

THE WHITE HOUSE

WASHINGTON

December 12, 1985

MEMORANDUM FOR MARK LEVIN
ASSOCIATE DEPUTY ATTORNEY GENERAL
DEPARTMENT OF JUSTICE

FROM: MARK SULLIVAN *MS*
ASSOCIATE DIRECTOR
PRESIDENTIAL PERSONNEL

SUBJECT: Samuel A. Alito, Jr.
Deputy Assistant Attorney General
SES I

In regard to the above personnel proposal, we concur and recommend that you proceed with this action.

cc: kb



U.S. Department of Justice
Office of the Deputy Attorney General

Associate Deputy Attorney General

Washington, D.C. 20530

MEMORANDUM

TO : Mark Sullivan DATE: November 18, 1985
Associate Director
Presidential Personnel

FROM : Mark Levin *Mark R. Levin*
Associate Deputy Attorney General

SUBJECT : Samuel A. Alito, Jr.

Attached please find the Presidential Personnel Appointment form for Samuel A. Alito, Jr. for the non-career position of Deputy Assistant Attorney General in the Office of Legal Counsel at the ES-I level. Please forward the paperwork to the appropriate authorities so that the clearance process can begin. Mr. Alito's resume, Personal Qualifications Statement (SF-171), and Position Description are also enclosed. If I can be of further assistance in this matter, please contact me at 633-2707.

We're hopeful that there is not a long delay. In fact, you'll be meeting with Alito on Weds. at 10:30.

SAMUEL A. ALITO, JR.

2800 Wisconsin Ave., N.W.
Apartment 804
Washington, D.C. 20007
(202) 362-5901

EMPLOYMENT HISTORY

1981-present: Assistant to the Solicitor General,
Department of Justice
10th & Constitution Ave., N.W.
Washington, D.C. 20530 - Tel. (202) 633-4277

Briefed and argued cases for the government in the United States Supreme Court. Recommended to the Solicitor General whether adverse lower court decisions should be appealed and issues to be raised.

1977-1981: Assistant United States Attorney in the
District of New Jersey, 970 Broad St.,
Newark, New Jersey

Responsible for more than 70 appeals to the United States Court of Appeals for the Third Circuit. Provided legal advice to the U.S. Attorney and other assistants. One of the prosecutors in the 1978 espionage trial of Soviet U.N. employees.

1976-1977: Law clerk to Judge Leonard I. Garth, United States Court of Appeals for the Third Circuit,
U.S. Courthouse, Newark, New Jersey

1975: U.S. Army. Signal Corps Officers Basic Course,
Fort Gordon, Georgia.

EDUCATION

J.D. Yale Law School 1975:

Editor, Yale Law Journal. Received prizes for best student contribution to the Yale Law Journal, best oral argument in moot court, and best paper by a first-year student. Served as a teaching assistant in constitutional law and as research assistant.

A.B. Princeton University 1972:

Majored in Woodrow Wilson School of Public and International Affairs. Phi Beta Kappa. President of the debate panel. Selected Woodrow Wilson School Scholar.

BAR ADMISSIONS

New Jersey, New York, U.S. Supreme Court, U.S. Courts of Appeals for the Second and Third Circuits, U.S. District Court for N.J.

