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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE HOUSTON	OFFICE OF ORIGIN BUREAU	DATE 10/26/71	INVESTIGATIVE PERIOD 10/26/71
TITLE OF CASE WILLIAM HUBBS REHNQUIST, aka William H. Rehnquist, William Donald Rehnquist		REPORT MADE BY SA 	TYPED BY yk
		CHARACTER OF CASE DAPLI JUSTICE SUPREME COURT OF THE UNITED STATES	

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REFERENCE: OC tel to Bu, 10/26/71.

- RUC -

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

APPROVED 4 SPECIAL AGENT IN CHARGE

COPIES MADE
 5 - Bureau (77-106904) (AM)
 1 - Houston (77-5961)

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77-106904-77

NOT RECORDED
 9 OCT 28 1971

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

Notations

Spec/lll

60 JAN 25 1972

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [redacted]
Date: 10/26/71

Office: Houston

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Field Office File #: Houston 77-5961

Bureau File #: 77-106904

Title: WILLIAM HUBBS REHNQUIST

Character: DEPARTMENTAL APPLICANT
JUSTICE
SUPREME COURT OF THE UNITED STATES

Synopsis: [redacted] recommends him.

- RUC -

DETAILS:

On October 26, 1971, [redacted] was interviewed at the Lamar Hotel, Houston, Texas. He advised his residence of record is [redacted] Oklahoma City, Oklahoma. He is employed as [redacted] Oklahoma City, Oklahoma.

[redacted]

[redacted] worked closely with REHNQUIST until [redacted]

[redacted] advised that he considers REHNQUIST to be a person of excellent character, reputation, habits, associates, and loyalty to the United States. He said REHNQUIST possesses a high level of integrity and ethics. He stated he considered REHNQUIST to be intelligent, to have a very broad experience, and to have a very good legal knowledge, education and scholarship.

HO 77-5961

[redacted] stated he considers REHNQUIST to be a person of judicial ability and judicial temperament. He stated from his prior experience with the Supreme Court, he very definitely feels that REHNQUIST measures up in every way to this high office. He stated he has no knowledge of anything which might indicate REHNQUIST might be racially prejudiced and did not know him to have ever been a member of or sympathetic with any racially prejudiced organization. He stated REHNQUIST is a conservative person but he is definitely not the type of person who could be considered to be racially prejudiced. He stated he would very readily and without any hesitation highly recommend REHNQUIST for this position.

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE KANSAS CITY	OFFICE OF ORIGIN BUREAU	DATE 10/26/71	INVESTIGATIVE PERIOD 10/26/71
TITLE OF CASE WILLIAM HUBBS REHNQUIST, aka William H. Rehnquist, William Donald Rehnquist;		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 15px;"></div>	TYPED BY AP
		CHARACTER OF CASE JUSTICE SUPREME COURT OF THE U.S.	b6 b7C

REFERENCE: WFO teletype, 10/24/71.

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

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How Fwd.				
By	60 JAN 25 1972			

Notations *WU*

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

[REDACTED]

Office:

KANSAS CITY

Date:

10/26/71

Field Office File #:

KC 77-9481

Bureau File #:

Title:

WILLIAM HUBBS REHNQUIST

Character:

JUSTICE
SUPREME COURT OF THE UNITED STATES

Synopsis:

[REDACTED]
[REDACTED] is acquainted with REHNQUIST through American Bar Association sponsored National Conference of Commissioners on Uniform State Laws and through REHNQUIST's position at the Department of Justice. [REDACTED] recommends REHNQUIST as nominee and bases this decision upon REHNQUIST's knowledge of law, academic background, personal life, and potential judicial temperament. Has no reason to question REHNQUIST's position on civil rights matters and pointed out REHNQUIST voted for the Uniform Civil Rights Act sponsored by the National Conference of Commissioners. Further, [REDACTED] feels REHNQUIST would treat all individuals objectively regardless of race, creed, or economic status.

- RUC -

DETAILS:

[REDACTED]
[REDACTED] was interviewed on October 26, 1971. [REDACTED] stated he has been acquainted with WILLIAM REHNQUIST since some time in the middle 1960s or before when both were serving on the American Bar Association sponsored National Conference of Commissioners on Uniform State Laws. He explained that this group was composed of three or four representatives from each state and consisted of outstanding practicing attorneys, Justices, and Deans of Law Schools. He further pointed out that this group met annually the week prior to the American Bar Association National meeting.

KC 77-9481

[redacted] b6
[redacted] b7C
became quite close to him during the Montreal Convention, [redacted] He stated that he had annually associated with REHNQUIST at the American Bar Association meeting and since REHNQUIST's appointment to the Justice Department, he has had continued contact with him. He explained that REHNQUIST, in his position with the Department of Justice, had the responsibility of screening potential nominees for Judgeships and had, on a number of occasions, telephonically contacted [redacted] in respect to these potential appointees.

He advised that he has had limited social contact during these meetings with REHNQUIST and has met his wife but has no personal knowledge concerning REHNQUIST's family, business affairs, commercial holdings, and similar matters.

In respect to REHNQUIST's ability, he stated that REHNQUIST appears to be an individual who is outstanding in his knowledge of law with a fine academic background and proved to be very effective in debates and discussions before the National Conference of Commissioners on Uniform State Laws. He stated he finds REHNQUIST to be a highly intellectual individual who has a personality which most individuals find to be engaging.

He advised that in relation to REHNQUIST's attitude toward civil rights, he has never heard nor recalls REHNQUIST making any comments which would be unfavorable to him in this area and believes that REHNQUIST spoke highly of and voted for the Uniform Civil Rights Act which was recommended by the National Conference of Commissioners on Uniform State Laws. Other acts that he was in favor of which were proposed by this organization were the Uniform Commercial Code and the Uniform Probate Code. [redacted] stated that he believes that REHNQUIST would treat all persons objectively without considering race, creed, or economic status.

[redacted] stated that although he feels prior judicial experience would be helpful in such an appointment, he does not feel that it is a necessity since a number of former justices of excellent reputation had no judicial experience prior to their appointment. It is his opinion that REHNQUIST would be an excellent appointment to the

KC 77-9481

Supreme Court and bases this opinion upon his sound knowledge of law, academic background, personal life, and feels that his judicial temperament should prove to be excellent. [redacted] knows of no other associations of REHNQUIST's in the Kansas City area.

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TREAT AS ORIGINAL

REC-39

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE LOS ANGELES	OFFICE OF ORIGIN BUREAU	DATE 10/26/71	INVESTIGATIVE PERIOD 10/26/71
TITLE OF CASE WILLIAM HUBBS REHNQUIST, aka William H. Rehnquist, William Donald Rehnquist		REPORT MADE BY <div style="border: 1px solid black; width: 100px; height: 15px;"></div>	TYPED BY dek
		CHARACTER OF CASE DEPARTMENTAL APPLICANT JUSTICE, SUPREME COURT OF THE UNITED STATES	

REFERENCE: Phoenix telephone call to Los Angeles 10/26/71.

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								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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1 - Los Angeles (77-19657)

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Agency				
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Date Fwd.				
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By	60 JAN 25 1972			

Notations

Handwritten notes and signatures

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:
Date:

[Redacted]
10/26/71

Office: Los Angeles, California

Field Office File #:

77-19657

Bureau File #:

Title:

WILLIAM HUBBS REHNQUIST

Character:

DEPARTMENTAL APPLICANT
JUSTICE, SUPREME COURT
OF THE UNITED STATES

Synopsis:

[Redacted] attorney, Phoenix, Arizona,
has known applicant 12 to 14 years as fellow
attorney. He comments favorably and recommends.

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- RUC -

DETAILS:

LEGAL ASSOCIATE

On October 26, 1971, [Redacted]

Attorney [Redacted]

[Redacted] Phoenix,

Arizona, advised as follows concerning the applicant:

[Redacted] first met the applicant, WILLIAM
HUBBS REHNQUIST, as a fellow practicing attorney approximately
12 to 14 years ago in Phoenix, Arizona. [Redacted] opposed
the applicant on numerous occasions throughout the years.
They are professionally as well as socially acquainted. [Redacted]

[Redacted]

LA 77-19657

[redacted] has a high regard for the applicant's judicial ability. He believes the applicant possesses judicial expertise in business related matters. He ranks the over-all judicial ability of the applicant as superior. He is aware that the applicant is known to be an outstanding scholar in the legal field and a person of the highest integrity. He is also aware that the applicant is basically a conservative individual. He believes the applicant to be fair and entirely impartial with any Civil Rights matters or any matters which came before him concerning any of the ethnic groups. The applicant possesses a fine courtroom demeanor. He is certain that the applicant would approach any issue concerning any type of matter with an air of flexibility and integrity. He is also aware that the applicant's practice in Phoenix, Arizona, was primarily of the civil nature; however, he did have a small criminal practice.

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[redacted] stated he is not personally aware of anything unfavorable concerning the applicant's moral code of ethics. He has only the highest praise for the applicant's character, associates, reputation and loyalty. If the applicant is appointed to a high judicial position in the United States court system [redacted] is certain that this appointment would enhance the reputation, esteem and performance of this particular court. He added that he can furnish the highest recommendation possible for the applicant to such a position.

[redacted] was interviewed in the office of Los Angeles Airways, Los Angeles International Airport, 5901 West Imperial Highway, Los Angeles, California.

FEDERAL BUREAU OF INVESTIGATION

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REPORTING OFFICE Milwaukee	OFFICE OF ORIGIN Bureau	DATE 10/26/71	INVESTIGATIVE PERIOD 10/23-26/71
TITLE OF CASE WILLIAM HUBBS REHNQUIST, aka William H. Rehnquist, William Donald Rehnquist		REPORT MADE BY SA 	TYPED BY mhb
		CHARACTER OF CASE JUSTICE, UNITED STATES SUPREME COURT	

REFERENCES

Milwaukee report of SA dated 1/16/69;
Bureau teletype to WFO 10/22/71; WFO teletype to Bureau
dated 10/23/71; Milwaukee teletype to Bureau 10/23/71;
WFO teletype to Bureau 10/23/71.

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*See Section
p 10*

-RUC-

ADMINISTRATIVE

It is noted that although REHNQUIST has not resided in the Wisconsin area since his high school days, he returns occasionally to visit his parents who reside in Whitefish Bay, Wisconsin. In view of this, Milwaukee contacted numerous prominent individuals associated with the judicial system in Wisconsin regarding WILLIAM HUBBS REHNQUIST; however, none of

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

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 5-Bureau (77-106904) (AM)
 1-Milwaukee (77-3821)

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60 JAN 25 1972

COVER PAGE A

MI 77-3821

these, with the exception of [redacted] [redacted] were personally acquainted with REHNQUIST. [redacted] advised he has met REHNQUIST on several occasions in connection with legal conferences in Washington, D. C. and he felt REHNQUIST will be the legal scholar on the court within 3-5 years because of his background and training.

Individuals contacted:

[redacted]

SA [redacted] October 26, 1971

[redacted]

SA [redacted]

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED]
Date: October 26, 1971
Field Office File #: MI 77-3821
Title: WILLIAM HUBBS REHNQUIST

Office: MILWAUKEE

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Bureau File #: 77-106904

Character: JUSTICE,
UNITED STATES SUPREME COURT

Synopsis: WILLIAM HUBBS REHNQUIST, born 10/1/24, Milwaukee, Wisconsin. Negative credit and arrest checks re REHNQUIST and relatives residing in Wisconsin with exception of no current driver's license and overnight parking violation for appointee's mother MARGERY REHNQUIST in November, 1952. Individuals contacted who are associated with the Wisconsin judicial system advised that REHNQUIST not personally known to them with the exception of [REDACTED] who advised that he has met REHNQUIST on several occasions and believes he will be the legal scholar on the court within 3-5 years because of his background and training.

-RUC-

DETAILS:

MI 77-3821

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BIRTH

The following investigation was conducted by Supervisor
[redacted] at Milwaukee:

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On October 23, 1971, [redacted] Clerk, Registrar of
Deeds, Milwaukee County Court House, Milwaukee, Wisconsin,
advised that Volume 874, Page 367, revealed the recorded birth
of WILLIAM HUBBS REHNQUIST, date of birth October 1, 1924,
Milwaukee, Wisconsin. Parents were listed as father WILLIAM
BENJAMIN REHNQUIST, mother MARGERY ANN PECK.

[Handwritten signature]

[Handwritten signature]

MI 77-3821

CREDIT

The following investigation was conducted by SA [REDACTED]
[REDACTED] at Milwaukee:

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On October 25, 1971, [REDACTED] Credit Bureau of Milwaukee, which covers the entire Metropolitan Milwaukee area, advised she was unable to locate any credit references regarding WILLIAM HUBBS REHNQUIST, WILLIAM DONALD REHNQUIST, or WILLIAM H. REHNQUIST, wife NATALIE.

ARRESTS

On October 25, 1971, [REDACTED] Clerk, Bureau of Identification, Milwaukee County Sheriff's Office, Milwaukee, Wisconsin, advised she was unable to locate any arrest record regarding WILLIAM HUBBS REHNQUIST, WILLIAM DONALD REHNQUIST, WILLIAM H. REHNQUIST, or WILLIAM B. REHNQUIST, and MARGERY PECK REHNQUIST.

On October 25, 1971, [REDACTED] Records Clerk, Bureau of Identification, Milwaukee Police Department, advised he could locate no arrest record regarding any of the above individuals.

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The following investigation was conducted by Supervisor [redacted] at Whitefish Bay, Wisconsin:

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On October 25, 1971, [redacted] Clerk, Whitefish Bay, Wisconsin, Police Department, advised she was unable to locate any arrest record regarding WILLIAM HUBBS REHNQUIST, WILLIAM DONALD REHNQUIST, WILLIAM H. REHNQUIST or WILLIAM B. REHNQUIST.

[redacted] advised she had listed one overnight parking violation dated November 21, 1952, and one violation for no current automobile license dated November 22, 1952, for one MARGERY REHNQUIST with residence 5265 North Shoreland Avenue, Whitefish Bay, Wisconsin, with date of birth listed as May 3, 1897, disposition, no action taken.

On October 25, 1971, [redacted] Whitefish Bay, Wisconsin, advised that none of the REHNQUIST family were personally known to him although he was aware that appointee's parents reside at 5265 North Shoreland Avenue, Whitefish Bay.

[redacted] advised he has heard nothing unfavorable concerning this family.

MI 77-3821

The following investigation was conducted by SA [REDACTED]
[REDACTED] at Shorewood, Wisconsin:

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On October 26, 1971, [REDACTED] Shorewood Police Department, advised he was unable to locate any arrest record regarding WILLIAM HUBBS REHNQUIST, WILLIAM DONALD REHNQUIST or WILLIAM H. REHNQUIST.

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MISCELLANEOUS

State Bar Association

The following investigation was conducted by SA [redacted]
[redacted] at Madison, Wisconsin:

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On October 25, 1971, [redacted] State Bar of Wisconsin,
Madison, Wisconsin, advised she could locate no record of WILLIAM
HUBBS REHNQUIST as being a member of the Wisconsin State Bar
Association.

Newspaper Morgue

The following investigation was conducted by SA [redacted]
[redacted]

X
On October 26, 1971, a review of the Milwaukee Journal-Sentinel
Library revealed the following articles pertaining to WILLIAM
HUBBS REHNQUIST:

Timing Perfect For Parents' Visit

The timing was excellent when the Whitefish Bay parents of William H. Rehnquist planned to visit him at his home near Washington, D. C.

They were with their son, a Shorewood High School graduate, when President Nixon nominated him to the US Supreme Court Thursday night.

The parents had planned a visit with their son in Virginia for some time, a close friend of Mr. and Mrs. William B. Rehnquist, of 5265 N. Shoreland Ave., said. They had not known the president would name their son to the highest court in the land when they left here for the nation's capital on Monday, the friend said.

The couple left Monday, telling neighbors they were going to watch their son argue a case before the Supreme Court and to see their grandson play football.

Rehnquist's former teachers and classmates at Shorewood High School described him as "brilliant," "very serious," "a regular guy."

Miss Charlotte Wollaeger, who taught young Rehnquist in an English Class at Shore-

wood, said she was not surprised to hear that he had reached this new height.

"He was the kind of boy that always had accurate information," she said. "He was well read . . . an outstanding youngster. You somehow can pick them out . . . you have a feeling about people like him . . . you know they are going places."

Miss Margaret Joseph, who taught Rehnquist mathematics, said she occasionally sees his mother at social gatherings.

"She would tell me of his new experiences," she said.

"She said to me once, 'You'll be interested in this one,' and she showed me a letter from him."

One letter said that Rehnquist had to go to the school of one of his youngsters because "he was cutting up."

But Rehnquist was no cutup at Shorewood, his teachers recalled.

According to the Shorewood's 1942 Copperdome year book, Rehnquist's favorite pastime "in and out of school is cartooning."

A caption above his photograph added:

"Lost to art, however, he did become co-feature editor of the Ripples (the school newspaper) and was awarded the Quill and Scroll for his work there."

His parents are quiet people the neighbors describe as "marvelous and fine." They are pleasant people, but keep to themselves, neighbors said.

Mrs. Rehnquist is often seen in the neighborhood riding her bicycle while Rehnquist, who is retired, is known as a walker. The two of them often take long walks together.

"They're friendly in a reserved manner," said Gordon Smith, Jr., 5282 N. Shoreland Ave., Whitefish Bay. "They're very proper, very strong people."

Both of them make extensive use of the neighborhood library and have been seen many times carrying books back and forth from the library.

Rehnquist, formerly head of the Milwaukee sales office for

the Bradner-Smith Co., a medical equipment and supplies firm, is currently a member of the Retired Men's Club of Whitefish Bay. He also is a member of the North Shore Republican organization.

Mrs. Rehnquist is noted in the neighborhood for her linguistic ability. She does translation work for various Milwaukee groups.

The Rehnquists will be celebrating their 50th wedding anniversary this winter and were planning to invite their son and a daughter, Jean, who lives in Michigan, to help them celebrate the event.

Guy Scrivner, of 5275 N. Idewild Ave., Whitefish Bay, is

high school friend of the new appointee, described him as "a scholar beyond anything . . . really a giant brain. I predicted that (the nomination) 30 years ago. He was quite a guy."

Reached at the Rehnquist home in McLean, Va., the wife of the new appointee said everything was chaotic there and confirmed that his parents were with them.

Rehnquist was born in Milwaukee on Oct. 1, 1924. He holds degrees from Stanford and Harvard Universities.

10/22/71

~~MILWAUKEE, WISC~~

Parents Live Quiet Life Here

10/22/71

The parents of William H. Rehnquist, the new US Supreme Court appointee from Wisconsin, lead a quiet retired life in Whitefish Bay.

Mr. and Mrs. William B. Rehnquist, 5265 N. Shoreland Ave., are quiet people, described by neighbors as "marvelous and fine."

Mrs. Rehnquist is often seen in the neighborhood riding her bicycle. While Rehnquist is known as a great walker. The two often take long walks together.

Although neighborly people, the Rehnquists keep to themselves, neighbors said.

Rehnquist's parents were at their son's home in McLean, Va., when the announcement was made. According to Rehnquist's wife.

She said, "Things are really chaotic here."

The senior Rehnquist is a member of the Whitefish Bay Retired Men's Club and North Shore Republican organization.

Mrs. Rehnquist is noted in the neighborhood for her linguistic ability. Neighbors said she knows several languages.

The Rehnquists will celebrate their 50th wedding anniversary this winter. They plan to invite their son and a daughter, Jean, to visit to help celebrate.

Within the past week Mrs. Rehnquist told neighbors the couple would leave for Washington, D. C., to visit their son. There was no further explanation.

The Rehnquists are longtime residents of the Milwaukee area.

The younger Rehnquist received his law degree in 1951 from Stanford University. He was graduated in 1942 from Shorewood High School.

Old Friends Laud Nominee

William H. Rehnquist

was nominated Thursday to the United States Supreme Court, managed to rank 11th in his class of 234 at Shorewood High School without spending all his spare time with textbooks.

"He was the most brilliant person I ever met," said a fellow member of the class of 1942, William K. Pflieger, 1464 N. Lake Shore Dr., Mequon. "He seemed to get straight A's with no effort."

Brilliant Fellow

"He was a rare person — extremely intelligent, yet so much with it in other ways, the kind of fellow who was a lot of fun at a party."

Another classmate, Guy Scribner, 5275 N. Dalewood Ave., Whitefish Bay, described Rehnquist as "a giant brain, a brilliant fellow."



William H. Rehnquist as he appeared in the Shorewood High School yearbook in 1942.

"Everybody knew he'd do something like this," he said.

Scribner remembers his boyhood friend as "mischievous, but he managed to stay out of trouble." The Rehnquist home, then at 2101 E. Marion St., Shorewood, was a gathering place for his high school friends, he added.

10/22/71

The parents, Mr. and Mrs. William B. Rehnquist, now live at 5265 N. Shoreland Ave., Whitefish Bay. The senior Rehnquist, who is retired, formerly headed the Milwaukee sales office for Bradner-Smith Co., a medical equipment and supplies firm.

He served as president of the City Club here from 1955 to 1958.

Besides their son, the Rehnquists have a daughter, Mrs. Jean Laurin, a widow, who lives in Muskegon. The nominee's wife said Friday that, except for his parents, he had no relatives in the Milwaukee area.

Visit Coincidental

The nominee's parents left earlier this week to visit their son, his wife, Natalie, and their three grandchildren, James, 16, Janet, 14, and Nancy, 12, at McLean, Va. Friends said they had been planning the trip for some time and the fact that they were with their son when the nomination was announced was apparently a coincidence.

Rehnquist's first public appearance after his nomination was at a picture taking session Friday afternoon in his office. He seemed a bit flustered but amiable.

After walking around shaking the hands of those who have worked with him and accepting their congratulations, which seemed sincere, he posed behind his desk and inquired facetiously:

"Do I look magisterial enough?"

Dressed Conservatively

The nominee is a six footer with sideburns down to his ear lobes and gold fillings which show when he smiles. He was dressed in a conservative gray suit, white shirt and a two tone green tie.

United States Attorney David J. Cannon predicted that the former Milwaukeean "will be the legal scholar on the court within three to five years" because of his background and training.

He said he had met Rehnquist a number of times and been impressed by "his very keen legal mind." The nominee's background as Justice Jackson's clerk means that he will understand the function of the high court. Cannon said, adding of the nomination: "I'm excited about it."

Political Science Major

Although the nominee had not lived here since shortly after his graduation from high school in 1942, he returned occasionally to visit his parents. Some of his high school friends have kept up their acquaintance.

Rehnquist's undergraduate career at Stanford University was interrupted by service in World War II. He served in the Air Force as an enlisted man from 1943 to 1946, then returned to college.

Pflieger said Rehnquist's boyhood ambitions leaned toward political science rather than law and he majored in that subject as an undergraduate.

"He switched to law after he took a national aptitude test and got one of the highest scores in that field," Pflieger said.

Rehnquist was a Phi Beta Kappa student at Stanford. He stayed there for an M.A. degree, which he received in 1948, got another master's at Harvard University in 1949, then returned to Stanford for his law degree, which he received in 1952.

About a week later, he got the coveted appointment of law secretary to Associate Justice Robert H. Jackson of the Supreme Court, spending two years in Washington in that post before moving to Phoenix, Ariz.

Returned to Capitol

He worked with several law firms there before forming a law partnership. In 1969, he returned to Washington when he was named to head the office of legal counsel in the Justice Department.

He was born in Milwaukee Oct. 1, 1924, and attended Atwater Elementary School in Shorewood, going from there

to the Shorewood Junior-Senior High School.

Among his teachers was M. C. Koenders, who is still a Shorewood High teacher.

"I had him for 9th grade social studies," Koenders said.

"He was interested in the class discussions — of course, those were rather interesting years — and he had a good mind. He could see through a problem. He had a sensible, conservative approach to things."

A Shorewood High School spokesman said that any ceremonial recognition of the school's first Supreme Court nominee would be premature. In light of what has happened to other Nixon nominees, he said, it seems better to wait until after Senate confirmation.

MI 77-3821

On October 26, 1971, the following below listed prominent individuals associated with the judicial system in Wisconsin were contacted regarding WILLIAM HUBBS REHNQUIST. All of these contacted advised that although they knew who REHNQUIST was, they were not personally acquainted with him and as such, could not comment regarding his qualifications or reputation in the judicial area.

X
[Redacted]

SA [Redacted]

X
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X
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SA [Redacted]

X
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SA [Redacted]

MI 77-3821

On October 26, 1971, [REDACTED] Milwaukee, Wisconsin, advised that he has met REHNQUIST on several occasions in connection with legal conferences held in Washington, D. C. [REDACTED] advised that he is not completely aware of REHNQUIST's qualifications or reputation in the judicial field but based upon his contacts with him, he has been greatly impressed and believes he will be one of the legal scholars on the court within 3-5 years because of his background and training.

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 26 1971

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

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1231 PM URGENT 10/26/71 MCC

TO DIRECTOR (77-106904)

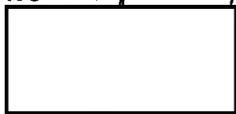
WASHINGTON FIELD (77-86748)

PHOENIX (77-3510)

FROM SAN FRANCISCO (77-11804) (P) 2P

ROOM 1246 b6 b7C

COVES. WILLIAM HUBBS REHNQUIST, AKA. JUSTICE, SUPREME COURT
OF THE UNITED STATES. BUDED, NOON WEDNESDAY NEXT.



