competence and probity means they can be opposed only on ideological grounds — notoriously poor for blocking confirmation.

Broad outlines of this strategy were shaped by Reagan insiders before the 1984 election. It was decided that Bork and Scalia would get the next

two appointments. As respected members of the pivotal U.S. Appeals Court for the District of Columbia, they would avoid the Senate travail that would befall a "political" nomination such as Attorney General Edwin Meese III or William P. Clark (neither of whom wanted to be considered).

But the chance to name anybody eluded Reagan because the Court's septuagenarian liberals want to outlast him. Justice William Brennan, the court's oldest, most liberal member and frail at 80, has privately declared neither he nor like-minded brethren will quit so long as "that man" is in the White House. Indeed, the only justice even talking about resigning was Rehnquist, the Court's most conservative and second youngest member.

Thus, while lower reaches of the federal judiciary were being Reaganized, the Supreme Court resisted change until Chief Justice Warren Burger broke the log jam. His decision to quit now was critical. Had he waited until the end of Reagan's term, his probable successor would have been Justice Sandra Day O'Connor.

Any man might have encountered confirmation trouble so close to 1988 even in a Republican Senate, but not the first female justice. Burger's early departure enabled the president to pick Rehnquist, promising better organized and more activist leadership.

Scalia over Bork — recommended by Meese and chief of staff Donald T. Regan — is privately explained in terms of age (Scalia at 50 is nine years younger), congeniality and the politically potent Italo-American connection.

In fact, Bork long ago lost the opprobrium from Richard Nixon's 1974 Saturday Night Massacre and sounds less hard-line than Scalia (partly because of a more libertarian view of First Amendment rights). Accordingly, the decision was made that if the second of two appointments might be tougher to confirm, Bork should go second on grounds that he would not be rejected.

BORK REPLACING POWELL would substitute a conservative for a swing vote. But the impact is more than a one-vote shift. The Rehnquist-O'Connor-Scalia-Bork combine would project high ideological muzzle velocity seeking Court majorities. Although Scalia and Bork have practiced what they preach in judicial restraint on the Appeals Court, a Supreme Court switch on issues such as affirmative action seems inevitable.

An odd fallout may hurt Dan Manion, a conservative South Bend, Ind., lawyer, in his forthcoming Senate confirmation vote for the 7th Court of Appeals in Chicago. The argument that Manion is not qualified may be buttressed by the intellectual caliber of the Rehnquist-Scalia nominations, as well as liberal frustration in not being able to stop them.

Nor will it be easy to find confirmable conservatives for Scalia's existing and Bork's prospective appellate vacancies. But the president is on his way to fulfilling his opponent's 1984 campaign forecast that Reagan's re-election would project a Supreme Court in his image far into the future. On this one, Walter F. Mondale probably was right.

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Scalia embodies President's hope for court's future

By Douglas Frantz

WASHINGTON—In a speech to a law school audience in St. Louis seven years ago, Antonin Scalia delivered a biting criticism of affirmative-action programs for minorities and women.

His Italian immigrant father never had benefited from "the sweat of any black man's brow," said Scalia, arguing that race was no legitimate basis for preferential treatment to remedy the effects of discrimination.

"I am, in short, opposed to racial affirmative action for reasons of both principle and practicality," said Scalia, then a law professor at the University of Chicago. "Sex-based affirmative action presents somewhat different constitutional issues, but it seems to me an equally poor idea."

On Tuesday, Scalia, a federal appeals court judge in Washington, will be challenged to defend that position and his conservative judicial philosophy when he goes before the Senate Judiciary Committee for a hearing on his nomination to the U.S. Supreme Court.

Committee liberals plan to question Scalia on what many view as a record that is to the right of the current Supreme Court on civil rights, abortion and restricting the press.

"Certainly civil rights and his 1st Amendment problems will be concerns of the committee," said Sen. Paul Simon [D., Ill.], who is in charge of screening judicial nominees for the committee.

But unless something unexpected comes out at the hearing, Scalia, 50, is all but certain to join the high court.

"For any senator to come in and try to malign Scalia is tantamount to insanity," said Sen. Orrin Hatch [R., Utah], a Judiciary Committee member. "He is a conservative, but he is no extremist."

Justice Department officials view Scalia's elevation to the court as a milestone in President Reagan's attempt to reverse the course of the federal judiciary.

"We are hoping to put on the court a judicial philosopher who shares the President's philosophy and is young enough to remain on the court for many, many years," a White House official said.

Once there, critics and supporters alike expect Scalia's forceful intellect and personal charm to make him a far more powerful figure in the court's decision-making than Chief Justice Warren Burger, whose resignation made room for Scalia's nomination.

"There is no doubt that Scalia will shift the balance of the court over the long run, because he is so much more intelligent and powerful and affable than Warren Burger," said Laurence Tribe, constitutional law professor at Harvard Law School. "He will be a powerful and persuasive voice."

Scalia has refined his conservative views over 25 years as a lawyer, teacher, government official and judge.

He emerged as a potential candidate for the Supreme Court soon after Reagan plucked him from the University of Chicago law faculty in 1982 and nominated him to the U.S. Court of Appeals for the District of Columbia, regarded by many as the nation's second-most important court.

On the court, he distinguished himself as a well-prepared, hard-working jurist whose demand for accuracy and excellence from his staff was symbolized by a plaque from his law clerks that reads: "It's hard to get it right."

Friends and associates describe the pipe-smoking, piano-playing Scalia as friendly and down-to-earth, someone who could accept the challenge of a law clerk to a pepper-eating contest the same week he was nominated to the Supreme Court—and win.

"He likes to excel, to compete, to test himself against others," said John Coverdale, a Washington lawyer and former Northwestern University history professor who was a law clerk for Scalia in 1985.

Scalia was born on March 11, 1936, in Trenton, N.J., the only child of S. Eugene Scalia and Catherine Panaro Scalia. His father was a literary scholar who taught romance language for 30 years at Brooklyn College. His mother was a first-generation American of Italian heritage who taught elementary school. His parents died within two weeks of each other several months ago.

In 1953, Scalia graduated first in his class at Xavier High School in Manhattan, a Jesuit-run military academy, and went on to another Jesuit institution, Georgetown University in Washington. When he graduated in 1957 with a bachelor's degree in history, Scalia again ranked first in his class.

Scalia declined to be interviewed for this article, but in an interview last spring on C-SPAN, a public affairs television network based here, Scalia said he decided to become a lawyer while in college.

"I like the intellectual endeavor," he said. "I like playing with ideas and words and analyzing the meaning of statutes and contracts."

From Georgetown, Scalia went to Harvard Law School, where he is remembered by classmates as an eager, able debater and, already, an ardent conservative.

On April 7, 1959, Herbert Wechsler, a law professor at Columbia University, gave a seminal speech at Harvard warning against allowing courts to become "an ever-open forum for the ventilation of all grievances."

The position meshed with Scalia's outlook, and he has developed it into an unswervingly narrow judicial philosophy that is rooted in the separation of powers among the judicial, legislative and executive branches.

As a judge, he has consistently applied strict technical legal doc-

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trines to limit access to the courts and deferred to the authority of the executive branch.

In explaining his philosophy in the television interview, Scalia stressed the need for the courts to remain behind the scenes.

"Necessarily, if you believe we have a democratic system, the role of that branch of government is intended to be a subsidiary, background role to assure, when necessary, the propriety of behavior of the other two, but certainly not to lead society forward," he said.

Unlike other top-ranking law school graduates, Scalia did not take a clerkship with a judge. He signed on with Jones, Day, Reavis & Pogue, a large law firm in Cleveland, and from 1961 to 1967, practiced general law. He was on the way to becoming a partner at Jones, Day when he left to become a professor at the University of Virginia law school.

"It gave him far more time for the type of intellectual challenge he enjoyed," one of his former law partners said.

The job also gave Scalia a foothold in Washington. In 1971, he landed his first government job as general counsel to the Office of Telecommunications Policy under President Richard Nixon.

Scalia left the position in 1972 to become chairman of the Administrative Conference of the U.S., a federal agency that issues reports on legal and management issues for the executive branch.

In 1974, Nixon nominated him head of the Justice Department's office of legal counsel, which prepares opinions on the legality of executive branch decisions and acts, in effect, as the president's law firm.

By the time Scalia took the job, Nixon had resigned after investigation of the Watergate break-in. One of Scalia's first tasks was to decide whether the presidential tapes and papers in the White House belonged to Nixon or to the government. He decided in favor of Nixon.

In January, 1977, after Jimmy Carter became president, Scalia became scholar in residence at the American Enterprise Institute, a conservative think tank in Washington. Although he left seven months later for the University of Chicago, he has retained ties with the institute.

Scalia and his wife, Maureen, moved to Chicago in July, 1977, with their nine children.

"The joke at the law school was that he came here for the tuition credits for his kids," said Richard

Epstein, a U. of C. law school colleague.

Scalia also found a welcome home for his conservative legal thought. His specialty at Chicago was administrative law, but he is not remembered as a scholarly innovator.

"He was a fine academic, a fine writer, a good teacher, but he was never going to get a gold watch here," Epstein said. "He liked being on the cutting edge of politics, and his heart was always in Washington."

Scalia's 1982 confirmation hearing to the U.S. Court of Appeals was perfunctory, dealing with a controversial article he had written criticizing the Freedom of Information Act as too expensive and too intrusive in judicial ethics.

Liberals have expressed deep concerns over Scalia's judicial record on civil rights.

"There is room in the courts for conservatives and moderates," said Ralph Neas, executive director of the influential Leadership Conference on Civil Rights. "But this man is not within the parameters of acceptability. He has shown a remarkable insensitivity to victims of discrimination."

In one case, a black woman employed at a furniture showroom complained that she had received lower pay than the company's white workers, that her desk was hidden in a back room and she was barred from staff meetings.

A majority of the appeals court panel agreed that she had a valid claim of racial discrimination, but Scalia dissented, arguing that "differential treatment" does not prove discrimination. The majority criticized Scalia's opinion, saying it would "effectively eviscerate" a major discrimination law.

In the case of a Navy enlisted man dismissed for homosexuality, Scalia and two other judges upheld a Navy regulation forbidding homosexuality in the service. The judges said, "Private, consenting homosexual conduct is not constitutionally protected."

The 1984 ruling was a broad repudiation of the view that laws penalizing homosexual conduct are unconstitutional. The Supreme Court came to a similar conclusion last month in upholding a Georgia sodomy law.

Although he has not ruled on an abortion case, his speeches and articles have convinced pro-choice organizations that Scalia would rule that abortions are not protected by the Constitution.

Scalia has used the same restrictive view of the Constitution to give the president broad latitude in conducting foreign affairs and mili-

tary operations and to grant state rights supremacy over individual liberties.

But Washington lawyer Daniel Mayers, a liberal and a former Carter administration official, thinks Scalia's conservative approach may work to the advantage of liberals.

"The big constitutional issues are on the side of the liberals now and, because of his philosophy of judicial restraint, Scalia is likely to be reluctant to reverse them," said Mayers, a classmate of Scalia's at Harvard and usher at his wedding in 1960. "It seems to me that the book is open on someone like Nino."

Douglas Frantz is a member of The Tribune's Washington bureau.

Senate Panel Turns to Scalia; Rehnquist Papers Still Sought

By LINDA GREENHOUSE

Special to The New York Times

WASHINGTON, Aug. 4—With questions still unresolved about the nomination of Associate Justice William H. Rehnquist of the Supreme Court to be Chief Justice of the United States, the Senate Judiciary Committee is to begin consideration Tuesday of President Reagan's other Supreme Court nominee, Judge Antonin Scalia of the Federal appellate bench.

Both nominations could become embroiled in a dispute between a bipartisan group of Senators and the Reagan Administration over access to internal documents of the Office of Legal Counsel, a unit in the Justice Department that provides legal advice to the Attorney General. Both nominees have served as Assistant Attorney General in charge of that office.

Last week President Reagan, invoking the doctrine that the executive branch has the privilege of withholding information from Congress and the courts, denied a request by Democrats on the Judiciary Committee for opinions and memorandums written by William Rehnquist when he headed the Office of Legal Counsel from 1969 to 1971. Although there have been efforts by some senators and department officials to reach a compromise, the impasse was unresolved as of this evening.

The Democratic senators' initial request for Rehnquist documents was open-ended. A subsequent, narrower request asks for memorandums relating to several specific issues, including wiretapping and domestic surveillance of civilians by the military. The new request also specifies documents from a particular time period, officials said. The exact period was not clear.

Scalia's Memos Also Sought

When the Judiciary Committee convenes at 11 Tuesday morning to begin confirmation hearings on Judge Scalia, the Democrats may try to force a vote on issuing a subpoena for the documents. The Democrats hold only eight seats on the 18-member committee, but at least two Republican senators have indicated some dismay at the Administration's position.

Democratic Senators are also seek-

ing the memorandums and opinions written by Antonin Scalia when he was head of the Office of Legal Counsel from August 1974 until January 1977. The nominee has been a member of the United States Court of Appeals for the District of Columbia Circuit since 1982.

Terry Eastland, a spokesman for the Justice Department, said tonight that the department would take the same position on the request for the Scalia documents as it has on the request for the Rehnquist memorandums: that documents in the "public domain" would be made available but those reflecting internal deliberations in the department would be withheld.

Using this distinction, the department released 40 documents last week in response to the request for the Rehnquist papers, and withheld others.

The Democrats do not know precisely what the Office of Legal Counsel files contain. But, given the issues in which the Justice Department under President Nixon and Attorney General John N. Mitchell eventually became enmeshed, some Senators think there is at least a chance that the files could contain material that could endanger the Rehnquist nomination in the form of legal opinions on the wiretapping of radical political groups or the treatment of antiwar protesters.

Files Not Sought in '71

The files were not requested in 1971, when the Senate confirmed Mr. Rehnquist as an Associate Justice. Justice Rehnquist told the committee last week that he had no objection to release of the material.

If a subpoena were voted and the Justice Department refused to honor it, the next step would theoretically be for Congress to cite the department for contempt. But with Republicans controlling the Senate, such a step appears fairly unlikely, and most people seem to expect the dispute to be resolved short of a constitutional confrontation.

The hearings on Judge Scalia are expected to last about two days; the Rehnquist hearings last week took four days. About 40 people have asked to testify. Votes on both nominations are scheduled for Aug. 14.

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First Day of Questioning Leaves Scalia Unscathed

Nominee Praised as Brilliant Legal Scholar

By Howard Kurtz and Al Kamen
Washington Post Staff Writers

Supreme Court nominee Antonin Scalia engaged in light sparring over legal issues with members of the Senate Judiciary Committee yesterday, emerging unscathed and with little of the controversy that surrounds the nomination of William H. Rehnquist to become chief justice.

Questioning during the first day of Scalia's confirmation hearings was far less rancorous and personal than that during last week's marathon interrogation of Rehnquist. Scalia, 50, a judge on the U.S. Court of Appeals here since 1982, was lavishly praised as a brilliant legal scholar and the first Italian American nominated to the high court.

With his wife and nine children behind him, Scalia was direct and seemed confident in his answers, although he declined to discuss several legal issues and some of his writings on grounds it would undermine his impartiality as a judge. He refused to tell Sen. Edward M. Kennedy (D-Mass.) how he views the Supreme Court's 1973 decision legalizing abortion, although he has criticized the ruling.

Responding to Kennedy's suggestion that President Reagan may have nominated him to fill Rehnquist's court seat because of his opposition to abortion, Scalia said: "I assure you I have no agenda. I am not going onto the court with a list

of things I want to do. My only agenda is to be a good judge."

Scalia also told Kennedy, "I will not say that I will never overrule a prior Supreme Court precedent."

Pressed on the abortion issue by Sen. Charles McC. Mathias Jr. (R-Md.), Scalia said: "There are countless laws on the books that I might not agree with, aside from abortion, that I might think are misguided, even immoral. In no way would I let that influence how I might apply them."

Kennedy and other Democrats who had criticized Rehnquist as too extreme took a more understated approach yesterday. "The nomination of Judge Scalia presents none of the troubling issues with respect to truthfulness, candor, judicial ethics and full disclosure that have marred the nomination of Justice Rehnquist," Kennedy said. On most issues, he said, "It is difficult to maintain that Judge Scalia is outside the mainstream."

At one point Sen. Joseph R. Biden Jr. (D-Del.) pronounced the hearing "pretty dull." Most of the liberal and civil rights groups that vigorously oppose Rehnquist's confirmation have declined to take a position on Scalia, although they regard him as equally conservative.

Committee Chairman Strom Thurmond (R-S.C.) said Scalia, who would become the court's youngest member, has "the qualities to be a great Supreme Court justice." Sen. Orrin G. Hatch (R-Utah) noted that the high court has upheld six of the

seven decisions it has reviewed that were written by Scalia.

Scalia, who headed the Justice Department's Office of Legal Counsel in the Ford administration and later became a University of Chicago law professor and American Enterprise Institute scholar, has written that the courts "have gone too far" in carving out new rights in areas such as abortion, school busing and affirmative action. Even when senators quoted from his writings, he declined to elaborate yesterday on these issues or his view of the limits of federal regulatory agencies.

Scalia would not tell Sen. Dennis DeConcini (D-Ariz.) his view of the equal protection clause of the 14th Amendment, saying that it might influence DeConcini's vote on his confirmation. DeConcini responded that "I've pretty well decided to vote for you" and for Rehnquist.

Scalia disputed suggestions that he has been hostile to press freedoms in libel cases, saying that he has "a high regard" for the First Amendment. "You can be criticized for coming out against the First Amendment . . . [but] there is always some important interest on the other side," such as national security, "or there wouldn't be a case," he said.

Scalia said he leans toward strictly interpreting the Founding Fathers' meaning in writing the Constitution but added that there must be room for modern evolution. He said "lashing" might now be considered cruel and unusual punishment under the Constitution, although it may have been an acceptable 18th century practice.

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Scalia declines to say how he'd vote on abortion

By Theo Stamos
THE WASHINGTON TIMES

Judge Antonin Scalia, in the opening day of confirmation hearings on his nomination to the Supreme Court, yesterday declined to say whether he would vote to overturn a 1973 decision legalizing abortion.

"I don't think it would be proper for me to answer that," Judge Scalia said in a response to Sen. Edward Kennedy, Massachusetts Democrat. "I would be in a very bad position to adjudicate the case without being accused of having a less than impartial view."

Judge Scalia, who since 1982 has sat on the U.S. Circuit Court of Appeals for the District of Columbia, was nominated June 17 by President Reagan to fill the vacancy on the nation's high court.

He told the panel his personal views would not interfere with impartiality.

"There are doubtless laws on the books... not only abortion, which I think are misguided," said Judge Scalia, a Roman Catholic. "But if I couldn't separate my repugnance of the law from what the Constitution requires me to do, I would recuse myself in such a case."

The hearing yesterday stood in marked contrast to last week's often hostile questioning of Justice William Rehnquist, Mr. Reagan's nominee to become the 16th chief justice.

The early questioning was so cordial that Sen. Joseph Biden, the Delaware Democrat who was critical of Justice Rehnquist, said the proceedings were too dull.

"Let yourself go," Mr. Biden told the judge. "It's pretty boring so far."

Accompanied by his wife, Maureen McCarthy Scalia, and their nine children ranging in age from 6 to 25, Judge Scalia sought to assure the Senate panel that he would not bring a conservative agenda to the Supreme Court.

"I can assure you I have no agenda," said Judge Scalia. "My only agenda is to be a good judge."

In opening statements by the panel's 10 Republicans and eight Democrats, Judge Scalia received high praise for his keen intellect, integrity and his deft ability to write clearly and convincingly on complex legal issues.

Judge Scalia, a 50-year-old former law professor, is the first Italian-

American and the first academic in nearly 50 years to be named to the high court.

Felix Frankfurter, appointed to the Supreme Court by President Franklin Roosevelt, also was a law professor.

Mr. Kennedy, who last week led a spirited attack on Justice Rehnquist, said Judge Scalia's nomination "presents none of the troubling issues with respect to truthfulness, candor, judicial ethics, and full disclosure that have marred the nomination of Justice Rehnquist."

Nevertheless, Mr. Kennedy said, "Judge Scalia has been on the bench only four years and has not ruled on many basic constitutional issues... On the available record, I disagree with Judge Scalia on women's rights, and it is fair to say his position on this issue seems as insensitive as Justice Rehnquist."

Meanwhile yesterday, the Senate panel announced that an agreement had been reached regarding a request by eight Democrats and two Republicans on the committee to examine confidential memoranda written by Justice Rehnquist while he served as the Justice Department's chief legal adviser between 1969 and 1971.

Justice Rehnquist's role as legal adviser and the opinions he gave regarding domestic surveillance of anti-war demonstrators and other controversial matters became an issue during last week's confirmation hearings of the chief justice-designate.

On another matter, Justice Rehnquist yesterday submitted a letter to Committee Chairman Strom Thurmond regarding a provision in the deed to the justice's Vermont summer home which bars Jews from ever owning the property.

The restriction, though unenforceable under current law, was the subject of intense controversy at last week's hearings. Justice Rehnquist has asked his attorney to remove the restrictive language from the title.

He acknowledged yesterday in a letter to the panel that he had prob-

ably read about the provision in a 1974 letter from his attorney, but did not recall it during last week's hearings.

During an afternoon of questioning yesterday that led into the evening, Judge Scalia declined to give his specific views on affirmative action, noting that like the abortion issue, he was likely to have to confront such questions as a member of the Supreme Court.

Judge Scalia, also declined to comment on whether the Supreme Court's 1966 Miranda decision requiring police to advise suspects of their constitutional rights was a proper decision.

Still, he said, "As a policy matter, I think and I think everybody agrees, it's a good idea to warn a suspect of his rights as soon as practical."

The nominee, when asked about his membership in the all-male Cosmos Club, said he did not think social groups that limit membership to one sex are practicing "invidious discrimination."

"I certainly would not belong to a club that practices racial discrimination because I don't think

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there is any basis for socialization on the basis of race," said Judge Scalia, who resigned from the Cosmos Club last year.

Judge Scalia, whose confirmation seems assured, said he did not know whether the Supreme Court justices are overworked, a view held by current Chief Justice Warren Burger.

He said, however, that the creation of a fourth court to handle appeals from lower courts was a "terrible" idea. A more notable problem, he said, was the growing tendency of individual justices to write separate opinions that accompany the majority opinion. That, he said, creates confusion for lower courts.

Before the questioning of Judge Scalia began, Sen. Alan Simpson, Wyoming Republican, excoriated his colleagues for their treatment last week of Justice Rehnquist.

"Not one of us here would want to sit right there at that table," Mr. Simpson told Judge Scalia. "We couldn't pass the test; we couldn't take the heat."

The American Bar Association has given Judge Scalia its highest rating for Supreme Court nominees — "well qualified." An ABA panel said it "has unanimously found that Judge Scalia has all the professional qualifications required . . . [and] his integrity is beyond reproach."

Liberals Portray Scalia as Threat But Bar Group Sees Him as Open

By STUART TAYLOR Jr.

Special to The New York Times

Some Criticism and Praise

WASHINGTON, Aug. 6 — Some civil rights and feminist groups today assailed Judge Antonin Scalia as hostile to the concerns of women, the poor and members of minorities, and the A.F.L.-C.I.O. said he seemed to favor a "profound" shift from Congress to the President of the power to set national policy.

But the American Bar Association and several lawyers, both Democratic and Republican, said the judge had an outstanding legal mind whose conservative views would be tempered by openness to opposing arguments and zest for intellectual debate.

Conservative groups, including Concerned Women for America, also strongly supported President Reagan's nomination of Judge Scalia to the Supreme Court. They seemed enthusiastic, much as liberal groups seemed alarmed, by the prospect that confirmation of Judge Scalia would shift the Supreme Court markedly to the right on such issues as affirmative action, separation of church and state and women's rights.

As the Senate Judiciary Committee's relatively tepid two-day hearing on the Scalia nomination ended late this afternoon, some Democrats said they would probably vote for him, and it seemed likely that his nomination would be approved with few dissenting votes.

Vote Scheduled for Aug. 14

A committee vote on the Scalia nomination, along with that of Associate Justice William H. Rehnquist to become Chief Justice of the United States, is scheduled for Aug. 14. The President appointed Judge Scalia, who had been a law professor, to the United States Court of Appeals for the District of Columbia Circuit in 1983.

The Rehnquist nomination is also expected to be approved by a comfortable margin, although it has met with more opposition.

Senators Howell Heflin of Alabama, Dennis DeConcini of Arizona and Patrick J. Leahy of Vermont, all Democrats regarded as moderates, complained today that Judge Scalia had been "evasive" and unresponsive when asked to state his views on various issues in testimony Tuesday.

But their complaint was that he had been overly cautious in his efforts to avoid expressing a view on any issue that might come before him as a judge, and not as some other senators said of Justice Rehnquist, that it was difficult to believe his sworn testimony about his past activities because at least four other witnesses had contradicted him.

The criticisms of Judge Scalia by liberal groups, including the National Organization for Women, which denounced his narrow view of the Bill of Rights and civil rights laws, alternated in today's testimony with encomiums by lawyers and law professors who have worked with him.

The supporters of the nomination included Carla Hills and Sally Katzen, both partners at major Washington law firms. They said they had worked professionally with Judge Scalia and faulted his conservative views on women's rights were founded on his legal philosophy, not any personal bias.

The American Federation of Labor and Congress of Industrial Organizations announced today that it opposed the nomination of Justice Rehnquist and that, while it had no position on the nomination of Judge Scalia, it was concerned about what it said was his narrow view of "the role of Congress in setting national policies and the role of the judiciary in enforcing the Bill of Rights."

Laurence Gold, general counsel of the labor federation, told the committee that Judge Scalia's writings on various legal issues, including the independence of Federal regulatory agencies, the relevance of legislative history to judicial decisions and legal standing to sue the executive branch, all demonstrated an inclination to make it more difficult for Congress to force the executive branch to obey and enforce its laws.

'Right-Wing' Views Assailed

Joseph L. Rauh Jr., testifying against the Scalia nomination on behalf of the Leadership Conference on Civil Rights and Americans for Democratic Action, said it "would be a tragedy for our country" if the Supreme Court were to move toward Judge Scalia's "right-wing" views.

"Your affirmative action cases will be overruled, your school prayer cases will be overruled, your abortion cases will be overruled," Mr. Rauh said.

Eleanor Smeal, head of the National Organization for Women, said Judge Scalia's confirmation would have "disastrous" consequences for women who depend on the Supreme Court to use the Constitution and civil rights laws to combat sex discrimination.

But Beverley LaHaye, President of Concerned Women for America, a conservative group dedicated to preserv-

ing family values, praised the nomination in the highest terms.

So did the bar association's 14-member Standing Committee on Federal Judiciary, which said today that it had unanimously voted Judge Scalia "well qualified," the highest of three possible ratings for Supreme Court nominees.

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Off. of Cong. & Public Affs.	
Rec. Mgmt.	
Tech. Serv.	
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General Applicant & Spin Room 5157

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AD-Adm.	
Exec. AD-Adm.	
Exec. AD-LES	
Ass. AD-LES	
Asst. Dir.:	
Adm. Serv.	
Crim. Inv.	
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Off. Liaison & Int. Affs.	

FM KANSAS CITY (77B-11554-269) (SQ. 4)

DL

TO DIRECTOR (77-131275) ROUTINE

BT

UNCLAS

D

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT; INITIAL BUDED: JUNE 27, 1986 WITHOUT FAIL

REBUTEL TO ALL FBI OFFICES, DATED JUNE 18, 1986.

FOR INFO BUREAU, KANSAS CITY FOIMS, GENERAL OFFICE INDICES,
ELSUR FILES, AND CONFIDENTIAL INDICES NEGATIVE CONCERNING CANDIDATE,
FAMILY MEMBERS, CO-HABITANTS AND BUSINESS AFFILIATION. KANSAS CITY
FOIMS AND GENERAL OFFICE INDICES SEARCHED JUNE 19, 1986, BY

[REDACTED] ELSUR FILES SEARCHED JUNE 23, 1986, BY [REDACTED]

[REDACTED] AND CONFIDENTIAL INDICES SEARCHED JUNE 23, 1986, BY [REDACTED]

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CLASS: TEXT HAS 1 DOCUMENT

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SER INDEX 5 (#7514)

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TEXT:

CIO005 1762054Z

RR HQ

DE CI

R 252054Z JUN 86

FM CINCINNATI (77B R 389) (RUC)

TO DIRECTOR, (77-131275) ROUTINE

BT

UNCLAS

ANTONIN GREGORY SCACIA, DAPLI, CANDIDATE FOR ASSOCIATE

JUSTICE, U. S. SUPREME COURT, BUDED JUNE 27, 1986,

WITHOUT FAIL

RE BUREAU TELETYPE, DATED JUNE 18, 1986.

A REVIEW OF THE CINCINNATI OFFICE GENERAL INDICES

BY IA [REDACTED] ELSUR INDEX BY ELSUR FILE

ASSISTANT [REDACTED] AND INFORMANT FILE

INDEX BY CONFIDENTIAL CLERK [REDACTED] ON

JUNE 24, 1986, BASED UPON INFORMATION FURNISHED

CONCERNING THE APPLICANT AND CLOSE RELATIVES IN REFERENCED

TELETYPE, MET WITH NEGATIVE RESULTS. THESE SEARCHES ALSO

INCLUDE THE APPLICANT'S PRESENT BUSINESS ESTABLISHMENT.

BT

Exec AD-Inv.	
Exec AD-Inv.	
Exec AD-LES	
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Adm. Serv.	
Crim. Inv.	
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TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ Airtel

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 6/26/86

TO: DIRECTOR, FBI
(ATTN: GBI UNIT, ROOM 5136)
FROM: *Joe M. H.* SAC, BOSTON (77B-18511) (~~100~~) (P)
ANTONIN GREGORY SCALIA,
DAPLI,
CANDIDATE FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT

Re Bureau teletype, 6/18/86.

On June 23, 1986, the general office and elsur indices by Clerk [redacted] and on June 23, 1986 the confidential informant indices by Clerk [redacted] of the Boston Division were searched with negative results regarding identifiable information regarding applicant and his close relatives.

Boston indices disclosed a 1973 SPIN and a 1982 Departmental applicant regarding applicant. *E*

② - Bureau
1 - Boston (77B-18511)
REM:blh
(3)

1.*

AUG 9 1986

Approved: _____

Transmitted _____

(Number)

(Time)

Per _____

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INBOX.2 (#7677)

TEXT:

NK00025 0050

HQ

DE NK

250050Z JUN 86

FM NK (77B-15405) (RUC) (C-7)

TO DIRECTOR, FBI (77-131275)

(ATTN: GENERAL BACKGROUND INVESTIGATION UNIT (GBI), ROOM 5136,
FBIHQ)

BT

UNCLAS

ANTONIN GREGORY SCALIA; DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT; BUDED; JUNE 27, 1986

RE: BUREAU TELETYPE TO ALL OFFICES, DATED JUNE 18, 1986.

A REVIEW OF NEWARK INDICES BOTH GENERAL AND CONFIDENTIAL AND
ELSUR FILES WAS NEGATIVE REGARDING THE APPLICANT AND HIS FAMILY
AS OF JUNE 25, 1986.

SA HANDLED THIS MATTER.

BT

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77-131275-136

AUG 2 1986

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REC

5346

NAME _____
 ADDRESS _____
 CITY _____
 STATE _____
 ZIP _____
 PHONE _____
 FAX _____
 E-MAIL _____
 OCCUPATION _____
 INTERESTS _____
 COMMENTS _____
 SIGNATURE _____
 DATE _____

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PAGE TWO (77B-23402) UNCLAS

PERSON [REDACTED]

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ISIS CHECKED ON JUNE 25, 1986, SY SUPPORT PERSON

[REDACTED]
REPORT FOLLOWS

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FORMS.TEXT HAS 1 DOCUMENT

INBOX.7 (#7565)

TEXT:

H00012 1762137Z

PP HQ

DE HQ

P 252000Z JUNE 86

FM HOUSTON (77B 7554-279) (RUC)

TO ~~DIRECTOR~~ (77-131275) (PRIORITY)

ATTN: GENERAL BACKGROUND INVESTIGATION UNIT (GBI), ROOM 5136.

BT

UNCLAS

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE, U.S.

SUPREME COURT, INITIAL BUDED: JUNE 27, 1986- WITHOUT FAIL.

RE BUTEL TO ALL OFFICES, JUNE 18, 1986.

HOUSTON INDICES CONTAIN NO INFORMATION IDENTIFIABLE WITH APPLICANT OR APPLICANT'S CLOSE RELATIVES.

GENERAL INDICES SEARCH CONDUCTED BY IA [REDACTED] ON JUNE 19, 1986.

CONFIDENTIAL INDICES SEARCH CONDUCTED BY CONFIDENTIAL FILE CLERK

[REDACTED] ON JUNE 20, 1986.

ELSUR INDICES SEARCH CONDUCTED BY ASSISTANT ELSUR COORDINATOR

[REDACTED] ON JUNE 19, 1986.

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NY 77B-34526

ADMINISTRATIVE (continued)

NEXIS printouts of all New York Times newspaper articles regarding the candidate will be forwarded under separate cover upon receipt.

NY 77B-40433

LEAD

NEW YORK

AT NEW YORK, NEW YORK

Will forward results of search of NEW YORK TIMES data bank
when completed.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: [REDACTED]

Office: NEW YORK, NEW YORK

Date: JUNE 27, 1986

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Field Office File #: 77B-40433

Bureau File #:

Title:

ANTONIN GREGORY SCALIA

Character: DEPARTMENTAL APPLICANT
CANDIDATE FOR ASSOCIATE JUSTICE
UNITED STATES SUPREME COURT

Synopsis:

[REDACTED] provided favorable comments regarding candidate's reputation and ability. However, he advised candidate possesses some views with which the [REDACTED] disagrees. Religious leader would not comment regarding candidate. Opposing attorney provided favorable comments regarding candidate's qualifications. However, he believes candidate is insensitive to first amendment issues. Another opposing attorney could not comment regarding candidate. Checks with the U. S. Attorney's Office revealed no record regarding candidate. [REDACTED] stated that he disagrees with candidate's views regarding the advancement of minority groups. He also advised that the candidate would not be his personal choice for the appointment. [REDACTED] advised he did not feel it was appropriate for him to comment regarding the candidate's suitability for appointment for the U.S. Supreme Court.

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NY 773-40433

DETAILS:

American Civil Liberties Union

The following investigation was conducted by Special Agent (SA) [] and SA [] on June 26, 1986:

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[] stated that he originally met the candidate in approximately early 1978, when he and the candidate opposed each other in a debate. [] stated that he found the candidate to be a very intelligent, smart, bright and personable individual who had the ability to think quickly while on his feet. [] stated that the candidate has an outstanding professional reputation and is a person of strong legal ability. [] stated that he has never personally observed the candidate in a court of law, however, he felt that the candidate has an excellent demeanor to preside over the trial court. [] stated that the candidate has a reputation of being a fair and honest individual and feels that he has a good judicial temperament. [] stated that he has never known the candidate to express any views which would indicate that he is prejudiced or biased against any group or individuals and feels that he would be impartial in all instances.

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[] stated that the candidate possesses some views with which the [] does not agree. [] stated that the candidate believes certain issues should be decided by legislative action rather than by judicial intervention. [] stated that the candidate has a very authoritarian sense of value rather than a libertarian sense of value. [] stated that he also feels the candidate is too much in favor of government control rather than control exercised by individuals.

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[] stated that he knows of no mental or physical impairments which would prohibit the candidate from exercising the duties of his appointment and knows of no incidents of questionable behavior on the part of the candidate. [] stated that he has never known the candidate to associate with anyone of questionable character and would have no reason to question his loyalty or patriotism to our country.

[] closed by stating that it was a policy of the [] not to make recommendations or endorsements of any political appointments.

NY 773-40433

National Council of Churches

The following investigations was conducted by SA []
[] on June 24, 1986:

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[]
[]
[] stated that he did not personally know the candidate and it was his practice not to comment on any type of political appointments.

Adversary

The following investigation was conducted by SA []
[] on June 24, 1986:

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[]
[] stated that he met the candidate in the mid 1970's when he was a professor at the University of Chicago Law School. [] stated that he and the candidate have participated in several debates against each other which have always been very cordial.

[] stated that the candidate has a first class knowledge of the law and is a serious scholar and student of the law. [] stated that the candidate has a very good thought process and always makes clear and thoughtful presentations. [] stated that the candidate is an excellent speaker who has the ability to think clearly and is always well organized. [] indicated that he has had the opportunity to read articles written by the candidate and found his ability to write legal opinions to be excellent.

[] stated that the candidates legal abilities are excellent and his professional reputation the highest. [] indicated that he felt the candidate had an excellent demeanor and temperament to be a judge and his loyalty and integrity were above reproach. [] indicated that he is aware of no physical or mental impairments which would prohibit the candidate from exercising the duties of his appointment and feels that the candidate would be fair and impartial in his judgements. [] stated that he felt the candidate was a person who is always genuinely searching for the truth in all matters.

b6
b7C

[] stated that he and the candidate differ in some views, and thinks that the candidate is insufficiently sensitive to first amendment issues. [] stated that he felt the candidate had a very narrow view of the freedom of the press and a broad view of executive power.

NY 773-40433

[] stated that the candidate is a very talented, intelligent and dedicated individual and is a person who has the qualifications for the position under consideration. [] closed by stating that putting aside his differences with candidate on certain issues, he would recommend the candidate for a position of trust and confidence with the United States Government.

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Opposing Attorneys

The following investigation was conducted by SA [] on June 25, 1986:

[] advised that he does not recall the applicant other than his previous interview when the candidate was being considered for appointment to the court of appeals.

[] stated that quite often he would not come in contact with all attorneys representing a case against him.

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[] stated that he supervised all of the work of the attorneys in the Dun Hill case and stated that none of his attorneys came in contact with the candidate.

United States Attorneys Office

The following investigation was conducted by SA [] on June 27, 1986:

[] United States Attorneys (USA's) office, Southern District of New York (SDNY), Criminal Division, advised that there is no current or past prosecutive action regarding the candidate.

Eastern District of New York

[] USA's office Eastern District of New York (EDNY), Criminal Division, advised that there was no current or past prosecutive action regarding the candidate.

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[] USA's office Eastern District of New York (EDNY), Criminal Division, advised that there was no current or past prosecutive action regarding the candidate.

[] USA's office EDNY, Civil Division, advised that there was no pending or past prosecutive action regarding the candidate.

JRW:cb

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NY 77B-40433

NATIONAL URBAN LEAGUE

The following investigation was conducted by Special Agent [] on June 27, 1986:

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[] stated that he did not personally know the candidate and could base his comments only on hearsay and the candidate's reputation. [] stated that the candidate seems to be well qualified for the appointment, relating to his legal ability and his general intelligence.

[] stated that he disagrees with the candidate as to his views and opinions in respect to the advancement of minority groups, as well as affirmative action. [] stated that he did not feel he wanted to go into specifics concerning their differences and was trying to resolve within himself whether or not he would attempt to appear before the Senate Confirmation Hearings.

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[] stated that he did not feel he wished to further discuss the candidate's appointment and closed by stating that the candidate would not be his personal selection for the appointment.

JRW:cb

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NY 77B-40433

New York Times

The following investigation was conducted by SA [redacted]
[redacted] at New York, New York on June 23, 1986:

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[redacted]
[redacted] was contacted telephon-
ically for the purpose of setting up an appointment for a
personal interview, and advised that he does not personally know
the candidate and further does not feel it appropriate for him,
as a newsman, to comment concerning the candidate's suitability
for the United States Supreme Court. Due to the above, [redacted]
would offer no further information.

Religious Leaders

The following investigation was conducted by Special
Agent (SA) [redacted] at New York, New York on June 24, 1986:

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[redacted]
[redacted] advised that
[redacted]
[redacted] further
advised that he spoke to [redacted] regarding the candidate
and [redacted] stated that he has never met the candidate and
has no knowledge of the candidate other than what he has read in
the newspapers. Based on his lack of knowledge concerning the
candidate, [redacted] was unable to furnish any comments.
[redacted] could offer no further information.

FORMS.TEXT HAS 1 DOCUMENT

INBOX.4 (#1792)

TEXT:

HNO0005 1770243Z

PP HQ BT

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P 250200Z JUN 86

FM HONOLULU (77-2347-401) RUC

TO DIRECTOR PRIORITY

57

UNCLAS

ATTN: GBI UNIT, ROOM 5136

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,

U.S. SUPREME COURT, INITIAL BUDED: JUNE 27, 1986 WOF

RE BUREAU TELETYPE DATED JUNE 18, 1986.

GENERAL OFFICE, INFORMANT, AND ELSUR INDICES CONTAIN NO IDENTIFIABLE INFORMATION REGARDING CANDIDATE OR THOSE IMMEDIATE FAMILY MEMBERS LISTED IN REFERENCED TELETYPE.

IN ADDITION, GENERAL OFFICE, INFORMANT, AND ELSUR INDICES
NEGATIVE REGARDING CANDIDATE'S EMPLOYMENT FIRM.

GENERAL OFFICE INDICES SEARCH CONDUCTED ON JUNE 18, 1986
BY SECURITY COMPLAINT ASSISTANT [REDACTED]

INFORMANT AND ELSUR INDICES SEARCH CONDUCTED ON JUNE 24,
1986, BY FILE CLERK [REDACTED] b7D b7C b7E

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FORMS TEXT HAS 1 DOCUMENT

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FILES, INCOMING, DAY 24-31, 1598 (#8189)

TEXT:

NK00016 0121

PP HQ

DE NK

P 26 0121Z JUN 86

FM: NEWARK (77B-15405) (RUC) (C-7)

TO: DIRECTOR, FBI (77-131275) (PRIORITY)

(ATTN: GENERAL BACKGROUND INVESTIGATION UNIT (GBI), ROOM 5136,
FBIHQ)

BT

UNCLAS

ANTONIN GREGORY SCALIA; DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT; BUDED: JUNE 27, 1986.

NEWARK TELETYPE DATED JUNE 25, 1986, NEWARK REPORT DATED
APRIL 9, 1982, AND BUREAU TELETYPE TO ALL OFFICES, DATED JUNE 18,
1986.

A REVIEW OF NEWARK INDICES BOTH GENERAL (WITH THE EXCEPTION OF
PREVIOUS DAPLI) AND CONFIDENTIAL AND ELSUR FILES WAS NEGATIVE RE-
GARDING THE APPLICANT AND HIS FAMILY AS OF JUNE 25, 1986.

ADMINISTRATIVE: SA [REDACTED] HANDLED THIS MATTER. NEWARK
TELETYPE DATED JUNE 25, 1986 CARRIED PREVIOUS DAPLI FILE NUMBER EUT

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PAGE TWO, NK 77B-15405, UNCLAS

NOT MAKE MENTION OF THE FACT THAT THE FILE NUMBER PERTAINED TO A
PRIOR DAPLI INVESTIGATION.

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NEW MAIL JUST ARRIVED; INBOX.90
FORMS.TEXT HAS 1 DOCUMENT

INBOX.22 (#8229)

TEXT:

SJ00009 1770139Z

RR HQ

DE SJ

R 260139Z JUN 86

FM: SAC, SAN JUAN (77B-R-146) (RUC)

TO: DIRECTOR, FBI (ROUTINE)

BT

UNCLAS

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE, U.S.
SUPREME COURT, INITIAL BUDED; 6/27/86 WOF.

REFERENCE BUREAU TELETYPE TO ALL OFFICES DATED 6/18/86.

THE FOLLOWING LISTED INDICES AND MAJOR DATA BANKS WERE SEARCHED
IN REFERENCE TO THE APPLICANT, CLOSE RELATIVES AND PRESENT BUSINESS
ESTABLISHMENT WITH NEGATIVE RESULTS. LISTED BELOW ARE THE SAN JUAN
OFFICE PERSONNEL WHO CONDUCTED THESE SEARCHES:

GENERAL

CONFIDENTIAL

ELSUR

JUNE 24, 1986

JUNE 24, 1986

JUNE 25, 1986

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DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATION MESSAGE FORM

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CLASSIFICATION

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PRECEDENCE

IMMEDIATE

FM DIRECTOR FBI

TO FBI WASHINGTON FIELD IMMEDIATE

BT

14 UNCLAS

ANTONIN SCALIA, DEPARTMENTAL APPLICANT, CANDIDATE FOR
ASSOCIATE JUSTICE, UNITED STATES SUPREME COURT, BUDED:
7/3/86.

RE WFO TEL CALL TO FBIHQ 6/27/86.

IN RESPONSE TO WFO, REQUEST FOR FBIHQ AUTHORIZATION TO
PARTICIPATE IN AN INTERVIEW WHICH COULD POSSIBLY BE RECORDED
BY THE INTERVIEWEE THE FOLLOWING RESPONSE IS PROVIDED.

WFO AGENTS ARE TO DISCOURAGE THE INTERVIEWEE FROM TAPE
RECORDING THE INTERVIEW. IF THE INTERVIEWEE IS INSISTANT ON
RECORDING, WFO IS AUTHORIZED (SEE MIDG, PART II, SECTION 7-
3.5), WITH SAC CONCURRENCE TO ALSO RECORD THE INTERVIEW (SEE
LEGAL HANDBOOK SECTION 7-14, PAGE 92).

WFO SHOULD NOT EXPLORE ANY PENDING LITIGATION WITH THE

DO NOT TYPE MESSAGE BELOW THIS LINE

APPROVED BY

DRAFTED BY

PFN/KAS

DATE

6/27/86

ROOM

5136

TELE EXT.

3862

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RETURN TO

ROOM 5136

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS CENTER

JUN 30 1986

AUG 9 1989

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FBI/DOJ

DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATION MESSAGE FORM

PAGE

2

CONTINUATION SHEET

START HERE

INTERVIEWEES. AFTER STATING THAT THE FBI WILL NOT DISCUSS ANY
PENDING LITIGATION SPECIAL AGENTS SHOULD ALLOW THE INTERVIEWEE
TO PROCEED IN DISCUSSING ANY TOPIC HE CHOOSES, TO INSURE THAT
THE FBI RECEIVES ALL INFORMATION ABOUT THE CANDIDATE THIS
INDIVIDUAL WISHES TO PROVIDE.

WFO MAY USE ITS OWN DISCRESSION IN DETERMINING WHETHER
OR NOT ANY FBI TAPE RECORDED CREATED SHOULD BE TRANSCRIBED. A
REPORT OF INTERVIEW {FD-302} WILL SURFICE AS LONG AS THE TAPE
IS SEALED AND STORED IN A PROPER MANNER {SEE MEMORANDUM 33-75
DATED 7/29/75}.

BT

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INBOX.12 (#8246)

TEXT: VZCZCNY0180

PP HQ

DE NY #0180 1780110

ZNY UUUUU

R 262029Z JUN 86

FM FBI NEW YORK (77B-40433) (P) (A4)

TO DIRECTOR FBI (77-131275) PRIORITY

BT

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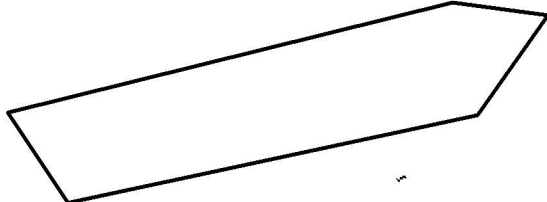
ANTONIN GREGORY SCALIA, DEPARTMENTAL APPLICANT, CANDIDATE FOR
ASSOCIATE JUSTICE, UNITED STATES SUPREME COURT, INITIAL BUREAU
DEADLINE; JUNE 27, 1986, WITHOUT FAIL.

REFERENCE BUREAU TELETYPE TO ALL FIELD OFFICES, DATED JUNE 18,
1986.

THE FOLLOWING NYO INDICES WERE SEARCHED CONCERNING THE
CANDIDATE, LISTED RELATIVES, AND LISTED REFERENCES WITH NEGATIVE
RESULTS:

77-131275-144

AUG 1986



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PAGE TWO DE NY 0180 UNCLAS

GENERAL INDICES BY SUPPORT EMPLOYEE [REDACTED] JUNE 24,
1986.

CIFU INDICES WERE DONE BY [REDACTED] ALSO ON JUNE 24,
1986.

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ELSUR INDICES DONE ON JUNE 24, 1986, BY [REDACTED]

ICIS INDICES BY [REDACTED] JUNE 23, 1986.

BT

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NEW MAIL JUST ARRIVED: INBOX.185
FORMS TEXT HAS 1 DOCUMENT

INBOX.140 (#8161)

TEXT: DLO0015 1772332Z

OO HQ

DE DL

OO 26 2247Z JUN 86

FM FBI DALLAS (77B-1) (RUC)

TO DIRECTOR FBI IMMEDIATE

BT

UNCLAS

ANTONIN GREGORY SCALIA DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT; BUDED: JUNE 27, 1986.

REFERENCE BUREAU TELETYPE TO ALL OFFICES, JUNE 18, 1986.

NO RECORD OR IDENTIFIABLE INFORMATION LOCATED REGARDING
APPLICANT AND APPLICANT'S CLOSE RELATIVES, AS LISTED ON
REFERENCED TELETYPE, IN DALLAS OFFICE INDICES AND ELSUR FILES.

REGULAR AND KENNEDY INDICES SEARCHED BY [REDACTED] ON
JUNE 18, 1986; CONFIDENTIAL INDICES SEARCHED BY [REDACTED]
ON JUNE 20, 1986; AND ELSUR INDICES SEARCHED BY [REDACTED]
ON JUNE 23, 1986.

BT

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Mr. Holmes	
Miss Gandy	

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PAGE TWO DE DL.0015 UNCLAS (DL 77B-1)

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INBOX.2 (#8492)

TEXT:

IPO 0006 178 2107Z

PP HQ

DE IP

P 27 2107Z JUN 86

FM INDIANAPOLIS (77B-8176-303) (RUC)

TO DIRECTOR, (PRIORITY)

BT

UNCLAS

ATTN: ROOM 5136

ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT, INITIAL BUDED: JUNE 27, 1986, WITHOUT FAIL.

RE BUREAU TELETYPE TO ALL FBI FIELD OFFICES, JUNE 19, 1986.

ON JUNE 18, 1986, [REDACTED] FILE CLERK, INDIANAPOLIS
DIVISION, SEARCHED OFFICE INDICES AND ADVISED NO IDENTIFIABLE
INFORMATION AVAILABLE.

ON JUNE 19, 1986, [REDACTED] FILE ASSISTANT,
INDIANAPOLIS DIVISION, SEARCHED CONFIDENTIAL INDICES AND ADVISED
NO IDENTIFIABLE INFORMATION.

ON JUNE 19, 1986, [REDACTED] ELSUR CLERK, INDIANAPOLIS
DIVISION, SEARCHED ELSUR FILES AND ADVISED NO IDENTIFIABLE INFORMATION
AVAILABLE.

BT

NNNN

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Mr. Holmes	
Miss Gandy	

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CLASS. 1
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FORMS TEXT HAS 1 DOCUMENT
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INBOX.43 (#8781)

TEXT:

FXO 0011 1780636Z

RR HQ

DE PX

R 270636Z JUN 86

FM PHOENIX (77B-6272) (RUC)

TO DIRECTOR (ROUTINE)

134

UNCLAS

ANTONIN GREGORY SCALIA; DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT, INITIAL; BUDED; 6/27/86 WITHOUT FAIL.

RE BUREAU TELE TO ALL OFFICES DATED 6/18/86.

ON 6/27/86, THE OFFICE, (ELSUR) INDICES, AND ISIS DATA BASES OF THE PHOENIX OFFICE WERE SEARCHED BY [REDACTED] AND NO RECORDS WERE LOCATED ON THE APPLICANT [REDACTED]

BT

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R 270305Z JUNE 86

TO DIRECTOR, FBI (ROUTINE)

BT

UNCLAS

ANTONIN GREGORY SCALIA, DAFLI, CANDIDATE FOR ASSOCIATE JUSTICE,

U. S. SUPREME COURT, INITIAL BUDED: JUNE 27, 1986 WOF.

REBUTEL JUNE 18, 1986.

ON JUNE 18, 1986, BUTTE GENERAL INDICES AND EL SUR/

CONFIDENTIAL INDICES WERE REVIEWED BY [REDACTED]

[REDACTED] NO PERTINENT INFORMATION LOCATED IDENTIFIABLE

WITH APPLICANT, [REDACTED] GOVERNMENT AGENCIES NOT

CHECKED.

BT

Exec AD-Adm.	
Exec AD-Inv.	
Exec AD-LES	
Asst. Dir.:	
Adm. Serv.	
Crim. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Legal Coun.	
Off. of Cong. & Public Affs.	
Rec. Mgmt.	
Tech. Serv.	
Training	
Telephone Rm.	
Director's Sec'y	

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Original Applicant: Sp. Rep. 6177
N 202

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4/24

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1345080-0

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Page 7 ~ b6; b7C;
Page 8 ~ b6; b7C;

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MUST BE IN
DICTATION BY
4/7/82

CGO 334 2972413

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FM CHICAGO 773-20552 (SS.1) (P)

TO DIRECTOR 77-131275 ROUTINE

ALEXANDRIA PRIORITY

BOSTON PRIORITY

CLEVELAND PRIORITY

LOS ANGELES PRIORITY

NEWARK PRIORITY

NEW YORK PRIORITY

RICHMOND PRIORITY

SAN ANTONIO PRIORITY

SAN FRANCISCO PRIORITY

TAMPA PRIORITY

WFO 77B-100656 PRIORITY

BT

UNCLAS

⁶⁶⁻⁹
ANTONIN SCALIA; DEPARTMENTAL APPLICANT; U.S. CIRCUIT COURT

JUDGE; DISTRICT OF COLUMBIA; BUDED APRIL 3, 1982 WITHOUT FAIL

77-23402-1

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
APR 6 1982	
C-2 FBI - LOS ANGELES	

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PAGE TWO (77B-20652) UNCLAS

RE BUTEL TO CHICAGO, MARCH 29, 1982.

PRIOR DAPLI CONDUCTED JULY 1974. APPLICANT HAS NOT BEEN AVAILABLE FOR INTERVIEW UNTIL APRIL 5, 1982.

T APPLICANT BORN MARCH 11, 1936, TRENTON, NEW JERSEY, SOCIAL SECURITY ACCOUNT NUMBER 111-23-1120. SINCE SEPTEMBER 1977, APPLICANT HAS BEEN EMPLOYED AS PROFESSOR OF LAW, UNIVERSITY OF CHICAGO LAW SCHOOL CHICAGO, ILLINOIS. APPLICANT RESIDES 5725 SOUTH WOODLAWN AVENUE, CHICAGO, ILLINOIS.

T FROM SEPTEMBER 1980, UNTIL JUNE 1981, APPLICANT SERVED AS VISITING PROFESSOR OF LAW, STANFORD UNIVERSITY, STANFORD, CALIFORNIA. DURING THIS PERIOD, THE APPLICANT WAS ON A LEAVE OF ABSENCE FROM THE UNIVERSITY OF CHICAGO LAW SCHOOL, AND HE RENTED HIS CHICAGO HOME TO SEVERAL UNIVERSITY OF CHICAGO LAW STUDENTS AND RESIDED AT 1431 PITMAN AVENUE, PALO ALTO, CALIFORNIA.

FROM JANUARY 1977, UNTIL JULY 1977, APPLICANT SERVED AS SCHOLAR IN RESIDENCE, AMERICAN ENTERPRISE INSTITUTE; AND VISITING PROFESSOR OF LAW, GEORGETOWN UNIVERSITY, WASHINGTON D.C. FROM AUGUST 1974, UNTIL JANUARY 1977, APPLICANT SERVED AS ASSISTANT ATTORNEY GENERAL, OFFICE OF LEGAL COUNSEL, UNITED

PAGE THREE (77B-20652) UNCLAS

STATES DEPARTMENT OF JUSTICE, WASHINGTON D.C. FROM
SEPTEMBER 1972, TO AUGUST 1974, APPLICANT WAS CHAIRMAN,
ADMINISTRATIVE CONFERENCE OF THE U.S., WASHINGTON D.C.

APPLICANT HAS SERVED AS A CONSULTANT TO THE FEDERAL
TRADE COMMISSION, 1973 AND 1963; FEDERAL COMMUNICATIONS
COMMISSION, 1977; U.S. CIVIL SERVICE COMMISSION, 1973 AND
1977; U.S. LAND LAW REVISION COMMISSION, 1965; ALL
WASHINGTON D.C. APPLICANT WAS ALSO A CONSULTANT TO THE
VIRGINIA COURT SYSTEMS STUDY COMMISSION, 1969-1973,
RICHMOND, VIRGINIA.

T APPLICANT ADMITTED TO PRACTICE SUPREME COURT OF THE
UNITED STATES, WASHINGTON D.C. JANUARY 12, 1976, AND TO
THE UNITED STATES COURT OF APPEALS, NINTH CIRCUIT, SAN
FRANCISCO, CALIFORNIA, APRIL 17, 1983.

I FROM 1974 UNTIL AUGUST 1977, APPLICANT RESIDED AT
1430 COLA DRIVE, MC LEAN, VIRGINIA. APPLICANT [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

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[REDACTED]

APPLICANT'S FATHER, SALVATORE EUGENE SCALIA, BORN
DECEMBER 1, 1903, AT SOMMATINO, PROVINCE OF CALTANISSETTA,
SICILY, AND MOTHER, CATHERINE LOUISE SCALIA, JEE PANARO,
BORN NOVEMBER 7, 1905, AT NEW YORK, RESIDE (NO NUMBER)
WIDEBURTHA ROAD, TRENTON, NEW JERSEY. APPLICANT'S FATHER
NATURALIZED JUNE 26, 1926, IN THE NEW JERSEY COURT OF
COMMON PLEAS, TRENTON, NEW JERSEY, CERTIFICATE NUMBER
2290037. APPLICANT HAS NO BROTHERS OR SISTERS.
APPLICANT MEMBER OF COSMOS CLUB, WASHINGTON D.C.
APPLICANT HAS NO PERSONAL PHYSICIAN, HOWEVER IS CONSIDERED
TO BE IN EXCELLENT PHYSICAL CONDITION.

DURING 1979-1980, APPLICANT WAS OPPOSING COUNSEL TO

[REDACTED] ✓
TELEPHONE NUMBER [REDACTED]

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[REDACTED] TELEPHONE NUMBER [REDACTED]

[REDACTED] TELEPHONE NUMBER [REDACTED]

PAGE FIVE (77B-20652) UNCLAS

APPLICANT APPEARED BEFORE U.S. SUPREME, WASHINGTON D.C.
IN 1976, IN THE "DONOHILL CASE" AS AN AMICUS CURIAE. LEAD
COUNSEL WAS [REDACTED] FRIED, FRANK, HARRIS,
SHRIVER, AND JACOBSON, NEW YORK, NEW YORK. OPPOSING COUNSEL
WERE [REDACTED]

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THE FOLLOWING REFERENCES AND CLOSE PERSONAL ASSOCIATES
ARE FAMILIAR WITH THE APPLICANT AND HIS BACKGROUND. INASMUCH
AS THE APPLICANT'S RECENT LEGAL EXPERIENCE HAS BEEN IN THE
FIELDS OF TEACHING, ADMINISTRATION, AND LEGAL RESEARCH,
SPECIFIC INQUIRIES SHOULD BE DIRECTED AS TO THE APPLICANT'S
LEGAL SCHOLARSHIP, RESEARCH AND WRITING ABILITIES.

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PAGE NINE (77B-20652) U CLAS

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ILY HOHESABPEIANATSSBRT NUMBER

J 142283. HE HAS TRAVELED TO THE FOLLOWING FOREIGN COUNTRIES. IT SHOULD BE NOTED THAT ALL DATES ARE APPROXIMATE.

BERMUDA, JANUARY 1973; CANADA, AUGUST 6-12, 1975, AND DATES UNRECALLED IN 1964; ENGLAND, JANUARY 24-29, 1973, JUNE 18-22, 1976, JUNE 9-16 1974, JULY 12-17, 1971; MEXICO, JANUARY 15-18, 1982, JANUARY 4-23, 1975; PARIS, FRANCE, MAY 7-13, 1972; ROME, ITALY, MAY 7-16, 1976; WEST GERMANY, JANUARY 24-29, 1973, JULY 3-11, 1976; WESTERN AND EASTERN EUROPE, INCLUDING EAST GERMANY, POLAND, YUGOSLAVIA, AND CZECHOSLOVAKIA (WHILE ON SHELDON FELLOWSHIP, HARVARD UNIVERSITY) SEPTEMBER 1968-MAY 1961. VARIOUS COUNTRIES IN WESTERN EUROPE WHILE A STUDENT AT UNIVERSITY OF FRIBOURG, SWITZERLAND, 1955-1956; BRUSSELS, BELGIUM DATE UNRECALLED.

RECEIVING OFFICES ARE REQUESTED TO HANDLE APPROPRIATE LEADS THEIR DIVISION.

BT

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE LOS ANGELES	OFFICE OF ORIGIN BUREAU	DATE 4/9/82	INVESTIGATIVE PERIOD 4/7/82
TITLE OF CASE ANTONIN SCALIA		REPORT MADE BY SA 	TYPED BY RSR
		CHARACTER OF CASE DAPLI - U. S. CIRUIT COURT JUDGE DISTRICT OF COLUMBIA	

b6
b7cREFERENCE: Airtel to Los Angeles dated 4/6/82.

- RUC

ADMINISTRATIVE

All individuals contacted were apprised of the provisions of the Privacy Act and those requesting confidentiality have been so noted.

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
APPROVED <i>EWB</i>						SPECIAL AGENT IN CHARGE		
COPIES MADE: 3 - Bureau (77-131275) (AM) ① - Los Angeles (77-23402) (C-2) <i>KW.</i>						DO NOT WRITE IN SPACES BELOW		
Dissemination Record of Attached Report						Notations		
Agency						SEARCHED	—	
Request Recd.						INDEXED	—	
Date Fwd.						SERIALIZED	—	
How Fwd.						FILED	—	
By								

Consolidated
Initials *JS*
Date JAN 15 1984

77-23402-2

- A* -
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED] Office: Los Angeles, California b6
Date: 4/9/82 b7C
Field Office File #: 77-23402 Bureau File #: 77-131275
Title: ANTONIN SCALIA

Character: DEPARTMENTAL APPLICANT
UNITED STATES CIRCUIT COURT JUDGE
DISTRICT OF COLUMBIA.

Synopsis: Opposing counsel of the applicant as well as applicant's references were contacted. One opposing counsel recalled the applicant and rated him highly. Two individuals listed as opposing counsel could not recall the applicant. References regard the applicant as an excellent legal scholar with outstanding writing abilities.

- RUC -

DETAILS:

LA 77-23402

OPPOSING COUNSEL

On April 7, 1982, [redacted] Attorney, [redacted]
[redacted] telephone [redacted]
was contacted by SA [redacted] and he advised that
he has been opposing counsel to the applicant. [redacted] advised
that applicant is a very competent individual who he would
rate high in regard to legal abilities. [redacted] said he did
not know of any derogatory information on the applicant. [redacted]
said he would regard applicant's legal scholarship as very
good but he could not comment on his writing ability.

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[redacted] April 7, 1982, [redacted] Attorney,
[redacted] was contacted
by SA [redacted] and he advised he does not recall being the opposing
counsel to the applicant and he could not recall ever having
met the applicant.

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On April 7, 1982, [redacted]
[redacted] was contacted by
SA [redacted] and he advised he does not recall being the opposing
counsel to the applicant and he could not recall ever having
met the applicant.