Supreme Court Cases Argued

- 1) National Railroad Passenger Corp. v. Atchison, Topeka & Santa Fe RR, Nos. 83-1492, 83-1633 (whether 45 U.S.C. 545(f), which requires private railroads to provide certain reimbursements to Amtrak, violates the Contract Clause).
- 2) Atkins v. Parker, Nos. 83-1660, 83-6381 (whether the Due Process Clause requires that food stamp recipients receive advance, individualized notice before implementation of statutory changes in benefit levels).
- 3) Chemical Manufacturers Assoc. v. Natural Resources Defense Council Inc., No. 83-1013, 83-1373 (Feb. 27, 1985) (whether the EPA may grant variances for the effluent limitations established under the Clean Water Act for toxic pollutants).
- 4) FCC v. League of Women Voters of California, No. 82-912 (whether 47 U.S.C. 399, which prohibits "editorializing" by public broadcasting stations that receive federal funds, violates the First Amendment).
- 5) United States v. Weber Aircraft Corp., No. 82-1616 (March 20, 1984) (whether statements made in confidence to military aircraft safety investigators must be disclosed under the Freedom of Information Act).
- 6) United States v. Doe, 104 S.Ct. 1237 (1984) (whether a subpoena for a sole proprietor's standard business records violates the Fifth Amendment).
- 7) Russello v. United States, 104 S.Ct. 296 (1983) (whether proceeds from racketeering are subject to forfeiture under the RICO statute).
- 8) United States v. Villamonte-Marquez, 103 S.Ct. 2573 (1983) (whether the Fourth Amendment prohibits Customs officers from boarding vessels in inland waters and inspecting their documents without a reasonable suspicion of a violation of law).
- 9) Belknap, Inc. v. Hale, 103 S.Ct. 3172 (1983) (whether the National Labor Relations Act preempts a state court suit for damages brought against an employer by strike replacements who were later terminated pursuant to a strike settlement agreement approved by the NLRB).
- 10) Community Television of Southern California v. Gottfried, 103 S.Ct. 885 (1983) (whether the FCC in a public television station's broadcast licensing proceeding must assess the station's compliance with Section 504 of the Rehabilitation Act, 29 U.S.C. 794, which prohibits discrimination against the handicapped).

- 11) Oregon v. Kennedy, 456 U.S. 667 (1982)
(whether the Double Jeopardy Clause bars retrial of a defendant who successfully moves for a mistrial on the basis of prosecutorial error or misconduct that was not intended to provoke the mistrial request).

- 12) Army and Air Force Exchange Service v. Sheehan,
456 U.S. 728 (1982) (whether a discharged military exchange employee who was appointed to his position may sue the United States for damages under the Tucker Act, 28 U.S.C. 1346(a)(2), predicated upon an implied-in-fact contract).