P RE WFO TEL, OCTOBER TWENTYFOUR LAST, REQUESTING SAN
FRANCISCO INTERVIEW



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V
wfo

CONFIRMING SAN FRANCISCO TELCALLS THIS A.M. TO WFO AND
PHOENIX, [REDACTED] CURRENTLY IN WASHINGTON, D.C., TO ATTEND
NATIONAL JUDICIAL CONFERENCE. STAYING AT SHERATON-CARLTON HOTEL,
TELEPHONE SIX THREE EIGHT - TWO SIX TWO SIX. REPORTEDLY
OCTOBER TWENTYSIX INSTANT CONTACTING CONGRESSMEN AND SAN JUAN 19 1972
REACHED THROUGH [REDACTED] IN WASHINGTON
D.C., TELEPHONE [REDACTED]

77-106904-80
NOT RECORDED IX



END PAGE ONE

60 JAN 25 1972

[Handwritten signature]

PAGE TWO

[REDACTED] IS CURRENTLY IN PHOENIX AND CAN BE REACHED
THROUGH TELEPHONE NUMBER [REDACTED]

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[REDACTED]
WFO AND PHOENIX INTERVIEW [REDACTED]

RESPECTIVELY, AS REQUESTED IN RETEL. PHOENIX NOTE REFERENCE
TO [REDACTED] ON PAGES SIX, NINE AND EIGHTEEN OF RETEL.

END

EJF FBI WASH DC

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEW YORK	OFFICE OF ORIGIN BUREAU	DATE 10/26/71	INVESTIGATIVE PERIOD 10/26/71
TITLE OF CASE WILLIAM HUBBS REHNQUIST aka William H. Rehnquist, William Donald Rehnquist		REPORT MADE BY <div style="border: 1px solid black; width: 100px; height: 15px;"></div>	TYPED BY bip
		CHARACTER OF CASE DAPLI JUSTICE SUPREME COURT OF THE UNITED STATES	

REFERENCES:

WFO teletype to Bureau, dated 10/23/71.
 Bureau teletype to WFO, dated 10/24/71.
 Phoenix telephone call to New York, 10/26/71.

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1 -
 3 - *destroyed*

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	AUTO.	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: *[Handwritten notes]*

DO NOT WRITE IN SPACES BELOW

5 - Bureau (Enc. 1)
 1 - New York (77-24526)

ENCLOSURE
Copy's made
Enc. not sent to Dept because some of them was in the 77-106904-81
29-27-71

NOT RECORDED
5 JAN 19 1972

Dissemination Record of Attached Report					Notations <i>[Signature]</i>
Agency					
Request Recd.					
Date Fwd.					
How Fwd.					
By					

60 JAN 25 1972

COVER PAGE

NY 77-24526

ENCLOSURES:

TO BUREAU (1):

Enclosed for the Bureau is one copy of New York University Law Review, Volume 45, dated June, 1970, which contains a reproduction of an address delivered by the applicant to the Hammarskjold Forum, sponsored by the New York University School of Law. (See pages 628-639).

The aforementioned Volume 45 of New York University Law Review was made available to SA [redacted] by the Law Review Office, New York University.

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LEADS:

NEW YORK

AT NEW YORK; NEW YORK. 1. Will continue efforts to contact additional racial leaders concerning REHNQUIST.

2. Will continue efforts to contact [redacted] concerning applicant's opposition to City of Phoenix Ordinance concerning Human Rights.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

[REDACTED]

Office: New York, New York

Date:

10/26/71

Field Office File #:

77-24526

Bureau File #:

Title:

WILLIAM HUBBS REHNQUIST

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Character:

DEPARTMENTAL APPLICANT
JUSTICE
SUPREME COURT OF THE UNITED STATES

Synopsis:

Associates, including lawyers, judges, and
professors comment favorably and recommend.[REDACTED]
[REDACTED] feels applicant not
"sensitive" towards safeguarding constitutional
rights. Results of investigation concerning
newspaper morgue, credit, and arrest checks
set forth.

- P -

NY 77-24526

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4. Credit.....	12
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NY 77-24526

Associates

On October 26, 1971, [redacted]

[redacted] advised

SA [redacted]

[redacted] and worked closely with the applicant from approximately January, 1969, to June, 1969, during the changeover from the JOHNSON administration to the NIXON administration. He stated that he was only a professional acquaintance of the applicant. He stated he has a very high opinion of the applicant's ability and character and considers him to be a good friend. He stated that he had nothing but the highest regard for the applicant. [redacted]

[redacted] and that while he may not always agree with the applicant on questions of constitutional law, he feels the applicant is extremely conservative in that area, but even so he was able to work well with the applicant [redacted]

[redacted] stated the applicant has well thought out views concerning constitutional law. He stated the applicant would probably be quite conservative with regard to questions dealing with civil rights and criminal law. He also stated that the applicant could probably be considered the most conservative justice in the aforementioned areas in the last 30 years. He stated that in his opinion the applicant's views would be similar to those of Justice [redacted] of the pre-New Deal era. He further stated that the applicant's views would probably be towards a restrained role of the Supreme Court in civil rights and criminal cases. He went on to say that the applicant had more strength of conviction than most people and that he certainly did not feel that the applicant was in any way bigoted. He advised the applicant was willing to listen to both sides of a question and could never be criticized for pre-judging cases.

[redacted] advised that on ability he would highly recommend that the applicant be confirmed by the United States Senate because he feels the Senate should look into an appointee's ethics, competence, and distinguished service, and not to an appointee's ideology. He stated on a substantive position, he personally would not recommend the applicant because he does not happen to think the Supreme

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NY 77-24526

Court needs someone as conservative as REHNQUIST. However, he went on to explain that the appointment of a conservative is not bad per se.

[redacted] stated he knows nothing about the applicant's background and personal life, but that he is sure the applicant's character, associates, reputation, and loyalty are above reproach. He stated that since [redacted] [redacted] he has not seen the applicant, but feels that his views concerning REHNQUIST probably would not have changed since working with him.

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[redacted] suggested that [redacted] who was [redacted]

[redacted] New York City, be contacted concerning the applicant inasmuch as [redacted] worked with the applicant for approximately six months into the NIXON administration.

On October 26, 1971, [redacted] [redacted] advised SA [redacted] he did not know the applicant personally and only knew about him from what he had read in the newspapers recently. [redacted] advised that he had been doing research on the opinions of the proposed appointee [redacted] but that he had done no research to date concerning REHNQUIST.

On October 26, 1971, [redacted] [redacted] advised SA [redacted] he had no personal knowledge concerning the applicant. He stated, however, out of professional interest, he had recently begun to gather the published writings of the applicant in an attempt to gain more insight into his professional qualifications. He stated he is using the standard research methods, i.e., Standard Index, Readers Guide, etc, but has only gathered a small amount of material and as yet has formed no opinion concerning the applicant.

NY 77-24526

On October 26, 1971, [redacted] supra, advised he worked with the applicant for approximately 5 months during the change of administrations or from January, 1969, to June, 1969. He stated that he had a very high regard for the ability and professional competence of the applicant and found him to be a very open-minded individual. He stated there was no doubt that the applicant was an honorable and loyal American citizen. He further advised the applicant's views on civil rights certainly could not be accused of being racist oriented. He stated that the applicant was above all a very good listener and in his opinion would be a very constructive justice of the Supreme Court. He gave his unqualified endorsement for the applicant's confirmation.

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On October 26, 1971, [REDACTED]

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[REDACTED] New York, New York, advised SA [REDACTED] that he has had some official dealings with REHNQUIST but his personal knowledge of him is only casual. He said, however, that he has seen some of REHNQUIST's work which has flowed through his office and from the standpoint of status, it is of the highest quality and is indicative of the work of a highly professional man.

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On October 26, 1971, [REDACTED]

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[REDACTED]
New York, New York, advised SA [REDACTED] that he knows the applicant only casually, having met him a few times but never having dealt with him professionally. He said REHNQUIST impressed him as a pleasant, personable, competent person and that his present position in the Justice Department gives him a broad legal experience. He said that he knows of nothing that would militate against his appointment as a judge.

NY 77-24526

On October 26, 1971, [REDACTED]

[REDACTED] New York, New York, advised SA [REDACTED] that he first met REHNQUIST in 1970, and since then has met him on one or two occasions when REHNQUIST has come to New York. He commented that there could be no doubt that REHNQUIST is an able lawyer and he seems fair-minded in what he does. He said that in his opinion, REHNQUIST possesses good judgement and appears to be a man of even temperament. He also commented that in his opinion REHNQUIST has the legal ability and the personality necessary to sit on the Supreme Court of the United States.

[REDACTED] also stated that he has had no occasion to judge REHNQUIST's attitude on civil rights issues. However, he stated that REHNQUIST appears to be a fair-minded individual. He advised that he would recommend REHNQUIST for a position on the Supreme Court of the United States.

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On October 26, 1971, [REDACTED]

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[REDACTED] advised SA [REDACTED] that he has known WILLIAM H. REINQUIST by reputation. He stated that REINQUIST has a reputation of possessing a fine analytical, judicial mind and believes him to be an excellent selection to the Supreme Court. [REDACTED] said that REINQUIST has his unqualified endorsement.

NY 77-24526

Racial Leader

[redacted]
[redacted]
[redacted] advised SA [redacted] on October 26, 1971, that he does not know the applicant. He stated the only knowledge he has is from the news media. [redacted] stated his personal reaction to the applicant's nomination to the Supreme Court of the United States would be that REHNQUIST may not be as sensitive as he could be towards safeguarding constitutional rights. He believes the applicant's stand on electronic surveillances could harm constitutional safeguards. [redacted] concluded that his impression is based upon what he has read in the news media and he personally feels REHNQUIST is probably not "sensitive".

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Nixon's Two Nominees to the Supreme Court

William Hubbs Rehnquist

By DAVID E. ROSENBAUM
Special to The New York Times

WASHINGTON, Oct. 21— Early this week, William Hubbs Rehnquist, Assistant Attorney General, sent a memorandum to the American Bar Association defending Judge Mildred L. Lillie, who had been proposed to the association by President Nixon as a possible Supreme Court Justice. Tonight, Mr. Rehnquist, a conservative Arizonan, was himself nominated by Mr. Nixon for a seat on the Court.

It was only this afternoon that Mr. Rehnquist's name was even mentioned in speculation about the President's choices. But, in retrospect, observers here realize that he fit perfectly the President's job description.

He was described by his colleagues in the Justice Department as a brilliant lawyer who, having once been a clerk to the late Justice Robert H. Jackson, is completely versed in the Court's operations.

Politically, he is a Goldwater Republican, who came to Washington in 1968 at the beginning of the Nixon Administration to head the Justice Department's Office of Legal Counsel, a position described by the President tonight as "the President's lawyer's lawyer."

Among his associates in the Government, Mr. Rehnquist is known as a man more attuned to the law than to politics. He has gone out of his way, one colleague said, to participate in interviewing law graduates who are applying for jobs, and questions about the applicant's political affiliation seem unimportant.

Comes Under Fire

In his 33 months in the capital, Mr. Rehnquist has often been the spokesman for the Administration on police surveillance and other issues of criminal law.

In March, he came under fire from civil libertarians after he told a Senate subcommittee that he vigorously opposed any legislation that would restrict the Government's ability to gather information about American citizens. He also told Senator Sam J. Ervin Jr., the North Carolina Democrat who heads the Senate Constitutional Rights Subcommittee, that, although it would be "inappropriate" and a "waste of the taxpayers' money," it would not violate the Senator's rights for the Govern-

ment to put him under surveillance.

In a speech last year at the University of Arizona, Mr. Rehnquist said it would not be "at all unreasonable" for the Government to ask the Supreme Court to reverse its decision in the case of *Miranda v. Arizona*, when the Court declared that criminal suspects must be informed of such prerogatives as the right to remain silent and the right to a lawyer.

No litigant, including the Government of the United States, Mr. Rehnquist had said, was "required to accept any particular decision of the Supreme Court in the field of constitutional law as *stare decisis*." *Stare decisis* is the doctrine of strict adherence to prior judicial decisions.

Bill Rehnquist was born Oct. 1, 1924, in Milwaukee, and he attended public school there. He went West to college—to Stanford University, where he received his undergraduate and law degrees—and then came to Washington in 1952 to serve as a clerk to the late Justice Jackson.

Supporter of Goldwater

The next year he went to Phoenix, began private law practice and became active in Republican politics. He was a strong supporter of Barry Goldwater in the 1964 Presidential campaign.

Mr. Rehnquist is known as an exceptionally hard worker, and this morning his desk was piled high and his secretary said he was very busy.

He is tall, long-side-burned and athletic-looking and he looks younger than his 47 years.

Mr. Rehnquist (pronounced WREN-quist) was married in 1953 to the former Natalia Cornell of San Diego. The couple has three children, James, 16, Janet, 14, and Nancy, 12, who attend schools in Fairfax County, Va., where the Rehnquists live.

Among his colleagues in the Justice Department, Mr. Rehnquist is respected first and foremost as a lawyer. President Nixon described him tonight as a conservative, "but only in a judicial, not in a political sense."

A close associate said afterward: "There's no question in my mind that he's a top-notch lawyer, both in his writing ability and his legal acumen. Plus, he's a hell of a nice guy who never blows up."

NY 77-24526

Credit

On October 26, 1971, [redacted]
[redacted] Credit Bureau of Greater New York, New York,
New York, advised SA [redacted] that she could
locate no record identifiable with the applicant.

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Arrest

On October 26, 1971, SA [redacted] caused
the records of the New York City Police Department to be
checked by [redacted] Bureau of
Criminal Identification; [redacted] Information
Unit; and [redacted] Old Record Room. They
advised their records were negative for applicant.

NY 77-34526

Miscellaneous

On October 26, 1971, a representative of the B'Nai B'Rith Anti-Defamation League, 315 Lexington Avenue, New York, New York stated the New York Office of the Anti-Defamation League had no knowledge concerning inquiry on their part concerning the applicant.

THE CONSTITUTIONAL ISSUES—
ADMINISTRATION POSITION

WILLIAM H. REHNQUIST*

I am pleased to avail myself of the opportunity of discussing the legal basis for the President's recent action in ordering American Armed Forces to attack Communist sanctuaries inside the border of Cambodia. So much of the discussion surrounding these recent events has been emotional that I think the Association of the Bar performs a genuine public service in encouraging reasoned debate of the very real issues involved.

I wish in these remarks to develop answers to several questions which I believe lie at the root of the matter under discussion. After having explored these questions in their historical context, I will make an effort to apply to the Cambodian incursion what seem to me to be the lessons of both history and constitutional law.

First, may the United States lawfully engage in armed hostilities with a foreign power in the absence of a congressional declaration of war? I believe that the only supportable answer to this question is "yes" in the light of our history and of our Constitution.

Second, is the constitutional designation of the President as Commander-in-Chief of the Armed Forces a grant of substantive authority, which gives him something more than just a seat of honor in a reviewing stand? Again, I believe that this question must be answered in the affirmative.

Third, what are the limits of the President's power as Commander-in-Chief, when that power is unsupported by congressional authorization or ratification of his acts? One would have to be bold indeed to assert a confident answer to this question. But I submit to you that one need not approach anything like the outer limits of the President's power, as defined by judicial decision and historical practice, in order to conclude that it supports the action that President Nixon took in Cambodia.

Before turning to a more detailed discussion of these three questions, let me advert briefly to the provisions of the Constitution itself with respect to the war power and to the debates of the Framers on this subject. Article I, section 8 provides that Congress shall have the power "to declare war." Article II, section 2 designates the President as Commander-in-Chief of the Armed Forces.

* Assistant Attorney General, Office of Legal Counsel, U.S. Department of Justice.

ENCLOSURE

77-106904-81

This textual allocation of authority readily suggests that a division of the nation's war power between the President and Congress was intended. An examination of the proceedings of the Constitutional Convention as found in the Madison notes confirms that suggestion.¹ The Framers did not intend to precisely delimit the boundary between the power of the executive branch and that of the legislative branch any more than they did in any of the other broad areas they considered. While rejecting the traditional power of kings to commit unwilling nations to war, they at the same time recognized the need for quick executive response to rapidly developing international situations.

It is interesting to note that the question before the Convention on Friday, August 17, 1787, was a motion to approve the language of the draft as it then read conferring upon Congress the power "to make war," rather than "to declare war."² During the debate, Charles Pinckney urged that the warmaking power be confined to the Senate alone, while Pierce Butler asked that the power be vested in the President. James Madison and Elbridge Gerry then jointly moved to substitute the word "declare" for the word "make," thus in their words "leaving to the Executive the power to repel sudden attacks." Rufus King supported the substitution of the word "declare," urging that the word "make" might be understood to mean to "conduct war," which he believed to be an executive function.

After this brief debate with only New Hampshire dissenting, it was agreed that the grant to Congress should be of the power to "declare" war. Pinckney's motion to strike out the whole clause, and thereby presumably leave the way open to vest the entire warmaking power in the Executive, was then defeated by a voice vote.³

The Framers here, as elsewhere in the Constitution, painted with a broad brush, and it has been left to nearly two hundred years of interpretation by each of the three coordinate branches of the National Government to define with somewhat more precision the line separating that which the President may do alone from that which he may do only with the assent of Congress.

It has been recognized from the earliest days of the Republic by the President, by Congress, and by the Supreme Court, that the United States may lawfully engage in armed hostilities with a foreign power without a congressional declaration of war. Our

¹ J. Madison, *Notes of Debates in the Federal Convention of 1787*, at 475-77 (Ohio Univ. Press ed. 1966).

² *Id.*

³ *Id.*

history is replete with instances of "undeclared wars," from the war with France in 1798 through 1800, to the Vietnamese war. The Fifth Congress passed a law contained in the first book of the *Statutes at Large*, authorizing President Adams to "instruct the commanders of the public armed vessels which are, or which shall be employed in the service of the United States, to subdue, seize and take any armed French vessel, which shall be found within the jurisdictional limits of the United States, or elsewhere, on the high seas."⁴ Now this is clearly an act of war, engaging American ships in armed hostilities, and yet Congress authorized it without feeling at all obligated to declare war on France.

The President proceeded to carry out congressional instructions, and such naval seizures were not uncommon during the period of the undeclared war with France. The Supreme Court, in a case arising out of this undeclared war, recognized the differences between what it called "solemn" war, which required a declaration by Congress, and "imperfect" war, which did not.⁵

Other examples abound of congressional authorization for armed military action without Congress having declared war. This does not answer the question, obviously, as to what the President may do without congressional authorization. The fact that the United States can engage in armed hostilities without congressional declaration of war does not mean that it can do so without congressional authorization. But it focuses on substance rather than form, and I think history simply will not admit any other conclusion than that a declaration of war by Congress is not necessary to legitimize the engagement of American Armed Forces in conflict.

What power does the designation of the President as Commander-in-Chief confer upon him? This type of question is one that for obvious reasons has not been the subject of a lot of judicial precedents so one has to pick his way among historical actions and among occasional observations by Supreme Court Justices in order to get some idea of what was intended. Chief Justice Marshall, writing for the Court in *Little v. Barreme*,⁶ in 1804 spoke of the power of the President to order the seizure of a ship on the high seas in a situation where Congress has not specified the procedure:

It is by no means clear, that the President of the United States, whose high duty it is to "take care that the laws be faith-

⁴ Act of July 9, 1798, ch. 67, 1 Stat. 575.

⁵ *Bas v. Tingy*, 4 U.S. (4 Dall.) 36, 39-40 (1800).

⁶ 6 U.S. (2 Cranch) 170 (1804).

fully executed," and who is commander-in-chief of the armies and navies of the United States, might not, without any special authority for that purpose, in the then existing state of things, have empowered the officers commanding the armed vessels of the United States, to seize and send into port for adjudication, American vessels which were forfeited, by being engaged in this illicit commerce.⁷

Justice Grier, speaking for the Supreme Court in its famous decision in the *Prize Cases*,⁸ likewise viewed the President's designation as Commander-in-Chief as being a substantive source of authority on which he might rely:

Whether the President in fulfilling his duties, as Commander-in-chief, in suppressing an insurrection, has met with such armed hostile resistance, and a civil war of such alarming proportions as will compel him to accord to them the character of belligerents, is a question to be decided by him, and this Court must be governed by the decisions and acts of the political department of the Government to which this power was entrusted. "He must determine what degree of force the crisis demands."⁹

Lest it be thought that Chief Justice Marshall and Justice Grier are not relevant to the twentieth century, Justice Jackson, concurring in *Youngstown Sheet & Tube Co. v. Sawyer*,¹⁰ expressed a similar thought:

We should not use this occasion to circumscribe, much less to contract, the lawful role of the President as Commander in Chief. I should indulge the widest latitude of interpretation to sustain his exclusive function to command the instruments of national force, at least when turned against the outside world for the security of our society.¹¹

Presidents throughout the history of our country have exercised this power as Commander-in-Chief as if it did confer upon them substantive authority. They have deployed American Armed Forces outside of the United States. They have sent American Armed Forces into conflict with foreign powers on their own initiative. Presidents have likewise exercised the widest sort of authority in conducting armed conflicts already authorized by Congress.

These are actually, I believe, three separate facets of the President's power as Commander-in-Chief. They are the power to commit American Armed Forces to conflict where it hasn't

⁷ Id. at 176.

⁸ 67 U.S. (2 Black) 635 (1862).

⁹ Id. at 670.

¹⁰ 343 U.S. 579, 543 (1952).

¹¹ Id. at 645.

previously existed, the power to deploy American Armed Forces throughout the world, frequently in a way which might invite retribution from unfriendly powers, and the power to determine how a war that's already in progress will be conducted.

Congress has on some of these occasions acquiesced in the President's action without formal ratification; on others it has ratified the President's action; and on still others it has taken no action at all. On several of the occasions, individual members of Congress, and, at the close of the Mexican War, one House of Congress on a preliminary vote, have protested executive use of the Armed Forces. While a particular course of executive conduct to which there was no opportunity for the legislative branch to effectively object cannot conclusively establish a constitutional precedent in the same manner as it would be established by an authoritative judicial decision, a long continued practice on the part of the Executive, acquiesced in by the Congress, is itself some evidence of the existence of constitutional authority to support such a practice. As stated by Justice Frankfurter in his concurring opinion in the *Youngstown Steel* case:

The Constitution is a framework for government. Therefore the way the framework has consistently operated fairly establishes that it has operated according to its true nature. Deeply embedded traditional ways of conducting government cannot supplant the Constitution or legislation, but they give meaning to the words of the text or supply them.¹²

The historical examples have been marshalled in numerous recent studies of the President's power, and I will but summarize some of them briefly. President Jefferson, in 1801, sent a small squadron of American naval vessels into the Mediterranean to protect United States commerce against the Barbary pirates. He was of the view that for these ships to take offensive, as opposed to defensive, action, congressional action would be necessary.

In 1845 President Polk ordered military forces to the coast of Mexico and to the western frontier of Texas in order to prevent any interference by Mexico with the proposed annexation of Texas to the United States. Following annexation, Polk ordered General Zachary Taylor to march from the Nueces River which Mexico claimed as the southern border of Texas, to the Rio Grande River, which Texas claimed as her southern boundary, and beyond. While so engaged, Taylor's forces encountered Mexican troops, and hostilities between the two nations commenced on April 25, 1846.¹³

¹² *Id.* at 610.

¹³ I S. Morison & H. Commager, *The Growth of the American Republic* 591-93 (4th ed. 1950).

There had been no prior authorization by Congress for Taylor's march south of the Nueces. Justice Grier, in his opinion in the *Prize Cases*, commented on the fact, stating: "The battles of Palo Alto and Resaca de la Palma had been fought before the passage of the Act of Congress of May 13, 1846, which recognized 'a state of war as existing by the act of the Republic of Mexico.'"¹⁴

In 1854 President Pierce approved the action of the naval officer who bombarded Greytown, Nicaragua, in retaliation against a revolutionary government that refused to make reparations for damage and violence to United States citizens. This action was upheld by Judge Samuel Nelson, then a judge in the Southern District of New York and later a Justice of the Supreme Court of the United States, in *Durand v. Hollis*.¹⁵ In his opinion in that case, Judge Nelson said:

The question whether it was the duty of the president to interpose for the protection of the citizens at Greytown against an irresponsible and marauding community that had established itself there, was a public political question, in which the government, as well as the citizens whose interests were involved, was concerned, and which belonged to the executive to determine; and his decision is final and conclusive, and justified the defendant in the execution of his orders given through the secretary of the navy.¹⁶

In April 1861 President Lincoln called for 75,000 volunteers to suppress the rebellion by the Southern States,¹⁷ and proclaimed a blockade of the Confederacy.¹⁸ These actions were taken prior to their later ratification by Congress in July 1861.¹⁹ The Supreme Court upheld the validity of the President's action in proclaiming a blockade in the *Prize Cases*.²⁰

In 1900 President McKinley sent an expedition of 5000 United States troops as a component of an international force during the Boxer Rebellion in China.²¹ While Congress recognized the existence of the conflict by providing for combat pay,²² it neither declared war nor formally ratified the President's action.

Similar incidents in Central America took place under the administrations of Presidents Theodore Roosevelt,²³ Taft²⁴ and

¹⁴ 67 U.S. (2 Black) at 668.

¹⁵ 8 F. Cas. 111 (No. 4186) (C.C.S.D.N.Y. 1860).

¹⁶ *Id.* at 112 (emphasis added).

¹⁷ Morison & Commager, *supra* note 13, at 649.

¹⁸ *Id.* at 668-69.

¹⁹ *Id.* at 669.

²⁰ 67 U.S. (2 Black) 635 (1862).

²¹ J. Rhodes, *The McKinley & Roosevelt Administrations* 127 (1922).

²² *Id.*

²³ Morison & Commager, *supra* note 13, at 403-04.

²⁴ M. Rodriguez, *Central America* 119 (1965).

Wilson.²⁵ Naval or armed forces were sent to Panama,²⁶ Nicaragua,²⁷ and twice to Mexico²⁸ in the first two decades of the twentieth century. On none of these occasions was there prior congressional authorization.

Prior to the Vietnam conflict, the most recent example of Presidential combat use of American forces without congressional declaration of war was President Truman's intervention in the Korean conflict. In many senses, this is undoubtedly the high water mark of executive exercise of the power of Commander-in-Chief to commit American forces to hostilities.

Following the invasion of South Korea by the North Koreans in June 1950 and a request for aid by the United Nations Security Council, President Truman ordered air and sea forces to give South Korean troops cover and support and ordered the Seventh Fleet to guard Formosa.²⁹ Ultimately 250,000 troops were engaged in the Korean War which lasted for more than three years.