REFERENCES

On April 7, 1982, [] Attorney, [] was contacted by SA [] and he stated he had known the applicant for about 25 years. [] said he has known the applicant socially, having met [] and he has also dealt with the applicant in many professional matters, having served with him in the Administrative Conference of the United States. [] said he regards the applicant as an excellent person both as a father, husband and an attorney. [] said the applicant is able to deal in an outstanding manner with all types of complex legal decisions and he is highly regarded among his peers for his legal knowledge, capabilities and character. [] said applicant does not use alcohol or drugs to excess and he believes he is in good physical condition. [] stated that he would rate the applicant as very loyal to his profession of law and to the United States and that he would consider him to be an excellent appointment to any judicial position in the United States and rated his legal scholarship and writing abilities as outstanding.

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[] added that he did not know anything about the applicant's investments or financial interest.

On April 7, 1982, SA [] contacted [] Attorney, [] and [] advised he had known the applicant since 1953. [] said he and the applicant had attended Georgetown University together and then upon graduation both of them had gone onto Harvard Law School where they had obtained their degrees in law. [] said he has maintained contact with the applicant ever since their law school days and he has met the applicant at American Bar Association conventions over the years. [] stated that he also has read legal briefs and debate arguments as well as articles written by the applicant. [] stated that he considers the applicant an excellent legal scholar and that he has superior writing abilities. [] added that the applicant has a good sense of humor and was a talented individual who did well in the debate and dramatic clubs in school. [] stated that to the best of his knowledge the applicant is a devoted family man who is very loyal to his country and the principles of legal justice and fairness to all persons. [] said he could provide nothing but promise for the applicant and said he was well suited for any judicial appointment that was being considered and he called the applicant a true legal scholar and a first rate person.

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FORMS.TEXT HAS 1 DOCUMENT

INBOX.1 (#659)

TEXT:
VZCZCHQ0014

OO AFO

DE HQ #0014 1692051

ZNR UUUUU

O 181918Z JUN 86

FM DIRECTOR FBI (77#131275)

TO ALL FBI FIELD OFFICES IMMEDIATE

BT

UNCLAS

Scalia, Antonin
77-23402 (4/82)*
66-9 (10/74)
(ANTONIN GREGORY SCALIA, DAPLI, CANDIDATE FOR ASSOCIATE

JUSTICE, U.S. SUPREME COURT, INITIAL BUDED: 6/27/86 WOF.

CANDIDATE DPOB 3/11/36, TRENTON, NJ; SSN: 111#28#1120;
EMPLOYMENT: U.S. CIRCUIT COURT JUDGE, DC CIRCUIT, WASHINGTON,
DC; RESIDENCE: MCLEAN, VA.

THE PRESIDENT OF THE UNITED STATES IS CONSIDERING THIS
INDIVIDUAL FOR APPOINTMENT TO THE SUPREME COURT. ALTHOUGH THE
NEWS MEDIA WILL REPORT THAT THIS INDIVIDUAL IS BEING
CONSIDERED NO FBI EMPLOYEE SHOULD DISCUSS BACKGROUND
INVESTIGATION PROCEDURES WITH MEDIA REPRESENTATIVES: NEITHER
ABOUT THIS CASE NOR PROCEDURES IN GENERAL.

IN ACCORDANCE WITH REVISED BACKGROUND INVESTIGATIVE

TELETYPE

JUN 13 2 02 PM '86

TELETYPE ROOM

MUST BE IN
DICTATION BY

6/24

77-23402-131

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 19 1986	
FBI - GELES	

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1 xerox copy sent to
6/19/86

PAGE TWO DE HQ 0014 UNCLAS

PROCEDURES YOU ARE REQUESTED TO CHECK THE CANDIDATE, CLOSE FAMILY MEMBERS, COHABITANTS AND BUSINESS ENTITY OR AFFILIATION THROUGH FBI INDICES. YOU MAY BE ASKED TO CONDUCT ADDITIONAL INDICES CHECKS AS THIS INVESTIGATION PROGRESSES.

THE FBI INDICES TO BE CHECKED ARE: ~~GENERAL~~, ~~CONFIDENTIAL~~, ELECTRONIC SURVEILLANCE (ELSUR) AND ANY SPECIALIZED INDICES UNIQUE TO YOUR DIVISION (SUCH AS WOODMUR). YOU NEED NOT CHECK: ORGANIZED CRIME INFORMATION SYSTEM (OCIS), [REDACTED] OR INVESTIGATIVE SUPPORT INFORMATION SYSTEM (ISIS) WHICH ARE NOW CHECKED AT FBIHQ.

b7E

THE FOLLOWING INFORMATION SHOULD BE USED TO SEARCH:

[REDACTED]

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[REDACTED] FATHER:

PAGE THREE DE HQ 0014 UNCLAS

SALVATORE EUGENE SCALIA, DOB: 12/1/03, RESIDENCE: WILBURTHA
RD, TRENTON, NJ; MOTHER: CATHERINE LOUISE PANARO SCALIA, DOB:
11/7/05, RESIDES W/ABOVE.

ALL OFFICES: PROMPTLY SUTEL ALL RESULTS (POSITIVE OR
NEGATIVE) BY TELETYPE SUMMARY ATTN: GENERAL BACKGROUND
INVESTIGATION UNIT (GBI), ROOM 5136. DUE TO THE PRIORITY OF
THIS MATTER, ANY DELAYS OR PROBLEMS SHOULD BE BROUGHT TO THE
ATTENTION OF UNIT CHIEF [REDACTED], EXT. 3862 OR
SUPERVISORY SPECIAL AGENT [REDACTED], EXT. 4198.

BT

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FBI

TRANSMIT VIA:

☒ Teletype
☐ Facsimile
☐ _____

PRECEDENCE:

☐ Immediate
☒ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E.F.T.O
☒ UNCLAS

Date

6/25/86

9

1 FM LOS ANGELES (77B-23402) (C-2) (PUC) -P-

2 TO DIRECTOR PRIORITY 345/plr

3 BT

4 UNCLAS

5 ANTONIN GREGORY SCALLA, DAPLI, CANDIDATE FOR ASSOCIATE

6 JUSTICE, U.S. SUPREME COURT, BUDED: JUNE 27, 1986,

7 WITHOUT FAIL.

8 RE BUREAU TELETYPE TO ALL FIELD OFFICES, DATED

9 JUNE 28, 1986.

10 ON THE DATES INDICATED, THE FOLLOWING RECORDS OF
 11 THE LOS ANGELES DIVISION WERE SEARCHED BY THE NAMED FBI
 12 PERSONNEL. NO RECORD WAS LOCATED IDENTIFIABLE WITH
 13 THE APPLICANT OR APPLICANT'S LISTED ADULT RELATIVES:
 14

15 CRIMINAL INFORMANT INDICES CHECKED ON JUNE 23, 1986,
 16 BY SUPPORT PERSON [REDACTED]

17 GENERAL INDICES CHECKED ON JUNE 25, 1986, BY SUPPORT
 18 PERSON [REDACTED]

19 ELSUR RECORDS CHECKED ON JUNE 19, 1986, BY SUPPORT
 20

21 LBS/jib
 (1)

MAG CARD

correction's pgs. 1 and 2

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Approved: RTB/m Transmitted _____ Per _____
 (Number) (Time)

77B-23402-7
SEARCHED

INDEXED

SERIALIZED

FILED



LBS

PAGE TWO (77B-23402) UNCLAS

PERSON [REDACTED]

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ISIS CHECKED ON JUNE 25, 1986, SY SUPPORT PERSON

[REDACTED]
REPORT FOLLOWS

BT

#

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
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FOI/PA# 1345080-0

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Page 72 ~ Duplicate;
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FBI

BSP TRANSMIT VIA:

CLASS ☐ Teletype
 SPC ☐ Facsimile
 SER ☒ AIRTEL
 REC _____

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☒ UNCLAS

Date 6/30/86

TO: DIRECTOR, FBI (77-131275) (P)
 FROM: SAC, WFO (77B-100656) (P) (A-2)

ANTONIN GREGORY SCALIA
 DAPLI
 BUDED: 7/3/86 WOF

Re Butel 6/21/86 to WFO et al.

Enclosed for FBIHQ are the following:

1. Copy of civil complaint (Superior Court of the District of Columbia Case Number CA05225-86) hand delivered by KENNETH FREDERICK COLLIER on 6/30/86 to the Washington Field Office.
2. Issue of The Home News also hand delivered to WFO on 6/30/86 by COLLIER.
3. FD-302 of interview on 6/27/86 of COLLIER (with attachments).
4. Sixteen (16) issues of The Home News and two (2) issues of the D.C. Home News. - *detail for review*

WFO is retaining no copies of above items #1, #2, or #4. They are being submitted to FBIHQ for appropriate review.

Inasmuch as a full set of attachments is being submitted with the FD-302 (item #3), only one additional set of attachments will accompany the FD-302 when it is incorporated in WFO's report of captioned matter for dissemination.

3- Bureau
 2-WFO 77B-100656 (A-2)
 PTR:ptr
 (5)

AUG 9 1986

Approved: *[Signature]*

Transmitted _____

(Number)

(Time)

Per _____

70 NOV 1 1986

WFO indices have been searched as noted for the applicant and his relatives as set forth in retel:

General indices searched on 6/19/86 by [redacted]

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QFR searched on 6/19/86 by [redacted]

ELSUR searched on 6/19/86 by [redacted]

[redacted]
WFO indices presently are being searched for the names of references/ associates as listed in the applicant's SF-86 and results will be submitted upon completion.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription June 28, 1986

KENNETH FREDERICK COLLIER, residing in the Washington, D.C. area (address declined) at telephone 202/544-3066 or 544-6254; and residing in the Miami, Florida, area (address declined), voluntarily appeared at the Washington Field Office of the Federal Bureau of Investigation (FBI) accompanied by his brother, JAMES MARSHALL COLLIER. They were advised of the identities of the interviewing agents, and they stated they are employed as reporters for the D.C. Home News, 300 Indiana Avenue, S.E., Washington, D.C. 20003, which also publishes The Home News, 4694 Palm Avenue, Hialeah, Florida, telephone 305/556-1156 [redacted]

[redacted]. KENNETH COLLIER advised that he and his brother have pressed lawsuits which they feel were wrongfully affected by Judge ANTONIN SCALIA. They filed two matters of pending litigation which they said are being affected, and they stated they intend to file a new suit against SCALIA alleging a felonious alteration of a court record or process in a court of the United States (Title 18, United States Code, Section 1506.) It was in this context that KEN COLLIER furnished the following information in the presence of his brother:

The COLLIERs filed a civil rights action in 1984 against CRAIG C. DONSANTO, Department of Justice, Vote Fraud Section. They alleged that they were denied due process of law when DONSANTO ejected them from his office where they had been invited to present evidence they had collected in Dade County, Florida, allegedly implicating some ninety members of the League of Women Voters in vote fraud by way of poking holes in computer card ballots before tabulation. Their making of this videotape evidence in 1982 was prompted by a cash reward offer from the Republican National Committee (RNC). The RNC refused to pay until a complaint actually was filed by a prosecutor. Thus, the COLLIERs spent considerable time between 1982 and 1984 trying to facilitate filing of a federal complaint. The COLLIERs brought Washington Times reporter [redacted] with them to the aborted

Investigation on 6/27/86 at Washington, D.C. File #77B-100656

SA [redacted] SA [redacted]
by SA [redacted] Date dictated 6/28/86

77-100656-148

ENCLOSURE

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meeting in DONSANTO's office. Also present was Assistant United States Attorney [redacted] who has co-authored legal articles with DONSANTO, and FBI Special Agent [redacted]. The COLLIERs made it clear to DONSANTO that they were reporters, and they said [redacted] handed DONSANTO his card when he came in, however, DONSANTO became irate at a point already into the meeting when he apparently realized [redacted] was present as a reporter, and at that point, refused to even look at or consider looking at the tape as possible evidence of vote fraud. COLLIER filed suit on the basis of being denied the opportunity to present the tape to the FBI agent and all present and being denied access to the courts in furtherance of fraud prosecution.

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KEN and his brother are paralegals and represented themselves in court. In 1984, they first filed a breach of promise suit against the RNC and then filed the civil rights action against the United States and others, namely DONSANTO. The DONSANTO case was the first of COLLIER's suits to be dismissed in U.S. District Court. COLLIER appealed the dismissal and the appellate panel of the D.C. Circuit reversed and remanded the case back to the lower court. This order, date stamped September 9, 1985, was changed. (COLLIER furnished a copy of the front and back pages of the order, Case Number 84-5884, and the addendum which are attached.) The addendum came from SCALIA. COLLIER views it as an improper alteration of an order of the court and observed the following as problems with it indicating it was the product of SCALIA "acting as a private citizen to help a friend under color of judicial employment":

1. An asterisk tying the addendum to the order correlates to nothing in the body of the order, and so, is used improperly.
2. Use of asterisks is verboten in the courts where numbered footnotes must be used for proper format.
3. The addendum appears on plain grade xerox quality paper with an unrelated ink stamp on the back instead of on watermarked paper used for official products of the court.
4. The addendum is not date stamped at all from the appellate court. It is date stamped, however, 58 days after the date of the order with a stamp from the U.S. District Court.

5. The addendum misspeaks itself in claiming to be a concurrence. The order is a denial of affirmance, while SCALIA's addendum speaks to summary affirmance. This would indicate SCALIA pretended to concur in order to defend the actions of his friend DONSANTO so that lower court judges reading this addendum would "get the message" to support DONSANTO during rehearing.

COLLIER believes but does not know for a fact that SCALIA and DONSANTO are friends, based on their coincident employments at the Department of Justice between 1974 and 1977. Further, because both have Italian surnames, he speculates both must be members of Sons of Italy or a similar organization. In light of what COLLIER believes to have been SCALIA's past association with DONSANTO, he said SCALIA should have recused himself or have remained without input in this matter rather than issue a "pretended" concurrence. COLLIER considered SCALIA's insertion of an opinion so unusual and DONSANTO's refusal to view evidence likewise so unusual and unreasonable, that he wondered what could motivate two such acts. COLLIER does not accept the use of prosecutorial discretion as a reason for DONSANTO's action, since DONSANTO never viewed the evidence upon which to make any prosecutorial decision. A friendship between SCALIA and DONSANTO makes sense to COLLIER as the most plausible explanation for SCALIA's addendum.

COLLIER stated without first-hand knowledge or evidence that SCALIA would very likely be aware of an actual disinclination on DONSANTO's part to prosecute computer vote fraud. COLLIER postulates that DONSANTO does not want to bring attention to vote fraud so that domestic officials do not have to acknowledge abroad that democracy is not going on in the United States. DONSANTO himself gave COLLIER this impression when he confirmed that portions of a memorandum pertaining to a 1972 vote fraud investigation were excised under Freedom of Information due to national security. (COLLIER furnished a copy of the above mentioned memo dated May 16, 1972, which was Exhibit B in a brief filed with the U.S. Court of Appeals for the D.C. Circuit on April 9, 1985, and a copy of the brief is attached.) The 1972 investigation was the result of allegations COLLIER made then regarding computerized vote fraud.

Central to the vote rigging, is a company called NEWS ELECTION SERVICE located on Flatbush Avenue, Brooklyn, New York, in the basement of a telephone company. It was established in 1964 by the television networks and news wire services. COLLIER learned from a publication called Election Administrative Reports that there is a master link between all the election computers in use. The League of Women Voters has thousands of people working in election offices, and they are "the glue" holding this national link-up together, because they call in the early poll results which ultimately become the final official totals. COLLIER believes the computer tabulation systems are run by organized crime figures who must see to it that the systems are kept free of any hint of fraud in order to reap huge profits and political power.

COLLIER ran unsuccessfully against Florida Congressman Claude Pepper in the 1970 Democratic primary. COLLIER was surprised at broadcast early poll results from Dade County which were extraordinarily accurate when compared to the final totals. He realized then that Dade County was a pilot project for the three major television networks in projecting poll results that were "always correct." It was clear to COLLIER that the networks were pre-programming Dade County results by computer and testing the "gullibility" of the public as to what the public would accept as valid results. He wanted an investigation into the scheme he alleged involved both the computer tabulation company and the three local television stations. One of the three, WPLG, was owned by KATHERINE GRAHAM, who also owns the Washington Post, and who was at that time a nemesis to RICHARD NIXON and the Republican Party.

All three Dade County stations used the League of Women Voters in election coverage. COLLIER took his allegations to [redacted] telephone [redacted] who, in turn, presented them to NIXON at Key Biscayne. [redacted] later told COLLIER that NIXON was worried that GRAHAM and the Democrats had found a way to commit massive vote rigging that the Republicans did not have. The Watergate break-ins happened only about a month later. COLLIER postulates that the Committee to Re-Elect the President was in part motivated by the unproven Dade County revelations to commit the break-ins. He further speculates that after the first break-in, the Democrats were aware of the burglars and ambushed them on their second entry so that negative publicity would focus on the Republicans and stave off the negative publicity sure to ensue from any probe into the alleged Dade County vote rigging that would cost GRAHAM a great deal of money at a time she was trying to sell Post stock.

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COLLIER used an analogy of a swimming pool to explain that the Watergate investigation took the first three feet of water from the depth of executive branch officials, but the remaining three feet of water represented the lower echelon young attorneys of the Justice Department and the White House who COLLIER assumes were involved in Watergate but were never prosecuted. COLLIER points to DONSANTO and SCALIA as being among those rising young attorneys who "paid their dues to the Republican Party" and are being rewarded with high office in later years. COLLIER stated he has no first-hand knowledge nor any evidence linking SCALIA to any events of Watergate. He stated his only knowledge of SCALIA's activities at that time is that SCALIA was in charge of the White House Office of Telecommunications and would have been in receipt of a detailed telegram COLLIER sent to the White House and to Attorney General JOHN MITCHELL setting forth his allegations of Dade County vote fraud. COLLIER does not know if SCALIA ever personally saw the telegram or was present when it was received. COLLIER postulates that if SCALIA received and read the telegram, he would have been in possession of the allegations he believes were a serious part of Republican concerns leading to Watergate. COLLIER further theorizes that if DONSANTO was involved in the Watergate cover-up, SCALIA would have known about it. He presumes SCALIA could have been giving advice to DONSANTO and others involved in the 1972 Dade County investigation, which COLLIER assumes is still an open matter since he cannot find documentation closing such an investigation. COLLIER infers an additional connection to Watergate, in that the burglars caught at Watergate were from Dade County.

Regarding the effect of SCALIA's addendum to the appellate court order in the DONSANTO case, COLLIER advised that the addendum has been relied upon by other judges for dismissal of other suits COLLIER filed. The DONSANTO suit was dismissed for a second time in U.S. District Court by Judge THOMAS HOGAN in 1985 (USDC Case Number 84-3570).

Like the DONSANTO case, the COLLIER's suit against the RNC also was dismissed based on the addendum. Judge NICHOLAS NUNZIO originally presided over the RNC case in Superior Court, and on December 9, 1985, he denied the RNC's motion for summary judgment. Former D.C. Bar president LAWRENCE CARR defended the RNC in that action. At the pre-trial, CARR warned COLLIER not to spend his money, implying to COLLIER that CARR was involved in some kind of "fix." On December 17, 1985, CARR filed for

reconsideration of summary judgment or a stay in proceedings. COLLIER advised that such a motion violated Rule 12-I(n) of the Motions Practice of Superior Court, in that no leave of the court had been granted to do so. NUNZIO at that point was too busy to hear additional proceedings in the case. (COLLIER furnished a copy of a letter dated March 10, 1986, from LARRY GORDON, Law Clerk to the Chief Judge, and a copy is attached.) COLLIER contends that because Judge HENRY GREENE was the next judge to call the court assignment office when the RNC case was lacking a pre-trial judge, GREENE was, therefore, reaching for that specific case at the behest of CARR who could not win unless he had a like-minded judge. COLLIER contends, based on supposition, that by virtue of GREENE's thirteen year employment with the Justice Department as an assistant U.S. attorney, GREENE must have been associated with DONSANTO and SCALIA in the 1974-1977 period they worked for the Justice Department. COLLIER had no other first-hand knowledge or evidence of a connection between these men.

COLLIER alleges that CARR and GREENE knew there was no legal way to conduct a hearing on the new motion for reconsideration, but because they knew the COLLIERs were not attorneys, they colluded and "ran roughshod" over the COLLIERs by conducting a pre-trial meeting in chambers on January 6, 1986, where COLLIER observed GREENE ask CARR what he should pay particular attention to in the motion and CARR responded he should pay particular attention to SCALIA's addendum. In violation of Practice Rule 12-I(h), an uncalendared hearing was then held on January 9. The three day interim was not sufficiently long to get GREENE recused from the case. At that hearing GREENE went on to improperly reverse the rulings of Judge NUNZIO as if GREENE was an appeals judge. GREENE then dismissed the suit based on CARR's motion which relied on SCALIA. (COLLIER furnished a copy which is attached of the January, 1986, payroll sheet from GREENE's court showing the hearing on January 9, which COLLIER stated was found no where else in court records as having taken place. The transcript of the January 9 hearing in the RNC case had more than nine hundred words deleted at GREENE's direction, and then a third corrected version was issued. COLLIER contends the third version is not necessarily accurate, and a question of legality regarding transcript changes is now before the Chief Judge of the D.C. Superior Court and has been submitted to the D.C. Court of Appeals.

COLLIER also sued the League of Women Voters for allegedly interfering in a contract. (The contract referred to the RNC reward offer for vote fraud evidence.) League defense attorney DANIEL WALDMAN received a copy of the SCALIA addendum by CARR along with the heavily excised second version of the January 9 RNC case hearing. The matter is pending.

COLLIER's personal opinion with no basis in fact is that Judge GREENE has been promised SCALIA'S appellate court seat once SCALIA is named to the Supreme Court. Such an arrangement would further account, in COLLIER's view, for GREENE's "bowing" to the SCALIA addendum.

After SCALIA's nomination to the Supreme Court, COLLIER telephoned SCALIA's secretary, [redacted]. He stated she could not explain why SCALIA's addendum was typed on non-watermarked paper with an apparently unrelated stamp on the back and was not date stamped by the appellate court. COLLIER advised that the other appellate judges who wrote the order to which SCALIA's concurrence was attached had no knowledge of SCALIA's addendum.

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COLLIER summarizes SCALIA's writing of the addendum as the act of a "big judge trying to influence little judges" with an "under the table message" to protect a friend or friends and to keep "under wraps" the associations he had in the White House in the handling of the Dade County League of Women Voters fraud allegations.

COLLIER advised that on June 25, 1986, he furnished the above information verbally to Senate Judiciary Committee investigators [redacted] and [redacted] along with copies of The Home News.

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(In addition to furnishing copies of documents mentioned above, COLLIER also furnished copies of the following items which also are attached:

- * News release of [redacted] dated November 9, ,1982
- * CARR's statement of points in support of motion for dismissal in the D.C. Superior Court Case Number 10935-84 against the RNC

- * Letter dated January 30, 1985, from Deputy Assistant Attorney General JOHN C. KEENEY to Senator JOHN W. WARNER
- * Letter dated May 20, 1986, from D.C. Courts Deputy Executive Officer JAMES F. LYNCH to COLLIER
- * Request for removal/contempt citation dated May 27, 1986, filed in D.C. Superior Court
- * Response dated January 30, 1986, to defendants' motion to dismiss in the USDC Case Number 84-3570 against DONSANTO.)

(Sixteen copies of The Home News and two copies of the D.C. Home News also were furnished.)

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 84-5884

September Term, 19 85

Kenneth F. Collier,
Appellant

C.A. No. 84-03570

James M. Collier

v.

United States of America, et al.

United States Court of Appeals
For the District of Columbia Circuit

FILED SEP - 4 1985

GEORGE A. FISHER
CLERK

BEFORE: Wright, Ginsburg and Scalia, Circuit Judges

ORDER

Upon consideration of appellees' Motion for Summary Affirmance and the opposition thereto, it is

ORDERED by the court that the motion is denied. The district court's peremptory dismissal of this case on the same day the complaint was accepted for filing issued prior to this court's decision in Sills v. Bureau of Prisons, 761 F.2d 792 (D.C. Cir. 1985). Summary affirmance of the dismissal, as Sills clarifies, is inappropriate because the merits of this action have not yet received the "fullest consideration necessary to a just determination." 761 F.2d at 794. It is

FURTHER ORDERED by the court that the district court's dismissal is reversed and the case is remanded to that court for further proceedings consistent with this court's opinion in Sills. It is

FURTHER ORDERED that the requests to treat the parties' submissions on the Motion for Summary Affirmance as briefs on appeal are dismissed as moot.

The Clerk is directed to withhold issuance of the mandate herein until seven days after disposition of any timely petition for rehearing. See Local Rule 14.

Per Curiam

[Handwritten signature]

* A concurrence by Circuit Judge Scalia is attached.

A true copy:


Test: George A. Fisher
United States Court of Appeals
For the District of Columbia Circuit

[Handwritten signature: Rosemary Cortez] Deputy Clerk

No. 84-5884 - Kenneth F. Collier v. U.S. of America, et al.

SCALIA, Circuit Judge

I concur only because I believe that summary affirmance should not be by less than unanimous vote. In my view, it is plain from the face of the pleading that the law pertinent to prosecutorial discretion fully supports the district court's dismissal of the action. See Gray v. Bell, 712 F.2d 490 (D.C. Cir. 1983). Moreover, to the extent that the district court's terse statement of its reasons does not comport with the requirement we announced in Sillis v. Bureau of Prisons, 761 F.2d 792 (D.C. Cir. 1985), designed to facilitate our review, I would think it suffices that this decision was rendered before Sillis was published.



1 COPY SENT

To: George A. Fisher
United States Court of Appeals
for the District of Columbia Circuit

To: Rosemary Costigan Deputy Clerk

RECEIVED

APR - 9 1985

CLERK OF THE UNITED
STATES COURT OF APPEALS

United States Court of Appeals
For The District of Columbia Circuit
FILED APR -9 1985
GEORGE A. FISHER
CLERK

IN THE
UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 84 - 5884

KENNETH F. COLLIER and
JAMES M. COLLIER,

APPELLANTS,

UNITED STATES OF AMERICA, Et Al.,

APPELLEE

On Appeal from the United States District
Court for the District of Columbia

APPELLANTS' OPENING BRIEF ON APPEAL

4 Appendix

15-9
P-9

Kenneth F. Collier pro se
James M. Collier pro se
in forma pauperis
300 Independence Ave., S.E.
Washington, D. C. 20003
(202) 5443066

IN THE
UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 84 - 5884

KENNETH F. COLLIER and
JAMES M. COLLIER,

APPELLANTS

v.

UNITED STATES OF AMERICA, Et Al.,

APPELLEE

Certificate required by Rule 8(c) of the General Rules of the United States Court of Appeals for the District of Columbia Circuit:

The undersigned pro se appellants certify that the following listed parties appeared below and/or were duly served with the Complaint filed and then dismissed below:

Appellants

Kenneth F. Collier and James M. Collier

Appellee

United States of America, William French Smith, Craig C. Donsanto

These representations are made in order that the judges of this Court, inter alia may evaluate possible disqualification or recusal.


Kenneth F. Collier pro se


James M. Collier pro se

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EXHIBIT "A"	unnumbered
EXHIBIT "B", two consecutive pages,	unnumbered
The Opinion Below.	9 and 10
Argument.	11
<p>THE COURT BELOW ERRED IN ITS ASSESSMENT THAT THE COMPLAINED-OF BEHAVIOR OF DEFENDANT <u>Donsanto</u> LEG- ITIMATELY FELL WITHIN HIS EXERCISE OF PROSECUTORIAL DISCRETION, IN THAT THE REFUSAL TO ACCEPT, REVIEW OR EVALUATE VITAL VIDEO-TAPE EVIDENCE OF VOTE-FRAUD IN AN OFFICIAL MEETING CONVENED AND DESIGNATED FOR THAT PURPOSE GOES BEYOND "PROSECUTORIAL DISCRETION" AND CONSTITUTES "OBSTRUCTION OF JUSTICE" AND CONSTRUCTIVELY ABRIDGES THE CIVIL RIGHTS OF APPELL- ANTS WHO WERE LURED TO SAID MEETING UNDER FALSE PRETENSES.</p>	
Conclusion.	12

STATEMENT OF ISSUE PRESENTED FOR REVIEW

Where the Court below dismissed a civil action sua sponte, basing said dismissal on its unilateral analysis of events alleged in the Complaint, acting without any evidentiary hearing to so decide the case on the merits to benefit defendants by relieving them of the obligation to answer, should such dismissal on the merits (i. e., "Prosecutorial Discretion" as in the instant case) be vacated pending an adversarial hearing on the merits as would be provided by trial? In the alternative, if the Court below properly exercised its prerogative to dismiss, was it correct in assessing the merits or should it be reversed?

STATEMENT PURSUANT TO LOCAL RULE 8(b)

This case has not previously been before this Court or any other court other than the District Court from whose decision this appeal is taken.

The undersigned represent that a case at least partially related to this case (in that both have material witnesses in common) is pending trial in the Superior Court of the District of Columbia, i.e., Collier v. Republican National Committee, Et Al., case # 10935-84. A defendant, (CRAIG C. DONSANTO) in the instant case is a material witness in the case cited above. Also, three material witnesses named in the Complaint in the instant case (namely: PAT PALLIMAN, NANCY STEWART and GENE GOLTZ) are material witnesses in the case cited above. The docketed "Cause of Action" in the above-cited case is "Misrepresentation and Deceit" related to a contract between the Plaintiff-Appellant herein and the Republican National Committee.

PARTIES

Kenneth F. Collier and James M. Collier

--

United States of America, William French Smith, Craig C. Donsanto

REFERENCE TO RULINGS

November 21, 1984 "endorsement" through Clerk's memorandum dated 12/6/84 verifying Judge Pratt's dismissal on grounds of "Prosecutorial Discretion".

(Please see Page 10 herein.)

PAGE THREE

STATEMENT OF THE CASE

I. Statement of Facts

In the absence of any "record" in this case, the only evidence before the Court is the text and exhibits contained in the Complaint, as attached hereto and made a part hereof.

Text and exhibits follow:

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KENNETH F. COLLIER,
JAMES M. COLLIER
300 Independence Ave., S.E.
Washington, D.C. 20003

(202) 544-3066

84-3570

PLAINTIFFS,

Civil Action No. _____

vs.

UNITED STATES OF AMERICA,
WILLIAM FRENCH SMITH, ATTORNEY
GENERAL OF THE UNITED STATES and
CRAIG C. DON SANTO, DEPARTMENTAL
ATTORNEY OF THE UNITED STATES
JUSTICE DEPARTMENT

DEFENDANTS.

COMPLAINT: CIVIL RIGHTS
(FOR DAMAGES, DUE TO CIVIL RIGHTS VIOLATIONS
INVOLVING OBSTRUCTION OF JUSTICE)

COMES NOW THE PLAINTIFFS and say:

1. THAT Plaintiffs invoke jurisdiction of this Court pursuant to and based on 28 U.S.C. §1346, and the amount in controversy exceeds TEN THOUSAND DOLLARS (\$10,000.00).

2. THAT Plaintiffs are citizens of the United States of America and residents of the District of Columbia.

3. THAT Defendants' principal place of business and residency of record is deemed to be and represented to be in the District of Columbia.

4. THAT Defendant UNITED STATES OF AMERICA, acting by and through its duly authorized agent, Defendant CRAIG C. DONSANTO, a duly authorized attorney employed by the United States Department of Justice with official title and duties encompassing DONSANTO'S exclusive capacity within the Justice Department to determine the validity of any and all evidence related to prospective voting-fraud or election-fraud prosecutions originating in the Public Integrity Section, did violate the civil rights of Plaintiffs as a direct result of the willful, wrongful and negligent actions of DONSANTO who, acting in his official capacity, has engaged in a twelve (12) year conspiracy with others to obstruct justice in the matter of the alleged vote-fraud and election-fraud referred to in Department of Justice Memorandum of 1972, numbered 72-017-8, Plaintiffs' Exhibit "A", attached hereto and made a part hereof, and United States Government Memorandum dated "5/16/72", Plaintiffs' Exhibit "B", attached hereto and made a part hereof, said obstruction of justice manifesting itself in DONSANTO'S wrongfully denying Plaintiffs access to due process during said time period by means of wrongfully using his authority to ignore, cover-up or "lose" admissible evidence of federal vote-fraud which Plaintiffs, acting in their capacities as reporters and voluntary informants to the Miami, Florida office of the Federal Bureau of Investigation, 1971-1983, had brought to the personal attention of DONSANTO during said time period including 1972 through Plaintiffs' last encounter with DONSANTO on or about May 15, 1984 at DONSANTO'S office.

5. THAT on the occasion of the said May 15, 1984 meeting with Defendant CRAIG C. DONSANTO, Plaintiffs did present DONSANTO with tangible and physical evidence of several instances of federal vote-fraud in a venue within DONSANTO'S jurisdiction during the years 1972-1982, including the so-called "Blank-Backed Return Sheet" scheme and the so-called "Missing Keys" scheme, both of which fraudulent "schemes" involved vote-fraud and election fraud activities on the part of elections officials in Dade County, Florida, but which have gone unprosecuted due to DONSANTO'S wrongful conduct as cited in Paragraph Four (4) herein, said willful withholding of prosecution resulting in undermining and discreditation of Plaintiffs in the community.

6. THAT, further, during the said meeting of May 15, 1982, Plaintiffs delivered a videotape (3/4-inch) cassette to Defendant CRAIG C. DONSANTO in the clear sight and presence of three (3) independent witnesses with a clearly audible statement by Plaintiff KENNETH F. COLLIER who therein warranted to DONSANTO that Plaintiffs had risked their lives to infiltrate and then candidly videotape a so-called vote-racketeering ring in Dade County, Florida on election night, November 2, 1982, and that the resultant videotape would constitute such conclusively admissible evidence of vote-fraud and election-fraud (involving the same elections officials throughout the period 1972-1982) as would result in a valid prosecution in the event that DONSANTO were to carry out his duty to properly initiate charges in Federal Court against participants in the said frauds as evidenced by the Plaintiffs' videotape. Defendant DONSANTO thereupon refused to accept, review, evaluate or discuss said videotape, but instead unilaterally terminated the said meeting.

7. THAT the said witnesses referred to in Paragraph Six (6) were:

1. PAF-PALLIMAN, who identified herself via badge as representing the Federal Bureau of Investigation. 2. NANCY STEWART, who identified herself as an attorney in the Public Integrity Section of the United States Justice Department. 3. GENE GOLTZ, who had identified himself as a reporter of the "Washington Times" newspaper.

8. THAT concurrent with the termination of the said meeting between Plaintiffs and Defendant CRAIG C. DONSANTO as cited in Paragraph Six (6), DONSANTO declared that under no circumstances would he ever meet with Plaintiffs again and that he had no interest in accepting, reviewing, evaluating or discussing the scenes of vote-fraud and election-fraud which Plaintiffs had warranted were conclusively and candidly evidenced on said videotape, thereby foreclosing any possibility of prosecutions resulting from Plaintiffs' good-faith efforts to obtain and then deliver such information to the only official in the United States Justice Department designated, empowered and mandated to accept such information, with the result that Plaintiffs constitutionally guaranteed rights to access to due process have been arbitrarily abridged by DONSANTO'S willful obstruction of justice.

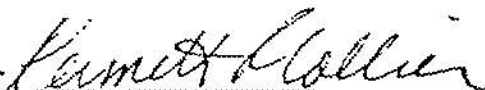
9. THAT as a result of the foregoing willful, wrongful, arbitrary and negligent conduct of Defendant CRAIG C. DON SANTO, who acted at all times material hereto under the mandate and authority of Defendant UNITED STATES OF AMERICA and Defendant WILLIAM FRENCH SMITH, ATTORNEY GENERAL OF THE UNITED STATES OF AMERICA, Plaintiffs have been damaged by being subjected to unwarranted personal and professional discreditization, severe mental anxiety, mental stress, ridicule in the community, impoverishment and what Plaintiffs deem to be permanent threats to their lives from persons who would attempt to silence Plaintiffs through the use of violence, intimidation or both.

10. WHEREFORE, the premises considered, Plaintiffs demand judgment against Defendants in the amount of \$20,000,000.00 (TWENTY MILLION DOLLARS), plus Court costs, reasonable attorney's fees, together with the costs of this action.

11. Plaintiffs demand trial by jury.

RESPECTFULLY SUBMITTED,

Kenneth F. Collier
in pro se



James M. Collier
in pro se



Dated: November 6, 1984

300 Independence Ave., S.E.
Washington, D.C., 20003
(202) 544-3066

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Acting Director, Federal Bureau of
Investigation

DATE: May 11, 1972

FROM : Henry E. Petersen
Assistant Attorney General
Criminal Division

HEP:JCK:CCD:mbh
72-017-18

SUBJECT: Kenneth Collier - Victim; Election Laws; Subjects Unknown

Reference is made to Bureau memoranda dated April 17, 1972, December 16, 1971, and April 26, 1971, attaching written statements executed by James Collier and his brother Kenneth concerning the possibility that the results of the primary Congressional election for the seat in Congress from the Seventh District of Florida which took place on September 8, 1970, was rigged by persons unknown. It is noted that Kenneth Collier was a candidate in this primary election, and that he lost to incumbent Congressman Claude Pepper.

In order that this Division may determine whether any of the allegations contained in these statements are true, the Bureau is requested to interview [redacted] and [redacted] both of whom the Colliers charge participated in the rigging of this election. During these interviews the Bureau should attempt to ascertain whether either of these individuals participated in a scheme to rig the September 8, 1970, election in Miami, Florida. If either [redacted] or [redacted] acknowledges that he did participate in rigging this election, the Bureau should attempt to ascertain in the manner in which this rigging was effected, for what purpose it was effected, and who directed that the election be rigged.

In addition, both [redacted] and [redacted]

which James Collier charges was held on August 22, 1970, to establish the details concerning how the election would be fixed.

airtel to SAC, Miami, dated 5/16/72
5/16/72 EX-115 MEMO
112/1AD
N12/PUL
To 5-17
MAY 15 1972
4417-
N56-

Exhibit "A"

EXP. PROC.

MAY 12 1972

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Memorandum

TO

FROM

SUBJECT: UNKNOWN SUBJECTS;
KENNETH COLLIER - VICTIM
ELECTION LAWS

DATE: 5/16/72

67C

_____	Callahan
_____	Campbell
_____	Casper
_____	Cleveland
_____	Conrad
_____	DeLoach
_____	Malone, L. A.
_____	Ponder
_____	Ryan
_____	Sullivan
_____	Tavel
_____	Trotter
_____	Tele. Room
_____	Holmes
_____	Gandy

This is to recommend that the Crime Records Division advise U. S. Representative Claude Pepper (Democrat-Florida) of institution of this investigation at the request of the Criminal Division, Department, regarding a possible Election Laws violation. Investigation at this time is being limited to interviews of

BACKGROUND: James Collier and his brother Kenneth have furnished b6 several statements concerning what they believe to be a violation b7C of the Election Laws Statute. The violation allegedly occurred during the September, 1970, Florida Primary elections when Kenneth Collier was a candidate for U. S. Congressman running against the incumbent Claude Pepper on the Democratic ticket. The Colliers contend the elections were "rigged" because immediately after the polls closed Miami television stations predicted the final vote percentages of each candidate and the projected vote totals. The television stations' predictions were allegedly 100% accurate.

_____ and _____
_____ apparently programmed the computers for the Miami television stations which predicted the election outcome. The Colliers allege _____ participated in a scheme to rig the above-mentioned primary. Statements obtained from the Colliers regarding their allegations b6 have been forwarded to the Criminal Division which has requested b7C _____ be interviewed to ascertain their possible involvement in alleged scheme to rig this election.

ACTION: Departmental Attorney Craig C. DonSanto, Criminal Division was contacted and advised as a matter of courtesy Congressman Pepper should be informed of the investigation being conducted.

CONTINUED - OVER. . . .

51 MAY 30 1972 MAY 25 1972

Exhibit "B" (page one)

Memorandum
Re: UNSUBS; KENNETH COLLIER - VICTIM
ELECTION LAWS

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in this matter.

It is recommended the Crime Records Division advise Congressman Pepper that at the specific request of Assistant Attorney General (AAG) Henry E. Petersen, Criminal Division of the Department of Justice an investigation has been instituted.

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Approved
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11/18/76

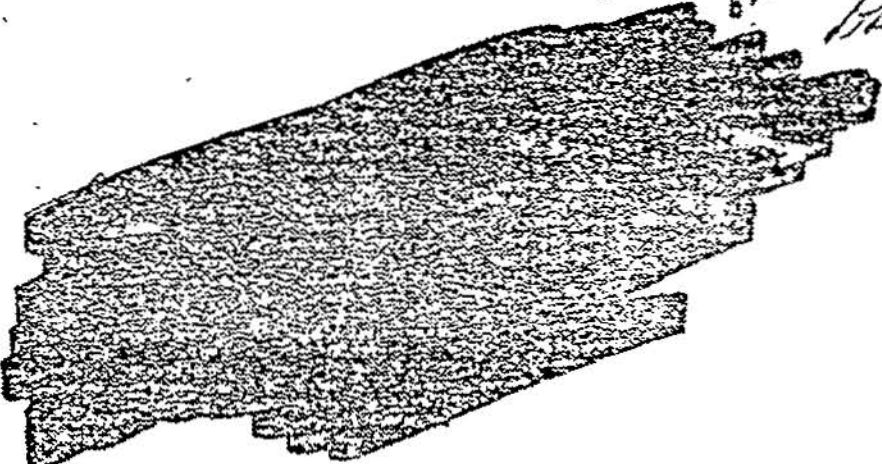


Exhibit "B" (page tag)

II. The Opinion Below

Attached hereto and made a part hereof is the U.S. District Court Clerk's notice of the opinion rendered by Judge Pratt, citing merely "prosecutorial discretion" as the sole factor in the Court's dismissal of the case.

Copy of Clerk's notification to Plaintiff/Appellant follows:

CLERK'S OFFICE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA
WASHINGTON, D.C., 20001

CO-217 *
Rev. 3/74

December 6, 1984

Kenneth F. Collier, Et Al.

vs.

Civil Action No. 84-3570

The U.S.A., Et Al.

Dear Mr. Collier

In the above-entitled cause, please be advised that on

November 21, 1984, Judge Pratt

endorsed thereon as follows:

"Leave to file without prepayment of costs granted;

Dismissed; Prosecutorial Discretion.

JAMES F. DAVEY, Clerk

By:

Kenneth J. Casper
Deputy Clerk

(All correspondence and papers in connection with the case pending
should bear the number referred to above.)

ARGUMENT

THE COURT BELOW ERRED IN ITS ASSESSMENT THAT THE COMPLAINED-OF BEHAVIOR OF DEFENDANT Donsanto LEGITIMATELY FELL WITHIN HIS EXERCISE OF PROSECUTORIAL DISCRETION, IN THAT THE REFUSAL TO ACCEPT, REVIEW OR EVALUATE VITAL VIDEO-TAPE EVIDENCE OF VOTE-FRAUD IN AN OFFICIAL MEETING CONVENED AND DESIGNATED FOR THAT PURPOSE GOES BEYOND "PROSECUTORIAL DISCRETION" AND CONSTITUTES "OBSTRUCTION OF JUSTICE" AND CONSTRUCTIVELY ABRIDGES THE CIVIL RIGHTS OF APPELLANTS WHO WERE LURED TO SAID MEETING UNDER FALSE PRETENSES:

It is well established that government employees with the job specification of expertise in assessing evidence of vote-fraud are required to act in good faith when such evidence is brought, through official channels, to their attention.

In this instance, however, governmental agents DONSANTO and SMITH both, in varying degrees, abrogated their responsibilities to delve into the matters raised by the existence of the aforementioned videotape, thus placing Plaintiff/Appellants' lives and credibility in jeopardy.

The Complaint tells in Paragraph Six of the "meeting in DONSANTO's office" with three witnesses present, in which the chief of the government's vote-fraud prosecution unit flatly refuses to view the videotape and further insists that no other prosecutor in his specialized unit view the tape either.

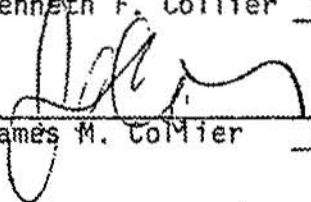
In view of the personal meetings and dealings of DONSANTO and SMITH with highly placed officials in the League of Women Voters (who are shown as a " in the tape unlawfully tampering with thousands of computer punch-card ballots in a federal election), the refusal to allow themselves specific knowledge of criminal activity by that organization as shown on the videotape goes to proving the contention of the Original Complaint that such refusals are motivated by political considerations or possibly by DONSANTO's past refusals to act in similar instances when similar proof was brought to him.

CONCLUSION

The order dismissing the complaint was issued without an evidentiary hearing and failed to take into account the duty owed Plaintiff/Appellants by the defendants whose sworn oaths attaching to their designations as judicial officers of the United States of America requires their cooperation when evidence of criminal fraud is brought forward by citizens as in the instant case; therefore, for all the foregoing reasons, Appellants respectfully request that the District Court's Order of November 21, 1984, dismissing the instant case, be reversed and/or vacated, and that the case be returned to United States District Court for the District of Columbia Circuit for trial on the merits.

Respectfully submitted,



Kenneth F. Collier pro se


James M. Collier pro-se

300 Independence Ave., S.E.
Washington, D. C. 20003

CERTIFICATE OF SERVICE

I, Kenneth F. Collier, hereby certify that on the NINTH day of APRIL, 1985, I delivered at true copy of the within Appellants Brief on Appeal to the reception desk of the United States Attorneys' office, 2nd floor, Court of Appeals Bldg., Washington, D.C.


Kenneth F. Collier in pro se
300 Independence Ave., S.E.
Washington, D.C. 20003

RECEIVED

MAR 21 1986

U.S. Attorney's Office
For The District of Columbia

*Received copy of 3/10/86 ltr.
from Larry Gordon to Kenneth
Collins re: CA #10935-84*

U.S. COMMISSION ON JUDICIAL
DISABILITIES & TENURE



H. Carl Moniz Jr.
Chief Judge

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MAR 21 1986
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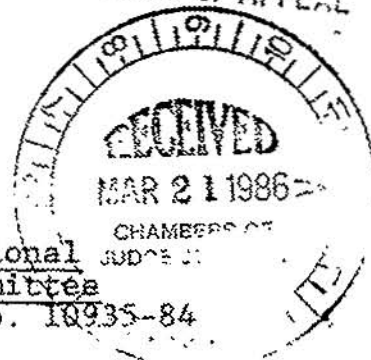
Superior Court
District of Columbia
Washington, D.C. 20001

RECEIVED
1986 MAR 21 A 11:31
D.C. COURT OF APPEALS

March 10, 1986

Kenneth F. Collier
300 Independence Ave., S.E.
Washington D.C. 20003

Re: Collier v. National
Republican Committee
Civil Action No. 18935-84



Dear Mr. Collier:

This letter is in response to your letter of January 27, 1986, wherein you allege certain procedural irregularities with regards to the handling of the above captioned matter. After an extensive investigation of the allegations that you have raised, the following determinations have been made:

(1) The Chief Judge assigns one judge to the pre-trial calendar on a rotating basis every six (6) weeks. An average of 9 to 11 cases are on the pre-trial calendar on the date of pre-trial. At least eight of these cases are handled by the assigned pre-trial judge. The other 1 to 3 cases are assigned by the Assignment Office to a trial judge who has a break in his calendar or sometimes to a senior judge who is available. Trial judges call the Assignment Office when they are available, or when no one has called, the Assignment Office will call a judge who appears from the calendar to be ready for a case. **Judge Greene reached for case.**

(2) On January 6, 1986, the parties in Collier v. National Republican Committee, waited in the Assignment Office for the case to be sent to the next available judge for a pre-trial. ~~Judge Greene reached for case.~~ the Assignment Office, was assigned the case by Mr. Sanford Coleman, who was working the assignment board at the time. Later, after the case had been assigned, Judge Greene called Mr. Coleman to inquire about the appropriate way to handle pending motions for reconsideration of orders previously entered by

**Emphasis
Added**

Kenneth F. Collier
page 2

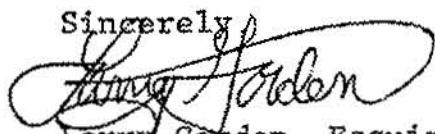
Judge Nunzio. They agreed that it would be more efficient for Judge Greene to hear the motion. Judge Greene kept jurisdiction of the case and entered an order on January 10, 1986 disposing of the motions.

(3) The normal practice in Superior Court of the District of Columbia, is to send motions for reconsideration back to the judge whose order is being asked to be reconsidered. SCR Civ. 16(c)(9), however, provides that the pre-trial judge shall consider and may take action on pending motions. If the pre-trial judge is willing to hear a motion to reconsider, it is more efficient for him to do it rather than delay the pre-trial.

(4) Judge Thompson was not assigned the above captioned case on January 6, 1986. It is a possibility that someone may have asked a clerk what judge might be available to hear a pre-trial. The response would have been any of the trial judges who may come available (naming them) and possibly Judge Thompson, who on occasion will take a pre-trial to help out. No one in the Assignment Office, including Mr. Coleman recalls anyone saying that Judge Thompson was "too old and slow" as was alleged in your letter.

This concludes the court's investigation of this matter. The other issues raised in your letter must be addressed to the District of Columbia Court of Appeals.

Sincerely,



Larry Gordon, Esquire
Law Clerk to Chief Judge
H. Carl Moultrie I

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Judge: Henry L. Groome

Civil

Division

January

1966

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A
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A
M

Date	Attendance in Court						Total Time		Trial Section						Calendar Control			Special Se				
	Arrival at Courthouse	Court Convened	Lunch Recess	Court Reconvened	Completed Last Case	Departure from Courthouse	Bench	Office	Deputy Clerk	Deputy Clerk	Motion	Pretrial	Jury Trial	Court Trial	Disposition	Certified	Disposition	Traffic	Arraignments and New Referrals	Divorce Support	Domestic Violence	Continuances
1	HOLIDAY																					
2	Annual Leave																					
3	Annual Leave																					
4	WEDNESDAY																					
5	THURSDAY																					
6	8:00	9:00	1:00	2:00	4:45	5:45	2hrs 15min	2hrs 30min				1	1									
7	8:30	9:00	1:00	2:00	4:45	5:30	2hrs 15min	2hrs 30min														3
8	7:30	9:00	12:30	1:45	4:45	6:15	3hrs 4hrs 15min						1						*7:30 board of Judges			4
9	8:30	9:00	1:00	2:00	4:00	6:00	5hrs 30min	3hrs 30min		1-Collier												3
10	8:45	9:00	1:00	3:30	4:45	5:30	4hrs 45min	3hrs 30min		1	2			1-cont	1/14							
11	SATURDAY																					
12	SUNDAY																					
13	8:00	9:00	1:00	2:00	4:45	6:00	3hrs 15min	6hrs 15min				2	1									3
14	9:30	10:45	12:00	2:00	4:45	5:45	4hrs 30min	3hrs 15min						1					*1 hr. sick leave			3
15	8:55	9:00	1:00	2:00	4:00	5:45	5hrs 30min	3hrs 30min														3
16	8:45	9:00	1:00	2:00	4:45	6:30	5hrs 15min	3hrs 30min														
17	8:30	9:00	1:00	2:00	4:00	5:40	4hrs 30min	2hrs 10min					1									1
18	SATURDAY																					
19	SUNDAY																					
20	HOLIDAY																					
21	8:30	9:00	1:00	2:00	4:45	5:30	4hrs 45min	1hr 15min						1								
22	8:30	9:00	1:00	2:00	4:45	5:45	4hrs 15min	2 hrs 30min						1								
23	8:45	9:00	1:00	2:00	4:45	5:45	3hrs 30min	5hrs 30min			1		1									2
24	8:30	9:00	1:00	2:00	4:45	6:00	5 hrs 45min	2hrs 15min														1
25	SATURDAY																					
26	SUNDAY																					
27	8:30	9:00	1:00	3:00	4:15	6:00	4hrs 45min	4hrs 15min					1									1
28	8:30	9:00	12:30	1:45	4:30	5:45	6hrs 15min	2hrs 30min	1	1									*4:15 Legislation & Instruct			
29	9:30	9:00	12:30	2:00	4:00	5:30	5 hrs 30min	2hrs 10min			2											
30	8:45	9:00	12:45	1:45	4:45	6:00	6 hrs 30min	2hrs 30min														4
31	8:30	9:00	12:30	2:00	4:45	6:00	5 hrs 45min	3hrs 15min					1	1								
Total							195hrs 45min	63hrs 20min	3	3	6	5	3									16

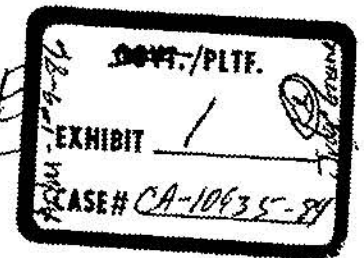
Signature: [Signature]
Date: 1/16/66

Symbols (where space is not adequate, the following symbols should be used)

- | | | |
|--|------------------------|-----|
| B - Bail Review or Condition Violation Hearing | C - Civil Division | V - |
| P - Probation Revocation Hearing | Cr - Criminal Division | S - |
| Co - Contemnation | F - Family Division | O - |
| M - Mental Competency Hearing | T - Tax Division | |
| E - Emergency Matter | P - Probate Division | |

FOR IMMEDIATE RELEASE

November 9, 1982
Miami, Florida



1. Computerized voting thwarts the will of the people. A cancer is growing on our most precious franchise. It must be eradicated.

2. In 1972, Circuit Court Judge Henry Balaban requested me to investigate and report on any alleged voting irregularities in Dade County. See Dade Circuit Court Case 71-4331, Collier v. Miller.

3. I submitted reports in 1972 and again in 1974, with copies to the Dade State Attorney and the Governor of Florida. I found plenty of "irregularities" and no official action . . . with the exception that, at my request, the Florida Secretary of State appointed Special Deputy Supervisors to monitor the September 10, 1974 Primary Election in Dade County. I understand that the F.B.I. also investigated in 1974; however, its 95 page report on machine voting has never been made public.

4. Now, we are into the computer age of voting, along with 39 other states and 35% of all U.S. voters.

5. On this past Election Day, November 2, 1982, some strange goings-on were video taped. You will be shocked and sickend to see 60 workers from The League of Women Voters sitting at long tables at the Dade County Tabulation Center using pencils to punch holes in thousands of paper computer ballots prior to their counting. These women do not take oaths to perform this task, are not elected, and in fact, are not authorized at all by State law; in spite of this, they have been delegated to determine a voter's intent (even though State law gives this job to the Canvassing Board) and they can even reject so-called damaged cards and punch out duplicates. Nowhere does State law allow anyone to punch out partially made holes in ballots if that is all they are doing!

6. This same video tape would show the Assistant Elections Supervisor, Joe Malone, denying who he is to a reporter and while State law requires that "all proceedings at the central counting location . . . shall be open to the public" [F.S. 101.5614(3)], police officers are shown barring reporters from the premises, pointing to a window in a wall where the reporters can look into the counting room, and finally forcibly ejecting the video photographer out of the building itself.

7. F.S. 101.5603 (4) requires that piercing of ballots be done "by the voter." And F.S. 101.5606(4) makes it mandatory that any electronic or electromechanical voting system shall be constructed so as to be "capable of correctly counting votes." All voting, counting, tabulating, and recording of computer votes shall be controlled by rules and regulations of the Florida Department of State (101.5607). Further, canvass of returns is specifically detailed in F.S. 101.5614, adopted in 1973, 1977 and 1981. Everyone of the foregoing Florida laws was violated on November 2, 1982. THIS MUST STOP!! The people lose when votes are not accurately counted or when their confidence in the system is shaken. Computer voting has now led us to the ungodly fact that whatever the device says is what must be accepted as the official vote [F.S. 101.5614(2)]. Yes, a print out resulting from a process unseen by human eyes must be relied on _____ and even where there is an obvious error there is no chance for a count or recount by human beings!

8. In the September Primary in Broward County, the same ballot cards for the District 96 House race (State) were put through the same computer twice; two different sets of vote totals resulted. Yet, the Courts denied a candidate an accurate hand count or even access to the ballot cards!

9. In machine or paper ballot voting, Florida law mandates public counting, recording and posting of results in the precincts and at election central _____ all verified by hundreds and thousands of inspectors, clerks, candidates and poll watchers. WHY NOT THE SAME FOR COMPUTERS? No person is made accountable by law, even when, as in Broward District 96, an accurate count could not be verified when the computer was obviously in error. Man has been replaced by a computer programmed in California. What we need is a system where everybody who wants to can see the ballots and even count them over again, right at the precinct, if necessary.

10. It is time to either reject computerized elections or enact safeguards. Meanwhile, 40 states are being deceived and defrauded. The U.S. Congress will be asked to investigate! "1984" must not be allowed to happen in 1984.


ELLIS S. RUBIN

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Motion to Reconsider has been mailed, postage prepaid, this 17th day of December, 1985, to:

Kenneth F. Collier
James M. Collier
300 Independence Avenue, S.E.
Washington, D.C. 20003

Lawrence E. Carr, Jr.
Lawrence E. Carr, Jr. *LAC*

SUPERIOR COURT FOR
THE DISTRICT OF COLUMBIA

Civil Division

KENNETH F. COLLIER
JAMES M. COLLIER

Plaintiffs,

v.

REPUBLICAN NATIONAL
COMMITTEE, et al.

Defendants.

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Civil Action No.: 10935-84

STATEMENT OF POINTS AND AUTHORITIES IN SUPPORT
OF DEFENDANTS' MOTION TO RECONSIDER OR IN
THE ALTERNATIVE TO STAY THIS ACTION

On December 9, 1985, this Court heard oral argument on two Motions submitted by the Defendants: a Motion for Summary Judgment as to Liability and a Motion for Partial Summary Judgment as to Punitive Damages. Following argument, the Court, from the bench, granted Defendants' Motion for Partial Summary Judgment and denied their Motion for Summary Judgment on the issue of liability. On December 12, 1985, Plaintiffs filed a Motion for Reconsideration of the Order granting partial summary judgment, which defendants have opposed. Defendants now request that this Court reconsider its denial of their Motion for Summary Judgment as to Liability, or, in the alternative, to stay this action.

I. The Actions Of Craig C. Donsanto Are Not Genuine Issues Of Material Fact
In This Lawsuit And Should Not Be The Basis Of A Denial Of Summary Judgment.

In its denial of Defendants' Motion, the Court based its opinion on the fact that it perceived the existence of a genuine issue of fact as to whether Mr. Donsanto interfered with Plaintiffs' ability to perform under the 1982 reward offer. It is the position of defendants that, although Mr. Donsanto's actions are featured in the factual background of this case, they do not constitute a genuine issue of a material fact which would preclude summary judgment herein.

As this Court is aware, this lawsuit involves the issuance of a reward offer in 1982 by the Republican National Committee ["RNC"]. The offer promised \$5,000 for "information which leads to the arrest, conviction and punishment of any election official who violates state or federal law against vote fraud." The reward offer went on to state:

We have established telephone numbers that will be manned by attorneys who will assist in putting them in touch with the proper state and federal officials who will proceed with such complaint.

Claiming reward monies in excess of \$450,000, plaintiffs allege that they provided such information, in the form of a videotape, to the RNC. They also allege that the RNC, by this offer, guaranteed that it would lend its "clout" to their claim and put them in contact with the Attorney General. Plaintiffs further allege that the RNC guaranteed, by this offer, that the Attorney General would prosecute the "election officials" featured on their videotape. Because the RNC allegedly failed to perform these alleged "guarantees," plaintiffs are claiming that the reward offer was intentionally misleading. Defendants aver that the reward offer made no such "guarantees" and that plaintiffs have failed to perform according to the offer's clear terms such that no reward is due.

To capsize Mr. Donsanto's involvement in this case, (which Defendants have set out at length in the body of their Motion for Summary Judgment as to Liability), Defendant E. Mark Braden initially referred plaintiffs to Mr. Donsanto in November, 1982 when plaintiffs contacted him about the reward offer. Mr. Braden felt that, inasmuch as Mr. Donsanto was the Chief of the Public Integrity Section of the Criminal Division of the Department of Justice, plaintiffs should present their claims of vote fraud to him.

At that time, Mr. Braden was not aware, nor did plaintiffs advise him, that plaintiffs had dealt with Mr. Donsanto previously. In 1970, they had contacted Mr. Donsanto regarding their suspicions of vote fraud arising out of plaintiff Kenneth Collier's unsuccessful and unsupported primary bid for the congressional seat of the Honorable Claude Pepper. Because of the accuracy with which the networks forecasted Mr. Collier's loss, plaintiffs believed that the ballot process had been rigged in an elaborate scheme among the League

of Women Voters, the three major broadcasting networks and Computer Elections Systems, a national supplier of election computer hardware and software. As Kenneth Collier has testified, plaintiffs believed that they inadvertently touched off the Watergate scandal by their allegations of vote fraud. Plaintiffs assert that because of their accusations, a special investigator, Henry Peterson, was appointed by then-President Nixon to investigate the Colliers' claims, and that Mr. Donsanto assisted him in that probe. That investigation, the Colliers allege, led to the "bugging" of the Democratic National Committee ["DNC"] headquarters by five Dade County residents, later known in the media as "the plumbers." The eventual apprehension of the plumbers in the DNC headquarters eventually led to the historical event known as Watergate. Because of Mr. Donsanto's earlier involvement in the "real cause" of Watergate, plaintiffs assert that he was unlikely to undertake their case.

In 1982, however, when Mr. Braden referred plaintiffs to Mr. Donsanto, this peculiar background was not communicated to him. Mr. Braden has testified that he assumed that plaintiffs would contact Mr. Donsanto and all appropriate actions would then be taken by the Department of Justice. Instead, plaintiffs did not contact him, but instead returned to Florida where they contacted several law enforcement entities, including The Federal Bureau of Investigation, regarding their allegations of vote fraud. It was not until May, 1984 that plaintiffs contacted Mr. Donsanto about their alleged "prima facie" evidence of vote fraud. Mr. Donsanto met with them on May 15, 1984. The meeting lasted for approximately forty minutes when Mr. Donsanto became aware that a person accompanying plaintiffs was an investigative journalist with The Washington Times. Mr. Donsanto apparently suspended the meeting at that time and referred plaintiffs to the Public Information Section of the Justice Department.

Plaintiffs later filed suit in the United States District Court for the District of Columbia, alleging that Mr. Donsanto wrongfully refused to initiate an investigation into their claims and wrongfully attempted to "cover-up" their allegations of vote fraud. Exhibit A.^{1/} This Complaint was

^{1/} Complaint, Collier v. United States, William French Smith and Craig C. Donsanto, Civil Action No. 84-3570.

dismissed by Judge Pratt on the same date it was file because of "prosecutorial discretion." Plaintiffs appealed this Order and the D.C. Circuit reversed and remanded the case because of the extremely brief consideration that the Complaint had been given. Exhibit B.^{2/} To defendants' knowledge, this Complaint is still pending.

The foregoing sets forth the full extent of Mr. Donsanto's involvement in the entire vote fraud scenario. His involvement in the instant case, however, is that of a minor actor. The issues before this Court solely involve the wording of the 1982 reward offer and plaintiffs' actions pursuant to it. Relevant to this case is the undisputed material fact that, in November, 1982, Mr. Braden referred plaintiffs to Mr. Donsanto, then senior officer of the federal office which handled allegations of vote fraud. A further material fact, also undisputed, is that plaintiffs chose not to contact Mr. Donsanto until May, 1984, one and one half years later. It is further material and undisputed that plaintiffs chose not to advise Mr. Braden at the time of their 1982 discussion that they had had a prior unpleasant experience with Mr. Donsanto which may have impeded his ability to assist them. Defendants allege that Mr. Donsanto's actions following Mr. Braden's 1982 reference, however, are not material to a judicial resolution of this case and should therefore not constitute the basis of this Court's Order.