Personal Qualifications Statement

Read instructions before completing form

Form Approved:
OMB No. 3206-0012

1. Kind of position (job) you are filing for (or title and number of announcement) Deputy Assistant Attorney General		DO NOT WRITE IN THIS BLOCK FOR USE OF EXAMINING OFFICE ONLY																																				
2. Options for which you wish to be considered (if listed in the announcement)																																						
3. Home phone Area Code: 202 Number: 362-5901	4. Work phone Area Code: 202 Number: 633-4277 Extension:	Material Entered register: <input type="checkbox"/> Submitted <input type="checkbox"/> Returned Notations: Form reviewed: Form approved:																																				
5. Sex (for statistics only) <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	6. Other last names ever used																																					
Name (Last, First, Middle) Alito, Samuel A.		<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Option</th> <th>Grade</th> <th>Earned Rating</th> <th>Preference</th> <th>Aug. Rating</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/></td> <td></td> <td></td> <td><input type="checkbox"/> 5 Points (Tent.)</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td></td> <td></td> <td><input type="checkbox"/> 10 Pts. 30% or More Comp. Dis.</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td></td> <td></td> <td><input type="checkbox"/> 10 Pts. Less Than 30% Comp. Dis.</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td></td> <td></td> <td><input type="checkbox"/> Other 10 Points</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td></td> <td></td> <td><input type="checkbox"/> Disallowed</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td></td> <td></td> <td><input type="checkbox"/> Being Investigated</td> <td></td> </tr> </tbody> </table>		Option	Grade	Earned Rating	Preference	Aug. Rating	<input type="checkbox"/>			<input type="checkbox"/> 5 Points (Tent.)		<input type="checkbox"/>			<input type="checkbox"/> 10 Pts. 30% or More Comp. Dis.		<input type="checkbox"/>			<input type="checkbox"/> 10 Pts. Less Than 30% Comp. Dis.		<input type="checkbox"/>			<input type="checkbox"/> Other 10 Points		<input type="checkbox"/>			<input type="checkbox"/> Disallowed		<input type="checkbox"/>			<input type="checkbox"/> Being Investigated	
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Street address or RFD no. (include apartment no., if any) 2800 Wisconsin Ave., N.W. - Apt. 804		THIS SPACE FOR USE OF APPOINTING OFFICER ONLY Preference has been verified through proof that the separation was under honorable conditions, and other proof as required. <input type="checkbox"/> 5-Point Disability <input type="checkbox"/> 10 Points 30% or More Compensable Disability <input type="checkbox"/> 10 Points Less Than 30% Compensable Disability <input type="checkbox"/> 10-Point Other																																				
City Washington	State D.C.			ZIP Code 20007																																		
8. Birthplace (City & State, or foreign country) Trenton, N.J.		Signature and title Agency _____ Date _____																																				
9. Birth date (Month, day, year) April 1, 1950	10. Social Security Number FOIA (b) 6																																					
11. If you have ever been employed by the Federal Government as a civilian, give your highest grade, classification series, and job title. GS15 Assistant to the Solicitor General Dates of service in highest grade (Month, day, and year) From Aug. 22, 1982 To present		Initials and date Agency _____ Date _____																																				
12. If you currently have an application on file with the Office of Personnel Management for appointment to a Federal position, list: (a) the name of the area office maintaining your application, (b) the position for which you filed, and (if appropriate) (c) the date of your notice of rating, (d) your identification number, and (e) your rating.																																						
13. Lowest pay or grade you will accept: PAY _____ GRADE _____ \$ _____ per _____ OR _____	14. When will you be available for work? (Month, and year) Nov. 1985	16. Are you interested in being considered for employment by: A. State and local government agencies? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO B. Congressional and other public offices? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO C. Public international organizations? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO																																				
15. Are you available for temporary employment lasting: (Acceptance or refusal of temporary employment will not affect your consideration for other appointments.) A. Less than 1 month? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO B. 1 to 4 months? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO C. 5 to 12 months? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO																																						
17. Where will you accept a job? A. In the Washington, D.C. Metropolitan area? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO B. Outside the 50 United States? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO C. Anyplace in the United States? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO D. Only in (specify locality)		18. Indicate your availability for overnight travel: A. Not available for overnight travel? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO B. 1 to 5 nights per month? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO C. 6 to 10 nights per month? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO D. 11 or more nights per month? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO																																				
20. Veteran Preference Answer all parts. If a part does not apply to you, answer "NO" A. Have you ever served on active duty in the United States military service? (Exclude tours of active duty for training in Reserves or National Guard) <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO B. Have you ever been discharged from the armed services under other than honorable conditions? You may omit any such discharge changed to honorable or general by a Discharge Review Board or similar authority. If "YES", give details in item 34. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO C. Do you claim 5-point preference based on active duty in the armed forces? If "YES", you will be required to furnish records to support your claim at the time you are appointed. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO D. Do you claim 10-point preference? If "YES", check the type of preference claimed and complete and attach Standard Form 15, "Claim for 10-Point Veteran Preference," together with the proof requested in that form. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Type of Preference: <input type="checkbox"/> Compensable Disability 30% or More <input type="checkbox"/> Compensable Disability Below 30% <input type="checkbox"/> Non-compensable Disability <input type="checkbox"/> Purple Heart Recipient <input type="checkbox"/> Spouse <input type="checkbox"/> Widower <input type="checkbox"/> Mother																																						
E. List dates, branch, and serial number of all active service (enter "N/A" if not applicable) From _____ To _____ Branch of Service _____ Serial or Service Number _____ N/A		19. Are you available for part-time positions (fewer than 40 hours per week) offering: A. 20 or fewer hours per week? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO B. 21 to 31 hours per week? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO C. 32 to 39 hours per week? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO																																				
THE FEDERAL GOVERNMENT IS AN EQUAL OPPORTUNITY EMPLOYER																																						

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National Archives and Records Administration
Record Group 60, Department of Justice
Files of James L. Brynes & Mark Levin 1983-1988
Accession #060-97-761 Box: 1
Folder: Alito, Jr., Samuel A.

21. Experience: Begin with current or most recent job or volunteer experience and work back. Account for periods of unemployment exceeding three months and your residence address at that time on the last line of the experience blocks in order of occurrence.