President Truman relied upon the United Nations Charter as a basis for his action, as well as his power as Commander-in-Chief. The fact that his actions were authorized by the United Nations Charter, however, does not reduce the value of the incident as a precedent for executive action in committing United States Armed Forces to extensive hostilities without a formal declaration of war by Congress. The United Nations Charter was ratified by the Senate and has the status of a treaty, but it does not by virtue of this fact override any constitutional provision.³⁰ If a congressional declaration of war would be required in other circumstances to commit United States forces to hostilities to the extent and nature of those undertaken in Korea, the ratification of the United Nations Charter would not obviate a like requirement in the case of the Korean conflict.

Presidents have likewise used their authority as Commander-in-Chief to deploy United States forces throughout the world. Critics of President Wilson claimed that his action in arming American merchant vessels in early 1917 precipitated our entry into the First World War. Similarly, President Roosevelt's critics have asserted that various actions he took to aid the Allies in the year 1941 played a part in our involvement in the Second World

²⁵ Morison & Commager, *supra* note 13, at 442-43.

²⁶ *Id.* at 403-04.

²⁷ *Id.* at 438-39.

²⁸ *Id.* at 442-43.

²⁹ F. Morris, *Great Presidential Decisions* 400 (1965).

³⁰ See *Reid v. Covert*, 351 U.S. 487 (1956); *Geofrey v. Riggs*, 133 U.S. 258 (1890).

War. Whatever substance there may be to these criticisms, these Presidential actions stand as the constructions placed by these two Presidents on their power as Commander-in-Chief of the Armed Forces.

The third facet of the power of Commander-in-Chief is the right and obligation to determine how hostilities, once lawfully begun, shall be conducted. This aspect of the President's power is one which is freely conceded by even those students who read the Commander-in-Chief provision least expansively. Indeed, it has seldom, if ever, been seriously challenged. Chief Justice Chase, concurring in *Ex parte Milligan*,³¹ said:

Congress has the power not only to raise and support and govern armies but to declare war. It has, therefore, the power to provide by law for carrying on war. This power necessarily extends to all legislation essential to the prosecution of war with vigor and success, *except such as interferes with the command of the forces and the conduct of campaigns. That power and duty belongs to the President as commander-in-chief.*³²

And if we look back at several of our armed engagements in the past, whether declared wars or otherwise, this type of decision has been freely and frequently engaged in by the Commander-in-Chief. In the First World War, for example, it was necessary to make the tactical decision whether the United States troops in France would fight as a separate command under a United States general or whether United States divisions should be incorporated in existing groups or armies commanded by French or British generals. President Wilson and his military advisors decided that United States forces would fight as a separate command.

In the Second World War similar military decisions on a global scale were required—decisions that partook as much of political strategy as they did of military strategy. For example, should the United States concentrate its military and material resources on either the Atlantic or Pacific fronts to the exclusion of the other, or should it pursue the war on both fronts simultaneously? Where should the reconquest of Allied territories in Europe and Africa begin? What should be the goal of the Allied powers? It will readily be recalled by many of us that decisions such as these were reached by the Allied commanders and chief executive officers of the Allied nations without any formal congressional participation. The series of conferences attended by President Roosevelt and President Truman ultimately established

³¹ 71 U.S. (4 Wall.) 2 (1866).

³² *Id.* at 139 (emphasis added).

the Allied goals in fighting the Second World War, including the demand for unconditional surrender on the part of the Axis nations.

Similar strategic and tactical decisions were involved in the undeclared Korean War. Decisions such as whether the United States forces should pursue Korean forces into North Korea and as to whether United States Air Force planes should pursue Communist planes north of the Yalu River into China were made by the President as Commander-in-Chief without formal congressional participation.

While these examples help outline the contours of the President's power as Commander-in-Chief in the absence of congressional authorization, they do not, of course, mark a sharp boundary. It is abundantly clear, however, that Congress can by authorizing Presidential action remove any doubt as to its constitutional validity. Thus, when the Gulf of Tonkin Resolution was enacted,³³ Congress noted that whatever the limits of the President's authority in acting alone might be, whenever the Congress and the President act together "there can be no doubt" of his constitutional authority.³⁴

Congress may, of course, authorize Presidential action by declaration of war, but its authorization may also take other forms. From the example of the Fifth Congress' delegation to President Adams of the power to stop French vessels on the high seas,³⁵ through the legislative acts authorizing President Eisenhower to use troops in Lebanon³⁶ and in Formosa³⁷ and authorizing President Kennedy to use Armed Forces in connection with the Cuban missile crisis,³⁸ to the Gulf of Tonkin Resolution in 1964,³⁹ both Congress and the President have made it clear that it is the substance of congressional authorization, and not the form which that authorization takes, which determines the extent to which Congress has exercised its portion of the war power.

It has been suggested that there may be a question of unlawful delegation of powers here, and that Congress is not free to give a blank check to the President. Whatever may be the answer to that abstract question in the domestic field, I think it is

³³ Act of Aug. 10, 1964, Pub. L. No. 88-408, 78 Stat. 384. See Documentary Supplement *infra*.

³⁴ H.R. Rep. No. 1708, 88th Cong., 2d Sess. 4 (1965).

³⁵ See text accompanying note 4 *supra*.

³⁶ Act of Mar. 9, 1957, Pub. L. No. 85-7, 71 Stat. 5.

³⁷ Act of Jan. 29, 1955, Pub. L. No. 84-4, 69 Stat. 5.

³⁸ Act of Oct. 3, 1962, Pub. L. No. 87-733, 75 Stat. 697.

³⁹ Act of Aug. 10, 1964, Pub. L. No. 88-408, 78 Stat. 384. See Documentary Supplement *infra*.

plain from *United States v. Curtiss-Wright Export Corp.*,⁴⁰ which was decided only a year after *Schechter Poultry Corp. v. United States*,⁴¹ that the principle of unlawful delegation of powers does not apply in the field of external affairs. The Supreme Court in *Curtiss-Wright* made this clear:

Whether, if the Joint Resolution had related solely to internal affairs it would be open to the challenge that it constituted an unlawful delegation of legislative power to the Executive, we find it unnecessary to determine. The whole aim of the resolution is to affect a situation entirely external to the United States, and falling within the category of foreign affairs.

It results that the investment of the federal government with the powers of external sovereignty did not depend upon the affirmative grants of the Constitution. The powers to declare and wage war, to conclude peace, to make treaties, to maintain diplomatic relations with other sovereignties, if they had never been mentioned in the Constitution, would have vested in the federal government as necessary concomitants of nationality.⁴²

The situation confronting President Nixon in Viet Nam in 1970 must be evaluated against almost two centuries of historical construction of the constitutional division of the war power between the President and Congress. It must also be evaluated against the events which had occurred in the preceding six years. In August 1964 at the request of President Johnson following an attack on American naval vessels in the Gulf of Tonkin, Congress passed the so-called Gulf of Tonkin Resolution. That resolution approved and supported the determination of the President "to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression." It also provided that the United States is "prepared as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom."⁴³

While the legislative history surrounding the Gulf of Tonkin Resolution may be cited for a number of varying interpretations of exactly what Congress was authorizing, it cannot be fairly disputed that substantial military operations in support of the

⁴⁰ 299 U.S. 304 (1936).

⁴¹ 295 U.S. 495 (1935). In that case the Supreme Court had declared that Congress was not permitted to abdicate or to delegate to the President its domestic economic powers under the Constitution. *Id.* at 529.

⁴² 299 U.S. at 315, 318.

⁴³ Act of Aug. 10, 1964, Pub. L. No. 88-408, 78 Stat. 384. See Documentary Supplement *infra*.

South Vietnamese were thereby authorized. Steadily increasing numbers of United States Armed Forces were sent into the Vietnamese combat during the years following the passage of the Gulf of Tonkin Resolution. United States Air Force planes bombed not only South Viet Nam, but North Viet Nam. When President Nixon took office in January 1969, he found nearly half a million combat and supporting troops engaged in the field in Viet Nam. His predecessor, acting under the authorization of the Gulf of Tonkin Resolution, had placed these troops in the field, and I for one have no serious doubt that Congress and the President together had exercised their shared war power to lawfully bring about this situation.

President Nixon continued to maintain United States troops in the field in South Viet Nam in pursuance of his policy to seek a negotiated peace which will protect the right of the South Vietnamese people to self-determination. He has begun troop withdrawals, but hostile engagements with the enemy continue. The President feels, and I believe rightfully, that he has an obligation as Commander-in-Chief to take what steps he deems necessary to assure the safety of American Armed Forces in the field. On the basis of the information available to him, he concluded that the continuing build-up of North Vietnamese troops in sanctuaries across the Cambodian border posed an increasing threat both to the safety of American forces and to the ultimate success of the Vietnamization program. He also determined that, from a tactical point of view, combined American-South Vietnamese strikes at these sanctuaries had a very substantial likelihood of success. He, therefore, ordered them to be made.

The President's determination to authorize incursion into these Cambodian border areas is precisely the sort of tactical decision traditionally confided to the Commander-in-Chief in the conduct of armed conflict. From the time of the drafting of the Constitution it has been clear that the Commander-in-Chief has authority to take prompt action to protect American lives in situations involving hostilities. Faced with a substantial troop commitment to such hostilities made by the previous Chief Executive, and approved by successive Congresses, President Nixon had an obligation as Commander-in-Chief of the Armed Forces to take what steps he deemed necessary to assure their safety in the field. A decision to cross the Cambodian border, with at least the tacit consent of the Cambodian Government, in order to destroy sanctuaries being utilized by North Vietnamese in violation of Cambodia's neutrality, is wholly consistent with that obligation. It is

a decision made during the course of an armed conflict already commenced as to how that conflict will be conducted, rather than a determination that some new and previously unauthorized military venture will be taken.

By crossing the Cambodian border to attack sanctuaries used by the enemy, the United States has in no sense gone to "war" with Cambodia. United States forces are fighting with or in support of Cambodian troops, and not against them. Whatever protest may have been uttered by the Cambodian Government was obviously the most perfunctory, formal sort of declaration. The Cambodian incursion has not resulted in a previously uncommitted nation joining the ranks of our enemies, but instead has enabled us to more effectively deter enemy aggression heretofore conducted from the Cambodian sanctuaries.

Since even those authorities least inclined to a broad construction of the executive power concede that the Commander-in-Chief provision does confer substantive authority over the manner in which hostilities are conducted, the President's decision to invade and destroy the border sanctuaries in Cambodia was clearly authorized under even a narrow reading of his power as Commander-in-Chief.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE PHOENIX	OFFICE OF ORIGIN BUREAU	DATE 10/26/71	INVESTIGATIVE PERIOD 10/22-26/71
TITLE OF CASE WILLIAM HUBBS REHNQUIST, aka William H. Rehnquist, William Donald Rehnquist		REPORT MADE BY SA 	TYPED BY sg
		CHARACTER OF CASE JUSTICE, SUPREME COURT OF THE UNITED STATES	

REFERENCE: Phoenix report of SA dated 2/4/69;
WFO teletype to Director 10/23/71.

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ENCLOSURES TO BUREAU

1. Copy of a speech titled "Old Order Changeth; The Department of Justice Under John Mitchell" by WILLIAM H. REHNQUIST, remarks before the Honors Convocation, University of Arizona, College of Law, Tucson, Arizona 4/22/70.
2. Copies of eight articles from the morgue records, Arizona Republic and Phoenix Gazette, Phoenix, Arizona.

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

APPROVED <i>Bh</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW
COPIES MADE	ENCLOSURE BEHIND FILE (Enc. -4)	77-106904-82
5 - Bureau (77-106904)		NOT RECORDED
2 - Phoenix (77-3510)		5 JAN 19 1972
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		2 undestroyed

Dissemination Record of Attached Report					Notations <i>W...</i>
Agency					
Request Recd.					
Date Fwd.					
How Fwd.					
By					

JAN 26 1972

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3. 20 pages of mounted newspaper clippings from Arizona Republic and Phoenix Gazette containing current articles regarding REHNQUIST.

4. Copies of newspaper and magazine articles concerning REHNQUIST totalling 25 pages as furnished by [REDACTED]

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ADMINISTRATIVE:

A number of individuals were unavailable for interview and could not be contacted. They will be contacted as soon as possible and a report furnished forthwith.

LEADS:

PHOENIX DIVISION

Will submit report containing results of outstanding investigation.

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COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: [redacted]

Office: PHOENIX

Date: October 26, 1971

Field Office File #: PX 77-3510

Bureau File #: 77-106904

Title: WILLIAM HUBBS REHNQUIST

Character: JUSTICE, SUPREME COURT OF THE UNITED STATES

Synopsis:

U. S. Senators BARRY GOLDWATER and PAUL FANNIN recommend appointee highly. Former associates and partners in legal profession recommend appointee as highly qualified. [redacted]

[redacted] recommend appointee as did several other attorneys.

[redacted] attorney, would not recommend appointee due to lack of judicial experience.

[redacted] attorney, would not recommend appointment but would support his confirmation. [redacted]

[redacted] described appointee as racial zealot and felt this would bias his judgement concerning legal opinions.

[redacted] recommend. [redacted]

[redacted] furnished circumstances surrounding 1964 contact with appointee which he feels appointee may have furnished incomplete information to American Bar Association. [redacted] states he would not appoint REHNQUIST as he believed better individuals available.

[redacted] recommend highly.

[redacted] recommend.

Religious leaders have no unfavorable information concerning appointee. [redacted]

[redacted] furnished reasons for his objection to REHNQUIST appointment indicating objection based on appointee's philosophy in Civil Rights field. Appointee member in good standing State Bar of Arizona and no complaints on record. [redacted] recommend

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Synopsis Cont.

appointee highly. Property ownership in Maricopa County, Apache County and Yavapai County verified, and no restrictive covenants appear on property.

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DETAILS:

BUSINESS AND PROFESSIONAL
ASSOCIATES

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SDC/sp

The following investigation was conducted by
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On October 22, 1971, BARRY GOLDWATER, United States Senator, was interviewed at Radio Station KOPO, 115 West Drachman Street, Tucson, Arizona, at which time he furnished the following regarding WILLIAM HUBBS REHNQUIST:

Senator GOLDWATER advised he met the appointee in Phoenix, Arizona, approximately ten to twelve years ago and since that time has availed himself of his knowledge and ability in endeavors which included research regarding constitutional law and in preparation of speeches.

Senator GOLDWATER stated he has a complete allegiance to the constitution of the United States and a thorough knowledge of it. His professional reputation is superb and his personal reputation is beyond reproach. In addition he is extremely well regarded by all members of the community and Senator GOLDWATER stated to the best of his recollection he has never heard anyone speak in an unkind manner about him.

Senator GOLDWATER advised although he has little knowledge of appointee's philosophy regarding civil rights, he does recall that in response to now unrecalled questions having to do with civil rights on two or more occasions, REHNQUIST has replied that, "That's the law," meaning that he would resolve any question in this or any other area by adhering to the law as it is presently constituted.

Senator GOLDWATER stated REHNQUIST is a loyal American of excellent character, reputation and associates and extremely capable, brilliant and a highly respected member of the community whom he believes would make an outstanding United States Supreme Court Justice, a position for which he highly recommended him.

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ELF/sp

On October 24, 1971, Senator PAUL FANNIN was contacted at Phoenix, Arizona by SA [REDACTED]

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Senator FANNIN related that he has been acquainted with WILLIAM REHNQUIST for approximately fifteen years dating back to when REHNQUIST moved to the Phoenix area. Senator FANNIN added that he had association with him when he, FANNIN, was Governor of Arizona, adding that he still maintains periodic contact with him in Washington, D.C. Senator FANNIN described appointee as a very honorable man and a competent attorney whom he could highly recommend for any high position with the U. S. Government.

Regarding civil rights matters, Senator FANNIN pointed out that in his opinion he has always been fair-minded concerning any matters of this type as would relate to all minority groups, including Negro, Mexican-American and Indian. The appointee's judicial abilities and temperament, according to Senator FANNIN, are excellent. Senator FANNIN pointed out that he has heard rumors and stories, some of which apparently emanated from [REDACTED] [REDACTED] who recently made a statement to the effect that appointee was affiliated with the John Birch Society. Senator FANNIN stated that he is satisfied in his own mind that appointee is not affiliated with the John Birch Society and never has been. He stated that he believes that he would know of such an affiliation if it were a fact. Senator FANNIN further advised that he personally is working very hard to clarify any misunderstanding that may have arisen concerning appointee's alleged affiliation with the John Birch Society.

In conclusion, Senator FANNIN stated that he considered appointee to be a very moderate, straight-thinking individual who would perform any assignment given him in a highly competent, fair, unbiased manner.

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[redacted] Law Firm of EVANS,
KITCHEL and JENCKS, 363 North First Avenue, Phoenix, who

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[redacted]
[redacted] was interviewed:

[redacted] by SA [redacted] on October 26, 1971. [redacted] stated that he highly recommended WILLIAM REHNQUIST for appointment to the United States Supreme Court. He stated that he knew absolutely nothing of a derogatory nature concerning the character, reputation and/or loyalty of REHNQUIST, who came to work for his firm from about 1953 to 1955. He said that when REHNQUIST came to the firm, REHNQUIST had just left the position of clerk in the office of U. S. Supreme Court Justice JACKSON, prior to which REHNQUIST had graduated from Stanford, and therefore REHNQUIST obviously was not a finished lawyer at that time. REHNQUIST, however, did present very, very impressive capabilities, particularly as a clear thinker with great ability to express himself. [redacted] stated that near the end of REHNQUIST's stay with the firm, REHNQUIST worked on his own, and after leaving, practiced law in his own firm for years until he went to Washington, D.C. to serve in the Department of Justice. [redacted] stated that he has always understood that REHNQUIST served well in these responsibilities and he believed that this experience would equip REHNQUIST well for the job of Supreme Court Justice.

[redacted] stated that he always considered REHNQUIST as a highly principled fellow. He said that REHNQUIST had definite, clear-cut ideas and principles, particularly in law, and that REHNQUIST thought clearly and expressed himself and his principles with great clarity. [redacted] repeated that he considered REHNQUIST very capable and highly qualified for the appointment. He recalled that REHNQUIST had worked very well with everyone.

[redacted] stated that he could not report anything specific concerning REHNQUIST's leanings in civil rights matters, pointing out that at the time REHNQUIST was with the firm, these matters were not in issue as they are today. He stated, however, that REHNQUIST's general attitude toward everybody was very good and such that he would be greatly surprised if REHNQUIST were found to entertain any adverse ideas or prejudices based on race.

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[redacted] stated that he did not know of any organizations to which REHNQUIST belonged. He stated that when REHNQUIST came with the firm, REHNQUIST was new in Phoenix and not in a position to be active in organizations.

[redacted] Secretary, EVANS, KITCHEL and JENCKS, residence [redacted] Phoenix, telephone [redacted] advised that she concurred with the favorable comments of her boss, [redacted]. She stated that when WILLIAM REHNQUIST came to the firm, she was more or less new there herself. She stated that while she was employed as the secretary of [redacted] she also was assigned to work for Mr. REHNQUIST. She stated that while REHNQUIST was very exacting in what he wanted done, nevertheless, he was always pleasant and easy to work with. She stated that she can recall nothing but good about Mr. REHNQUIST and knows nothing of a derogatory nature concerning his character, reputation or loyalty. She stated that since the news of Mr. REHNQUIST's nomination came out, "we tried to think of anything we could criticize him for, but we couldn't."

[redacted] Attorney, EVANS, KITCHEL and JENCKS, residence [redacted] Phoenix, Arizona, telephone [redacted] advised SA [redacted] on October 26, 1971, that he was employed by the firm at the time that WILLIAM REHNQUIST worked there in 1953-1955, and that he had been very much impressed with REHNQUIST's qualifications as a lawyer. He stated that REHNQUIST had an outstanding academic background, and of course, had been a clerk for U. S. Supreme Court Justice JACKSON, which of itself, signifies an outstanding career in law school. He stated that while young lawyers always do more research than partners in a firm, REHNQUIST did try cases while employed there and was assigned other matters of substance, all of which responsibilities he discharged very capably. [redacted] stated that he did not know anything one way or the other with respect to REHNQUIST's attitude toward civil rights matters.

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[redacted] stated that REHNQUIST had been a member of some Toastmasters organization, a member and possibly past president of the Maricopa County Bar Association, and on the Board of Directors and a past president of the Visiting Nurses Service, a United Fund Organization. He stated that former U. S. District Judge DAVE LING, Phoenix (deceased) had appointed REHNQUIST as a lawyers representative to a Judicial Conference of Federal Judges in the Ninth Circuit.

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[redacted] stated that he considers the character, reputation and loyalty of REHNQUIST to be superior in all respects. He stated that he knows absolutely nothing that could be viewed as a derogatory consideration bearing on the question of REHNQUIST's appointment to the U. S. Supreme Court.

[redacted] Attorney, EVANS, KITCHEL and JENCKS, residence [redacted] telephone [redacted] advised SA [redacted] on October 26, 1971, that he was with the firm when WILLIAM REHNQUIST was also employed there and that he knows nothing that should prevent REHNQUIST from being appointed to the Supreme Court of the United States. He stated that he is actively engaged in a campaign to get people to write letters to Senator JAMES O. EASTLAND, Senate Judiciary Committee, urging the approval of REHNQUIST's appointment to the Court. He said that REHNQUIST is eminently qualified for the position, having outstanding legal and writing ability, and an aptitude for briefs and appellate work.

[redacted] stated that he was certain that REHNQUIST would be reasonable and fair in civil rights or racial matters. He stated that for the five or six years before REHNQUIST went to Washington, D.C., REHNQUIST lived [redacted] at the above address and REHNQUIST's children went to an integrated school. He stated that REHNQUIST belonged to no segregated clubs and that he played

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[redacted] Phoenix,
Arizona, on October 26, 1971, stated that he [redacted]

[redacted] had actually known
REHNQUIST since about 1954. He stated that he and
REHNQUIST became acquainted while [redacted]

[redacted]
[redacted] when REHNQUIST
accepted an appointment with the Department of Justice in
Washington, D.C.

[redacted]
[redacted]
He said that other than this, REHNQUIST has no other
affiliation with him at the present time.

[redacted] stated that he considers REHNQUIST an outstanding
individual in the legal profession, one whose integrity and
character are beyond reproach. He stated that he was certain
REHNQUIST would be absolutely impartial in any decisions he
might render in any judicial capacity regardless of the
race, creed or color of any of the individuals involved.
He concluded by saying that REHNQUIST is a quiet family man,
not exceptionally active in either political or social affairs
and said he would highly recommend him without reservation for
an Associate Justice of the United States Supreme Court.

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[REDACTED]
[REDACTED] Phoenix, Arizona, on October 26, 1971, advised that he has known REHNQUIST for approximately nine years. [REDACTED]

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[REDACTED]
[REDACTED] in late 1969 when Mr. REHNQUIST accepted an appointment with the Department of Justice in Washington, D.C.

[REDACTED] stated he considered REHNQUIST the finest legal mind that he has encountered in his practice of law, which would include his former college professors and others. He stated REHNQUIST is a man of complete integrity and he would be impartial in any dealings he had as a member of any court regardless of the race, creed or color of any person involved in a matter which he was to act upon as a judge.

[REDACTED] stated that he considers REHNQUIST a very loyal American citizen and added that he and members of REHNQUIST'S family whom [REDACTED] knew in Phoenix were all individuals of excellent moral character and associates.

[REDACTED] stated that he would highly recommend REHNQUIST as an Associate Justice of the United States Supreme Court and personally feels that he would become one of the great justices of this century.

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The following investigation was conducted by SA [redacted] on October 26, 1971, at Phoenix, Arizona.

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[redacted]
Adams, [redacted] of the Phoenix Human Relations Commission created by the Phoenix City Council in 1963. [redacted] stated in 1964 this commission, after a divided vote, recommended a public accommodations ordinance to the City Council. [redacted] stated he remembers Mr. REHNQUIST appearing before the Phoenix City Council in opposition to the ordinance. [redacted] stated Mr. REHNQUIST's opposition to the ordinance was based on his belief that the ordinance did not affect how the governments act but affects individuals in their daily lives. [redacted] said he is certain that the appointee's opposition to the ordinance was not based on any prejudice or bias and that the appointee opposed the ordinance only because he considered it to be bad legislation.

[redacted] said he does not remember the appointee's involvement in any Civil Rights legislation in Arizona in 1968. [redacted] said he believes the State of Arizona enacted a Civil Rights statute but he is certain the appointee did not participate in any way.

[redacted] said he is very familiar with the appointee and has had contact with him both socially and professionally. He considers him to be exceptionally highly qualified. [redacted] stated he has been involved professionally in cases both with and against the appointee and considers him to be an outstanding attorney and an individual who is without personal prejudice. [redacted] stated he believes appointee is without personal prejudice because of his social and professional contacts with appointee and he has never known appointee to make any statements, do any acts, or be a member of any organization which could be construed as being prejudice.

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RLN/pas

The following investigation was conducted by
SA [redacted] on October 26, 1971:

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[redacted]
[redacted] advised that he does not personally know WILLIAM DONALD REHNQUIST. He advised that a [redacted] was employed by [redacted] at the time of the discussion at a public hearing in 1964 in Phoenix over the adoption of the Human Relations Commission.

[redacted]
[redacted] He did attend a public hearing in June, 1964 which held open discussion concerning the adoption of the Human Relations Commission. He stated that he remembers WILLIAM REHNQUIST giving a 15 minute speech in opposition to the adoption of the Human Relations Commission. As far as [redacted] can remember, REHNQUIST's opposition to the Commission was based on his interpretation of the law and his interpretation of the constitution of the United States. He can remember no specifics of this speech. He does not know Mr. REHNQUIST personally, and the only contact he had with him was in 1964 at this meeting.