H. In The Alternative, This Action Should Be Stayed Pending The Resolution By District Court Of The Issues Raised In Plaintiffs' Lawsuit Against Craig C. Donsanto.

In the event that this Court feels that the issue regarding Mr. Donsanto's actions constitutes a genuine issue of fact in this case, Defendants would respectfully request that the Court stay this action pending a final resolution of plaintiffs' District Court claim against Mr. Donsanto. Any genuine issues which this Court may determine to have been raised by Mr. Donsanto's involvement with plaintiffs will be fully litigated and finally determined in the District Court suit. Until this occurs, any ruling on Defendants' Motion for

^{2/} Order, Collier v. United States, William French Smith and Craig C. Donsanto, Civil Action No. 84-3570.

Summary Judgment as to Liability in this forum is premature. This Court's consideration of these issues will be necessarily duplicative of issues in the Donsanto case that are fundamental to any final judgment in that suit. In the interests of judicial economy, therefore, defendants would ask that this action be stayed.

Conclusion

WHEREFORE, Defendants respectfully request that this Court reconsider its denial of their Motion for Summary Judgment as to Liability and either grant said Motion, or, in the alternative, stay this action pending the entry of final judgment in Collier v. United States, William French Smith and Craig C. Donsanto.

CARR, GOODSON & LEE, P.C.

By Lawrence E. Carr, Jr. #1925 *KAK*
Lawrence E. Carr, Jr. #1925
Kyle A. Kane #375707
1919 Pennsylvania Avenue, N.W.
Suite 700
Washington, D.C. 20006
(202) 463-6063

SUPERIOR COURT FOR
THE DISTRICT OF COLUMBIA

KENNETH F. COLLIER AND
JAMES M. COLLIER

Plaintiffs,

v.

REPUBLICAN NATIONAL
COMMITTEE, et al.

Defendants.

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Civil Action No.: 10935-84

ORDER

In consideration of Defendants' Motion for Reconsideration, any
Opposition thereto and the premises considered, it is this _____ day of

ORDERED, that Defendants' Motion be, and the same hereby is,
GRANTED; and it is further

ORDERED, that Defendants' Motion for Summary Judgment as to
Liability be, and the same hereby is, GRANTED; and it is further

ORDERED, that this action be dismissed with prejudice.

Judge

cc: Kenneth F. Collier
James M. Collier
300 Independent Avenue, S.E.
Washington, D.C. 20003

Lawrence E. Carr, Jr., Esquire
Kyle A. Kane, Esquire
1919 Pennsylvania Avenue, N.W.
Suite 700
Washington, D.C. 20006

SUPERIOR COURT FOR
THE DISTRICT OF COLUMBIA

KENNETH F. COLLIER AND
JAMES M. COLLIER

Plaintiffs,

v.

REPUBLICAN NATIONAL
COMMITTEE, et al.

Defendants.

Civil Action No.: 10935-84

ORDER

In consideration of Defendants' Motion for Reconsideration, any
Opposition thereto and the premises considered, it is this _____ day of

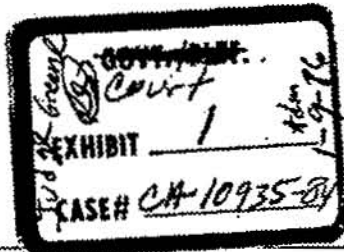
ORDERED, that Defendant's Motion in the alternative, be, and the
same hereby is, GRANTED; and it is further

ORDERED, that this action be and the same hereby is stayed, pending
resolution of Collier, et al. v. Donsanto, et al., Civil Action No. 84-3570.

Judge

cc: Kenneth F. Collier
James M. Collier
300 Independence Avenue, S.E.
Washington, D.C. 20003

Lawrence E. Carr, Jr., Esquire
Kyle A. Kane, Esquire
1919 Pennsylvania Avenue, N.W.
Suite 700
Washington, D.C. 20006



U.S. Department of Justice

Criminal Division

Office of the Assistant Attorney General

Washington, D.C. 20530

JAN 10 1985

Honorable John W. Warner
United States Senate
Washington, D.C. 20510

Dear Senator Warner:

This will reply to your letter of December 11, 1984, forwarding to this office for consideration and comment correspondence that you received from John Caldwell of Bedford, Virginia.

Mr. Caldwell is concerned about a series of newspaper articles written by freelance journalists Kenneth and James Collier, which appeared in the Populist publication, "The Spotlight." These articles charge that computer voting equipment manufactured by the Computer Election Systems Corporation (CES) of Berkeley, California, is not secure and that this equipment has been utilized as part of a conspiracy to corrupt the honesty of elections throughout the United States. The Collier brothers believe that this conspiracy has existed since the mid-1960's, and that it has been aided by the League of Women Voters, which over the years has frequently assisted local election officials in the tabulation of votes.

We are well aware of the charges made by the Collier brothers. They have been making similar allegations to the Federal Bureau of Investigation, to the Criminal Division, and to various United States Attorneys offices since 1972. To date, they have not produced any credible evidence that CES voting equipment is functionally insecure, that this equipment has been used as part of a nationwide vote fraud conspiracy, or that the League of Women Voters has acted improperly in the discharge of their civic duties. As such, there is no basis for investigating the allegations made in "The Spotlight" series.

Please assure Mr. Caldwell that this Department places the highest priority on protection of the integrity of the right to vote, and that we have and will continue to prosecute vigorously those who engage in election fraud. Enclosed for Mr. Caldwell's information in this regard is a copy of the Justice Department's manual describing our anti-vote fraud program.

(emphasis added)
OPPOSITION
Exhibit "E" (page one)

I trust that this information will be responsive to Mr. Caldwell's concerns.

Sincerely,

Stephen S. Trott
Assistant Attorney General
Criminal Division

Enclosure

By:

John C. Keene
John C. Keene

Deputy Assistant Attorney General
Criminal Division

OPPOSITION'S

Exhibit "E" (page two)



District of Columbia Courts
500 Indiana Avenue, N.W.
Washington, D. C. 20001



Larry B. Polansky
Executive Officer

May 20, 1986

202 879-1700

Mr. Kenneth F. Collier
300 Independence Avenue, S.E.
Washington, D.C. 20003

Re: CA 10935-84
Collier v. Republican National
Committee

Dear Mr. Collier:

You had raised a question regarding inaccuracies in the above-referenced transcript. The Court Reporter Division has compared the written transcript of the reporter, Miss Edna E. Simms, with the Court tape and made changes to the transcript which reflect as accurately as possible the actual proceedings before Judge Henry F. Greene, in Courtroom Number 47 on January 19, 1986.

A copy of the corrected transcript is enclosed.

Sincerely,

James F. Lynch
James F. Lynch
Deputy Executive Officer
D.C. Courts

cc: Honorable Henry F. Greene
Mrs. Shirley Shepard-Curley
Kyle A. Kane, Esquire

WRONG. The tape still contains
TWO telephone conversations from
the bench and one phony-fabricate
"Supreme Court" opinion by
Judge Greene. → (See letter for
Details)

§ 1506. Theft or alteration of record or process;

Who feloniously steals, takes away, alters, falsifies, or otherwise avoids any record, writ, process, or other proceeding, in any court of the United States, whereby any judgment is reversed, made void, or does not take effect;

RECEIVED

MAY 27 1986

CHAMBERS OF
JUDGE GOODRICH

26 May 1986

TO: ACTING CHIEF JUDGE, THE HONORABLE
GEORGE HERBERT GOODRICH, SUP. CT., D.C.

COPY: HON. WILLIAM C. PRYOR
CHIEF JUDGE, D.C. CT. OF APPEALS

- + LARRY P. POLANSKY
EXEC. ADMINISTRATOR, SUP. CT. D.C.
- + U.S. ATTORNEY JOSEPH DIGENOVA

GENTLEMEN:

REQUEST FOR REMOVAL:

REQUEST FOR CONTEMPT CITATION

RE: HENRY F. GREENE
SUBORNATION OF CORRUPTION
OF COURT REPORTER EDNA SIMMS
BY ORDERING HER TO DELETE
KEY PORTIONS OF THE RECORD
IN CONVERSATIONS AND ACTIONS
OCCURRING OFF-THE-BENCH

THEFT OF 900 WORDS BY
SUBORNATION OF COURT REPORTER

THE UNDERSIGNED INVESTIGATIVE REPORTERS COMPARED THE TRANSCRIPT WHICH WAS RECENTLY PROVIDED AS A "CORRECTED" VERSION IN CASE #10935-84 AND HEREBY INFORM THE COURT THAT JUDGE HENRY F. GREENE TOOK IT UPON HIMSELF TO SUBORN THE CORRUPTION OF COURT REPORTER EDNA SIMMS WHEN HE HAD HER SUBMIT A "WORKING COPY" OF THE PROCEEDINGS SO THAT HE COULD TAKE A "BLUE PENCIL" AND ALTER THE FIRST VERSION BY DELETING MORE THAN 900 (NINE HUNDRED) WORDS FROM THE TEXT PRIOR TO ITS ORIGINAL RELEASE TO THE PARTIES. AS SUCH, IT IS A STARK VIOLATION OF CRIMINAL STATUTE 1506 U.S.C. WHICH PROHIBITS THE "THEFT OR ALTERATION OF RECORDS OR PROCESS;" (WHOEVER FELONIOUSLY STEALS, TAKES AWAY, ALTERS FALSIFIES OR OTHERWISE AVOIDS ANY RECORD, , OR OTHER PROCEEDING IN ANY COURT OF THE UNITED STATES, WHEREBY ANY JUDGMENT IS REVERSED, MADE VOID, OR DOES NOT TAKE EFFECT SHALL BE FINED, , OR IMPRISONED, , ETC.)

SUBORNATION OF CIVIL MOTIONS COMMISSIONER

IN ADDITION, WE HAVE SPOKEN WITH CIVIL MOTIONS COMMISSIONER JANE FORSYTHE WHO CONFIRMED THAT JUDGE GREENE TOLD HER TO ACT IN AN ANOMALOUS MANNER WHEN SHE RECEIVED PLEADINGS FROM THE UNDERSIGNED, TO IMMEDIATELY SEND SUCH PLEADINGS IN CASE #10935-84 DIRECTLY TO HIS CHAMBERS FOR QUASHING, AS OCCURRED TWO TIMES IN THE ABOVE CASE AFTER GREENE HAD ILLEGALLY DISMISSED THE CASE ON A "MOTION" TO RECONSIDER WHICH HE AND FORSYTHE BOTH KNEW HAD NO LEAVE-OF-COURT TO BE FILED

RULE 12-1/N

JUDICIAL PERJURY COMMITTED ON THE BENCH;
FABRICATION OF "SUPREME COURT" OPINION

IN ADDITION TO THE GROSS BASTERDIZATION OF THE RECORD WHICH WAS ACCOMPLISHED BY GREENE AND SIMMS AS ABOVE-DESCRIBED, THERE IS STILL A SIGNIFICANT PORTION OF THE RECORD WHICH HAS BEEN DELIBERATELY LEFT OUT. IT IS THE PORTION WHEREIN JUDGE GREENE (IN THE SO-CALLED "HEARING" OF 1/9/86) ACTUALLY WAVED AROUND A BOOK WHICH HE SAID CONTAINED THE FOLLOWING:

" . . . A SUPREME COURT DECISION HAS BEEN HANDED DOWN IN THE LAST TWO WEEKS TO THE EFFECT THAT THE WORD "WILL" IN A CONTRACT MEANS ONLY TH "PREDICTIVE" AND NOT PROMISSORY AND THEREFORE IN THE CONTRACT AT ISSUE I FIND THAT WHERE THE WORD "WILL" IS USED IN THE FINAL CLAUSE IT COULD NOT BE CONSTRUED BY ANY REASONABLE PERSON TO MEAN A GUARANTEE OF PERFORMANCE".

IT IS OBVIOUS THAT JUDGE GREENE WAS FABRICATING SUPREME COURT "LAW" TO JUSTIFY HIS OVERTURNING AND REVERSING THE ORDER OF TWO PREVIOUS SUPERIOR COURT JUDGES (KOTELLY AND NUNZIO) WHO HAD PREVIOUSLY DENIED SUMMARY JUDGMENT TO THE REPUBLICAN NATIONAL COMMITTEE (DEFENDANT).

HOWEVER, WHEN THE UNDERSIGNED ACTUALLY FILED SUIT AGAINST GREENE JUST DAYS AFTER THE PHONY "SUPREME COURT DECISION" WAS FOISTED OFF, GREENE BECAME FEARFUL THAT HIS FABRICATION WOULD BE USED AGAINST HIM AND SO HE TOOK STEPS TO EITHER HAVE THE RECORDING SYSTEM TURNED OFF, THE TAPE ERASED, AND/OR INSTRUCTED SIMMS TO DELETE THE OFFENDING STATEMENT. THE UNDERSIGNED LITIGANTS REFERRED TO THE PHONY "SUPREME COURT" DEFINITION BY ASKING JUDGE GREENE THREE TIMES (3) IN THE 1/9/86 "HEARING" TO REVEAL WHAT BOOK HE (GREENE) HAD WAVED AROUND AS A "SOURCE" FOR HIS STATEMENT (ABOVE) BUT JUDGE GREENE SIMPLY IGNORED THE REPEATED REQUESTS AND WENT ON TO DISMISS THE CASE. THERE IS ABSOLUTELY NO QUESTION ABOUT THE FACT THAT NO LEAVE-OF-COURT HAD BEEN OBTAINED BY THE R.N.C.'S LEGAL COUNSEL L. CARR, Esq. TO "FILE" THE FATAL MOTION, AND THAT JUDGE GREENE KNEW IT AND "PLAYED ALONG" ANYWAY.

SUPERIOR COURT JUDGE (GREENE) IGNORES RULES;

SEEKS AND GETS "PERMISSION" FROM ADMINISTRATOR TO "PROCEED"
FINALLY, THE UNDERSIGNED BRING THE ATTENTION OF THE COURT AND

ITS ADMINISTRATORS TO THE FACT THAT TWO PHONE CALLS WERE RECORDED ON THE TAPE OF THE 1/9/86 "PROCEEDINGS" AND HAVE NOT BEEN INCLUDED IN THE LATEST "VERSION" OF THE TRANSCRIPT. ONE OF THE PHONE CALLS WAS TO JAMES F. LYNCH FROM JUDGE GREENE, CONDUCTED FROM THE BENCH, WHEREIN GREENE SEEKS FROM LYNCH SOME KIND OF "OKAY" TO HEAR THE MOTION FOR RECONSIDERATION WHICH GREENE KNEW HAD NO LEGAL BASIS TO BE HEARD AT ALL. THUS GREENE IMPLICATED LYNCH UNDER THE THEORY THAT THE "RETIREMENT" (UNTRUE) OF JUDGE NUNZIO SOMEHOW JUSTIFIED GREENE'S ASSUMPTION OF JURISDICTION AND THE REOPENING OF THE ENTIRE MERITS OF THE CASE AS SOME KIND OF "OKAYED" "DE-NOVO" HEARING. RULE 59, RE: MOTIONS TO RECONSIDER, DOES NOT PERMIT REHEARINGS WHERE THE MOTION REQUESTING SUCH HAS NO LEGAL STANDING.

REQUESTED ACTION

1. JUDGE GREENE SHOULD BE CALLED IN TO FACE THESE CHARGES FORTHWITH, BEFORE HE ACTS SIMILARLY IN STILL MORE CASES PENDING BEFORE THIS HONORABLE COURT AND BEFORE MORE LITIGANTS ARE CYNICALLY HOODWINKED AND ABUSED.

2. A COPY OF THIS LETTER IS BEING PROVIDED TO ALL MEMBERS OF THE JUDICIAL TENURE COMMISSION FOR ACTION AS WELL, THUS A REPLY IS REQUESTED.

3. THE UNDERSIGNED REQUEST A COPY OF THE TAPE TO EXAMINE IT FOR ANY MISSING LANGUAGE BEYOND THE 900 WORDS ALREADY DISCOVERED MISSING, OR ANY UNEXPLAINED "GAPS". THERE SHOULD BE NOTHING "CONFIDENTIAL" ON THE TAPE.

4. CIVIL MOTIONS COMMISSIONER JANE FORSYTHE SHOULD BE DISMISSED FOR COOPERATING IN WHAT SHE KNEW WAS WRONGFUL BEHAVIOR, AND FOR FAILING TO REJECT THE MOTION WHICH SHE KNEW HAD NO LEAVE-OF-COURT TO BE FILED.

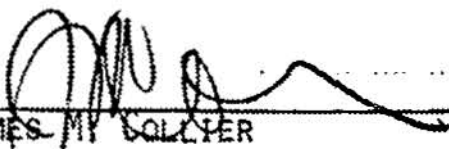
5. ADMINISTRATOR JAMES F. LYNCH, WHO HAS NOT RESPONDED TO THE LETTER HE REQUESTED FROM THE UNDERSIGNED RE THIS MATTER SHOULD BE CLOSELY QUESTIONED AS TO WHAT ROLE HE PLAYED IN "OKAYING" JUDGE GREENE'S WRONGFUL CONVENING OF THE MOCK "HEARING" IN CASE #10935. MR. LYNCH IS MENTIONED BY JUDGE GREENE IN THE TRANSCRIPT AND A PHONE CALL TO HIM ENSUED


COURT ADMINISTRATOR HAMMOND IGNORES SUBPOENA

6. ADMINISTRATOR THOMAS HAMMOND SHOULD BE REQUIRED TO PROVIDE THE UNDERSIGNED WITH A XEROX COPY OF THE PRETRIAL CALENDAR FOR 1/6/86, WHICH HE HAS TOLD THE THE UNDERSIGNED CONTAINS "CONFIDENTIAL NOTATIONS" RE: CASE #10935-84; THESE "CONFIDENTIAL NOTATIONS" ALLEGEDLY FORMED THE BASIS FOR JUDGE GREENE TO ASSUME "JURISDICTION" OF THE CASE AS A "PRETRIAL JUDGE", WHEN, IN FACT, HE WAS NOT IN THE PRETRIAL DIVISION ON THAT DATE AND HAD ACTUALLY PHONED-IN TO CIVIL ASSIGNMENT CLERK SANFORD COLEMAN TO INSIST THAT COLEMAN RE-ROUTE THE CASE OUT OF THE PRETRIAL DIVISION AND SEND IT TO GREENE. (AS A MATTER OF INTEREST, WE INCLUDE THE FACT THAT WHEN THE PARTIES ARRIVED AT THE CHAMBERS WHICH JUDGE GREENE USED TO "CONDUCT" THE SO-CALLED "PRETRIAL CONFERENCE" THAT GREENE GREETED THE COUNSEL FOR THE R.N.C. BY DECLARING AS FOLLOWS: "OH, I THOUGHT THIS CASE WAS JUST GOING TO BE A 'SLIP-AND-FALL' AND IT TURNS OUT TO BE THE REPUBLICAN NATIONAL COMMITTEE!") (FEIGNED "INNOCENCE")

SO FAR, HAMMOND HAS REFUSED TO PROVIDE THE UNDERSIGNED WITH A COPY OF THE PRETRIAL CALENDAR FOR THAT DATE, SAYING THAT IT IS CONFIDENTIAL. MOREOVER, WE SUBPOENAED HAMMOND TO APPEAR AT A PREVIOUSLY SCHEDULED "SANCTIONS HEARING" IN FRONT OF JUDGE HANNON (4/22) AND TO BRING THE "CONFIDENTIAL" PRETRIAL CALENDAR WITH HIM, BUT ON THE DATE OF THE HEARING (WHICH WAS LATER TRANSFERRED TO JUDGE GOODRICH AND IS STILL PENDING) HAMMOND IGNORED THE SUBPOENA AND WAS ABSENT, (SUBPOENA WAS ISSUED IN CASE #0440-86 PENDING BEFORE JUDGE GOODRICH).

RESPECTFULLY SUBMITTED,


JAMES M. COLLIER
DISTRICT OF COLUMBIA HOME NEWS


KENNETH F. COLLIER
DADE COUNTY HOME NEWS
300 INDEPENDENCE AVE., S.E.
WASHINGTON, D.C., 20003
PHONE 544-3066

cc/ L. CARR, ESQ.
THE HONORABLE HENRY F. GREENE
JANE FORSYTHE
THOMAS HAMMOND

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA CIVIL DIV.

KENNETH F. COLLIER

JAMES M. COLLIER

PLAINTIFFS,

v.

UNITED STATES OF AMERICA,

ET AL,

CIVIL ACTION # 84-3570

DEFENDANTS

OPPOSITION

TO DEFENDANTS' MOTION TO DISMISS

JAMES F. COLLIER
U.S. DISTRICT COURT
DISTRICT OF COLUMBIA

JAN 30 3 44 PM '86

RECEIVED

COMES NOW THE PLAINTIFFS AND SAY:

PLAINTIFFS OPPOSE DEFENDANTS MOTION TO DISMISS FOR THE FOLLOWING REASONS:

1. AS TO THE CONTENTION THAT PLAINTIFFS "HAVE NO JUDICIALLY COGNIZABLE CAUSE OF ACTION AGAINST THE DEFENDANTS AND FAIL TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED," PLAINTIFFS POINT OUT THAT THE ACCOMPANYING (ATTACHED) COPY OF A BRIEF IN OPPOSITION TO APPELLEES' MOTION FOR SUMMARY AFFIRMANCE (ADOPTED AS PART OF THIS OPPOSITION BY REFERENCE), WHICH FORMED THE BASIS OF OUR RECENT APPEAL IN THIS CASE, CLEARLY DELINEATES THE "CAUSE OF ACTION" AS BEING "WITNESS INTIMIDATION, HARASSMENT OF WITNESSES, HINDERANCE OF WITNESSES, ETC. WHICH HAD THE PROXIMATE CAUSE OF CHOKING OFF OUR CONSTITUTIONALLY GUARANTEED RIGHTS OF EQUAL ACCESS TO DUE PROCESS IN A JUDICIAL HEARING WHICH WE HAD BEEN SUMMONED MORE THAN 1,000 MILES TO ATTEND AND PROFFER VIDEOTAPE EVIDENCE.

151375-148

2. PLAINTIFFS CONCEDE THAT DEFENDANT WILLIAM FRENCH SMITH DID NOT ORCHESTRATE NOR NECESSARILY KNOW ABOUT NOR DID HE CONDONE THE BEHAVIOR OF DEFENDANT DONSANTO IN DONSANTO'S ALLEGED OBSTRUCTION OF JUSTICE VIA WITNESS-INTIMIDATION IN THIS MATTER, HOWEVER PLAINTIFFS DO NOT CONCEDE THAT THE UNITED STATES OF AMERICA SHOULD BE SEVERED AS A DEFENDANT(DUE TO THE DOCTRINE OF RESPONDEAT SUPERIOR) AND SHOULD BE HELD RESPONSIBLE FOR DAMAGES RESULTING FROM THE NEGLIGENT AND/OR OTHERWISE COMMONLAW TORTIOUS BEHAVIOR COMMITTED BY AN EMPLOYEE ACTING BEYOND THE SCOPE OF HIS AUTHORITY TO THE DETRIMENT OF A MEMBER OF THE PUBLIC WHOM HE IS HIRED TO SERVE. DONSANTO, AS EXPLAINED IN THE ACCOMPANYING MATERIAL, IS ALLEGED -- AS A CAUSE OF ACTION OF JUDICIALLY COGNIZABLE PROPORTIONS -- TO HAVE VIOLATED THE CODE OF THE DISTRICT OF COLUMBIA PROHIBITING OBSTRUCTION OF JUSTICE VIA WITNESS INTIMIDATION WHEN HE DELIBERATELY STIFLED THE COLLIERS TESTIMONY TO THE FBI AGENT PAT PRILLIMAN (OF THE D.C. FIELD OFFICE)(, , PLEASE SEE ORIGINAL COMPLAINT FOR ADDITIONAL WITNESSES, , .)

3. IF THE COMPLAINED-OF BEHAVIOR COULD(IN THE MIND OF THE COURT) RISE TO THE LEVEL OF A COGNIZABLE OFFENSE AGAINST THE COLLIERS WHO HAD BEEN "HOODWINKED" INTO COMING ALL THE WAY TO WASHINGTON, D.C. TO MAKE AN UNHINDERED PRESENTATION OF CRIMINAL EVIDENCE TO THE FBI WHERE-UPON DONSANTO SUSPENDS THE MEETING AT THE CRITICAL MOMENT AND WARNS THE COLLIERS NEVER TO RETURN TO THE PUBLIC INTEGRITY SECTION WITH ANY INFORMATION WHATSOEVER.--THEN THIS CASE SHOULD NOT BE DISMISSED. IF SUCH BEHAVIOR IS ACCEPTABLE AND LEGITIMATE AND PROTECTED, THEN THIS CASE SHOULD BE DISMISSED.

4. IMMUNITY UNDER TERMS OF THE FTCA DOES NOT APPLY IF THE MATTER OF "PROSECUTORIAL DISCRETION" IS RENDERED MOOT BY THE BEHAVIOR OF A PROSECUTOR WHO INTIMIDATES AND SILENCES WITNESSES AS DONSANTO HEREIN.

5, It is a complete "RED HERRING" FOR THE GOVERNMENT COUNSEL TO REPEATEDLY ASSERT IN A MOTION TO DISMISS THAT THE COLLIERS ARE UPSET WITH DONSANTO BECAUSE HE FAILED TO ACT UPON THEIR INFORMATION WHEN THE COMPLAINT MAKES PERFECTLY CLEAR THAT DONSANTO PREVENTED THE COLLIERS FROM COMPLETING THEIR TESTIMONY UPON WHICH A SUBSEQUENT DECISION AS TO ANY FURTHER PROSECUTORIAL MOVES DEPENDED. THIS WILLFUL ACT OF PREVENTION BY DONSANTO WAS TO STIFLE THE COLLIERS BEFORE THE VIDEOTAPE EVIDENCE THEY WERE ABOUT TO PLAYBACK FOR THE FBI AGENT GAVE EVERYBODY IN THAT CONFERENCE ROOM, INCLUDING DONSANTO, GUILTY KNOWLEDGE OF VOTE FRAUD AND THE EXISTENCE OF ADMISSIBLE EVIDENCE CONCLUSIVELY PROVING SAME, AS DISCOVERY IN THIS CASE WILL SHOW.

6. THE DOCTRINE OF PROSECUTORIAL DISCRETION IS BOTH RECOGNIZED AND UNCHALLENGED BY PLAINTIFFS, BUT IT DOES NOT EXTEND TO WITNESS-TAMPERING FOR THE PURPOSE OF STIFLING EVIDENCE THAT MAY REFLECT POORLY ON DONSANTO'S RECORD AS A VOTE FRAUD PROSECUTOR (FOR 14 YEARS) WHO SEES NO EVIL IN DADE COUNTY, FLORIDA PRECISELY BECAUSE HE HAS A PERSONAL HISTORY IN GIVING THE INCUMBANT CONGRESSMAN FROM THAT AREA INSIDERS INFORMATION RELATIVE TO A VOTE-FRAUD PROBE HELD BY THE JUSTICE DEPT. IN 1972, DONSANTO'S FIRST YEAR ON THE JOB. AS THE ACCOMPANYING EXHIBITS WILL SHOW, THE DONSANTO "TIP-OFF" IN THAT DISTANT ERA LED DIRECTLY TO THE AMBUSH OF THE 7 BURGLARS INSIDE THE WATERGATE ON JUNE 17, 1972.

8. AS TO THE TECHNICAL REQUIREMENTS OF THESE PLEADINGS, OUR PRO SE STATUS WOULD REQUIRE THAT THE COURT ALLOW APPROPRIATE AMENDMENTS TO THE PLEADINGS WHICH WOULD INCLUDE THE MOST PROPER CITINGS OF CODES WHICH WE ARE SUING UNDER, INCLUDING WHICH AMENDMENTS TO THE U.S. CONSTITUTION ARE VIOLATED IN THE EVENT A PERSON IN DONSANTO'S POSITION ACTUALLY DOES IN FACT "INTIMIDATE, HINDER, ETC., A WITNESS FROM TESTIFYING TRUTHFULLY

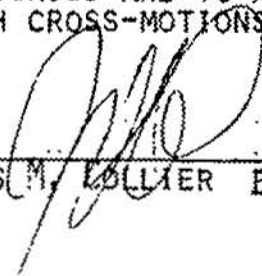
IN A FEDERAL JUDICIAL PROCEEDING, AS WAS THE CASE HERE. GOVERNMENT COUNSEL CITES REPEATED "ERRORS" IN THE TECHNICAL REQUIREMENTS OF THE COMPLAINT, BUT CITES NO PROBITIVE REASON WHY THE ^{ARGUABLY} CRIMINAL BEHAVIOR OF A FEDERAL EMPLOYEE (DONSANTO) SHOULD ESCAPE CIVIL REMEDY IN A DAMAGE, SUIT. INSTEAD, IT APPEARS AS IF THERE IS VIRTUALLY NO SCENARIO WHATSOEVER IN THE GOVERNMENT COUNSEL'S VIEW WHICH WOULD ENABLE CITIZENS UNLAWFULLY INTIMIDATED AND OBSTRUCTED (AS ABOVE) TO BE COMPENSATED IN THE FORM OF MONEY DAMAGES. BIVENS, HOWEVER, IS JUST SUCH AN EXAMPLE OF GOVERNMENT EMPLOYEES SHEDDING THEIR FTCA IMMUNITY FOR COMMITTING ACTS WHICH WERE IN AND OF THEMSELVES UNLAWFUL. IN THE CASE AT BAR, DONSANTO IS ALLEGED TO HAVE EXERCISED A WATERGATE ERA RELATED MOTIVE (FULLY EXPLAINED IN THE ATTACHED MATERIAL AND EXHIBITS "A" AND "B") WHEN HE UNLAWFULLY PREVENTED THE COLLIER FROM COMPLETING THEIR TESTIMONY IN A FEDERAL JUDICIAL PROCEEDING, IN THE PRESENCE OF FBI AGENT PAT PRILLIMAN AND OTHER WITNESS IN A JUSTICE DEPARTMENT CONFERENCE ROOM IN MAY, 1984. AS THE COMPLAINT ALLEGES, THE COLLIER WERE SUDDENLY AND UNACCOUNTABLY "BANNED" FROM PRESENTING MATERIAL TO DONSANTO'S UNIT (THE VOTEFRAUD UNIT) FOREVER. WHILE IT IS TRUE THAT THE COLLIER HAVE TRIED REPEATEDLY SINCE THAT TIME TO GO "OVER THE HEAD" OF DONSANTO TO GET A PUBLIC INTEGRITY SECTION REVIEW OF DONSANTO'S BEHAVIOR AND A SERIOUS RE-CONVENING OF THE CONFERENCE WHICH THE COLLIER HAD BEGUN IN THE PRESENCE OF THE FBI, 5/84. THAT EXCEPT FOR THE O.P.R. CONTINUING INVESTIGATION (EX. 4), NO LUCK AT ALL.

9. SIGNIFICANTLY, PLAINTIFFS CONCEDE THAT DONSANTO HAD FULL "PROSECUTORIAL DISCRETION" NOT TO ACT ON THE EVIDENCE (VIDEOTAPE) WHICH WE WERE ABOUT TO SHOW THE FBI AGENT, BUT DONSANTO DID NOT HAVE THE "DISCRETION" TO PREVENT THE COMPLETION OF OUR TESTIMONY SIMPLY BECAUSE HE GOT THE DRIFT DURING THE COURSE OF OUR PRESENTATION THAT HIS OWN PERSONAL INTEREST WOULD BE BEST SERVED IF THE TONGUES OF THE COLLIER COULD BE SILENCED BEFORE THE FBI HEARD ENOUGH TO TRIGGER A PROBE OF DONSANTO HIMSELF FOR WATERGATE-ERA AND SUBSEQUENT OBSTRUCTIONS OF JUSTICE.

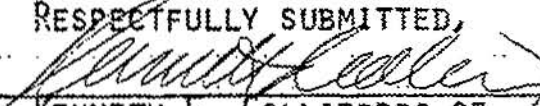
10. CLEARLY, PLAINTIFFS ARE NOT PRACTICING ATTORNEYS, HOWEVER, GRAY V. BELL ONLY ADDRESSES DISCRETIONARY FUNCTIONS OF PROSECUTORS AND DOES NOT CONCEIVABLY APPLY TO A SITUATION INVOLVING PRE-PROSECUTORIAL WITNESS INTIMIDATION, HARASSMENT, HINDRENCE, PREVENTION, ETC. TO ARGUE THAT GRAY'S FACTUAL SITUATION IS EVEN REMOTELY AKIN TO THE CASE AT BAR IS TO IGNORE BOTH THE COMPLAINT AND THESE PLEADINGS.

11. AS TO WHETHER OR NOT THERE WAS A "CONSPIRACY" INVOLVED IN DONSANTO'S BEHAVIOR, THE PLAINTIFFS REQUEST LEAVE TO AMEND (AND WILL DO SO AT THE APPROPRIATE TIME VIA MOTION) TO ADD LANGUAGE TO THE COMPLAINT IN CONFORMANCE WITH REQUIREMENTS FOR PLEADING CIVIL CONSPIRACY, INCLUDING ALLEGATIONS THAT DONSANTO HAD A MEETING OF THE MINDS WITH OTHERS TO UNLAWFULLY INTERFERE WITH THE RIGHTS OF THE COLLIERS, PROXIMATELY THEREFORE DAMAGING THE COLLIERS WHO WERE THE VICTIMS OF A "CONSPIRACY TO OBSTRUCT JUSTICE."

WHEREFORE, PLAINTIFFS RESPECTFULLY REQUEST THE COURT DENY THE MOTION TO DISMISS AND TO ALLOW THIS CASE TO PROCEED TO DISCOVERY FORTHWITH, AFTER WHICH CROSS-MOTIONS FOR SUMMARY JUDGMENT WOULD BE IN ORDER.

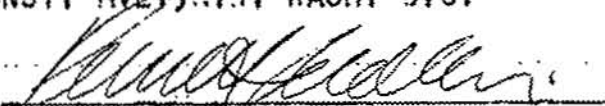

JAMES M. COLLIER PRO SE

RESPECTFULLY SUBMITTED,


KENNETH F. COLLIER PRO SE
300 INDEPENDENCE AVE., S.E.
WASHINGTON, D.C. 20003 544-6254

CERTIFICATE OF SERVICE

I, KENNETH F. COLLIER, HEREBY CERTIFY THAT I HAND DELIVERED A TRUE COPY OF THE WITHIN OPPOSITION TO THE DEFENDANTS' MOTION TO DISMISS TO EDITH MARSHALL AUSA, U.S. COURTHOUSE, RM 2124E 3RD AND CONST. AVE., N.W., WASH. D.C. THIS 30 DAY OF JANUARY 1986.


KENNETH F. COLLIER

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA

No. 84-5884

(C.A. No. 84-3570)

KENNETH F. COLLIER AND
JAMES M. COLLIER

APPELLANTS,

V.

UNITED STATES, ET AL.,

APPELLEES.

OPPOSITION TO APPELLEES' MOTION
FOR SUMMARY AFFIRMANCE

COMES NOW THE APPELLANTS AND SAY:

THE GOVERNMENT'S ARGUMENTS APPEAR TO HINGE ON TWO PROPOSITIONS, TO WIT: 1. IMMUNITY UNDER THE F.T.C.A. APPLYING IN VARYING DEGREES TO EACH OF THE DEFENDANTS; 2. NOT WITHSTANDING SAID IMMUNITY, PLAINTIFF/APPELLANTS ARE REQUIRED TO SHOW THE CONNECTION BETWEEN THE ACTS OF THE DEFENDANTS AND THE APPLICABILITY OF RIGHTS INVOKED BY PLAINTIFFS UNDER THE U.S. CONSTITUTION IN A SUIT FOR DAMAGES RESULTING FROM THE WRONGFUL ABRIDGEMENTS OF SUCH RIGHTS BY ACTS OF THE DEFENDANTS, NAMELY, THE RIGHT TO TESTIFY AT A LAW ENFORCEMENT PROCEEDING WITHOUT INTIMIDATION.

THE ORIGINAL COMPLAINT IN THIS CASE CLEARLY SETS FORTH ALLEGEMENTS AND SUPPLIES LEGALLY SUFFICIENT DETAILS PURSUANT TO THE OVER-ALL CAPTIONED CLAIM OF "CIVIL RIGHTS VIOLATIONS INVOLVING OBSTRUCTION OF JUSTICE" THE BEHAVIOR AND ACTIVITIES OF DEFENDANT DONSANTO IN HIS CAPACITY OF U.S. JUDICIAL OFFICER DURING THE OFFICIAL-BUSINESS HEARING 5/15/ WHICH HE CONDUCTED AND CHAIRED PURSUANT TO AN OFFICIAL U.S. JUSTICE DEPT. INVESTIGATION CONSTITUTES THE VERY DEFINITION OF "WITNESS TAMPERING."

PARAGRAPH 1512 OF THE U.S. CODE, TITLE 18 VIRTUALLY
MIRRORS THE FACTS ALLEGED IN THE COMPLAINT IN THE INSTANT CASE,, Para.6,7,
I., E., AT THE OFFICIAL EVIDENTIARY HEARING IN DONSANTO'S OFFICE:5-15-84;
1512. TAMPERING WITH A WITNESS, VICTIM OR AN INFORMANT.

(a) Whoever knowingly uses intimidation, . . .or threatens
another person, or attempts to do so, or engages in misleading conduct
toward another person, with intent to--

1) influence the testimony of any person in an official
proceeding.

2) cause or induce any person to--

A) withhold testimony, or withhold a record, document,
or other object, from an official proceeding. . .

3) Hinder or delay or prevent the communication to a law
enforcement officer. . .information relating to the
commission or possible commission of a Federal offence. . .

. . .shall be fined not more than \$250,000 or imprisoned not more
than ten years or both.

(b) Whoever intentionally harasses another person and thereby
hinders, delays, prevents, or dissuades any person from--

1) attending or testifying an an official proceeding;

2) reporting to a law enforcement officer. . .the commission
or possible commission of a Federal offense. . .

3) . . .seeking the arrest of another person in connection
with a Federal offence; or

4) causing a criminal prosecution. . .to be sought or
instituted, or assisting in such prosecution or proceeding; or attempts
to do so. . .shall be fined, etc.

IN ADDITION, SECTION 1505, U.S. CODE ANNOTATED, TITLE 18, ALSO MIRRORS THE FACTS ALLEGED IN THE COMPLAINT IN THE INSTANT CASE, TO WIT: AT THE MEETING WHERE PLAINTIFFS WERE SUMMONED BY DONSANTO;

1505 OBSTRUCTION OF PROCEEDINGS BEFORE DEPARTMENTS, AGENCIES, AND COMMITTEES

. . . (W)hoever corruptly, or by any threatening letter or communication influences, obstructs, or impedes or endeavor to influence, obstruct, or impede the due and proper administration of law under which any pending proceeding is being had before any department or agency of the United States. . . shall be fined. . . etc.

DEFENDANT DONSANTO HAD SUMMONED THE PLAINTIFFS TO TRAVEL FROM A DISTANT (1,000 MILES DISTANT) HOME LOCATION TO ATTEND A FORMAL HEARING FOR THE SPECIFIC PURPOSE OF PRESENTING TESTIMONY AND EVIDENCE RELATIVE TO A PENDING FEDERAL INVESTIGATION DIRECTLY INVOLVING PLAINTIFFS AS "VICTIMS" OF ELECTION FRAUD PERPETRATORS, AND TO RECEIVE CERTAIN VIDEOTAPED EVIDENCE OF THE COMMISSION OF FEDERAL CRIMES OVER WHICH DONSANTO HAS EXCLUSIVE JURISDICTION WITHIN HIS AGENCY, THE UNITED STATES JUSTICE DEPARTMENT.

THE MEETING ITSELF WAS ATTENDED BY AN AGENT OF THE F.B.I. AND AN ASSISTANT ATTORNEY GENERAL, BOTH OF WHOM WERE TAKING NOTES UNTIL, SUDDENLY, WHEN IT APPEARED AS IF PLAINTIFFS WERE ABOUT TO PHYSICALLY PLACE THE CRUCIAL VIDEO-CASSETTE INTO THE SPECIALLY ORDERED VIDEO-PLAYBACK DEVICE, DONSANTO CUT OFF ALL FURTHER TESTIMONY BY THE PLAINTIFFS. (SEE COMPLAINT, PARA. 6,7,8)

WHILE THE GOVERNMENT MAY ARGUE THAT DONSANTO HAD THE "DISCRETION" TO SILENCE THE PLAINTIFFS IN THEIR CAPACITIES AS WITNESSES IN PROCEEDINGS BEFORE A JUDICIAL AGENCY, IT IS SIMPLY WITNESS-TAMPERING

SIGNIFICANTLY, IN A CRIMINAL PROSECUTION FOR AN OFFENCE COMMITTED UNDER PARAGRAPHS 1505 AND 1512 OF THE U.S. CODE, ONLY AN "AFFIRMATIVE DEFENSE", AS TO WHICH THE DEFENDANT HAS THE BURDEN OF PROOF BY A PREPONDERANCE OF THE EVIDENCE, "... THAT THE CONDUCT CONSISTED SOLELY OF LAWFUL CONDUCT AND THAT THE DEFENDANTS' SOLE INTENTION WAS TO ENCOURAGE, INDUCE OR CAUSE THE OTHER PERSON TO TESTIFY TRUTHFULLY," (PARA 1512, P 196, U.S.C. TITLE 18) WILL SUFFICE TO COUNTERACT THE INDICTABLE ALLEGATION OF WITNESS-TAMPERING

THUS THE CHARGE IN THE COMPLAINT THAT DEFENDANT DONSANTO ACTED "WRONGFULLY" AND "NEGLIGENTLY" WHEN HE SUSPENDED THE OFFICIAL PROCEEDING AND ORDERED PLAINTIFFS "... NEVER TO COME BACK" (COMPLAINT, PARA 8) CLEARLY GOES BEYOND EVEN THE "OUTER LIMITS" OF HIS "DISCRETIONAL AUTHORITY" AND WAS INTERPRETED BY PLAINTIFFS TO BE COERCIVE AND INTIMIDATING, INJURIOUS TO THEIR CONSTITUTIONALLY GUARANTEED CIVIL RIGHTS TO TESTIFY UNHINDERED BEFORE A GOVERNMENT AGENCY AND LAW ENFORCEMENT OFFICIALS (COMPLAINT, PARA. 7), INJURIOUS TO THEIR MENTAL STATES, PRODUCING ANXIETY AND STRESS, (COMPLAINT, PARA. 9), AND INJURIOUS IN EVERY INARTICULABLE MANNER WHICH LOGICALLY MIGHT BE EXPECTED TO RESULT WHEN CITIZENS ARE CYNICALLY USED BY A JUDICIAL AUTHORITY-FIGURE IN THAT FIGURE'S SELF-SERVING SCHEME TO OBSTRUCT JUSTICE IN HIS OWN "INVESTIGATION" OF FEDERAL VOTE-FRAUD BY SILENCING AND INTIMIDATING KEY WITNESSES, AS THE PLAINTIFFS HEREIN.

PLEADINGS STATE TORT
CAUSE OF ACTION UNDER
DISTRICT OF COLUMBIA LAW

THE GOVERNMENT SUGGESTS THAT PLAINTIFFS HAVE NOT PROCEEDED ACCURATELY TO SUE THE U.S., ITS ATTORNEY GENERAL AND A JUSTICE DEPARTMENT OFFICIAL UNDER ANY PROPER PROVISION OF THE F.T.C.A.

IN FACT, THE GOVERNMENT COUNSEL, IN ITS ZEAL TO PERSUADE THIS HONORABLE COURT THAT THE COMPLAINT BELOW WAS PROPERLY DISMISSED, CITED A SECTION OF THE F.T.C.A. IN THE PENDING MOTION FOR SUMMARY AFFIRMANCE (PAGE 3, DEFENDANTS' MOTION) AND UNACCOUNTABLY DELETED THE ALL-IMPORTANT KEY PHRASE, ". . . EXERCISING DUE CARE, . . ." FROM THE CITATION IN ITS MOTION/BRIEF. THIS PHRASE, OF COURSE, IS THE PROPER DETERMINANT AS TO WHETHER OR NOT A GOVERNMENT AGENT (DONSANTO AND SMITH) HAS BEHAVED IN SUCH A MANNER AS TO WARRANT IMMUNITY FROM TORT CLAIMS OR, IN THE ALTERNATIVE, WHETHER SUCH AGENT HAS FAILED TO EXERCISE DUE CARE IN THE DISCHARGE OF HIS DUTIES, AND HAS ACTUALLY CROSSED THE BOUNDARY OF "THE OUTER LIMITS" OF HIS DISCRETION, INTO THE REALM OF FELONIOUS OBSTRUCTION OF JUSTICE, THUS INJURING PLAINTIFFS AS ALLEGED IN THE COMPLAINT,

(Text of F.T.C.A. attached hereto as "exhibit A"
please note Page 3 for key language deleted by Govt as above.)
IF, AS THE COMPLAINT CHARGES, DONSANTO FAILED TO EXERCISE

DUE CARE TO UPHOLD HIS MANDATORY OATH TO:

" . . . support and defend the Constitution
of the United States, . . . well and faithfully
discharge the duties of the office which I am
about to enter. OATH ADMINISTERED UPON JUSTICE DEPT.
OFFICIAL'S TAKING OFFICE.)

. . . THEN ANY AND ALL PROTECTION HE ENJOYED UNDER THE IMMUNITY CLAUSE CITED BY THE GOVERNMENT (2680 (A), F.T.C.A., ATTACHED) (IN THIS PENDING MOTION SEEKING TO AFFIRM DISMISSAL) HAS BEEN CONSTRUCTIVELY FORFEIT, THUS EXPOSING ALL THE DEFENDANTS TO A SUIT FOR DAMAGES, EITHER IN THEIR OFFICIAL CAPACITIES OR AS INDIVIDUALS OR BOTH,

OF CRITICAL IMPORTANCE ALSO IN DETERMINING WHETHER OR

NOT A TORT ACTION WILL LIE AGAINST THE GOVERNMENT OR AGAINST OFFICIALS OF THE GOVERNMENT, (NOTWITHSTANDING OTHER PROVISIONS OF THE F.T.C.A. WHICH MAY OR MAY NOT BE TO THE CONTRARY,) IS WHETHER THE ALLEGED VIOLATION (WITNESS TAMPERING, AS HEREIN, AS IN COMPLAINT) OF A FEDERAL STATUTE ALSO CONSTITUTES A VIOLATION OF SOME OTHER COMMON LAW DUTY UNDER THE APPLICABLE STATE LAW.

IN THE INSTANT CASE, OBSTRUCTION OF JUSTICE BY MEANS OF WITNESS-TAMPERING AS DESCRIBED IN THE COMPLAINT IS ALSO CONSIDERED FELONIOUS BEHAVIOR IN THE DISTRICT OF COLUMBIA, WHERE THE INCIDENT IS ALLEGED TO HAVE OCCURED, AND AS SUCH GOES DIRECTLY TO SATISFYING THAT PORTION OF THE F.T.C.A. WHICH REQUIRES SUCH A SHOWING.
(SECTION 19, D.C. CODE)

ONCE THE OFFICIAL PROCEEDING
BEGAN, DEFENDANT DONSANTO
HAD NO RIGHT OF DISCRETION
TO HINDER, DELAY OR PREVENT
WITNESSES FROM TESTIFYING.

WHILE IT IS TRUE AND CONCEDED BY PLAINTIFFS THAT DONSANTO AT ALL TIMES RETAINED THE DISCRETIONARY POWER TO CHOOSE TO EITHER PROSECUTE THE VOTE-FRAUD PERPETRATORS SHOWN ON THE VIDEOTAPE (PARA. 6, COMPLAINT) OR NOT TO PROSECUTE, IT IS PLAINTIFF'S CONTENTION THAT ONCE THE OFFICIAL PROCEEDING BEGAN IN THE PRESENCE OF THE F.B.I. (COMPLAINT, PARA 7) THAT DONSANTO NO LONGER HAD THE RIGHT TO INTERFERE WITH THE SCRUPULOUSLY PROFFERED (COMPLAINT, PARA, 6) AND DOCUMENTED VIDEOTAPE PRESENTATION WHICH CONSTITUTED AN INTEGRAL PART OF THE INFORMATION PLAINTIFFS WERE SUMMONED TO PRESENT AT SUCH PROCEEDINGS.

CLEARLY, IT IS NOT THE INTENTION OF THIS SUIT TO SECOND-GUESS THE MANNER IN WHICH ANY GOVERNMENTAL OFFICIAL HAS DISCHARGED HIS "DUE CA OFFICIAL DUTIES, REGARDLESS OF WHETHER OR NOT PLAINTIFFS AGREE WITH SUCH DECISIONS, AND THE COMPLAINT DOES NOT DEPEND UPON ANY SUCH MONDAY* MORNING QUARTERBACKING TO DESCRIBE THE CAUSE OF ACTION, TO WIT: (CIVIL RIGHTS VIOLATIONS INVOLVING OBSTRUCTION OF JUSTICE, CAPTION OF INSTANT CASE.) GOVERNMENT COUNSEL DELIBERATELY CLOUDS THE ISSUE WHEN IT SUGGESTS OTHERWISE.

THE "CIVIL RIGHTS VIOLATIONS" REFERRED TO IN THE CAPTION CITED ABOVE ARE SPECIFICALLY DELINEATED IN THE COMPLAINT (PARA. 8) NAMELY: " . . . CONSTITUTIONALLY GUARANTEED RIGHTS OF ACCESS TO DUE PROCESS. . . " (FROM COMPLAINT) SUCH ACCESS IS A BASIC CIVIL RIGHT. NO "DISCRETIONARY ACT OF A GOVERNMENT OFFICIAL" CAN ABRIDGE SUCH ACCESS

THE LOWER COURT'S DISMISSAL OF THIS CASE WHICH CITED SOLELY "PROSECUTORIAL DISCRETION" AS THE BASIS FOR ITS RULING, FAILED TO GIVE SUFFICIENT JUDICIAL NOTICE TO THE AGGREGATE ALLEGEMENTS IN THE COMPLAINT WHICH, IF PROVEN BY A TRIAL ON THE MERITS TO BE ACCURATE AND EVEN UNCHALLENGED, MAY RESULT IN CRIMINAL CHARGES AGAINST DONSANTO FOR THE FEDERAL OFFENCE OF "WITNESS-TAMPERING", AS DESCRIBED ABOVE (INERA), WHEN HE UTTERLY FAILED TO EXERCISE DUE CARE AND INSTEAD WILLFULLY SILENCED PLAINTIFFS, THEREBY VIOLATING PLAINTIFF'S CIVIL RIGHTS AS DEFINED BY U.S. CODE, TITLE 42, 1983

IN FACT, THE COMPLAINT CHARGES (PARA. 4) THAT DONSANTO HAS ACTED FOR SEVERAL YEARS IN CONSPIRACY WITH OTHERS (WHO ARE NAMED BY PROPER NAMES AND BY INITIALS IN PLAINTIFF'S EXHIBITS WHICH ARE PART OF THE COMPLAINT) TO DENY, INTERFERE WITH AND ABRIDGE THE CIVIL RIGHTS OF THE PLAINTIFFS WHOSE TESTIMONY DONSANTO HAS REPEATEDLY SOUGHT TO CONCEAL, COVER-UP AND ABORT AS PART OF A PATTERN EFFECTUATED BY DONSANTO AND HIS ASSOCIATE, JOHN C. KEENEY, (INITIALS "JCK", INTRODUCED INTO ORIGINAL COMPLAINT IN EXHIBIT "A", UPPER RIGHT).

AS TO GOVERNMENT COUNSEL'S CONTENTION IN THE PENDING MOTION THAT CERTAIN OF THE ACTS CITED BY PLAINTIFFS AS GERMANE TO DEFENDANTS' MOTIVATION FOR THE COMPLAINED-OF BEHAVIOR (PARA. 4, 5, COMPLAINT) FALL OUTSIDE OF THE STATUTE OF LIMITATIONS, PLAINTIFFS COUNTER BY POINTING OUT THAT A "CONSPIRACY, . . ." TO OBSTRUCT JUSTICE IS ALLEGED IN THE COMPLAINT AND THAT THIS ALLEGED CONSPIRACY HAS BEEN CONTINUOUS AND UNBROKEN SINCE 1972, HENCE THE STILL ACTIVE POSTURE OF ANY CLAIM ARISING FROM DEFENDANTS' WRONGFUL ACTS OVER THAT PERIOD (INVOLVING DENIAL OF PLAINTIFFS' CIVIL RIGHTS) ALLOWS SUIT.

EXHIBITS PROFFERED

FOR THE PURPOSES OF OPPOSING THE GOVERNMENT'S MOTION FOR SUMMARY AFFIRMANCE, PLAINTIFFS ATTACH HERETO AND MAKE A PART HEREOF, "OPPOSITION EXHIBITS "B", "C", "D", "E"" EACH OF WHICH WILL ASSIST THE COURT IN ASSESSING THE QUESTION OF DONSANTO'S BEHAVIOR RELATED TO HIS MOTIVATION FOR "KEEPING THE LID ON" PLAINTIFFS' TESTIMONY AND ACTUALLY SILENCING AND EJECTING THE PLAINTIFFS WHEN THE EVIDENCE THEY WERE PRESENTING IN THE DULY AUTHORIZED HEARING APPEARED TO CAST DONSANTO'S INTEGRITY AND COMPETENCE IN A POOR LIGHT, ONE WHICH SUGGESTED POSSIBLE FELONIOUS BEHAVIOR ATTRIBUTABLE TO DONSANTO FOR ACTS AND OMISSIONS BEYOND HIS AUTHORITY IN ORDER TO PROTECT THE INTERESTS OF A PRIVATE POLITICAL CLUB, NAMELY, THE LEAGUE OF WOMEN VOTERS, WHOSE UNAUTHORIZED ACTIVITIES INVOLVING HANDS-ON VOTE-TAMPERING IN A FEDERAL ELECTION WAS VIDEOTAPED BY PLAINTIFFS) BUT SAID VIDEOTAPE WAS SUPPRESSED BY DONSANTO, PREVENTING ITS BEING SEEN BY THE F.B.I. AGENT OR THE OTHER OFFICIAL WITNESSES PRESENT AT THE ABORTIVE HEARING.

SIGNIFICANTLY, GOVERNMENT COUNSEL HAS INCLUDED THE TEXT OF THE COMPLAINT IN ITS PENDING MOTION, BUT DELIBERATELY OMITTED THE ONLY TWO EXHIBITS WHICH WERE ALSO A PART OF THE COMPLAINT: (PLAINTIFF'S EXHIBITS "A" AND "B"). PLAINTIFFS DIRECT THE COURT'S ATTENTION TO THESE TWO DOCUMENTS, AS THEY REVEAL THE PRIOR INVOLVEMENT OF DEFENDANT DONSANTO WITH THE LONG-PENDING JUSTICE DEPARTMENT INVESTIGATION IN WHICH PLAINTIFFS KENNETH F. COLLIER AND JAMES M. COLLIE ARE LISTED AS "VICTIM" AND MATERIAL WITNESS, RESPECTIVELY, AND WHICH INVESTIGATION (HEREINAFTER REFERRED TO AS THE "PETERSEN INVESTIGATION", AS IT WAS INITIATED UNDER THE MANDATE AND AUTHORITY OF HENRY PETERSEN, CHIEF, CRIMINAL FRAUDS SECTION, JUSTICE DEPT., IN MAY OF 1972 AND HAS NEVER BEEN OFFICIALLY OR UNOFFICIALLY "CLOSED"), DONSANTO AND HIS ASSOCIATE JOHN C. KEENEY, (INITIALS "JCK" AND "CCD" ARE SEEN ON EXHIBIT "A", COMPLAINT, DIRECTLY ADJACENT TO ONE ANOTHER, UPPER RIGHT, "CCD", THE INITIALS OF DEFENDANT CRAIG C. DONSANTO) HAVE WORKED VIRTUALLY HAND-IN-HAND TO FRUSTRATE AND IMPEDE, BECAUSE TO DO OTHERWISE MAY SERVE TO INCREASE THE LIKLIHOOD THAT DONSANTO AND KEENEY WOULD BE REVEALED AS HITHERTO UNIDENTIFIED MATERIAL WITNESSES IN THE SO-CALLED "WATERGATE AFFAIR". IN THIS REGARD, PLAINTIFFS PROFFER AS FOLLOWS, BASED ON DOCUMENTATION FROM F.B.I. FILES RELATED TO DONSANTO, OBTAINED UNDER THE FREEDOM OF INFORMATION ACT: (EXHIBITS ACCOMPANYING COMPLAINT WERE CENSORED BY THE RECORDS DIVISION OF THE F.B.I. WITH THE CONSIDERATION AND APPROVAL OF DONSANTO.),

PROFFER AS TO RELEVANCE

THIS PROFFER, MOST SIMPLY STATED, IS THAT THE PETERSEN INVESTIGATION BLEW UP INTO "WATERGATE" WHEN THE BURGLARS WERE CAUGHT, IN OTHER WORDS, WHAT HAS BECOME FAMOUS AS THE "WATERGATE AFFAIR" WAS MORE STRICTLY SPEAKING THE "PETERSEN INVESTIGATION" INTO VOTE FRAUD GONE AWRY. NOBODY KNOWS THE TRUTH OF THIS BETTER THAN DONSANTO, WHO

SINCE THAT TIME HAS SPENT A PORTION OF HIS CAREER ATTEMPTING TO OBFUSCATE AND KICK OVER THE TRACES OF HIS AND KEENEY'S INTIMATE KNOWLEDGE OF EVENTS AND FIGURES INVOLVED PROMINENTLY IN THE "WATERGATE AFFAIR", (SOME OF WHOM WERE DONSANTO'S CLOSE FRIENDS AND ASSOCIATES) AND WHICH KNOWLEDGE WAS WITHHELD FROM WATERGATE COMMITTEE INVESTIGATORS BY DONSANTO AND KEENEY IN A FLAGRANT AND ARGUABLY FELONIOUS AND CONSPIRATORIAL DECISION BETWEEN THE TWO YOUNG DEPARTMENTAL ATTORNEYS. (IN 1972 DONSANTO WAS 27 YEARS OF AGE) TO WILLFULLY WITHHOLD KNOWLEDGE AND INFORMATION RELATED TO THE MANY "WATERGATE" RELATED COURT AND CONGRESSIONAL PROCEEDINGS, ARISING FROM THE "PETERSEN INVESTIGATION"

IT IS PROFFERED THAT THE INFORMATION AND KNOWLEDGE THUS WITHHELD RELATED TO DONSANTO'S SPECIAL ASSIGNMENT FROM HENRY PETERSEN, (FOUR WEEKS PRIOR TO "WATERGATE, (JUNE 17, 1972)" AND THE EARLIER UNAPPREHENDED "WATERGATE" FORAY OF MAY 30, 1972) AS IT PERTAINED TO THE POSSIBLE PARTICIPATION OF PROMINENT FIGURES IN VOTEFRAUD, DONSANTO'S SO-CALLED "SPECIAL ASSIGNMENT" IS CLEARLY DELINEATED IN PLAINTIFF'S EXHIBITS "A" AND "B", ORIGINAL COMPLAINT, WHEREIN DONSANTO WAS ORDERED TO NOTIFY "AS A COURTESY" VARIOUS PROMINENT INDIVIDUALS IN DADE COUNTY, FLORIDA, INCLUDING AN INCUMBANT CONGRESSMAN IN THAT VENUE, ABOUT THE "PETERSEN INVESTIGATION" INTO FEDERAL VOTE-FRAUD INVOLVING THE LEAGUE OF WOMEN VOTERS. THIS ADVANCE INTIMATE KNOWLEDGE OF THE FEDERAL INVESTIGATION BEING CONDUCTED IN THE VERY COUNTY WHERE THE PRESIDENT OF THE UNITED STATES MAINTAINED HIS OFFICIAL VACATION RESIDENCE SET OFF ALARMS WITHIN THE LOCAL DADE COUNTY POLITICAL AND MEDIA ESTABLISHMENT WHICH STOOD ACCUSED OF USING THE LOCAL CHAPTER OF THE LEAGUE OF WOMEN VOTERS AND THE LOCAL TELEVISION STATIONS TO PERPETRATE AN ELECTION FRAUD SO SHOCKING AND PORTENTIOUS AS TO MOTIVATE THE U.S. JUSTICE DEPT. TO INSTITUTE THE "PETERSEN INVESTIGATION"

IN THE FIRST PLACE,

THE CONSEQUENCES OF DONSANTO'S APPROACH TO THE INCUMBENT DEMO
CONGRESSMAN IN THE AFFECTED VENUE (AT THE ORDERS OF HENRY PETERSEN,
WHO WAS ALSO A REGISTERED DEMOCRAT WORKING AS AN ASST. ATTY GENERAL
IN THE MITCHELL JUSTICE DEPT.) WAS TO SET THE STAGE FOR A VIRTUAL
"AMBUSH" OF THE WATERGATE BURGLARS INSIDE THE DEMOCRATIC HEADQUARTER
WITHIN SCANT DAYS OF DONSANTO'S CONTACT WITH THE DADE COUNTY, FLA.
DEMOCRATIC ESTABLISHMENT FIGURES. AT STAKE IN THE "PETERSEN
INVESTIGATION" WAS THE FATE OF THE DADE COUNTY, FLA.-BASED WATERGATE
BURGLARY TEAM WHICH HAD MANAGED TO ENTER THE WATERGATE BUILDING
IN THE PREVIOUSLY MENTIONED "UNAPPREHENDED FORAY" OF MAY 30, 1972.
AND EMERGE AFTER SUCCESSFULLY PLANTING A SO-CALLED "BUG", OR
PHONE TAPPING DEVICE ON THE PHONE OF THE DEMOCRATIC COMMITTEE
CHAIRMAN. THEN, DURING THE TWO WEEKS THAT ELAPSED BEFORE THE
SECOND, UNSUCCESSFUL BURGLARY OF THE WATERGATE (JUNE 17, 1972),
WORD HAD LEAKED IN AND AROUND DADE COUNTY, FLA. DEMOCRATIC
CIRCLES, FROM THE CONGRESSMAN ON DOWN, THAT THE "PETERSEN
INVESTIGATION" BEING CONDUCTED BY THE JUSTICE DEPT. WAS OUT TO
LINK THE DEMOCRATIC PARTY WITH THE NEWLY EMERGING FIELD OF
ELECTION FRAUD COMMITTED BY USE OF COMPUTERS AND A COMPLIANT
TELEVISION MEDIA WHICH WAS BEGINNING THE PRACTICE OF PREDICTING
AND "PROJECTING" THE OUTCOME OF ELECTIONS BEFORE THE POLLS CLOSE.
(PLEASE SEE THE TEXT OF THE JUSTICE DEPT. MEMOS WHICH COMPRISE
PLAINTIFFS' EXHIBITS "A" AND "B" FOR SPECIFICS OF THE TV-COMPUTER-
SCHEME WHICH PROMPTED THE "PETERSEN INVESTIGATION".)