May inquiry be made of your present employer regarding your character, qualifications, and record of employment?
 (A "NO" will not affect your consideration for employment opportunities except for Administrative Law Judge positions.) YES NO

A Name and address of employer's organization (include ZIP code, if known) Office of Solicitor General Department of Justice 10th & Constitution Ave., N.W. Washington, D.C. 20007		Dates employed (give month and year) From Aug. 1981 To present		Average number of hours per week 40+
Exact title of your position Assistant to the Solicitor General		Name of immediate supervisor Charles Fried	Area Code 202	Telephone number 633-2201
Kind of business or organization (manufacturing, accounting, social services, etc.) Dept. of Justice		If Federal service, civilian or military series, grade or rank, and date of last promotion GS15 - Aug. 22, 1982		Your reason for wanting to leave accept new position
Description of work (Describe your specific duties, responsibilities and accomplishments in this job) Briefed and argued cases for government in Supreme Court. Recommended to Solicitor General whether adverse lower court decisions should be appealed and, if so, arguments to be made.				
				For agency use (skill codes, etc.)
B Name and address of employer's organization (include ZIP code, if known) U.S. Attorney's Office District of New Jersey Federal Building 970 Broad St. Newark, N.J. 07102		Dates employed (give month and year) From Nov. 1977 To Aug. 1981		Average number of hours per week 40+
Exact title of your position Assistant U.S. Attorney		Name of immediate supervisor Judge Maryanne T. Barry	Area Code 609	Telephone number 989-2009
Kind of business or organization (manufacturing, accounting, social services, etc.) U.S. Attorney's office		If Federal service, civilian or military series, grade or rank, and date of last promotion Excepted appointment		Your reason for leaving Accept new position
Description of work (Describe your specific duties, responsibilities and accomplishments in this job) Handled federal criminal cases, principally at appellate level.				
				For agency use (skill codes, etc.)
C Name and address of employer's organization (include ZIP code, if known) Judge Leonard I. Garth U.S. Courthouse Newark, N.J. 07102		Dates employed (give month and year) From July 1976 To Aug. 1977		Average number of hours per week 40+
Exact title of your position Law Clerk		Name of immediate supervisor Judge Leonard I. Garth	Area Code 201	Telephone number 645-3356
Kind of business or organization (manufacturing, accounting, social services, etc.) Judge, U.S. Court of Appeals		If Federal service, civilian or military series, grade or rank, and date of last promotion GS12		Your reason for leaving Expiration of 1-yr. clerkship.
Description of work (Describe your specific duties, responsibilities and accomplishments in this job) Assist judge as required				
				For agency use (skill codes, etc.)

If you need additional experience blocks, use Standard Form 171-A or blank sheets of paper
SEE INSTRUCTION SHEET

Attach Supplemental Sheets or Forms Here

22. A. Special qualifications and skills (skills with machines, patents or inventions, your most important publications [do not submit copies unless requested], your public speaking and publications experience, membership in professional or scientific societies, etc.)

B. Kind of license or certificate (pilot, registered nurse, lawyer, radio operator, CPA, etc.) **lawyer**

C. Latest license or certificate
 Year: **1975** State or other licensing authority: **N.J.**
1982 **N.Y.**

D. Approximate number of words per minute
 Typing: **—** Shorthand: **—**

23. A. Did you graduate from high school or will you graduate within the next nine months, or do you have a GED high school equivalency certificate?
 Yes: **June 1968** No: Highest grade completed: **—**

B. Name and location (city and State) of latest high school attended
Hamilton HS East
Hamilton Twp., N.J.

C. Name and location (city, State, and ZIP Code, if known) of college or university (if you expect to graduate within nine months, give MONTH and YEAR you expect to receive your degree)

	Dates Attended		Years Completed		No. of Credits Completed		Type of Degree (e.g. B.A.)	Year of Degree
	From	To	Day	Night	Semester Hours	Quarter Hours		
Princeton University	1968	1972	4				A. B.	1972
Yale Law School	1972	1975	3				J. D.	1975

D. Chief undergraduate college subjects

	No. of Credits Completed		E. Chief graduate college subjects	No. of Credits Completed	
	Semester Hours	Quarter Hours		Semester Hours	Quarter Hours
Political Science			Law		
History					

F. Major field of study at highest level of college work
Law

G. Other schools or training (for example, trade, vocational, Armed Forces or business). Give for each the name and location (city, State and ZIP Code, if known) of school, dates attended, subjects studied, number of classroom hours of instruction per week, certificate, and any other pertinent data.

24. Honors, awards, and fellowships received
Phi Beta Kappa

25. Languages other than English. List the languages (other than English) in which you are proficient and indicate your level of proficiency by putting a check mark (✓) in the appropriate columns. Candidates for positions requiring conversational ability in a language other than English may be given an interview conducted solely in that language. Describe in item 34 how you gained your language skills and the amount of experience you have had (e.g., completed 72 hours of classroom training, spoke language at home for 18 years, self-taught, etc.)