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HTL/sp

The following investigation was conducted by
SA [REDACTED]

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On October 26, 1971, [REDACTED]

[REDACTED]
[REDACTED] Phoenix, Arizona, advised that he had served as [REDACTED]

He recalled that in the summer of 1968 the City Council of Phoenix was considering the adoption of a local open housing ordinance. He further recalled that the Council at this time had under consideration two drafts of a proposed open housing ordinance. [REDACTED] recalled that one of the drafts closely adhered to the guidelines set down at that time by the federal government and the second draft was much broader. He recalled that he had received a letter from WILLIAM H. REHNQUIST, who was then practicing law in the firm of Powers and Rehnquist [REDACTED] recalled that in this particular letter REHNQUIST urged the City Council to adopt the proposed ordinance which followed those guidelines which had been set down by the federal government. [REDACTED] advised that to the best of his recollection, REHNQUIST had indicated that he favored the adoption of the ordinance which followed the guidelines set forth by the federal government inasmuch as he believed it would best serve the people of Phoenix. [REDACTED] advised that to the best of his recollection, the proposed ordinance favored by REHNQUIST was not designed to deny any racial group the opportunity to adequate and equal housing.

[REDACTED] advised that he had known REHNQUIST since 1964 in a casual way. [REDACTED] recalled that he had met and talked with REHNQUIST casually on several occasions when they both were in attendance at cocktail parties, dedications and other public functions.

[REDACTED] further recalled that REHNQUIST had appeared before the Phoenix City Council on several occasions and that the presentations of REHNQUIST before the City Council were well prepared, concise and had substance.

[REDACTED] advised that to his knowledge the character, reputation and loyalty of REHNQUIST were unquestionable. [REDACTED] stated he felt REHNQUIST was well qualified for a high position with the U. S. Government.

PX 77-3510

JJJ/bay

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The following investigation was conducted at
Phoenix on October 26, 1971 by SA [redacted]

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[redacted]
[redacted]
[redacted] advised he has known appointee for over 15 years and considered him to be an excellent lawyer of great ability. [redacted] stated he has known appointee both professionally and socially and considers him to be an outstanding human being with the highest integrity. [redacted] advised he believes appointee will be an outstanding associate justice of the Supreme Court because of the appointee's ability and outstanding personal traits.

[redacted] stated he considers the appointee's politics to be conservative in that the appointee believes the Government should not interfere in private affairs of the people. [redacted] stated he believes the appointee has no racial prejudice and no racial prejudice in any of the appointee's political decisions. [redacted] stated he does not recall the appointee's participation in any discussions regarding civil rights legislation or appointee's participation in any groups involving civil rights.

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RWD:sg

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On October 27, 1971, [redacted] Attorney,
[redacted] Phoenix, Arizona, advised
as follows:

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[redacted] stated he has known REHNQUIST for approximately 12 to 14 years, and considers him to be a conservative, knows of nothing derogatory and has heard no adverse comments as to his feelings toward minority groups.

[redacted] stated that as to judicial ability and temperament, REHNQUIST would be highly regarded as to both. He described him as a very scholarly gentleman, completely loyal to his clients and that he had never heard any adverse criticism concerning REHNQUIST.

He stated he had met REHNQUIST's mother on one occasion and his wife and children on several occasions; however, he has maintained no other social contact.

[redacted] advised he had never been associated in business with him and that they had appeared as adversaries in court on many occasions. He said he considered REHNQUIST to be a very fair minded, thoroughly honest and most capable individual.

[redacted] stated he would highly recommend him for a position with the Supreme Court and that he felt he would make an excellent Justice. He stated his character and associates were above reproach. He said too that on many occasions he has seen briefs written by REHNQUIST which were extremely well written and presented a very true picture of both sides of the litigation in question.

[redacted] concluded by stating that he personally had never considered REHNQUIST to be a politician in any sense of the word.

PX 77-3510

FPB:trb

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The following investigation was conducted by SA [redacted] on October 26, 1971, at Phoenix, Arizona:

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[redacted] was contacted at [redacted] Phoenix, and advised that he knows the appointee and that [redacted]

[redacted] He stated he does not know and cannot comment on the appointee's leaning towards civil right matters. [redacted] stated, however, that in his estimation the appointee has excellent judicial ability and temperament. He stated he feels that the appointee would be objective, honest and would make a good Supreme Court Justice. He stated that in his estimation the appointee is a clear thinker who is well above average in legal knowledge and is highly regarded as a lawyer. He stated that he has never heard any derogatory comments about the appointee.

On October 26, 1971, [redacted] was contacted and stated that she knows the appointee quite well. [redacted]

[redacted] She stated the appointee is considered a good attorney and comes from a fine family and is considered fair and objective in matters dealing with civil rights. She further stated that she would consider him excellent in regards to his judicial ability and temperament. She further stated that she knows the appointee did not appear before any legislative hearing opposed to civil rights in 1964. She stated that the applicant did appear before the Phoenix City Council in June, 1964 and spoke on a public accommodation's bill. She stated that the appointee's talk lasted approximately two minutes and the results of that talk are public record. [redacted] then provided copies of numerous newspaper articles covering the appointee and his stand on civil right matters and various other items of publicity he has received. She further stated that she considered the appointee well qualified for a position as a Justice with the U. S. Supreme Court.

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RWD:sg

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On October 27, 1971, [redacted] Attorney,
[redacted] Phoenix, Arizona, advised as follows:

[redacted] stated he has known REHNQUIST for the past 15 years. He considered him to be a highly conservative Republican and most conservative in his leanings towards Civil Rights matters.

As to judicial ability and temperament, [redacted] considers REHNQUIST to be basically an intellectual and a man who would enjoy writing opinions, a strict constructionist, firm in his opinions.

[redacted] advised he has been casually acquainted with REHNQUIST's wife through various professional and other social organizations such as the Bar Association and the Lawyers Club.

[redacted] stated he has had some, but limited, association in the legal profession with REHNQUIST.

[redacted] advised he would not recommend REHNQUIST for a position as Associate Justice of the United States Supreme Court, his basic reason being his lack of judicial experience. He stated he had nothing against him personally and considered him to be a highly capable and thoroughly honest individual.

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RWD:sg

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On October 27, 1971, [redacted] Attorney,
[redacted] Phoenix, Arizona, advised as follows:

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[redacted] advised he has known Mr. WILLIAM REHNQUIST for the past 17 years since both arrived in Phoenix at approximately the same time.

[redacted] stated that he feels the appointment of REHNQUIST would be an extreme step backward in the field of Civil Rights and would certainly restrict progress in this area.

As to judicial ability and temperament, [redacted] stated he feels on neutral matters REHNQUIST would be a very fine judge, both scholarly and objective. He stated, however, REHNQUIST has had no experience or qualification in the field of criminal law. On matters of free speech he feels REHNQUIST would again be quite restrictive. [redacted] stated he has maintained a modest social acquaintance with REHNQUIST and has met REHNQUIST's wife on many occasions.

[redacted] stated he has had no business association with REHNQUIST.

[redacted] advised he considers REHNQUIST to be superbly capable, thoroughly honest and an excellent negotiator and scholar. His character and ability cannot be faulted. He knows of no derogatory information of any kind concerning REHNQUIST. Further, he considers REHNQUIST to be a total political adversary, completely opposed in political and social views and sees REHNQUIST as a definite conservative.

[redacted] stated he would not recommend his appointment to a position on the Supreme Court but would certainly support his confirmation.

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FPB:mbd

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SA [redacted] contacted [redacted]
[redacted] Phoenix,
Arizona, on October 26, 1971. [redacted] furnished the
following information regarding the appointee:

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[redacted] stated that the appointee's
judicial ability would be average. He stated that he
knows the appointee went to Stanford and graduated near
the top of his class. He further stated, however, that
he questioned whether the appointee would really be exceptional
in being able to read a case and understand it. He
stated that while the appointee was in practice in the
City of Phoenix, that he did not enjoy a great amount of
practice but what could be considered an average practice.

[redacted] stated that to the best of his knowledge the
appointee was completely negative on civil rights. He
stated he had heard of one occasion where the appointee went
into a Negro community and challenged black voters on a voting
day. [redacted] further stated that he had heard that
the appointee was a member of the Arizonians for America
which is a right wing organization which he considers to be
even further right than the John Birch Society. He stated
this would have been in approximately 1964. [redacted]
stated that the appointee's civil rights beliefs, he feels,
would influence his ability to make an objective decision
in civil rights matters. He further stated that he recalled
the appointee at one time writing an article for "U. S. News
and World Report" in about 1963 or 1964, in which he discussed
his position as a clerk for Justice JACKSON of the U. S.
Supreme Court. [redacted] stated that this article
disclosed information about the interworkings of the Supreme
Court which he, [redacted] believed should have been
confidential and not given to the public at large. [redacted]
[redacted] stated that this showed poor judgment on the part
of the appointee.

[redacted] stated that he believes the appointee
to be a racial zealot and that he believed that this
would bias his judgment as far as legal opinions.

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KFJ:sg

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[redacted]
[redacted] said he has been well acquainted with Mr. REHNQUIST since [redacted]

[redacted] and REHNQUIST for Justice JACKSON. They have been friends since that time though not close associates. [redacted] said Mr. REHNQUIST is a man of unblemished character, a man of the highest integrity and moral character, and unquestionably a patriot. [redacted] continued by saying he has the greatest respect for Mr. REHNQUIST's legal ability and professional preparation for service on the Court and that he is an exceptionally able lawyer. He also said he knows of no organization in which Mr. REHNQUIST would hold membership which would be questionable in any manner.

[redacted] also indicated that he and Mr. REHNQUIST have definite philosophies and that he [redacted] disagrees with REHNQUIST's philosophies in criminal law, namely that REHNQUIST takes a much more conservative line and [redacted] said REHNQUIST probably would be a lot less protective of the rights of defendants than he, [redacted] would like him to be. Also [redacted] said he would not be surprised if REHNQUIST was less sensitive to the claims of minority groups than he, [redacted] would like him to be. [redacted] said he also disagrees with REHNQUIST's views that the Justice Department has a right to surveillances including electronic surveillances without court order or warrants.

[redacted] continued by saying that he would hope that some of REHNQUIST's views or philosophies along those lines were products of the position he held rather than personal convictions.

[redacted] also said, however, that none of his disagreements with REHNQUIST on substantive positions has lead him to conclude that his positions are not the product of reasoned good faith judgements. He also said that he feels that the President of the United States has the prerogative to appoint to the court men whose philosophies are more in line with his. He went on to state that he feels that Mr. REHNQUIST would be a most able member of the court and on the basis of determining

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KFJ:sg

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his fitness for that office he said it is very clear that REHNQUIST is fit for the position and on this basis he feels that the appointment of REHNQUIST should be confirmed.

concluded by saying he feels REHNQUIST is such a capable man and so well suited for such a position that he stands head and shoulders above any of the others whose names have been mentioned previously.

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KRD:sg

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On October 26, 1971, [REDACTED]

[REDACTED] Tempe, Arizona, advised that he has known WILLIAM HUBBS REHNQUIST off and on for approximately 20 years. REHNQUIST was a student of his in the early 1950s. [REDACTED] advised that REHNQUIST's character and reputation were excellent and that he could think of no unfavorable circumstances regarding his reputation. [REDACTED] advised that REHNQUIST was loyal to the United States and that he associated with law abiding individuals. [REDACTED] advised that REHNQUIST possesses judicial temperament, that he would deal fairly with minority or racial groups, that he had no racial prejudices and in [REDACTED] opinion was quite conservative in his opinions. [REDACTED] advised he would recommend REHNQUIST for a position of Associate Justice of the Supreme Court.

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On October 26, 1971, [REDACTED]

[REDACTED] Tempe, Arizona, advised that his contact with WILLIAM HUBBS REHNQUIST has been limited. [REDACTED] advised that his character and reputation are excellent and that he has no reason to doubt his loyalty to the United States.

[REDACTED] advised that REHNQUIST does possess judicial ability and temperament and that he would be fair with racial and minority groups. [REDACTED] could advise of no unfavorable information regarding REHNQUIST's Civil Rights opinions. [REDACTED] could advise of no unfavorable information regarding REHNQUIST's associates and does recommend REHNQUIST for a position of Associate Justice of the U. S. Supreme Court.

On October 26, 1971, [REDACTED]

[REDACTED] Tempe, Arizona, advised that he has had limited contact with WILLIAM HUBBS REHNQUIST and that whatever contact he has had has been on a professional basis. [REDACTED] could advise of no unfavorable information regarding REHNQUIST's character or reputation or associates and that REHNQUIST was loyal to the United States. [REDACTED] advised that REHNQUIST would be fair in Civil Rights matters regarding minority and racial groups. [REDACTED] advised that REHNQUIST possesses judicial temperament and that he recommends him for a position of Associate Justice on the U. S. Supreme Court.

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PKB/sp

COURT OFFICIALS

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JWH:mbd

[redacted] Phoenix,
[redacted] advised SA [redacted] on October 26, 1971,
that he had been acquainted with the appointee for
approximately twenty years and he ^{would} recommend the appointee
and his family without reservation as to loyalty, character, ability
and associates.

He stated that he believed that President NIXON
made an excellent selection for a Justice in the Supreme
Court of the United States in naming Mr. REHNQUIST and he
believed that REHNQUIST would make an excellent Justice.

He described the appointee as being a very
thorough man who had an excellent knowledge of the law and
was a man who was not known to make hasty decisions. He
stated the appointee was a man who considered all of the
facts in a matter and then would make his decision based on
all available facts.

He stated as a Supreme Court Justice, he was
confident that the appointee would consider all the evidence
in a matter before making a decision and his decision
would be governed strictly by the evidence presented and
not by any personal opinions that the appointee may have
concerning the matter.

[redacted] stated that he had read in Phoenix,
Arizona newspapers allegations to the effect that the
appointee was a "racist." He stated that the appointee
was not a "racist" and if the appointee had ever opposed any
legislation, whether or not it pertained to civil rights or
any other matter, the appointee would oppose the legislation
strictly on the basis that the legislation was not
legally sound.

He advised that he did not recall the appointee
opposing any civil rights legislation and if the appointee
had opposed such legislation it would have been because the
legislation was not legally sound rather than the fact that
the appointee was a "racist."

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JWH:mbd

[redacted] stated that [redacted]

[redacted] he did not recall any grievances filed against the appointee [redacted]

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[redacted] advised SA [redacted] October 26, 1971, that he had been acquainted with the appointee and his family for many years and he highly recommended the appointee and his family as to loyalty, character, associates and ability.

He advised he had read charges in Phoenix, Arizona newspapers that the appointee was a "racist" because he had opposed civil rights legislation that was contemplated by the City of Phoenix. He advised that the appointee opposed this legislation not because he was a "racist" but because the legislation was not legally sound and because the appointee did not believe that the legislation was necessary.

He stated that at no time did the appointee give him any indication of being a "racist" and he said the appointee had been impartial in all of his dealings with blacks and whites.

He stated that the appointee was not an "extrovert" nor was he an introvert, but was a rather quiet person who was unassuming and who possessed a brilliant legal mind.

[redacted] Phoenix, Arizona, advised SA [redacted] on October 26, 1971, that he was ^{not} acquainted with the appointee and could not comment as to the loyalty, character, associates and ability of the appointee.

He stated that he knew the appointee as a former attorney in the Phoenix area and had never heard anything derogatory concerning the appointee.

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JWH:mbd

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[REDACTED]
[REDACTED] was contacted on October 26, 1971, by SA [REDACTED] and he advised as follows:

[REDACTED]
[REDACTED]
At that time, he was acquainted with the appointee and one day during a friendly conversation, the appointee asked him in essence, if he were a judge and had a trial involving a rich man and a poor man, which party would he favor. He stated at the time he thought the question was a little strange, but he told the appointee that in such a case he would have to consider all evidence and would make his decision based on the evidence presented at the trial.

He indicated, however, that after reviewing all the facts, if the evidence was exactly equal and there were no mitigating circumstances, he would probably favor the poor man.

[REDACTED]
[REDACTED] who advised him that the ABA would not support his nomination because he apparently favored the "poor over the rich." He stated that apparently REHNQUIST had interviewed him on behalf of the ABA; had furnished the results of the interview to the ABA; and the ABA had based at least a portion of their opinion not to support [REDACTED] on the information received from REHNQUIST.

[REDACTED] advised that he did not know the exact information that REHNQUIST had furnished to the ABA and did not know the name of the person to whom REHNQUIST furnished information concerning the interview with [REDACTED]

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JWH:mbd

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[REDACTED]

[REDACTED]

He stated he was not sure what REHNQUIST told the ABA, but he did not like the fact that REHNQUIST failed to inform him that he was interviewing him on behalf of the ABA and did not like the fact that the ABA apparently received an incomplete summary of the interview.

He admitted that it was possible that REHNQUIST had supplied all of the information to the ABA, but an incomplete story of the interview had been furnished the Justice Department.

He stated that he had never received any information to the effect that REHNQUIST was a "racist" but described REHNQUIST as being an "ultra ultra conservative."

[REDACTED] stated that the appointee has an excellent reputation as an attorney and as far as recommending him for a Supreme Court Justice, [REDACTED] advised as follows:

If he were a member of the U. S. Senate and REHNQUIST's nomination were presented, he would vote for REHNQUIST, but he stated that he would not appoint REHNQUIST inasmuch as he believed there were better individuals available.

[REDACTED] advised he had been contacted by a reporter from the "New York Times", whose name he could not recall, who was conducting a background investigation on the appointee.

He stated this reporter indicated that a lot of unfavorable information had been obtained, apparently by the "New York Times" in Milwaukee, Wisconsin. According to the reporter, a scandal of some sort forced the appointee to leave Milwaukee and to come to Phoenix.

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JWH:mbd

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The reporter did not provide any specific information to substantiate his allegations and did not give any information which would reflect details of the unfavorable information obtained in Milwaukee, Wisconsin.

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KFJ/sp

The following investigation was conducted by

SA [REDACTED]

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[REDACTED]
[REDACTED] Tucson, Arizona,
said he knows appointee well, having known him for many
years. He said Mr. REHNDQUIST has practiced law before
him in his court, is a capable man of unquestioned integrity,
is a legal scholar, and is very fair to all persons including
minority groups.

[REDACTED] continued by saying that he considers
this an excellent appointment and he would highly recommend
the appointee.

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JDM:mbd

[redacted] b6
[redacted] Phoenix, Arizona, and [redacted] b7C
[redacted] on
October 26, 1971, advised that he was personally acquainted
with WILLIAM REHNQUIST as a practicing attorney in this
state for a number of years. He stated he held REHNQUIST
in the highest regard as an attorney and legal scholar.
He stated that he felt that his qualifications for
appointment to the United States Supreme Court were of the
highest order. He stated that he is a student of the law,
and his temperament is such that he would make an excellent
judge. [redacted] advised that he knew of absolutely
nothing in REHNQUIST's background that would in any way
preclude him from furnishing REHNQUIST with the highest
possible recommendation.

[redacted] stated that he was familiar with
some of the public statements that had been made by [redacted]
[redacted] and by [redacted]
that were critical of REHNQUIST's philosophies and his
purported stand on some civil rights legislation. [redacted]
[redacted] branded inferences made by [redacted] that REHNQUIST
was possibly a member of the John Birch Society as being
completely untrue. He stated likewise, that statements
made by [redacted] indicating that REHNQUIST had voted against
civil rights legislation in this state were completely
without basis of fact since REHNQUIST had at no time been
a member of the State Legislature and would therefore have
been in no position to vote on any bills before that body.

As to statements made by [redacted]
[redacted] states he feels that [redacted] is probably
referring to an appearance that he understands REHNQUIST
made before the Phoenix City Council several years ago in
which a stand was taken by him on a public accommodations
ordinance that was before the Council at the time. He said
that to his knowledge, REHNQUIST's opposition to the
ordinance before the Council at the time was directed to the

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JDM:mbd

context of the particular legislation being proposed, and was not a statement of his opposition to civil rights legislation. [redacted] stated that to the contrary, he felt that REHNQUIST would be exceedingly tolerant of the rights of others and would in no way be prejudiced against any racial or minority group. He stated that he would be of the belief that REHNQUIST would be completely objective and fair in considering any matter before him, regardless of any personal views he might entertain.

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JDW/sp

The following investigation was conducted by SA [redacted] at Phoenix, Arizona, on October 26, 1971:

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The following information was furnished by [redacted]

[redacted] concerning WILLIAM HUBBS REHNQUIST. REHNQUIST is a man of the highest intelligence whom she has known in a professional way in recent years. He has appeared in court proceedings before her and always handled himself in a dignified and respectful manner. He is very serious in his presentations before the court, well prepared, and a person highly regarded as an advocate. [redacted] stated she was not personally or socially acquainted with the appointee and his family; however, she has been at public and social functions attended by appointee and his wife. He has always handled himself in a dignified manner and is a very conservative but positive thinking individual who is firm in his convictions.

[redacted] stated she had no personal knowledge of any information critical of the appointee's loyalty to this country or his character and associates. She also stated she had no information of a nature that would reflect adversely upon the appointee's ability in the field of law. [redacted] stated it was her opinion the age of a person is not a factor nor a criteria in a qualified person to assume a high position in any court and that the appointee, from her professional observations, had the qualities necessary for consideration in this instance. She stated she was aware the appointee was under consideration for appointment as a Justice of the United States Supreme Court and that while she could not state he or anyone would be a "good" justice, he, indeed, has the education, intelligence, initiative and ability to serve in such a responsible high position.

[redacted] stated the appointee is a very conservative person, however, did not feel she could classify or categorize any person outright, as a political conservative, radical or perhaps racist.

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JDW/sp

[redacted] stated the appointee has always been highly regarded as a person and as outstanding in the legal field.

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The following information was furnished by [redacted]

[redacted] regarding the appointee.

He met the appointee on a number of occasions professionally when the appointee was active in the Arizona Bar Association. He described the appointee as a very capable man in his profession and advised he had appeared before him in the Supreme Court on several occasions. He rated the appointee's professional ability as outstanding. He stated he was dignified, respectful and a person with a pleasant presentation of his cases. He stated as an attorney the appointee presented excellent briefs to the court. He described the appointee as a studious, industrious individual whose appearances before the court showed preparation and depth of knowledge of the law involved.

[redacted] stated he had never known the appointee to become upset or display temper in the courtroom and that in his opinion his loyalty to this country, his character and associates were excellent.

[redacted] stated that although he did not know the appointee on a personal, social basis, he has never heard of any information that would reflect adversely upon the appointee's personal or professional life. He further stated that because he was not personally acquainted with the appointee, he could not express a personal observation regarding the appointee's personal beliefs or feelings on any political or controversial issues involving national policy or other situations.

[redacted] furnished the following information concerning WILLIAM HUBBS REHNQUIST:

He has had very little personal contact with the appointee and his associations with him have been of a political and professional nature. He stated the appointee has practiced before the Supreme Court when he was presiding and that his cases were always extremely well prepared.

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JDW/sp

His standards in the law field are highly ethical and he has never had any reason to question any of his actions or presentations before the court. He described the appointee as a conservative person but positive in his thinking. He stated the appointee is a person who would not be swayed by the emotions of a situation where his legal opinion and preparations are concerned and from his observation the appointee handled facts at hand and applied the law involved in a forthright manner. He stated it was his opinion the appointee is not a person who would favor any person or group where his legal opinion or decision is involved based upon the laws covering the situation. He observed the appointee, in his opinion, would take a conservative view on a situation as opposed to a liberal view and that his decision on any manner involving the law would be impartial based upon his interpretation of the law.

[redacted] stated that the appointee is a highly intelligent person, courteous and respectful, who shows professional dignity and maturity before the court. He observed that it is difficult to predict what kind of judge a person may make if appointed to that position, and that he would not attempt to evaluate the appointee in this respect. However, he would classify the appointee as a tolerant, patient individual who would be fair in opinions handed down by him. He stated it would appear the appointee is qualified for consideration in this matter based upon his educational background, legal experience, history and background and personal abilities. During his association with the appointee, he has never had reason to question his loyalty to this country, his character, or his associates.

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The following information was furnished by

[redacted]

[redacted] regarding the appointee.

He is well acquainted with the appointee from a professional standpoint and has known him since 1965. His first association with the appointee occurred in the Supreme Court following REHNQUIST's appointment as counsel by the

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JDW/sp

House of Representatives for the State of Arizona, to conduct an impeachment trial and to prepare charges against the two accused persons involved. He stated he observed the appointee before the court, during the approximate two months of the trial, and he stated he was most impressed with the manner in which the appointee conducted himself and handled the complex case before the court. He described the appointee as an exceptionally fine and brilliant attorney whose performance in the impeachment trial was outstanding. He stated his dignity and respect in the court was outstanding and that his trial summation in that case was a masterpiece. [redacted] stated the appointee is a highly educated, articulate person and that he had never had any reason to question his character, loyalty to his country, or associates. He stated he had never heard any information of a nature that would reflect adversely upon him personally or professionally.

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[redacted] stated that because of his limited personal acquaintance with the appointee, he could make no observation regarding the appointee's views or opinions on civil rights matters; however, until recent comments in the newspapers he had never heard of any statement or remark attributed to the appointee on the subject of civil rights.

[redacted] stated that it was his opinion the appointee would mature into an excellent judge if appointed to the Supreme Court because of his ability to express himself and to apply the law in a fair and unbiased manner to matters before him. He described the appointee as a person positive in his viewpoint with a pronounced opinion on legal matters. He is an ethical person whose whole objective, in his opinion, would be to interpret the law and apply the law impartially to all matters.

PX 77-3510
LWB/sp

The following investigation was conducted by
SA [REDACTED]

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AT COOLIDGE, ARIZONA

On October 26, 1971, [REDACTED] Attorney,

[REDACTED]
advised that he has known WILLIAM REHNQUIST for approximately ten years. He has opposed him in several cases in court. He states that REHNQUIST is one of the finest gentlemen that he has ever met and he has the highest regard for him as a lawyer and a citizen. [REDACTED] states that REHNQUIST is highly regarded in the legal profession. He has outstanding ability as a lawyer. His temperament and intelligence are of the highest caliber and he is a person suitable to be an Associate Justice of the Supreme Court. [REDACTED] stated that he recently signed a petition to be forwarded to the Senate Judicial Committee recommending REHNQUIST. He advised that REHNQUIST has expressed no feelings regarding civil rights. REHNQUIST is a strict constitutionalist and he takes his own stand on every case that he comes in contact with. He knows that REHNQUIST has no malice towards any individual, group, race or religion and he would be the greatest asset to the Supreme Court that he would consider or recommend.