THUS THE STAGE WAS SET FOR THE "AMBUSH", CAREFULLY
ORCHESTRATED BY AT LEAST ONE MEMBER OF WATERGATE BURGLARY TEAM,
(NAMELY JAMES MCCORD) WITH THE RESULTANT EFFECT ON THE PRESIDENCY
AND ON AMERICAN HISTORY. IN SHORT, THE "AMBUSH" ENDED THE

JUSTICE DEPT. PROBE INTO VOTE-FRAUD (CENTERING AROUND THE DEMOCRATIC COMMITTEE'S POSSIBLE INVOLVEMENT WITH ORGANIZED CRIME FIGURES WHO HAD RECENTLY PURCHASED CONTROLLING INTEREST IN THE NEWLY-EMERGING COMPUTERIZED VOTE-COUNTING COMPANY) AND DRAMATICALLY SHIFTED ATTENTION TO THE PRACTICES OF THE JUSTICE DEPARTMENT, PLACING THAT DEPARTMENT, THE PRESIDENT, THE ATTORNEY GENERAL AND REPUBLICAN PARTY ON THE EXTREME DEFENSIVE.

THE RESULT OF THE AFFAIR WAS TO CAUSE HENRY PETERSEN, Asst. A TO BECOME CHIEF INVESTIGATOR INTO THE "WHY" AND "WHO" OF THE BREAK-IN AND TO TOTALLY ABANDON THE "PETERSEN INVESTIGATION" INTO VOTE-FRAUD (EXHIBITS "A" AND "B", COMPLAINT) AS PART OF THE JUSTICE DEPT. "COVER-UP" OF THE "WATERGATE AFFAIR". FINALLY, WHEN HENRY PETERSEN WAS RELEIVED OF HIS POST IN THE JUSTICE DEPT., DONSANTO TOOK OVER AS "CHIEF VOTE-FRAUD PROSECUTOR", A POST WHICH HE HAS HELD CONTINUOUSLY SINCE THAT TIME.

SO IT IS WITHIN THE CONTEXT DESCRIBED ABOVE THAT DONSANTO FINDS HIMSELF UNABLE TO COUNTENANCE ANY DEALINGS WHATSOEVER WITH THE "VICTIM" AND "MATERIAL WITNESS" (PLAINTIFFS, HEREIN) IN ANY PROCEEDINGS WHICH MAY LIKELY DREDGE UP HIS EARLY DEALINGS OF ABANDONING THE DADE COUNTY, FLA. ELECTION FRAUD PROBE OF 1972 (WHICH "BLEW UP" INTO "WATERGATE,") AND INSTEAD CHOOSES TO SILENCE AND INTIMIDATE SAID WITNESSES WHEN THEY SOUGHT TO DELIVER TO THE JUSTICE DEPT. AND TO THE F.B.I. CERTAIN VIDEOTAPE EVIDENCE PROVING SERIOUS, WIDE-SPREAD, ALL-PERVASIVE VOTE-FRAUD IN DADE COUNTY, FLA. AS CITED IN THE COMPLAINT HEREIN. THE SPECTRE OF "WATERGATE" RE-EMERGING AS A JUSTICE DEPT. "COVER-UP" OF DONSANTO'S "TIPPING OFF THE DEMOCRATIC ESTABLISHMENT OF DADE COUNTY, FLA. OF THE VOTE FRAUD PROBE BACK IN 1972 IS MORE THAN DONSANTO^{can}/STOMACH, EVEN AT THIS LATE DATE. HENCE, THE ATTEMPT TO SILENCE PLAINTIFFS AS CITED HEREIN

PLAINTIFFS FILE CHARGES
AGAINST DONSANTO IN OFFICE
OF PROFESSIONAL RESPONSIBILITY

EXHIBIT "B", ATTACHED HERETO, IS A COPY OF THE DOCUMENT FILED BY PLAINTIFFS (JUNE 6, 1984) WITH THE OFFICE OF PROFESSIONAL RESPONSIBILITY OF THE UNITED STATES JUSTICE DEPARTMENT, DETAILING IN BROAD TERMS THE ALLEGED WRONGDOING OF DONSANTO AND ASKING THAT AGENCY TO INVESTIGATE OUR CHARGES THAT DONSANTO HAS SUPPRESSED TESTIMONY AND EVIDENCE IN A FEDERAL INVESTIGATION, AND HAD DONE SO FOR POSSIBLE PERSONAL "FINANCIAL GAIN".

ON JULY 24, 1984, PLAINTIFFS WERE SUMMONED TO THE JUSTICE DEPARTMENT BY O.P.R. INVESTIGATORS DAVID BOBZIEN AND KIETH THOMAS. THERE, IN A LENGTHY HEARING, PLAINTIFFS PRESENTED DOCUMENTATION AND VIDEOTAPE EVIDENCE TO BACK UP THE SERIOUS CHARGES AGAINST DONSANTO WHICH ARE DETAILED IN EXHIBIT "B" HERETO. (OPPOSITION, EXHIBIT "B")

PLAINTIFFS RECEIVE VERIFICATION
OF THE STATUS OF THE "DONSANTO"
INVESTIGATION CONDUCTED BY THE
OFFICE OF PROFESSIONAL RESPONSIBILITY

EXHIBIT "C", ATTACHED HERETO, IS A COPY OF A COMMUNICATION RECEIVED BY PLAINTIFF/COMPLAINANTS (DATED APRIL 19, 1985), SHOWING THAT THE O.P.R. HAS NOT YET GIVEN DONSANTO A CLEAN "BILL OF HEALTH", EVEN THOUGH MORE THAN TEN MONTHS HAVE PASSED SINCE THE CHARGES WERE FILED. (TO DATE, NO FURTHER INFORMATION REGARDING A VERDICT IN THIS MATTER HAS BEEN RECEIVED BY PLAINTIFFS.)

A UNITED STATES' SENATOR
INQUIRES OF DONSANTO'S
"VOTE-FRAUD" UNIT ABOUT
CHARGES THAT DONSANTO
HAS BEEN ENGAGING IN A
"COVER-UP" IN BEHALF OF
A PRIVATE POLITICAL CLUB.

EXHIBIT "C", ATTACHED HERETO, IS A DOCUMENT WHICH STEMMED FROM AN INQUIRY TO DONSANTO'S SUPERIOR IN THE CRIMINAL FRAUDS SECTION OF THE JUSTICE DEPARTMENT, ASKING FOR A 'RESPONSE' OF THE DEPARTMENT'S VOTE-FRAUD SPECIALISTS AS TO CHARGES OF "COVER-UP" LEVELED BY PLAINTIFFS IN NEWSPAPER ARTICLES ABOUT THE VIDEOTAPE EVIDENCE SUPPRESSED SHOWING HANDS-ON VOTE-TAMPERING BY A PRIVATE POLITICAL CLUB IN A FEDERAL ELECTION,

SAID DOCUMENT WAS ADDRESSED TO A CONSTITUENT OF U.S. SENATOR JOHN WARNER OF VIRGINIA AND WAS LATER SENT TO PLAINTIFFS BY THAT PERSON TO ASSIST IN ILLUMINATING THIS ISSUE FOR THE COURT,

DONSANTO'S LONG-TIME FRIEND AND
ASSOCIATE, JOHN C. KEENEY, ANSWERS
SENATOR WARNER, CONDONING AND
APPROVING HANDS-ON VOTE-TAMPERING
BY A PRIVATE POLITICAL CLUB IN
FEDERAL ELECTIONS ACROSS THE U.S.
WHILE CONDEMNING PLAINTIFFS' "CREDIBILITY"

EXHIBIT "D", ATTACHED HERETO, IS A LETTER FROM JOHN C. KEENEY, (PROMINENTLY MENTIONED IN THE FOREGOING "PROFFER,") TO SENATOR WARNER, ASSERTING THAT THE PRIVATE POLITICAL CLUB "LEAGUE OF WOMEN VOTERS" IS SOMEHOW EXERCISING A "CIVIC DUTY" WHEN IT TAMPERS WITH BALLOTS IN FEDERAL ELECTIONS.

CONCLUSION

NO PERSON IN THE JUDICIAL SYSTEM SHOULD BE CONSIDERED INFINITELY AND PERPETUALLY IMMUNE FROM PROSECUTION AND/OR SUIT IF THAT PERSON IS ACTUALLY ENGAGING IN CONDUCT AS PLAINTIFFS ALLEGE DEFENDANT DONSANTO HAS ENGAGED IN OVER A PERIOD OF YEARS.

AS THE ATTACHED EXHIBITS "A" AND "B" OF THE ORIGINAL COMPLAINT SHOW, DONSANTO'S NAME AND THE NAMES OF PLAINTIFFS KENNETH F. COLLIER AND JAMES M. COLLIER ARE LINKED IN OFFICIAL JUSTICE DEPARTMENT MEMOS SINCE 1972 WHEN THE COLLIERS AND DONSANTO MET FOR THE FIRST TIME AS DONSANTO SOUGHT INFORMATION IN THE PETERSEN INVESTIGATION (WHICH HAD ITSELF BEEN INITIALLY INSTIGATED SOLELY BECAUSE OF INFORMATION ON DADE COUNTY, FLORIDA VOTE-FRAUD SUPPLIED TO THE JUSTICE DEPT. BY THE COLLIERS, WHO RESIDED IN SAID COUNTY AND DULY REPORTED THE RAW DATA RELATED TO THE VOTE-FRAUDS OF THAT ERA DIRECTLY TO THE MIAMI BUREAU OF THE F.B.I., AS ALLEGED IN THE COMPLAINT, PARAGRAPH 4.)

PLAINTIFFS, AS YEARS WENT BY, CONTINUED TO RELAY INFORMATION ON THE CONTINUING VOTE-FRAUD TECHNIQUES BEING VIRTUALLY FIELD TESTED IN DADE COUNTY, FLORIDA, LEADING UP AND INCLUDING THE OCCASION WHEN THE MOST CONCLUSIVE PROOF OF ALL WAS OBTAINED, I.E., THE VIDEOTAPE PRODUCED DURING THE FEDERAL ELECTION OF NOV. 2, 1982.

THUS, WHEN DONSANTO, ACTING AS A DULY AUTHORIZED AGENT OF DEFENDANT UNITED STATES OF AMERICA, SILENCED PLAINTIFFS DURING THE KEY EVIDENTIARY HEARING, AND THEN PROCEEDED TO INTIMIDATE PLAINTIFF RIGHT OUT OF HIS CONFERENCE ROOM, WARNING PLAINTIFFS IN NO UNCERTAIN TERMS NOT TO RETURN, CERTAINLY THIS IS BEHAVIOR BEST DESCRIBED AS "OBSTRUCTION OF JUSTICE--WITNESS INTIMIDATION", A POTENTIAL FELONY, AND CERTAINLY A TORT.

PLAINTIFFS PETITION THIS HONORABLE COURT TO SCHEDULE AN ORAL HEARING ON THIS MATTER IF SUFFICIENT DOUBT REMAINS AS TO THE QUALITY OF DONSANTO'S BEHAVIOR IN ALLEGEDLY FAILING UTTERLY TO "...EXERCISE DUE CARE" AS REQUIRED FOR PROSECUTORIAL IMMUNITY UNDER TERMS OF THE F.T.C.A. (ATTACHED)

WHEREFORE, PLAINTIFFS RESPECTFULLY SUBMIT FOR ALL OF THE FOREGOING REASONS, THAT DEFENDANTS' MOTION FOR SUMMARY AFFIRMANCE BE DENIED AND THE CASE REMANDED BELOW FOR TRIAL ON THE MERITS.

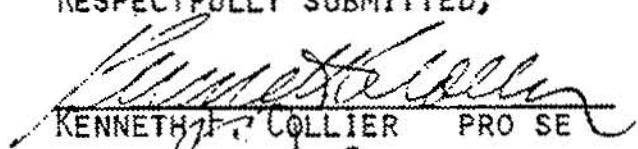
CASE LAW RELIED ON: "...IF THE FACTS OR CIRCUMSTANCES RELIED UPON BY A PLAINTIFF MAY BE A PROPER SUBJECT OF RELIEF, HE OUGHT TO BE AFFORDED AN OPPORTUNITY TO TEST HIS CLAIM ON THE MERIT." (FOMAN v. DAVIS 371, US 182)

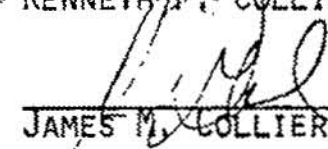
DATED, 20 MAY, 1985

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CIVIL DIVISION
U.S. COURTHOUSE ROOM 2124D
CONSTITUTION AVE.,
WASHINGTON, D.C.

BY HAND DELIVERY

RESPECTFULLY SUBMITTED,


KENNETH F. COLLIER PRO SE

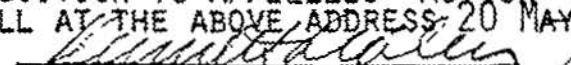

JAMES M. COLLIER PRO SE

300 INDEPENDENCE AVE., S.E.

WASHINGTON, D.C., 20003

PHONE 544-3066

CERTIFICATE OF SERVICE

I, KENNETH F. COLLIER, HEREBY CERTIFY THAT I DELIVERED A TRUE COPY OF THE WITHIN MOTION TO TREAT APPELLANTS' OPPOSITION TO APPELLEE'S MOTION FOR SUMMARY AFFIRMANCE AS APPELLANTS' BRIEF AND ALSO A TRUE COPY OF THE WITHIN OPPOSITION TO APPELLEES' MOTION FOR SUMMARY AFFIRMANCE TO EDITH MARSHALL AT THE ABOVE ADDRESS 20 MAY 1985
KENNETH F. COLLIER 

Federal Tort Claims Act, 28 U.S.C.
§§ 1346(b), 2671-2680 (1976)

§ 1344. United States as defendant

(b) Subject to the provisions of chapter 171 of this title, the district courts, together with the United States District Court for the District of

the Canal Zone and the District Court of the Virgin Islands, shall have exclusive jurisdiction of civil actions on claims against the United States, for money damages, accruing on and after January 1, 1945, for injury or loss of property, or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred.

(c) The jurisdiction conferred by this section includes jurisdiction of any set-off, counterclaim, or other claim or demand whatever on the part of the United States against any plaintiff commencing an action under this section.

(d) The district courts shall not have jurisdiction under this section of any civil action or claim for a pension.

(e) The district courts shall have original jurisdiction of any civil action against the United States provided in section 7425 or section 7426 (in the case of the United States district court for the District of Columbia) or section 7429 of the Internal Revenue Code of 1954.

(f) The district courts shall have exclusive original jurisdiction of civil actions under section 2409a to quiet title to an estate or interest in real property in which an interest is claimed by the United States.

(June 25, 1948, ch. 446, 62 Stat. 933; Apr. 25, 1949, ch. 92, § 2(a), 63 Stat. 62; May 24, 1949, ch. 139, § 50(a), (b), 63 Stat. 101; Oct. 31, 1951, ch. 655, § 50(b), 65 Stat. 727; July 30, 1954, ch. 445, § 1, 68 Stat. 589; July 7, 1958, Pub. L. 85-506, § 12(c), 72 Stat. 348; Aug. 30, 1964, Pub. L. 88-519, 78 Stat. 699; Nov. 2, 1966, Pub. L. 89-719, title II, § 202(a), 80 Stat. 1146; July 23, 1970, Pub. L. 91-350, § 1(a), 84 Stat. 449; Oct. 25, 1972, Pub. L. 92-562, § 1, 86 Stat. 1176; Oct. 4, 1976, Pub. L. 94-455, title XII, § 1204(c)(1), title XIII, § 1306(b)(7), 90 Stat. 1697, 1719.)

§ 2671. Definitions

As used in this chapter and sections 1346(b) and 2401(b) of this title, the term "Federal agency" includes the executive departments, the military departments, independent establishments of the United States, and corporations primarily acting as instrumentalities or agencies of the United States, but does not include any contractor with the United States.

"Employee of the government" includes officers or employees of any federal agency, members of the military or naval forces of the United States, and persons acting on behalf of a federal agency in an official capacity, temporarily or permanently in the service of the United States, whether with or without compensation.

"Acting within the scope of his office or employment", in the case of a member of the military or naval forces of the United States, means acting in line of duty.

(June 25, 1948, ch. 446, 62 Stat. 932; May 24, 1949, ch. 139, § 124, 63 Stat. 106; July 18, 1966, Pub. L. 89-506, § 2, 80 Stat. 307.)

§ 2672. Administrative adjustment of claims

The head of each Federal agency or his designee, in accordance with regulations prescribed by the Attorney General, may consider, ascertain, adjust, determine, compromise, and settle any claim for money damages against the United States for injury or loss of property or personal injury or death caused by the negligent or wrongful act or omission of any employee of the agency while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred: Provided, That any award, compromise, or settlement in excess of \$25,000 shall be effected only with the prior written approval of the Attorney General or his designee.

Subject to the provisions of this title relating to civil actions on tort claims against the United States, any such award, compromise, settlement, or determination shall be final and conclusive on all offices of the Government, except when procured by means of fraud.

Any award, compromise, or settlement in an amount of \$2,500 or less made pursuant to this section shall be paid by the head of the Federal agency concerned out of appropriations available to that agency. Payment of any award, compromise, or settlement in an amount in excess of \$2,500 made pursuant to this section

or made by the Attorney General in any amount pursuant to section 2677 of this title shall be paid in a manner similar to judgments and compromises in like causes and appropriations or funds available for the payment of such judgments and compromises are hereby made available for the payment of awards, compromises, or settlements under this chapter.

The acceptance by the claimant of any such award, compromise, or settlement shall be final and conclusive on the claimant, and shall constitute a complete release of any claim against the United States and against the employee of the government whose act or omission gave rise to the claim, by reason of the same subject matter.

(June 25, 1948, ch. 646, 62 Stat. 983; Apr. 25, 1949, ch. 92, § 2(b), 63 Stat. 62; May 24, 1949, ch. 139, § 125, 63 Stat. 106; Sept. 23, 1950, ch. 1010, § 9, 64 Stat. 987; Sept. 8, 1959, Pub. L. 86-235, § 1(1), 73 Stat. 471; July 18, 1966, Pub. L. 89-506, § 1, 80 Stat. 306, 308.)

§ 2672. Reports to Congress

The head of each federal agency shall report annually to Congress all claims paid by it under section 2672 of this title, stating the name of each claimant, the amount claimed, the amount awarded, and a brief description of the claim.

(June 25, 1948, ch. 646, 62 Stat. 983.)

§ 2674. Liability of United States

The United States shall be liable, respecting the provisions of this title relating to tort claims, in the same manner and to the same extent as a private individual under like circumstances, but shall not be liable for interest prior to judgment or for punitive damages.

If, however, in any case wherein death was caused, the law of the place where the act or omission complained of occurred provides, or has been construed to provide, for damages only punitive in nature, the United States shall be liable for actual or compensatory damages, measured by the pecuniary injuries resulting from such death to the persons respectively, for whose benefit the action was brought, in lieu thereof.

(June 25, 1948, ch. 646, 62 Stat. 983.)

§ 2675. Disposition by federal agency as prerequisite evidence

(a) An action shall not be instituted upon a claim against the United States for money damages for injury or loss of property or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope

of his office or employment, unless the claimant shall have first presented the claim to the appropriate Federal agency and his claim shall have been finally denied by the agency in writing and sent by certified or registered mail. The failure of an agency to make final disposition of a claim within six months after it is filed shall, at the option of the claimant any time thereafter, be deemed a final denial of the claim for purposes of this section. The provisions of this subsection shall not apply to such claims as may be asserted under the Federal Rules of Civil Procedure by third party complaint, cross-claim, or counterclaim.

(b) Action under this section shall not be instituted for any sum in excess of the amount of the claim presented to the federal agency, except where the increased amount is based upon newly discovered evidence not reasonably discoverable at the time or presenting the claim to the federal agency, or upon allegation and proof of intervening facts, relating to the amount of the claim.

(c) Disposition of any claim by the Attorney General or other head of a federal agency shall not be competent evidence of liability or amount of damages.

(June 25, 1948, ch. 646, 62 Stat. 983; May 24, 1949, ch. 139, § 125, 63 Stat. 107; July 18, 1966, Pub. L. 89-506, § 2, 80 Stat. 306.)

§ 2676. Judgment as bar

The judgment in an action under section 1346 (b) of this title shall constitute a complete bar to any action by the claimant, by reason of the same subject matter, against the employee of the government whose act or omission gave rise to the claim.

(June 25, 1948, ch. 646, 62 Stat. 984.)

§ 2677. Compromise

The Attorney General or his designee may arbitrate, compromise, or settle any claim cognizable under section 1346(b) of this title, after the commencement of an action thereon.

(June 25, 1948, ch. 646, 62 Stat. 984; July 18, 1966, Pub. L. 89-506, § 3, 80 Stat. 307.)

§ 2678. Attorney fees; penalty

No attorney shall charge, demand, receive, or collect for services rendered, fees in excess of 25 per centum of any judgment rendered pursuant to section 1346(b) of this title or any settlement made pursuant to section 2677 of this title, or in excess of 20 per centum of any award, compromise, or settlement made pursuant to section 2672 of this title.

Any attorney who charges, demands, receives, or collects for services rendered in connection with such claim any amount in excess of that allowed under this section, if recovery be had, shall be fined not more than \$2,000 or imprisoned not more than one year, or both.

(June 25, 1948, ch. 646, 62 Stat. 984; July 18, 1966, Pub. L. 89-506, § 4, 80 Stat. 307.)

§ 2672. Exclusiveness of remedy

(a) The authority of any federal agency to sue and be sued in its own name shall not be construed to authorize suits against such federal agency on claims which are cognizable under section 1346(b) of this title, and the remedies provided by this title in such cases shall be exclusive.

(b) The remedy against the United States provided by sections 1346(b) and 2672 of this title for injury or loss of property or personal injury or death, resulting from the operation by any employee of the Government of any motor vehicle while acting within the scope of his office or employment, shall hereafter be exclusive of any other civil action or proceeding by reason of the same subject matter against the employee or his estate whose act or omission gave rise to the claim.

(c) The Attorney General shall defend any civil action or proceeding brought in any court against any employee of the Government or his estate for any such damage or injury. The employee against whom such civil action or proceeding is brought shall deliver within such time after date of service or knowledge of service as determined by the Attorney General, all process served upon him or an attested true copy thereof to his immediate superior or to whomsoever was designated by the head of his department to receive such papers and such person shall promptly furnish copies of the pleadings and process therein to the United States attorney for the district embracing the place wherein the proceeding is brought, to the Attorney General, and to the head of his employing Federal agency.

(d) Upon a certification by the Attorney General that the defendant employee was acting within the scope of his employment at the time of the incident out of which the suit arose, any such civil action or proceeding commenced in a State court shall be removed without bond at any time before trial by the Attorney General to the district court of the United States for the district and division embracing the place wherein it is pending and the proceedings deemed a tort action brought against the United States under the provisions of this title and all references thereto. Should a United States district court determine on a hearing on a motion to remand held before a trial on the merits that the case so removed is one in which a remedy by suit within the meaning of subsection (b) of this section is not available against the United States, the case shall be remanded to the State court.

(e) The Attorney General may compromise or settle any claim asserted in such civil action or proceeding in the manner provided in section 2677, and with the same effect.

(June 25, 1948, ch. 546, 62 Stat. 984; Sept. 21, 1961, Pub. L. 87-258, § 1, 75 Stat. 539; July 18, 1966, Pub. L. 89-506, § 5(a), 80 Stat. 307.)

§ 2680. Exceptions

The provisions of this chapter and section 1346(b) of this title shall not apply to—

(a) Any claim based upon an act or omission of an employee of the Government, exercising due care, in the execution of a statute or regulation, whether or not such statute or regulation be valid, or based upon the exercise or performance or the failure to exercise or perform a discretionary function or duty on the part of a federal agency or an employee of the Government, whether or not the discretion involved be abused.

(b) Any claim arising out of the loss, miscarriage, or negligent transmission of letters or postal matter.

(c) Any claim arising in respect of the assessment or collection of any tax or customs duty, or the detention of any goods or merchandise by any officer of customs or excise or any other law-enforcement officer.

(d) Any claim for which a remedy is provided by sections 741-752, 781-790 of Title 45, relating to claims or suits in admiralty against the United States.

(e) Any claim arising out of an act or omission of any employee of the Government in administering the provisions of sections 1-31 of Title 50, Appendix.

(f) Any claim for damages caused by the imposition or establishment of a quarantine by the United States.

(g) Repealed. Sept. 26, 1950, ch. 1049, § 13 (5), 64 Stat. 1043.

(h) Any claim arising out of assault, battery, false imprisonment, false arrest, malicious prosecution, abuse of process, libel, slander, misrepresentation, deceit, or interference with contract rights. Provided, That, with regard to acts or omissions of investigative or law enforcement officers of the United States Government, the provisions of this chapter and section 1346(b) of this title shall apply to any claim arising, on or after the date of the enactment of this proviso, out of assault, battery, false imprisonment, false arrest, abuse of process, or malicious prosecution. For the purpose of this subsection, "investigative or law enforcement officer" means any officer of the United States who is empowered by law to execute searches, to seize evidence, or to make arrests for violations of Federal law.

(i) Any claim for damages caused by the fiscal operations of the Treasury or by the regulation of the monetary system.

(j) Any claim arising out of the combatant activities of the military or naval forces, or the Coast Guard, during time of war.

(k) Any claim arising in a foreign country.

(l) Any claim arising from the activities of the Tennessee Valley Authority.

(m) Any claim arising from the activities of the Panama Canal Company.

(n) Any claim arising from the activities of a Federal land bank, a Federal intermediate credit bank, or a bank for cooperatives.

(June 25, 1948, ch. 546, 62 Stat. 984; July 18, 1949, ch. 340, 63 Stat. 444; Sept. 26, 1950, ch. 1049, § 2(a)(2), 13(5), 64 Stat. 1038, 1043; Aug. 18, 1959, Pub. L. 86-163, title II, § 202(b), 73 Stat. 389; Mar. 18, 1974, Pub. L. 93-253, § 2, 88 Stat. 50.)

Kenneth F. Collier
C/O SPOTLIGHT
300 Independence Ave. S.E.
Washington, D.C.

Mr. Mark Shaheen
Director, Office of Professional Responsibility
Washington, D. C.

June 6, 1984

Dear Mr. Shaheen:

This communication is to formally lodge a Complaint against the Justice Department's chief vote-fraud prosecutor, Departmental Attorney Craig C. Donsanto for taking specific actions to cover-up and suppress proof of vote-fraud in Dade County, Florida since 1972, through 1982.

The evidence upon which this Complaint is based consists of documented and videotape material which conclusively shows the manner and methods used by the vote-fraud perpetrators during the above mentioned time period to accomplish their county-wide vote-rigging, all of which evidence has been ignored, covered-up or suppressed by Mr. Donsanto.

The comprehensive F.B.I. file on these cases has provided us with the material to prove that Mr. Donsanto has known about each of the rigging schemes and has conspired with others to keep the "lid" on, possibly for his own financial benefit.

Among the vote-frauds we have documented from the F.B.I. file on Dade County, Fla. are those involving forgery; total non-certification of entire elections; confiscation of voting-machine keys from all poll workers; massive ballot-tampering by private political club members on election night; mass perjury-suborned poll workers who were forced to sign fraudulent statements on Janva Reports in order to receive their pay from the perpetrators who run

OPPOSITION EXHIBIT "B" PAGE 1

PAGE TWO

MARK SHAMHEEN
COMPLAINT RE: Craig. C. Donsanto

This brief letter conforms with the requirement that a Complaint must be lodged on the record in order for your office to take appropriate action.

We stand ready to flesh out the accusations articulated here with every manner of evidence, much of which has been published and has gained widespread support for the calling to account of Mr. Donsanto, the one individual in the government with authority to order investigations and/or prosecutions of vote fraud perpetrators.

Unfortunately, as we see from the F.B.I. file, Mr. Donsanto has mocked the intent of the Justice Department when it initiates Mr. Donsanto's exclusive position and the undersigned represent the de-frauded voters of Dade County in demanding that your office take action to remove Mr. Donsanto from his position and to verify the accuracy of our documented charges as already verified in the F.B.I. file referred to herein.

We seek Mr. Donsanto's arrest and trial on obstruction of and conspiracy to obstruct justice for refusing to act in any of the above-described frauds, but particularly the Nov. 2, 1980 Dade County election where massive vote-tampering was actually VIDEOTAPED.

This communication was typed at the City Desk of the Miami Beach Examiner by its Editor-in-Chief, who was cameraman on the videotape production.

Sincerely,

Kenneth F. Collier

Kenneth F. Collier
Phone: 544-1794 Washington D.C.

Opposition Exhibit "B" page 2



U.S. Department of Justice

Office of Professional Responsibility

H

Washington, D.C. 20530

APR 19 1985

Mr. Kenneth Collier
300 Independence Avenue, S.E.
Washington, D.C. 20003

Dear Mr. Collier:

CPG 6
Dated 4/19/85
This is in response to your recent telephone inquiries about the status of the allegations you brought to this Office concerning election fraud in Dade County, Florida and the government's response to that information.

Please be advised that we still have the matter under review and will advise you of the results of that review when it is concluded.

Sincerely,

MICHAEL E. SHAHEEN JR.
Counsel

By:

David P. Bobzien
Assistant Counsel

OPPOSITION
Exhibit "C"

U.S. Parcel Post Building
1100 East Main Street
Richmond 23219
BX: 771 2578

United States Senate

WASHINGTON, D.C. 20510

1. The first step is to identify the problem.
 2. The second step is to define the problem.
 3. The third step is to analyze the problem.
 4. The fourth step is to develop a solution.
 5. The fifth step is to implement the solution.
 6. The sixth step is to evaluate the solution.

February 7, 1985

Mr. John Cardwell

Dear Mr. Cardwell:

Enclosed is the letter that I have received from the Department of Justice in response to my inquiry on your behalf concerning the newspaper articles that you sent to my office..

I hope that this information is helpful. If my office can be of assistance to you in any other way, please let me know.

With all good wishes,

Sincerely,

Sincerely,
John W. Starnes

John W. Warner

3WW/kjk

OPPOSITION
EXHIBIT "D"

Received
7-10

Delivered to Michigan Congressman

Page 3

SPECIAL REPORT

7/10/74
Kenneth F. Haller
James M. Collier

NEWS ELECTION SERVICE ORGANIZES FOR TALLYING ACCURACY AND SPEED

News Election Service (NES) is the only organization in the nation to tally on election night all votes nationwide for President, Congress and governor. For this special report, ELECTION ADMINISTRATION REPORTS observed the NES system in operation April 10 during the Pennsylvania Primary Election.

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b7C

Prior to the 1964 general election, each network and wire service compiled its own election night tally and reported results independently. Because each system obtained results in a different sequence, the vote totals reported during the evening by the networks and wire services could vary dramatically. This occurred during the 1964 California Presidential Primary Election between Sen. Barry Goldwater, R-Ariz., and New York Governor Nelson Rockefeller.

To provide consistency and confidence election night vote totals, the three major networks, ABC, CBS and NBC, together with the AP and UPI wire services established News Election Service as the agency to gather and disseminate the election results. NES works full time at this task and has no other function.

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NES utilizes two separate tally systems. It tabulates the vote from precinct returns for fast early results and from county or municipal figures to obtain the complete totals. The Pennsylvania election night operation was typical. NES reported votes for presidential preferences and for delegates to the Democratic national convention. Individual delegate totals were important because delegates were directly elected, not apportioned on the basis of presidential preference voting. NES also reports on U. S. Senate and gubernatorial primary election results but there were no such races in Pennsylvania this year.

Precinct reporters were stationed at about one-half of the state's 9,560 polling places to telephone voting machine totals. Other reporters were stationed at the central counting location in each of Pennsylvania's 67 counties to report results as soon as the county made unofficial election night returns available.

The telephone calls were answered in a Brooklyn office building where NES employed 185 persons to process the returns. Seventy of these responded to telephone calls from precinct reporters and another fifteen took calls from county reporters. The seventy precinct telephones were connected in sequence so that a line would always be available. At no time April 10 were all lines being used. All phones were equipped with an attachment which flashed an electric light rather than ringing to indicate a call. The flashing lights made it easy for supervisors to monitor the process. As soon as each call was completed, a runner took the result to the tabulation section where the number was entered into the system at one of 54 precinct tabulation terminals.

Fifteen operators accepted county results which were then delivered to one of six county tabulation terminal operators for entry into the system.

Before accepting a precinct or a county total, the computer checked the information against the system parameters. For example, if the number of precinct votes reported exceeded the number of registered voters in the largest precinct in that county, the system is programmed to reject the result.

THIS REPORT REVEALS ALL U.S. ELECTIONS ARE RIGGABLE BY NETWORK

Similarly, for county returns, if the number of precincts reporting or votes reported by the county decreases, or if it exceeds the number of voters registered in the county, the system will reject the data and the new numbers must be checked at the source.

Early in the evening, returns from precinct telephone calls provided most of the results reported by NES. Soon, however, some county tally systems began to overtake the totals from precincts. When the number of votes reported from a county location exceeds the numbers reported from polling places in that county, the system switches to the county report. The precinct reports continue to be accepted and are used as a check against the county numbers.

This dual tally system enables NES to provide some early returns quickly and yet ensure that the totals will eventually be identical to those reported by the county. The early precinct totals provided by NES and fed by the wire services to many small subscribers provide the first on-the-air returns for many radio and television stations. Because these returns are often broadcast before any precinct officials have submitted precinct tally sheets to the county officials, media pressure on county election officials for the first results is greatly reduced.

NES executive director Robert Flaherty emphasized however, that accuracy not speed, is the most important feature "and we go to great lengths to get it." The day after the election, NES calls to verify each county result because the NES totals for statewide races and for some congressional races may be the single source of vote totals for these races until official returns are compiled. *an illegal monopoly*

NES reported its Pennsylvania totals continuously with new figures every five minutes and new tables including presidential voting by county every fifteen minutes. It also reported results of the vote for delegates to the national convention at thirty minute intervals.

NES records and tallies county returns for as long as it takes the counties to report until the state is completed. There is a complete back-up system of computers in case the main system fails. County results are fed into the back-up system throughout the night so that it can be utilized whenever needed.

To ensure completeness of reporting, NES will tally what some jurisdictions do not. For example, Luzerne County, Pa. decided not to compile voting machine totals for delegates to the party national conventions on election night. Because it had this information in advance of the election, NES sent six people to the Luzerne County courthouse to obtain vote totals for candidates for delegate from the precinct reports. These totals were then telephoned to NES and reported election night.

Flaherty said the system is dependent upon the cooperation of local election officials with NES state and area managers. "Almost all county officials and precinct officials have been most willing to help us obtain the numbers," he said.

Flaherty pointed out that NES works only with the vote totals and does not conduct any surveys or exit polls. These are done by the networks or by other news organizations but not by NES.

NES precinct reporters are recruited from a wide variety of civic

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private political club

organizations including the League of Women Voters, 4-H groups, church groups and college students. Many of the NES central election night workers - similar to polling place workers - return year after year because they feel they are part of something important. But even with experienced workers, nothing is taken for granted. Prior to each election night, there is an extensive rehearsal during which the entire system is tested. Test election returns are telephoned and processed. Even the messengers are rehearsed to make certain that all reports are delivered to the correct locations in the shortest time possible without jamming aisles.

NES election night employees each have one task and one task only. Precinct telephone operators answer only telephone calls from precincts, county operators only from counties, and messengers do not answer telephones. Almost all precinct operators are released within four hours after the polls close, but the county operators will work throughout the night to obtain complete returns. For Pennsylvania, they worked well into Wednesday afternoon.

For the 1984 presidential election during which NES will tally and report all presidential, congressional and gubernatorial votes, a very similar organizational structure will be used. Three regional telephone locations - Chicago, Cincinnati and Dallas - will be established to process precinct telephone calls, with the results electronically transferred to a central location in the New York City area. All county returns will be telephoned directly to the central location.

NES expects to install 350 telephones at each region and 500 at its central location to respond to the calls from the 90,000 of the 179,000 precincts and from the 5,000 jurisdictions responsible for a federal election. More than 1,500 people will work at the three regional locations, and another 800 at the national center.

Private Corp. with a monopoly on unofficial "hearsay" vote totals

Before the night is over, NES will have tallied more than 80 million votes for president, almost that many for candidates for the House of Representatives, another 50 million for U.S. Senate candidates and additional millions of votes for governor from the 13 states that have a gubernatorial election this year.

INFO BANK

U.S. to probe '84 election computer

By DAVID BURNHAM
N.Y. Times News Service

WASHINGTON — A branch of the National Security Agency is investigating whether a computer program that counted more than one-third of all the votes cast in the United States in 1984 is vulnerable to fraudulent manipulation.

The National Security Agency is the nation's largest and most secretive intelligence agency. Its principal job is to collect intelligence by eavesdropping on the electronic communications of the world and to protect the sensitive communications of the United States.

Mike Levin, a public information official for the agency's National Computer Security Center, said the investigation was initiated under the authority of a recent presidential directive ordering the center to improve the security of major computer systems used by nonmilitary agencies such as the Federal Reserve Board and the Federal Aviation Administration and for such private purposes as banking.

The Computer Security Center was established three years ago to improve the security of computers within the military services but was recently given a broader mandate. The annual budgets and number of employees of the agency and the center are secret.

"We have no interest in any particular election," Levin said. "We are only interested in the possible misuse of computers to compile election results."

But Rep. Dan Glickman, chairman of a House Science and Technology subcommittee that has held hearings on the role of the Computer Security Center, said he had "serious reservations" about a Defense Department agency such as the

center's becoming involved in computer systems handling sensitive civilian matters like elections.

"The computer systems used by counties to collect and process votes has nothing to do with national security and I am really concerned about the National Security Agency's involvement," said Glickman, a Kansas Democrat.

The target of the Computer Security Center's investigation is the vote-counting program of Computer Election Systems of Berkeley, Calif., the dominant company in the manufacture and sale of computer voting apparatus. In 1984, the company's program and related equipment was used in more than 1,000 county and local jurisdictions to collect and count 31.4 million of the 93.7 million votes cast in the United States.

Levin said the Computer Security Center became interested in the question of the vulnerability of the company's programs because of separate pending lawsuits, brought in Indiana, West Virginia, Maryland and Florida, which have challenged the election results processed by it.

Two independent experts and expert computer consultants hired by the plaintiffs in three of the states have said the company's program used to process votes in West Virginia, Indiana and Maryland in 1980, 1982 and 1984 was poorly designed and subject to secret manipulation. In Indiana and West Virginia the company and county officials are charged with fraudulent manipulation of the votes. The suits in the other two states are aimed at county officials and not specifically the company.

John H. Kemp, president of the company, and county officials involved in the four lawsuits have denied that they were involved in any fraud and have strongly defended the design of the company's vote-processing system.

After the publication of a report about these allegations in late July, Frank Wiadkowski, an official in the Computer Security Center, traveled to California to interview Kemp. He has also been interviewing other experts in the field.

"That directive calls upon us to improve the security standards of computers used for various applications all over the country," he said. The spokesman added that the center's major role was to develop security standards that computer concerns would then adopt.

Various aspects of the president's order broadening the Computer Security Center's role in protecting information of civilian agencies and in applying security measures have been questioned by Congress's General Accounting Office and the Institute for Electrical and Electronic Engineers, the world's largest engineering society.

In testimony before the House Government Operations Committee last week, for example, Milton J. Socolar, special assistant to the head of the accounting office, said the new role given the National Security Agency and the center by Reagan's directive "raises basic questions concerning the extent to which the Defense establishment should be involved in policy formulation and program administration within the Government's civilian agencies."

RECEIVED
Civil Clerk's Office

JUN 30 1986

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

Superior Court of the
District of Columbia

CA05225-'86

1. KENNETH F. COLLIER
2. JAMES M. COLLIER
c/o HOME NEWS
300 Independence Ave., S.E.
Washington D.C. 20003
Phone 544-6254
544-3066

Plaintiff(s)

1. ANTONIN SCALIA (PRIVATE CITIZEN)
c/o Court of Appeals for D.C.
U.S. Courthouse, 3rd Floor
Constitution Ave., N.W.
Washington, D.C. 20001
2. REPUBLICAN NATIONAL COMMITTEE
301 First St., S.E.
Washington, D.C. 20003
Resident agent FRANK FAHRENKOPF, JR.

CIVIL ACTION No. _____

FRAUD/MALICIOUS interference
TORT ACTION IN DAMAGES ARISING FROM
CIVIL CONSPIRACY TO TAMPER WITH
COURT RECORDS TO ABRIDGE CIVIL RIGHTS
PER 42 U.S.C. 1985(c): CONVERSION

Comes now the Plaintiffs:

COMPLAINT

1. Jurisdiction of this court is founded on D.C. Code Annotated, 1973 edition, as amended, Sec. 11-921.
2. Plaintiffs are residents of the District of Columbia, appearing pro se.
3. Defendant SCALIA is regularly employed in the District of Columbia and Defendant Republican National Committee, an unincorporated Association, has its principal offices in the District.
4. This is an action for damages-in-tort with respect to several overt acts committed by Defendants in furtherance of a civil conspiracy to deny Plaintiffs their civil rights and property rights by means of unlawfully tampering with court records, to attain a result which Defendants mutually sought to be accomplished, namely: the expedient dismissal of a \$20 million lawsuit (CA 10935-84) against the R.N.C. which had previously cleared every legal hurdle in surviving summary judgments and which lawsuit appeared headed toward a time-certain for a trial date when Defendant SCALIA activated his end of the scheme by acting under color of his judicial employment to add prejudicial language off-the-record and off-the-bench to an ORDER of the three judge appeals panel and thus to use his high-profile celebrity-status as rumored heir-apparent to the U.S. Supreme Court to provide a physical memorandum for use by R.N.C. attorneys to enter into evidence in the D.C. Superior Court for the since-accomplished purpose of using the under-the-table "message" to wrongfully influence co-conspirator D.C. Associate Judge HENRY F. GREENE to violate local Rules 12-1/h and 12-1/n by agreeing to "hear" an illegally "filed" motion to "reconsider" the previously entered Order of Judge NICHOLAS NUNZIO, and thereby to unlawfully deprive the Colliers of their hard-won legal position in CA 10935-84 and their civil rights to pursue their claims in Court without interference and cronyism surreptitiously undermining their efforts. The times and dates of the complained-of memorandum and its subsequent use as above are contained on the face of the Exhibits attached hereto and made a part hereof, and have occurred within the years 1985 and 1986. The transcript of the GREENE hearing was tampered-with by GREENE, a co-conspirator (as above) who had been promptly sued by the COLLIERS (attached) in Case#0440-86, Sup. Ct. for his above-described role in the conspiracy, also involving an attorney hired by the R.N.C. to "fix" the R.N.C. case by entering the SCALIA "memorandum" into the GREENE hearing to exonerate a mutual friend/colleague (CRAIG DONSANTO) from testifying.
5. Plaintiffs were damaged as a proximate cause of the aforesaid acts of Defendants.

(TWENTY MILLION DOLLARS)

with interest and costs. Plaintiffs demand a jury trial
but will file this action
at the \$45.00 rate with the
intent to pay any further fees

\$20,000,000 plus
sanctions and punitive
damages.

Phone: 544-6254 KENNETH F. COLLIER

DISTRICT OF COLUMBIA, ss whenever appropriate.

and James M. Collier

Kenneth F. Collier, being first duly sworn on oath deposes and says that the foregoing is a just and true statement of the amount owing by defendant to the plaintiff, exclusive of all set-offs and just grounds of defense.

(Plaintiff

Agent)

Subscribed and sworn to before me this _____ day of _____ 19____

(Notary Public/Deputy Clerk)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Motion to Reconsider has been mailed, postage prepaid, this 17th day of December, 1985, to:

Kenneth F. Collier
James M. Collier
300 Independence Avenue, S.E.
Washington, D.C. 20003

Lawrence E. Carr, Jr.
Lawrence E. Carr, Jr. *LKC*

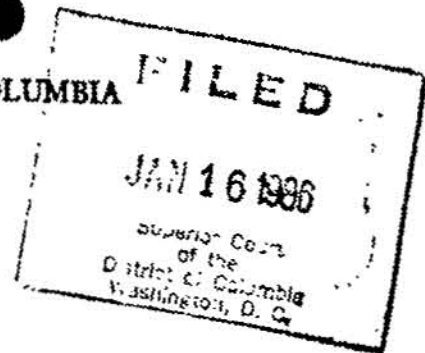
NOTE:

This is the
"motion" filed
by R.N.C. attorneys
without the necessary

LEAVE of COURT ^{in violation} (Rule 12-I/n)

so that the TAINTED
SCALIA MEMO could
be "entered" per the
plan between Defendants.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION



CA 0440-86

KENNETH F. COLLIER

JAMES M. COLLIER, Plaintiff(s)
300 Independence Ave., S.E. (S.E.)
Wash. D.C. 20003

vs.

Civil Action No. _____

LAWRENCE E. CARR, JR.
1919 Penn Ave. N.W., Suite 700, Wash D.C. 20006

HENRY GREENE
c/o D.C. Superior Courthouse, Wash. D.C. Judge's
Chambers, 3rd floor

Defendant(s)

COME NOW THE PLAINTIFFS AND SAY: COMPLAINT (CIVIL CONSPIRACY TO DENY DUE PROCESS and equal access to due process by fraud)

1. Jurisdiction of this court is founded on D.C. Code Annotated, 1973 edition, as amended, Sec. 11-921.
2. THAT Plaintiffs are residents of the District of Columbia, appearing pro se.
3. THAT each defendant is a resident of the District of Columbia and/or conduct their principal business activities and job activities in the District of Columbia.
4. THAT this is an action sounded in tortious conduct amounting to civil conspiracy in which the defendants had a meeting of the minds and cooperated together for the same object which they mutually sought to be accomplished, namely the unlawful misuse of Henry Greene's employment as a Superior Court judge to deny Plaintiffs due process in a United States court in the District of Columbia, (Superior Court Case 10935-84) both on and off the bench.
5. THAT in furtherance of said civil conspiracy, Defendants committed unlawful acts to calculatedly and deliberately and knowingly defraud Plaintiffs from being treated in Superior Court in an impartial, non-prejudicial manner as relates to being assigned a judge for a pre-trial conference, and conspirator GREENE misused his position of implied authority to deliberately telephone the Civil Assignment office at the precise hour (1/6/86) when Plaintiffs' \$20 million lawsuit was already assigned to be heard by Judge W. Thompson, (a duly-appointed judge of the PRE-TRIAL DIVISION) but which phone call "suddenly", WRONGFULLY caused motions clerk SANFORD COLEMAN to switch Plaintiffs from the proper and normal routine assignment of a judge in the pre-trial division, to HENRY GREENE, a trial judge in Civil II.
6. THAT in deliberately reaching out from his busy schedule as a trial judge to snare a highly political and controversial multi-million dollar suit to place under his EAGER jurisdiction, GREENE conspired with CARR as judge-and-attorney for the Republican National Committee (Defendant in the suit) to silence and ignore Plaintiffs vigorous objections that GREENE had no right whatsoever to overturn a previous ruling denying defendants a summary judgment, acting without permission or due process to "hear" a motion for reconsideration which had been framed solely for reconsideration by the judge who had denied the original motion, but instead conspired with CARR to reopen the entire case, to fabricate "Supreme Court" opinions on the record, and to dismiss the case out of hand.
7. Plaintiffs were damaged as a proximate cause of Defendants' acts. RE: Amount of suit #10935-1

with interest and costs.

(TWENTY MILLION DOLLARS) five damages

Plaintiffs demand jury trial

BUT WILL FILE THIS ACTION AT

THE \$60 RATE WITH THE INTENT TO PAY

THE ADDITIONAL \$60 TIMELY.

DISTRICT OF COLUMBIA, ss

Kenneth F. Collier,

James M. Collier, being first duly sworn on oath deposes and says that the foregoing is a just and true statement of the amount owing by defendant to the plaintiff, exclusive of all set-offs and just grounds of defense.

Kenneth F. Collier pro se

Phone: 544-3056 544-6254

James M. Collier pro se

Kenneth F. Collier

(Plaintiff)

James M. Collier

Agent)

Subscribed and sworn to before me this 16 day of

January 1986

(Notary Public/Deputy Clerk)

1 THE COURT: What?

2 MR. CARR: That was the purpose of going to the

3 OPR.

4 THE COURT: But is the OPR in the record here?

5 MR. COLLIER: How do you mean in the record, is

6 it mentioned?

7 THE COURT: Yes, sir.

8 MR. COLLIER: Yes, sir.

9 THE COURT: Did you, in fact, go to the OPR and

10 claim you were not treated properly by Donsanto because he

11 was the proper person to see about these things?

12 MR. COLLIER: Yes, sir, but not because he was

13 the proper person; because he was the person whose name

14 was uttered.

15 MR. CARR: Your Honor, the genesis of the lawsuit

16 in United States District Court filed against Donsanto and

17 that department is the fact that he was the proper official

18 and refused to carry out the prosecutorial mandate, and

19 intimidated them as witnesses and refused to follow up on

20 the complaint they brought to him.

21 THE COURT: As part of one of your pleadings, you

22 attached something in connection with that District Court

23 suit.

24 MR. CARR: It's probably nothing more than the

25 name of the suit, Your Honor.

1 MS. KANE: We attached, I think, a copy of the
2 complaint, a copy of the dismissal of that complaint by
3 Judge Pratt, and I think, also, a copy of the decision by
4 the Court of Appeals which indicates that decision was
5 reversed. It was remanded for consideration one more time.

6 THE COURT: All right. Just a moment.

7 (A pause)

8 Mr. Collier, in fact, alleges knowledge, in his
9 very complaint filed in District Court, which is part of
10 the record in this case, Donsanto had exclusive capacity
11 in the Justice Department to determine the validity of
12 any and all evidence with respect to voting fraud or
13 election fraud prosecutions originating in the public
14 integrity section.

15 Now, Mr. Collier, you come to this Court and you
16 allege that the Defendants failed to assist in putting you
17 in touch with the proper state and federal officers, and
18 then you go to the United States District Court and allege
19 in a complaint against that official that he was -- that
20 the very person you were referred to by the Defendants was,
21 in fact, the proper official.

22 Now, are you alleging he was the proper official,
23 or not?

24 MR. COLLIER: It turned out, Your Honor, that he
25 was not, but at the time we wrote the complaint --

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

JAMES M. COLLIER and
Kenneth F. Collier
300 Independence Ave. S.E.
Washington D.C. 20003 Plaintiff(s)

CA10935-84

REPUBLICAN NATIONAL COMMITTEE, by
and through and in addition to
its Chairman FRANK FAHRENKOPF and
its Principal Legal Counsel
MARK BRADEN acting as resident agent.

CIVIL ACTION No. _____

310 1ST ST. S.E. Defendant(s)
Republican National Committee Bldg.
Washington, D.C. 20003 COMPLAINT

1. Jurisdiction of this court is founded on D.C. Code Annotated, 1973 edition, as amended, Sec. 11-921.

COMES NOW THE PLAINTIFFS and say:

1. THAT Plaintiffs are residents of the District of Columbia, appearing in pro se.
2. THAT Defendant is an unincorporated association with its principal offices located in the District of Columbia and its Chairman and its principal legal office
3. THAT Defendant caused to be published a nationally circulated press release in October, 1982 to the effect that a "Reward Program" was being offered to "individuals who give information" related to violations of certain State and Federal laws against "vote fraud." (Please see EXHIBIT "A" which is attached hereto and made a part hereof.)
4. THAT Defendant wrongfully and negligently contracted with Plaintiffs via the generally-circulated press release referred to in Paragraph 3, guaranteeing to "...put them in touch with the proper State and Federal officials who WILL proceed with such complaint," when, in fact, Defendant had no authority to make such a promise, thereby turing Plaintiffs efforts through misrepresentation
5. THAT Plaintiffs, acting solely on the guarantee that their efforts would receive the official action as cited in Paragraph 4 herein, embarked on a mission to infiltrate and videotape the activities of a vote-racketeering ring operating with apparent impunity within the United States, doing so at the risk of our lives and at the peril of our families. Our efforts produced vital information.
6. THAT Defendant, by and through its chief counsel and agent Mark Braden, acknowledged in writing (May 30, 1984) its knowledge of Plaintiff's substantial compliance with the "Reward Program", absent an arrest in the case, admitting Plaintiffs had "obtained information." (Please see EXHIBIT "B", attached hereto and made a part hereof)) Defendant BRADEN and Defendant FAHRENKOPF co-authored the memo's content.
7. THAT Defendant failed to make any effort to get State or Federal proceedings started
8. THAT as a result of the foregoing misrepresentation Defendants have caused Plaintiff to suffer impoverishment, mental anguish, anxiety and permanent threats to their life

Wherefore, Plaintiff demands judgment against Defendant in the sum of \$ \$20,000,000

with interest and costs. 12 person jury demand

(TWENTY MILLION DOLLARS)

DISTRICT OF COLUMBIA, ss

James M. Collier and Kenneth F. Collier, being first duly sworn on oath deposes and says that the foregoing is a just and true statement of the amount owing by defendant to the plaintiff, exclusive of all set-offs and just grounds of defense.

Phone: _____

544-3055

Plaintiffs

Plaintiff

Agent)

Subscribed and sworn to before me this 6th day of July

19 84

(Notary Public/Deputy Clerk)

Republican
National
Committee

EXHIBIT "A"

DRAFT

October 15, 1982

Dear Secretary of State:

As we approach this important general election, we wish to recognize the excellent work of the hundreds of thousands of American Citizens who will serve their fellow citizens as election officials. We recognize they must serve long hours, often, for nominal pay, and often in cramped work places. In the vast majority of cases, American election workers do a fine job of quickly and accurately obtaining the vote and reporting the totals to their fellow citizens.

However, it has saddened us in the last few years to learn that vote fraud still exists in certain areas of this country. Fraud serves to undermine the most precious right of Americans--the right to vote. Since the right to vote is the keystone of all other rights we cherish as Americans, any dilution of the vote by fraud or error must be stopped. We know that your office will make every effort to see that every lawful vote is counted accurately, and that violations of the law are quickly stopped and offenses are prosecuted.

In order to help in such efforts, the Republican National Committee has decided to post a reward of \$5,000.00 to any citizen who gives information which leads to the arrest, conviction and punishment of any election official who violates state or federal laws against vote fraud. We have established telephone numbers that will be manned by attorneys who will assist in putting them in touch with the proper State and Federal officials who will proceed with such complaint.

We ask you to cooperate with us by informing us of a contact person in your state that might be used in the event such an occurrence happens in your state. Please contact Mark Braden or Catharine Gensior at 202/484-6638.

Very truly yours,

Richard Richards

RR:jd

cc: State Chairmen
CLA Members

Dwight D. Eisenhower Republican Center: 310 First Street Southeast, Washington, D.C. 20003. (202) 484-6500.



Republican
National
Committee

E. Mark Braden
Chief Counsel

Catherine E. Genslor
Michael A. Hess
Deputy Chief Counsels

EXHIBIT "B"

May 30, 1984

Mr. Kenneth F. Collier
Washington, D. C.

RE: Ballot Security - 1982

Dear Mr. Collier:

This will acknowledge receipt of the letter from you and James M. Collier, dated May 15, 1984, concerning the Republican National Committee's Ballot Security program during the 1982 elections.

As the attached news release, dated October 20, 1982, clearly specifies, the Republican National Committee offered a \$5,000 reward to individuals who gave information leading to the arrest, conviction, and punishment of any election official who violated state or federal laws against voting fraud. This criteria must be satisfied by individuals claiming entitlement to the reward.

Although the information you have obtained may contain material which will lead to the arrest and conviction of election officials, it has not, as of this date. I strongly urge that you provide your information to all law enforcement agencies which may have jurisdiction over these matters. The Committee looks forward to issuing the reward when its terms have been met. Your concern in regard to fair elections is shared by the Republican National Committee.

Very truly yours,

E. Mark Braden

EMB:jd
Enclosure

DISTRICT OF COLUMBIA
COURT OF APPEALS

VERSUS

REC'D

REPUBLICAN NATIONAL COMMITTEE, by
and through and in addition to
its chairman Frank Fahrenkope,
and principal Lega counsel Mark Braden
Clerk

VOL I 1983

DATE	COURT CLERK'S MEMORANDUM	JUDGE
31 1985	ENTERED IN BOOK	
	MAR 13 1985	
5-21-85	Refund of \$10.00 Motion Filing Fee duplicated 5-30-85 NDS	
MAY 31 1985	REVENUE REFUND VOUCHER TO D.C. TREASURER - SEE COPY FILED. FINANCE OFFICE	
5-85	Judge Kennedy continued pre-trial scheduled for 6-26-85 - case to be reset in normal course of business - Deborah DeWille-Wagman, Civil Motions - atty Can for defr. called at 2:40 p.m. - message left at 544-3066 for pliffs. at 2:45 p.m. NOW	MICROFILM JUL 17 1985
10-85	Case #44: Personal conference held and taken under advisement. D's oral mtn for leave to file mtn. for summary judgment - granted, as is before 9-5-85. D's leave due by 9-13-85. IT'S oral mtn for leave to file cross mtn for summary judgment granted by court. IT granted leave to take deposition of Mark Braden on before 9-3-85. Order to be presented.	AUG 28 1985 Henderson

REC'D
DISTRICT OF COLUMBIA
COURT OF APPEALS

APR 11 1986

W. H. H. H.
Clerk

James M. Collier, et al.

VERSUS

Republican Nat'l Committee

VOL II 2 of 3

DATE	COURT CLERK'S MEMORANDUM	JUDGE
12-86	James and Kenneth Collier present in court at 1:30 pm for "Preliminary matter" asking for ruling on plaintiff's petition for chief judge to hear pending Motion to Nullify Proceedings. After full hearing on the record, said petition is denied.	von Kann
2/10/86	Notice of Appeal filed	
2/14/86	The jacket entry dated 12/9/85 is amended to show the Court's ruling (order filed 12/10/85) of the motions heard on 12/9/85 as follows: Def't's Motion for Partial Summary Judgment as to punitive damages is granted. Def't's motion for Summary Judgment as to liability is denied. Amendment made per Judge von Kann's instructions after P.H.F. Kenneth Collier having much such a request on 2/12/86.	1001 1986 von Kann
2/10		

IN THE
SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

CIVIL DIVISION

FILED

OCT 15 1984

Superior Court

No. CA 10935-84

JAMES M. COLLIER
and
KENNETH F. COLLIER,

Plaintiffs,

vs.

REPUBLICAN NATIONAL COMMITTEE,
et al.

Defendants.


ORDER

This cause having been heretofore taken under advisement on the motion of the defendants to dismiss the complaint after due consideration of the pleadings and briefs filed herein and the Court [REDACTED]

[REDACTED] finding that it is being requested to consider matters outside the pleadings,

It is ordered that [REDACTED] motion to dismiss for failure to state a claim is denied without prejudice to the defendant's filing of a motion for summary judgment.

Dated: 10/15/84


Judge of the Superior Court

Judge N. Nuzzio

Plaintiffs, Pro Se:

James M. Collier
Kenneth F. Collier
300 Independence Avenue, S. E.
Washington, D. C. 20003

Counsel for Defendants:

Michael A. Hess
310 First Street, S. E.
Washington, D. C. 20003
D. C. Bar No. 940270

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

F 11 1984
DEC 11 1984

JAMES M. COLLIER,
KENNETH F. COLLIER,

Plaintiffs,

vs.

Civil Action #0935-84

REPUBLICAN NATIONAL COMMITTEE,
et al.,

Defendants.

ORDER

The Court has considered the defendants' motion for summary judgment and the plaintiffs' opposition filed with respect thereto. The Court finds that there are material facts in dispute. Accordingly, it is this 4 day of ^{December} ~~November~~, 1984,

ORDERED that the defendants' motion for summary judgment is denied.

Colleen M. McKelvey
JUDGE

Michael A. Hess, Esq.
310 First Street, S. E.
Washington, D. C. 20003

MF10

DE -

*Circled phrase above
(emphasis added)
by Plaintiff 1/15/86
for motion
argument*

IN THE SUPERIOR COURT
of the
DISTRICT OF COLUMBIA/ civil division

JAMES M. COLLIER

and

KENNETH F. COLLIER,

Plaintiffs

CA 10935-84

vs.

REPUBLICAN NATIONAL COMMITTEE,

et al.

Defendants.

ORDER

THIS CAUSE having ~~been considered~~ ^{on} ~~the motion of the Plaintiffs to compel the testimony under deposition of Mr. Richard Richards on the date of October 26, 1984~~ the Plaintiffs' motion is hereby granted.

It is so ordered that as October 26th has passed, the plaintiffs and Mr. Richards are to agree to a date, on or before, ~~January 4, 1985~~ for the taking of Mr. Richards' deposition. ♦

Dated: _____

Collins W. ...
Judge of the Superior Court

Plaintiffs, Pro Se:

James M. Collier
Kenneth F. Collier
300 Independence Ave., S.E.
Washington, D.C. 20003

Counsel for Defendants

Michael A. Hess
310 First Street, S.E.
Washington D. C. 20003

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

CIVIL DIVISION

FILED

MAY 3 - 1985

Superior Court
of the District of Columbia

KENNETH F. COLLIER, et al

*

PLAINTIFFS

*

v.

*

CA NO. 10935-84

REPUBLICAN NATIONAL COMMITTEE
et al

*

DEFENDANTS

*

ORDER

The Court has considered the plaintiffs' motion to amend, the opposition thereto and the plaintiffs' rebuttal. It is, this 3d day of May, 1985,

ORDERED, That the plaintiff's motion to amend is granted and that the plaintiffs are given leave to file and serve an amended complaint as requested, on or before May 31, 1985.

JUDGE

COPIES TO: MAILED MAY 7 1985

Judge S. Holmes

Michael A. Hess, Esq
Republican National Committee
301 First St, S.E.
Washington, D.C. 20003

Kenneth F. Collier
James M. Collier
300 Independence Ave., S.E.
Washington, D.C. 20003

MAILED

MAY 7 1985

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

CIVIL DIVISION

FILED

JUL 26 1985

Superior Court
of the District of Columbia

KENNETH F. COLLIER, et al *

PLAINTIFFS *

v. *

REPUBLICAN NATIONAL COMMITTEE *
et al

DEFENDANTS *

CA NO. 10935-84

O R D E R

The Court has considered the following motions: 1) the plaintiffs' motion for sanctions and reasonable expenses for failure to appear for properly - noticed deposition; 2) the defendants' motion to dismiss; 3) the plaintiffs' motion to compel discovery and produce financial records; 4) the plaintiffs' motion for summary judgment; 5) the defendants' motion for continuance of pre-trial and; 6) the defendants' motion for partial summary judgment. The Court has also considered the oppositions and replies filed with respect to each motion. It is, this 26th day of June, 1985,

ORDERED, That the plaintiffs' motion for sanctions and reasonable expenses for failure to appear for properly - noticed deposition is denied. It is

FURTHER ORDERED, That the defendants' motion to dismiss is denied. It is

FURTHER ORDERED, That the plaintiffs' motion to compel discovery and produce financial records (filed on May 20, 1985 and refiled on May 30, 1985) is denied. It is

FURTHER ORDERED, That the plaintiff's motion for summary judgment is denied. It is

FURTHER ORDERED, That the defendants' motion for continuance of pre-trial is denied as moot in light of the sua sponte continuance by the Court on April 25, 1985. It is

FURTHER ORDERED, That a decision on the defendants' motion for partial summary judgment is held in abeyance until August 9, 1985, pending which the defendants are to supplement their motion with affidavits, and/or references to deposition testimony and answers to interrogatories. Said supplement is to be filed and served on or before July 24, 1985. The plaintiffs are to have until on or before August 9, 1985, to respond to the supplement. The supplement and the response are to be filed with the Civil Motions Commissioner. It is

FURTHER ORDERED, That this matter be scheduled for a discovery conference after August 9, 1985, pursuant to S.C.R. Civ. 26(g). It is

FURTHER ORDERED, That 10 days before the conference is scheduled the parties are to file and serve the following information:

- 1). a statement of the issues as they appear;
- 2). a proposed plan and schedule for discovery;
- 3). any limitations to be placed on discovery; and
- 4). any proposed orders with respect to discovery

It is

FURTHER ORDERED, That all discovery in this case is stayed pending the discovery conference. It is

FURTHER ORDERED, That this case be rescheduled for a pre-trial conference in the normal course of business.