Name of Language(s)	PROFICIENCY							
	Can Prepare and Deliver Lectures		Can Converse		Have Facility to Translate Articles, Technical Materials, etc.		Can Read Articles, Technical Materials, etc., for Own Use	
	Fluently	With Difficulty	Fluently	Passably	Into English	From English	Easily	With Difficulty

26. References. List three persons who are NOT related to you and who have definite knowledge of your qualifications and fitness for the position for which you are applying. Do not repeat names of supervisors listed under item 21. Experience

Full Name	Present Business or Home Address (Number, Street, City, State and ZIP Code)	Telephone Number (Include Area Code)	Business or Occupation
FOIA (b) 6			

THE WHITE HOUSE
WASHINGTON

PPO Non-Career Appointment Form

IN HOUSE USE ONLY

TO: Mark Sullivan ASSOCIATE DIRECTOR, PPO DATE IN: _____
FROM: Mark R. Levin TELEPHONE 633-2707 DATE SENT: 11/18/85
CANDIDATE: Samuel A. Alito, Jr.
DEPARTMENT: Department of Justice
JOB TITLE: Deputy Assistant Attorney General GRADE: ES-I
SUPERVISOR: Charles J. Cooper

CURRENT ADDRESS: 2800 Wisconsin Ave., N.W. - Apt. 804 PHONE: 362-5901
Washington, D.C. ZIP 20530

RACE: white ETHNIC: _____ SEX: male DATE OF BIRTH: Apr. 1, 1956

SOCIAL SECURITY #: FOIA (b) 6 HOME STATE: New Jersey

PREVIOUS GOVERNMENT SERVICE: YES NO _____

If yes, give departments, dates, career or non-career positions held:

Assistant to the Solicitor General, Dept. of Justice, 1981 to present;
Assistant U.S. Attorney, N.J., 1977-1981;
Law clerk to Judge Leonard I. Garth, U.S. Court of Appeals, Third Cir., 1976-1977

NEW AMENDMENT RE-ESTABLISHMENT AGENCY TRANSFER UPGRADE

A completed Form 171, political and personal resumes, complete job description, and letters of support must be included for White House clearance to begin.

1980 DOMICILE (STATE): New Jersey
VOTING ADDRESS (1984): 137 Fenwood Ave., Trenton, N.J.
ZIP: 08619 COUNTY: Mercer PARTY: Republican

IF YOU DID NOT VOTE IN 1984, PLEASE EXPLAIN THE CIRCUMSTANCES.

PLEASE PROVIDE ANY INFORMATION THAT YOU REGARD AS PERTINENT TO YOUR PHILOSOPHICAL COMMITMENT TO THE POLICIES OF THIS ADMINISTRATION, OR WOULD SHOW THAT YOU ARE QUALIFIED TO EFFECTIVELY FILL A POSITION INVOLVED IN THE DEVELOPMENT, ADVOCACY AND VIGOROUS IMPLEMENTATION OF THOSE POLICIES.

Please see attached sheet

PLEASE INDICATE 1984 REAGAN/BUSH INVOLVEMENT OR ANY PREVIOUS REAGAN/BUSH CAMPAIGN INVOLVEMENT. INCLUDE THE FOLLOWING:

ROLE/POSITION: _____

SUPERVISION/CONTACT: _____

SUPERVISOR'S TELEPHONE NUMBER: _____

HAVE YOU EVER SERVED ON A POLITICAL COMMITTEE OR BEEN IDENTIFIED IN A PUBLIC WAY WITH A PARTICULAR POLITICAL ORGANIZATION, CANDIDATE OR ISSUE?
(PLEASE BE SPECIFIC AND INCLUDE CONTACTS WITH TELEPHONE NUMBERS.)