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JRP:sg

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The following investigation was conducted by SA [redacted] at Yuma, Arizona:

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On October 26, 1971, [redacted] Yuma, Arizona, was contacted and he advised that he was vaguely familiar with the appointee, however, he could not disclose the time the appointee had appeared before him. [redacted] stated that he could give no opinion towards the appointee's judicial ability or temperament nor could he give an opinion towards the appointee's Civil Rights feeling. [redacted] stated that he has never heard any derogatory remarks concerning the appointee [redacted] [redacted] advised that to the best of his knowledge appointee has never given a speech or appeared publically in Yuma County.

PX 77-3510

LLH/bay

1

The following investigation was conducted by SA [redacted] at Kingman, Arizona on October 26, 1971.

b6
b7C

[redacted] Kingman, Arizona, advised he has known appointee since May, 1954. He stated that the appointee graduated from Sanford University, [redacted] and that he and the appointee met at a bar review in Tucson, Arizona. He stated that the bar review was given by CHESTER SMITH, a law professor, at Arizona University, at SMITH's home in Tucson, Arizona. He stated that CHESTER SMITH is now deceased. [redacted] further advised that the appointee was number one in the bar examination obtaining the highest grade that anyone had ever obtained up until that time. He stated that this was very impressive in that the law examination is strictly formulated for law students who have attended law school in the State of Arizona and that the appointee had attended an out of state school, Sanford University. [redacted] commented very favorably concerning the appointee's character, associates, reputation, and loyalty. He stated that he knew nothing of the appointee's civil rights beliefs but felt his judicial temperament would be fair and impartial and that he would require the strictest proof of evidence in any case before him. He further advised he felt that the appointee was the type of person that would prepare for the issues prior to the beginning of any novelty type of case presented to him. [redacted] explained that he has been a member of the Arizona Bar and the American Bar Association with the appointee but has not had any association with the appointee in these organizations. He stated that he did not know of any organizations or real estate owned by the appointee which would have any restrictions to race or religion. He stated that he did not know of any racially prejudiced organizations in which the appointee has been or is a member. [redacted] stated he does not know of any derogatory information concerning the appointee and would wholeheartedly recommend him without any question to the position of a Supreme Court Justice.

PX 77-3510

MRW:sg

1

The following investigation was conducted by SA [redacted] on October 26, 1971, at Phoenix, Arizona:

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[redacted]
Phoenix, Arizona, stated that he has known Mr. REHNQUIST in a professional capacity for approximately ten years. He said that in his estimation that the appointee is a "first rate lawyer". He said that in his opinion, appointee is an outstanding individual in all phases of his life. [redacted] said that the loyalty, character and morals of Mr. REHNQUIST are above reproach and that he knows absolutely nothing derogatory about the appointee.

[redacted]
said that he has known of the appointee for several years but has not worked with him in a professional capacity. He said that the appointee is an outstanding legal scholar, a good man in all respects and [redacted] said he would highly recommend him for the position of Justice of the Supreme Court of the United States. [redacted] said that the appointee is a good man and knows of nothing derogatory about him.

[redacted]
[redacted] advised he has known the appointee socially and in a professional capacity for about ten to twelve years and said that he considers the appointee to be a very capable and highly qualified legal scholar. He said that he has no reason whatsoever to doubt the character or loyalty of Mr. REHNQUIST. He further stated that he would recommend the appointee very highly for the position of Justice of the Supreme Court.

[redacted]
[redacted] said that the appointee used to work [redacted] in the law firm of Evans, Kitchell and Jenckes. [redacted] said that he did not work with the appointee in a professional capacity but did associate with him in a social relationship and knew of absolutely nothing derogatory about the appointee. He said from his association with the

PX 77-3510

MRW:sg

2

appointee, he would not hesitate to say that the appointee's character, morals and loyalty are very high.

All of the above interviewed individuals stated that the allegation that the appointee was "anti Civil Rights" was untrue and that they feel the appointee is very unbiased and equitable in his professional work.

PX 77-3510

KFJ:mbd

1

[REDACTED]
[REDACTED] Tucson,
Arizona, advised SA [REDACTED] on October 26, 1971,
that he has known Mr. REHNQUIST well for the past four or
five years. He knows him to be an outstanding legal
scholar and a highly capable man who would be an excellent
jurist. He is a man of unquestionable integrity and loyalty
and is very fair and open minded as to all groups, including
minority groups. He would be very fair in his views on
civil rights matters. [REDACTED] would recommend him
highly for the position of Supreme Court Justice.

b6
b7c

PX 77-3510
PKBsp

RELIGIOUS AND CIVIC LEADERS

PX 77-3510

KHD/drc

1

The following investigation was conducted by SA [redacted] at Phoenix, Arizona.

b6
b7C

[redacted] advised that he had known the appointee for approximately eight years [redacted]

He stated that the appointee had been very active in the church and was Vice President of the governing council of the church which is the highest in the council held by a layman as the pastor is the President.

He stated that he had had many talks with the appointee and he held him in extremely high esteem as far as character and reputation are concerned and his associates were all reputable individuals.

He stated that he had had numerous occasions to contact the appointee regarding local problems within the church as well as an entanglement in their constitution and that the appointee had been of great help to him and others in explaining the law in a manner in which they could understand and had cleared up the problems with the constitution.

He said that in his opinion the appointee was extremely well qualified in a judicial manner and that his temperament was excellent.

He said that the appointee believed in civil rights for the good of all and not any one particular group in that he did not believe in nor would he back any shoddy type of legislation. He thought that he was well versed in the Constitution of the United States and had never been radically right in any manner.

PX 77-3510

KHD/drc

2

He stated that the appointee lived an austere life, had a very modest home, and a deep love for his family. His wife and children are exceptionally fine people and are well regarded.

b6
b7c

He stated that the appointee was loyal to his country and he personally recommended him for any position to which he might be appointed.

[redacted] located at [redacted] advised that he was not personally acquainted with the appointee but having to do with numerous civic activities was acquainted with him. He stated that he personally believed that the appointee was well qualified as an attorney and was an intelligent type of person. He stated that although he believed that the appointee was in favor of electronic surveillance of any one, he did not necessarily agree with this himself but believed that the appointee was entitled to his opinion. He stated he knew there was a strong movement against the appointee by a group of Negroes led by [redacted] of Phoenix.

He stated that he was of the opinion that the appointee would be an excellent choice by the President for an appointment.

PX 77-3510
WCR:mbd

On October 26, 1971, [REDACTED]

b6
b7C

[REDACTED] advised that he had been acquainted with Mr. REHNQUIST over a period of years, although he had never been utilized by [REDACTED]

[REDACTED] described REHNQUIST as having excellent character traits and high moral standards. He had an excellent reputation as an individual, citizen and attorney. He said that REHNQUIST is, without question, loyal to the democratic principles fostered by this nation.

[REDACTED] said that his company lawyers had described REHNQUIST as being highly competent, well versed and efficient as an attorney, one who was able to express himself well at all times.

[REDACTED] said that he had no information relative to Mr. REHNQUIST's attitude towards civil rights, never having known him as a member or sympathizer with any organization which was racially prejudiced or to make any statements against any group, race, religion or minority group.

Based upon his contact with and information concerning REHNQUIST, [REDACTED] said that he would recommend him for any position of trust and confidence.

[REDACTED] informed on October 26, 1971, that he has not come in contact with WILLIAM H. REHNQUIST in his business experience or church activities. He has never heard anything against his character, loyalty, qualifications or reputation. Except for recent radio comments, he has never heard of REHNQUIST being opposed to any civil rights organization or movement, or belonging to any racially prejudiced organization.

PX 77-3510

WCR:mbd

1

[redacted] an attorney at law, [redacted]

[redacted] informed

on October 26, 1971, that he has known WILLIAM REHNQUIST as a fellow attorney for about ten years. He has never been associated with him on a legal case, or socially, but has known his reputation among the legal profession in Arizona. [redacted] had been indirectly associated with a condemnation case handled by REHNQUIST, and had admired the expert, professional way in which the matter had been handled.

[redacted] had no information of an adverse nature concerning REHNQUIST, his character, loyalty to this nation, reputation, or moral principles. He believed his legal qualifications for judicial appointment are outstanding. He knew of no membership or association with any racially prejudiced group, or any statements made relative to racial matters.

b6
b7C

PX 77-3510

BFL:mbd

1

b6
b7C

[REDACTED]
[REDACTED] both
advised on October 26, 1971, that the appointee was
known to them by name only and they could make no comment
on his ability or personal life. They both added they
had never heard anything unfavorable concerning the appointee.

FEDERAL BUREAU OF INVESTIGATION

Date 10/26/71

1

b6
b7c

[redacted]
was interviewed at his place of employment [redacted]
[redacted]

Phoenix, Arizona.

He stated he became personally acquainted with WILLIAM REHNQUIST in 1965 when REHNQUIST was hired by the majority Republican members of an Arizona Senate Committee that was investigating the members of the Arizona Corporation Commission. [redacted]

[redacted] and REHNQUIST had a disagreement over the method of questioning witnesses. He stated he felt that members of the committee should be allowed to question witnesses and REHNQUIST held that only the committee's attorney, himself, should be allowed to question witnesses. He stated the Republican majority on the committee upheld REHNQUIST's opinion.

He stated later, exact year not recalled, but believed in 1967, the City Commission of Phoenix held an open hearing on the passage of a City Ordinance on Human Rights, which was similar to a Civil Rights bill. He stated at this hearing REHNQUIST was the only person who came to the meeting who opposed the passage of the ordinance. He stated after the hearing, he asked REHNQUIST why he had opposed the ordinance and REHNQUIST told him "I'm just not for Civil Rights Legislation". He stated he has furnished this information to Representative MORRIS UDALL of Arizona who is to present this information to the Committee.

He stated also present at this meeting was [redacted] who is [redacted] acquainted with REHNQUIST.

He stated that since the announcement of REHNQUIST's nomination, he has received information, from persons he cannot name at this time until they furnish him written statements, that REHNQUIST during the 1950's attended two meetings of the John Birch Society in Phoenix, and also attended meetings of Truth About Civil Turmoil, TACT,

On 10/26/71 at Phoenix, Arizona File # Phoenix 77-3510
by SA's [redacted] and [redacted] RS/jt Date dictated 10/26/71

-51-

2

PX 77-3510

RS/jt

a subsidiary organization of the John Birch Society. He stated if and when he received written confirmation of this information, he would immediately furnish it to the FBI, but until then he could not reveal the identity of his sources.

He stated he has copies of four newspaper articles concerning various speeches and talks made by REHNQUIST in 1957, 1969, and 1970, which reflect REHNQUIST's philosophy regarding Civil Rights. He stated in his opinion, they show that REHNQUIST is opposed to the Civil Rights movement. He furnished copies of these articles.

He stated that other than above, he has had no other personal contact with REHNQUIST. He stated as far as he knows, REHNQUIST is a loyal American of good character, reputation and associates. He stated REHNQUIST has the reputation in the community of being honest, capable and a very able lawyer.

He stated, however, that he objects to REHNQUIST's appointment to the Supreme Court because of REHNQUIST's philosophy, particularly in the field of Civil Rights. He stated he felt this would affect REHNQUIST's decisions as a judge, and for this reason he could not recommend REHNQUIST for the position of Judge of the Supreme Court of the United States.

Labor Lawyers Played Key Role In Rejection Of Haynsworth By Senate

By LOU MINER
 Justice Washington Brennan
 WAS STON — The de-
 of the Nixon administra-
 in its efforts to name
 ment F. Haynsworth Jr. to
 a Supreme Court began two
 weeks ago
 a law of-
 re only a
 w blocks
 rom the
 White House.

Two labor
 lawyers, Elliot
 and
 Michael H.
 Ho, attorneys,
 began on
 Sept. 16 a
 search of "Modern Federal
 Practice Usage," a lawyer's
 guide which lists cases decid-
 ed by federal judges.

Earlier that morning, a
 document had been made
 available as a public record
 to the Senate Judiciary Sub-
 committee listing the stocks
 Judge Haynsworth owned.

Brenhoff and Gottesman
 were comparing the stocks
 with the cases Haynsworth
 had ruled on. They found a
 case, Brunswick Corp., that
 matched an entry on the
 Haynsworth stock list.

The next morning, Sept. 17,
 the Senate subcommittee re-
 sumed its hearing into the
 Haynsworth nomination and
 Brenhoff and Gottesman were
 there in the third row.

Bayh now had a ball he
 could carry, and the Brun-
 swick matter became the
 main issue until the 55 to 45
 vote last Friday.

The judge himself quickly
 called the Brunswick stock
 purchase a mistake. He
 promised to arrange his af-
 fairs so that it would never be
 repeated.

BAYH RAISED other ques-
 tions about Haynsworth's
 stock holdings. Keefe and two
 young staffers, Tom Con-
 naughton, 26, and Joseph
 Rees, 24, assembled stacks of
 documents, deeds and con-
 tracts — so many, in fact,
 they obtained a portable cabi-
 net to tote the material to the
 committee room and later to

the Senate floor.
 Sen. Robert Griffin, the Re-
 publican whip from Michigan,
 said Bayh presented such a
 solid case on the Brunswick
 matter that he switched from
 pro-Haynsworth to the opposi-
 tion. Two other influential Re-
 publicans, Sens. John Wil-
 liams of Delaware and John
 Sherman Cooper of Kentucky,

were equally impressed and
 they announced their opposi-
 tion to the appointment.
 BAYH HIMSELF used kid
 gloves in the controversy, de-
 spite the heavy pressures
 from many sources, including
 hundreds of letters from his
 home state urging him to
 drop the fight. He called
 Haynsworth "an honest man

with a fine reputation," but he
 questioned his ethical judg-
 ment.
 The Indiana Democrat did
 not get into the controversy
 accidentally.
 He was handpicked by offi-
 cials of the AFL-CIO and the
 NAACP to lead the fight in
 committee and on the floor.
 Word reached Bayh when he

and Mrs. Bayh and son,
 Evan, were on a trip to Rus-
 sia during the congressional
 "vacation" recess in late
 August.
 SOME POINT was made by
 Haynsworth's supporters
 about the labor unions con-
 tributing approximately \$20,000
 to Bayh's 1969 successful
 campaign for reelection. The

amount represented 26
 per cent of what Bayh
 to be received.
 It seemed ironic to
 observers that the step
 produced the largest
 of any for Richard
 in 1969 also produced
 later why gave him his
 defeat so far in his
 office.

DURING THE committee
 break for lunch, the two attor-
 neys cornered Robert Keefe,
 administrative assistant to
 Sen. Birch Bayh, D-Ind., and
 handed him a note about the
 Brunswick matter.
 In the afternoon session,
 Sen. Bayh casually referred
 to the Brunswick case when
 he was questioning a Phoenix
 lawyer, John P. Frank. Frank
 was appearing as an expert
 on when a judge should dis-
 qualify himself from deciding
 certain cases.

"I have not checked out
 whether he did in fact own it
 (Brunswick stock) when this
 came before him, but if he
 did is that a sufficient inter-
 est that he should have dis-
 qualified himself instead of
 sitting in that case?" Bayh
 asked Frank.

The witness answered:

"IT CERTAINLY is my
 view that a judge should not
 sit in a case in which he owns
 stock in a party to the case."

Bayh and his staff tried un-
 successfully for several days
 to get Haynsworth to sell his
 Brunswick stock.

Then, on Sept. 20, Chair-
 man James O. Eastland of
 the judiciary committee
 made public a long letter
 from Assistant Attorney Gen-
 eral William H. Rehnquist, of
 Phoenix. It admitted that the
 Greenville, S.C., judge indeed
 had owned the stock while
 the Brunswick case was in
 his court. Rehnquist contended
 that Judge Haynsworth and
 two colleagues on the federal
 bench had actually made up
 their minds before stock had
 been bought.

However, the three judges
 had not written their opinion.

Former Law Clerk Says:

Reynolds 11 Dec 57

High Court Aides May Influence Leftist Slant Of Deliberations

More About

High Court

(Continued from Page 1)

carefully as he believes necessary the materials which are to go into the opinion."

Rehnquist told The Arizona Republic it cannot be presumed that justices in selecting their law clerks are able to obtain men whose political philosophies agree with their own.

"I met Justice Jackson when he lectured at Stanford University when I was a student there," he explained. "I simply took the bull by the horns and asked him if I could work as his law clerk. He later wrote and hired me. In the interview he did not ask me a single question about my political views. I was surprised because I thought he would be interested."

THIS IS not the first attack by Rehnquist upon the supreme court. Last September he told the Maricopa Young Republicans that Justices Warren, Black, and Douglas were the "left wing" of the court.

At that time he accused the court's majority of "making the constitution say what they wanted it to say" in a series of civil liberties cases resulting in legal victories for suspected Communists or Communist sympathizers.

The young attorney is a member of the law firm of Cunningham, Carson, and Messinger. He is married and the father of two children.

A FORMER supreme court law clerk now an attorney in Phoenix said yesterday that "unconscious slanting" of material that clerks provide to the justices may influence which cases the court decides to consider.



Rehnquist

William H. Rehnquist, 1635 E. Rowley Lane, a clerk to the late Justice Robert H. Jackson in 1951-52, said unconscious bias crept into his work and "I greatly doubt if many of my fellow clerks were much less guilty than I."

The political cast of the group with which he served, Rehnquist said, was "left" of either the nation or the court." He added:

"SOME of the tenets of the 'liberal' point of view which commanded the sympathy of a majority of the clerks I knew were: Extreme solicitude for the claims of Communists and other criminal defendants, expansion of federal power at the expense of state power, great sympathy toward any government regulation of business—in short, the political philosophy now espoused by the court under Chief Justice Earl Warren."

The 33-year-old Rehnquist, a

Republican precinct committeeman who declined to be described as politically active, made his observations in a copyrighted article in the weekly magazine, "U.S. News & World Report."

Asked if he included himself in the majority of clerks during his tenure who espoused the "liberal" point of view, his answer was an emphatic "No. The article itself leaves the question open," he said, "but you would have to assume that anyone who would write such a piece did not sympathize with those political philosophies."

IN HIS article, the Milwaukee native who has practiced here since 1954, said it was possible for the law clerks to influence which cases the supreme court will hear because the volume—over 1,000 petitions for a hearing

each year—is beyond each justice's capacity to digest alone.

"It is not surprising, therefore," Rehnquist said, "that during my time the justices delegated substantial responsibilities to their clerks in the digesting of these petitions."

Rehnquist said the other justices probably followed the same procedure as Jackson did, letting his two law clerks do the necessary research, prepare memoranda on this for the justice, and recommend either that a petition be granted or denied a hearing. He said Jackson, aided by this data, would make his own study of the petitions to determine his vote.

BY CUSTOM, when four of the nine justices vote to hear a case it is scheduled for argument, Rehnquist said, adding that less than 10 per cent of the petitions were granted hearings.

He said the influence of the law clerks on opinions of the court after cases were accepted and argued was less because the justice assigned to write an opinion "generally is able to take sufficient time to examine as

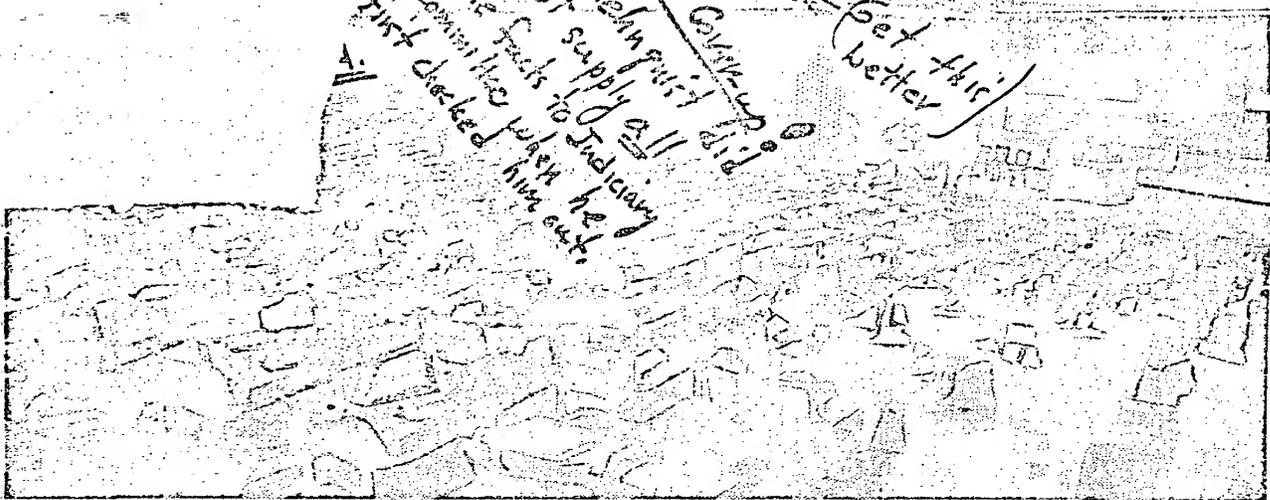
(Continued On Page 2, Col. 1)

HE SERVED on Chief Justice Warren for special assignment as a

Rehnquist contacted the majority of "making the constitution say his law school class," Rehnquist said they wanted it to say in a recent series of civil liberties cases resulting in legal victories for suspected Communists or Communist sympathizers.

Rehnquist Labels 3 Justices 'Left Wing'

Harold's signature



Get this better
Colin King did
Rehnquist did
not supply all
the facts to Judiciary
Committee when he
first checked him out.

Only six persons were present when meeting was to begin with Bill Rehnquist



Paul Dean

REPUBLIC
 NOV 19 1970

ASU greets U.S. team with apathy

The students of ASU were wise of him.

Youth and the establishment leaned gently into each other at Arizona State University yesterday.

Victory went to the establishment by default when only 24 students rattled around in vast Murdock Hall to hear a U.S. Justice Department team explain its policies on national issues. And seven members of that wispy audience slipped out of the hall before the 45-minute presentation was done.

The meeting was a thoughtful, yet dull anticlimax to the team's earlier appearances on northern campuses where 1,200 attended one session where front rows were filled with defiant marijuana pufflers and one impolite question was, "When are you going to indict Spiro Agnew for crossing state lines to incite riots?"

Yesterday's student-faculty-government exchange at ASU, a well touted communications move instituted by President Nixon after the Kent State shootings, opened 13 minutes late because there were only six students on hand at program time.

One youngster was a blond loughair who had wandered into the hall to study and finally asked, "What's going on here today?" But he took advantage of the accident to pop questions on wiretapping, the McCarran Act and police photographing of anti-Vietnam demonstrators. He admitted to being one.

"Can we question ourselves?" smiled Bill Rehnquist, team leader and assist-

ant attorney general from the office of legal counsel, during one long lull.

"Come on, we're quite informal here," suggested the moderator, Dr. Nicholas Salerno, chairman of ASU's monthly forum series, in an effort to coax more questions from the audience.

But the audience wouldn't be coaxed, and the campus soft sell produced less debate than a slow night at Dunkin' Doughnuts.

Rehnquist, a former Phoenix attorney, fielded all 16 questions, and the majority of these were asked by a three-man faculty group.

He spoke of detention camps for subversives built under the McCarran Act ("there's no present federal activity on campus for constitutional concern" . . . and there are bills in both houses to repeal the act"), the apparent conflict between FBI statements and grand jury transcripts concerning the Kent State shootings ("this has been given top priority by our civil rights division"), and court-approved wiretaps ("There's no recourse, you just don't use the phone, I guess").

He explained political cronyism in the Justice Department ("that's the traditional way the Justice Department and every other federal department is organized"), school busing to avoid segregation ("not worth the cost of other but disadvantages"), and pornography laws ("there is no set of laws more screwed up . . . or, make that confused, than pornography laws").

In a post-meeting chat, Rehnquist, accompanied at the session by Richard Rolapp, of the deputy attorney general's office, and Gil Pompa, attached to the community relations service, rationalized the slender attendance.

"What accounts for it, I don't know," he said. "We're doing the best we can, and I guess anybody would rather see 1,000 here than 100."

"My personal opinion is that, if there is this small a turnout, the number of students on ASU's campus who are seriously upset about Justice Department policies is not large."

In recent years, the apparent gap in discussion between youth and its government has been characterized by the steady stream of student dissenters.

So where were they yesterday, when the gap was closing?

"This bothers me," acknowledged Rehnquist. "But at least we made the effort to open a channel of communication, if you want a printable cliché, even though we weren't mobbed."

Rehnquist and his team have been alighting around U.S. campuses since Monday. At the time, they were men. And it hasn't escaped the taxpayers' notice.

"This was raised in South Illinois by someone extremely hostile to the department and to our particular presentation," he added. "The question of cost versus value is something that will have to be evaluated."

First one to label the Sup Court easy on Communist

During Kettle Rock Crisis

Dec 10-57

Former Law Clerk Says:

High Court Aides May Influence Leftist Slant Of Deliberations

A FORMER supreme court law clerk now an attorney in Phoenix said yesterday that "unconscious slanting" of material that clerks provide to the justices may influence which cases the court decides to consider.



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The political cast of the group with which he served, Rehnquist said, was "left" of either the nation or the court. He added:

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(Continued on Page 4)

4: The Arizona Republic
Tues., April 23, 1970

Mitchell defended

Southern Arizona Bureau
The main difference between Atty. Gen. John Mitchell and his predecessor, Ramsey Clark, is that Mitchell is "out" and Clark is "in," a Mitchell aide said here yesterday.

William H. Rehnquist, assistant U.S. attorney general, talked about his boss at the honors convocation of the University of Arizona college of law.

The former Phoenix lawyer said the charge that Mitchell has "politicized" the Department of Justice is nothing but what every new attorney general has done—hired politically active lawyers who reflect the prevailing views of the party in power.

Another charge that the Justice Department has failed to move in the civil rights and school desegregation issues, fails to take note that the department "has taken truly giant steps" toward elimination of dual school systems in the south.

The basic difference between Clark and Mitchell, said Rehnquist, is that Mitchell feels that the Justice Department should be one of several instrumentalities engaged in the process of administering criminal justice and that the department should be primarily concerned with prosecution.