Henry H. Kennedy, Jr.
JUDGE

COPIES TO: **MAILED JUL 1 1985**

Kenneth F. Collier
James M. Collier
300 Independence Ave., S.E.
Washington, D.C. 20003

Judge H. Kennedy
Lawrence E. Carr, Jr., Esq
1919 Penn Ave., N.W., Suite 700
Washington, D.C. 20006

MFLD

JUL 1 1985

AUG 16 1985

SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
Civil Division

Superior Court of the
District of Columbia

KENNETH F. COLLIER AND
JAMES M. COLLIER

Plaintiffs,

v.

REPUBLICAN NATIONAL COMMITTEE,
et al.,

Defendants.

Civil Action No.: 10935-84

MFLO

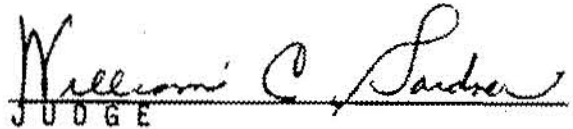
AUG 16 1985

ORDER

UPON CONSIDERATION of the oral motions of the plaintiffs and defendants for authorization to file motions for summary judgment, it is by the Court this 15th day of August, 1985,

ORDERED, that the parties herein be, and the same hereby are authorized to file motions for summary judgment. The motion for defendants shall be filed on or before September 3, 1985. The plaintiffs' opposition thereto and/or cross for summary judgment motion shall be filed on or before September 13, 1985, and it is,

FURTHER ORDERED, that the Civil Assignment Office shall set the hearing on the aforesaid motions at the earliest available date. Said hearing shall also include argument on defendants' pending Motion for Partial Summary Judgment as to Punitive Damages.


JUDGE

cc: Kenneth F. Collier
James M. Collier
300 Independence Avenue, S.E.
Washington, D.C. 20003

Lawrence E. Carr, Jr.
Kyle A. Kane
1919 Pennsylvania Ave., N.W.
Washington, D.C. 20006

August 16, 1985

Copies mailed to above-named counsel and plaintiffs, pro se, at their respective addresses.

EXHIBIT "A"

SUPERIOR COURT FOR THE
DISTRICT OF COLUMBIA

FILED
IN OPEN COURT

DEC 10 1985

S. C. Court
of the District of Columbia
Washington, D. C.

KENNETH F. COLLIER AND
JAMES M. COLLIER

Plaintiffs,

v.

REPUBLICAN NATIONAL
COMMITTEE, et al.

Defendants.

Civil Action No.: 10935-84

RECEIVED FOR DOCKETING
Civil Clerk's Office

DEC 17 1985

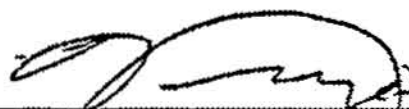
ORDER

Superior Court of the
District of Columbia

In consideration of the Defendants' Motion for Partial Summary Judgment as to Punitive Damages, their Motion for Summary Judgment as to Liability, the Plaintiffs' Oppositions thereto, and the premises considered, it is this 10 day of December, 1985,

ORDERED, that the Defendants' Motion for Partial Summary Judgment as to Punitive Damages be, and the same hereby is, GRANTED; and it is further

ORDERED, that the Defendants' Motion for Summary Judgment as to Liability be, and the same hereby is, DENIED.


The Honorable Nicholas S. Nunzio

cc: Kenneth F. Collier
James M. Collier
300 Independence Avenue, S.E.
Washington, D.C. 20003

Lawrence E. Carr, Jr., Esquire
Kyle A. Kane, Esquire
1919 Pennsylvania Avenue, N.W.
Suite 700
Washington, D.C. 20006

MFLD

DEC 17 1985

*This is the Order that
Judge H. Greene "reversed" (?)
Despite the fact that
RULE 12-1/2 had been violated
by Defendants' Counsel
in order to get another
(UNAUTHORIZED) "bite at
the apple"*

IN THE SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA CIVIL DIVISION

KENNETH F. COLLIER

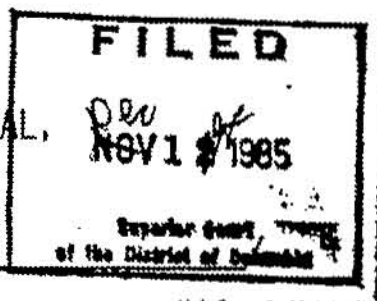
JAMES. M. COLLIER

PLAINTIFFS

V.

LEAGUE OF WOMEN VOTERS, ET AL,

DEFENDANTS



CA 05019 - 85

ORDER

THIS COURT, HAVING CONSIDERED THE ~~ARGUMENT OF COUNSEL~~
~~IN THE~~ PENDING MOTION FOR ORDER TO COMPEL DISCOVERY HEREBY GRANTS
SAID MOTION AND IT IS THE ORDER OF THIS COURT THAT RICHARD SMOLKA
APPEAR FOR DEPOSITION IN THE ABOVE CAPTIONED CASE OR SCHEDULE
A TIME TO SO APPEAR ON OR BEFORE Jan 15, 1986

JUDGE

MAILED

DEC 11 1985

Judge N. Nunzio

COPY TO COUNSEL

PLAINTIFFS: KENNETH F. COLLIER

JAMES M. COLLIER

300 INDEPENDENCE AVE., S.E.

WASH D.C. 20003

MAILED

DEC 18 1985

*remailed w/ correct file
stamp date.*

DEFENDANTS

DANIEL WALDMAN, Esq.

ARNOLD AND PORTER LAW FIRM

1200 NEW HAMPSHIRE AVE., N.W.

WASHINGTON, D.C. 20036

MFLD

DEC 12 1985

SUPERIOR COURT FOR THE
DISTRICT OF COLUMBIA

Civil Division

RECEIVED

JAN 10 1986

CLERK OF
JUDGE GREENE

KENNETH F. COLLIER AND
JAMES M. COLLIER

Plaintiffs,

v.

REPUBLICAN NATIONAL
COMMITTEE, et al.

Defendants.

Civil Action No.: 10935-84

RECEIVED FOR DOCKETING
Civil Clerk's Office

JAN 14 1986

ORDER

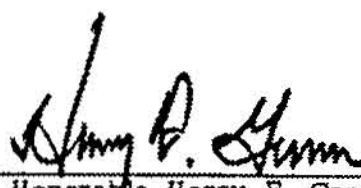
Superior Court of the
District of Columbia

In consideration of Plaintiffs' Motion for Reconsideration of the grant of Defendants' Motion Partial Summary Judgment as to Punitive Damages, Defendants' Opposition thereto, Defendants' Motion for Reconsideration of the denial of its Motion for Summary Judgment as to Liability, Plaintiffs' Opposition thereto and the premises considered, it is this 10th day of January, 1986

ORDERED, that Plaintiffs' Motion for Reconsideration be, and the same hereby is, DENIED, for the reasons stated by the Court in open court; it is further

ORDERED, that Defendants' Motion for Reconsideration be, and the same hereby is, GRANTED, for the reasons stated by the Court in open court; and it is further

ORDERED, that Defendants' Motion for Summary Judgment as to Liability, be, and the same hereby is, GRANTED for the reasons stated by the Court in open court.


The Honorable Henry F. Greene

cc: Kenneth F. Collier
James M. Collier
300 Independence Avenue, S.E.
Washington, D.C. 20003

Lawrence E. Carr, Jr., Esquire
Kyle A. Kane, Esquire
1919 Pennsylvania Avenue, N.W.
Suite 700
Washington, D.C. 20006

MFLD

JAN 14 1986

SUPERIOR COURT FOR THE
DISTRICT OF COLUMBIA

RECEIVED FOR DEPOSIT
Civil Clerk's Office

JAN 14 1986

KENNETH F. COLLIER AND
JAMES M. COLLIER

Plaintiffs,

v.

REPUBLICAN NATIONAL
COMMITTEE, et al.

Defendants.

Superior Court
District of C.

Civil Action No.: 10935-84

ORDER

In consideration of Plaintiffs' Motion for Reconsideration,
Defendants' Opposition thereto, and the premises considered, it is this 13th day
of January, 1986,

ORDERED, that Plaintiffs' Motion be, and the same hereby is,
DENIED.


Judge

cc: Kenneth F. Collier
James M. Collier
300 Independence Avenue, S.E.
Washington, D.C. 20003

Lawrence E. Carr, Jr., Esquire
Kyle A. Kane, Esquire
1919 Pennsylvania Avenue, N.W.
Suite 700
Washington, D.C. 20006

SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA

Civil Division

RECEIVED FC
Civil Clerk's Office

JAN 23 1986

KENNETH F. COLLIER AND
JAMES M. COLLIER,

Plaintiffs,

v.

REPUBLICAN NATIONAL
COMMITTEE, et al.,

Defendants.

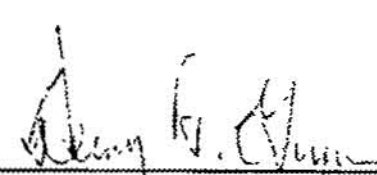
Superior Court of the
District of Columbia

Civil Action No.: 10935-84

ORDER

In consideration of Plaintiffs' Motion to Nullify
"Proceedings" Emanating from Star Chamber and "Secret" Courtroom
#47, Defendants' Opposition thereto, and the premises considered,
it is this 23rd day of January, 1986,

ORDERED, that Plaintiffs' Motion be, and the same hereby is,
DENIED.


J U D G E

cc: Kenneth F. Collier
James M. Collier
300 Independence Avenue, S.E.
Washington, D.C. 20003

Lawrence E. Carr, Jr.
Kyle A. Kane
1919 Pennsylvania Ave., N.W.
Suite 700
Washington, D.C. 20006

JAN 23 1986

SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA

Civil Division

KENNETH F. COLLIER, et al., :

Plaintiffs, :

v. :

LAWRENCE E. CARR, JR., et al., :

Defendants :

Civil Action No. 0440-86

ORDER

Upon consideration of the motion of defendant ~~Henry F.~~ Greene to dismiss the complaint, and the memorandum of points and authorities filed in support thereof, ^{the opposition thereto} and it appearing to the Court that the complaint fails to state a claim against defendant Greene upon which relief can be granted, it is, by the Court, this 11 day of March, 1986,

ORDERED: That the motion of defendant Greene be, and the same is, hereby granted; and it is,

FURTHER ORDERED: That the instant complaint be, and the same is, hereby dismissed with prejudice as against defendant Greene. ~~///~~

MAILED

MAR 12 1986

Associate Judge

Judge S. Grace

CC: Candida Staempfli
Assistant Corporation Counsel, D.C.
Room 310 - District Building
Washington, D.C. 20004

James M. Collier
Kenneth F. Collier
c/o the Liberty Lobby
300 Independence Ave., S.E.
Washington, D.C. 20003

James F. Lee, Jr., Esquire
Carr, Goodson & Lee, P.C.
1919 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

MAILED

MAR 12 1986

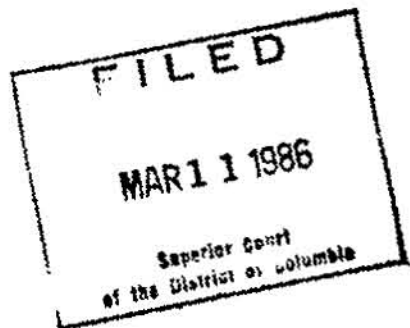
SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Civil Division

KENNETH F. COLLIER,
JAMES M. COLLIER,
Plaintiffs,

v.

LAWRENCE E. CARR, JR.,
and
THE HONORABLE HENRY GREENE,
Defendants.

Civil Action No. 0440-86



ORDER

Upon consideration of the Motion to Dismiss of Defendant Lawrence E. Carr, Jr., the Opposition thereto, and the entire record, it is this 11 day of March, 1986,

ORDERED, that the Complaint be, and the same hereby is DISMISSED WITH PREJUDICE as to defendant Lawrence E. Carr, Jr., and it is further;

ORDERED, that ^{the} plaintiffs ^{are to appear in Courtroom #9 on} April 1, 1986 at 10 a.m. to show cause why sanctions should not be entered against them pursuant to SCRCiv 11 as requested by the defendant, Lawrence E. Carr, Jr.

MAILED MAR 12 1986

JUDGE

Judge S. Grace

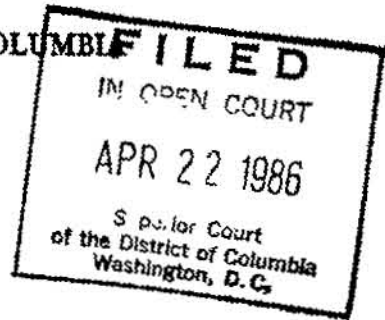
Copies To:

James F. Lee, Jr., Esquire
CARR, GOODSON & LEE, P.C.
1919 Pennsylvania Avenue, N.W.
Suite 700
Washington, D.C. 20006

MFLD

MAR 12 1986

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION
Washington, D.C. 20001



Kenneth F. Collier
James M. Collier Plaintiff
v.
Lourence E. Carr, Jr.
et al Defendant

CA No. 440-86

ORDER

Upon consideration of the motion for summary judgment
filed by James M. Collier
and after hearing argument on behalf of all parties concerned, it is, by the Court, this
day of April, 1986

ORDERED:

(1) That the motion be, and it is hereby, ☒ GRANTED ☐ DENIED

(2) That summary judgment be granted to the Plaintiff
and that the Defendant be dismissed with costs
to the Plaintiff.

Copies to:

JUDGE

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

CIVIL DIVISION

MAY 27 1986

Superior Court of the
District of Columbia

KENNETH F. COLLIER, et al.
Plaintiffs

v.

CIVIL ACTION NO.
0440-86

LAWRENCE E. CARR, JR., et al.
Defendants

ORDER

This matter is before the Court by virtue of Plaintiffs' request for leave of Court to file a post-dismissal motion.

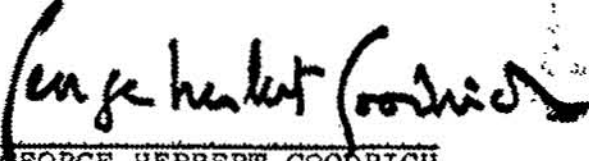
The instant action was dismissed by order of Judge Steffen Graae of this court. The basis for the dismissal was Defendants' motion to dismiss. The Plaintiffs now contend that Defendant Carr's motion to dismiss contained factual inaccuracies and misleading statements. On the basis of the alleged misrepresentations, Plaintiffs seek an order from this Court permitting them to file a post-dismissal motion seeking sanctions against Defendant Carr pursuant to Super.Ct.Civ.R. 11. It appears from Plaintiffs' written request, however, that the grounds upon which they seek sanctions were not raised with the trial judge who granted the motion to dismiss, either prior or subsequent to his ruling. This Court is of the view that the appropriate forum for Plaintiffs' claims is with the trial judge who ruled on the Defendant's motion, not with this Court. To find otherwise, would put this Court in the position of relitigating Defendant's motion to dismiss, which issue is not before this Court.

Wherefore, it is this 27th day of May, 1986

ORDERED that Plaintiffs' request to file a post-dismissal motion be and hereby is denied.

MFLO

MAY 27 1986


GEORGE HERBERT GOODRICH
ACTING CHIEF JUDGE

JUN 4 - 1986

NM

RECEIVED FOR DOCKETING
Civil Clerk's Office

JUN 2 1986

Superior Court of the
District of Columbia

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

CIVIL DIVISION

KENNETH F. COLLIER, et al.
Plaintiffs

v.

CIVIL ACTION NO.
440-86

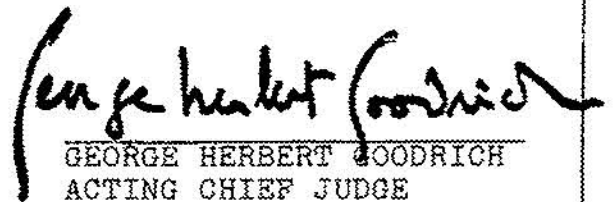
LAWRENCE E. CARR, et al.
Defendants

ORDER

On May 27, 1986, the Judicial Nominating Committee appointed Fred B. Ugast as the Chief Judge of this Court, said appointment to be effective Sunday, June 1, 1986.

Inasmuch as the Plaintiffs have requested that the pending matters be heard by the Chief Judge of the Court, it is this 2nd day of June, 1986

ORDERED that all pending matters be and hereby are certified to Chief Judge Fred B. Ugast.


GEORGE HERBERT GOODRICH
ACTING CHIEF JUDGE

copies to:

Kenneth F. Collier
James M. Collier
300 Independence Avenue, S.E.
Washington, D.C. 20003

James F. Lee, Esquire
Carr, Goodson & Lee, P.C.
1919 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

MFLD

JUN 2 1986

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

FILED

JUN 12 1986

Superior Court
of the District of Columbia

KENNETH F. COLLIER and
JAMES M. COLLIER,

Plaintiffs,

v.

LEAGUE OF WOMEN VOTERS
EDUCATION FUND, DOROTHY
RIDINGS and LEAGUE OF
WOMEN VOTERS OF THE
UNITED STATES,

Defendants.

Civil Action No. CA05019-85

ORDER

Upon consideration of the defendants' ^{unopposed} Motion for
Leave of Court to Permit the Defendants to File a Motion
for Summary Judgment and any opposition thereto, it is
this 12th day of June, 1986, by the Court,

ORDERED that defendants' Motion is hereby granted
and the defendants are permitted 35 days from the date
of this Order to file a Motion for Summary Judgment.

MAILED JUN 16 1986

Virginia L. Riley
Judge

Judge V. Riley

TO: Kenneth F. Collier
James M. Collier
300 Independence Avenue, S.E.
Washington, D.C. 20003

Daniel Waldman, Esquire
Arnold & Porter
1200 New Hampshire Avenue, N.W.
Washington, D.C. 20036

MFLD

JUN 16 1986

REC'D

JUN 17 1986

Abd. Numan
Clerk

IN THE DISTRICT COLUMBIA COURT OF APPEALS

CIVIL DIVISION

KENNETH F. COLLIER

JAMES M. COLLIER

PLAINTIFF/APPELLANTS

V

REPUBLICAN NATIONAL COMMITTEE,

ET AL.,

DEFENDANT/APPELLEES

CIVIL APPEAL

86-350

MOTION TO STRIKE UNAUTHORIZED

"CORRECTED" TRANSCRIPT OF HEARING (OF 1/9/86)

WHICH IS CURRENTLY IN THE RECORD (OF THIS COURT)

(per: Rule 10 prima facie violation)

COMES NOW THE PLAINTIFF/APPELLANTS AND MOVE THIS HONORABLE COURT TO STRIKE THE ENTIRE TRANSCRIPT OF THE SO-CALLED "HEARING" OF 1/9/86, WHICH WAS HELD BEFORE THE HONORABLE JUDGE HENRY F. GREENE THAT DATE, AND AS CAUSE THEREFOR WOULD REFER THE COURT TO THE ACCOMPANYING MEMORANDUM IN SUPPORT OF SAID MOTION AND THE ATTACHED POINTS AND AUTHORITIES,

RESPECTFULLY SUBMITTED,

J. M. Collier
JAMES M. COLLIER PRO SE

Kenneth F. Collier
KENNETH F. COLLIER PRO SE

300 INDEPENDENCE AVE., S.E. WASH. D.C. 20003 PHONE 544-3066 544-6254

IN THE COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIVIL DIVISION

JAMES M. COLLIER

KENNETH F. COLLIER

PLAINTIFF/APPELLANTS

V

REPUBLICAN NATIONAL COMMITTEE,

ET AL.,

DEFENDANT/APPELLEES

CIVIL ACTION

86-350

MEMORANDUM OF POINTS AND AUTHORITIES

IN SUPPORT OF MOTION TO STRIKE TRANSCRIPT, ETC.

FACTUAL
BACKGROUND

1. ON JANUARY 9, 1986 A HEARING WAS HELD BEFORE THE HONORABLE JUDGE HENRY F. GREENE, RESULTING IN THE "REVERSAL" OF THE RULING OF JUDGE NICHOLAS NUNZIO (^{RULING} WHICH/WAS RENDERED A MONTH EARLIER AND WHICH RULING (NUNZIO DENIED SUMMARY JUDGMENT TO THE REPUBLICAN NATIONAL COMMITTEE AS TO LIABILITY.) AS A RESULT OF THE APPARENT ^{"in house"} REVERSAL, A CONTROVERSY AROSE.

2. COURT REPORTER EDNA SIMMS FROM THE SUPERIOR COURT COURT REPORTERS OFFICE TRANSCRIBED THE GREENE HEARING AND LATER HAD HER NOTES TYPED UP ONTO SPECIALLY DESIGNATED "ONIONSKIN" PAPER AS THE FIRST ORIGINAL COPY OF THE TRANSCRIPT OF THAT HEARING. (See Affidavit attached)

3. THEN EDNA SIMMS TURNED IN THAT FIRST ORIGINAL TYPED TRANSCRIPT TO THE COURT REPORTERS OFFICE, RM 195, SUPERIOR COURT, AND SIGNED A CERTIFICATE OF COURT REPORTER (EXHIBIT A HEREIN) DATED FEB. 11, 1986.

4. THEN, SEVERAL DAYS LATER, EDNA SIMMS RECEIVED INSTRUCTIONS TO RETRIEVE THE SAID FIRST ORIGINAL TRANSCRIPT FROM THE COURT REPORTERS OFFICE AND TO TYPE IT ALL OVER AGAIN ON THE SAME SPECIAL "ONIONSKIN" PAPER RESERVED FOR ORIGINAL COPIES OF TRANSCRIPTS, AND TO ALSO DATE IT 2/11/86 BUT THIS TIME SIMMS OBSERVED THE "BLUE-PENCILED" REVISIONS AND ALTERATIONS IN THE "PILOT COPY" WHICH HAD BEEN UNILATERALLY TAMPERED-WITH BY THE TRIAL JUDGE AND AS A RESULT SIMMS TURNED OUT A TOTALLY FALSE VERSION OF HER ORIGINAL "FIRST ORIGINAL" AND INSTEAD PRODUCED A "SECOND ORIGINAL" WHICH SIMMS THEN FALSELY CERTIFIED AS BEING THE ONE AND ONLY ORIGINAL TRANSCRIPT OF THE 1/9/86 PROCEEDINGS. THIS "SECOND ORIGINAL" WAS PASSED OFF ON THE COLLIERS AS THE ONE-AND-ONLY ORIGINAL, AND WAS USED IN PLEADINGS BY THE DEFENDANT/APPEES

5. WHEN QUESTIONS AROSE BY THE COLLIERS AS TO THE FACT THAT CERTAIN SUBSTANTIVE PORTIONS OF THE TRANSCRIPT APPEARED TO BE MISSING, YET A THIRD ORIGINAL COPY OF THE TRANSCRIPT WAS TYPED UP ^{ON "ONIONSKIN" PAPER} BY THE COURT REPORTERS OFFICE (USING COURT TAPES AS A SOURCE) AND IT IS THIS THIRD ORIGINAL "CORRECTED TRANSCRIPT" DATED MAY 16, 1986 WHICH PURPORTS TO BE THE EQUIVALENT OF THE FIRST ORIGINAL (AS ABOVE) AND WHICH CURRENTLY RESIDES IN THE FILE OF THIS CASE IN THE COURT OF APPEALS. NOTE: EDNA SIMMS' "CERTIFICATE OF REPORTER" APPEARS ON THIS THIRD VERSION THOUGH SHE DIDN'T TYPE IT

6. A GRAPHIC DIAGRAM IS ATTACHED TO THESE PLEADINGS WHICH ILLUSTRATES HOW THE THREE SEPARATE "ORIGINALS" CAME INTO EXISTENCE.

ARGUMENT

ONLY THE FIRST ORIGINAL TRANSCRIPT ^{WHEREVER IT IS} SHOULD BE ACCEPTED IN THE RECORD ON APPEAL, CERTAINLY NOT A TRANSCRIPT WHICH IS SELF-LABELED AS A "CORRECTED" TRANSCRIPT AND WHICH WOULD NEVER HAVE COME INTO BEING IF THE COLLIERS HAD NOT COMPLAINED ABOUT THE TAMPERED VERSION WITH WHICH THEY HAD BEEN DEVIOUSLY PROVIDED BY SIMMS.

"pilot version"

THE MERE FACT THAT THE FIRST ORIGINAL [^] IS NOW "BLUE-PENCILED" AND APPEARS IN NO CONDITION TO BE MADE PUBLIC DOES NOT CHANGE OR SUSPEND

THE REQUIREMENTS OF THE RULES OF THIS COURT WHICH DEMAND THAT ONLY THE ORIGINAL TRANSCRIPT OR A ^{"CORRECTED"} VERSION WHICH HAS BEEN APPROVED AND STIPULATED BY THE TRIAL JUDGE AND THE PARTIES (RULE 10) BE ADMITTED INTO THE COURT OF APPEALS.

CONCLUSION

THERE IS ABSOLUTELY NO QUESTION ABOUT THE FACT THAT RULE 10 WAS VIOLATED BY THE TRIAL JUDGE IN THIS CASE, AS JUDGE GREENE SEVERELY "BLUE-PENCILED" SIMMS FIRST ORIGINAL *"pilot"* TRANSCRIPT, LEAVING OUT KEY WORDS AND PHRASES, AND DID SO WITHOUT ANY NOTICE WHATSOEVER TO THE COLLIER. AS SUCH, THE SUBSEQUENT "REVISED" TRANSCRIPTS, INCLUDING THE ONE MADE BY THE COURT REPORTERS OFFICE, (5/16/ ARE WHOLLY LACKING IN AUTHENTICITY, AND IN FACT ARE FRAUDULENT, INCOMPLETE COUNTERFEITS OF THE VIRGIN ORIGINAL THEY WERE ARTFULLY DEvised TO SECRETLY SUPPLANT.

THE COPY OF THE THIRD ORIGINAL NOW ON FILE IN THIS CASE IS TOTALLY UNACCEPTABLE, THEREFORE, AND SHOULD BE STRICKEN FROM THE RECORD.

IF, FOR ANY REASON, THE FIRST ORIGINAL TRANSCRIPT (AS ABOVE) HAS BEEN "LOST" OR "DESTROYED" OR IS OTHERWISE UNAVAILABLE IN ITS BLUE-PENCILED ~~(MORE THAN 900 WORDS DELETED)~~ ^{-see exhibit attached-} GLORY, THEN THE COLLIER ARE ENTITLED TO AN IMMEDIATE SUMMARY REVERSAL OF THIS MATTER DUE TO THE FACT THAT WITHOUT THE FIRST ORIGINAL TRANSCRIPT NO EXAMINATION OF THE "MERITS" OF THE INSTANT CASE WOULD BE RELIABLE.

WHEREFORE THE PLAINTIFF/APPELLANTS RESPECTFULLY REQUEST THIS COURT TO STRIKE THE "CORRECTED" TRANSCRIPT FROM THE RECORD AND TO ORDER THE COURT REPORTERS OFFICE TO COME UP WITH THE FIRST ORIGINAL *"pilot"* VERSION, EVEN IF IT HAS BEEN "BLUE-PENCILED" IN VIOLATION OF RULE 10.


JAMES M. COLLIER

300 INDEPENDENCE AVE., S.E. WASH., D.C. 20003

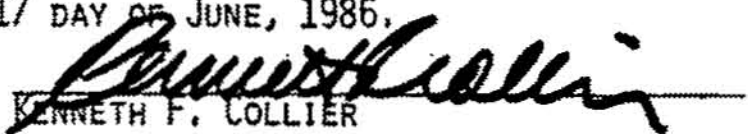
RESPECTFULLY SUBMITTED


KENNETH F. COLLIER

PHONE 544-3066

CERTIFICATE OF SERVICE

I, KENNETH F. COLLIER, HEREBY CERTIFY THAT I HAND-DELIVERED A TRUE COPY OF THE WITHIN MOTION TO STRIKE UNAUTHORIZED "CORRECTED TRANSCRIPT" FROM THE RECORD OF THE INSTANT CASE TO L. CARR, ESQ., 1919 PENN AVE., N.W. WASHINGTON, D.C. SUITE 700 THIS 17 DAY OF JUNE, 1986.


KENNETH F. COLLIER

NOTE:
→
AFFIDAVIT

The within
ORIGINAL WAS
PREVIOUSLY FILED
IN PLEADINGS IN CASE
CA 0440-86(SUP. CT)

I, KENNETH F. COLLIER, HEREBY AFFIRM THAT I AM THE AUTHOR OF THE FOLLOWING STATEMENTS AND THAT I HAVE PERSONAL KNOWLEDGE OF THE MATTER SET FORTH BELOW:

1. THAT I INTERVIEWED COURT REPORTER EDNA SIMMS ON 6 JUNE, 1986 IN THE SUPERIOR COURT COURTHOUSE AND ASKED SIMMS ABOUT THE FACTS SURROUNDING THE TYPING-UP AND SUBMISSION OF THE TRANSCRIPT IN CASE #10935-84.

2. SIMMS STATED THAT SHE DID NOT TYPE THE ORIGINAL COPY, BUT THAT HER TYPIST DID SO, AND THAT SIMMS THEN SUBMITTED THAT COPY TO THE COURT REPORTERS' OFFICE AS USUAL.

3. SIMMS FURTHER STATED THAT A TIME CAME WHEN SHE WAS CONTACTED BY THAT OFFICE TO DO A RE-TYPING OF THE SAME TRANSCRIPT, BUT WAS UNDER INSTRUCTIONS TO DELETE THOSE PORTIONS OF THE RECORD WHICH HAD BEEN "BLUE-PENCILED" BY THE TRIAL JUDGE.

4. SIMMS FURTHER STATED THAT SHE NOW CONSIDERES HERSELF TO HAVE VIOLATED THE CERTIFICATE OF COURT REPORTER (WHICH APPEARS BY REGULATION ON EACH TRANSCRIPT) AS SHE FALSELY "SWORE" THAT THE RESULTANT TRANSCRIPT (WHICH SHE TURNED OUT FROM THE VERSION EDITED BY THE TRIAL JUDGE) HAD BEEN TAKEN FROM HER ORIGINAL TRANSCRIPTION, WHEN, IN FACT, IT WAS NOT TRUE.

5. THE ACCOMPANYING EXHIBIT A REVEALS THAT 927 WORDS WERE DELETED BY SIMMS' SECOND COPY.
FURTHER AFFIANT SAYETH NOT


KENNETH F. COLLIER

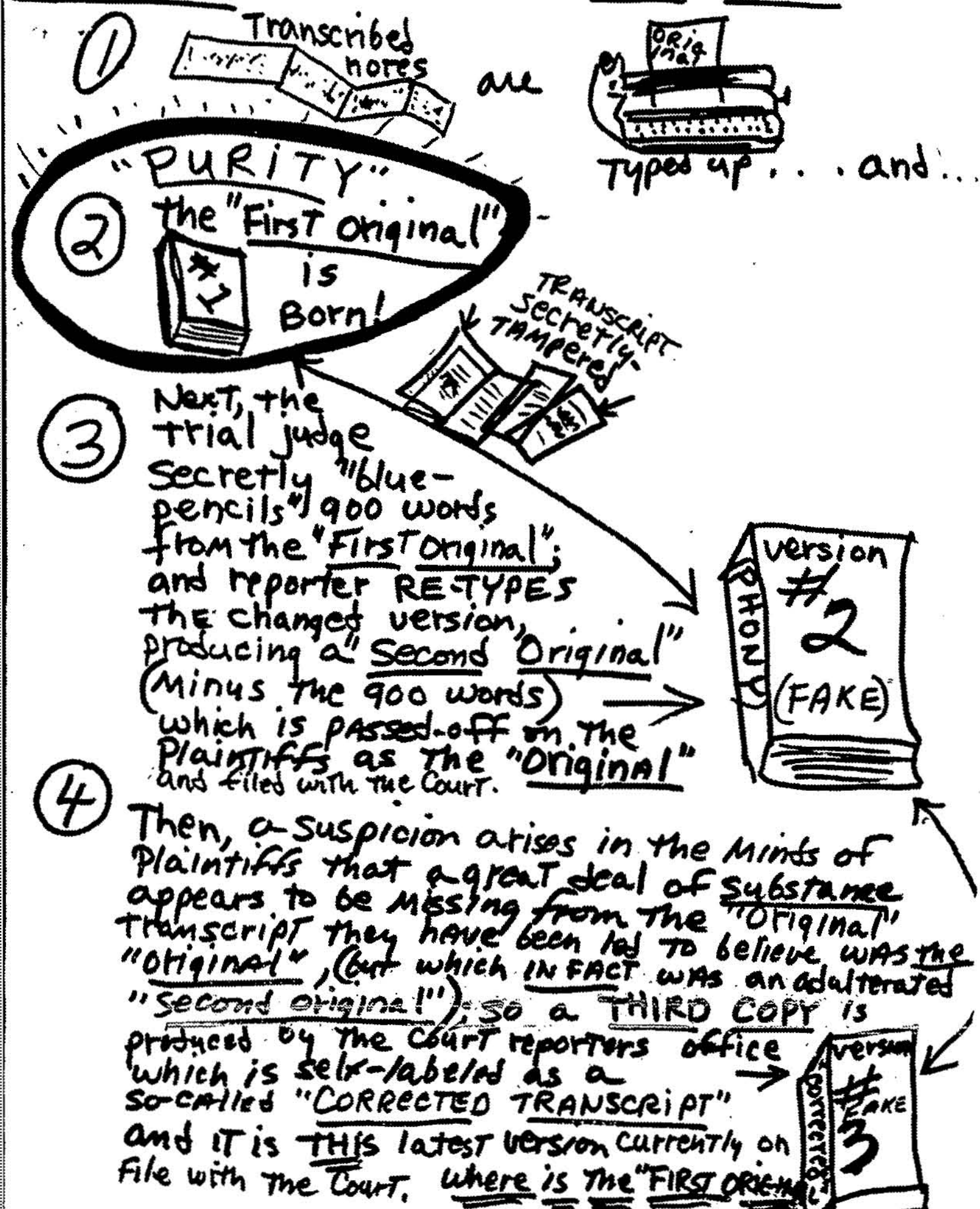
NOTARY SEAL

PERSONALLY APPEARED BEFORE ME THIS 9 DAY OF June, 1986,

IS KENNETH F. COLLIER, AND HAVING BEEN SWORN IN THE PREMISES, AFFIRMS THE ABOVE.

*

10935-84
APPEAL # 86-350 WHERE IS THE "FIRST ORIGINAL"?



CERTIFICATE OF REPORTER

I, Edna E. Simms, an Official Court Reporter for the Superior Court of the District of Columbia, do hereby certify that I reported, by machine shorthand, in my official capacity, the proceedings had and testimony adduced upon the motions hearing in the case of JAMES M. COLLIER, et al. v. REPUBLICAN NATIONAL COMMITTEE, Civil Action Number 10935-84, in said Court on the 9th day of January, 1986.

I further certify that the foregoing 151 pages constitute the official transcript of said proceedings, as taken from my machine shorthand notes.

In witness whereof, I have hereto subscribed my name, this the 11th day of February, 1986.

Edna E. Simms
EDNA E. SIMMS
Official Court Reporter

RECEIVED
MAR 14 9 30 AM '86
U.S. DISTRICT COURT
DISTRICT OF COLUMBIA
CLERK'S OFFICE

NOTE: This is NOT the
"FIRST ORIGINAL"

THIS IS THE
NOTE: SECOND
"ORIGINAL"

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION

JAMES M. COLLIER, et al.,

Plaintiffs

v.

REPUBLICAN NATIONAL COMMITTEE,

Defendant

Civil Action Number:

10935-84

Washington, D. C.

Thursday, January 9, 1986

The above-entitled action came on for a motions hearing before the Honorable HENRY F. GREENE, Associate Judge, in Courtroom Number 47, commencing at approximately 10:15 a.m.

THIS TRANSCRIPT REPRESENTS THE PRODUCT OF AN OFFICIAL REPORTER, ENGAGED BY THE COURT, WHO HAS PERSONALLY CERTIFIED THAT IT REPRESENTS HER ORIGINAL NOTES AND RECORDS OF TESTIMONY AND PROCEEDINGS OF THE CASE, AS RECORDED.

APPEARANCES:

On behalf of the Plaintiffs:

Pro Se

On behalf of the Defendant:

LAWRENCE E. CARR, JR., Esquire
KYLE A. KANE, Attorney
1919 Pennsylvania Avenue, Northwest
Washington, D. C. 20006

EDNA E. SIMMS, RPR-CP-CM
Official Court Reporter

EXHIBIT D

Telephone: 879-1039

THIS IS ALSO THE
NOTE: "ORIGINAL"

CERTIFICATE OF REPORTER

I, Miss Edna E. Simms, an Official Court Reporter for the Superior Court of the District of Columbia, do hereby certify that I reported, by machine shorthand, in my official capacity, the proceedings had and testimony adduced upon the motions hearing in the case of JAMES M. COLLIER, et al. v. REPUBLICAN NATIONAL COMMITTEE, Civil Action Number 10935-84, in said Court of the 9th day of January, 1986.

I further certify that the foregoing 159 pages constitute the official transcript of said proceedings, as taken from my machine shorthand notes.

In witness whereof, have hereto subscribed my name, this the 11th day of February, 1986.

Edna E. Simms

Official Court Reporter

NOTE: This is not the FIRST or SECOND ORIGINAL

This is the
NOTE: THIRD
"ORIGINAL"

1 SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
2 CIVIL DIVISION

3 -----X
4 JAMES M. COLLIER, et al.,

5 Plaintiffs

6 v.

Civil Action Number:
10935-84

7 REPUBLICAN NATIONAL COMMITTEE

8 Defendant.
9 -----X

10 Washington, D. C.

11 Thursday, January 9, 1986

12 The above-entitled action came on for a motions
13 hearing before the Honorable HENRY F. GREENE, Associate
14 Judge, in Courtroom Number 47, commencing at approximately
15 10:15 a.m.

16 THIS TRANSCRIPT REPRESENTS THE PRODUCT OF AN
17 OFFICIAL REPORTER, ENGAGED BY THE COURT, WHO
18 HAS PERSONALLY CERTIFIED THAT IT REPRESENTS
19 HER ORIGINAL NOTES AND RECORDS OF TESTIMONY
20 AND PROCEEDINGS OF THE CASE, AS RECORDED.

21 APPEARANCES:

22 On behalf of the Plaintiffs:

23 Pro Se

24 On behalf of the Defendant:

25 LAWRENCE E. CARR, JR., Esquire
KYLE A. KANE, Attorney
1919 Pennsylvania Avenue, Northwest
Washington, D. C. 20006

MISS EDNA E. SIMMS, RPR, CP, CM
OFFICIAL COURT REPORTER

This is also the
NOTE: THIRD
"ORIGINAL"

This exhibit
 is a copy
 of a card on file
 in the Appeal-
Coordinator's Office
 re: "Corrected transcript
sent to
D.C.C.A.

No. CA 10935-84 Collier, JAMES et al vs Republican National
Committee et al

Judge Greene

F.P

86-350

January 10, 1986 - Order Appealed From.

February 10, 1986 - Notice of Appeal Filed.

3/286 - Deny of Record (all)
No Transcript.

3/25/81 Counter Designation of Permit T of 1/9/80

4/10/86
6/1/86

Advert sent to [unclear] and
Personal [unclear] to DCC-1

1/5-1/82 - Supp Record to DCC A w/ Dep.

1/5/86 - R.T. files 161 pp of 1/9/86 Simms
 3-159, 8/6/86 Simms 1

1/6/66 - Susp. ~~quarant.~~

Estimate Received:

Record must be prepared on or before:

4-0461-75

Please Note

Exhibit "A" Unauthorized Deletions 5 pages

- 31) P3 L2 HOW ARE YOU DOING? GOOD TO SEE YOU. OKAY. THIS IS THE -- IS THE
TAPE RECORDER ON THERE YET, GEORGE? L8 I'D ASK COUNSEL FOR --
L23 THEY WERE WORKING. L25 FOLKS, BUT MISTER, MISTER -- (COURT)
- 4) P4 L1 RIGHT, SIR? L3 (MATTER OF) FORM L6 OKAY (COURT)
- 3) P5 L6 KYLE, THANK YOU. (COURT)
- 5) P6 L6 (DENIED IN PART) THE DEFENDANT'S MOTIONS. L25 OF THAT (COURT)
- 3) P10 L15 DOES THAT ANSWER YOUR QUESTION, SIR? L18 OKAY. L19 IN TERMS OF
WHAT HAPPENED? L23 OKAY. (COURT)
- 1) P11 L21 HAVE YOU BEEN ABLE TO FIND OUT ANYTHING ABOUT THIS? L24 OKAY.
GET ME 727 -- GET ME 879-1700, MISTER POLANSKY OR MISTER LYNCH. (COURT)
- 4) P12 L4 (DAMAGES) WOULD NOT BE L12 COLLIER (COURT)
P13 L4 (JUDGE TAKES PHONE CALL RELATED TO INSTANT CASE RE: MR. LYNCH)
- 0) P17 L20 FROM THE PLEADINGS, I JUST WANT TO MAKE L25 OKAY. NOW. (COURT)
- 4) P22 L6 EVIDENCE? L13 OKAY. SO YOU ARE NOT ALLEGING L17 NOT JUST RUNNING
IN IN 1982 L20 INITIAL (MEETING) (COURT)
- 7) P23 L11 AND IN OTHER WAYS L14 DOES THAT ANSWER YOUR QUESTION? (MR. COLLIER)
- 2) P24 L1 No. L2 WAIT, WAIT. L11 BUT WHO IS THE PARTY? L21 BUT THAT YOU
L23 REFERENCED (COURT)
- 19) P25 L3 ISN'T IT? L6 OKAY. OKAY, YOU TELL ME WHAT L10 THAT'S CORRECT (COURT)
L19 WELL, THEN, YOU TELL ME WHAT LAW, TELL ME. (COURT)
- 8) P27 L8 HE HAS NOT BEEN INPLEADED (SIC) L9 (SHOULD READ: HE HAS NOT BEEN MA
A THIRD PARTY PLAINTIFF (COURT)
- 6) P28 L9 OKAY. L13 RIGHT UP L19 INDEED, OF COURSE (COURT)
- 6) P30 L1 AND L20 SO YOU MEAN -- AND (COURT)
- 5) P31 L5 YES. L12 WHEN HE WAS CHAIRMAN L14 THEY ARE THE ONES WHO CLAIM IT
EXISTED. L20 THE -- THE (MR. COLLIER) (L20 WAS COURT)
- 11) P32 L9 YOU DO UNDER STAND THAT, L19 FROM THE POINT AGAIN, MR. COLLIER (COURT)
- 9) P33 L8 OKAY. L10 IF THAT LANGUAGE MEANS L11 AND IF L12 OF COURSE
L16 I'M INTERESTED IN L19 THAT IS L21 VERSUS AREO, A-E-R-O (COURT)
- 1) P35 L1 TO MAKE A PUNITIVE DAMAGES CLAIM. L15 THERE IS ONE L20 WHAT WAS?
- 6) P38 L2 HE (ADMITTED) (NOT "WE") L15 YES. (COURT) L17 OWN L20 HOW DID T
- 9) P39 L13 THEY HADN'T MADE ANY MISTAKES BY THEN. L14 HAD L18 HIM (MR. COLLIER)
- 2) P42 L9 NOT AT ALL. L11 UP TO L17 WHICH IS EXPLAINING L19 WHAT IS THE
LETTER? (COURT)
- 1) P43 L1 IN YOUR ARGUMENT TODAY? L6 IN SUPERIOR COURT L7 THAT YOUR HONOR
- 5) P44 L7 (WRITTEN BY AN INDIVIDUAL) IN JUSTICE L13 WELL, WHAT DOES

unauthorized deletions (cont.)

- P45 L1 THAT L3 WHAT THEY CALL (THEIR CIVIC DUTY) POKING HOLES IN OUR VOTE
L8 AS PLAINTIFF'S EXHIBIT NUMBER ONE. L15 OMBUDSMAN, CASE
L18 ALLEGED VOTING (IRREGULARITIES) L19 IN PARAGRAPH FIVE OF THIS
DOCUMENT, HE STATES: (MR. COLLIER'S REMARKS)
- P47 L9 WELL -- YOU'VE GOT ONE MORE CASE. WHY DON'T YOU SEE IF YOU CAN
FIND IT.
- P48 L9 I'M SORRY. L10 I MEAN DEFENDANT (COURT)
(JUDGE GREENE ALTERED THE ORIGINAL
VERSION TO READ MORE INTELLIGENTLY, I.E., "I MEANT DEFENDANT'S MOTION,"
L13 NOW, LET'S SEE. WHEN I --
- P49 L2 WILL (ASSIST) L2 WILL (PROCEED) L12 AND THEY ARE SAYING THAT (CARR)
L16 TO THE CONTRARY.
- P53 L17 THE JUDGE WOULD HAVE THE RECORD BELIEVE THAT I COULD GO (TO THE
ATTORNEY GENERAL) THE NEXT DAY WITH A TELEPHONE CALL TO SAY, 'PLEASE,
WILL YOU DO SOMETHING?'
- P54 L1 NOW, (YOU'RE ON NOTICE FOR CONTEMPT) L8 AN OFFEREE L14 OKAY. (COURT)
- P55 L11 WELL, THEN (COURT) L13 MAY I COLLECT MY THOUGHTS FOR ONE MOMENT?
L15 YEAH (COURT) L17 WHAT? (COURT) L19 MAY I HAVE LEAVE TO SPEAK?
- P56 L13 (COURT) IT SEEMS TO ME NOTIFICATION OF WHO A PROPER OFFICIAL IS IS
SUFFICIENT.
- P58 -- (THIS PAGE WAS MIS-NUMBERED AS PAGE "53" IN THE "CORRECTED MANUSCRIPT",
THUS, THERE ARE TWO PAGES IN THAT MS NUMBERED "53") L21 (COURT) OKAY.
THANK YOU. THANK YOU. I'VE GOT TO ASK COUNSEL AND THE PARTIES TO HAVE
A SEAT IN THE COURTROOM. I HAVE A JURY OUT, AND I'VE GOT TO TAKE A
VERDICT, AND THEN WE'LL PROCEED WITH THIS MATTER.
- P62 L15 I'LL JUST ORGANIZE SOME OF MY PAPERS, I HOPE. ON THE BREACH (COURT)
- P63 L24 (READS) "WHICH REALLY IS" (FORMERLY READ: "AS IF IT WERE")
- P69 L15 (WHO CAN INITIATE) A VOTE FRAUD PROSECUTION. L18 THAT IS NOT CLOSED
L19 (COURT) OKAY.
- P72 L15 MAYBE YOU (DIDN'T UNDERSTAND) (INSTEAD OF "I KNOW YOU DIDN'T UNDERSTA
- P73 L2 (COURT) NOW, TELL ME L8 (COURT) OKAY. L12 (COURT) I THINK THAT --
- P74 L8 (COURT) I -- I -- I
- P76 L12 (COURT) YES. YES. (IN RESPONSE TO REQUEST BY MR. COLLIER FOR PERMISSI
TO SPEAK, WHICH THE JUDGE RECINDS SOON AFTER, LEAVING THE RECORD
TO SUGGEST THAT MR. COLLIER WAS SPEAKING OUT-OF-TURN.)

Unauthorized Deletions (cont.)

- (38) P78 L1 (COURT) AND I'M L16 (COURT) THAT'S ENTIRELY -- I DON'T EVEN KNOW WHAT I'M GOING TO DO YET, BUT -- (COURT) L21 RIGHT. ALL RIGHT. BUT THE SHORT OF THE STATEMENT YOU DID MAKE THAT MADE ME TURN SOME WARNING LITES ON IN MY HEAD -- (THIS LAST DELETED STATEMENT WAS MADE BY MR. J. COLLIER)
- (23) P79 L1 (MR. COLLIER) WILL ASSIST L10 PROOF. THEY NEVER SENT US TO ANYONE. L12 AND NAMED NAMES L24 SAYING IF THAT DOESN'T HIT YOU, THERE'S NOTHIN I CAN DO.
- (69) P80 L3 (MR. COLLIER) I DIDN'T NEED TO GO THROUGH ALL OF THIS BECAUSE THE REPUBLICANS PROMISED ME THEY COULD DO IT. L9 ANYWHERE LIKE YOU PROMISED TO. WE'LL DO ANYTHING REQUIRED L11 CARR SAID THAT'S A FRAUD. L12 RICHARD RICHARDS SAYS HE COULDN'T L15 AND PERHAPS FACE YOU AGAIN. L23 AND FILED A REPORT AND SAID WE SPEND FOUR HOURS WITH HIM. HE NEVER HE NEVER -- AFTER THAT IT WAS ALL SELF-HELP IN ORDER TO
- (31) P81 L1 (COURT) IS THIS MR. BRADEN OR MR. DONSANTO? L2 (MR. COLLIER) BRADEN. L6 (MR. COLLIER) FINALLY CALLED HIM ON THE PHONE. L8 (COURT) INVESTIGATIVE (AGENCIES) L12 NO, NOT AT THIS POINT L15 (COURT) WE ARE NOT-- (COURT) L21 BECAUSE I DON'T WANT TO -- I DON'T WANT --
- (9) P82 (COURT) YEAH. L3 L8 (COURT) IN HALF AN HOUR TO AN HOUR L16 OKAY.
- (7) P84 L13 (COURT) IS THAT THEIR ASSERTION? IN OTHER WORDS --
- (3) P85 L3 (COURT) TO SEE L3 INDICATED (THEY WENT BACK)
- (8) P86 L13 (COURT, DELETES THE FOLLOWING CLAUSE IN FIRST TRANSCRIPT) "WE WERE NOT PUT IN TOUCH WITH ANYONE."
- (4)
- (25) P87 (COURT) L22 OKAY. WAIT. WAIT. WAIT. L7 (COURT) THEIR OPR CLAIM L9 (MR. COLLIER) I'M SURE IT IS, YOUR HONOR. L10 (COURT) IS IT, MR. COLLIER? IS IT IN THE DEPOSITION? (MR. COLLIER) IS IT MENTIONED? IT'S IN THE DEPOSITION.

Unauthorized Deletions (Cont.)

- (5) P89 L15 (COURT) YOU DID. COPY OF COMPLAINT.
- (7) P91 L4 (MR. COLLIER) IF I MAY, WITH THAT ANSWER SIR?
- (6) P93 L1. (COURT) WHAT DO YOU WANT TO SAY?
- (11) P95 L7 (MR. COLLIER) IN 1984 L8 (COURT) OKAY. IN 1984?
L12 (COURT) NO. NO. NO. JUST A MOMENT.
- (2) P97 L12 (MR. COLLIER) (THINGS WHICH MOST TROUBLE) YOUR HONOR. (FIRST
TRANSCRIPT CHANGES THE ABOVE PHRASE TO SAY: "THINGS WHICH MOST
TROUBLE US."
- (6) P98 L5 (COURT) OKAY. L15 TWENTY FULL MINUTES (OF ARGUMENT) (COLLIER)
L17 STARE DECISIS.
- (19) P103 L5 (COURT) I WANT TO KNOW IF -- L8 (MR. CARR, DEFENDANT'S ATTORNEY;) IT'S
BASICALLY, BOTH ON A CROSS-MOTION TO RECONSIDER, IT'S
L18 (COURT) OF DONSANTO L21 (COURT) I'M SORRY
- (7) P104 L3 JUST ONE MOMENT, OKAY? (COURT) L17 IS THAT RIGHT? (COURT)
- (2) P110 L4 (MR. COLLIER) ELLIS RUBIN, THE VOTE FRAUD OMBUDSMAN
- (3) L7 (MR. COLLIER) MR. BOBZENE I MENTIONED BOBZENE.
- (1) P113 L19 (MR. COLLIER) LET ME ASK, THEN, WHY YOUR HONOR . . . L23 BECAUSE
OTHERWISE WE SHOULD
- (17) P115 L5 (MR. COLLIER) OTHERWISE, WHAT JUDGE NUNZIO FOUND
L10 (MR. COLLIER) THAT CAN'T BE THE RULE, THE RULE THE WAY THIS
HAS UNDERGONE
- (17) P118 L20 (COURT) PERHAPS YOU WOULD CALL A FEDERAL PROSECUTOR FOR US.
L22 (MR. COLLIER) THAT WOULD BE -- AND WE WOULD REST OUR CASE UPON
L24 CALL US A FEDERAL PROSECUTOR (COURT)
- (10) P121 L10 (MR. COLLIER) THE ONE THEY DIDN'T WANT TAKEN, THAT WAS BRADEN'S
AND
- (3) P124 L13 (MR. COLLIER) THE OMBUDSMAN, CIRCUIT COURT APPOINTED
- (9) P125 L24 (MR. COLLIER) WELL, TO ME, THE JURY CAN UNDERSTAND THAT KIND
- (7) P126 L24 (MR. COLLIER) IF THEY, THE RNC, DON'T LIKE IT L25 IF NOT. . .

Unauthorized Deletions (cont.)

- (19) P127 L19 (MR. COLLIER) . . . AND I DON'T BELIEVE ANYWHERE THE WORD "WILL"
IS (DEFINED BY THE SUPREME COURT AS YOUR HONOR CLAIMED EARLIER.)
- (6) P129 L4 (MR. COLLIER) ABOUT US L15 (COURT) DADE COUNTY HOME NEWS?
- (7) L24 (MR. COLLIER) I'VE GOT THE SCAR TO SHOW IT.
- (3) P130 L15 (MR. COLLIER) JANET RENO, STATE ATTORNEY.
- (8) P135 L21 (MR. COLLIER) I WILL REFER TO WHAT MR. CARR SAID.
- (1) P138 L21 (MR. COLLIER) . . . RELATED TO YOUR FORMER EXPERIENCE IN THE
JUSTICE DEPARTMENT AS AN OFFICIAL, YOUR HONOR, (FORMERLY READ: "OUR"
EXPERIENCE, ETC., A TOTALLY DIFFERENT CONCEPT)
- (7) P142 L1 (COURT) EXCUSE ME. DID I SAY PLAINTIFF'S COUNSEL?
- (9) P147 L8 (COURT) IN VIEWING THE LIGHT IN -- L18 TO THE (BREACH)
L24 (COURT) IN THEIR
- (6) P151 L16 (COURT) THAT FEDERAL OFFICIALS . . . WILL BE IN
- (3) P153 L14 (COURT) THAT . . . THAT L18 DEFENDANTS (COULD NOT PREVAIL)
(CHANGED IN CORRECTED TRANSCRIPT FROM: PLAINTIFFS "COULD NOT PREVAIL")
- (17) P158 L2 (COURT) . . . OR THE COURT OF APPEALS DOESN'T HAVE JURISDICTION.
L6 ABOUT THAT. APPRECIATE HEARING --
L15 (COURT) . . . ON THE MOTION TO RECONSIDER.

NOTE: ALSO COMPLETELY MISSING FROM THE PRESENT VERSION OF
THE TRANSCRIPT IN CASE #10935-84 IS THE FOLLOWING WORDS
OF JUDGE HENRY F. GREENE, SPOKEN FROM THE BENCH IN THE
AFTERNOON SESSION, BUT WHICH STATEMENT WAS EITHER DELIBERATELY
NOT TAPERECORDED BY THE IN-HOUSE TAPING SYSTEM OR IT WAS
ERASED FROM THE TAPE BY JUDGE GREENE, WHO ALSO ALTERED THE
TRANSCRIPT AS SHOWN ABOVE:

(69) ". . . A SUPREME COURT DECISION HAS BEEN HANDED DOWN IN THE LAST TWO
WEEKS TO THE EFFECT THAT THE WORD "WILL" IN A CONTRACT MEANS ONLY THE
PREDICTIVE, AND NOT PROMISSORY OR GUARANTORY AND THEREFORE IN THE CONTRACT
AT ISSUE IT SEEMS TO ME THAT WHERE THE WORD "WILL" IS USED IN THE FINAL
CLAUSE IT COULD NOT BE CONSTRUED BY ANY REASONABLE PERSON TO MEAN A
GUARANTEE OF PERFORMANCE." JUDGE HENRY F. GREENE

THE HONORABLE CARL MOULTRIE I
CHIEF JUDGE
SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C.

RECEIVED
CLERK OF THE

JAN 29 1 00 PM '86
JANUARY 27, 1986

DISTRICT OF COLUMBIA

RE: ADMINISTRATIVE

AND
PROCEDURAL
IRREGULARITIES
CA-10935-84

Rule 60-B

DEAR JUDGE MOULTRIE:

THIS LETTER IS WRITTEN PURSUANT TO INSTRUCTIONS GIVEN THE UNDERSIGNED BY LARRY GORDON OF YOUR OFFICE 1/27, AFTER HE REVIEWED ALL OF THE FILE, AND AFTER AN EXTENSIVE BRIEFING FROM THE UNDERSIGNED DURING WHICH BRIEFING MR. GORDON WAS REQUESTED TO "SCREEN" OR PRELIMINARILY EVALUATE OUR UNIQUE PROBLEM AND ONLY TO REFER THE MATTER TO YOUR HONOR IF THE CAREFUL CONSIDERATION THUS ACCOMPLISHED BY MR. GORDON SHOWED "GOOD CAUSE" ON THE VERY FACE OF IT.

APPARENTLY IT HAS MET THIS PRELIMINARY "TEST".

IN PLAIN LANGUAGE, THE UNDESIGNED PRO SE LITIGANTS' CASE HAD BEEN VIRTUALLY CERTIFIED FOR TRIAL BY JUDGES KOTELLEY AND NUNZIO, BOTH OF WHOM DENIED THE DEFENDANT'S MOTIONS FOR SUMMARY JUDGMENT, AND THE PRE-TRIAL CONFERENCE WAS SCHEDULED FOR JAN. 6, 1986, WITH ONLY THE POTENTIALLY "DISPOSITIVE" MOTION TO RECONSIDER BY THE DEFENDANTS (OF JUDGE NUNZIO'S RULING DENYING SUMMARY JUDGMENT) HANGING FIRE. (THE MOTION TO RECONSIDER WAS BASED ON AN APPEAL TO JUDGE NUNZIO HIMSELF TO SOMEHOW "FURTHER EXPLORE HIS THOUGHT PROCESSES" DURING THE MOTIONS HEARING IN WHICH HE FOUND TRIABLE ISSUES IN DISPUTE, AND TO REVERSE HIMSELF.) THE MOTION WAS TIMELY ANSWERED AND ARGUED ON THE VERY NARROW TERMS UPON WHICH IT WAS FRAMED TO BE HEARD BY JUDGE NUNZIO, AND THE UNDERSIGNED PREPARED FOR PRE-TRIAL AND THE PRESUMABLE SETTING OF A TRIAL DATE. THE CASE IS HIGHLY POLITICAL AND THE DAMAGES SOUGHT AS TO LIABILITY ARE SUBSTANTIAL.

AT THIS POINT, THE ABOVE-CAPTIONED CASE BEGAN TO BE TREATED DIFFERENTLY THAN ANY OTHER CASE ^{in its division} IN SUPERIOR COURT, CULMINATING IN ITS CIVIL II TRIAL "DISMISSAL" BY "SUMMARY JUDGMENT" AT THE HANDS OF A JUDGE WHO DELIBERATELY USURPED THE ROLE OF A DULY-APPOINTED MEMBER OF THE PRE-TRIAL DIVISION,

(WHICH IS EXPRESSLY SET UP FOR THE PURPOSE OF HEARING PRE-TRIAL CONFERENCES), AND "TOOK OVER JURISDICTION" IN SPITE OF THE FACT THAT OUR CASE HAD ALREADY BEEN ASSIGNED TO A LEGITIMATE PRETRIAL JUDGE NAMED ^{THE HONORABLE} WILLIAM THOMPSON AT 11:00 AM, JAN. 6, 1986. (THE "MOTION TO RECONSIDER" WAS THE PRETEXT USED TO DISMISS) IN OTHER WORDS, WE HAD BEEN TOLD BY CIVIL ASSIGNMENT CLERK SANFORD COLEMAN TO GO TO JUDGE THOMPSON'S CHAMBERS FOR PRETRIAL WHEN OPPOSING COUNSEL LAWRENCE CARR, JR. SAID TO COLEMAN: "OH, WE DON'T WANT THOMPSON FOR PRETRIAL, HE'S TOO OLD TO UNDERSTAND THIS CASE, HE'S TOO SLOW." THIS REMARK CAUSED COLEMAN TO DISAPPEAR INTO THE BACK ROOM WHILE PLAINTIFF JAMES COLLIER IMMEDIATELY DEPARTED TO GO TO JUDGE THOMPSON'S CHAMBERS AS INITIALLY INSTRUCTED BY COLEMAN. PLAINTIFF KENNETH COLLIER REMAINED AT THE COUNTER OF THE CIVIL ASSIGNMENT OFFICE WITH ATTORNEY L. CARR AND HIS ASSOCIATE KYLE KANE FOR ABOUT THREE MINUTES UNTIL COLEMAN SUDDENLY RETURNED TO ANNOUNCE THAT "JUDGE GREENE HAS CALLED IN FOR A PRETRIAL SO WE'RE SENDING YOUR CASE TO HIM." JAMES COLLIER EVENTUALLY RETURNED WONDERING WHY EVERYBODY HADN'T YET APPEARED AT THE THOMPSON OFFICE. THUS WAS OUR CASE "DRAGOONED" BY A CIVIL II JUDGE WHO JUST "HAPPENED" TO BE "AVAILABLE" AFTER CARR PERSUADED COLEMAN THAT "THOMPSON IS TOO OLD, . . . TOO SLOW, ETC." AS IF "ORDERING UP" A JUDGE OF CARR'S PERSONAL LIKING IS THE ACCEPTABLE PROCEDURE IN THE CIVIL ASSIGNMENT OFFICE. WE OBJECTED IN EVERY CONCEIVABLE WAY TO BEING SUBJECT TO THE WHIM OF A TOO EAGER CIVIL II TRIAL JUDGE (GREENE) WHO HAD DELIBERATELY REACHED OUT FOR THE CASE, BUT WE WERE LAUGHED OFF BY CARR AT THE CIVIL ASSIGNMENT LOBBY AREA, AND CARR ADDED, "PLAINTIFFS HAVE TO CARRY THE FILE, WE'LL MEET YOU AT JUDGE GREENE'S CHAMBERS" AND HE LEFT WITH KANE FOR A DESTINATION THAT DID NOT TURN OUT TO BE THE CHAMBERS OF JUDGE GREENE AT ALL, BUT RATHER THE BORROWED OFFICE OF AN UNKNOWN JUDGE IN BUILDING "A", BEHIND COURTROOM #47, WHERE GREENE WAS INVOLVED IN A JURY TRIAL AND WASN'T "FREE" TO DEAL WITH A "PRETRIAL" AT ALL.

EVENTUALLY THE COLLIERS FOUND OUT WHERE JUDGE GREENE WOULD HOLD "PRETRIAL". IN FACT, JUDGE GREENE KEPT ALL OF US WAITING FOR WELL OVER AN HOUR, AS THE JURY WAS IN THE PROCESS OF RETURNING IN ANOTHER CASE, ETC., SO IT DIDN'T MAKE ANY SENSE AT ALL TO THE UNDERSIGNED WHY A WELL-OCCUPIED TRIAL JUDGE WOULD BURDEN HIS SCHEDULE TO REACH INTO THE PRETRIAL DIVISION JUST SO THAT HE COULD INCONVENIENCE CIVIL LITIGANTS WHO HAD ALREADY BEEN ASSIGNED TO A DULY-AUTHORIZED PRE-TRIAL JUDGE, BY KEEPING THEM WAITING. (THE MYSTERY DEEPENED FURTHER WHEN WE FOUND OUT FROM THE THOMPSON OFFICE THAT JUDGE THOMPSON WAS AVAILABLE AT 11:00 A.M. AND FREE TO HEAR OUR CASE.)