Please see attached sheet

APPLICANT SIGNATURE: Samuel A. Alito, Jr. DATE: Nov. 15, 1985

ASSOCIATE DIRECTOR RECOMMENDATION: _____ APPROVED
_____ DISAPPROVED

ASSOCIATE DIRECTOR SIGNATURE

I am and always have been a conservative and an adherent to the same philosophical views that I believe are central to this Administration. It is obviously very difficult to summarize a set of political views in a sentence but, in capsule form, I believe very strongly in limited government, federalism, free enterprise, the supremacy of the elected branches of government, the need for a strong defense and effective law enforcement, and the legitimacy of a government role in protecting traditional values. In the field of law, I disagree strenuously with the usurpation by the judiciary of decisionmaking authority that should be exercised by the branches of government responsible to the electorate. The Administration has already made major strides toward reversing this trend through its judicial appointments, litigation, and public debate, and it is my hope that even greater advances can be achieved during the second term, especially with Attorney General Meese's leadership at the Department of Justice.

When I first became interested in government and politics during the 1960s, the greatest influences on my views were the writings of William F. Buckley, Jr., the National Review, and Barry Goldwater's 1964 campaign. In college, I developed a deep interest in constitutional law, motivated in large part by disagreement with Warren Court decisions, particularly in the areas of criminal procedure, the Establishment Clause, and reapportionment. I discovered the writings of Alexander Bickel advocating judicial restraint, and it was largely for this reason that I decided to go to Yale Law School.

After graduation from law school, completion of my ROTC military commitment, and a judicial clerkship, I joined the U.S. Attorney's office in New Jersey, principally because of my strong views regarding law enforcement.

Most recently, it has been an honor and source of personal satisfaction for me to serve in the office of the Solicitor General during President Reagan's administration and to help to advance legal positions in which I personally believe very strongly. I am particularly proud of my contributions in recent cases in which the government has argued in the Supreme Court that racial and ethnic quotas should not be allowed and that the Constitution does not protect a right to an abortion.

As a federal employee subject to the Hatch Act for nearly a decade, I have been unable to take a role in partisan politics. However, I am a life-long registered Republican and have made the sort of modest political contributions that a federal employee can afford to Republican candidates and conservative causes, including the National Republican Congressional Committee, the National Conservative Political Action Committee, Rep.

Christopher Smith (4th Dist. N.J.), Rep. James Courter (12th Dist. N.J.), Governor Thomas Kean of N.J., and Jeff Bell's 1982 Senate primary campaign in N.J. I am a member of the Federalist Society for Law and Public Policy and a regular participant at its luncheon meetings and a member of the Concerned Alumni of Princeton University, a conservative alumni group. During the past year, I have submitted articles for publication in the National Review and the American Spectator.

Deputy Assistant Attorney General
Office of Legal Counsel

Introduction

With the Assistant Attorney General and under his general direction shares responsibility for carrying out the duties imposed on that officer as Chief Adviser to the Attorney General on matters of law, assisting the Attorney General in his duties as legal adviser to the President, the Cabinet, and the whole executive branch of the government, preparing formal opinions of the Attorney General, and rendering informal opinions and legal advice on the wide variety of subjects and legal questions which arise in the determination of the national and international policies of the United States and in the carrying out of those policies through all the departments and agencies of the Executive branch.

Duties and Responsibilities

Is personally familiar with all matters being considered by the Assistant Attorney General. Under the general supervision of the Assistant Attorney General is in direct charge of the staff of the division and relieves the Assistant Attorney General by making assignments to the legal staff on the basis of subject matter, difficulty of assignment, legal ability and experience of staff members. Reviews and makes revisions of proposed executive orders, proclamations, and regulations, prior to final approval of the Assistant Attorney General.

Supervises the preparation of opinions, briefs, and correspondence in connection with pending legislation and gifts and bequests to the United States Government.

Personally investigates and formulates opinions of a highly confidential and complex nature for the President, requiring consultation with executives of other departments and agencies.

Assists the Assistant Attorney General in preparing reports on pending legislation, particularly with regard to constitutionality and effect on governmental structure, and assists in drafting important legislation sponsored by the President or the Attorney General. Represents the Attorney General on various interdepartmental committees and conferences.

The scope of both formal and informal opinions and advice covers broad legal problems arising in the administration of the Executive branch of the government and relates to matters of special importance and difficulty, of national and international significance. In any time of stress, as during the present national emergency, the problems of law required to be resolved by or under the direction of this official are particularly numerous and important, since many situations arise for which there is no legal precedent and since the legal advisers of new government agencies tend particularly to rely on advice from the Attorney General on important matters.

- 2. -

DIII 8424

Deputy Assistant Attorney General
Office of Legal Counsel

Introduction

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- 2 -