"Ramsey Clark was an outspoken advocate of the civil liberties of the individual and the rights of the criminal defendant. Many agreed with him; many disagreed with him," said Rehnquist.

"John Mitchell, from his position as attorney general, chooses to place more emphasis on the right of society to apprehend and punish those guilty of crime."

the Little Rock Crisis

Rehnquist Labels 3 Justices 'Left Wing'

A youthful Phoenix attorney and former supreme court law clerk yesterday labeled Justices Warren, Black, and Douglas the "left wing" of the U.S. Supreme Court.

Attorney William Rehnquist, former clerk to the late Justice Robert H. Jackson, addressed a meeting of the Maricopa Young Republican League in the NHC. He said he was not accusing the justices of communism or Communist sympathies.

BUT HE charged that Justice Brennan, Chief Justice Warren, and Justice Douglas were "left wing" justices who were making the constitution say what they wanted it to say in a recent series of civil liberties cases resulting in legal victories for suspected Communists or Communist sympathizers.

Rehnquist accused the majority of "making the constitution say what they wanted it to say" in a recent series of civil liberties cases resulting in legal victories for suspected Communists or Communist sympathizers.

HE STUNG out Chief Justice Warren for special criticism as a

High Court

(Continued from Page 4)

carefully as he believes necessary the materials which are to go into the opinion."

Rehnquist said the Arizona Republic it cannot be presumed that justices in seeking their law clerks were looking for men whose political philosophies agree with their own.

"I met Justice Jackson when he lectured at Stanford University when I was a student there," he explained. "I simply took the bull by the horns and asked him if I could work as his law clerk. He later wrote and hired me. In the interview he did not ask me a single question about my political views. I was surprised because I thought he would be interested."

THIS IS not the first attack by Rehnquist upon the supreme court. Last September he told the Maricopa Young Republicans that Justices Warren, Black, and Douglas were the "left wing" of the court.

At that time he accused the court's majority of "making the constitution say what they wanted it to say" in a series of civil liberties cases resulting in legal victories for suspected Communists or Communist sympathizers.

The young attorney is a member of the law firm of Cunningham, Carson, and Messinger. He is married and the father of two children.

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SDC/bay

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The following investigation was conducted by
SA [redacted] at Tucson, Arizona on October 26, 1971:

[redacted]
[redacted] Tucson, Arizona, advised that he strongly opposes appointee's nomination for the United States Supreme Court and cited the following incidents. He also stated he has no direct knowledge regarding the appointee or the appointee's philosophy in the civil rights area and his opposition to appointee's obtaining United States Supreme Court position is based solely on newspaper accounts regarding the following:

In 1964, month unknown, the Arizona State Legislature was trying to pass a state civil rights bill and on an unknown date in 1964 appointee met [redacted]

[redacted] on the steps of the Capitol Building in Phoenix. He believes that WILLIAM REHNQUIST was then the legal counsel for the state legislature. REHNQUIST advised [redacted] on this occasion that there was no reason for civil rights legislation and that anyone who demonstrates or protests against the status quo is barbaric.

He believes that in 1966 the City of Phoenix was attempting to pass a civil rights ordinance and the lone dissenting voice in the Phoenix City Council Chambers was that of the appointee.

He believes that in 1967 to the best of his recollection REHNQUIST was quoted nationally as castigating the United States Supreme Court and certain specific members of the United States Supreme Court for their liberal views.

Sometime, month unknown, probably between 1967 and 1969 the appointee was involved in an impeachment procedure regarding a high state official, name now unknown, because this state official had a liberal viewpoint. [redacted]

[redacted] can give further details regarding the circumstances surrounding this impeachment procedure; to the best of his recollection the impeachment was not successful.

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ELF/sp

On October 26, 1971, [redacted]
was contacted at [redacted]

[redacted] Phoenix, by SA [redacted]

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[redacted] stated that the only information that he would be able to furnish concerning the appointee concerns an incident that occurred at the Bethune School, which is located in the immediate vicinity of 15th Avenue and Pima Road, Phoenix, Arizona. This particular incident occurred in 1964 during the national elections when BARRY GOLDWATER was running for President. He explained that he had occasion to be present at this particular voting precinct when an individual whom he later determined was the appointee appeared at the precinct more or less in the capacity of a challenger. He said that he observed this man to be approaching various individuals who were in the voting line, noting that most of the voters in this particular precinct were black. He stated that REHNQUIST appeared to be approaching blacks in the voting line asking them to read a little card that he had in his hand. If a particular individual was unable to read the card, REHNQUIST obviously attempted to remove them from the voting line, apparently as a challenge to their being legally able to vote. [redacted] went on to explain that this type of activity became very irritating to the blacks who were at the precinct and at one point it was felt there was going to be some real trouble in the form of physical violence; however, another black by the name of [redacted] [redacted] (phonetic) intervened and prevented a group of blacks from physically attacking REHNQUIST. In this regard [redacted] stated that he believes he can further identify [redacted] after making a few phone calls and other inquiries and he will make this information available.

[redacted] stated that other than the above incident he could furnish no additional information concerning appointee and does not feel that he is in a position to offer any comment in the form of a recommendation or a non-recommendation. He pointed out that at the time the above-mentioned incident occurred he had no idea who the particular individual was and it was not until some time subsequent to the trouble when he saw a picture of REHNQUIST that he realized that this was the same individual that he had observed at Bethune School.

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MISCELLANEOUS

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CWE/sp

MEMBERSHIP IN THE STATE BAR OF ARIZONA

The following investigation was conducted by
SA [REDACTED]

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On October 26, 1971, [REDACTED]

[REDACTED]
Phoenix, Arizona, furnished the following information.

WILLIAM H. REHNQUIST, who was born in 1924, was admitted to the practice of law in the State of Arizona on March 27, 1954, and was an active member of the bar through 1969, the year he went to Washington, D.C. to take a position with the Department of Justice. Since that time REHNQUIST has been a "retired" member of the bar, which is a category for those not in active practice in Arizona at the time, but who wish to continue their membership in the bar.

During the period since 1954 there have been no complaints concerning REHNQUIST and no administrative action has been taken against him. [REDACTED] pointed out that all records concerning any grievance received against any attorney are maintained by [REDACTED] in his records. He indicated that if any complaints are received a record is made and then the complaint is given to one of the Administrative Committees (Grievance) of the State Bar Association for handling. In the case of REHNQUIST, no complaints were received. [REDACTED] stated that Maricopa County, in which Phoenix is located, had two Administrative Committees when REHNQUIST was in Phoenix and REHNQUIST was an active member of one of the committees under [REDACTED] Attorney. The other committee was under the chairmanship of [REDACTED]

[REDACTED] stated that he is personally acquainted with REHNQUIST since at least 1965 and that there is no one whom he would more highly recommend for a position as Justice of the United States Supreme Court than REHNQUIST.

[REDACTED] stated he [REDACTED] is an attorney but has never practiced in Arizona. He has dealt with REHNQUIST on a number of occasions since REHNQUIST has been on a number

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CWE/sp

of committees of the State Bar of Arizona and is one of the three members from Arizona on the Uniform Law Commission of the American Bar Association. REHNQUIST was used frequently as a speaker for the Law Institute Continuing Education Program of the State Bar because of his faculty of being a brilliant legal mind and at the same time of presenting the matter on a practical level. He has been called on a number of times because of his ability. [redacted] stated that he would consider REHNQUIST to have a reputation in the legal profession in Arizona of being a brilliant attorney with all of the practical approaches to problems.

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[redacted] stated that REHNQUIST has a very calm temperament and the ability of not letting anything fluster him and at the same time is a very honest, practical and sincere man. There has never been any question of his integrity or honesty and no derogatory information either about him personally or professionally has ever come to [redacted] attention. [redacted] stated that he is not acquainted with REHNQUIST's stand on civil rights, but advised that nothing has ever come to his attention which would indicate that REHNQUIST is other than impartial regarding all persons, regardless of race, color or creed. REHNQUIST has never been known to be a bigot or a racist in any manner, but has been fair and impartial in all of his decisions.

[redacted] stated that while he did not know of his own knowledge, but he had heard that REHNQUIST graduated at the top of his law school class at Stanford University with the highest grade point average that had been made at that time. [redacted] stated that he would recommend REHNQUIST without qualification for a position as a Justice with the United States Supreme Court. [redacted] further reported that on Saturday, the Board of Governors of the State Bar of Arizona, during their regular meeting, had passed a resolution unanimously recommending REHNQUIST for the position and that the resolution will be mailed on the afternoon of October 26, 1971.

On October 26, 1971, [redacted]
[redacted]

PX 77-3510
CWE/sp

[REDACTED]
[REDACTED] furnished the following information:

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He has known WILLIAM REHNQUIST for about ten years or since he, [REDACTED] returned from service in the U. S. Armed Forces. He has never had any cases in which he and REHNQUIST were the opposing counsel. He stated that he, REHNQUIST, has an excellent reputation as an attorney and that he knows of no one who would be better qualified as an attorney. Nothing of a derogatory nature has ever come to his attention which would reflect unfavorably upon REHNQUIST's reputation as an individual or an attorney. His character, honesty and integrity are definitely above reproach. He has a reputation among other attorneys for being very thorough, careful and reliable in all of his legal work.

[REDACTED] stated that REHNQUIST has been active in the State Bar of Arizona on committees including the one on Uniform Laws and also in the Continuing Education Program under the Law Institute sponsored by the State Bar of Arizona. [REDACTED] stated that he would always attend those where REHNQUIST was to be one of the speakers because of his reliability and well-considered approach to the problems presented. REHNQUIST is considered a very intelligent and capable attorney and this carried on to his presenting the problems at the Law Institute. In fact, [REDACTED] stated he learned more from the lectures by REHNQUIST than from most visiting experts.

[REDACTED] stated that he had never heard any comments or information that would indicate REHNQUIST was opposed to any racial group or other sect. He had read in the newspaper about the allegations that REHNQUIST opposed the Civil Rights legislation in Arizona, but had no first-hand information concerning this. He pointed out that he, [REDACTED] is a Democrat while REHNQUIST is a Republican; that REHNQUIST feels the U. S. Government should not continue to increase in jurisdiction over all matters; and that REHNQUIST's philosophy could be considered

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CWE/sp

"Jeffersonian" in that we should not have more government than is absolutely necessary. At no time has he ever heard that REHNQUIST had any bias towards any minority nor has he ever exhibited any such bias.

[redacted] believed that REHNQUIST would have the proper judicial temperament for a Justice with the Supreme Court and that he is a very judicious person. REHNQUIST is calm and thorough in handling any problems which he faces.

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[redacted] stated that he would emphatically recommend REHNQUIST for a position of Justice of the Supreme Court. He pointed out that he, [redacted] is more of a liberal than REHNQUIST. He further stated that he is convinced of REHNQUIST's ability and integrity and would very much like to see him appointed to the court since he is well qualified for such a position.

[redacted] stated that [redacted]
[redacted] at a regular meeting on Saturday, October 23, 1971. The Board of Governors passed a resolution unanimously recommending REHNQUIST for this position and that the resolution is being sent to [redacted] highly recommending REHNQUIST. He pointed out that [redacted]

On October 26, 1971, [redacted]

[redacted] Phoenix, Arizona, furnished the following information.
[redacted]

[redacted] when WILLIAM REHNQUIST practiced law in Phoenix. At no time did [redacted] receive any complaint concerning REHNQUIST. He indicated that had any complaint been made it would have been handled by [redacted] since REHNQUIST was a member of the other Administrative Committee.

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CWE/sp

[redacted] first met REHNQUIST in 1954 [redacted]

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[redacted] Right after this introduction [redacted]
[redacted] REHNQUIST before the Arizona Supreme Court.

[redacted] REHNQUIST was assigned to represent the Phelps-Dodge Mining Company in a case growing out of the death of an employee of Phelps-Dodge at their smelter in Douglas, Arizona. [redacted]

[redacted] As a result he has gotten to know REHNQUIST very well. They have always been very good friends.

[redacted] said that REHNQUIST has a tremendous legal reputation and is a very capable and brilliant attorney. He is well regarded by all members of the legal profession in Arizona. His work has always been thorough, well done and exact. REHNQUIST has always been a level-headed person with a calm and judicious temperament and one whom [redacted] felt should have been a judge in the Arizona Judicial System. REHNQUIST, however, preferred the practice of law at the time rather than running for a judicial office. REHNQUIST has had experience as an attorney handling cases in the Superior Court, in the Court of Appeals and also before the Supreme Court of Arizona.

[redacted] stated that he had no knowledge of the matter in which REHNQUIST is alleged to have opposed the Civil Rights bill in Arizona. He has never found in his associations with REHNQUIST that he was a bigot or a racist in any way, but was one who respected all groups and would represent any group or minority to the very best of his ability.

[redacted] stated that REHNQUIST was one member of the bar as well as citizen of Phoenix and Arizona whom he found was highly respected. REHNQUIST was held in high regard by other members of the legal profession as to his ability, intelligence, honesty and integrity.

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CWE/sp

[redacted] stated that he would definitely recommend REHNQUIST for a position as Justice with the Supreme Court in view of his being a "top-notch" attorney, his high intelligence, and his overall ability. He felt that REHNQUIST embodies all characteristics of what he felt a Supreme Court Justice should have. [redacted] volunteered that he, [redacted] was a Democrat while REHNQUIST was a Republican, but that the latter had never sought any elective position in city, county or state government as a Republican.

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The following investigation was conducted by SA [redacted] on October 26, 1971, at Phoenix, Arizona:

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The records of the Maricopa County Recorders Office were searched from January, 1952 through June, 1971 to obtain data concerning property owned by WILLIAM H. REHNQUIST during that period.

These records reveal that on April 9, 1954, REHNQUIST obtained title to Lot #42, Madison Village, Unit 2 in Phoenix, Arizona.

On October 24, 1961, REHNQUIST obtained title to Lot 111, Palmcroft Subdivision, Phoenix, Arizona.

On October 13, 1966 REHNQUIST obtained title to Lot 53, El Coronado Estates Subdivision, Phoenix.

On August 3, 1967, REHNQUIST obtained title to Lot 72, Pointe Scottsdale, Unit 1, subdivision.

On December 31, 1965, the partnership of POWERS and REHNQUIST obtained title through a special warranty deed covering 200 feet of real property in Mesa, Arizona, which is described in minute detail in the deed.

The instruments used by the County Recorder to make record of the establishment of the title to these properties were reviewed and do not contain any restrictions or covenants having to do with the limitation of the transfer of these properties due to race, creed, color, or financial standing. The only restrictions noted on any of the documents concerning these properties is with respect to the type of structures which may be erected and restrictions as to the stabling of farm animals.

[redacted]
Arizona Title Company, advised that a review of the records of her office which include abstracts of recordings against specific pieces of property, did not reflect any restrictions or covenants making reference to race, creed, color or financial status on the properties outlined above.

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DLS/drc

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The following investigation was conducted by SA

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[REDACTED]

On October 26, 1971, [REDACTED] Clerk, Apache County Recorder's Office, Apache County, St. Johns, Arizona, advised WILLIAM HUBBS REHNQUIST owns lot ten and fifteen, Hidden Paradise, Apache County, Arizona, according to the plat thereof in Book Number One of Townsitemap, Page 35, Records of Apache County, Arizona; except all coal and other minerals in said land as set forth in the patent of said land. Said land also subject to the Salt River Valley Project regulations which are controlled by the United States Reclamation Service. [REDACTED] advised the deed contains no other restrictions or encumbrances.

[REDACTED] Apache County, St. Johns, Arizona, also verified the above information and confirmed the aforementioned property contained no restrictions or encumbrances except as set out above.

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At Prescott, Arizona

On October 26, 1971, [REDACTED]
Yavapai County Court House, advised that she located in her
files original deeds pertaining to POWERS and REHNQUIST,
which is dated December 31, 1965 reflecting that they own
13 lots in the Prescott Mountain Club Sub Division. There
are no restrictive covenants pertaining to race, color,
creed or national origin on this property owned by
POWERS and REHNQUIST.

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JJJ:mbd

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[REDACTED]
[REDACTED]
[REDACTED] Phoenix, Arizona, advised he met the appointee socially during the 1960's and knows him professionally only by reputation. [REDACTED] advised the appointee enjoys a reputation of being an outstanding attorney of the highest integrity and professional ability. [REDACTED] advised there has never been any question as to the appointee's attitude toward the Indians in Arizona or he would be aware of it.

[REDACTED]
[REDACTED] Phoenix, Arizona, advised he does not know the appointee nor has he ever heard of him other than appointee was an attorney for one of several parties in a case involving a title dispute between Indians and non-Indians. [REDACTED] advised this case is still pending.

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GWM/sp

The following investigation was conducted by
SA [REDACTED]

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AT WHITERIVER, ARIZONA

On October 25, 1971, [REDACTED]
White Mountain Apache Tribe, advised he was not acquainted
with the appointee, had no personal knowledge concerning
him, and had no basis to evaluate the appointee's personal
convictions concerning the White Mountain Apache Tribe of
Indians.

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ELF/sp

The following investigation was conducted by SA [redacted] at Phoenix, Arizona, on October 26, 1971:

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A review was made of newspaper clippings retained in the library of the Arizona Republic and Phoenix Gazette.

A search in this library was conducted under the following names:

WILLIAM HUBBS REHNQUIST

[redacted]
Mrs. WILLIAM H. REHNQUIST
[redacted]

The law firms of:

Cunningham, Carson and Messinger;
Powers and Rehnquist;
Carson, Messinger, Elliott, Laughlin and Ragan

Articles indexed to the Phoenix City Council and the organization known as "Arizonans for America" were also reviewed.

The following are excerpts from articles appearing on the date indicated and the newspaper named:

May 3, 1969 issue of the Arizona Republic

In reference to President NIXON's admonishment to university administrators to show some backbone in dealing with militants, WILLIAM H. REHNQUIST is quoted as saying, "These new barbarians care nothing for our system of government and law." The article states that all three Justice Department officials (MITCHELL, KLEINDIENST and REHNQUIST) called for the use of force whenever necessary to put down the disorders that have occurred on more than 200 college campuses at a cost of more than 2.2 million dollars in property damage.

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TPC/sp

A June 3, 1969 issue of the Phoenix Gazette

Article entitled, "Phoenician REHNQUIST Heads Up 'Sharp Staff' in Justice Department" relates to his background, his family, the functions of his office, legal counsel, and "a portion of a speech to the Newark, New Jersey Kiwanis Club" quoted as follows, "Just as the barbarians who invaded the Roman empire neither knew nor cared about Roman government and Roman law, these new barbarians care nothing for our system of government and law. They believe that the relatively civilized society in which they live is so totally rotten that no remedy short of destruction of that society will suffice."

A November 27, 1969 issue of the Phoenix Gazette

Article about the publicity concerning President NIXON's proposal to appoint CLEMENT F. HAYNESWORTH, JR. to the Supreme Court. It relates that an issue which arose during the hearings by the Senate Judiciary Subcommittee was whether HAYNESWORTH owned stock in the Brunswick Corporation when hearing a case involving the corporation. The article relates that on September 20, 1969, the committee made public a letter from Assistant Attorney General WILLIAM H. REHNQUIST which, "admitted that the Greenville, South Carolina judge indeed had owned the stock while the Brunswick case was in court." REHNQUIST contended that Judge HAYNESWORTH and two colleagues on the federal bench had actually made up their minds before the stock had been bought.

The November 19, 1970 Arizona Republic contains an article by PAUL DEAN captioned, "Arizona State University Greets U. S. Team with Apathy". A copy of this article is enclosed with this report.

The March 16, 1971 Phoenix Gazette contained an article captioned, "Curbs on Investigators Called Serious Mistake." A copy of this article is enclosed with this report.

The September 18, 1970 Phoenix Gazette contains an article captioned, "Closemouthed Policy Advised," which contains a quotation by WILLIAM H. REHNQUIST. A copy of that article is enclosed with this report.

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TPC/sp

The December 30, 1965 Arizona Republic contains an article reflecting that WILLIAM H. REHNQUIST would be installed as President of the Phoenix Visiting Nurse Service Volunteer Board on January 11, 1966. The Visiting Nurse Service is described as a United Fund agency which shows a 1965 record of 20,500 home calls by fourteen staff nurses in the Phoenix area.

The November 3, 1964 Arizona Republic reflects that WILLIAM H. REHNQUIST was Chairman of the Stanford University Annual Fund, a fund raising group for support of the university.

The December 19, 1962 Arizona Republic reflects that the Governor of Arizona appointed WILLIAM REHNQUIST to the Commission on Uniform State Laws.

The October 21, 1964 Arizona Republic reflects that WILLIAM H. REHNQUIST was named Chief Ballot Security Officer in elections in Maricopa County by the Republican committee.

The May 31, 1966 issue of the Phoenix Gazette reflects WILLIAM H. REHNQUIST was named legal counsel of the JOHN HAUGH for Governor committee. REHNQUIST is described in the article as the past president of the Bar Association.

September 23, 1963 Phoenix Gazette reflects that WILLIAM H. REHNQUIST was named a member of the American Bar Association Special Committee for Defense of Indigent Persons Accused of Crimes.

May 2, 1958 Phoenix Gazette reflects that WILLIAM H. REHNQUIST was appointed a special prosecutor in a state highway land fraud case.

The December 10, 1957 Arizona Republic contains an article entitled, "High Court Aides May Influence Leftist Slant of Deliberations." This article refers to a copyrighted article in the weekly magazine "U. S. News and World Report" under the name of WILLIAM H. REHNQUIST. A copy of the item from the Arizona Republic is enclosed with this report.

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The December 5, 1970 Phoenix Gazette contains a summary and quotes of WILLIAM H. REHNQUIST at the Arizona Judges Conference at the Arizona State University School of Law. A copy of this article is enclosed with this report.

The September 10, 1957 Arizona Republic contains an article entitled, "REHNQUIST Labels Three Justices 'Left Wing'". A copy of that article is enclosed with this report.

The June 18, 1964 Phoenix Gazette contained an article entitled, "City Law is First in State." WILLIAM H. REHNQUIST's comments on the public accommodations ordinance are set out therein. A copy of this article is enclosed with this report.

A review of the clippings concerning "Arizonans for America" reflected the following:

The May 23, 1958 Arizona Republic reflects that DENNISON KITCHEL spoke before the "Arizonans for America" and said that the United Nations International Labor Organization is Communist dominated.

The September 12, 1958 Arizona Republic contains an article which states that WILLIAM H. REHNQUIST was to be a panelist at a discussion of the Federal income tax at a meeting of the "Arizonans for America". This article states:

"Arizonans for America is a non-partisan association of Americans who describe themselves as 'strict constitutionalists' and who pledge themselves to 'resist any bypassing of the Constitution by the Congress, the courts or the executive branch of the government'.

"The organization is for states rights, competitive enterprise, private property, and individual liberty. It opposes 'all moves toward internationalism, facism, socialism and communism'.

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"Arizonans for America was organized early this year.

"State members of the national policy committee are Mrs. V. M. HALDIMAN and FRANK C. BROPHY of Phoenix and DAN MC KINNEY and PHILLIP CLARK of Tucson."

The September 19, 1958 Arizona Republic reflects that WILLIAM H. REHNQUIST was a panelist at a meeting of the "Arizonans for America" where income tax was discussed. REHNQUIST is reported to have joined with another panelist to say that the Federal government can only give back to the states what it takes away and that Arizonans give \$2.30 for every dollar they get back.

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TRUTH ABOUT CIVIL TURMOIL

In a letter dated September 13, 1966, [redacted] Sedona, Arizona, advised the Director of the Federal Bureau of Investigation that a group calling themselves T.A.C.T. or "Truth About Civil Turmoil" held a meeting at Sedona in August, 1966 which featured a two hour speech by [redacted]

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[redacted] advised in his letter that the theme of [redacted] speech was that all negroes are inferior, the Civil Rights Movement is 100% Communist inspired, and dominated, and that MARTIN LUTHER KING, all Civil Rights leaders, demonstrators and marchers were yellow curs, pimps, prostitutes and communists.

[redacted] advised in his letter that [redacted] was given a standing, cheering ovation by a packed house following his speech.

In a printed article submitted by [redacted] with his letter, which appears to be from a newspaper, captioned "TACT To Organize In Sedona September 21", it is stated that there are 32 units of TACT Committees in Arizona.

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TPC/sp

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The following investigation was conducted by SA [redacted] at Phoenix, Arizona on October 26, 1971:

[redacted] volunteered the following information to SA [redacted]

[redacted] advised that he had received anonymous telephone calls concerning WILLIAM H. REHNQUIST. He stated that one of the callers informed him that an article in the newspaper Arizona Republic in 1957 or 1958 reflects that REHNQUIST spoke before the organization known as "Arizonans for America". [redacted] advised that the person who called him indicated that this was significant because that person indicated that the "Arizonans for America" was a front for the John Birch Society. Either the same or another anonymous caller advised [redacted] that REHNQUIST was a member of the "Arizonans for America". [redacted] advised that from the public source materials he could locate concerning "Arizonans for America" he had not been able to confirm this alleged membership. [redacted] advised that among speakers who have appeared for the "Arizonans for America" was [redacted] of the John Birch Society. [redacted] advised that another anonymous caller advised him that REHNQUIST was a member of the organization called, "Truth About Civil Turmoil" [redacted] [redacted] advised that he had not obtained any information from any source to verify this alleged membership.

[redacted] advised that he had been informed by [redacted] that REHNQUIST had objected to that committee being established.

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MRW/bay

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The following investigation was conducted by SA [redacted] on October 26, 1971:

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[redacted]
[redacted]
[redacted] advised that the appointee had been a member of the board of Visiting Nurse service between April, 1962 and December, 1967. She said that in his capacity as member of the board he had assisted the nurse service very greatly in the legal aspect of their work. [redacted] said she had the very highest opinion of Mr. WILLIAM REHNQUIST. She said that he was a man of great integrity, that he attended the board meetings faithfully, and with great regularity at any time that the board meeting might be convened. [redacted] said Mr. REHNQUIST had served as president of the board during part of his time as member of the board and as such had fulfilled his presidency with great competency. She said that she had only known the appointee on a professional basis and as such she was very impressed with his morals and loyalty to the United States. [redacted] further advised that he was an excellent leader and that in no sense could he be thought of as being inequitable or biased in any respect. [redacted] said that she was very pleased to learn that he was being considered as a justice for the Supreme Court and she is very confident that a man of his caliber and professional ability would make an excellent justice.