FINALLY, AROUND 12:15 P.M. ON JANUARY 6, 1986, WE WERE USHERED INTO THE DIMLY LIT CHAMBERS OF A JUDGE WHO WAS MAKING HIS PERSONAL OFFICE AVAILABLE TO JUDGE GREENE, ONE LOCATED IN THE AREA BEHIND COURTROOM #47. JUDGE GREENE'S FIRST REMARK UPON GREETING THE ENTOURAGE WAS, "OH, I THOUGHT THIS WAS JUST GOING TO BE A 'SLIP AND FALL' AND IT TURNS OUT TO BE THE REPUBLICAN NATIONAL COMMITTEE."

As to Rule 63-I Bias or Prejudice...

IN THIS BIZARRE SETTING, WITH JUDGE GREENE BALANCING A NOTEPAD ON HIS KNEE WHILE SITTING IN A CHAIR IN FRONT OF THE DESK, JUDGE GREENE CONVERSATIONALLY REVEALED THAT HE HAD WORKED AS A PROSECUTOR OR SOME CLEARLY RELATED JOB AT THE JUSTICE DEPARTMENT FOR A PERIOD OF 13 YEARS. THE UNDERSIGNED ^{ON GROUNDS THAT} OBJECTED THAT JUDGE GREENE WAS THUS ^{certain} TO HAVE BEEN A COLLEAGUE FOR THAT SAME ^{13 year} PERIOD OF TIME WITH CRAIG DON SANTO, WHO WAS ALSO A JUSTICE DEPT. PROSECUTOR DURING YEARS CONCURRENT WITH JUDGE GREENE'S TENURE THERE, (IN ADDITION TO WHICH BOTH MEN ARE APPROXIMATELY THE SAME AGE,) AND THAT SINCE DON SANTO IS LISTED ON PRE-TRIAL FORM 103 AS A MATERIAL WITNESS (ADVERSE) IN THE CASE, THAT JUDGE GREENE WAS PREJUDICED TOWARD THE INTEREST OF DON SANTO WHICH WOULD TEND TO MOTIVATE JUDGE GREENE INTO FIGURING OUT ^{novel} A WAY TO OVERTURN JUDGES KOTELLY AND MINZIO, IGNORING ALL THE LAW OF THE CASE, FABRICATING "SUPREME COURT" OPINIONS", MOVING SUA

SPONTE TO VIRTUALLY RE-OPEN THE ENTIRE MERITS OF THE CASE AS IF THE PREVIOUS 18 MONTHS OF INTENSE LITIGATION MEANT NOTHING, AND TO DISMISS IT.

THE PRETEXT USED BY JUDGE GREENE TO ACT AS A SELF-APPOINTED TRICKY "IN-HOUSE" APPEALS COURT WAS THE MOTION FOR RECONSIDERATION MENTIONED EARLIER IN THIS LETTER. IT HAD BEEN NARROWLY FRAMED TO BE HEARD AND/OR RULED UPON BY JUDGE NUNZIO, AS IT CALLED INTO QUESTION SOLELY THE "FRAME OF MIND" OF THE JUDGE HIMSELF (NUNZIO) AND COULD NEVER BE ADDRESSED BY ANY OTHER HUMAN BEING EXCEPT JUDGE NUNZIO HIMSELF. HOWEVER, JUDGE GREENE SIMPLY IGNORED THE UNDERSIGNED'S PROTESTATIONS AND OBJECTIONS AND INSTEAD CONVENED A "HEARING" IN WHICH HE PROMISED, "FOR THE PURPOSES OF THE HEARING, I WILL BECOME JUDGE NUNZIO."

THE SO-CALLED "HEARING" WHICH RESULTED WAS ARBITRARY AND ILLEGAL. (WE CONTACTED JUDGE NUNZIO'S OFFICE AFTER THIS EVENT OCCURRED AND WERE TOLD THAT NO PERMISSION WAS EITHER ASKED FOR NOR GIVEN FOR ANY OTHER SUPERIOR COURT JUDGE TO "BECOME JUDGE NUNZIO" FOR THE PURPOSE OF REVERSING JUDGE NUNZIO'S RULINGS.)

AS TO Rule 60-B/3

IN THE WAKE OF JUDGE GREENE'S SNARING THIS CASE (DESPITE HIS OBVIOUS CONFLICT-OF-INTEREST RELATED TO DONSANTO'S BEING ON THE WITNESS LIST,) WE CHECKED AS FAR AS WE COULD INTO THE EXACT NUMBER OF PRE-TRIAL CONFERENCES JUDGE GREENE HAS CONDUCTED SINCE HIS TENURE BEGAN IN 1981. THE NUMBER IS, TO THE BEST OF OUR INFORMATION FROM HIS CLERKS, ZERO. INDEED, IT APPEARS AS IF JUDGE GREENE'S SOLE FORAY INTO THE AREA OF PRE-TRIAL DIVISION JURISDICTION WAS IN OUR \$20 MILLION DOLLAR LAWSUIT INVOLVING THE POLITICAL PARTY OF THE PRESIDENT OF THE UNITED STATES, AND JUDGE GREENE'S VIOLATION OF WELL-ESTABLISHED PROCEDURES WAS AN OBVIOUS ABBERRATION WHICH WAS CONTRIVED INTO EXISTENCE FOR THE SOLE PURPOSE OF SWINDLING THE UNDERSIGNED OUT OF THE EQUAL PROTECTION OF THE COURT'S WELL-ESTABLISHED PROCEDURES, AND BY SO DOING JUDGE GREENE APPARENTLY SOUGHT TO BE A "HERO" BY HAVING THE "GUTS" TO PULL A THING LIKE THIS OFF AGAINST TWO "LAWYERLESS" PRO SE LITIGANTS WHO WERE "BULLIED" IN A "STAR-CHAMBER".

OUR FIRST MOVE AFTER BEING "RAILROADED" OUT OF COURT DUE TO OUR HAVING BEEN "SWITCHED" ON TO THE "SIDE TRACK" OUT OF NORMAL PRE-TRIAL DIVISION PROCEDURE BY CLERK COLEMAN (THE SWITCHMAN) AND SENT TO OUR FATE AT THE HANDS OF A "BUSHWHACKER" JUDICIAL EMPLOYEE (GREENE), WAS TO ASK JUDGE GREENE'S OFFICE FOR INFORMATION ON HOW WE COULD GET A COPY OF THE TRANSCRIPT OF THE SO-CALLED "HEARING", WHO THE COURT REPORTER WAS, AND SO FORTH. WE WERE TOLD NEVER TO CALL GREENE'S CHAMBERS AGAIN UNDER PENALTY OF HARASSMENT, BUT NOTHING ELSE, SO WE DON'T HAVE ANY WAY TO GET A COPY OF THE RECORD. WE SEEK YOUR HELP, YOUR HONOR, IN REMOVING ANY IMPEDIMENT IN OUR GETTING THAT RECORD.

NOT THAT EVEN ONE SINGLE WORD OF THE SO-CALLED "PROCEEDINGS" WHICH WERE HELD IN AN ADJACENT COURTROOM (#47) ON THE "MOTION TO RECONSIDER" (DEFENDANTS) IS THE FOCUS OF THIS LETTER, FOR THAT WOULD UNDULY BURDEN THIS ISSUE WITH THE WELL-SETTLED MERITS OF THE LAWSUIT NEATLY "REVERSED" BY JUDGE GREENE. INSTEAD, IT IS THE UNPRECEDENTED INSIDE MANIPULATION OF THE TRIED AND TESTED AND SOLIDLY ESTABLISHED PROCEDURES IN ASSIGNING PRE-TRIAL APPOINTMENTS WITH JUDGES WORKING THAT DETAIL THAT HAS LED TO THIS DISGRACEFUL INCIDENT WHICH WE SEEK TO REDRESS VIA ADMINISTRATIVE REMEDY. *Rule 60-B*

WE HAVE ALSO FILED A "MOTION TO NULLIFY" THE SO-CALLED "PROCEEDINGS" WHICH JUDGE GREENE CONDUCTED (AS ABOVE), BUT INSTEAD OF THAT MOTION BEING ROUTED THROUGH THE NORMAL CHANNELS OF MOTIONS COURT AND BEING RULED UPON BY THE SITTING CALANDAR CONTROL JUDGE, JUDGE GREENE ONCE AGAIN DEPARTED FROM HIS NORMAL DUTIES AND "REACHED" INTO THE JACKET TO DENY THE MOTION, THUS RUPTURING WELL-ESTABLISHED PROCEDURES WHICH PROTECT CIVIL LITIGANTS FROM ARBITRARY, SELF-SERVING JUDICIAL FIAT BY HAVING AN IMPARTIAL ROUTINELY ASSIGNED JUDGE IN COURTROOM #9 DECIDE CIVIL MOTIONS.

STILL PENDING IN CASE # 10935-84, HOWEVER, IS YET ANOTHER MOTION WE TIMELY FILED (JAN, 21) WHICH MOVES FOR THE CHIEF JUDGE OF THE SUPERIOR COURT TO SCHEDULE A HEARING TO DECIDE THE "MOTION TO NULLIFY" DUE TO THE FACT THAT A "LINE" JUDGE'S ACTS ARE BEING CALLED INTO QUESTION AND WOULD BEST BE REVIEWED BY A JUDGE WHOSE RANK EXCEEDS THAT OF A "LINE" JUDGE. WE STILL MAINTAIN THAT POSITION, DESPITE THE FACT THAT THE VERY JUDGE (GREENE) WHOSE ACTS ARE BEING QUESTIONED IN THAT "MOTION TO NULLIFY" HAS REACHED OUT TO BREACH TO NORMAL PROCEDURES OF MOTIONS COURT PRACTICE (AS ABOVE) TO UNILATERALLY DECIDE THE MOTION LESS THAN TWO DAYS (2) AFTER IT WAS FILED, IN A CLUMSY ATTEMPT TO KEEP OTHER JUDGES FROM SEEING OR HEARING ABOUT THIS INCIDENT. DESPITE JUDGE GREENE'S ACTIONS, THE MOTION SHOULD BE

refer Rule 60-B
HEARD.

WE HAVE PROVIDED A COURTESY COPY OF THE PENDING MOTION TO LARRY GORDON, AND IT IS UNOPPOSED BY COUNSEL FOR THE REPUBLICAN NATIONAL COMMITTEE. WE PRAY THIS HONORABLE COURT TO HEAR THE MOTION TO NULLIFY WHICH JUDGE GREENE WRONGFULLY QUASHED IN HIS ATTEMPT TO COVER UP THE COURTSCAM HE RAN ON US. WE WILL ALSO SEEK SANCTIONS AGAINST ATTORNEY CARR.

DECLARATION:

WE, THE UNDERSIGNED KENNETH F. COLLIER AND JAMES M. COLLIER DECLARE THAT WE HAVE WRITTEN AND READ THE ABOVE LETTER TO JUDGE MOULTRIE I, AND FURTHER DECLARE UNDER PENALTY OF PERJURY THAT ALL REPRESENTATIONS MADE HEREIN ARE TRUE AND THAT WE HAVE PERSONAL KNOWLEDGE OF SAID EVENTS IN IT.

RESPECTFULLY SUBMITTED,

Kenneth F. Collier
KENNETH F. COLLIER

James M. Collier
JAMES M. COLLIER

LETTER WRITTEN;
JAN, 27/28/29, 1986



Superior Court
of the District of Columbia
Washington, D.C. 20001

H. Carl Moniz Jr.
Chief Judge

March 10, 1986

Kenneth F. Collier
300 Independence Ave., S.E.
Washington D.C. 20003

Re: Collier v. National
Republican Committee
Civil Action No. 10935-84

Dear Mr. Collier:

This letter is in response to your letter of January 27, 1986, wherein you allege certain procedural irregularities with regards to the handling of the above captioned matter. After an extensive investigation of the allegations that you have raised, the following determinations have been made:

(1) The Chief Judge assigns one judge to the pre-trial calendar on a rotating basis every six (6) weeks. An average of 9 to 11 cases are on the pre-trial calendar on the date of pre-trial. At least eight of these cases are handled by the assigned pre-trial judge. The other 1 to 3 cases are assigned by the Assignment Office to a trial judge who has a break in his calendar or sometimes to a senior judge who is available. Trial judges call the Assignment Office when they are available, or when no one has called, the Assignment Office will call a judge who appears from the calendar to be ready for a case.

Judge Greene reached for case,

(2) On January 6, 1986, the parties in Collier v. National Republican Committee, waited in the Assignment Office for the case to be sent to the next available judge for a pre-trial. ~~Judge Henry Green,~~
~~the next available judge to call~~ the Assignment Office, was assigned the case by Mr. Sanford Coleman, who was working the assignment board at the time. Later, after the case had been assigned, Judge Greene called Mr. Coleman to inquire about the appropriate way to handle pending motions for reconsideration of orders previously entered by

*Emphasis
Added*

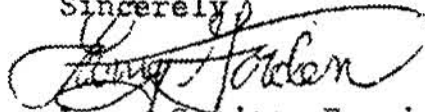
Judge Nunzio. They agreed that it would be more efficient for Judge Greene to hear the motion. Judge Greene kept jurisdiction of the case and entered an order on January 10, 1986 disposing of the motions.

(3) ~~The court in the District of Columbia is to send motions for reconsideration back to the judge whose order is being asked to be reconsidered.~~ SCR Civ. 16(c)(9), however, provides that the pre-trial judge shall consider and may take action on pending motions. If the pre-trial judge is willing to hear a motion to reconsider, it is more efficient for him to do it rather than delay the pre-trial.

(4) Judge Thompson was not assigned the above captioned case on January 6, 1986. It is a possibility that someone may have asked a clerk what judge might be available to hear a pre-trial. The response would have been any of the trial judges who may come available (naming them) and possibly Judge Thompson, who on occasion will take a pre-trial to help out. No one in the Assignment Office, including Mr. Coleman recalls anyone saying that Judge Thompson was "too old and slow" as was alleged in your letter.

This concludes the court's investigation of this matter. The other issues raised in your letter must be addressed to the District of Columbia Court of Appeals.

Sincerely,



Larry Gordon, Esquire
Law Clerk to Chief Judge
H. Carl Moultrie I

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FBI Seeks Data From Media Chiefs

'Positive or Negative' Information Sought on Rehnquist, Scalia

By Eleanor Randolph
Washington Post Staff Writer

The Federal Bureau of Investigation this week took the unusual step of asking a number of news executives for any information "positive or negative" they might know about President Reagan's two Supreme Court nominees, William H. Rehnquist and Antonin Scalia.

Those contacted by the FBI, however, said that they knew little or nothing about the nominees personally or that they told bureau representatives any information they felt they could release to the FBI would be published first.

Rehnquist was nominated by President Reagan to be chief justice of the United States upon the retirement this summer of Warren E. Burger and Scalia was named to be an associate justice to replace Rehnquist. Both nominations are subject to Senate confirmation.

FBI agent Steve Raimsey of the Washington Field Office said he had been asked by headquarters' officials to talk to Washington network television bureau chiefs and Washington Post Executive Editor Benjamin C. Bradlee about the nominees. He said it was his understanding that in the past major religious groups and other national organizations had been contacted for their opinions about those proposed for the judiciary.

NBC News reported Tuesday evening that an FBI agent said "the government wants to find out 'sooner rather than later' what the major news organizations might have on Rehnquist and Scalia."

"I don't think this is a clandestine thing," Raimsey said. "We looked at it as an opportunity to have them voice their opinion."

"They called our Washington bureau chief, Jack Smith, and he talked to me about it," said David Buksbaum, CBS vice president for news coverage and operations. "We decided to tell them that anything we find out pro or con we are going to report. You can find out by watching the broadcast. Our feeling is that if we have anything to say, we're going to say it on the air."

Bradlee said that when he was first contacted to be interviewed, "I thought it was a practical joke" because he did not know Scalia and had only met Rehnquist.

Bradlee said he told FBI agents who went to his office yesterday that "I don't know anything about



Judge Scalia descends Senate steps with Judiciary Committee Chairman Strom Thurmond (R-S.C.), whose panel will hear two high court nominations.

them, and I specifically refrained from commenting on their opinions and their reputations based on those opinions."

Robert McFarland, Washington bureau chief of NBC News, said that he had not yet spoken with the FBI agents but would talk to them because "I'll always talk to the FBI. But all I can say is that we don't have anything," he said.

ABC News Washington bureau chief George Watson said that when an FBI agent called him, he said, "I had nothing to say. I know nothing except what I read in the paper and saw on the broadcasts...."

Raimsey said that he had not been asked to call The New York Times or The Wall Street Journal; if those papers were contacted, it would be through the New York Field Office.

FEDERAL BUREAU OF INVESTIGATION
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FOI/PA# 1345080-0

Total Deleted Page(s) = 22

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Page 29 ~ b6; b7C;
Page 38 ~ Duplicate;
Page 39 ~ Duplicate;
Page 40 ~ Duplicate;
Page 41 ~ Duplicate;
Page 42 ~ Duplicate;
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Page 111 ~ b7D;
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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE PITTSBURGH	OFFICE OF ORIGIN BUREAU	DATE 6/30/86	INVESTIGATIVE PERIOD 6/25-27/86
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY IA	TYPED BY 11
		CHARACTER OF CASE DAPLI CANDIDATE FOR ASSOCIATE JUSTICE U.S. SUPREME COURT	

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REFERENCES:

Butel to WFO, 6/20/86.

-RUC-

ADMINISTRATIVE:

All persons contacted in this matter were advised of the provisions of the Privacy Act of 1974, and none requested confidentiality.

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			

APPROVED <i>WRB</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW
COPIES MADE: ② - Bureau 1 - Pittsburgh (77B-R-1043)		77-131273-149
		9 AUG 9 1986

Dissemination Record of Attached Report				Notations
Agency	Request Recd.	Date Fwd.	How Fwd.	
	ICC TO AAG	7/8/86		
	ICC TO WHITE HOUSE	7/9/86		
By				

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FBI/DOJ

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy for:

Report of:

IA [REDACTED]

Office:

PITTSBURGH

Date:

6/30/86

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Field Office File #: 77B-R-1043

Bureau File #:

Title:

ANTONIN GREGORY SCALIA

Character:

DEPARTMENTAL APPLICANT
CANDIDATE FOR ASSOCIATE JUSTICE
UNITED STATES SUPREME COURT

Synopsis:

Office of Personnel Management (OPM) checks
show no information since previous investigation.

-RUC-

DETAILS:

On June 27, 1986, [REDACTED]
[REDACTED] UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
(USOPM), NACI Center, Boyers, Pennsylvania, advised that
OPM files contain no additional information for captioned
applicant since last investigation conducted.

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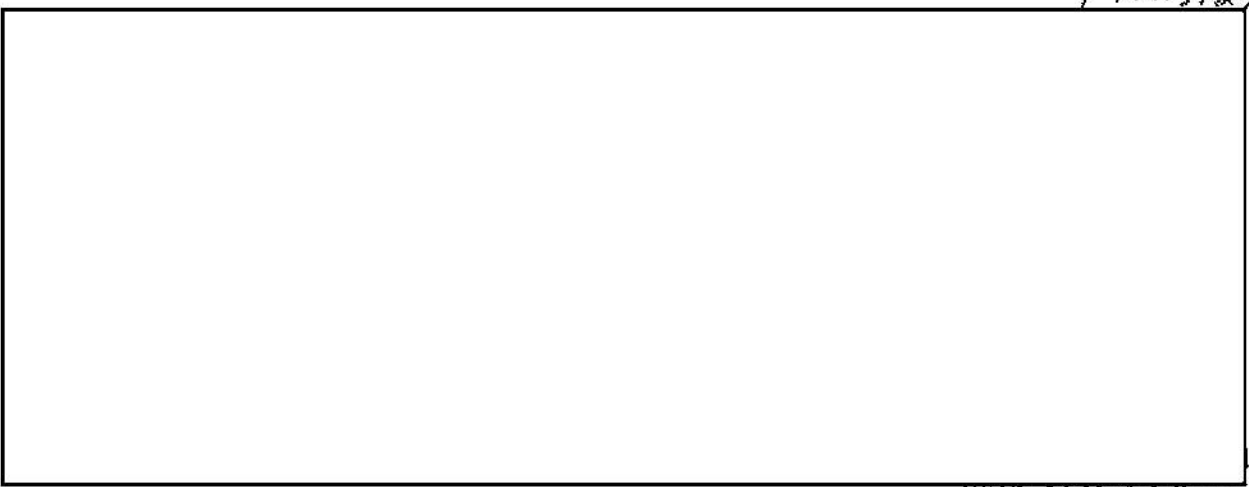
FEDERAL GOVERNMENT

ANTONIN SCALIA

Captioned individual, who you advised was born March 11, 1936, in Trenton, New Jersey, was the subject of applicant investigations by the FBI in 1972, 1974 and 1982 with favorable results concerning him.

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(161-8959)
(77-13127)



DATE: 5/13/89

The central files at FBI Headquarters, the records of the Identification Division and appropriate computer data bases contain no additional pertinent information identifiable with the captioned individual based upon background information furnished in connection with this name check request.

ORIGINAL FILED IN 62-5-62843



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- 1 - [redacted]
- 1 - [redacted] Room 5161
- ① - 77-131275

PJL:ald (6)

77-131275

DUPLICATE
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FEDERAL BUREAU OF INVESTIGATION

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REPORTING OFFICE ALEXANDRIA	OFFICE OF ORIGIN BUREAU	DATE 6/30/86	INVESTIGATIVE PERIOD 6/26/86 - 6/27/86
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY SA [redacted]	TYPED BY jll
		CHARACTER OF CASE DEPARTMENTAL APPLICANT CANDIDATE FOR ASSOCIATE JUSTICE UNITED STATES SUPREME COURT	

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b7CREFERENCE: Director airtel to Alexandria, 6/23/86.

-RUC-

ADMINISTRATIVE:

All individuals contacted were apprised of the provisions of the Privacy Act, and those requesting confidentiality have been so noted.

APPROVED	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW
COPIES MADE:	77-131275-150	
2-Bureau 1-Alexandria (77A-3866)	9 AUG 21 1989	
Dissemination Record of Attached Report		Notations
Agency		
Request Recd.	1 cc to DAG 7/1/86	
Date Fwd.		
How Fwd.	1 cc to WHITE HOUSE 7/9/86	
By		

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* USGPO: 1985-491-509/45733

70 NOV 1 1989

UNITED STATES DEPARTMENT OF JUSTICE
Federal Bureau of Investigation

Copy to:

Report of:
Date:SA [REDACTED]
6/30/86

Office: Alexandria, Virginia

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Field Office File #:

77A-3866

Bureau File #:

Title:

ANTONIN GREGORY SCALIA

Character:

DEPARTMENTAL APPLICANT
CANDIDATE FOR ASSOCIATE JUSTICE
UNITED STATES SUPREME COURT

Synopsis:

United States Attorney's Office revealed no record concerning applicant and family members. Membership in recreational clubs verified and favorable.

-RUC-

DETAILS:UNITED STATES ATTORNEYIA [REDACTED] caused a search to be made of the files of the United States Attorney's Office, Eastern District of Virginia, Alexandria, Virginia, and was advised on June 27, 1986, that no record was located regarding the applicant, [REDACTED]
[REDACTED]b6
b7CRECREATIONAL CLUBS

The following investigation was conducted by SA [REDACTED] on June 26, 1986, at McLean, Virginia:

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[REDACTED] the LANGLEY CLUB, INCORPORATED, Live Oak Drive, McLean, Virginia, advised that the applicant [REDACTED] of the club for an unspecified period of time. [REDACTED]

advised that there are no restrictions whatsoever regarding membership, such as race, color, creed or national origin. [] stated that this is a neighborhood swim and tennis club that has been in existence since 1957. [] stated that most of the neighbors live within a one mile radius. [] stated that currently there are 335 families which are members. [] stated that in order to get on the waiting list one simply needs to deposit \$25. [] stated that the waiting list is currently three to five years long.

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[] stated that yearly membership fee is \$175. [] stated that to date he has never known the board to turn down any applicant, for any reason, where a vacancy exists.

[] advised that he had no records relating to the extent of the applicant's participation in the club.

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The following investigation was conducted by SA [] on June 27, 1986, at McLean, Virginia:

[] MCLEAN SWIMMING AND TENNIS ASSOCIATION, P.O. Box 391, McLean, Virginia, advised that the applicant [] have been members of that association for an unspecified period of time.

[] advised that there are no restrictions whatsoever regarding membership, such as race, color, creed or national origin. [] did state that membership is limited to persons that reside in the geographic boundaries as defined by MCLEAN HIGH SCHOOL and LANGLEY HIGH SCHOOL. [] stated that there are no other restrictive factors used. [] stated that the primary activities of the association are to provide tennis courts and act as a summer swimming club. [] stated that the only criteria for membership is a \$185 fee per year. [] stated that to the best of her knowledge the applicant was not an active member. [] concluded the interview by stating that the association has been in existence for 25 years.

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE ALEXANDRIA	OFFICE OF ORIGIN BUREAU	DATE 6/30/86	INVESTIGATIVE PERIOD 6/19/86 - 6/26/86
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY SA 	TYPED BY jll
		CHARACTER OF CASE DEPARTMENTAL APPLICANT CANDIDATE FOR ASSOCIATE JUSTICE UNITED STATES SUPREME COURT	

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REFERENCE: Director teletype to Alexandria, 6/20/86.
Director airtel to Alexandria, 6/23/86.
Alexandria teletype to Director and Denver, 6/23/86.

-P-

*Correct 1/3, 4, 6, 7*ADMINISTRATIVE:

All individuals contacted were apprised of the provisions of the Privacy Act, and those requesting confidentiality have been so noted.

Alexandria General indices, Confidential indices, Elsur indices and ISIS indices were negative concerning applicant.

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2-Bureau (77-131275)
1-Alexandria (77A-3866)

77-131275-151**AUG 9 1989**

Dissemination Record of Attached Report

Notations

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	ICC TO AAL	7/8/86		
	ICC TO WHITE HOUSE	7/9/86		

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* U.S.G.P.O.: 1985-491-509/45733

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LEADS:

ALEXANDRIA

AT ALEXANDRIA, VIRGINIA

Will forward results of membership verification
at MCLEAN SWIMMING AND TENNIS ASSOCIATION, and LANGLEY
CLUB, INCORPORATED, when available.

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**UNITED STATES DEPARTMENT OF JUSTICE
Federal Bureau of Investigation**

Copy to:

Report of:
Date:

SA [REDACTED]
6/30/86

Office: Alexandria, Virginia

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Field Office File #:

77A-3866

Bureau File #:

77-131275

Title:

ANTONIN GREGORY SCALIA

Character:

DEPARTMENTAL APPLICANT
CANDIDATE FOR ASSOCIATE JUSTICE
UNITED STATES SUPREME COURT

Synopsis:

Neighborhoods verified and favorable comments received. Credit check satisfactory. Arrest checks negative. Personal physician [REDACTED] notes applicant in excellent health, and has recently completed. Supreme Court Justice Physical. Land records indicate applicant has clear title for residence with no indication of tax liens. Personal property taxes current. No restrictive covenants exist in applicant's subdivision. Leaders of professional associations have never met the applicant.

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DETAILS:NEIGHBORHOOD

6713 Wemberly Way
McLean, Virginia
June 1, 1983 - present

On June 23, 1986, [REDACTED] advised that the applicant had [REDACTED] for the past couple of years. She had met him once at a party, and had very limited contact with him since then. The applicant seemed very nice, and polite. He had been a very good neighbor, [REDACTED] had kept to themselves. [REDACTED] did not know the applicant well enough to comment on any aspect of his character, associates, responsibility or loyalty.

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On June 24, 1986, [redacted] [redacted] advised that he had met the applicant a few times at neighborhood type functions. The applicant had been an excellent neighbor, and in fact, the applicant's [redacted] was the [redacted]. [redacted] noted that he did not know the applicant well, but would characterize him based on his limited knowledge as a conservative, broad minded individual who possessed many good ideas. The applicant also maintained a high ability to express his ideas. [redacted] had never met any of the applicant's personal friends or associates. An absolutely responsible individual, there was certainly no reason to question any aspect of his loyalty. [redacted] was not aware of any excessive alcohol use nor any type of illicit narcotic use by the applicant. [redacted] noted that based on his limited contact, he believed the United States government was fortunate to have an individual such as the applicant.

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On June 25, 1986, [redacted] [redacted] advised that the applicant had moved into his home in the middle of 1983. The applicant had been a very good neighbor and never caused any type of problems in the neighborhood. [redacted] noted that she really did not know the applicant and had only met him at a social function. She had never heard anything bad from the neighbors about the applicant. In fact, the neighbors all seemed to be glad to have him living there. The applicant had done an outstanding job with his large family. [redacted] believed that she did not know the applicant well enough to comment on any aspect of his character, associates, responsibility or loyalty. She was unaware of excessive alcohol use or any type of illicit narcotic use by the applicant.

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1509 Twisting Tree Lane
McLean, Virginia
September 1, 1980 - May 30, 1983

On June 23, 1986, [redacted] [redacted] advised that she knew the applicant had resided [redacted] but had never seen much of him. She only knew the applicant [redacted] well enough to speak with them as neighbors in the driveway occasionally. It had been at least two and a half years since the applicant and his large family had resided there. [redacted] noted

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AX 77A-3866

that she did not know the applicant well enough to comment on any aspect of his character, associates, responsibility, or loyalty.

On June 23, 1986, [redacted] advised she had become good friends with the applicant's [redacted] when they were living [redacted] and the applicant's [redacted]. [redacted] considered the applicant to be of good character, and an extremely responsible individual. The applicant [redacted] had done an excellent job [redacted]. She had never met any of the applicant's personal friends or associates. There was no reason at all to question any aspect of the applicant's loyalty to the United States. She had never heard the applicant express any type of bias or prejudice against any type of race, religion or social origin. [redacted] did not feel that she knew the applicant well enough to comment on his temperament or demeanor. She noted that she would be surprised to hear anything but good information about the applicant. She recommended the applicant for a position on the United States Supreme Court. She was unaware of excessive alcohol use or any type of illicit narcotic use by the applicant.

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On June 23, 1986, [redacted] advised she and her husband, had known the applicant [redacted] for a number of years. [redacted] was [redacted] as the applicant. The applicant has resided in the corner home during the dates indicated. Since the applicant [redacted] had moved to another home in McLean, the family stayed in touch with each other, and the applicant's [redacted]. [redacted] noted that although her husband had maintained a professional contact with the applicant, hers was primarily social. She characterized the applicant as a congenial, friendly and brilliant individual. The applicant was extremely responsible, and loyal to the aims and goals of the United States. The applicant's personal friends and associates were all very high quality people. Most of the applicant's friends were other judges, or government employees. [redacted] was unaware of any excessive alcohol use, or the use of any type of illicit narcotics by the applicant. [redacted] was unaware of any type of discriminatory tendencies or biases by the applicant. She considered the applicant to be outstanding in all aspects of personal health, temperament, and fairness. The applicant was very fair, and even tempered. [redacted] highly recommended the applicant for a position on the United States Supreme Court.

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On June 24, 1986, [redacted] advised the applicant had been a good neighbor while residing in corner house. [redacted] did not know the applicant well enough to comment on any aspect of his character, associates, responsibility or loyalty.

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CREDIT CHECK

On June 26, 1986, IA [redacted] caused a search to be made of the files of the CREDIT BUREAU OF NORTHERN VIRGINIA, INCORPORATED, Post Office Box 232, Manassas, Virginia, which covers the Washington Metropolitan area and was advised that the files contained a satisfactory credit record regarding the applicant.

ARREST CHECKS

On June 19, 1986, a computerized check of the CENTRAL CRIMINAL RECORDS EXCHANGE (CCRE), VIRGINIA STATE POLICE (VSP), Richmond, Virginia, was negative regarding applicant [redacted]

IA [redacted] caused a search to be made of the files of the FAIRFAX COUNTY, VIRGINIA, POLICE DEPARTMENT, and was advised on June 23, 1986, that no record was located regarding the applicant or his spouse. It is to be noted that in applicant matters only class 3 and 4 misdemeanors are available.

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IA [redacted] caused a search to be made of the files of the FAIRFAX COUNTY, VIRGINIA, POLICE DEPARTMENT, and was advised on June 25, 1986, that no record was located concerning [redacted]

[redacted] It is to be noted that in applicant matters only class 3 and 4 misdemeanors are available.

On June 27, 1986, a computerized check of the CENTRAL CRIMINAL RECORDS EXCHANGE (CCRE), VIRGINIA STATE POLICE (VSP), Richmond, Virginia, failed to reflect any information identifiable with [redacted]

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PERSON PHYSICIAN

On June 26, 1986, [redacted] McLean, Virginia, advised that he had been the applicant's personal physician since June, 1983. He first saw the applicant for a case of the flu. Since that time, he had seen the applicant in April, 1985,

for a physical so the applicant could take an "Outward Bound" trip. In June, 1986, he last saw the applicant for a complete physical for the applicant's appointment to the Supreme Court. [] had completed the necessary paper work and had sent it back to the court system as requested. The applicant was in extremely good shape, and had no risk factors for possible coronary disease. [] had only maintained a professional relationship with the applicant, and had never had any type of social contact with him. There was no problem in receiving payment. As far as he knew, he was the applicant's primary physician. He was unaware of any mental consultations.

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He characterized the applicant as a very likable person who always gave a good impression. The applicant was very friendly, and always looked you straight in the eye. [] noted that he was impressed with the applicant's physical condition. He considered the applicant to be a responsible and loyal individual, and had never observed any indication of the excessive alcohol use or illicit narcotic use. [] recommended the applicant for a position of trust and responsibility.

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LAND RECORDS

On June 25, 1986, Fairfax County land records were searched by SA []. Applicant went to settlement on Wemberly Way, lot #23, Parkview Hills, on May 2, 1983. He purchased this home for \$325,000, and the deed was recorded in both the applicant, and his spouses name. Deed was registered in deed book 5765, page 1773, May 7, 1983. This deed superceded the prior purchasers deed 5603-1632. At the time of settlement, applicant assumed a \$107,000 loan.

On November 16, 1983, the Fairfax County, Virginia Board of Supervisors obtained a sanitary sewer easement. This easement was recorded on December 30, 1983, and was agreed to be all parties concerned.

The original deed establishing the Parkview Hills subdivision, was recorded in Fairfax County deed book 2243 page 154, this deed recorded the following covenants:
1) Trailers were not permitted to be used as residences.

AX 77A-3866

- 2) Lots were not to be used for business purposes.
- 3) Lots were not to be used for the raising of livestock or commercial animal breeding.
- 4) The plans for the specifications, evaluations, roof types, and site plans were subject to approval by the original developer, [redacted]
- 5) Lots could not been re-subdivided.
- 6) Homes could be situated no more then 50 feet to the front of the property line.
- 7) No fences or walls could be erected without approval.
- 8) A five foot easement existed along all property lines for the installation of utilities.
- 9) Only residential buildings and garages as approved by [redacted] could be erected.
- 10) [redacted] reserved the right to amend, modify, vacate any restrictions which existed by filing the appropriate deed. The above covenants were to remain in effect until January 1, 1988, at which time they would be automatically renewed and extended for a 10 year period unless the majority of residents decided to alter them. The ground floor of all one story residences could be no less then 1,500 square feet, nor less then 1,000 square feet for structures of more than one story.

A search of the records of the Fairfax County Circuit Court from 1982, until present failed to locate the existence of any judgments concerning the applicant.

PERSONAL PROPERTY TAX

On June 24, 1986, [redacted] Property Tax Office, Massey Building, Fairfax County, Virginia, advised that the applicant currently owned one car assessed at \$3,300 which was registered in Fairfax County.

On June 24, 1986, [redacted] Finance Office,

Fairfax County Government Building, Fairfax, Virginia, advised that all personal property taxes were current in the applicant's account.

PROFESSIONAL ASSOCIATIONS

The following investigation was conducted by
SA [redacted]

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On June 24, 1986, [redacted] [redacted]
[redacted] National Sheriff's Association, 1450 Duke Street, Alexandria, Virginia, advised that he has never met nor had any conversations with the applicant, so that his opinions and impressions of the applicant are based upon public perception, media reports and court decisions that the applicant has made.

[redacted] stated that everything he has heard or read about the applicant is positive, and that he has heard of nothing negative or derogatory concerning the applicant.

[redacted] advised that he is pleased with the applicant's legal ability and past performance, and feels that the appointment is an excellent choice as the applicant is an outstanding judge.

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On June 25, 1986, [redacted] National Conservative Political Action Committee, 1001 Prince Street, Alexandria, Virginia, advised that he has never met nor had any conversations with the applicant. [redacted] stated his opinions and impressions of the applicant are based upon his reading of the applicant's writings and decisions and from what he has heard from friends and associates who discuss the applicant. [redacted] stated that he has heard favorable things about the applicant for some time. [redacted] said that as a lawyer, he has read the applicant's opinions, and while he does not always agree with every opinion, he is impressed with the applicant's reasoning and admits the applicant's writings are well done. [redacted] concluded by stating he rates the applicant as "excellent" in the areas of professional reputation, legal ability and reputation for fairness.

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CLASS 1
 SRC'D 1
 SER 1
 REC 1

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BOSTON	OFFICE OF ORIGIN BUREAU	DATE 6/30/86	INVESTIGATIVE PERIOD 6/23-27/86
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY SA [redacted]	TYPED BY mad
		CHARACTER OF CASE DAPLI CANDIDATE FOR ASSOCIATE JUSTICE UNITED STATES SUPREME COURT	

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REFERENCE:

Boston airtel to Bureau 6/26/86; Bureau airtel to Boston 6/23/86; Bureau teletype to Boston et al 6/23/86.

-RUC-

ADMINISTRATIVE:

All persons contacted in this matter were advised of the provisions of the Privacy Act of 1974 and none desired confidentiality.

Investigation conducted by SA [redacted]

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ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS.	RECOVERIES		
APPROVED <u>JW/MLH</u>						SPECIAL AGENT IN CHARGE	
COPIES MADE:						DO NOT WRITE IN SPACES BELOW	
②-Bureau (77-131275) 1-Boston (77B-18511)						77-131275-152 AUG 9 1989	
Dissemination Record of Attached Report						Notations	
Agency							
Request Recd.	1 CC TO AAG 7/8/86						
Date Fwd.							
How Fwd.	1 CC TO WHITE HOUSE 7/9/86						
By							

70 NOV 1 1989

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FBI/DOJ

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

SA [REDACTED]

Office: Boston, Mass.

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Date:

June 30, 1986

Field Office File #:

Boston 77B-18511

Bureau File #: 77-131275

Title:

ANTONIN GREGORY SCALIA

Character:

DEPARTMENTAL APPLICANT
CANDIDATE FOR ASSOCIATE JUSTICE
UNITED STATES SUPREME COURT

Synopsis:

Associate recommends. Opposing attorneys do not recall applicant. Applicant not admitted to Massachusetts Bar. No prosecutive action on applicant at U. S. Attorney's Office.

-RUC-

DETAILS:

ASSOCIATES

On June 27, 1986, [redacted]
[redacted] Harvard Law School, Cambridge, Massachusetts, advised he and ANTONIN SCALIA were classmates at Harvard Law School. While at Harvard Law School, he and the applicant spent a lot of time together. Since that time, he has seen the applicant on a irregular basis.

[redacted] said that although the applicant's legal and political philosophy are more conservative than his, he feels the applicant is well qualified for the Supreme Court position. He stated the applicant has both the intellect and proper temperament to serve on the Supreme Court. He feels the applicant would be fair and impartial in his decision making. He knows nothing derogatory about the applicant. He has no knowledge the applicant has ever used illegal drugs or abused alcohol. He has no reason to question the applicant's loyalty to the United States and would highly recommend the applicant for the position of Associate Justice of the United States Supreme Court.

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BS 77B-18511

OPPOSING ATTORNEYS

On June 26, 1986, [REDACTED] SILVERGATE, GERTNER, BAKER, FINE & GOOD, 88 Broad Street, Boston, Massachusetts, advised that he had no recollection of opposing the applicant and did not know the applicant. He was, therefore, unable to comment about the applicant.

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On June 26, 1986, [REDACTED] SILVERGATE, GERTNER, BAKER, FINE & GOOD, 88 Broad Street, Boston, Massachusetts, advised that she had no recollection of opposing the applicant and did not know the applicant. She was, therefore, unable to comment about the applicant.

BS 77B-18511

MISCELLANEOUS

On June 23, 1986, [redacted] Massachusetts Supreme Judicial Court, Commonwealth of Massachusetts, Boston, Massachusetts, advised that ANTONIN GREGORY SCALIA was not a member of the Massachusetts Bar.

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On June 27, 1986, [redacted] United States Attorneys Office, District of Massachusetts, Boston, Massachusetts, advised that their office had no record of any prosecutive action concerning the applicant.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE CHICAGO	OFFICE OF ORIGIN BUREAU	DATE 6/30/86	INVESTIGATIVE PERIOD 6/24/86 - 6/30/86
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY SA 	TYPED BY des
		CHARACTER OF CASE DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE UNITED STATES SUPREME COURT	

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b7CREFERENCE:

Bureau teletype dated 6/20/86, Bureau airtel dated 6/23/86.

- RUC

ADMINISTRATIVE:

Where appropriate, Privacy Act (e) (3) data was furnished to persons interviewed. Express promises of confidentiality, both limited and unlimited have been noted where granted.

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

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APPROVED <i>Edh/jek</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW
COPIES MADE: 2 - Bureau (77-131275) 2 - Chicago (77B-20652)		77-131275-153
		9 AUG 9 1989

Dissemination Record of Attached Report				Notations
Agency				
Request Recd.	1 CC TO AAG	7/8/86		
Date Fwd.				
How Fwd.	1 CC TO WHITE HOUSE	7/9/86		
By				

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FBI/DOJ

CG 77B-20652

ADMINISTRATIVE:

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

SA [REDACTED]

Office: CHICAGO

Date:

JUNE 30, 1986

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Field Office File #: 77B-20652

Bureau File #:

Title:

ANTONIN GREGORY SCALIA

Character:

DEPARTMENTAL APPLICANT, CANDIDATE FOR ASSOCIATE
JUSTICE UNITED STATES SUPREME COURT

Synopsis:

Associate interviewed and advised his only differences with the applicant were political and that he knew of no reason why applicant should not be a Supreme Court Justice. [REDACTED] recommended highly.

Illinois Bar revealed no record regarding applicant. U.S. Attorneys' Office records were negative regarding applicant [REDACTED]. Membership in the Justinian Society verified. Arrest checks [REDACTED]

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DETAILS:

ASSOCIATE:

On 6/25/86, [REDACTED] UNIVERSITY OF CHICAGO LAW SCHOOL, Chicago, Illinois, advised he has known the applicant for a number of years, [REDACTED] at the UNIVERSITY OF CHICAGO. [REDACTED] stated that the applicant is intelligent, conscientious and a person of high integrity.

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[REDACTED] stated the applicant does not use illegal drugs, abuse alcohol, nor has he ever known him to be prejudiced.

[REDACTED] advised that the applicant maintains a fine moral character and reputation and that he has never had any reason to question the applicant's loyalty to the United States.

[REDACTED] advised that the applicant would not be his choice for the United States Supreme Court, but that is because of slight differences in political views. [REDACTED] indicated that there is no question the applicant has the credentials to be an Associate Justice of the United States Supreme Court.

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MISCELLANEOUS:

CHICAGO TRIBUNE
Chicago, Illinois

On 6/24/86, [redacted] advised Special Agent (SA) [redacted] that he knows applicant as "NINO". He met applicant through [redacted] approximately three years ago. He sat on a panel with applicant in New Jersey entitled "PRESS AND THE LAW". He knows applicant socially and professionally.

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[redacted] advised that he knew of applicant when applicant was in the Justice Department under Attorney General EDWIN LEVI. [redacted] described applicant as "the straightest man in America" and the applicant is a wonderful appointment who can be trusted to do an exceptional job.

[redacted] advised that applicant's character, integrity, reputation and associates are of the highest caliber. Applicant has an air of sincerity and is well-respected in the legal community. Applicant is definitely loyal to the United States and does not use drugs or abuse alcohol. Applicant has dedicated his life to understanding the constitution. He is a scholar who displays no racial, religious or ethnic biases. Applicant knows the law to the ultimate degree.

[redacted] advised that applicant is "not corruptible" and he would give him the highest recommendation for the position of Justice of the United States Supreme Court.

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SUPREME COURT OF ILLINOIS

On 6/25/86, [redacted] ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION, SUPREME COURT OF ILLINOIS, 203 North Wabash Avenue, Chicago, advised Special Agent (SA) [redacted] that her records contain no information concerning appointee.

U.S. ATTORNEY'S OFFICE
Chicago, Illinois

On 6/30/86, [redacted] DOCKETS SECTION, U.S. ATTORNEY'S OFFICE, Chicago, Illinois, advised her records were negative regarding applicant [redacted]

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MISCELLANEOUS:

JUSTINIAN SOCIETY
Chicago, Illinois

On 6/27/86, public source records in the Chicago, Illinois, area revealed no record regarding captioned society.

On 6/30/86, AMERICAN BAR ASSOCIATION, INFORMATION SECTION, Chicago, Illinois, revealed no record regarding captioned society.

On July 3, 1986, [redacted] Circuit Court of Cook County, 2309 Daley Center, Chicago, Illinois, advised that the Justinian Society of Jurists came into existence in 1966. It is a semi-fraternal group interested in cultural affairs and educational programs. [redacted] stated that the group contains approximately twelve hundred judges of Italian derivation. The society is open to all judges and the educational and cultural programs are open to all. [redacted] stated that he is [redacted] of the society and the candidate is a current member.

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CG 77B-20652

ARREST:

On 6/26/86, Investigative Assistant (IA) [redacted]
[redacted] caused the records of the Chicago, Illinois, Police
Department to be searched regarding the applicant [redacted]
[redacted] advised her records were negative..

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

AIRTEL

DATE: 6/30/86

g h t t o
TO : DIRECTOR, FBI (77-131275)
(ATTN: [REDACTED] ROOM 5136)

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FROM : ADIC, NEW YORK (77B-40433) (RUC) (A-4)

SUBJECT: ANTONIN GREGORY SCALIA;
DAPLI,
CANDIDATE FOR ASSOC. JUSTICE,
US SUPREME COURT;
BUDED: 7/3/86, WOF

Re New York rep, dated 6/27/86, and New York telcal to
[REDACTED] on 6/30/86.

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Enclosed for the Bureau is one copy of New York Times
articles regarding candidate from the NEXIS Computer Data Base.

No further investigation is outstanding in the New York
Division.

② - Bureau
1 - New York

DB:cb
(4)

1989

77-131275-154

AUG 2 1986

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CLASS **FEDERAL BUREAU OF INVESTIGATION**SRC'D
SLR

REPORTING OFFICE DENVER	OFFICE OF ORIGIN BUREAU	DATE 7/1/86	INVESTIGATIVE PERIOD 6/30/86
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY SA [REDACTED]	TYPED BY smt
		CHARACTER OF CASE DAPLI - CANDIDATE FOR ASSOCIATE JUDGE, U. S. SUPREME COURT	

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REFERENCE: Alexandria teletype to the Bureau, dated 6/24/86.

- RUC -

ADMINISTRATIVE:

Privacy Act (e) (3) data was furnished to persons interviewed.
Express promises of confidentiality, both limited and unlimited,
have been noted where granted.

Check of general indices, 6/25/86, revealed no record regarding applicant,
checked by Clerk [REDACTED]

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ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED <i>GA</i>						SPECIAL AGENT IN CHARGE		
COPIES MADE: (2) - Bureau (77-131275) 1 - Denver (77B-10011)						DO NOT WRITE IN SPACES BELOW <i>77-131275 155</i> <i>9 AUG 9 1986</i>		
Dissemination Record of Attached Report						Notations		
Agency								
Request Recd.	ICC TO DAG - 7/8/86							
Date Fwd.								
How Fwd.	ICC TO WHITE HOUSE 7/9/86							
By								

70 NOV 1 1986

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED]

Office: DENVER, COLORADO

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b7C

Date: July 1, 1986

Field Office File #: 77B-10011

Bureau File #: 77-131275

Title: ANTONIN GREGORY SCALIA

Character: DEPARTMENTAL APPLICANT, CANDIDATE FOR ASSOCIATE JUDGE
U. S. SUPREME COURT

Synopsis:

Owner of property in Mc Lean, Virginia, [REDACTED] interviewed b6
concerning candidate's having rented property, comments favorably, recommends. b7C

- RUC -

DETAILS:

- 1 -

NEIGHBORHOOD

On June 30, 1986, [redacted]
[redacted] was interviewed by SA [redacted]
confirmed that she and her husband, [redacted] rented their residence
at [redacted] to the candidate [redacted]
[redacted]

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[redacted] stated that the files concerning this property
were not readily available and further advised that the property was rented
to the candidate by [redacted] PEAKE PROPERTIES, a
management company in Mc Lean, Virginia, while she and her husband were
overseas with her husband's company. Her husband met the [redacted]
briefly, on one occasion, but other than that neither had contact with the
candidate, his family, close associates, etc., and could not, therefore,
comment concerning them.

[redacted] stated that she believes the candidate and his
family rented the property from about September, 1981, to June, July or
August, 1983. She believes the rental was for a period of about one and a
half (1½) years, while their home was being built. She stated that the
reason she cannot be more specific concerning the dates is that there was
a renter just prior to the candidate and his family having rented the property.

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[redacted] stated that the rental property was a large home and
partially furnished and was suitable for the candidate for those same reasons.
The property was left in "perfect" condition by the candidate and his family,
consisting of [redacted] and she and her husband were very pleased
with them. In addition, [redacted] supra, advised they were very good
tenants. She and her husband also had occasion to speak to the neighbors
concerning the applicant and his family and the neighbors described them
as being "nice people" and good neighbors.

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[redacted] stated that there exists no covenants or restrictions
as to residency in this area.

[redacted] stated she knew of no reason not to recommend the
candidate for a position of trust and confidence with the United States
Government.

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE DETROIT	OFFICE OF ORIGIN BUREAU	DATE 7/1/86	INVESTIGATIVE PERIOD 6/1/86 - 6/1/86
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY SA 	TYPED BY efz
		CHARACTER OF CASE DAPLI CANDIDATE FOR ASSOCIATE JUSTICE U.S. SUPREME COURT BUDED: 7/3/86	

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b7cREFERENCE: Bureau teletype to WFO, et al, dated 6/20/86.

- RUC -

ADMINISTRATIVE

All individuals contacted were apprised of the provisions of the Privacy Act, and those requesting confidentiality have been so noted.

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES	PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO		
APPROVED <u>KPW/RRG</u>						SPECIAL AGENT IN CHARGE		DO NOT WRITE IN SPACES BELOW
COPIES MADE: ② Bureau 1- Detroit (77B-9812)(C-4) <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 40px; display: flex; align-items: center; justify-content: center;">X</div> <div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 40px; display: flex; align-items: center; justify-content: center;">M</div> </div>						<div style="font-size: 1.5em; font-weight: bold;">77-13127A-156</div> <div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: 100px; text-align: center;"> AUG 9 1989 </div>		
Dissemination Record of Attached Report						Notations		
Agency						<div style="font-size: 1.5em; font-weight: bold;">B26</div>		
Request Recd.	ICC TO AAG 7/8/86							
Date Fwd.								
How Fwd.	ICC TO WHITE HOUSE 7/9/86							
By								

70 NOV 1 1989

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FBI/DOJ

DE 77B-9812

ADMINISTRATIVE

FBI, Detroit, indices, elsur and ISIS records
reflect no derogatory information regarding applicant.

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- B* -

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED] Office: Detroit, Michigan
Date: 7/1/86
Field Office File #: 77B-9812 Bureau File #: ***
Title: ANTONIN GREGORY SCALIA

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Character: DEPARTMENTAL APPLICANT
CANDIDATE FOR ASSOCIATE JUSTICE
U.S. SUPREME COURT

Synopsis: Labor leader could not recommend applicant due to the fact that he did not have any direct professional contact with applicant; although, labor leader had no derogatory information regarding applicant. Indices checks negative.

- RUC -

DETAILS:

DE 77B-9812

The following investigation was conducted by
SA [REDACTED]

LABOR LEADER

On June 1, 1986, [REDACTED] INTERNATIONAL
UNION OF UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL
IMPLEMENT WORKERS OF AMERICA, 8000 East Jefferson Avenue,
Detroit, Michigan, was interviewed regarding applicant.

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[REDACTED] advised he did not know applicant personally
and that he had not had any direct professional contact
with applicant.

[REDACTED] further advised he possessed no knowledge
of any derogatory information regarding applicant.

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEW HAVEN	OFFICE OF ORIGIN BUREAU	DATE 7/2/86	INVESTIGATIVE PERIOD 6/27/86 - 7/2/86
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY SA [REDACTED]	TYPED BY Laj
		CHARACTER OF CASE DEPARTMENTAL APPLICANT CANDIDATE FOR ASSOCIATE JUSTICE UNITED STATES SUPREME COURT	

Reference: Butel to WFO, 6/21/86, Bureau airtel to WFO, 6/23/86.

-RUC-

Administrative: Person interviewed was advised of provisions of the Privacy Act and he did not request confidentiality.

*A copy of this report was
transmitted to FBIHQ on 7/3
[Signature]*

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED [Signature]						SPECIAL AGENT IN CHARGE		
COPIES MADE: (2) - Bureau 1 - New Haven (77A-8344)						DO NOT WRITE IN SPACES BELOW 77-131275-158 AUG 9 1986 [Signature]		
Dissemination Record of Attached Report						Notations		
Agency						10865		
Request Recd.	ICC TO AAG 7/8/86					DL		
Date Fwd.						20.0m E		
How Fwd.	ICC TO WHITE HOUSE 7/4/86					[Signature]		
By								

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FBI/DOJ

Administrative, cont'd:

On June 30, 1986, [redacted] United States Attorney's Office, New Haven, Connecticut, advised Investigative Assistant (IA) [redacted] the records of her office contain no information identifiable with the applicant or members of his immediate family.

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On June 19, 1986, [redacted] checked the FOIMS and General Indices of the New Haven Division FBI, and on the same date, [redacted] reviewed the Confidential and ELSUR Indices of the New Haven Division, both with negative results pertaining to the applicant and his immediate family.

On June 25, 1986, ISIS Indices was searched by [redacted] and this referred to NH 206-101-EB355. A review of this determined that it was a Grand Jury document which contained [redacted]

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:
Date:SA [REDACTED]
July 2, 1986

Office: New Haven

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Field Office File #:

NH 77A-8344

Bureau File #:

Title:

ANTONIN GREGORY SCALIA

Character:

DEPARTMENTAL APPLICANT, CANDIDATE FOR ASSOCIATE
JUSTICE, UNITED STATES SUPREME COURT

Synopsis:

Peer recommends.

-RUC-

Details:

PEER

On July 2, 1986, [REDACTED], [REDACTED]

[REDACTED] AETNA LIFE AND CASUALTY COMPANY, 151 Farmington Avenue, Hartford, Connecticut, advised that in approximately 1960 or 1961, he [REDACTED] in the law firm of JONES, DAY, COCKLEY AND RAVIS in Cleveland, Ohio. He had been [REDACTED] for that law firm and had visited HARVARD Law School, and after having read the resume of ANTONIN SCALIA, he was very impressed by him and they talked into the early hours of the morning until SCALIA consented to visiting Cleveland. After having visited the firm, he decided to join the firm as an associate and they became close associates for the next five or six years. He recalls SCALIA had been [REDACTED] and they also became close socially as well as professionally. At that time, SCALIA was involved in corporate law and real estate.

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[REDACTED] stated that all his expectations of the applicant were realized, and that his position as an officer of the HARVARD Law Review was indicative of the potential he possessed at that time and has certainly realized in the succeeding years.

[] stated that in 1969, he went to Washington as the [] and subsequently became []. In that same time frame, SCALIA eventually became General Counsel to the Office of Telecommunications under [], and then subsequently moved on to the office of legal counsel in the Department of Justice.

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From the early years of their association, [] could see that the applicant possessed "the reflective type of mind like a scholar or judge" in that he would never be satisfied with remaining in corporate law, and that he would go on to greater things.

[] stated that he still maintains contact with SCALIA and even though they see each other rarely because of geographical distance, he still considers himself a close friend of SCALIA. During the years he has known him, he has never witnessed or been aware of any bias or prejudice on the part of the applicant and he is aware of no practice, habit, or moral character defect which would disqualify him for a highly sensitive position in the United States Government. He has certainly been aware, he stated, of the applicant's nomination to the Supreme Court and he believes this is a "first class appointment". The applicant possesses the reputation of being fair, "straight up in his thinking process", and one who possesses outstanding judicial temperament. He examines all sides of issues and is very careful and considerate of all viewpoints before arriving at any conclusion.

[] stated that his moral character, reputation, loyalty, stability, and judgment are of the highest caliber, and he has never had reason to believe or even suspect that he has ever been involved with drugs or that he abuses alcohol. He described SCALIA as less than a moderate drinker and one who may have a drink only in a limited social setting. SCALIA is an excellent family man and is very devoted to his

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[] stated that he wholeheartedly concurs with the choice of SCALIA to the Supreme Court, and he added that he believes all persons in various stages of the political spectrum will respect SCALIA because of his honesty, integrity, judgment, and outstanding intellect, and that all these attributes will be an asset to the bench and it is certain

NH 77A-8344

that all his opinions will be unbiased, fairminded, and meticulously arrived at.

concluded by highly recommending SCALIA for a position of trust and confidence without any reservations.

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE Washington Field	OFFICE OF ORIGIN Bureau	DATE 7/3/86	INVESTIGATIVE PERIOD 6/19/86 - 7/3/86
TITLE OF CASE ANTONIN GREGORY SCALIA		REPORT MADE BY SA [REDACTED]	TYPED BY ptr
		CHARACTER OF CASE DAPLI	

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REFERENCE: Butels 6/18 & 6/21/86; Bureau 6/23/86; WFO telcalls to the Bureau 6/27/86; Butel to WFO 6/30/86; WFO airtel to the Bureau 6/30/86.

(RUC)

ADMINISTRATIVE:

Where appropriate, Privacy Act (e) (3) data was furnished to persons interviewed. Express promises of confidentiality, both limited and unlimited, have been noted where granted.

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WFO general, confidential, and ELSUR indices reveal no derogatory information identifiable with references/associates or the candidate's nickname.

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO
								PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED
COPIES MADE:SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

77-131275-159

AUG 24 1986

② - Bureau 77-131275

1 - WFO 77B-100656 (A-2)

Dissemination Record of Attached Report				
Agency				
Request Recd.	ICC TO AAG	2/8/86		
Date Fwd.				
How Fwd.	ICC TO WHITE HOUSE	2/9/86		
By				

Notations

70 NOV 1 1989

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FBI/DOJ

**UNITED STATES DEPARTMENT OF JUSTICE
Federal Bureau of Investigation**

Copy to:

Report of:

SA [redacted]
7/3/86

Office:

WASHINGTON FIELD

Date:

Field Office File #:

77B-100656

Bureau File #:

77-131275

Title:

ANTONIN GREGORY SCALIA

b6
b7C

Character:

DEPARTMENTAL APPLICANT
CANDIDATE FOR ASSOCIATE JUSTICE
UNITED STATES SUPREME COURT

Synopsis:

Employment verified. AOUSC record not unfavorable. Co-workers and three fellow jurists recommend. Two fellow jurists who refrain routinely from making recommendations were favorable and had no reason not to recommend. Ethics questions raised by the media regarding recusal and issuance of individual statements attached to court orders were addressed with resulting favorable comments by [redacted] unavailable.

Candidate maintained membership in male members only COSMOS CLUB while a jurist until December, 1985. No unfavorable record at club. Active membership in CAPITOL HILL SQUASH & NAUTILUS CLUB (non-restrictive membership policy) with no unfavorable record.

References recommend. Opposition attorney recommends. Three peers recommend and one unavailable with his secretary offering her personal recommendation. Two individuals with opposing views recommend.

USDC judges recommend. Appellate judges of Federal Circuit favorable but refrain from making recommendations. Nothing adverse. Judicial officials recommend with conservatism noted.

D.C. BAR president notes unmovable stances in connection with fairness but is not unfavorable. Candidate not his choice due to philosophical differences, but he recommends based on competence. WASHINGTON BAR does not recommend based on "unfair" civil rights views, inflexibility, and philosophical differences. HISPANIC BAR recommends. [redacted]

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Law enforcement officials do not know candidate. Two have no reason not to recommend. NATIONAL ORGANIZATION OF BLACK LAW ENFORCEMENT OFFICIALS spokesman notes conservatism and "unacceptable" civil rights positions but states no reason not to recommend. NAACP official notes bias against women and minorities and disputes candidate's affirmative action stance; does not recommend citing "narrow" views. NATIONAL RIGHT TO LIFE COMMITTEE official recommends. No response from N.O.W. president. Two religious leaders do not know candidate, one recommends. AFL/CIO president unavailable. NEA does not know candidate. Other labor leaders cite philosophical differences with TEAMSTERS official recommending and UFCW official having no reason not to recommend. Virginia senators recommend. DNC official does not know candidate. RNC official recommends. U.S. Attorney unavailable. D.C. Mayor unavailable. Administrator/Deputy Mayor notes conservatism and philosophical differences, but has no objection to appointment. Acting Corporate Counsel recommends.

ABC, NBC, CBS officials decline comment. KENNETH & JAMES COLLIER employed by D.C. Home News came forward with allegations of the candidate improperly altering a court order based upon an alleged connection to a defendant in the case. COLLIERs were plaintiffs. "Alteration" involved candidate's attachment of his individual opinion to an order issued by a three judge panel of which he was a member. Fellow panel member [redacted] and [redacted] state individual attachments are normal and routine. [redacted] states there is no prescribed format for such, and she does not use a set format herself. DOJ OPR closed their investigation of COLLIERs' allegations as having no merit. COLLIERs filed civil complaint against candidate on June 30, 1986, and matter pending before D.C. Superior Court as of July 1, 1986. [redacted] also addressed question of recusal ethics raised by Washington Post in article printed June 22, 1986. He does not differ with candidate's decision. Post editor BRADLEE called the question resolved and moot on basis of information developed in same article that raised it.

No record at police agencies, Secret Service, U.S. Attorney's Office for candidate/relatives. DOJ Public Integrity & AOUSC IG no record. D.C. Bar no record.

(RUC)

DETAILS: AT WASHINGTON, D.C.

NOTE:

A T symbol has been used in this report to protect the identity of a certain individual. While the reference to "he" has been used throughout the interview, it does not necessarily refer to any certain gender.

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EMPLOYMENT

WFO 77B-100656
GBM:rdc

On June 25, 1986, IA [] reviewed the personnel file located at the Administrative Office of the U.S. Courts, Personnel Division, 811 Vermont Avenue, N.W., Washington, D. C., concerning ANTONIN GREGORY SCALIA. The following pertinent information was obtained subsequent to July, 1982:

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<u>DATE</u>	<u>ACTION</u>
8-17-82	Appointed as the U.S. Circuit Judge U.S. Courts of Appeals for the District of Columbia Circuit Washington, D. C. Currently on duty

No adverse information was obtained.

The following investigation regarding the candidate, ANTONIN GREGORY SCALIA, was conducted by Special Agent (SA) [redacted] at Washington, D. C.:

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On June 24, 1986, [redacted] UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA, 333 Constitution Avenue, N. W., Washington, D. C., telephone [redacted] was contacted at her place of employment. [redacted] advised as follows:

[redacted] has been employed as the [redacted] for the UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA for about six and one-half months. She cautioned that her dealings with the candidate were limited to monthly meetings in the COURT OF APPEALS. She has been in the candidate's presence for a total of about eight hours during this six and one-half months. Given the constraints of her limited contact with the candidate, she described him as affable, reasonable, and intelligent. He is respected by the other judges and has a good reputation for honesty and reliability. [redacted] was not familiar with the candidate's social friends and associates with the exception of [redacted] an Attorney, is a mutual friend, who is a person of good character. [redacted] believed that the candidate is loyal to the United States and its constituted form of government. [redacted] has never known the candidate to use drugs of abuse, including marijuana, or abuse alcohol.

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The candidate has a reputation as an excellent legal scholar, and [redacted] considered the candidate to possess superb legal writing skills. On matters concerning civil rights, the candidate is considered to be very conservative by the legal community. [redacted] understood that the candidate is not convinced that racial quotas are a good idea; however, she has never known the applicant to manifest or express any bias or prejudice against any class or group of persons. She believed that the candidate is a fair jurist and person. [redacted] has never known the candidate to use drugs of abuse, including marijuana, or abuse alcohol. She recommended the candidate for the position of Associate Justice, UNITED STATES SUPREME COURT.

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JMA:amw

The following investigation was conducted by (SA) [redacted]
[redacted] at Washington, D.C.:

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On June 26, 1986, [redacted] to [redacted] Circuit Court of Appeals for the District of Columbia, 333 Constitution Avenue, N.W., telephone number 535-3000, advised that [redacted] was out of the country and would not be returning until July 7, 1986.

On June 27, 1986, [redacted] Circuit Court of Appeals for the District of Columbia, 333 Constitution Avenue, N.W., telephone number 535-3366, advised that she has known Judge SCALIA for approximately 3 to 3 1/2 years professionally. [redacted] further advised that [redacted] are located next to each other. She further advised that the candidate is a highly intelligent and qualified judge and there is nothing in his background of a derogatory nature that she is aware of. [redacted] added that she has been present during the candidate's courtroom proceedings and that he is enthusiastic, and he stays well in the range of judicial questions. As to his jury presentation, [redacted] advised that they do not have juries and she has no knowledge as to this area.

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The candidate has good writing abilities and he does very well in this area. He is articulate and has very good grammar. Commenting on the candidate's ability to manage complex legal matters, [redacted] stated that the candidate "certainly has that; he has a fine tuned mind and can keep a lot in his mind." His background is in administrative law and in his present position, he does not specialize. [redacted] stated that the candidate has a sense of humor. He is a fine and good person, and she has never seen him lose his "cool." He has "fine professional ethics," and there has never been any situation that has become an issue to indicate otherwise. [redacted] stated that the candidate has a conscience and a sense of fairness. She is unaware of any bias or prejudice that the candidate has expressed towards a particular class of citizen. From his opinions, he has a positive view on civil rights.

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[redacted] advised that she does not know what involvement the candidate has in civic, organizational and professional activity. She is aware that he does "a fair amount of speaking since he has been on the court." She further advised that she is not aware of any major awards he has received or accomplishments. His personal and professional reputation are both excellent.

WFO 77B-100656
JMA:amw

[] knows of no reason to question the loyalty of the candidate or his associates.

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[] stated, "I know of absolutely no reason why he should not be recommended for a judicial position. He is qualified to obtain a judicial position but it is not my position to recommend him. It is upon the recommendation of the President and Senate confirmation."

The following investigation was conducted by Special Agent (SA) [redacted] on June 24, 1986:

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[redacted] Court of Appeals for the District of Columbia Circuit, 333 Constitution Avenue, N.W., Washington, D.C., telephone number [redacted] advised that he has "pretty much" known the candidate professionally for four years. [redacted] further advised that he has known the candidate "by reputation" prior to 1982 and that all the comments were positive as to his reputation. [redacted] added that the candidate's legal ability is "top" and that he has a splendid background, excellent mind and he applies himself. His general knowledge and tools of the law are very good and he is very painstaking as to his courtroom preparation. He is very articulate as to his cases, arguments and opinions. [redacted] stated he had not observed the candidate in front of a jury prior to him becoming a judge for the District. [redacted] stated that the candidate's writing ability is good. His opinions are well read by the bar where they are well thought of. There is no question as to his ability to manage complex legal matters as exhibited by his heavy caseload at times. [redacted] added that the candidate does not specialize but handles "the types of cases that he receives."

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As to his temperament and demeanor, even under stress, he is a very pleasant person and this carries over to stressful situations. [redacted] added that he has no reason to have any doubts in regards to his professional ethics, or fairness. He stated that he has never noted or observed the candidate express any bias or prejudice against any religious group, racial group or special group of persons. [redacted] advised that the candidate's views on civil rights have been reflected in the candidate's "following the law." [redacted] further advised that he is not aware of the candidate being involved in any civic, organizational or professional activity; nor of him receiving any awards. [redacted] stated that he knows of no unfavorable information that is reflected in the candidate's personal or professional reputation and that he is held in very high esteem. This is illustrated by his nomination for the position on the Supreme Court.

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[redacted] advised that he has "absolutely no reason" to question the candidate's loyalty to the United States Government and that he has never shown "in the slightest way" any disloyalty to the U.S. Government. He has observed the candidate holding a glass of alcohol at social functions but he has never shown any signs of alcohol abuse or use of illegal drugs.

[] advised that the candidate has made a fine judge. He is respected and admired. [] gives his "resounding yes" in recommending the candidate for a judicial position.

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[] Circuit Court of Appeals for the District of Columbia, 333 Constitution Avenue, N.W., advised that he first met the candidate when he presented a paper at the University of Virginia when he was a []

[] added that he has known the candidate professionally for 10 to 12 years and during that time, has come to know him socially. His legal ability is rather extensive being that he was a head professor at the University of Virginia, and University of Chicago, and was head of the Administrative Conference of the United States. He is "very, very proficient in his general knowledge and tools of the law." He is well recognized in his field and he has great proficiency on the law for the entire government, of which he is thoroughly knowledgeable.

[] advised that he sat with the candidate a number of times in the courtroom and he was always prepared and presented his views forcefully with lawyers. He had ample courtroom experience. He is very articulate and his writing abilities are excellent. [] stated that he does not know about the candidate's courtroom advocacy experience. [] does know the candidate's ability to manage complex legal matters is "top." He is an expert in administrative procedure and as stated above, was head of the Administrative Conference of the United States. He is very even tempered and fair and listens well. [] sees no conflicts in his professional ethics. He has never observed any indication as to the candidate being biased or prejudiced toward any racial, ethnic, religious or special group. As to the candidate's views on civil rights, [] added that he has never seen him in that connection and was aware of no such cases that he has presided over. [] added that he is aware that the candidate does deliver speeches and lectures but does not know where specifically. He is unaware of the candidate receiving any major awards.

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As to the candidate's personal and professional reputation, they are highly viewed by men and women. His loyalty to the United States Government is absolute. [] never observed the candidate abuse alcohol nor is he knowledgeable of him ever using illegal drugs.

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[] stated that he highly recommends the candidate for a judicial position and that he is a hard worker and takes his work very seriously.

On July 1, 1986, Special Agent [redacted] contacted [redacted] Court of Appeals for the District of Columbia Circuit, [redacted] concerning ANTONIN GREGORY SCALIA and he advised as follows:

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[redacted] From time to time, he has seen fellow jurists, especially new ones, very prudently call someone else on the bench to determine what that person may think of a problem for which there is no law or precedent. Such a thing happened when SCALIA conferred with [redacted] several months ago (specific time frame not recalled) regarding a question of possibly recusing himself from a case. [redacted] forgot the event until he was contacted by someone from the Washington Post shortly before an article appeared on June 22, 1986, raising questions of ethics in a case SCALIA heard wherein one of the parties was AMERICAN TELEPHONE AND TELEGRAPH (AT&T). [redacted] vaguely remembered the situation when the reporter called, but he did not specifically remember that the case involved AT&T. [redacted] still has no independent memory of AT&T being the specific party. The central issue to him when the question of recusal was brought to him by SCALIA was recusal itself and not the names of actual parties involved.

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[redacted] felt it would be inappropriate to comment to the reporter who called regarding any background issue of the court. After receiving the call, however, he did mention to SCALIA that a reporter had called and that he did not really remember the situation the reporter referred to. At that point, SCALIA refreshed his memory, and SCALIA's reiteration of the details jogged [redacted] own memory. [redacted] recounted what SCALIA originally presented to him as the details when the need to decide whether to recuse himself originally emerged. SCALIA worked briefly as a consultant for AT&T sometime before taking the bench. [redacted] was not certain whether SCALIA was hired by AT&T or the law firm representing the company, but SCALIA assured [redacted] that he was not otherwise connected to the company's law firm. In [redacted] opinion, the role SCALIA played with AT&T was unusual compared to the attorney/client role most often found in a recusal question. SCALIA's consultancy was limited to possibly being needed as an expert witness, and he had no prior connection with AT&T.

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There is no formal guideline regarding circumstances under which a judge must recuse himself from a case, not even regarding cases in which the judge's former law clerk is representing one of the litigants. When similar questions arose before SCALIA ever came to the bench, [] resolved them by analyzing the Rules of Practice of the Supreme Court. Thus, he determined that judges should recuse themselves from cases in which his former law clerk is counsel if it has been less than two years since that person clerked for him. Many judges use a one-year standard in this situation, but [] likes to "play it safe" and abides by two-years as his own personal guideline. He pointed out that some judges use no set guideline regarding elapsed time since a connection between themselves and a person in a case. "In my book, it depends on the circumstances." Time elapsed since a connection is only one factor to consider. Also to be considered are the capacity in which the judge served if he worked for one of the litigants and the duration of that role. Regarding SCALIA's consultancy, [] noted the connection was of a short duration and was not the traditional role lawyers perform for clients, making it somewhat less significant.

[] stressed that he would not have tried to make up SCALIA's mind for him, but would simply have given his input so that SCALIA could appropriately make his own decision. [] felt, nonetheless, that enough time had passed in SCALIA's situation to remove any reasonable basis for a belief that SCALIA's old connection could influence his decision in the case at hand. With the two-year guide as a stricter rule than any guide actually imposed, SCALIA's past connection was well beyond the frame of recency. [] reiterated that he is not aware of any rule of thumb regarding any set period of time which must elapse, whether the situation involves a former law clerk, former client, or connection to counsel. "Each case is unique. SCALIA called on me to see what I thought, so he could feel comfortable that enough time had gone by to dissipate any basis to believe there might be conflict."

[] pointed out that recusal questions have to be resolved very, very promptly in any case. "We have recusal questions around the court all the time, not that we have that many recusals." These questions are difficult for judges, in that they become balancing efforts between trying to do the right thing when it is a dereliction of a judge's duty to step out of a case. If a judge does not feel conscience to recuse himself, he has a responsibility not to recuse. Unnecessary recusal is "shirking your responsibility as a judge and heaping extra work on another judge." [] cautioned that it is "entirely possible for one judge to feel one way [on a particular recusal

question] and another judge to feel another way, not to say either judge is wrong." In SCALIA's situation, [] personally and professionally had no reason to quarrel with SCALIA's decision. [] recalled no other instance in which SCALIA faced a recusal question which came to [] attention.

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Regarding the issuance of individual addenda to orders of the court, [] advised that it is "absolutely" normal and routine for one member of a three-judge panel to set forth an individual statement apart from the order, "no doubt about it." [] stated that any judge in any case is free to write a statement elaborating on his reasoning which matches his fellow jurists' reasoning or explaining a different line of reasoning used to reach the same opinion. One opinion generated from unanimous votes could easily generate different rationales, and judges often like to set forth their reasoning so there is no doubt how they arrived at their opinion together and individually.

[] added, in fact, that it is unusual but not unheard of for a judge who was not a member of the three-judge panel issuing the order to attach a statement. It may be requested that a case be reheard by the full appellate court after a three-judge panel has issued its ruling. [] gets about two hundred such requests each year. A judge may decide he wants to explain his reasons for not voting for a rehearing by the full court, and in that instance, attach his statement. There may be something else a judge feels is important, especially if a case is not going to be heard by the full court, and, again, an attachment would be in order. [] noted that these situations exist in the normal workings of the court. They become moot, however, in the case of COLLIER vs. THE UNITED STATES in which SCALIA was one of the three judges issuing the order. [] was not familiar of that case or even aware of it, but stated that SCALIA's addition of a concurrence stating his reasoning was nothing more than routine.

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The following investigation regarding the candidate, ANTONIN GREGORY SCALIA, was conducted by Special Agent (SA) [redacted] at Washington, D. C.:

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On June 24, 1986, [redacted]
UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA,
333 Constitution Avenue, N. W., Washington, D. C., telephone
[redacted]

advised as follows:

The candidate is a jurist of the highest legal ability. He is a great lawyer who has impeccable legal credentials. He is a delight with whom to work and a man of great humor. His character is of high integrity and he enjoys an excellent reputation among his peers and associates. [redacted] believed that the candidate is loyal to the United States and its constituted form of government. She has never known him to use drugs of abuse, including marijuana, or abuse alcohol.

[redacted] has never known the candidate to manifest or express any bias or prejudice against any class or group of persons. He is eminently well-qualified to sit as an Associate Justice on the UNITED STATES SUPREME COURT on the basis of his excellent knowledge of the law, writing ability, temperament, demeanor, experience, and fairness. While [redacted] and the candidate have agreed to disagree on certain legal issues, she considered him to be an ideal colleague. The candidate has an extraordinary talent for, and love of, the law. [redacted] could think of no reason not to recommend the candidate for the position of Associate Justice, UNITED STATES SUPREME COURT.

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On July 1, 1986, Associate Judge RUTH BADER GINSBURG, U.S. Court of Appeals for the District of Columbia, [redacted] was contacted by Special Agent [redacted] and advised as follows:

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COLLIER vs. THE UNITED STATES came before a three-judge panel consisting of GINSBURG, J. SKELLY WRIGHT, and ANTONIN SCALIA. It presented a small matter that came up in motions. KENNETH and JAMES COLLIER, who were acting pro se, filed a civil rights action in U.S. District Court (USDC) in which they made indiscernable arguments somehow trying to tie themselves into the events of the Watergate break-ins. The USDC judge dismissed the case the same day it was filed as a frivolous suit. An opinion known as the Sills decision was published in the interim between that dismissal and the point at which the appeal came before GINSBURG, WRIGHT, and SCALIA. Sills stated that the court should receive some sort of response from the defendant in any such suit before peremptorily dismissing it, just so the judge does not become an initiator of action. Sills became a precedent for pro se cases. Viewing Sills as an intervening precedent, the panel reversed the dismissal and remanded the case back to USDC. "The District Judge said COLLIER's case was indiscernable. We just ruled to let the Government say that rather than the judge, and then he can dismiss it."

SCALIA agreed with GINSBURG and WRIGHT that Sills set precedent, but he did not believe that the USDC judge should be controlled by something that happened after he ruled. That belief is what SCALIA articulated in his addendum to the order.

GINSBURG was well aware at the time that SCALIA added a concurring statement to the order. "It certainly wasn't issued later." GINSBURG explained that the judges get batches of motions and decide on one or two dozen of them at a time at a conference. The clerk's office types them and the judges then sign them in bulk. The Collier case was handled just as any routine motions matter. It is not uncommon for a judge to add his own statement as an attachment to an order. What SCALIA did was to say he would not go for summary disposition, since all three judges should be in unanimous agreement. SCALIA's only difference of opinion was his reluctance to hold a district judge to a precedent ruling that came out after he made his decision.

GINSBURG never heard of the person DONSANTO named as a defendant in Collier until the motion was reviewed, and then there was no real recognition. The name never became noteworthy until the COLLIER brothers came out with "all kinds of slings and arrows thrown at SCALIA" in their Home News newspaper. GINSBURG was not aware of the newspaper until the COLLIERS came through the court yesterday distributing copies of it. GINSBURG described the paper as "yellow journalism at its worst." She learned that one of the COLLIERS appeared at her office shortly before the newspaper came out which the COLLIERS distributed. He said something to GINSBURG's secretary about SCALIA adding a statement to an order after it was signed, and the secretary told him she could not comment about that and he should go to the Clerk's office for an explanation. GINSBURG advised that her secretary is "eminently reliable," and it is standard office practice to refer all such matters to the Clerk's office. COLLIER then exclaimed something like, "Oh, Judge GINSBURG's covering up!" GINSBURG's secretary again told him there would be no comment and almost had to have him "thrown out." GINSBURG stated she is quite annoyed and disgusted over the way her secretary was badly misquoted in the resulting Home News article. GINSBURG stated, "We get pro se people all the time who have psychological problems," and she views the COLLIERS in that light. She further stated that if the COLLIERS are claiming they checked with her and she did not know anything about SCALIA's addendum to the order in their case, "then it's an absolute lie." "If they had checked with me, I would have told them I knew about the addendum and it did not come later." From what GINSBURG can tell of the COLLIER's approach to the entire situation, "they are pulling things out of thin air."

There is no prescribed form to be used when judges issue individual statements attached to orders. GINSBURG never heard anything to the effect that asterisks are verboten in orders or attachments. "The Clerk has more or less a standard form, but I don't use it myself, because I like to show I've paid individual attention and show lawyers it's not just boilerplate." SCALIA's statement added to the Collier case order was typed in his own chambers. Anytime a judge issues a statement for himself, it is entirely routine practice to prepare it in chambers and have it attached to what the Clerk produced. It is not actually a part of the order but merely accompanies it.

GINSBURG reiterated that she never heard of DONSANTO before the Collier case and did not believe SCALIA ever had either. She knew of no connection between SCALIA and DONSANTO.

The following investigation regarding the candidate, ANTONIN GREGORY SCALIA, was conducted by Special Agent (SA) [redacted] at Washington, D. C.:

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On June 24, 1986, [redacted] UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA, 333 Constitution Avenue, N. W., Washington, D. C., telephone [redacted] advised as follows:

[redacted] has known the candidate for about seven years. The candidate is a high-minded person who has a strong belief in institutions, such as the church, the courts, and the family. His integrity is above question. The friends and associates of the candidate consist for the most part of other judges and academicians, all of whom have fine reputations in their own rights. None of the candidate's friends and associates should be a cause for concern as they are all persons of good character. [redacted] does not know of any organizations to which the candidate belongs that discriminate against any class or group of persons. The candidate has an outstanding reputation regarding his character and legal skills. [redacted] has never heard anyone speak ill of the candidate and he considered this high praise for someone who has lived in Washington, D. C., for as long as the candidate. [redacted] believed that the candidate is a patriotic American who is loyal to the United States and its constituted form of government. He has never known the candidate to use drugs of abuse, including marijuana, or abuse alcohol.

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[redacted] was aware of an article that appeared in the June 22, 1986, issue of the Washington Post, entitled, "How Scalia Faced Ethics Issue." The article concerned Judge SCALIA's participation in the 1985 case WESTERN UNION TELEGRAPH COMPANY v. FEDERAL COMMUNICATIONS COMMISSION after a professional relationship with one of the parties, AMERICAN TELEGRAPH AND TELEPHONE (AT&T), in 1982. [redacted] heard the case along with Judge SCALIA, but he was not aware of Judge SCALIA's prior relationship at the time of the decision. [redacted] said that the prior relationship was an issue that deserved consideration by Judge SCALIA and that Judge SCALIA did consider the recusal issue. He also consulted with the Chief Judge. The prior relationship was far enough removed - some two or three years - that Judge SCALIA's decision was appropriate. In addition, the relationship was institutional and not personal.

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[] stated that he also advised the Washington Post that there is a downside to recusal, but his comment was not quoted. He said that recusal deprives the system of the full measure of random selection of judges. At the SUPREME COURT level, recusal would deprive the litigant of one-ninth of the judicial power of the United States' highest court. While recusals are sometimes necessary, [] believed that Judge SCALIA made a perfectly legitimate decision in this judgment call.

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[] praised the candidate as an extremely fair man who has a pleasant courtroom demeanor. [] has never seen the candidate angry. The candidate has always been very courteous to attorneys in even the most heated discussions. The candidate has never been pejorative. In the area of civil rights, the candidate supports the law and the Constitution, although he may differ with others, including [] on matters of affirmative action. [] has never known the candidate to express or manifest any bias or prejudice against any class or group of persons. He added that the candidate "does not have a biased bone in his body." The candidate carries with him an aura of fantast.

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[] could think of no reason why the candidate would not be an appropriate choice for an Associate Justice of the SUPREME COURT of the United States. He considered the candidate, as well as the [] and [] to be persons of excellent character. [] recommended the candidate without reservation for a position as an Associate Justice of the UNITED STATES SUPREME COURT on the basis of his outstanding values and ability.

The following investigation regarding the candidate, ANTONIN GREGORY SCALIA, was conducted by Special Agent (SA) [redacted] at Washington, D. C.:

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On June 24, 1986, [redacted]
UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA,
333 Constitution Avenue, N. W., Washington, D. C., telephone
[redacted]

advised as follows:

[redacted] has known the candidate since at least 1974, when he recruited the candidate to work for the DEPARTMENT OF JUSTICE. He considered the candidate to be an old and dear friend. The candidate is a person of high integrity who possesses a good sense of humor. He is a man of great intellect and enormous charm. He has an excellent reputation for both matters of character and legal abilities. [redacted] believed that the candidate is loyal to the United States and its constituted form of government. He has never known the candidate to use drugs of abuse, including marijuana, or abuse alcohol. The candidate's friends, associates, and family are all persons of good character.

The candidate has demonstrated an even temperament and good courtroom demeanor, even under stress. He had ample opportunity to be observed under stress, particularly during his work with the DEPARTMENT OF JUSTICE. He has handled stressful situations very well. The candidate has a superb knowledge of the law. His articulation, writing skills, and ability to manage complex legal matters are all extensions of his extraordinary legal ability and competence. He is fair in all matters and his ethics are beyond reproach.

[redacted] has never known the candidate to manifest or express any bias or prejudice against any class or group of persons. [redacted] recommended the candidate for the position of Associate Justice for the UNITED STATES SUPREME COURT.

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ORGANIZATIONS

The following investigation was conducted by Special Agent (SA) [redacted] on June 25, 1986, at the COSMOS CLUB, 2121 Massachusetts Avenue, N. W., Washington, D. C.:

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[redacted] COSMOS CLUB, advised SA [redacted] that the candidate, ANTONIN SCALIA, is no longer a member of the COSMOS CLUB. [redacted] stated that according to the file, SCALIA was a member of the COSMOS CLUB from September, 1971, through December, 1985. [redacted] stated that to the best of his knowledge, SCALIA never held an office at the COSMOS CLUB.

[redacted] stated that the COSMOS CLUB is an all male, academic/social club. [redacted] stated that the objective of the COSMOS CLUB is for meritorious work. [redacted] stated that the club is restricted to male members only and there are no other restrictions at the COSMOS CLUB. [redacted] pointed out that women can be served at the COSMOS CLUB as guests at that club, however, they cannot be members. [redacted] concluded by stating there was nothing derogatory on file regarding ANTONIN SCALIA.

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The following investigation was conducted by
Special Agent (SA) [redacted] on June 25, 1986,
at the CAPITOL HILL SQUASH AND NAUTILUS CLUB, 214 D Street,
S. E., Washington, D. C.:

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[redacted]
[redacted] CAPITOL HILL SQUASH AND NAUTILUS CLUB, advised SA
[redacted] that the candidate, ANTONIN SCALIA,
is an active member of the club. [redacted] advised that
SCALIA joined the CAPITOL HILL SQUASH AND NAUTILUS CLUB
on December 18, 1985, and is still a current member. [redacted]
stated that the CAPITOL HILL SQUASH AND NAUTILUS CLUB is
strictly a sports/exercise club. [redacted] advised that
there are no restrictions on membership and in no way does
the club discriminate against any individuals. [redacted]
advised that SCALIA is a member in good standing and that
all membership fees are paid in full. [redacted] concluded
by stating there is nothing derogatory in file regarding
SCALIA.

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OPPOSITION ATTORNEYS

The following investigation was conducted by Special Agent [redacted] in regard to the candidate, ANTONIN SCALIA.

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On June 27, 1986, [redacted] [redacted] UNITED STATES SENATE, Washington, D.C., advised that he has known the candidate on a professional basis for approximately four years. He further advised that prior to meeting Judge SCALIA in person, he had occasion to be on opposite sides in the matter of INS vs. CHADHA. This case, which was presented before the SUPREME COURT OF THE UNITED STATES, involved issues related to the Legislative Veto power of the UNITED STATES SENATE. As [redacted] [redacted] was an advocate for the Legislative Veto, while Judge SCALIA, who at that time was on the faculty of the UNIVERSITY OF CHICAGO LAW SCHOOL, was in opposition. The candidate wrote a brief which was presented to the court. [redacted] further advised that both men have been adversaries on various panels that have discussed the issues of a Legislative Veto. In addition, [redacted] has appeared before the candidate since SCALIA became a judge. This occurred during court cases that involved litigation secondary to the issues raised by the GRAMM-RUDMAN Legislation.

[redacted] reported that on all occasions, the candidate has appeared fair, open and unpretentious. He described the candidate as very decent, right, good natured, thoughtful in his beliefs, tenacious and firm. According to [redacted] Judge SCALIA has never presented evidence or volunteered views that would suggest that the candidate maintains any biases or prejudices against any class of citizen because of their race, religion, sex or ethnic origin.

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[redacted] advised that he knew of no reason to question the candidate's character, associates, reputation or loyalty to the United States Government. He further advised that he does not know the candidate to be a user of illegal drugs or an abuser of alcohol.

[redacted] advised that he has no doubt about the candidate's intellect, scholarship and judicial abilities and he indicated that Judge SCALIA will make a great contribution as an Associate Justice of the SUPREME COURT OF THE UNITED STATES.

P R O F E S S I O N A L R E F E R E N C E S

WFO 77B-100656
PTR:ptr

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(For details of interviews of close personal associates
[redacted] see the section of this report
under the heading "Employment.")

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WFO 77B-100656
DHP:amw

On June 24, 1986, SA [] interviewed [] at his office in the law firm of JONES, DAY, REAVIS, and FOGUE, 655 15th Street, N.W., Washington, D.C. [] explained that he first met Judge ANTONIN SCALIA in 1962, when they were colleagues for four years in the firm of JONES, DAY, REAVIS, and FOGUE. They were again associated with each other as [] at the UNIVERSITY OF VIRGINIA in 1970-1971. [] has been [] having ended his tenure as [] at CASE WESTERN UNIVERSITY. [] has maintained a close personal and professional association with the candidate since 1962, and noted he has read every opinion written by the candidate.

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[] began his comments about the candidate by stating his opinion that the candidate is superbly qualified for the position of Associate Justice of the Supreme Court. [] amplified that statement noting the candidate's high degree of intelligence, vast knowledge of the law, analytical ability and in-depth use of the English language in written opinions. The candidate is further described as being a good researcher, tough minded, committed and loyal.

[] commented favorably on the candidate's character, noting that the candidate was well known for his honesty, integrity and principles. The candidate's professional ethics, fairness and objectivity are above reproach. He is known for his loyalty to clients and his ability to balance his responsibilities as an officer of the court with his obligation to provide the best representation possible for his clients. The candidate utilizes care and skill in all aspects of his duties as a lawyer and a judge.

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[] also spoke highly of the candidate's reputation as a jurist. The candidate has been an advocate of high standards for lawyers and has been active in the American Bar Association and other professional organizations. Although the candidate has participated in Republican Party activities to a large degree he has done so from an organizational point of view and has not allowed political philosophies to influence his thinking on issues. [] noted that the candidate's reputation as a man of reason and wisdom has grown and developed greatly over the last decade as he has gained greater experience and a broader understanding of the law.

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DHP:amw

[] believes the candidate is a tremendous authority on constitutional law and administrative law. He is particularly interested in issues affecting separation of powers and government influence over the lives of American citizens. The candidate's opinions have always been well stated and well reasoned even when in opposition to majority views. [] specifically stated his opinion that the candidate's intellectual and emotional growth have contributed to his ability to be fair and objective and cut through that which is irrelevant and meet the issues head-on. The candidate is known as an advocate of individual rights as well, although he is dubious of the policy of affirmative action to protect those rights.

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On a personal level, [] finds the candidate to be engaging, charming, witty, humorous and never boring. He does have his irascible side as well, although [] considers that an asset when directed at keeping things moving and ensuring the highest effort from others. [] believes one of candidate's best qualities is that he does not take himself too seriously, learning from mistakes and taking responsibility for his actions.

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[] knew nothing derogatory about the candidate or his family, although he mentioned he was not in a position to know the very personal things which might be troublesome to the candidate. [] believes the only opposition to the candidate's confirmation will come from those opposed to his political philosophy. [] was emphatic that no one would be found who would criticize the candidate's competence, credibility or commitment.

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In summary, [] reiterated his belief that candidate possessed the qualities most necessary in a Supreme Court Justice: intelligence, knowledge of the law, willingness to listen, deep analytical powers and ability to look beyond the issues to their impact on society. [] gives Judge ANTONIN SCALIA his highest recommendation for the position of Associate Justice of the U.S. Supreme Court.

WFO 77B-100656
RWK:clm

On June 27, 1986, [redacted] Law Firm of GAGE AND TUCKER, 2120 L Street, N.W., Washington, D.C., furnished the following information to Special Agent (SA) [redacted] concerning the candidate, ANTONIN GREGORY SCALIA:

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He has known the candidate both personally and professionally and as a good friend for the past fifteen (15) or sixteen (16) years. He considers the candidate to be an outstanding legal scholar of high competence who has a vast and in-depth knowledge concerning constitutional law and legal administrative procedures. In addition, he has a superb general knowledge of the law. He is highly articulate but is not overbearing. His verbal responses are always performed in a succinct and diplomatic way. He has written numerous law review articles, and his legal opinions are always superbly written. He has overseen many complex legal matters and always with the highest of abilities and with good results. His main areas of expertise have been with constitutional law and legal administrative procedures. [redacted] has not had much opportunity to observe the candidate with respect to his courtroom experience but knew that the candidate has had approximately three (3) years experience as a member of one of the U.S. Courts of Appeal. His judicial temperament and demeanor are very good. He does not attempt to take over a case or to exercise more than the necessary control concerning it. The candidate has always demonstrated the highest of professional ethics, and has always appeared to operate within the scope of his responsibilities as a lawyer and judge with total fairness and without biases or prejudices that would render him incapable of performing in a proper way. He is a protector of minority interests within the realm of constitutional restraints. The candidate was a member of the Cosmos Club but no longer has membership in it. His other memberships have included one with the American Enterprise Institute and, of course, with the American Bar Association. [redacted] had no knowledge concerning major awards the candidate might have received. In his view, the candidate has nothing in his professional or personal background that would reflect unfavorably on his reputation in those areas.

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[redacted] had no knowledge concerning any personal problems that [redacted]

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As far as [] was concerned, the candidate is completely trustworthy and honest. [] is acquainted with many of the candidate's family members and close personal associates and sees all of them as being of the highest type of individuals. There was no question in []'s mind that the candidate is totally loyal to and supportive of his country and its form of government. [] was unaware of any major health problems that the candidate might have had and was sure that he has not been involved in the use of illegal drugs or has had no problem with alcohol abuse. [] added that he was unaware of any unfavorable or derogatory information concerning the candidate, and he highly recommended him, without hesitation, to the position on the United States Supreme Court to which he has been nominated.

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WFO 77B-100656
DHP:rdc

On June 30, 1986, SA [] interviewed [] SUTHERLAND, ASBILL, and BRENNAN, 1666 K Street, N.W., Washington, D. C. [] advised he has known Judge ANTONIN SCALIA since approximately 1973. [] knows the candidate only through their association as members of the Administrative Law Section and Executive Council of the American Bar Association (ABA). [] noted he sees the candidate three to four times each year at meetings of the Section and Council which last two to three days each. [] has also had several occasions to observe the candidate in social situations.

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[] explained that the Administrative Law Section of the ABA does research and studies on questions of legal procedure and makes recommendations to government and independent agencies on the federal and state level. Recommendations are also made to the Congress concerning their legislative responsibilities governing administrative law. Both [] and the candidate have

[] stated his opinion that the candidate is the most qualified man in the U.S. today for the position of Supreme Court Justice. He cited the fact that the ABA's official publication, issued before the candidate's nomination to the Court, listed the results of a survey of prominent individuals in the legal field as to their choices for a Supreme Court vacancy should one exist. In every case, the candidate's name was prominently noted. [] cited this example to reflect the reputation the candidate enjoys in the legal field and the esteem his colleagues have for him.

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[] knows the candidate as a brilliant legal scholar whose analytical abilities and incisiveness set him apart from his contemporaries. [] also described the candidate as one who can effectively deal with complex legal issues, is articulate, is an excellent writer of opinions, and is considered a man of impeccable professional ethics. [] also emphasized that although the candidate has strenuously argued against others on various issues, he has always done so with diplomacy and professionalism so that he has no personal enemies in the legal profession.

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[] believes the candidate to be a man of serious dedication to legal principles and one who would never make decisions based on personal bias or prejudice. [] does not think the candidate is personally biased or prejudiced in any way

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DHP:rdc

and always looks at legal issues exclusively when deciding cases. [] was unable to specifically comment on the candidate's views on civil rights questions. [] does know that the candidate enjoys a reputation for intellectual honesty and calls upon his analytically objective perspective when forming opinions on legal questions.

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[] stated that the candidate is an expert on administrative, constitutional, and communications law and a strong advocate of separation of powers as evidenced by his decision, upheld by the Supreme Court, that the legislative veto is unconstitutional. [] had nothing derogatory to relate concerning the candidate from a professional standpoint, reiterating his opinion that the candidate is eminently qualified for the position of Supreme Court Justice.

[] commented favorably on the candidate's temperament and demeanor and noted his affable personality. The candidate was described as humorous, well-liked, easy to talk to in social situations as well as being an excellent singer and piano player. The candidate is also known as an avid tennis player.

[] knows nothing about the candidate's family and could not comment on any personal aspects of his life. [] has never known the candidate to be the subject of rumors about any aspect of his life and has never heard anyone comment on him in a derogatory fashion. [] is aware of the candidate's past membership in the Cosmos Club, an all-male social club, but had nothing to say on that topic.

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[] emphasized the candidate's knowledge, expertise, dedication, and loyalty in recommending ANTONIN SCALIA for the position of Associate Justice of the United States Supreme Court.

WFO 77B-100656
CLW:amw

The following investigation was conducted by SA []
[] on June 26, 1986, regarding the candidate, ANTONIN
GREGORY SCALIA.

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[] U.S. DEPARTMENT OF
JUSTICE, Washington, D.C. provided the following information
regarding Judge SCALIA.

[] stated that he first met Judge SCALIA in 1981 or
1982 at a professional conference. Since that time they have
enjoyed a professional and social relationship consisting of
contact at conferences, and discussions and occasional social
meetings. [] described Judge SCALIA as thoughtful, fair-
minded, hard working, correct and learned. He stated that he
knows of no derogatory information regarding Judge SCALIA
including drug usage, alcohol abuse and or personal problems
which would adversely impact upon a position of responsibility
and confidence with the United States Government. []
continued by stating that the candidate is also informal and
friendly and displays a wonderful sense of humor in his social
and professional dealings with others. [] stated that there
is absolutely no nastiness in Judge SCALIA.

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[] stated that the candidate's legal ability and
competence is at the highest level as is his general knowledge of
the law and tools of the law. He described his articulation as
magnificent and his writing ability as superb. Additionally,
[] stated that the candidate's ability to manage complex legal
matters is at the highest level and he stated that Judge SCALIA
has handled an unusual variety of cases and has dealt with a
great range of subjects from a variety of perspectives. []
elaborated that Judge SCALIA has been involved with legal matters
in private practice, as an acadamian, as a judge and as a high
government official. Thus he has had the opportunity to view and
deal with the law from a variety of perspectives. Additionally,
Judge SCALIA has been on the bench for approximately four years,
and [] stated that this is ample time to show the type of
person he is and how he responds to issues over which he has
jurisdiction.

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In regard to the candidate's temperament and demeanor,
especially under stress, [] stated that the applicant is an
especially excellent candidate. He stated that Judge SCALIA has
displayed great correctness and fairness which he combines with
humor so that he does not intimidate, but instead reassures those
with whom he is dealing.

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CLW:amw

[] characterized Judge SCALIA's professional ethics and fairness as scrupulous and stated that he has no biases or prejudices of which [] is aware. He stated that it is well known that Judge SCALIA is a staunch believer in treating all individuals fairly and according to their own merits. He stated that Judge SCALIA would find it both legally and personally detestable to do otherwise.

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[] stated that he is not aware of the candidate's degree of civic, organizational and professional activity and is not aware of any major awards or accomplishments of Judge SCALIA. He stated that he could not comment on these areas as his relationship with Judge SCALIA would not make him privy to such information. However, [] stated that Judge SCALIA's personal and professional reputation is superb and he enthusiastically recommends him for a judicial position. [] concluded by stating that the candidate is a loyal American and one who could be trusted with the most sensitive information and issues.

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CLW:clm

The following investigation was conducted by Special Agent (SA) [] on June 26, 1986, regarding the candidate, ANTONIN GREGORY SCALIA.

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[] stated that the candidate has no peers as he is one of the finest individuals he has ever met. [] stated that he first met the candidate when [] under Attorney General LEVY. This was at the DEPARTMENT OF JUSTICE in May of 1975. Since that time, the candidate and [] have maintained a professional, social and personal relationship and are very good friends. Judge SCALIA was one of [] best friends while the two men were at the DEPARTMENT OF JUSTICE and their friendship has endured. In addition, [] of the two gentlemen are very good friends.

[] stated that he knows of no personal or professional problems that the candidate has which would have an adverse impact upon his receiving a position of extreme trust and confidence with the United States Government. He stated that the candidate does not use drugs and does not abuse alcohol. He stated that the candidate occasionally drinks wine or beer but that his intake of alcohol is very light.

[] stated that the applicant is one of the most engaging people he knows and described him on a professional basis as a brilliant and fair minded individual possessed of all the skills one admires in a lawyer or jurist. He stated that as far as legal ability and competence, there is no one better than Judge SCALIA. He stated that Judge SCALIA has an excellent general knowledge of the law and the tools of the law and that he, [] is envious of no one but Judge SCALIA in this area. [] described Judge SCALIA's articulation and writing ability as superb and stated that he is very well able to manage complex legal matters. This is the kind of thing he dealt with at the DEPARTMENT OF JUSTICE while he was with the Office of Legal Counsel and, during his career, [] stated that Judge SCALIA has handled all types of cases. [] stated that he has no information regarding the candidate's courtroom experience because he has not had an opportunity to deal with him on that basis.

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[] described the candidate's temperament and demeanor as very, very good, especially under stress and characterized his personal and professional ethics as the highest he has encountered in anyone.

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[] stated that Judge SCALIA is scrupulously fair and stated that he displays no biases or prejudices. He characterized Judge SCALIA's views on civil rights as very acceptable and he stated that Judge SCALIA has no views which would impede his confirmation as Associate Justice on the U.S. Supreme Court. He stated that Judge SCALIA believes in equality of opportunity and treatment for all, regardless of race, creed, nationality or sex.

[] stated that Judge SCALIA displays a civic minded attitude and has given freely of his time to organizational and professional activities. As far as major awards and accomplishments, [] stated that the candidate's career and appointments speak for themselves. He stated that the candidate's professional and personal reputation is very good, and he enthusiastically recommends him for the position of Associate Justice, U.S. Supreme Court.

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The following investigation was conducted by Special Agent (SA) [redacted] concerning candidate ANTONIN GREGORY SCALIA:

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On July 1, 1986, [redacted] to [redacted] [redacted] advised that [redacted] was in England, returning to the United States sometime late on July 3, and not expected in his office until July 7.

[redacted] stated she has worked for [redacted] [redacted] when [redacted] moved from Chicago to Washington. Through her work, she has had considerable contact with SCALIA, although she does not know him socially. [redacted] first met SCALIA when he headed the ADMINISTRATIVE CONFERENCE OF THE UNITED STATES and [redacted] continued with [redacted] throughout his employments as [redacted] and then [redacted]. Over this period and to the present, [redacted]'s professional contact with SCALIA continued, and she regards him as one of the nicest people she knows. She stated she did not know "one bad thing" about SCALIA and thinks very highly of him professionally. Regarding any possible alcohol abuse or illicit drug use on his part, she said, "heavens, no." [redacted] has found SCALIA to be "absolutely fair in everything" about which she has seen him take action or render an opinion. She highly recommended him for Associate Justice of the Supreme Court.

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WFO 77B-100656
REO:clm

On June 27, 1986, [redacted] Office of Management and Budget, Washington, D.C., advised Special Agent (SA) [redacted] that he has known Judge ANTONIN GREGORY SCALIA well since 1977. They worked closely together at that time with the American Enterprise Institute (AEI), and their association evolved into a close professional friendship. [redacted] stated that SCALIA is an outstanding person in every way. Personally, he is very friendly, fair, courteous, and a good listener with a good sense of humor. His personal integrity and character are of the highest order in all respects, especially including discretion, reliability, loyalty and mental stability. He is intellectually brilliant and an effective debater. SCALIA is apparently in good health and does not abuse alcohol or use illicit drugs. [redacted] has never known of anything which could be considered unfavorable about SCALIA which could be used to compromise him personally or professionally. [redacted] has met SCALIA's family, but does not know them well. To [redacted] knowledge, the SCALIA family enjoys the same high reputation as ANTONIN SCALIA.

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[redacted] stated that he is an [redacted]. However, in his dealings with SCALIA over the years, he has seen SCALIA demonstrate his brilliance and scholarship. There is no doubt in [redacted]'s mind that SCALIA will make an outstanding Associate Justice of the U.S. Supreme Court. [redacted] stated that he cannot think of anyone better suited for the post.

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[redacted] enthusiastically recommends Judge SCALIA for appointment as Associate Justice of the U.S. Supreme Court.

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JLM:clm

Attempts to contact [redacted] at his office. [redacted] by Special Agent (SA) [redacted] on June 24, 1986, and July 1, 1986, met with negative results. [redacted] advised that [redacted] was in London, England, and would not be back in the United States until July 7, 1986.

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On July 3, 1986, [redacted] contacted SA [redacted] telephonically from [redacted] office in London, England. [redacted] advised SA [redacted] that he has known the candidate, ANTONIN GREGORY SCALIA, for approximately fifteen (15) years. [redacted] stated that his association over the last fifteen (15) years with SCALIA has mainly been on a professional basis however, he has had some social contact with SCALIA.

[redacted] stated that he has appeared with ANTONIN SCALIA on speaking panels, Bar Association meetings and has also appeared before Judge SCALIA. [redacted] stated that he felt that SCALIA had the highest legal ability and was an extremely competent and well qualified legal representative. [redacted] stated that SCALIA has always demonstrated an outstanding knowledge of the law and even though his and SCALIA's interpretation of the law has differed on occasions he, [redacted] has the greatest respect for SCALIA's knowledge and use of the law. According to [redacted] SCALIA is an extremely articulate individual who has demonstrated the ability to express himself both through the written and oral presentation of the law. [redacted] stated that SCALIA's ability to communicate the law both oral and written is above average and can be understood by all. [redacted] stated that SCALIA has the ability to manage complex legal matters and get to the point of the case. [redacted] stated that he has appeared before Judge SCALIA on several occasions and that he has the highest respect for the manner that SCALIA controls the courtroom and the amount of legal knowledge he, SCALIA, puts forth. [redacted] stated that SCALIA has a very good judicial temperament and that he is always in complete control, even in the most stressful situations. [redacted] stated that SCALIA has always handled himself with the upmost professional ethics and in no way could any of his actions ever be questioned regarding his ethical behavior. [redacted] stated that SCALIA is an extremely fair individual and to the best of [redacted]'s knowledge, SCALIA has never demonstrated any type of bias or prejudice.

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[] advised SA [] that he has had limited social contact with SCALIA. [] advised that from a social standpoint he felt SCALIA was jovial, easy to get along with, well liked, honest and trustworthy. [] stated that he feels that SCALIA is in good physical condition. [] added that to the best of his knowledge, SCALIA does not use illicit drugs or abuse alcohol. [] added that he knows of no reason to question SCALIA's character, associates, reputation or loyalty to the United States Government. [] added that he knows of nothing derogatory about SCALIA or any member of the SCALIA family.

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[] concluded by stating that SCALIA is well respected within the legal community and that he, [] also respects SCALIA, knows of nothing derogatory about SCALIA and feels that SCALIA would be an excellent candidate and therefore he, [] would recommend SCALIA for the position as Associate Justice with the United States Supreme Court.

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REO:amw

[] The following investigation was conducted by SA []

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On June 24, 1986, [] PUBLIC CITIZEN LITIGATION GROUP, 2000 P Street, N.W., Washington, D.C. 20007, advised that he met Judge ANTONIN SCALIA in 1976, when SCALIA was employed at the DEPARTMENT OF JUSTICE, and they were in opposition on a constitutional issue. They became better acquainted in 1982, when SCALIA was appointed to the U.S. Court of Appeals. Their relationship has been essentially professional and with some social contacts in the normal course of events in meetings and conferences. [] holds SCALIA in high personal regard, while frequently disagreeing with him on matters of law.

[] stated that he frequently argues cases before Judge SCALIA on the D.C. Circuit Court of Appeals. Judge SCALIA often rules against [] stated that Judge SCALIA is always well prepared, courteous to counsel and it is a pleasure to debate issues with him. [] has great respect for SCALIA as a lawyer and a constitutional scholar. [] believes that SCALIA's respect for the court and legal system will be reflected in his support for legal precedent and a stable judicial system, unless facts in a particular case dictate otherwise. SCALIA's views of civil liberties and the government's role in their enforcement differ from []'s in that SCALIA believes the government to have a more limited role than []. On the other hand, SCALIA is no automatic supporter of a government policy if it should overreach its constitutional limitations as he sees them. SCALIA is as fine and decent a human being as [] knows and there is no trace of personal bias against any minority, religious or ethnic group in our society.

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[] described SCALIA as a superb candidate for the Supreme Court, a man of the utmost personal and professional integrity, professional competence, humor, and humility. [] believes SCALIA will be a superior Associate Justice of the U.S. Supreme Court and recommends him for that position.

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JUDGES & JUDICIAL OFFICIALS

The following investigation was conducted by
Special Agent (SA) [redacted] concerning candidate,
ANTONIN GREGORY SCALIA:

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On June 26, 1986, [redacted]
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA,
telephone [redacted] advised he has known the candidate
for the past four years and considers his relationship
with the candidate on a professional basis only. There
is no reason to suspect either the candidate's loyalty
to this country or any question concerning the candidate's
character, reputation, or associates. [redacted] has
no knowledge of any biases or prejudices that the candidate
may have. The candidate is a likeable and respected individual
who has a good reputation with his colleagues. The candidate
specializes in CIRCUIT COURT matters and has a good academic
background which gives the candidate the discipline to
be fully prepared while conducting CIRCUIT COURT matters.
The candidate's courtroom experience is limited, in that
he was an academic scholar, but since being a member of
the CIRCUIT COURT, he exhibits professional bearing and
has become an asset to the court system.

The candidate exhibits a good temperament and
demeanor in courtroom situations and has been able to operate
successfully in stressful situations relating to CIRCUIT
COURT matters. The candidate voices his views without
rancor and is always open to get all views relating to
legal issues.

There is no question that the candidate exhibits
the highest standards relating to professional ethics and
he appears very fair in his rulings in the court system.
The candidate is an intellectual, who is experienced in
the field of law and as such, uses this expertise to the
advantage of the court system. There has never been any
indication that the candidate has any biases or prejudices
and his views on civil rights have not been observed or
articulated.

[redacted] was not aware of any awards that
the candidate may have received or if he was a member of
any civic or professional organizations.

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Based upon the candidate's professional reputation,
he is recommended for a judicial position.

The following investigation was conducted by
Special Agent (SA) [REDACTED] concerning candidate,
ANTONIN GREGORY SCALIA:

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On June 26, 1986, [REDACTED] UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, telephone [REDACTED] advised that he has known the candidate for the past eight years, and has known him on a social and professional basis for the past six years. He described the candidate as a serious thinking judge, who has been a professor of law at HARVARD UNIVERSITY, UNIVERSITY OF CHICAGO, and the UNIVERSITY OF VIRGINIA LAW SCHOOLS. The candidate has exceptional credentials as a lawyer and is very competent in his legal abilities.

The candidate has exhibited exceptional knowledge of the law and his specialization can be seen as an appellate judge for the Second Circuit. The candidate is very articulate in his speaking and writes in a very clear and concise manner and states his opinions with confirmed reasons. Concerning the candidate's ability to manage complex legal matters, [REDACTED] gave the candidate high marks by citing the candidate's ability to teach administrative law in law schools and provide expertise in matters of law concerning appeals.

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In a courtroom situation, the candidate exhibits an excellent command of the situation by always getting the attorneys to open dialogue with him to clarify legal issues that are before the court.

The candidate is always in control of his temperament and he is calm in his demeanor and as such, is able to handle all stressful situations. There is nothing adverse concerning the candidate and his professional ethics, because he is dedicated to law and approaches all law issues as a true professional.

The candidate has always exhibited fairness in the field of law, and there is nothing adverse in the APPELLATE COURT to indicate that the candidate has not always exhibited fairness. There are no known biases or prejudices that have been articulated by the candidate and he is a strong advocate of civil rights.

[redacted] advised that the candidate served as president of the ADMINISTRATIVE CONFERENCE OF THE UNITED STATES and has received many accolades in the field of law. The candidate served as an Assistant Attorney General in the DEPARTMENT OF JUSTICE, where he served as the lawyer of the Executive Branch of the United States. He has been a legal advisor and has been a "lawyer's lawyer." He also has received accolades in law school and is described as a very scholarly individual which began in HARVARD UNIVERSITY LAW SCHOOL, where he excelled. The candidate has a fine legal academic record and has been confirmed by the UNITED STATES SENATE twice for positions of trust in the United States Government. The candidate is described as having the highest professional reputation and is considered a bright jurist. [redacted] advised that he has nothing adverse relating to the candidate and recommends him for a judicial position.

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JMW:mye

The following investigation was conducted by
Special Agent (SA) [REDACTED] concerning the candidate,
ANTONIN GREGORY SCALIA:

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On June 26, 1986, [REDACTED] UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, telephone [REDACTED] advised that the candidate is a man of high principle and that he has known him on a professional basis since he has been a [REDACTED] in the DISTRICT COURT. [REDACTED] has only socialized with the candidate occasionally and has no knowledge or indication that the candidate has ever had a problem with alcohol or has ever used illegal drugs. Concerning the candidate's legal ability and his general knowledge of the law, [REDACTED] described the candidate as being an outstanding lawyer who is very articulate and had a good writing ability. The candidate's ability to manage complex legal matters can be seen in his specialization in the field of administrative law. The candidate was head of the UNITED STATES DEPARTMENT OF JUSTICE, Office of Legal Counsel, and in the past has served as Chairman of the Conference of Section, AMERICAN BAR ASSOCIATION. In this capacity, the candidate fought to democratize the ruling factions in the AMERICAN BAR ASSOCIATION and was instrumental in giving the 21 sections a greater voice in law matters. He was instrumental in allowing the 50 state delegates represented in the 21 sections to be able to rule and vote on important AMERICAN BAR ASSOCIATION processes.

The candidate's courtroom experiences are unknown other than the candidate's experience as an appellate attorney and past experience as a consultant in the field of law, as well as being a distinguished law professor. The candidate is described as having a very calm and even temperament and exhibits himself well under stressful situations. The candidate is in excellent health and is an avid runner, which contributes to his even-handedness in the courtroom. The candidate was described as being very fair and has been observed by fellow jurists as being a very sensitive man who exhibits no known biases or prejudices. The candidate is a strong advocate of civil rights and [REDACTED] recalls an incident six or seven months ago in New York, New York, when the candidate verbally advised that he did not believe in discrimination in any form. This statement

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was made on the occasion when the candidate was a featured speaker in New York, New York, at the Administrative Law Judges Conference.

The candidate is a member of the AMERICAN BAR ASSOCIATION and served as Chairman of the Administrative Conference of the United States. The candidate's major awards and accomplishments are unknown.

In conclusion, [] described the candidate as being a very personable and highly professional individual, and there has never been any indication to suspect the candidate's loyalty to the United States, based on his past accolades as an academic law scholar. [] highly recommended the candidate for a judicial position.

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On June 25, 1986, Special Agent (SA) [REDACTED]

[REDACTED] contacted [REDACTED]

UNITED STATES COURT OF APPEALS OF THE FEDERAL CIRCUIT, Washington, D. C. [REDACTED] stated that he has known Judge ANTONIN GREGORY SCALIA for approximately four years. He advised that he considered the candidate to possess top legal abilities and exhibit high competence in the legal profession. He advised that the candidate had outstanding general knowledge of the law and possessed all the necessary tools to be an outstanding judge. He described the candidate to be articulate and possess excellent writing ability. He further indicated that he had high regard for SCALIA and felt that he could handle extremely complex legal matters without any difficulty whatsoever.

[REDACTED] advised that SCALIA had an excellent general knowledge of the law and could not make any comments to any specialization that he might have. He indicated that the candidate had a tremendous amount of courtroom experience and maintained a professional judicial temperament. He advised that the candidate could handle stressful situations without any difficulty whatsoever. He further advised that he thought very highly of the candidate's professional ethics and considered him certainly to be very fair, unbiased, and unprejudiced. He stated that he had no problem with SCALIA's view on civil rights. He further added that he had no knowledge of any civic, organizational, or professional activity on the part of SCALIA. He pointed out the fact that due to his position, he doubted that he was involved in any of the above mentioned activities in recent years. He advised that he had no knowledge of any major awards or recent accomplishments on the part of the candidate.

[REDACTED] indicated that he considered SCALIA to be a Judge with an excellent personal and professional reputation. He was unaware of anything of an unfavorable nature regarding the candidate's character, including the use of illicit drugs or alcohol abuse. He indicated that

[REDACTED]
He had many opportunities to socialize with SCALIA at the time and considered him to be very professional. He further

[REDACTED]
and once again, he had opportunity to observe Judge SCALIA on a more individual basis. He stated that he had high regard for him as a judge and as an individual.

[redacted] concluded by stating that he was not permitted to make recommendations for the judicial position, in view of the fact that he was, in fact, a [redacted] at the time, but pointed out that he had no knowledge of anything of an unfavorable nature regarding the candidate's professional qualities or character which might preclude him from holding the responsible position for which he is being considered.

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On June 25, 1986, Special Agent (SA) [redacted] contacted [redacted] COURT OF APPEALS OF THE FEDERAL CIRCUIT, Washington, D. C. [redacted] stated that he did not know ANTONIN GREGORY SCALIA personally. He advised that he only knew him through what he has read or seen in the media. He stated that the candidate appeared to have excellent legal ability and indicated that he considered him to be a competent judge. He advised that he knew nothing of an unfavorable nature regarding the candidate's knowledge of the law and believed him to be articulate. His observations indicated to him that the candidate possessed excellent writing ability and could certainly handle complex legal matters. He indicated that the candidate was obviously experienced in courtroom work and from what he read, certainly could be considered even-tempered and professional in his courtroom demeanor. He stated that he had no reason to question the candidate's professional ethics and considered him to be fair, unbiased, and unprejudiced.

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[redacted] stated that he had no knowledge of SCALIA's view on civil rights, nor had he had any knowledge of civic, organizational, or professional activity on the part of the candidate. He further indicated that he had no knowledge of any major awards or accomplishments and that as far as he was concerned, the candidate had an excellent personal and professional reputation.

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[redacted] concluded by stating that he does not feel that a [redacted] should make recommendations for judicial positions, but pointed out the fact that he has no knowledge of any "professional blemishes" on the part of the candidate which might preclude him from holding the position for which he is being considered.

On June 25, 1986, Special Agent (SA) []
[] contacted [] COURT OF APPEALS
FOR THE FEDERAL CIRCUIT, Washington, D. C. []
advised that he considered Judge ANTONIN GREGORY SCALIA
to be relatively new in the judicial system. He indicated
that he did not know the candidate professionally and has
never socialized with him. He stated that he has not formulated
his own opinion regarding the candidate in view of the
fact that he has had no interaction with him.

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[] stated that based upon his observations
of the candidate through the media, he seemed like a good
choice for the position of Associate Justice with the UNITED
STATES SUPREME COURT.

[] stated that from what he read in the
paper, he considered the candidate to be a very capable
individual in all aspects of the law. He indicated that
the candidate appeared to be extremely competent, articulate,
professional, fair, unbiased, and unprejudiced. He had
no knowledge of his views on civil rights and had no knowledge
of his association with civic, organizational, or professional
activities. He further added that he had no knowledge
of any major awards or accomplishments on the part of the
candidate.

[] advised that the candidate enjoyed
an excellent personal and professional reputation and that
he was unaware of anything regarding the candidate's character,
background, or professional abilities, which might preclude
him from holding a position of Associate Justice with the
UNITED STATES SUPREME COURT.

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On June 24, 1986, [redacted]
ADMINISTRATIVE OFFICE OF THE U.S. COURTS, Washington, D.C.,
advised Special Agent [redacted] that he has met Judge
ANTONIN SCALIA on two occasions. On these two occasions he only
spoke briefly to SCALIA and does not know him well enough to
formulate an opinion regarding him based solely on his, [redacted]
personal knowledge. However, he advised that based on SCALIA's
reputation, SCALIA would definitely be on his list of potential
candidates for the position of Justice with the UNITED STATES
SUPREME COURT.

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SCALIA's reputation is that of an outstanding and
bright, if not brilliant, jurist. He is an exceptionally
friendly and likeable individual who is very highly respected by
his peers. [redacted] believes that other than SCALIA's reputed
conservatism, his nomination to the UNITED STATES SUPREME COURT
will be unassailable based on his judicial qualifications,
temperament, and intellect.

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On June 26, 1986, [redacted] FEDERAL JUDICIAL CENTER (FJC), Washington, D. C., advised Special Agent (SA) [redacted] that the FJC is the judicial branch's agency for policy research, systems development, and continuing education. Although [redacted] met SCALIA approximately 12 years ago, when SCALIA was the Chairman of the ADMINSTRATIVE CONFERENCE OF THE UNITED STATES and [redacted] was [redacted] COMMISSION ON REVISIONS OF THE FEDERAL COURT APPELLATE SYSTEM, which was also known as the HRUSKA COMMISSION, they did not become really well-acquainted until SCALIA was appointed to the bench of the UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT. While they have not become good friends in the intervening four years, their relationship has become closer than that of mere acquaintances. It is within this context that [redacted] furnished the following information:

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Judge SCALIA is a bright, gregarious, and pleasant individual, who is not reticent about expressing his opinions. He is always appropriately attired and well-groomed. Although [redacted] has met SCALIA's [redacted] he does not know [redacted] well enough to comment on [redacted]. However, [redacted] has heard nothing of a negative nature regarding [redacted]. [redacted] rates SCALIA's honesty and trustworthiness as "the very best." [redacted] would expect SCALIA's moral character is also "tops," and would be surprised if it was not. [redacted] has seen no evidence of alcohol abuse or drug use by SCALIA and he assumes he is in good physical health and fine mental health. [redacted] knows of nothing unfavorable concerning SCALIA's finances and he has never seen or heard of SCALIA displaying signs of unusual avarice or greed.

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Judge SCALIA is a very sharp, skilled, and extremely able jurist. He has been much sought after as a professor, consultant, and scholar within the legal profession. He is a very good professional writer of the highest quality, who is also exceedingly articulate. [redacted] believes that if SCALIA is appointed to the UNITED STATES SUPREME COURT, he will be viewed as a "first rate Justice," whose sound decisions will command the respect of others. SCALIA has a very good breadth of legal knowledge and handles sensitive issues with appropriate discretion. Although [redacted] does not know SCALIA's views on civil rights, he has seen no indication of bias or prejudice by SCALIA. [redacted] likewise, has seen nothing which would make him question SCALIA's

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ethics or doubt his loyalty to the United States Government.
[] knows of nothing which could be used to adversely
influence SCALIA in the performance of his duties. []
concluded by recommending SCALIA for the position of Justice
with the UNITED STATES SUPREME COURT.

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BAR OFFICIALS

On June 26, 1986, [redacted]
District of Columbia Bar was contacted at his place of
employment, SACKS, GREENBAUM AND TAYLOR, 1140 Connecticut Avenue,
Northwest, Suite 900, Washington, D.C., telephone number [redacted]
[redacted] by Special Agent [redacted], at which time
[redacted] provided the following information regarding the
candidate, ANTONIN GREGORY SCALIA:

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[redacted] advised that he knows the candidate as they
[redacted]
[redacted]
at which time [redacted] had the opportunity to meet and talk with
the candidate. Other than this committee, [redacted] had never met
with the candidate but did hear him speak. The candidate's legal
ability and competence is very high. His general knowledge of
the law is also very high. He is a very good speaker. [redacted]
has read at least one opinion authored by the candidate and
believes the candidate to be a very good writer. [redacted] stated
he had no personal knowledge concerning the candidate's ability
to handle complex legal matters but added that all judges on the
Appeals Court have to have some ability in this regard. [redacted]
described the candidate as a very affable, engaging individual
with a good sense of humor, pleasant to be with, and easy to deal
with.

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[redacted] does not know personally of the candidate's
ethics, but has heard only good things. Concerning the
candidate's fairness, [redacted] stated he had no personal
knowledge but heard that when the candidate takes a position, it
is very difficult to get him to budge. [redacted] was not sure
whether this type of behavior could be considered unfair.
[redacted] has never heard anything to indicate that the candidate
has any bias or prejudice toward minority groups, and his views
on civil rights are conservative. The candidate enjoys a very
high personal and professional reputation. [redacted] has heard
nothing to indicate that the candidate uses drugs or abuses
alcohol. The candidate's associates are all highly reputable
people to the degree they are known by [redacted]

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WFO 77B-100656
SMH:dmg

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[] stated that the candidate would not be his choice for a position on the SUPREME COURT based on philosophical differences. However, in terms of ability and competence, the candidate would be the type of individual [] would recommend.

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On June 26, 1986, [REDACTED] WASHINGTON BAR ASSOCIATION, was contacted at his office, 1000 Connecticut Avenue, N. W., Suite 1200, Washington, D. C., by Special Agent (SA) [REDACTED] at which time he provided the following information concerning the candidate, ANTONIN GREGORY SCALIA:

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[REDACTED] advised that the views he expresses are those of his organization and not necessarily his own. [REDACTED] stated that there is no question about the abilities of the candidate. He is a scholar and a gentleman and the best available candidate with the right political bent. However, the candidate is inflexible in his political views. In terms of legal ability and competence, the candidate is very well-qualified. He has the legal experience necessary and understands complex legal issues.

The candidate is both very well-spoken and well-written. He has practiced law both as a trial attorney and also as a judge, although a great deal of his work has been in the field of regulatory litigation. Therefore, the breadth of his experience is not as wide as it could be; however, [REDACTED] believes that this is no longer as important an issue as it used to be. [REDACTED] believes that the candidate has something of an impatient temperament, but is not a "character." His impatience may be more a result of his high level of intelligence and dealing with many whose intelligence level does not come up to his. The candidate is a little too quick in resolution, but has never lost control of himself and is able to handle the stress. The candidate exercises the highest level of professional ethics. He believes in the normal conservative code and abides by it.