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JDM:mbd

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Personal Physician.

On October 26, 1971, [redacted]

[redacted] Phoenix, Arizona, advised that he first saw the appointee on June 19, 1956, when he came to his office on a referral by an unknown attorney for a physical examination, possibly for an insurance policy, but this was not recalled for certain and not substantiated from his records. [redacted] advised that appointee was most religious in having an annual physical examination including chest X-ray, electrocardiogram and routine laboratory tests, and was last seen by [redacted] in this regard on June 4, 1968. Appointee, according to [redacted] was in continual excellent physical condition, was an outdoor and camping buff who kept himself in excellent shape, and other than an occasional prescription for an antihistamine for seasonal hay fever, had no significant medical history. A check of his records by [redacted] indicated that after a rigorous horseback and camping trip in 1961, appointee complained of "stiffness in his back" but these records did not indicate that appointee had a back X-ray or was referred to an orthopedic surgeon for examination.

[redacted] advised that he considered appointee a true gentleman in every respect, and one of the finest people that he has ever known. [redacted] advised that he has had no social contact with appointee at any time and stated that he knew absolutely nothing about appointee's beliefs or thoughts towards the current philosophy on civil rights.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE COLUMBIA	OFFICE OF ORIGIN BUREAU	DATE 10-26-71	INVESTIGATIVE PERIOD 10-25-71
TITLE OF CASE WILLIAM HUBBS REHNQUIST, aka William H. Rehnquist, William Donald Rehnquist		REPORT MADE BY SA 	TYPED BY rat
		CHARACTER OF CASE DAPLI JUSTICE, SUPREME COURT OF THE UNITED STATES	

REFERENCES: WFOTel to CO, 10-23-71.
Butel to CO, 10-24-71.
Butel to SF, ET AL, 10/25/71.
- RUC -

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3 copies destroyed
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ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES			

APPROVED *TWL* SPECIAL AGENT IN CHARGE

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**UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION**

Copy to:**Report of:**SA **Office:** Columbia**Date:**

October 26, 1971

Field Office File #:

77-1215

Bureau File #:**Title:**

WILLIAM HUBBS REHNQUIST

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JUSTICE, SUPREME COURT OF THE UNITED STATES**Synopsis:**

CLEMENT F. HAYNSWORTH, JR., Chief Judge, Fourth Federal Circuit Court of Appeals, has been acquainted with Mr. REHNQUIST since REHNQUIST came to Washington with present administration. He described him as having outstanding legal ability and being of good character and reputation. He stated he knows of no association REHNQUIST has had with any unpatriotic or subversive organization or group, and he recommended him highly.

- RUC -

Details:AT GREENVILLE, SOUTH CAROLINA

On October 25, 1971, Mr. CLEMENT F. HAYNSWORTH, JR., Chief Judge, Fourth Federal Circuit Court of Appeals, Greenville, South Carolina, was interviewed and furnished the following information:

Judge HAYNSWORTH became acquainted with Mr. REHNQUIST when REHNQUIST first came to Washington with NIXON Administration. There have been periods when Judge HAYNSWORTH was closely associated with him, and he feels that he knows REHNQUIST well. He described him as having a fine legal mind and being of outstanding ability. He could not recall that REHNQUIST had ever appeared in his court. According to Judge HAYNSWORTH, there is no question concerning his patriotism, character, and reputation.

CO 77-1215

Judge HAYNSWORTH has never had occasion to discuss with REHNQUIST his leanings towards civil rights. He stated he is confident that he would be without prejudice and fair and impartial in all matters. He recommended him highly.

2*

October 26, 1971

WILLIAM HUBBS REHNQUIST
DEPARTMENTAL APPLICANT
JUSTICE, SUPREME COURT OF THE
UNITED STATES

Rehnquist attended Kenyon College for one semester in 1942. Results of investigation was previously reported. Kenyon College is in Gambier, Ohio, and there is no newspaper in this city. Rehnquist also attended Denison University, Granville, Ohio, for four quarters in 1943, while a member of the U. S. Army Air Force. Granville, Ohio, has a weekly newspaper and a bimonthly newspaper, neither of which was printed in 1943. Neither of these newspapers has a morgue.

original
one cc Deputy A.G.

OCT 26 1971

77-106904-84

NOT RECORDED

JAN 19 1972

NOTE: Based on CI teletype 10-26-71 to Department.

- Tolson _____
- Felt _____
- Rosen _____
- Mohr _____
- Bishop _____
- Miller, E.S. _____
- Callahan _____
- Casper _____
- Conrad _____
- Dalbey _____
- Cleveland _____
- Ponder _____
- Bates _____
- Tavel _____
- Walters _____
- Soyars _____
- Tele. Room _____
- Holmes _____
- Gandy _____

WWW:me
(4)

Return to _____
Room 1252.

b6
b7c

60 JAN 25 1972

MAIL ROOM TELETYPE UNIT

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE DENVER	OFFICE OF ORIGIN BUREAU	DATE 10/26/71	INVESTIGATIVE PERIOD 10/26/71
TITLE OF CASE WILLIAM HUBBS⁰ REHNQUIST, aka William H. Rehnquist, William Donald Rehnquist		REPORT MADE BY <div style="border: 1px solid black; width: 100px; height: 15px; margin: 5px;"></div>	TYPED BY pr
		CHARACTER OF CASE DEPARTMENTAL APPLICANT JUSTICE SUPREME COURT OF THE U.S.	

b6
b7c

JP

REFERENCE: Omaha teletype to Bureau dated 10/23/71;
Washington Field teletype to Bureau dated 10/23/71;
Bureau teletype to Washington Field dated 10/24/71;
Bureau teletype to San Francisco dated 10/25/71.

- RUC -

*1 - xerox
4 copies destroyed
lhd*

ACCOMPLISHMENTS CLAIMED <input type="checkbox"/> NONE						ACQUIT- TALS	CASE HAS BEEN:	
CONVIC.	AUTO.	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 *JFM*
[Signature]

SPECIAL AGENT
IN CHARGE

COPIES MADE:
5 - Bureau (77-106904) (AM, RM)
1 - Denver (77-6394)

DO NOT WRITE IN SPACES BELOW

77-106904-85

NOT RECORDED

16 OCT 29 1971

[Handwritten initials]

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

Notations
[Handwritten notes]

60 JAN 25 1972

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: [redacted]
Date: October 26, 1971

Office: DENVER

Field Office File #: 77-6394

Bureau File #: 77-106904

Title: WILLIAM HUBBS REHNQUIST

b6
b7C

Character: DEPARTMENTAL APPLICANT
JUSTICE
UNITED STATES SUPREME COURT

Synopsis: REHNQUIST and wife purchasers of property at Cedaredge, Colo.; no restrictive covenants; late in making payments on second mortgage. No arrest or credit rating located. No pertinent information in newspaper morgues.

- RUC -

DETAILS:

REAL ESTATE

On October 26, 1971, [redacted] advised SA [redacted] her records revealed [redacted] were title holders on a deed of property in Cedaredge, Colorado, which they purchased March 15, 1966 and which was sold April 1, 1968 to WILLIAM H. REHNQUIST and his wife NATALIE. She stated the property was sold to REHNQUIST for \$22,500 and that [redacted] has outstanding balance on their first mortgage in the amount of \$8,535.03. [redacted] added that all payments have been prompt and she made available a copy of the deed. It was noted there were no restrictive covenants on the deed. [redacted] went on to say that the property in question is sixty acres of grazing land and an old frame house.

[redacted] telephonically advised on October 26, 1971 [redacted] sold sixty acres of land and a frame house at Cedaredge, Colorado, to WILLIAM H. and NATALIE REHNQUIST on April 1, 1968. The sales price was \$22,500. [redacted] took a first mortgage on the property and [redacted] held a second mortgage. [redacted] was unable to locate the documents pertaining to this second mortgage and was unable to estimate its amount, but was aware the terms of the mortgage were REHNQUIST would pay [redacted] approximately

DN 77-6394

\$1200 a year, the first payment of \$600 being on May first and the second payment due the first of November. [redacted] stated the REHNQUISTs have been slow in making these twice-a-year payments. On two occasions it has been necessary for [redacted] to write the REHNQUISTs regarding the overdue amount, after which the REHNQUISTs have made the payment. [redacted] was unable to state the balance presently outstanding on the mortgage.

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CREDIT AND ARREST

On October 26, 1971, [redacted] Credit Bureau of Delta, Colorado, which covers Cedaredge, Colorado, advised SA [redacted] the only record in her files for WILLIAM HUBBS REHNQUIST indicates he and his wife NATALIE purchased sixty acres of property at Cedaredge, Colorado. She stated no other information was contained in this file and his credit was not rated.

On October 26, 1971, [redacted] Delta County Sheriff's Office, Delta, Colorado, which covers Cedaredge, and [redacted] Colorado, Police Department, both advised SA [redacted] they could locate no record for WILLIAM HUBBS REHNQUIST or NATALIE REHNQUIST in their files.

MISCELLANEOUS

On October 26, 1971, [redacted] "The Cedaredge Sentry," Cedaredge, Colorado, and [redacted] "The Daily Sentinel," Grand Junction, Colorado, which newspapers' circulation covers Cedaredge, Colorado, advised SA [redacted] they had no morgue of newspaper articles maintained, but they recalled no local stories concerning WILLIAM H. REHNQUIST ever appearing in their publications.

[redacted] "Middle Park Times" newspaper, Granby, Colorado, advised SA [redacted] on October 26, 1971 this newspaper does not maintain a morgue and the name WILLIAM H. REHNQUIST was locally unknown to him.

Review of the newspaper clippings pertaining to REHNQUIST as maintained by the "Denver Post" and "Rocky Mountain News", both Denver, Colorado, daily newspapers, contained no local stories concerning REHNQUIST when reviewed on October 26, 1971.

'TREAT AS ORIGINAL'

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE CLEVELAND	OFFICE OF ORIGIN BUREAU	DATE 10/26/71	INVESTIGATIVE PERIOD 10/24-26/71
TITLE OF CASE WILLIAM HUBBS REHNQUIST, aka. William H. Rehnquist, William Donald Rehnquist		REPORT MADE BY BA [Redacted]	TYPED BY JMP
		CHARACTER OF CASE DAPLI JUSTICE - SUPREME COURT OF THE U.S.	

b6
b7C

REFERENCE

WFO teletype to Bureau, 10/23/71.

- RUC -

- A* -
COVER PAGE

*1 - [Redacted]
3 copies destroyed
[Signature]*

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	AUTO.	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]*
 COPIES MADE:
 5 - Bureau
 1 - Cleveland (77-6886)

SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACES BELOW

77-106904-86

NOT RECORDED

5 JAN 19 1972

Dissemination Record of Attached Report

Agency	Request Recd.	Date Fwd.	How Fwd.	By

Notations

W/H [Signature]

60 JAN 25 1972

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED]
Date: 10/26/71

Office: CLEVELAND

Field Office File #: 77-6886

Bureau File #:

b6
b7C

Title: WILLIAM HUBBS REHNQUIST

Character: DEPARTMENTAL APPLICANT
JUSTICE - SUPREME COURT OF THE UNITED STATES

Synopsis: No record at Ravenna, Ohio regarding appointee having slept in jail in 11/42. Newspaper morgue negative and credit negative.

- RUC -

DETAILS:At Ravenna, Ohio

[REDACTED] Portage County Sheriff's Office, on October 26, 1971, advised that there was no record of appointee on file with his department.

[REDACTED] Ravenna, Ohio Police Department on October 26, 1971, advised that he was unable to locate any record which would be identifiable with the appointee. [REDACTED] pointed out that if appointee may have slept in jail during the early 1940s he would have spent the night as a "sleeper" and therefore no record would have been maintained regarding appointee. He advised that no records during the 1940s were maintained of individuals who were put in the County Jail as a "sleeper."

On October 26, 1971, a review of all newspapers of the "Evening Record," Ravenna, Ohio daily newspaper, was made for any reference to appointee. There was no mention in any of the issues regarding appointee during the month of November, 1942.

CV 77-6886

This paper currently is published as the
"Record Courier."

At Kent, Ohio

[redacted] Kent Police Department, Kent,
Ohio, on October 26, 1971, advised that she was unable to
locate any identifiable record with appointee in that depart-
ment.

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At Akron, Ohio

[redacted] Akron Credit Bureau,
on October 26, 1971, advised that his Bureau covers Summit
and Portage County, Ohio. He advised that appointee is not
on file with his Bureau.

[redacted] Akron Police Department, on October
26, 1971, advised she was unable to locate any identifiable
information pertaining to appointee with the Akron Police
Department.

[redacted] Clerk, Summit County Sheriff's Office,
on October 26, 1971, advised she was unable to locate any
identifiable information with appointee in the files of that
office.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 26 1971

TELETYPE

NY
NO

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Rates	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR 04 PX PLAIN

629 PM 10-26-71 MFB

TO: DIRECTOR (NITEL)
NEW YORK (URGENT)
NEW ORLEANS (URGENT)

FROM: PHOENIX 77-3510 2 PAGES

OVES, WILLIAMS HUBBS REHNQUIST, AKA, JUSTICE, SUPREME COURT
OF THE UNITED STATES. BUDED NOON, WEDNESDAY, OCTOBER
TWENTYSEVEN, NINETEEN SEVENTYONE, WITHOUT FAIL.

ROOM 1246

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b7c

RE WFO TEL OCTOBER TWENTYTHREE LAST; PHOENIX TELEPHONE
CALL OCTOBER TWENTYSIX INSTANT.

FOR INFO NEW YORK AND NEW ORLEANS, RETEL ADVISES

PHOENIX, ARIZONA,

APPLICANT ASSOCIATED WITH JOHN BIRCH SOCIETY.

INTERVIEWED TODAY, ADVISES HAS BEEN

TOLD BY PERSONS HE CANNOT NAME UNTIL THEY FURNISH WRITTEN

STATEMENTS, THAT APPLICANT ATTENDED TWO MEETINGS OF JOHN

BIRCH SOCIETY IN PHOENIX, ARIZONA, DURING NINETEEN FIFTY'S,

END PAGE ONE

NOT RECORDED

JAN 19 1972

Spec. Inq.

60 JAN 25 1972

PAGE TWO

PX 77-3510

2
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AND ALSO MEETINGS OF TRUTH ABOUT CIVIL TURMOIL, TACT. ALSO
STATED APPLICANT ONLY PERSON ATTENDING PUBLIC MEETING ON
PHOENIX CITY ORDINANCE FOR HUMAN RIGHTS, WHO OPPOSED THE
ORDINANCE. STATED [REDACTED]

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b7c

[REDACTED] AT THIS MEETING AND KNEW APPLICANT.

[REDACTED] PRESENTLY AT ESSEX HOUSE HOTEL, NEW YORK CITY. ALSO
STATED [REDACTED]

[REDACTED] PRESENTLY AT [REDACTED]

NO

[REDACTED] TELEPHONE

[REDACTED]

NEW YORK AT NEW YORK, INTERVIEW [REDACTED] NEW ORLEANS
AT NEW ORLEANS, INTERVIEW [REDACTED] RE APPLICANT AND PARTICULARLY
KNOWLEDGE ASSOCIATION JOHN BIRCH SOCIETY.

PENDING.

END

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE RICHMOND	OFFICE OF ORIGIN BUREAU	DATE 10/26/71	INVESTIGATIVE PERIOD 10/26/71
TITLE OF CASE WILLIAM HUBBS ⁰ REHNQUIST, aka		REPORT MADE BY SA 	TYPED BY bwm
		CHARACTER OF CASE DAPLI	

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b7c

REFERENCE: Bureau teletype 10/25/71.
Bureau teletype 10/23/71.

- RUC -

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ACCOMPLISHMENTS CLAIMED						<input checked="" type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES			

APPROVED <i>[Signature]</i> SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW
COPIES MADE: 5 - Bureau (77-106904) 1 - Richmond (77-11981)	77-106904-90 NOT RECORDED 5 JAN 19 1972

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

Notations

[Handwritten Signature]

60 JAN 25 1972

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: [redacted]
Date: 10/26/71

Office: RICHMOND

Field Office File #: 77-11981

Bureau File #: 77-106904

Title: WILLIAM HUBBS REHNQUIST

b6
b7c

Character: DEPARTMENTAL APPLICANT
JUSTICE
SUPREME COURT OF THE UNITED STATES

Synopsis: REHNQUIST not a member of the Virginia State Bar.

- RUC -

DETAILS:

MISCELLANEOUS

On October 26, 1971, [redacted] Virginia State Bar, Richmond, Virginia, advised that WILLIAM HUBBS REHNQUIST is not a member of the Virginia State Bar.

- 1* -

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE SAN DIEGO	OFFICE OF ORIGIN BUREAU	DATE 10/26/71	INVESTIGATIVE PERIOD 10/26/71
TITLE OF CASE WILLIAM HUBBS REHNQUIST, aka William H. Rehnquist, William Donald Rehnquist,		REPORT MADE BY SA 	TYPED BY vkw
		CHARACTER OF CASE DEPARTMENTAL APPLICANT JUSTICE, SUPREME COURT OF UNITED STATES	

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REFERENCES: Bureau teletype dated 10/22/71.

- RUC -

- A* -
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[Redacted]

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

APPROVED: *[Signature]* SPECIAL AGENT IN CHARGE

COPIES MADE:
 5 - Bureau (77-106904)
 1 - San Diego (77-5664)

DO NOT WRITE IN SPACES BELOW

77-106904-91

NOT RECORDED
10 OCT 29 1971

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

Notations

W.W.W.
[Signature]

60 JAN 25 1972

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [redacted]
Date: October 26, 1971

Office: SAN DIEGO

Field Office File #: San Diego 77-5664

Bureau File #: 77-106904

Title: WILLIAM HUBBS REHNQUIST

b6
b7C

Character: DEPARTMENTAL APPLICANT
JUSTICE,
SUPREME COURT OF UNITED STATES

Synopsis:

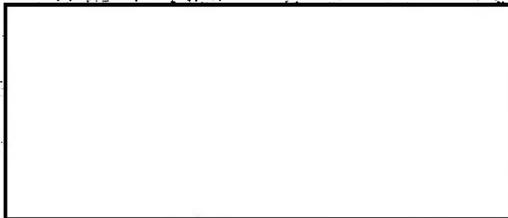
Applicant has no law enforcement or credit record at San Diego, California. Newspaper files contain no information concerning applicant. Applicant's relatives in the San Diego, California, area, have no law enforcement record.

- RUC -

DETAILS: AT SAN DIEGO, CALIFORNIA

LAW ENFORCEMENT RECORDS

On October 26, 1971, [redacted] San Diego, California, Police Department and [redacted] San Diego County Sheriff's Office, advised the records of their respective agencies contain no information identifiable with the applicant or the following members of the applicant's family:



SD 77-5664

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CREDIT RECORDS

On October 26, 1971, [REDACTED]
[REDACTED] Merchant's Credit Association, San Diego,
California, advised the records of her agency contain no
information identifiable with the applicant.

NEWSPAPER LIBRARY

On October 26, 1971, [REDACTED] San Diego
Union and Evening Tribune Company, publishers of the only two
daily newspapers in San Diego, California, advised she could
locate no record in her files concerning the applicant.

AT CHULA VISTA, CALIFORNIA

LAW ENFORCEMENT RECORDS

On October 26, 1971, [REDACTED] Chula Vista,
California, Police Department, advised the records of her
agency contain no information identifiable with [REDACTED]
[REDACTED]

RESIDENCE OF RELATIVES

AT SAN DIEGO, CALIFORNIA

SD 77-5664

On October 26, 1971, [REDACTED]

[REDACTED] advised that [REDACTED]

b6
b7C

On October 26, 1971, [REDACTED]

[REDACTED] advised that [REDACTED]

currently reside next door to her at [REDACTED]. She stated that [REDACTED] is presently employed by [REDACTED]

[REDACTED] and that [REDACTED]

[REDACTED] stated that [REDACTED] are quiet neighbors who have an excellent reputation in the neighborhood.

On October 26, 1971, [REDACTED]

[REDACTED] advised that [REDACTED]

[REDACTED] are quiet neighbors who have an excellent reputation in the neighborhood.

On October 26, 1971, [REDACTED]

[REDACTED] advised that [REDACTED]

currently resides next door to her at [REDACTED]. She stated that [REDACTED] is employed [REDACTED] and is a very high caliber person with an excellent reputation.

AT CHULA VISTA, CALIFORNIA

On October 26, 1971, [REDACTED]

[REDACTED] advised that [REDACTED]

currently reside next door to her at [REDACTED]

[REDACTED]. She described [REDACTED] as extremely nice neighbors who appear to be persons of high moral standards, and added that they have an excellent reputation in the neighborhood.

SD 77-5664

On October 26, 1971, [redacted] advised that she considers [redacted] to be good neighbors and added that they have an excellent reputation in the neighborhood.

AT [redacted]

On October 26, 1971, [redacted] advised he has been well acquainted with [redacted] for the past ten years. He stated that [redacted] currently reside at [redacted] which is a home located in a rural area about five miles from [redacted] stated that [redacted] are well regarded and have an excellent reputation in the community.

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On October 26, 1971, [redacted] advised he has been well acquainted with [redacted] for over twenty five years. He stated that [redacted] and has a reputation of being highly ethical. [redacted] stated that [redacted] are active in community affairs and have an excellent reputation in the community.

On October 26, 1971, [redacted] advised he has been well acquainted with [redacted] for the past seventeen years. He stated that [redacted] are well regarded throughout the community and are considered to be persons of unquestioned reputation and integrity.

AT [redacted]

On October 26, 1971, [redacted] advised that [redacted] currently reside at [redacted] She stated that the

SD 77-5664

[redacted] are high quality persons who are civic minded and have an excellent reputation in the neighborhood.

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On October 26, 1971, [redacted] advised that [redacted] are excellent neighbors who are considered to be persons of high moral standards and unquestioned reputation.

On October 26, 1971, [redacted] advised that [redacted] are very fine persons in every respect and that they have an excellent reputation in the community.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE SAN FRANCISCO	OFFICE OF ORIGIN BUREAU	DATE 10/26/71	INVESTIGATIVE PERIOD 10/22-26/71
TITLE OF CASE WILLIAM HUBBS REHNQUIST, aka William H. Rehnquist, William Donald Rehnquist		REPORT MADE BY <div style="border: 1px solid black; width: 100px; height: 15px;"></div>	TYPED BY 11a
		CHARACTER OF CASE DAPLI JUSTICE SUPREME COURT OF THE UNITED STATES <i>Denny p. 3</i>	

REFERENCES: Bureau teletypes dated 10/22, 10/24 (2), 10/25/71.
 Milwaukee teletype, 10/23/71.
 WFO teletype, 10/23/71.
 San Francisco teletype to WFO and Phoenix, 10/26/71.

b6
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-RUC-

ADMINISTRATIVE DATA:

For information of Bureau, San Francisco files indicate that the name

was one of 100 professors and lawyers who sponsored a petition to abolish the House Committee on Un-American Activities. The petition asked for signatures calling upon newly elected members of the House of Representatives to introduce a resolution asking for the abolishment of the HCUA. A copy of the petition was picked up at the University of California, Berkeley, on 4/20/65.

ACCOMPLISHMENTS CLAIMED						ACQUIT-TALS	CASE HAS BEEN
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES		
							3 destroyed
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:
 5 - Bureau (AMSD) (77-106904)
 1 - San Francisco (77-11804)

DO NOT WRITE IN SPACES BELOW

77-106904-92 REC-39
ST-118

NOT RECORDED
5 JAN 19 1972

Dissemination Record of Attached Report				
Agency				
Request Recd.				
Date Fwd.	60	JAN 25	1972	
How Fwd.				
By				

Notations
[Signature]

SF 77-11804
FEH/11a

Records of [redacted] reveal that [redacted]
[redacted] whose interview is reported herein, was [redacted]
[redacted]

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

[Redacted]

Office: San Francisco, California

Date:

10/26/71

Field Office File #: 77-11804

Bureau File #: 77-106904

b6
b7C

Title:

WILLIAM HUBBS REHNQUIST

Character:

DEPARTMENTAL APPLICANT
JUSTICE
SUPREME COURT OF THE UNITED STATES

Synopsis:

School alumnus and former instructors at SU interviewed and favorably recommend. [Redacted] declined to recommend Appointee based on Appointee's lack of judicial temperament. Unfavorable recommendation based solely on academic research, no personal association involved. Credit and police records rechecked and remain negative. No record of Appointee located in files of the "Palo Alto Times".

-RUC-

SF 77-11804
FEH/11a

TABLE OF CONTENTS

	<u>Page No.</u>
STANFORD UNIVERSITY LAW SCHOOL PROFESSORS	2-4
STATE BAR RECORDS	4-5
MISCELLANEOUS (RE CARL MICKE)	5
CREDIT AND POLICE RECORDS	5
NEWSPAPER RECORDS	5

SF 77-11804
FEH/11a

DETAILS: AT STANFORD, CALIFORNIA

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On October 22, 1971, [redacted]
[redacted] Stanford University (SU), advised that he knows Appointee casually as an active law school alumnus. He stated that through reputation, he knows Appointee to have been a brilliant law student. He stated that Appointee has always impressed him as being an able lawyer in private practice and in public service. He stated that he certainly knew of no reason to question the Appointee's character, loyalty or associations. He stated that he had no knowledge of Appointee's leanings in the area of civil rights but added that based on reputation, he felt Appointee certainly possessed judicial temperament necessary for the position under consideration. He concluded by highly recommending the Appointee for a position of trust and confidence.