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The candidate's views on civil rights are well-known and in the mind of the WASHINGTON BAR ASSOCIATION, these views are unfair. The candidate's conservatism is unrelenting and does not take into account all the factors. The candidate is not an advocate of civil rights and consistently rules against all civil rights matters. [REDACTED] did not believe, however, that there was any built-in bias or prejudice on the part of the candidate toward any ethnic group. The WASHINGTON BAR ASSOCIATION opposes the candidate's position and finds it unacceptable because of the candidate's predisposition.

The candidate is not open-minded about civil rights issues. He has his own views on these matters, and these views cannot be changed regardless of the facts presented.

The candidate is very active in professional activities and participates in many legal forums. His personal and professional reputations are consistent and unblemished. He is well-respected, liked as a person, and there has been no incident to [] knowledge that would tarnish the candidate's reputation. The candidate appears to be a very good family man and deeply religious. [] has no reason to believe that the candidate uses illicit drugs or abuses alcohol. To the best of [] knowledge, the candidate is a loyal and patriotic citizen of the highest caliber and associates with only reputable people.

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[] stated that the WASHINGTON BAR ASSOCIATION would not recommend the candidate. He is ideologically inflexible and, therefore, cannot judge legal issues of a constitutional nature. It is a matter of the candidate's philosophy. The WASHINGTON BAR ASSOCIATION believes that the candidate comes into court with predispositions that cannot be changed. No one questions the candidate's integrity, however, his beliefs are held so strongly that a fair trial is not possible. The WASHINGTON BAR ASSOCIATION believes that a solution to the matter should come from litigation and not from philosophical predispositions. The candidate has his philosophical predispositions and nothing can change his mind. It is not a matter of racism, as is the case in other Presidential appointments to federal judgeships, but rather a question of philosophy.

On June 25, 1986, Special Agent (SA) [redacted] contacted [redacted] Superior Court of the District of Columbia, 500 Indiana Avenue, N.W., Washington, D.C., telephone number [redacted] concerning ANTONIN GREGORY SCALIA. [redacted] advised he [redacted] JUDICIAL REFERENCE COMMITTEE, HISPANIC BAR ASSOCIATION and he provided the following information regarding the candidate:

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He does not know the candidate personally, only by reputation. He heard the candidate speak on at least one occasion and has read two or three of his opinions. His impression of the candidate is most positive.

[redacted] believes that the candidate's abilities are very much shaped by his background. He was a brilliant student, lawyer, and judge. He is conservative in thought but probably more flexible than Supreme Court Justice WILLIAM REHNQUIST, for example. The candidate has an extraordinary intellect in the law and in general. This intellect nurtured and created a large margin of flexibility. The candidate has an excellent knowledge of the law and its tools. He writes well and thinks well. He is very comprehensive and has a thorough understanding of the evolution of the law that lends strength to his interpretations.

When hearing the candidate speak, one has the same impression of him as when reading his writing. He is thorough without being boring. Not only does he know what he is talking about, but he is very convincing. His opinions demonstrate his ability to deal with very complex matters with a multitude of issues. [redacted] did not know if he had a specific background in the matter about which he was writing, but he was able to write about it regardless of his background. The candidate's background as a trial lawyer speaks to his ability that often requires a mastery of complex legal issues in a very brief amount of time.

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[redacted] believes the candidate to be very well-rounded and not a specialist in one field. [redacted] does not know enough to say if the candidate specialized in any particular area, but what he [redacted] read does not reflect any deficiencies in any area. The candidate's courtroom experience was excellent preparation for a position on the Supreme Court.

[] believes the candidate's ethics and fairness are excellent, as he has heard nothing to suggest otherwise. Although the candidate is a conservative thinker, his Italian background has given him exposure to other cultures and ways of thought that have sensitized him to other points of view. [] believes that this has been reflected in the candidate's open and flexible thoughts. [] has heard of no prejudice or biases on the part of the candidate.

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To the extent they are known to [], the candidate's associates are all highly reputable individuals.

[] highly recommends the candidate for the Supreme Court. He is a young man with a long future in front of him at a time when the trend in the judiciary is toward younger justices. [] does not agree that a judgeship must be given only to older individuals with many, many years of experience. Judgeships should go to younger people as long as they have sufficient, substantial experience, as the candidate has. The position of a judge should be a career rather than a capstone. [] is extremely pleased that the president is appointing younger people to the bench and people with potential skills. These are people, such as the candidate, who have the ability to think without predispositions. [] believes the candidate is an excellent choice. He cannot think of one thing to render him as an inappropriate candidate.

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On June 25, 1986, Special Agent (SA) [redacted]
[redacted] contacted [redacted] Women's Bar Association
of the District of Columbia. [redacted] advised that the Women's Bar
Association had no official position regarding the appointment of
the candidate to the U.S. Supreme Court.

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LAW ENFORCEMENT OFFICIALS

The following investigation was conducted on July 1, 1986, by Special Agent (SA) [REDACTED] concerning ANTONIN GREGORY SCALIA:

[REDACTED] INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, was contacted at his office, 13 Firstfield Road, Gaithersburg, Maryland, where he furnished the following information:

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[REDACTED] has never met SCALIA and has heard nothing about him beyond what he has learned in the media. He had no knowledge of SCALIA's associates, loyalty to the United States, legal ability, nor possible abuse of alcohol or use of illicit drugs. [REDACTED] was unable to comment regarding SCALIA's suitability to become an Associate Justice, but stated he had no reason not to recommend SCALIA.

WFO 77-100656
FL:dmq

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The following investigation was conducted by Special Agent [redacted] concerning the candidate, ANTONIN GREGORY SCALIA.

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On June 26, 1986, [redacted] Police Foundation, 1001 22nd Street, Northwest, Washington, D.C., advised he has been in his current position for a year and before this, he was [redacted]

[redacted] He stated that he has no direct knowledge of the candidate and all he knows is what he has obtained from the news media. [redacted] stated he has no direct or indirect adverse information concerning the candidate. Based on this, [redacted] was not able to furnish any additional pertinent comments but stated he had no reason why the candidate should not have a position of trust and confidence in the United States Government, to include that of Associate Justice on the U.S. SUPREME COURT.

WFO 77B-100656
HWH:clm

On June 24, 1986, [redacted] National Organization of Black Law Enforcement Executives (NOBLE), 6401 Corporate Drive, Suite 360, Landover, Maryland, advised Special Agent (SA) [redacted] that she was not an elected official of NOBLE and did not feel that she should speak for the organization. She stated that she refers such inquiries to the [redacted] Metropolitan Police Department, Washington, D.C.

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On June 25, 1986, [redacted] was interviewed at his office, 300 Indiana Avenue, N.W., Washington, D.C., by SA [redacted]. [redacted] stated that he was not personally acquainted with the candidate, Judge ANTONIN GREGORY SCALIA, but that he had no reason to dispute Judge SCALIA's reputation as an intelligent, well qualified and dedicated jurist. He said that he had not polled his organization with regard to Judge SCALIA's possible elevation to the United States Supreme Court, but that it was his opinion that Judge SCALIA's appointment would not alter the philosophical composition of the court in any significant way. He said that he believed that most of the members of his organization would agree with him on this point.

[redacted] stated that from what he knew of Judge SCALIA's philosophy and constitutional interpretations, it was apparent that he is more conservative than the general NOBLE membership, especially on social issues. He stated that he would have no reason to call into question the candidate's professional ethics or his fairness as a jurist. He said that he has no reason to suspect Judge SCALIA of harboring any biases or prejudices and would not take issue with his personal or professional reputation. He stated that he believed that the Judge's position on such civil rights and social issues as affirmative action programs for minorities would not be acceptable by the NOBLE membership, however, he said that he did not attribute the Judge's philosophy to any malice or prejudice. He stated that he was convinced that Judge SCALIA was sincere in his beliefs and that he honestly interpreted the Constitution of

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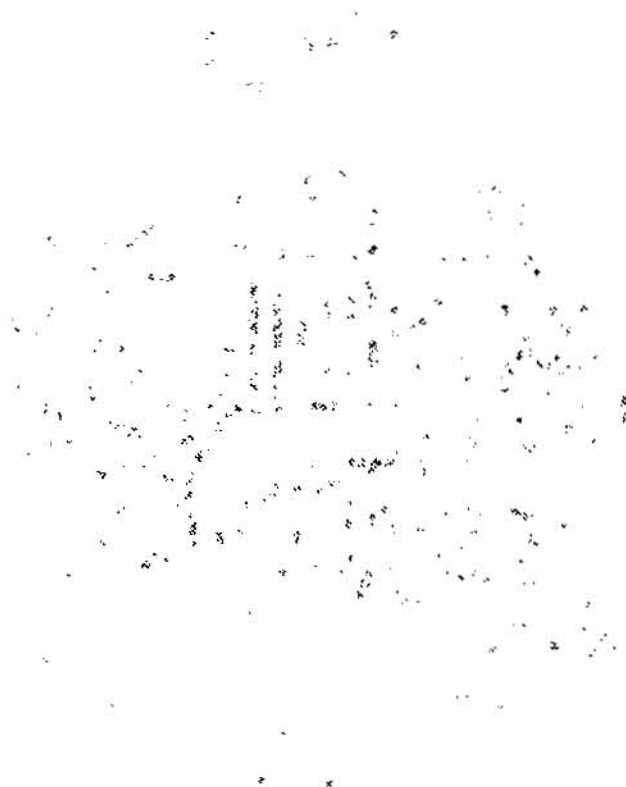
WFO 77B-100656
HWH:clm

the United States as he felt it should be interpreted. [redacted] stated that in no way would he ever accuse Judge SCALIA of being any kind of a racist or bigot and would defend him against such charges. He said that he was not in a position to comment with regard to the candidate's legal ability or his conduct on the bench.

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[redacted] concluded by stating that he felt he could speak for the NOBLE membership in stating that the organization would not endorse Judge ANTONIN SCALIA for a seat on the United States Supreme Court, but that it would certainly not oppose his appointment.

NATIONAL ORGANIZATION LEADERS



On June 24, 1986, Special Agent (SA) [redacted] contacted [redacted] National Association for the Advancement of Colored People, 1025 Vermont Avenue, N.W., Suite 820, Washington, D.C., concerning the candidate, ANTONIN GREGORY SCALIA.

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[redacted] advised that he is not personally acquainted with the candidate, and that what knowledge he has of the candidate has been acquired through his reading about the candidate. [redacted] noted in particular, excerpts of a speech that the candidate had delivered several years ago, possibly at American University.

[redacted] questioned the candidate's sense of fairness, and advised that in the above-noted speech, the candidate had exhibited a bias against women and minority groups. [redacted] cited a comment made by the candidate to the effect that the candidate's father, an immigrant, had never mistreated any Black persons, and so should not have been penalized by any affirmative action program. [redacted] stated that this statement was representative of the candidate's views and indicative of the candidate's overall bias against affirmative action programs.

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[redacted] stated that the candidate's views "miss the point," explaining that prejudice and racial stereotyping are "not an individual, but a group thing" from which all white males benefited, whether or not they actually committed a discriminatory act. [redacted] stated that, from his reading of the candidate's speech, he believes the candidate, while admitting that Blacks "have suffered certain injustices," would approve of redress only if a plaintiff could prove that a particular individual had wronged him. Carrying this thought through, [redacted] stated that he believes the candidate would see no way to remedy many injustices suffered by minorities as a class, because the remedy would affect non-minority individuals who had not done anything wrong.

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Because of his lack of personal knowledge of the candidate, [redacted] did not comment on the candidate's character, associates, reputation, loyalty to the United States Government, usage of alcohol, or possible usage of illegal drugs. [redacted] advised that he would "absolutely not" recommend the candidate for the position of Associate Justice, United States Supreme Court. [redacted] stated that what he has read in the print media about the candidate portrays the candidate as "a man who, at least as concerns civil rights, is completely negative and would undo gains." [redacted] added that he "can only surmise" that the

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candidate's views in other areas of the law are "equally narrow," particularly regarding those developing areas such as tenant's rights and environmental law. [] concluded by stating that he believes the candidate would not approve making any changes in the law since it stood at the time the candidate attended law school.

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On June 24, 1986, [redacted]
NATIONAL RIGHT TO LIFE COMMITTEE, 419 7th Street, N.W.,
Washington, D.C., was contacted by Special Agent (SA) [redacted]
[redacted] concerning the candidate, ANTONIN GREGORY SCALIA.

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[redacted] advised that he has no personal knowledge of the candidate having only met the candidate once. That meeting occurred several years ago, following a lecture given by the candidate, at which time [redacted] was "very impressed" by the candidate. Aside from this meeting, [redacted] advised that his knowledge of the candidate is entirely second-hand, derived from comments and opinions of knowledgeable people whom [redacted] respects, as well as what [redacted] has read about the candidate.

[redacted] declined to address himself to questions concerning the candidate's legal knowledge and abilities, his articulation and writing abilities, his areas of specialization and courtroom experience, or his temperament and ethics, citing a lack of knowledge of the candidate's legal practice and his judicial experience. [redacted] stated further that he had no knowledge of any awards or achievements attained by the candidate nor of the candidate's degree of civic or professional activity.

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[redacted] stated that everything he has heard about the candidate indicates that the candidate is a "top-notch, superlative" individual, as well as an "honest, straight forward jurist." [redacted] advised that if the candidate has a particular judicial leaning, he leans against "judicial activism."

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[redacted] advised further that, to his knowledge, no one in his organization "has heard a single up-front comment" of a derogatory nature concerning the candidate, specifically in the area of abortion.

[redacted] did not consider himself knowledgeable of the candidate's views on civil rights. He was aware of no biases or prejudices held by the candidate against any racial, religious or ethnic group, nor of any reason to question the candidate's basic fairness. [redacted] was aware of no reason to question the candidate's character, associates, reputation or loyalty to the United States Government. He was aware of no instances of usage of illegal drugs or abuse of alcohol by the candidate. [redacted] was unable to provide any derogatory information concerning the candidate, and he recommended the candidate "without question" for the position of Associate Justice, United States Supreme Court.

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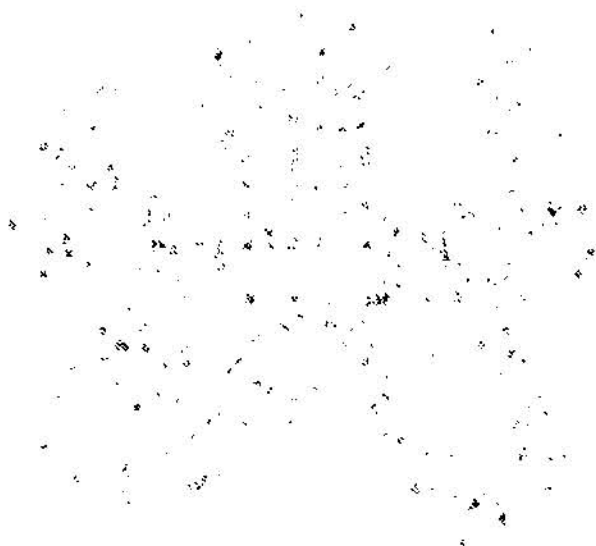
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PED:act

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Attempts by Special Agent (SA) [redacted] to
interview [redacted] NATIONAL ORGANIZATION FOR
WOMEN (NOW), 1401 New York Avenue, N.W., Washington, D.C.,
regarding the candidate, ANTONIN GREGORY SCALIA, were entirely
unsuccessful. Attempts were made on June 24, June 26 (2 attempts),
June 27, July 1 and July 2, 1986.

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RELIGIOUS LEADERS



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WFO 77B-100656
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On June 25, 1986, [redacted] Episcopal Diocese
of Washington, D.C., informed SA [redacted] that he had
no personal knowledge concerning the candidate, ANTONIN GREGORY
SCALIA.

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RWK:mye

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On June 26, 1986, [REDACTED]
Washington, D. C., Region, CHURCH OF JESUS CHRIST OF LATTER
DAY SAINTS (MORMON) and Vice-President for Governmental
Affairs, MARRIOTT CORPORATION, Bethesda, Maryland, informed
Special Agent (SA) [REDACTED] that he was not personally
acquainted with the candidate, ANTONIN GREGORY SCALIA.

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WFO 77B-100656
RWK:clm

On June 26, 1986, [redacted]
the U.S. Catholic Conference and National Conference of Catholic
Bishops, 1312 Massachusetts Avenue, N.W., Washington, D.C.,
provided the following information to Special Agent (SA) [redacted]
[redacted] concerning the candidate, ANTONIN GREGORY SCALIA:

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He has met the candidate on only one occasion which was in a social setting with one other attorney. However, he has followed the candidate's career for some time and has read a good deal of his legal work. As a result of that and other observations and information coming to his attention, he long ago formed the opinion that the candidate would be a very good choice if he were ever selected for a position on the highest court of the country.

From his reading of the candidate's opinions and other legal papers, he believes that he has the highest of legal ability and competence and is very well versed in general knowledge of the law. The candidate is not reticent at all in voicing his legal or other opinions and is just generally very articulate. From reading the candidate's legal writings he has judged his writing ability to be the type that displays great qualities and abilities. He has not had an opportunity to assess the candidate's ability to manage complex legal matters or to comment concerning his specialization in the legal field or concerning the types of cases he has handled. In the same regard, he has had no opportunity to observe the candidate in a courtroom setting. Since his association with the candidate has been extremely limited, he had no comment to make concerning his temperament or demeanor. All that he has observed or heard has led him to believe that the candidate exercises the highest type of professional ethics. Nothing has come to his knowledge to suggest that the candidate is anything other than completely fair, unbiased and without prejudices of any objectionable type concerning his position and responsibilities and administrations as a judge. With respect to the candidate's views on civil rights, it is his opinion that the candidate believes in interpreting the laws as written and intended by the United States Congress. He stated that he was sure that the candidate has received various honors, but he had no specific information concerning any of them. All that he knows personally or from

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RWK:clm

other sources concerning the candidate indicates that the candidate has been free from personal and professional problems or improprieties. To his knowledge, the candidate is a highly trustworthy person, who associates with the highest of individuals, who enjoys an unsullied reputation in the community as well as in professional circles and is completely loyal to the United States Government. No information has come to his attention which would indicate that the candidate has experienced any major health problems or that he has been involved in the use of illegal drugs or the abusing of alcoholic beverages.

[] concluded by stating that the candidate is a fine choice for appointment to the United States Supreme Court, that he can wholeheartedly recommend him for such an appointment and that he looks forward to working with the candidate in that position.

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LABOR OFFICIALS

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JJM:clm

On June 25, 1986, Special Agent (SA) [redacted] contacted the office of [redacted] AMERICAN FEDERATION OF LABOR/CONGRESS OF INDUSTRIAL ORGANIZATIONS (AFL/CIO), 815 16th Street, N.W., Washington, D.C., concerning ANTONIN GREGORY SCALIA, candidate for Associate Justice, United States Supreme Court.

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At that time [redacted] was unavailable for comment with regard to SCALIA.

On June 30, 1986, SA [redacted] recontacted the office of [redacted] and was advised by [redacted] AFL/CIO, that [redacted] had left the United States on June 26, 1986, and would be out of the country and unavailable for interview until July 14, 1986.

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LGK:mye

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On June 25, 1986, [REDACTED] NATIONAL
EDUCATION ASSOCIATION, 1201 16th Street, N. W., Washington,
D. C., was contacted by Special Agent (SA) [REDACTED]
and furnished the following information regarding ANTONIN
SCALIA:

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[REDACTED] stated that her only knowledge of SCALIA
is derived from what she has read about him in the press.
[REDACTED] advised that she could not provide any further
information.

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ACM:dlj

On July 1, 1986, [redacted] International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, 25 Louisiana Avenue. N.W. Washington, D.C., provided the following information to Special Agent (SA) [redacted] regarding the candidate, ANTONIN SCALIA:

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[redacted] does not know Judge SCALIA either personally or professionally, but was not aware of any adverse information regarding his legal ability, character or choice of associates. He is familiar with written opinions of Judge SCALIA, and has a high opinion of his writing skills and logic. [redacted] does take exception to the contents of his opinions, as philosophically they generally do not favor labor. He is not in possession of any information that would have an adverse effect on Judge SCALIA'S reputation or his loyalty to the United States.

[redacted] was not aware of any alcohol abuse or illicit drug use on the part of the candidate, nor his views on civil rights issues.

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[redacted] concluded by stating that he believed that Judge ANTONIN SCALIA would be a fine addition to the U.S. Supreme Court.

On June 25, 1986, [REDACTED]
[REDACTED], UNITED FOOD AND COMMERCIAL WORKERS,
advised Special Agent (SA) [REDACTED] of the
FEDERAL BUREAU OF INVESTIGATION (FBI), Washington Field
Office, that due to his heavy schedule, [REDACTED]
[REDACTED] of the UNITED FOOD AND COMMERCIAL WORKERS, would
not be available for a personal interview. He continued
that he is authorized to speak on the behalf of [REDACTED] and
that he would elicit [REDACTED]'s comments regarding the candidacy
of ANTONIN GREGORY SCALIA for Associate Justice of the
UNITED STATES SUPREME COURT.

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On July 27, 1986, [REDACTED] advised SA [REDACTED]
[REDACTED] that he had discussed the candidacy of SCALIA
with [REDACTED] and that he was informed by [REDACTED] that he did
not personally know SCALIA and other than having different
philosophies that [REDACTED] would have no reason not to recommend
SCALIA for Associate Justice of the UNITED STATES SUPREME
COURT.

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UNITED STATES SENATORS --
VIRGINIA

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ACB:clm

The following investigation was conducted by Special Agent (SA) [REDACTED] in regard to the candidate, ANTONIN GREGORY SCALIA.

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On June 26, 1986, JOHN H. WARNER, Senator (Virginia), U.S. Senate, Washington, D.C., advised that he does not know the candidate on a personal basis. He further advised that he met Judge SCALIA, for the first time, approximately twenty minutes prior to this writer's instant interview with Senator WARNER. Senator WARNER indicated that he has conducted his own investigation concerning Judge SCALIA and he was unable to develop any derogatory information about the candidate. Senator WARNER advised that the candidate is well qualified for a position on the Supreme Court and he will support Judge SCALIA's appointment to that post. Senator WARNER "unequivocally" recommended the candidate for a position as Associate Justice of the U.S. Supreme Court.

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ACB:clm

The following investigation was conducted by Special Agent (SA) [redacted] in regard to the candidate, ANTONIN GREGORY SCALIA.

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On June 26, 1986, [redacted] Office of Senator PAUL S. TRIBLE, JR., (Virginia), U.S. Senate, Washington, D.C., speaking on behalf of Senator TRIBLE, advised that Senator TRIBLE declined an in person interview relative to the candidate's suitability to be an Associate Justice of the U.S. Supreme Court. [redacted] indicated that Senator TRIBLE does not know the candidate personally, but Senator TRIBLE advised that, "Judge SCALIA is an excellent choice and he has my complete support."

POLITICAL PARTY LEADERS

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RPC:mye

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[redacted] DEMOCRATIC NATIONAL
COMMITTEE, Washington, D. C., advised Special Agent (SA)
[redacted] on June 26, 1986, that he does not know
Justice ANTONIN G. SCALIA either personally or professionally.
[redacted] advised that he only knows him by reputation and by
what he reads in the newspaper. [redacted] advised that he is
unable to make any comment concerning the candidate's character,
associates, reputation, loyalty, and suitability for a
judicial position.

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The following interview was conducted by Special Agent (SA) [redacted] on July 2, 1986:

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[redacted] REPUBLICAN NATIONAL COMMITTEE (RNC), Washington, D. C., advised that it is the official position of the RNC to "support wholeheartedly" the nomination of ANTONIN G. SCALIA for the position of Justice on the UNITED STATES SUPREME COURT.

[redacted] further advised that he, himself, has known the candidate since approximately 1981. At that time, they had a number of social contacts through the Administrative Office of United States Courts. In addition, he dealt closely with the candidate for several days in connection with a conference held by the HARVARD INSTITUTE OF POLITICS, during which the RNC and the DEMOCRATIC NATIONAL COMMITTEE (DNC) worked closely with that institute. He stated that all of his observations and comments of the candidate are most favorable. He considers SCALIA to be a "brilliant attorney." He has read the candidate's opinions for a number of years and considers them to be quite well-written and scholarly. SCALIA possesses a wonderful, pleasant disposition and makes a fine judge. He has no question about the candidate's ability to work under pressure and to work well within the judicial system. He certainly has no question about the candidate's professional ethics and considers him to be a fair and unbiased individual. He has not seen any signs of prejudice on the candidate's part toward racial, religious, or ethnic groups. He does not know enough about the candidate's positions on civil rights to speak concerning them. In his opinion, SCALIA possesses a fine personal and professional reputation. He has no question about his loyalty to this country or his ability to properly handle sensitive or classified information.

[redacted] advised that he would certainly recommend ANTONIN SCALIA for a judicial position on the UNITED STATES SUPREME COURT.

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U. S. A T T O R N E Y

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LLS:act

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Numerous unsuccessful attempts have been made during the period June 30 through July 1, 1986 by Special Agent (SA) [redacted] to contact United States Attorney JOSEPH DIGENOVA, Washington, D.C. The purpose of the attempted contact was to interview DIGENOVA concerning his knowledge of the candidate ANTONIN GREGORY SCALIA.

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DISTRICT OF COLUMBIA GOVERNMENT
LEADERS

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CGB:erw

On June 26, 1986, and June 27, 1986, SA [redacted] attempted to contact [redacted] to [redacted] District of Columbia, Washington, D.C., for the purpose of interviewing [redacted] concerning his knowledge of ANTONIN GREGORY SCALIA, candidate for Associate Justice of the U.S. SUPREME COURT. [redacted] was unavailable and did not respond to messages left asking that she contact the Federal Bureau of Investigation regarding this investigation.

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[redacted]
[redacted] District of Columbia, Washington, D.C, was contacted at his place of employment by SA [redacted] regarding his knowledge of the candidate, ANTONIN GREGORY SCALIA. [redacted] advised that he does not know the candidate and that he has never had a case before the candidate in court.

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[redacted] advised that he has no criticisms regarding the candidate's legal ability, knowledge of the law, writing ability or judicial demeanor. He advised that he knows nothing of a derogatory nature regarding the candidate's character, associates, or reputation and that he believes him to be a loyal United States citizen. He has never seen any indication that the candidate might abuse alcohol or use illegal drugs.

[redacted] advised that the candidate's views on civil rights and affirmative action issues are conservative. He has never known the candidate to show bias or prejudice toward any class of citizen, or any religious, racial, or ethnic group.

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[redacted] advised that he believes the candidate to be a competent jurist and that he has no objections to his appointment as Associate Justice to the United States SUPREME COURT, explaining that in his opinion, the candidate is on the "wrong side of the political spectrum," but that he feels that the appointment should be the president's choice.

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CGB:erw

On June 27, 1986, [redacted] District of Columbia, Washington, D.C., was contacted at his place of employment by SA [redacted] regarding his knowledge of ANTONIN GREGORY SCALIA, candidate for Associate Justice of the U.S. SUPREME COURT. [redacted] advised that he does not know the candidate personally, however, his office has appeared before the candidate in his courtroom and that all of his comments regarding the candidate are exclusively professional.

[redacted] advised that the candidate's judicial opinions and the manner in which they are delivered are extremely intelligent, well reasoned, and fair. He stated that the candidate possesses an extremely good knowledge of the law and procedure and handles himself well on the bench. [redacted] advised that the candidate's legal ability and competence are extremely good and that he possesses a fine judicial temperament even under stress, which makes him a fine judge. The candidate's writing ability is superior and he is very persuasive among his colleagues. The candidate is very articulate and [redacted] advised that he heard the candidate speak at the last U.S. Judicial Conference.

[redacted] advised that the candidate has had to consider a wide range of legal matters in his courtroom: criminal, civil and administrative matters. In spite of the broad range of cases that come before the candidate, [redacted] advised that he manages complex legal matters with ease.

[redacted] commented favorably concerning the candidate's character and reputation, commenting that the candidate possesses the highest professional ethics and integrity. He stated that the candidate's professional reputation is extremely good within his office. [redacted] was not familiar with the candidate's personal associates and noted that his professional colleagues are of the highest caliber. He stated that the candidate's opinions on civil rights have always been legally sound and do not exhibit any bias or prejudice. [redacted] advised that he believes that the candidate is extremely fair. [redacted] was not aware of any civil or professional organizations to which the candidate might belong but remarked that as a judge of the Court of Appeals, he attends

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the United States Judicial Conference. [] stated that he has never known the candidate to abuse alcohol or use illegal drugs. He believes him to be a loyal United States citizen.

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[] recommends the candidate for Associate Justice of the United States Supreme Court.

MEDIA REPRESENTATIVES

The following investigation was conducted by Special Agent (SA) [redacted] and SA [redacted] concerning ANTONIN GREGORY SCALIA:

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On June 25, 1986, BENJAMIN C. BRADLEE, Executive Editor, The Washington Post, 1150 15th Street, N.W., Washington, D.C. 20071, advised that his contact with SCALIA is limited to seeing him only once when SCALIA was on the bench and BRADLEE was a plaintiff. The newspaper was arguing a libel case stemming from articles on Mobil Oil, and the issue is a matter of pending litigation. SCALIA's name is on the opinion overturning a lower court ruling which favored the Post, but it is alleged he did not write it, according to BRADLEE. The total appellate court overruled SCALIA and the panel issuing the opinion, and the matter has not moved beyond this stage. BRADLEE stated he was genuinely surprised to be contacted regarding SCALIA's suitability to become an associate justice. It was in this context that BRADLEE furnished the following information:

From what he has read in newspapers, BRADLEE considers SCALIA to be a distinguished, bright intellectual with "very positive views" on certain subjects. (BRADLEE considers himself to be apolitical and would not elaborate or define what he meant by "very positive views" or which subjects.) He has heard no information whatsoever leading him to believe SCALIA ever abused alcohol or prescription drugs nor used illicit drugs. He has no knowledge of any negative information regarding the soundness of SCALIA's health nor SCALIA's character, loyalty, associates, reputation, ability, or impartiality. The Post printed an article in its most recent Sunday edition regarding an AT&T (AMERICAN TELEPHONE AND TELEGRAPH) case which came before SCALIA. SCALIA did, in fact, rule against AT&T, and pursuit of ethics questions in the story disposed of those questions and made them what BRADLEE considers a non-issue.

BRADLEE feels he is in no position to assess SCALIA's suitability to become an associate justice and made no recommendation whatsoever.

On June 24, 1986, [redacted]
[redacted] AMERICAN BROADCASTING COMPANY (ABC), 1717 De Sales
Street, Northwest (NW), Washington, D.C., telephone [redacted] was
contacted by Special Agent [redacted] regarding the
candidate, Judge ANTONIN SCALIA. [redacted] advised that he did not
personally know Judge SCALIA, in fact, he had not heard of Judge
SCALIA until his recent appointment by President REAGAN. His
only knowledge of Judge SCALIA has been obtained through news
reports. [redacted] said he was flattered by being contacted
concerning Judge SCALIA, but he had nothing to add concerning his
appointment. He said that he was confident that ROONE ARLEDGE,
President of ABC, did not know Judge SCALIA and therefore, Mr.
ARLEDGE would be unable to comment on his fitness for his SUPREME
COURT appointment.

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ACM:dmq

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On June 25, 1986, ROBERT McFARLAND, Washington Bureau Chief of the NATIONAL BROADCASTING COMPANY (NBC), 4001 Nebraska Avenue, Northwest (NW), Washington, D.C., was contacted by Special Agent [redacted] regarding the candidate, Judge ANTONIN SCALIA.

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McFARLAND advised he was happy to cooperate but did not have a lot to say. He has never met Judge SCALIA. If McFARLAND had any impression of Judge SCALIA, he stated he did not think it correct to comment on such impression. There is no information at NBC, either good or bad, on Judge SCALIA, and NBC is looking into his background as well. McFARLAND concluded by stating that he could suggest no other spokesman for NBC to comment on the suitability for Judge SCALIA's SUPREME COURT appointment.

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On June 25, 1986, [redacted]
COLUMBIA BROADCASTING SYSTEM (CBS), 2020 M Street, Northwest
(NW), Washington, D.C., telephone [redacted] was contacted by
Special Agent [redacted] regarding the candidate, Judge
ANTONIN SCALIA. He advised that he did not personally know Judge
SCALIA. As far as CBS is concerned, neither [redacted] nor anyone
associated with CBS is willing to make a statement or answer
questions concerning Judge SCALIA. [redacted] questioned the efficacy
of having the FBI contact CBS. [redacted] advised that if CBS had any
unusual information concerning Judge SCALIA, they would put it on
the air rather than comment on it to the FBI.

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On June 30, 1986, an individual identifying himself as Mr. COLLIER appeared at the Washington Field Office of the Federal Bureau of Investigation (FBI) and hand delivered to [] a copy of a civil court complaint titled KENNETH F. COLLIER and JAMES M. COLLIER vs. ANTONIN SCALIA and the REPUBLICAN NATIONAL COMMITTEE. The complaint had been date stamped June 30, 1986, as received by the Civil Clerk's Office, Superior Court of the District of Columbia, and was numbered CA05225-'86.

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In addition, COLLIER hand delivered to [] the June 26, 1986 issue of The Home News newspaper of Dade County, Florida, and advised her to draw particular attention to two articles in it: "F.B.I. Orders Home News Scalia VoteScam Documents" and "Capital Newsmen Eye Votescam."

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On July 1, 1986, [] of the Civil Clerk's Office, Superior Court of the District of Columbia, advised Special Agent [] that the above complaint had, in fact, been filed on June 30, 1986.

RECORD CHECKS

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PTR:dmq

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On June 24, 1986, Investigative Assistant [redacted] determined that no record of violations for the candidate was contained in the files of the Bureau of Motor Vehicle Services, Department of Transportation, Washington, D.C. .

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The following record checks were conducted at Washington, D.C., regarding the candidate. ANTONIN GREGORY SCALIA; [redacted]
[redacted]

On June 24, 1986, Investigative Assistant [redacted] [redacted] searched the files of the United States Park Police and no adult criminal record could be located.

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On July 1, 1986, no identifiable Metropolitan Police Department arrest record was located in the Washington Area Law Enforcement System computer. However, at all times an indefinite number of unidentified records may not be in the computer and not available for review.

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PTR:clm

On June 25, 1986, Investigative Assistant (IA) [redacted] caused a search to be made of the files of the U.S. Secret Service, DEPARTMENT of the TREASURY, and was advised that no derogatory information was found concerning the candidate, ANTONIN GREGORY SCALIA, [redacted]

[redacted]

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The files reflected the fact that the candidate is a holder of a White House pass.

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GBM:rdc

On June 25, 1986, IA [] caused a search to be made of the pending and closed cases of the Criminal Division of the U.S. Attorney's Office, 555 4th Street, N.W., Washington, D. C. The following individuals advised that no identifiable record could be located regarding ANTONIN GREGORY SCALIA. []

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[] Trial and Grand Jury
[] Fraud and Major Crimes
[] Closed and pending cases

On June 25, 1986, IA [] caused a search to be made of the pending and closed cases of the Civil Division of the U.S. Attorney's Office. [] advised that no identifiable record could be located regarding ANTONIN GREGORY SCALIA, []

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It should be noted that the index system of the Civil Division, U.S. Attorney's Office, contains only names of plaintiffs, except in civil actions brought by the United States against a particular defendant. Suits against government employees who are represented by the United States Attorney would be filed by plaintiff's name and docket number.

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On July 2, 1986, [redacted] Public Integrity Section, Department of Justice, Washington, D.C., advised Special Agent (SA) [redacted] that his office's records contain no reference, complaint, or record of investigation concerning ANTONIN GREGORY SCALIA.

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On June 25, 1986, IA [] contacted
[] Office of the Inspector General, Administrative
Office of the U.S. Courts, 1120 Vermont Avenue, N.W., Washington,
D. C. She advised that no record could be located regarding
ANTONIN GREGORY SCALIA of Washington, D. C.

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BAR MEMBERSHIP
THE DISTRICT OF COLUMBIA BAR
WASHINGTON, D. C.

On June 26, 1986, [redacted]
The District of Columbia Bar, Washington, D. C., advised SA [redacted] that no record could be located concerning the candidate, ANTONIN GREGORY SCALIA.

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On June 27, 1986, [redacted]
Office of Bar Counsel, The District of Columbia Bar, Washington, D. C., advised SA [redacted] that a review of the files indicates there are no grievances on file which have resulted in disciplinary action against the candidate.

It should be noted that the Bar Counsel will not release any complaints against attorneys that do not result in some administrative action, suspension, disbarment, and will release no complaints that are currently being investigated.

M I S C E L L A N E O U S

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/1/86

[redacted], Department of Justice, Office of Professional Responsibility, 10th and Pennsylvania Avenue, N.W., Washington, D.C. [redacted] was interviewed at his office in the presence of [redacted]. They were advised of the identities of the interviewing agents and that the interview pertained to their follow-up of allegations brought to their office by KENNETH and JAMES COLLIER. [redacted] voluntarily furnished the following:

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The Office of Professional Responsibility (OPR) received a letter dated June 6, 1984, (copy attached) from KENNETH COLLIER after he and his brother claimed they were "thrown out" of the office of CRAIG DONSANTO, who is in charge of reviewing cases of potential vote fraud at the Department of Justice (DOJ). The COLLIERS claimed they had evidence which primarily was a videotape showing vote fraud in a 1982 election in Dade County, Florida. They were in DONSANTO's office to present this evidence at DONSANTO's invitation, but they were ejected before actually showing the tape.

On June 21, 1984, [redacted] talked to DONSANTO who told him that he had previous contact with KENNETH COLLIER. COLLIER lost a 1972 (sic) primary election bid to Congressman CLAUDE PEPPER. The COLLIERS came to Washington, D.C., just prior to Watergate at a time when DONSANTO was fairly new to vote fraud cases. DONSANTO went into COLLIER's fraud allegations then in great depth and became something of an expert on mechanized ballot counting. The case became DONSANTO's training ground, and after thorough review, was found to be insufficient for prosecution. As time went by, DONSANTO learned that the COLLIERS were chronic complainers to the Federal Bureau of Investigation (FBI) in Miami. When the COLLIERS were in DONSANTO's office in 1984 regarding new allegations of Dade County vote fraud, the meeting was not terminated until it became clear that a third person the COLLIERS brought with them was a reporter for the Washington Times. According to DONSANTO, the COLLIERS represented the third party they were bringing to that meeting as

Investigation on 6/30/86 at Washington, D.C. File # 77B-100656

SA [redacted]
by SA [redacted] PTR:ptr Date dictated 7/1/86

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something other than a reporter when the meeting was set up. DONSANTO made it clear he would not conduct a meeting of potential criminal prosecution in the presence of a reporter there to cover it, but the COLLIERS nearly had to be physically removed. Only at that moment did the COLLIERS also voice claims that they had evidence of massive vote fraud in other elections they had not already mentioned.

[redacted] obtained from FBI Headquarters a letterhead memorandum dated July 18, 1979, setting forth allegations the COLLIERS brought to the attention of the FBI regarding elections prior to that date. He then talked with Supervisory Special Agent [redacted] in Miami who advised him that the COLLIERS' more recent allegations involving a 1983 election also had been investigated and a prosecutive declination had been rendered on September 8, 1983, by Assistant United States Attorney [redacted] received from [redacted] a copy of his letter dated February 7, 1984, to the United States Attorney (copy attached).

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During July, 1984, [redacted] talked with [redacted] who said they had a huge file on the COLLIERS and their allegations in Miami but that nothing had ever been found of substance to merit prosecution.

On July 24, 1984, [redacted] had the COLLIERS come to the OPR office to air their allegations of misconduct by DONSANTO in the termination of his meeting with them earlier that year. [redacted] was present for this meeting. JAMES COLLIER arrived at OPR wearing a karate outfit and carrying a martial arts weapon known as nunchuks or nunchaku. He made a point of telling [redacted] and [redacted] that he was a martial arts expert. KENNETH COLLIER brought voluminous newspaper clippings and documents he obtained through Freedom of Information. The COLLIERS detailed a set of circumstances they believe points to a connection between their desire for a Dade County vote fraud investigation and the Watergate break-ins. At that time they were living out of a van.

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[redacted] and [redacted] were made somewhat fearful by the COLLIERS' unusual behavior and personally escorted them out of the building.

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[redacted] summarized the information the COLLIERS presented to him as four distinct allegations:

1) On September 8, 1970, a conspiracy of three television stations released nearly perfect projections of final vote totals before the polls closed. The COLLIERS attributed the conspiratorial direction to [redacted] as owner of one of the stations and claimed they could prove forgery of eleven thousand signatures.

2) From a 1972 Dade County election, certification sheets which were used in voting machines were filled out incorrectly. Being "blank-backed," all the votes entered in those machines were, therefore, uncertified.

3) In Dade County elections taking place in 1974, 1975, 1976, and 1977, keys to voting machines were taken away from four thousand pollworkers. All four thousand must have perjured themselves by claiming they had physically opened the voting machines to certify votes because the COLLIERS could prove they had no keys.

4) In 1982, removal of "chad" or "chaff" from the back of ballot cards which voters punched by stylus was unlawful. [redacted] and [redacted] viewed a videotape the COLLIERS brought with them as evidence they claimed indisputably showed some ninety members of the League of Women Voters committing vote fraud by clearing the remnants of perforations clinging to the backs of ballots. The COLLIERS explained their logic in concluding fraud. They knew that it is, in fact, impossible for a chad laden card to go through the vote counting machine without fouling the machine and being rejected from the mechanical counting process. They reasoned that if a voter used insufficient pressure to knock the perforation chad free of the ballot card leaving a complete hole, it meant that the voter was indecisive and the ballot should have been viewed as such and not counted at all. By making these ballots countable for the machine, the women shown on the tape were, therefore, skewing the election. Furthermore, according to the COLLIERS, the women's activity was merely a "front" or diversion to cover the absence of any real vote counting going on at all in the back of the election office where the COLLIERS were certain that the final count had been pre-programmed by one man.

[] and [] recognized a contradiction at the outset in the COLLIERS' claim that the League of Women Voters was changing votes by clearing chaff from ballot cards. This could not have any effect on the final totals if the COLLIERS also wanted to claim that the totals were pre-programmed.

As to the videotape itself, [] stated that it was "so ridiculous it was hard to keep from laughing." "It depicted ladies taking chaff off ballots, but the tape in no way depicted any fraud."

After viewing the tape, [] and [] interviewed DONSANTO. He had "perfectly acceptable answers" regarding any points he had not heard already from the COLLIERS in addressing what constitutes evidence of vote fraud. After interviewing DONSANTO, and in light of what had been learned from FBI Headquarters, the FBI in Miami, Assistant U.S. Attorney [] and [] "didn't do much with it because it was so apparent to us that the allegations were groundless." The videotape was the primary piece of evidence the COLLIERS wanted to hinge a case on, and according to [] it showed "nothing." The remaining allegations relied on theories of conspiracies that would have to be so broad and involve so many people, that it made no sense to [] to believe that four thousand pollworkers, the League of Women Voters, three television stations, and others could have been participating. Further, the COLLIERS had not supported any of their claimed ability to prove things they said they could prove, such as the confiscation of four thousand keys from pollworkers.

KENNETH COLLIER cited to [] at least two sections of Florida statutes he said were being violated. One of them stated that no persons other than employees or those authorized by elections officials could be present at the elections office at the time ballots were being counted. COLLIER insisted that the League of Women Voters was violating this statute by their members' presence at the elections office. [] stated, however, he felt confident that the word "authorized" applied to people working as aides whether or not they were being paid. He did not verify this at the Dade County elections office in question. [] commented, though, that he wondered why elections officials "put up with COLLIER and his brother running around with their video equipment down there" instead of "throwing them out" in light of the statute restricted who could be present.

Having contacted the FBI, U.S. Attorney's office, and DONSANTO for all available information on vote fraud the COLLIERS claimed had not been investigated, [redacted] found that investigations had been done to the extent that they found no merit to the COLLIERS' fraud allegations. "As far as I know, the allegations have been reviewed, found to be baseless, and declinations were rendered. Many, if not all, were covered by one investigation or another, and all were found to be baseless." [redacted] then closed his investigation of DONSANTO's alleged mishandling. He furnished a copy of his closing document dated April 11, 1986 (copy attached.)

[redacted] stated he has not seen a copy of an appellate court order with a concurring attachment written by Judge ANTONIN SCALIA affecting one of several lawsuits the COLLIERS filed in connection with the above allegations. He was aware of the COLLIERS' suit against DONSANTO and one they filed against the Republican National Committee (RNC), which has some issues still pending. [redacted] had not heard anything from or about the COLLIERS, their allegations, or their lawsuits in several months, and then last week received a call from Attorney [redacted] who [redacted] knows from military service. [redacted] practices with the law firm representing the RNC. He had heard that the COLLIERS had been calling SCALIA's secretary for information on how he wrote his addendum to the above-mentioned court order. He also heard the COLLIERS were planning to sue SCALIA. [redacted] explained to [redacted] what the order was about that the COLLIERS were taking heated exception to. [redacted] said it remanded the COLLIERS' civil rights suit against DONSANTO back to the U.S. District Court because the lower judge had not "gone through the legal hoops articulated in the Sills case." [redacted] called [redacted] DOJ Civil Torts Branch, after hearing from [redacted] to make him aware of the potential need to act as defense counsel for SCALIA if a suit was to be filed. The Civil Torts Branch defends any federal official sued.

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[redacted] met SCALIA as SCALIA [redacted]
[redacted] He knew SCALIA to be such a meticulous person, that if SCALIA had seen some point of difference or incompleteness in the reasoning of his fellow jurists, it would be in his normal character to sit down and write something on it.

Neither [redacted] nor [redacted] was aware of any connection between SCALIA and DONSANTO. DONSANTO probably was at the Justice Department when SCALIA served in the Office of Legal Counsel, but those are separate divisions. Both [redacted] and [redacted] stated they had no first-hand knowledge, but they doubted that SCALIA and DONSANTO even knew each other. Regarding Judge HAROLD GREENE of the Superior Court of the District of Columbia who heard the RNC suit filed by the COLLIERS, [redacted] was not aware at all that GREENE had ever been an assistant U.S. attorney anywhere. Neither [redacted] nor [redacted] was aware of any connection at all between GREENE and DONSANTO or SCALIA and doubted the existence of one.

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56D-

P.O. Box 592418 AMF
Miami International Airport
Miami, Florida, 33159
February 7, 1984

PROFESSIONAL REGISTRATION
OFFICE

JUN 9 1 18 PM '84

RECEIVED

Honorable Stanley Marcus
United States Attorney
155 S. Miami Avenue, 7th Floor
Miami, Florida, 33130

Re: [redacted]
Miami Beach, Florida;
[redacted]
Miami Beach, Florida;
[redacted] Miami Beach,
Florida;
[redacted] Candidate,
City Commissioner, Miami
Beach, Florida - Complainant;
Kenneth Collier - Complainant; Second
Election Fraud Matter

194-118-2,253

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Dear Mr. Marcus:

On December 20, 1983, [redacted] of your office referred the above named complainants to the Federal Bureau of Investigation (FBI), Miami, Florida, in order that the complainants would provide the FBI with information concerning local election violations that occurred in the Miami Beach City Commissioner elections on November 1, 1983.

[redacted] was a candidate for a position as one of the City Commissioners for Miami Beach, Florida. Kenneth Collier is a resident of Miami Beach and is associated with the "Herald Examiner" and "New Herald Tribune" newspaper publications. Mr. Collier has made past voting fraud allegations, which have been presented to the United States Attorney's Office and which have resulted in prosecutive declinations.

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2 - Addressee
① - Miami (56D-
DTK:jkj
(3) *DK jkj*



Searched
Serialized
Indexed
Filed

56-0-992

Mr. Collier and [redacted] were interviewed on December 22, 1983, and January 13, 1984, respectively and during these interviews alleged the following: b6 b7C

During the local Miami Beach elections of 1983, three members of the Canvassing Board Committee were illegally appointed. These three individuals are [redacted]

[redacted] Miami Beach, Florida, [redacted] Miami Beach, Florida, and [redacted] Miami Beach, Florida. [redacted] were

appointed to the Canvassing Board by the Miami Beach City Commissioners and Mr. Collier and [redacted] allege the appointments were made illegally and should have been made by a Dade County Circuit Court Judge. After the elections, [redacted] filed an official protest concerning these allegations and the protest was heard by Dade County Circuit Court Judge, Moie Tendrich, who dismissed the protest. b6 b7C

Mr. Collier and [redacted] then filed a civil suit, in Dade County Circuit Court, alleging the same facts as alleged in their protest. This civil suit is presently being heard by Dade County Circuit Court Judge James Henderson and the matter is still pending.

Mr. Collier further alleges that during the local elections, held in November of 1983, that Dade County Elections [redacted] was involved in illegal election practices involving the computer counting of the votes.

Upon receipt of the above information, from Mr. Collier and [redacted] it is the opinion of the Federal Bureau of Investigation (FBI), Miami, Florida, that even if the above allegations were, in fact, proven, they would not constitute a Federal violation. b6 b7C

In view of this, unless directed to act otherwise, the FBI, Miami, Florida, is conducting no further investigation in this matter.

Very truly yours,

JOSEPH V. CORLESS
Special Agent in Charge

By: [redacted]
Supervisory Special Agent

U.S. Department of Justice

Office of Professional Responsibility

Notice To Close Case File

Section I: GENERAL INFORMATION

File Number:

6728

Date of Closing:

4-11-86

File Title:

DONSANTO, Craig, Director, Election
Crimis Branch, Criminal Division; COLLIER,
Kenneth F. -- Complaint

Section II: DISPOSITION

1. Destroy after:

☐ Six (6) months (allegation is meritless).☐ Ten (10) years (allegation referred to another office for broader investigation, NO ARCHIVAL VALUE).2. ☒ Recommend permanent retention by National Archives and Records Service, General Services Administration, because (check appropriate criteria below per records schedule NCI-80-77-6).☒ This case had a significant impact on statutes, rules or regulations or law enforcement policies.☐ This case was the subject of intense public interest expressed by:☐ a demonstrated interest of a Congressional committee or the Executive Office of the President.☐ a high degree of national media attention.

Section III: REASON FOR CLOSING:

Allegations that the FBI and U.S.A.O.
Miami and PIS attorney Craig Donsanto
failed to investigate ~~complaints~~ vote fraud
charges in Dade County, Fla. proved to
be without merit.

Section IV: CERTIFICATION

I certify that the above case is closed as of this date:



Paul J. [unclear] 4/11/86
(Date)

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SSP

CLASS
FORMS TEXT HAS 1 DOCUMENT

INBOX 102 (410348)

TEXT:

CGO 0002 184 1948

OO HQ

DE CG

O 03 1948Z JULY86

FM CHICAGO (77B 20652) (RUC) (SQ. 12)

TO DIRECTOR IMMEDIATE

BT

UNCLAS

ATTN: [REDACTED] SPIN UNIT.

ANTONIN W. GREGORY SCALIA; UNITED STATES SUPREME COURT;

BUDED JULY 3, 1986.

RE BUREAU TELEPHONE CALL TO CHICAGO OF [REDACTED]

[REDACTED] JULY 3, 1986.

ON JULY 3, 1986, [REDACTED]

CIRCUIT COURT OF COOK COUNTY, 2309 DALEY CENTER,

CHICAGO, ILLINOIS, ADVISED THAT THE JUSTINIAN

SOCIETY OF JURISTS CAME INTO EXISTANCE IN 1966.

IT IS A SEMI FRATERNAL GROUP INTERESTED IN CULTURAL

AFFAIRS AND EDUCATIONAL PROGRAMS. [REDACTED]

STATED THAT THE GROUP CONTAINS APPROXIMATELY 1200

JUDGES OF ITALIAN DERIVATION. THE SOCIETY IS OPEN

TO ALL JUDGES AND THE EDUCATIONAL AND CULTURAL

70 NOV 1 1989

77-131275-160
CALLED
H. HAT Sub
By JTB Fico STS
JH

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9 AUG 24 1989

PAGE TWO

CG 77B-28652

UNCLAS

PROGRAMS ARE OPEN TO ALL. [REDACTED] STATED

THAT HE IS [REDACTED] OF THE SOCIETY AND APPLICANT
IS A CURRENT MEMBER.

ADMINISTRATIVE:

WHERE APPROPRIATE, PRIVACY ACT (E) (3) DATA WAS
FURNISHED TO PERSONS INTERVIEWED. EXPRESS PROMISES OF
CONFIDENTIALITY, BOTH LIMITED AND UNLIMITED, HAVE
BEEN NOTED WHERE GRANTED.

BT

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FBI

SSP

TRANSMIT VIA:

☐ Teletype☒ Facsimile☒ AIRTEL

CLASS

SRC'D

SER

REC

PRECEDENCE:

☐ Immediate☐ Priority☐ Routine

CLASSIFICATION:

☐ TOP SECRET☐ SECRET☐ CONFIDENTIAL☐ UNCLAS E F T O☐ UNCLAS

Date 7/3/86

TO: DIRECTOR, FBI (77-131275)

FROM: SAC, CHICAGO (77B-20652) (RUC) (SQ. 12)

ANTONIN GREGORY SCALIA
 DAPLI, CANDIDATE FOR ASSOCIATE JUSTICE
 UNITED STATES SUPREME COURT
 BUDED 7/3/86

Re FBIHQ airtel dated 6/23/86 and Chicago report
 dated 6/30/86.

Enclosed for FBIHQ is two copies each of an administrative
 page and two investigative inserts for inclusion into referenced
 Chicago report.

②-Bureau (Enclosures 4)-
 1-Chicago
 RWH/des
 (3)

-1*-

AUG 9 1989

Approved: *Edh/LLB*

Transmitted

(Number)

(Time)

Per

70 10/1 1003

SSP

CLASS 1
 SRC'D 1
 S R 1
 REC 1

July 7, 1986

①

ANTONIN GREGORY SCALIA
 DEPARTMENTAL APPLICANT
 ASSOCIATE JUSTICE
 UNITED STATES SUPREME COURT

RECORDS CHECK

A search of appropriate FBI data bases, at FBI Headquarters and all fifty-nine field offices, has not identified any FBI files that are known to contain pertinent information identifiable with the candidate or his close relatives, except the following:

The FBI has conducted three background investigations of candidate, in 1972, 1974, and 1982. Information obtained during these investigations was favorable concerning the candidate.

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NEXIS COMPUTER DATA BASE

A compilation of all articles since 1971 containing information about Judge Scalia in the NEXIS computer data base was requested by the FBI. These articles were reviewed by FBI Headquarters and are provided to DOJ for review. It is noted NEXIS is a data base consisting of articles from various newspapers nationwide compiled by The New York Times.

77-131275-162

Original to AAG by courier on 7/8/86

AUG 9 1986

Exec AD Adm. _____
 Exec AD Inv. _____
 Exec AD LES _____
 Asst. Dir. _____
 Adm. Servs. _____
 Crim. Inv. _____
 Ident. _____
 Insp. _____
 Intell. _____
 Lab. _____
 Legal Coun. _____
 Off. Cong. & _____
 Public Affs. _____
 Rec. Mgnt. _____
 Tech. Servs. _____
 Training _____
 Telephone Rm. _____
 Director's Sec'y _____

MAIL ROOM ☐

ICC TO WHITE HOUSE BY COURIER 7/9/86

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency, it and its contents are not to be distributed outside your agency.

226

Memorandum



Exec AD, Adm. _____
 Exec AD Inv. _____
 Exec AD LES _____
 Asst. Dir.:
 Adm. Servs. _____
 Crim. Inv. _____
 Ident. _____
 Insp. _____
 Intell. _____
 Lab. _____
 Legal Coun. _____
 Off. Cong. & Public Affs. _____
 Rec. Mgnt. _____ b6
 Tech. Servs. _____ b7C
 Training _____
 Telephone Rm. _____
 Director's Sec'y _____

To: Bob Ricks Section Chief
 Civil Rights and Special Inquiry

Date: 7/7/86

From: [Redacted] Unit Chief

by: [Redacted], PSS
 Subject: General Background Investigation Unit

ANTONIN SCALIA

ASSOCIATE JUSTICE

U.S. SUPREME COURT

Buded 7/3/86

Bufile 77-131275

Clients initiating communication is dated 6/20/86.

This memorandum reflects;

- ☐ a partial transmission of information to the client agency;
- ☒ a closing and transmittal of information to the client agency without any previous transmissions; or
- ☐ a closing and final transmittal of information to the client agency in which partial transmittals have occurred

Communications transmitted are listed. Those previously transmitted are starred.

<u>FBHQ</u>	<u>LHM</u> report dated <u>7/3</u>	<u>DN</u>	report dated <u>7/1</u>
<u>WFO</u>	report dated <u>7/3</u>	<u>DE</u>	report dated <u>7/1</u>
<u>NH</u>	report dated <u>7/2</u>	<u>AX</u>	report dated <u>6/30 (2)</u>
<u>CE</u>	report dated <u>7/1</u>	<u>BS</u>	report dated <u>6/30</u>

Because this investigation is ☐ sensitive and/or ☐ developed information that may reflect unfavorably upon the individual investigated, those individuals whose names are checked are asked to review and indicate they approve dissemination by initialing.

- ☒ Supervisory Special Agent
- ☒ Unit Chief
- ☒ Assistant Section Chief
- ☒ Section Chief

[Redacted Signature Box]

Bob Ricks

7/7/86 77-131275-163
 AUG 9 1989

70 NOV 1 1989

<u>CG</u>	report dated <u>6/30</u>	_____	report dated _____
<u>PG</u>	report dated <u>6/30</u>	_____	report dated _____
<u>NY</u>	report dated <u>6/27</u>	_____	report dated _____
<u>LA</u>	report dated <u>6/26</u>	_____	report dated _____
<u>RH</u>	report dated <u>6/25</u>	_____	report dated _____
<u>PH</u>	report dated <u>6/24</u>	_____	report dated _____
_____	report dated _____	_____	report dated _____
_____	report dated _____	_____	report dated _____
_____	report dated _____	_____	report dated _____
_____	report dated _____	_____	report dated _____
_____	report dated _____	_____	report dated _____
_____	report dated _____	_____	report dated _____

* COMPUTER PRINTOUT W/ ARTICLES FROM NY TIMES DATA
BASE ALSO DISSEMINATED.

Memorandum

SSP

CLASS
SEC'D
SER
REC

Exec AD Adm. _____
 Exec AD Inv. _____
 Exec AD LES _____
 Asst. Dir.:

- Adm. Serv. _____
- Crim. Inv. _____
- Ident. _____
- Insp. _____
- Intell. _____
- Lab. _____
- Legal Coun. _____
- Off. Cong. & Public Affs. _____
- Rec. Mgnt. _____
- Tech. Serv. _____
- Training _____
- Telephone Rm. _____
- Director's Sec'y _____

To: Bob Ricks Section Chief
 Civil Rights and Special Inquiry

Date 7/14/86

From: [Redacted] Unit Chief
 by: [Redacted], PSS
 Subject: General Background Investigation Unit

ANTONIN SCALIA
ASSOC. JUSTICE
U.S. SUPREME COURT
 Buded 7/3
 Bufile 77-131275

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b7CClients initiating communication is dated 6/20.

This memorandum reflects;

- ☒ ^{SUPPLEMENTAL} a partial transmission of information to the client agency;
- ☐ a closing and transmittal of information to the client agency without any previous transmissions; or
- ☐ a closing and final transmittal of information to the client agency in which partial transmittals have occurred

Communications transmitted are listed. Those previously transmitted are starred.

ENDING CHM report dated 7/14 (w/wfo 302 DATED 7/10 ATTACHED.) report dated _____

_____ report dated _____ report dated _____

_____ report dated _____ report dated _____

_____ report dated _____ report dated _____

Because this investigation is ☒ sensitive and/or ☐ developed information that may reflect unfavorably upon the individual investigated, those individuals whose names are checked are asked to review and indicate they approve dissemination by initialing.

- ☒ Supervisory Special Agent
- ☒ Unit Chief
- ☒ Assistant Section Chief
- ☐ Section Chief

[Redacted Signature Box] 77-131275-164

[Redacted Signature Box]

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AUG 9 1989

70 NOV 1 1989

SSP
CLASS 1A
SRC'D 1A
SER 1A
SEC 1A

July 14, 1986

①
ANTONIN GREGORY SCALIA
DEPARTMENTAL APPLICANT
ASSOCIATE JUSTICE
U.S. SUPREME COURT

On July 10, 1986, Kenneth Collier telephonically recontacted the FBI and provided additional comments regarding his allegation that the candidate improperly prepared a court document. Collier's comments which were provided to Special Agent are attached.

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Enclosure

ENCLOSURE

77-131295-165

Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____
Asst. Dir. _____
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Insp. _____
Intell. _____
Lab. _____
Legal Coun. _____
Off. Cong. & _____
Public Affs. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Telephone Rm. _____
Director's Sec'y _____

Original to AAG by courier on 7/14/86

DL 30 (2)

9 AUG 21 1986

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/10/86

KENNETH COLLIER telephonically contacted the Washington Field Office of the Federal Bureau of Investigation (FBI) where he was familiar with the identity of the interviewing agent, and he voluntarily furnished the following information:

COLLIER and his brother recently were going over a large number of court documents and suddenly realized that court orders invariably begin with wording referring to a date, for example, "On this first day of January, 19-whatever." The order issued by a three-judge panel of the Court of Appeals of the District of Columbia on which ANTONIN SCALIA sat, pertaining to a civil rights action filed against the United States, et al, fails to use this kind of wording at the beginning of the order itself. COLLIER considers this to be a "pronounced anomaly" which is more serious than any other "anomaly" in the order and its attachment previously criticized by COLLIER and his brother. COLLIER believes this non-conformity of wording makes the entire order illegal and non-binding.

COLLIER stated that he checked with the Clerk of the court who could not explain the wording of the order. He further stated that the Clerk showed him several other orders which all began with wording referring to a date. COLLIER claimed he did research into the rules of formal order writing. He found no set of rules regarding format. He has based his conclusions on the formats of approximately thirty orders gathered from the Superior Court of the District of Columbia and orders of "the federal appeals court." His conclusion is that the date reference is a matter of "practice and tradition," and the order in question "stands out as a pimple on the body of history and precedent."

COLLIER stated that in his opinion, the type face used on the order and an attachment to it match. He learned through media reports that SCALIA has his own word processor in his office, and suggested, therefore, that SCALIA independently drafted the entire order as well as the attachment. COLLIER contended that the "little scrawls" appearing as signatures of Judges WRIGHT and GINSBURG do not convince him that the other two judges did, in fact, sign the order or even see it. COLLIER called the order "a joke" and voiced doubt that the other judges would have

Investigation on 7/10/86 at Washington, D.C. File # WFO 77B-100656

by SA [redacted] (telephonic) PTR:ptr Date dictated 7/10/86

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ENCLOSURE

Continuation of FD-302 of KENNETH COLLIER, On 7/10/86, Page 2*

signed such a thing if they had seen it. COLLIER referred to articles he has written for publication in a newspaper distributed to the judges about the order, and he stated that no one has contradicted his comments nor raised even "a whimper." He further stated that if one of the other judges from the panel said they knew about the order or that its format was proper, "they're lying." He characterized any vindication of SCALIA as "judges sticking together they way they always do."

COLLIER emphasized that the lack of a date reference in the opening words of the order supersedes all other "anomalies" of the order's format. He advised that he will write a newspaper article summarizing his new criticism of the order and furnish copies of that article to investigators for the Senate Judiciary Committee.