On October 22, 1971, [redacted]
[redacted] SU, advised that he had known Appointee as a fellow student at SU and based on this association, has known the Appointee for a period of approximately 20 years. He characterized Appointee as being a genius with super intellect. He considered Appointee to be a fine, outstanding individual who had achieved a successful private practice and who had performed well in public service. He stated that the Appointee had always impressed him as being very thoughtful and extremely hard working. He stated that his personal, political and social views differed somewhat from the Appointee's. However, he endorsed the Appointee as being fair and impartial. He stated that he was confident Appointee would offer an unbiased opinion based solely on the merits surrounding a particular issue. He stated that he had very little knowledge of Appointee's leanings in the area of civil rights and concluded by recommending him highly.

On October 26, 1971, [redacted]
[redacted] SU, advised that [redacted]
[redacted] at the time Appointee was in attendance. He characterized Appointee as having been a very able law student and recalled Appointee serving on the newly organized Stanford Law Review. He stated that the faculty, upon his graduation, recommended him for a Supreme Court clerkship and that the Appointee had served in this capacity for Supreme Court Justice ROBERT H. JACKSON. He stated Appointee is a well informed constructionist. He added that Appointee knows what is required for documentation of an important decision. He stated that he knows Appointee to have succeeded well in private practice,

as well as in a career with the government. He added that his views concerning the Appointee are generally based upon his association with him as a student and, therefore, he did not feel he could comment concerning Appointee's leanings in the area of civil rights. He stated that through his past association and limited knowledge concerning Appointee's recent accomplishments, he felt he could recommend him as to judicial temperament. He concluded by recommending the Appointee highly for a position involving trust and confidence.

On October 26, 1971, [REDACTED] [REDACTED] SU, advised that he had known Appointee in a student-instructor relationship. He stated that Appointee had always impressed him as being a person of exceptional character, adding that he certainly knew of no reason to question his loyalty or associations. He stated that to his recollection, Appointee was an excellent law student and had later achieved success in private practice and in public service. He stated that due to his limited association with Appointee in recent years, he could not comment concerning Appointee's leanings in the area of civil rights but concluded by recommending the Appointee favorably, stating that he certainly felt he possessed the qualities of judicial temperament necessary for the position under consideration.

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[REDACTED] On October 26, 1971, [REDACTED] [REDACTED] SU, advised that he personally was of a liberal political persuasion. He added that he personally has had no association with Appointee, having never met him personally. He stated that his opinion of Appointee as to his qualifications as a nominee were formulated entirely by academic research on his part and through conversation with others in the law field, both associates and non-associates of Appointee. He described Appointee as being a brilliant lawyer, adding that he knew of no reason to question his character, integrity, loyalty or associates. However, he felt Appointee lacked judicial temperament. He supported this by stating that [REDACTED]

[REDACTED] He stated that after serving his clerkship, Appointee made a disclosure appearing in "U.S. News and World Report" concerning his experiences as a clerk. He stated that it was his opinion, as well as the opinion of others serving on the court, that this disclosure was a blatant violation of confidence entrusted in members and former members of the court. He stated that this article was very controversial at the time. More recently Appointee reversed his stand in stating that it was his opinion that government employees were

SF 77-11804
FEH/11a

not guaranteed the same Constitutional rights of free speech as were other citizens due to their particular situation, that being employees of the government. Because of Employee's former disclosure and reversal in his more recent stand, [redacted] felt Appointee was guilty of setting a double standard.

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Secondly, he cited Appointee's recent testimony before a Senate committee studying wire taps, wherein he felt Appointee was less than candid with his disclosures. He stated that there were numerous inconsistencies in his testimony when compared to the testimony of others from the Justice Department.

He stated that he had no information that would qualify Appointee's leanings in the area of civil rights. However, he made reference to the civil rights allegations being made by the National Association for the Advancement of Colored People (NAACP) leaders in the Phoenix, Arizona area.

He stated that the above was only part of additional information he had compiled in support of his position. He stated that he did not wish to make additional disclosures,

[redacted]
[redacted] He concluded by re-emphasizing the fact that this information was obtained through academic research and not through a personal association with Appointee. Nevertheless, he declined recommendation based on what he considered Appointee's lack of judicial temperament.

AT SAN FRANCISCO, CALIFORNIA

On October 26, 1971, [redacted] [redacted] advised SA [redacted] that he remembered Appointee as a student at Stanford Law School 20 years ago but has had no personal contact since. He stated that in his opinion, Appointee was one of the most outstanding students of his class and of his generation and would make an outstanding Supreme Court Justice. He is extremely able, is fair and dispassionate and will follow the law and the Constitution in any decision he may make, according to [redacted]. He has no knowledge of his leanings toward civil rights matters.

STATE BAR RECORDS

On October 22, 1971, [redacted] State Bar of California, advised SA [redacted] that their

SF 77-11804
FEH/11a

records indicate the Appointee has not been admitted to the California State Bar.

MISCELLANEOUS

On October 26, 1971, [redacted]

[redacted]
[redacted] advised SA [redacted]

that Mr. EUGENE BENNETT, [redacted] died over a year ago. He was West Coast Representative of the American Bar Association several years ago and left two or three files with [redacted] however, he left no file on [redacted] [redacted] is unknown to [redacted]

AT PALO ALTO, CALIFORNIA

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CREDIT AND POLICE RECORDS

On October 26, 1971, the records of the following agencies were rechecked for any information concerning WILLIAM H. REHNQUIST. These checks met with negative results.

[redacted] Palo Alto Credit Bureau,
Palo Alto, California

[redacted] Palo Alto Police Department,
Palo Alto, California

[redacted] Santa Clara County Sheriff's Office,
San Jose, California

NEWSPAPER RECORDS

On October 26, 1971, [redacted] [redacted] "Palo Alto Times", advised that their files contained no information concerning WILLIAM H. REHNQUIST. She stated that they do not maintain files on subjects of Associated Press or United Press releases.

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FEH/11a

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[REDACTED]
[REDACTED] was one of 100 professors and lawyers who sponsored a petition to abolish the House Committee on Un-American Activities. The petition asked for signatures calling upon newly elected members of the House of Representatives to introduce a resolution asking for the abolishment of the HCUA. A copy of this petition was obtained at the University of California, Berkeley, on 4-20-65.

FEDERAL BUREAU OF INVESTIGATION

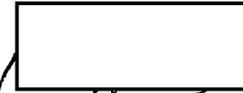
REPORTING OFFICE SEATTLE	OFFICE OF ORIGIN BUREAU	DATE 10-26-71	INVESTIGATIVE PERIOD 10-26-71
TITLE OF CASE WILLIAM HUBBS REHNQUIST, Aka William H. Rehnquist, William Donald Rehnquist		REPORT MADE BY SA 	TYPED BY ldk
		CHARACTER OF CASE JUSTICE, U.S. SUPREME COURT	

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b7C

REFERENCE: Bureau LDT, 10-26-71.

- RUC -

- A* -
COVER PAGE



ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	AUTO.	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:
5 - Bureau (77-106904)
1 - Seattle (77-7144)

DO NOT WRITE IN SPACES BELOW

77-106904-93

NOT RECORDED
22 OCT 28 1971

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

Notations

[Handwritten signature]
Special Agent

60 JAN 25 1972

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED] Office: SEATTLE
 Date: 10-26-71
 Field Office File #: SE 77-7144 Bureau File #: 77-106904
 Title: WILLIAM HUBBS REHNQUIST

b6
b7C

Character: JUSTICE
U.S. SUPREME COURT

Synopsis:

[REDACTED]
 has known appointee professionally and socially since 1961 and considers him of unquestioned integrity, character, associates and reputation; of good habits and a loyal American. He stated appointee has outstanding ability in the field of law, has judicial temperment, will judge cases on merit and while he has never discussed civil rights with him, feels appointee would be zealous in protection of rights of minorities. He highly recommended appointee for a position of Supreme Court Justice.

- RUC -

Details:

AT SPOKANE, WASHINGTON

On October 26, 1971, [REDACTED]
 [REDACTED]

advised he has known appointee since 1961, both professionally and socially. He stated appointee has appeared before him on many occasions as a practicing attorney; that he has attended judicial conferences with him and has visited in appointee's home.

SE 77-7144

[redacted] stated he considered appointee a man of unquestioned integrity, character and reputation and of unquestioned loyalty to the United States. He said appointee is a man of good habits, maintains reputable associates and is of outstanding ability in the field of law. [redacted] advised that he would consider appointee a man of judicial temperament, will judge cases on their merit and that while he has never specifically discussed the matter of civil rights with him, feels appointee would be zealous in his protection of the rights of minorities. He stated he knows of no organizations to which appointee belongs which might be considered racially prejudiced.

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b7c

[redacted] recommended appointee highly for the position of Supreme Court Justice.

*Sent via
facsimile
10/26/71
recd JTS-wa*

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE ST. LOUIS	OFFICE OF ORIGIN BUREAU	DATE 10/26/71	INVESTIGATIVE PERIOD 10/26/71
TITLE OF CASE WILLIAM HUBBS REHNQUIST, aka William H. Rehnquist, William Donald Rehnquist		REPORT MADE BY CLERK 	TYPED BY mjl
		CHARACTER OF CASE DAPLI JUSTICE SUPREME COURT OF THE UNITED STATES	

REFERENCE: Butel to WFO, 10/22/71.
 WFO tel to Bureau, 10/23/71.
 Milwaukee tel to Bureau, 10/23/71.
 Bunitel to WFO, 10/24/71.
 WFO tel to Bureau, 10/24/71.
 Butel to SF, 10/25/71.
 SL tel to Bureau, 10/26/71.

- RUC -

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3 - destroyed
V

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	AUTO.	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:
 5 - Bureau (77-106904) AM
 1 - St. Louis (77-NPRC-M)
SL FILE WILL BE DESTROYED IN 120 DAYS.

DO NOT WRITE IN SPACES BELOW

77-106904-94

NOT RECORDED

JAN 19 1972

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

Notations
[Handwritten notes]

60 JAN 25 1972

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

CLERK [REDACTED]

Office:

ST. LOUIS

b6
b7c

Date:

OCTOBER 26, 1971

Field Office File #:

77-NPRC-M

Bureau File #:

77-106904

Title:

WILLIAM HUBBS REHNQUIST

DEPARTMENTAL APPLICANT
JUSTICE
SUPREME COURT OF THE UNITED STATES

Character:

Synopsis:

Records, NPRC-M, SLMO, failed to disclose any additional information subsequent to 1969 investigation.

- RUC -

DETAILS: AT ST. LOUIS, MISSOURI

A recheck of military records on file at the National Personnel Records Center (Military Branch), St. Louis, Missouri, disclosed no additional information subsequent to 1969 investigation.

1*

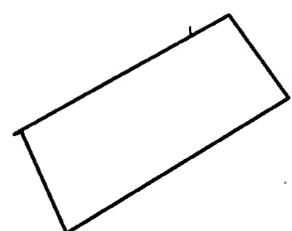
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 26 1971

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Tavel	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

LA



ROOM 1246

NR 07 PX PLAIN
627 PM URGENT 10-26-71 PML
TO DIRECTOR NITEL
LOS ANGELES
FROM PHOENIX 77-3510

COVES, WILLIAM HUBBS REHNQUIST, AKA WILLIAM H. REHNQUIST,
WILLIAM DONALD REHNQUIST, JUSTICE, SUPREME COURT OF THE
UNITED STATES; BUDED: NOON WEDNESDAY, NEXT, WITHOUT FAIL.

b6
b7C

CONFIRMING TELEPHONE CONVERSATION PX TO LA INSTANT

DATE OPPOSING ATTORNEY OF APPOINTEE WAS [REDACTED]
WHO IS PRESENTLY IN [REDACTED]
[REDACTED] PHONE [REDACTED]
[REDACTED]

LOS ANGELES CONTACT [REDACTED] AND DETERMINE APPOINTEE'S
LEANINGS TOWARDS CIVIL RIGHTS MATTERS AND HIS JUDICIAL
ABILITY AND TEMPERAMENT. FORWARD FIVE COPIES OF REPORT TO
BUREAU.

END

77-106904-95

NOT RECORDED

5 JAN 19 1972

JAN 25 1972

[Handwritten signature]

"TREAT AS ORIGINAL"

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Date: 10/26/71

OCT 26 1971
PLAINTEXT

Transmit the following in _____

Via FACSIMILE _____

(Type in plaintext or code)
TELETYPE
URGENT

(Priority)

- Mr. Tolson _____
- Mr. Felt _____
- Mr. Rosen _____
- Mr. Mohr _____
- Mr. Bishop _____
- Mr. Miller, ES _____
- Mr. Callahan _____
- Mr. Casper _____
- Mr. Conrad _____
- Mr. Dalbey _____
- Mr. Cleveland _____
- Mr. Ponder _____
- Mr. Rates _____
- Mr. Tavel _____
- Mr. Walters _____
- Mr. Soyars _____
- Tele. Room _____
- Miss Holmes _____
- Miss Gandy _____

TO: DIRECTOR, FBI AND
SAC, NEW YORK

FROM: SAC, CHICAGO (77-16196) (P)

WILLIAM HUBBS REHNQUIST, DAPLI, JUSTICE, U.S. SUPREME
COURT.

RE WFO TEL TO DIRECTOR, ET AL, OCTOBER TWENTY FOUR LAST.
REHNQUIST IS MEMBER OF COUNCIL, SECTION ON ADMINISTRATIVE
LAW, AMERICAN BAR ASSOCIATION, CHICAGO, ILLINOIS.

NEW YORK INTERVIEW, [REDACTED]

[REDACTED] NEW YORK CITY, REGARDING
REHNQUIST.

REC-11246

b6
b7C

77-106904-96

JAN 19 1972

[Handwritten signature]

60 JAN 25 1972

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 26 1971

TELETYPE

- Mr. Tolson _____
- Mr. Felt _____
- Mr. Rosen _____
- Mr. Mohr _____
- Mr. Bishop _____
- Mr. Miller, ES _____
- Mr. Callahan _____
- Mr. Casper _____
- Mr. Conrad _____
- Mr. Dalbey _____
- Mr. Cleveland _____
- Mr. Ponder _____
- Mr. Bates _____
- Mr. Tavel _____
- Mr. Walters _____
- Mr. Soyars _____
- Tele. Room _____
- Miss Holmes _____
- Miss Gandy _____

NR 05 AX PLAIN

412 PM URGENT 10-26-71 PAK

TO DIRECTOR

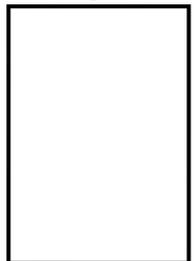
WASHINGTON FIELD

FROM ALEXANDRIA (77-2186)

b6
b7C

[Redacted] ROOM 1246

WILLIAM HUBBS REHNQUIST, AKA, DAPLI, JUSTICE, SUPREME COURT OF
THE UNITED STATES, BUDED: WEDNESDAY NOON NEXT WITHOUT FAIL.



RE ALEXANDRIA TELCALL TO WFO, OCT. TWENTYFOUR LAST.

[Redacted]

*See
P. 4
wfo tel
10-26*

[Redacted] AND CAN NOW BE LOCATED AT [Redacted]

[Redacted] PHONE NUMBER [Redacted]

[Redacted]

WFO INTERVIEW [Redacted] RE REHNQUIST. P.

END

LRS FBI WASHDC

77-106904-97

NOV 5 5 JAN 19 1972

[Handwritten signature]

60 JAN 25 1972

TREAT AS ORIGINAL

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Date: 10/26/71
OCT 26 1971

Transmit the following in _____

PLAINTEXT
(Type in plaintext or code)

Via FACSIMILE
TELETYPE

URGENT
(Priority)

MM

- Mr. Tolson _____
- Mr. Felt _____
- Mr. Rosen _____
- Mr. Mohr _____
- Mr. Bishop _____
- Mr. Miller, ES _____
- Mr. Callahan _____
- Mr. Casper _____
- Mr. Conrad _____
- Mr. Dalbey _____
- Mr. Cleveland _____
- Mr. Ponder _____
- Mr. Rates _____
- Mr. Tavel _____
- Mr. Walters _____
- Mr. Soyars _____
- Tele. Room _____
- Miss Holmes _____
- Miss Gandy _____

TO: DIRECTOR, FBI AND
SAC, MIAMI

FROM: SAC, CHICAGO (77-16196) (P)

ROOM 1246

WILLIAM HUBBS REHNQUIST. DAPLI. JUSTICE, U.S. SUPREME
COURT.

RE BUREAU TELETYPE TO SAN FRANCISCO, ET AL, OCTOBER
TWENTY FIVE, LAST AND CHICAGO PHONE CALL TO MIAMI OCTOBER
TWENTY SIX, INSTANT.

[Redacted]

[Redacted] CHICAGO, ILLINOIS, PRESENTLY AT FONTAINBLEU HOTEL
MIAMI BEACH, FLORIDA.

MIAMI INTERVIEW EARLY RE REHNQUIST.

b6
b7c

77-106984-98

NOT RECORDED

JAN 19 1972

60 JAN 25 1972

Turn

FBI

Date: 10/27/71

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (77-106904)

FROM: SAC, WFO (77-86748) (P)

WILLIAM HUBBS REHNQUIST, aka
JUSTICE
SUPREME COURT OF THE UNITED STATES

ReButel to WFO dated, 10/22/71.

Enclosed are five copies of an LHM listing the
speeches made by WILLIAM H. REHNQUIST in his official
capacity as Assistant Attorney General in charge of the
Office of Legal Counsel, USDJ.

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ENCLOSURE

ENC. BEHIND FILE

NOT RECORDED

5 JAN 19 1972

2-Bureau (Enc. 5)
1-WFO

JER:jdw
(3)

Handwritten signatures and initials

Approved: _____
Special Agent in Charge

Sent _____ M Per _____



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20535

October 27, 1971

In Reply, Please Refer to
File No.

WILLIAM HUBBS REHNQUIST

Enclosed herewith are three copies each of speeches made by William H. Rehnquist, Assistant Attorney General in charge of the Office of Legal Counsel.

These speeches are identified as follows:

"Public Dissent and the Public Employee" made before the Federal Bar Association, Shoreham Hotel, Washington, D. C., September 18, 1970.

"Statement on Executive Privilege" before the Foreign Operations and Government Information Subcommittee, Government Operations Committee, U. S. House of Representatives, June 29, 1971.

"The Presidential Constitutional Authority to Order the Attack on the Cambodian Sanctuaries" made before the Association of the Bar of the city of New York, Hammariskjold Forum, May 28, 1970.

"Statement on Executive Order 11605 and S. 2466 and S. Res. 163, 92nd Congress, 1st Session" made before Subcommittee on Separation of Powers, Committee on the Judiciary, U. S. Senate, October 5, 1971.

"Statement on H. R. 6225, 92nd Congress, 1st Session" made before Subcommittee Number 5, Committee on the Judiciary, U. S. House of Representatives, 4/7/71.

77-106904-99
ENCLOSURE

WILLIAM HUBBS REHNQUIST

"Statement of Assistant Attorney General William H. Rehnquist, Office of Legal Counsel" made before Subcommittee on Separation of Powers, U. S. Senate Judiciary Committee, 91st Congress, 2nd Session, May 7, 1970.

"Statement on Congressional Representation for the District of Columbia, S. J. Res. 52 and 56" made before the Subcommittee on Congressional Amendments, U. S. Senate Judiciary Committee, 91st Congress, 2nd Session, June 1, 1970.

"Statement on the President, the Congress, and the War Power" made before Subcommittee on National Security Policy and Scientific Development, Committee on Foreign Affairs, U. S. House of Representatives, 91st Congress, 2nd Session, July 1, 1970.

"Statement on Proposed Statute to Lower the Voting Age" made before the Subcommittee on Constitutional Amendments, U. S. Senate Judiciary Committee, 91st Congress, 2nd Session, March 10, 1970.

"Statement of William H. Rehnquist" made before Subcommittee Number 4, U. S. Judiciary Committee, 92nd Congress, 1st Session, April 1, 1971. (This was a statement on House joint resolution 208 concerning Equal Rights Amendment concerning the equality of treatment of women in the private, as well as, the public sector.)

Remarks on "Law Enforcement and Privacy" made at a panel discussion on privacy of the law in the 1970's at the American Bar Association Convention, Sonesta Tower Hotel, London, England, and released for the Press July 15, 1971.

"Statement on Constitutional and Statutory Sources of Investigative Authority in the Executive Branch of Government" made before the Subcommittee on Constitutional Rights, Committee on the Judiciary, U. S. Senate, 92nd Congress, 1st Session, March 9, 1971.

WILLIAM HUBBS REHNQUIST

Remarks on "Privacy, Surveillance, and the Law" made before the National Conference of Law Reviews, Williamsburg, Virginia, March 19, 1971.

Remarks on "Law and Conscience in a Democratic Society" made at the Air War College, Maxwell Field, Alabama, August 23, 1971.

"Statement on S. 1508" made before Subcommittee Number 5, Committee on the Judiciary, U. S. House of Representatives, March 3, 1970. (This concerns a Senate resolution pertaining to the earlier retirement of judges.)

"Supplementary Statement of William H. Rehnquist" made before the Subcommittee on Constitutional Rights, Committee on the Judiciary, U. S. Senate, March 9, 1971. (This concerns an allegation that disclosures from confidential investigative files of the Department of Justice and other government agencies were being made.)

Remarks on "Which Ones Have the White Hats? Complicating Values in the Administration of Criminal Justice" made in connection with a spring lecture series on American Justice Today before the Appalachian State University, Boone, North Carolina, May 5, 1971. (These remarks pertain to criminal law and the May Day arrests by the Metropolitan Police Department, Washington, D. C.)

"Committee Veto: Fifty Years of Sparring by the Executive and the Legislative" made before the Section of Administrative Law of the American Bar Association, Dallas, Texas, August 12, 1969.

"Statement on H. R. 11031 and H. R. 11032" made before Subcommittee Number 3 of the Committee on the Judiciary, U. S. House of Representatives, September 25, 1969. (This concerns House resolutions to curb the growing interstate traffic in salacious materials, especially advertisements.)

WILLIAM HUBBS REHNQUIST

"The Administration of Criminal Justice" made at University of Hawaii, Honolulu, Hawaii, December 2, 1970.

"The Old Order Changeth: The Department of Justice under John Mitchell" made before the Honors Convocation, College of Law, University of Arizona, April 22, 1970.

"Liberty and Union, One and Inseparable" made before the Kiwanis Club of Houston for Law Day, 1970, April 29, 1970.

"The Law: Under Attack from the New Barbarians" made before the Newark Kiwanis Club, May 1, 1969.

"Executive Privilege and S. 1125, 92nd Congress, 1st Session" made before Subcommittee on Separation of Powers, Committee on the Judiciary, U. S. Senate, August 4, 1971.

"Statement on Speedy Trial Act of 1971, S. 895" made before Subcommittee on Constitutional Rights, Committee on the Judiciary, U. S. Senate, 92nd Congress, 2nd Session.

Press Release dated December 31, 1970, concerning text of a letter giving the historic precedents for recommending to President Nixon that it would be appropriate to "pocket veto" a doctor-training bill passed by Congress. This letter was addressed to Senator Kennedy from William H. Rehnquist.

"Statement on S. 1506, 91st Congress, The Judicial Reform Act" before the Subcommittee on Improvements in Judicial Machinery and the Committee on the Judiciary, U. S. Senate, 91st Congress, 2nd Session, April 9, 1970.

"Statement on Election Reform Act of 1970" made before the Committee on House Administration, U. S. House of Representatives, 91st Congress, 2nd Session, May 6, 1970.

WILLIAM HUBBS REHNQUIST

"Official Detention, Bail, and the Constitution"
made before the Arizona Judicial Conference, Tempe,
Arizona, December 4, 1970.

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.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE WASHINGTON FIELD	OFFICE OF ORIGIN BUREAU	DATE 10/27/71	INVESTIGATIVE PERIOD 10/22 - 27/71
TITLE OF CASE WILLIAM HUBBS REHNQUIST, aka William H. Rehnquist, William Donald Rehnquist		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 15px;"></div>	TYPED BY SS
		CHARACTER OF CASE JUSTICE SUPREME COURT OF THE UNITED STATES	

REFERENCE: Bureau teletype to WFO dated 10/22/71.
Phoenix teletype to WFO dated 10/24/71.
Seattle nitel to WFO dated 10/25/71.
San Francisco teletype to Bureau dated 10/26/71.
Alexandria teletype to WFO dated 10/26/71.

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b7C

- P -

LEADS

WASHINGTON FIELD

of AT WASHINGTON D. C. (1) Will secure comments
of who gave applicant a physical in
October, 1970, at a Government installation in Virginia,
when available.

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	AUTO.	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 *Robert G. Kennedy* SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACES BELOW

ENCLOSURE

5 - Bureau (77-106904) (Enc. 2)
1 - WFO (77-86748)

77-106904-100

NOT RECORDED
5 JAN 19 1972

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

Notations
[Handwritten signature]

59 JAN 26 1972

COVER PAGE

(2) Will secure comments of [redacted]
[redacted]
[redacted] and comments of [redacted] Attorney, both
visiting Washington, D. C. area on business, when available.

(3) Will furnish copies of speeches and other
types of press releases made by applicant by separate
communication because of volume of material involved.

(4) Will obtain copies of two articles appearing
in the magazine, "U. S. News and World Report", dated 12/13/57
and 2/21/58, which applicant wrote articles under the single
heading "Who Writes Decisions of ^{the} Supreme Court".

(5) Will secure comments of Representative UDALL,
who has been unavailable for interview.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

[REDACTED]

Office: Washington, D. C.

Date:

10/27/71

Field Office File #:

77-86748

Bureau File #: 77-106904

Title:

WILLIAM HUBBS REHNQUIST

b6
b7c

Character:

JUSTICE
SUPREME COURT OF THE UNITED STATES

Synopsis:

Prior background investigation of applicant conducted for the Department of Justice in 1969 has been brought up to date. Surgeon who performed operation for repair of ruptured disc in Spring on 1971, pronounced applicant's general health as excellent. [REDACTED]

[REDACTED] had no reservations about applicant or his family. White House Office records disclosed he was appointed as a member of the President's Commission on Personnel Interchange in 1969 as well as a member of the Council of the Administrative Conference of the United States in 1970. His nomination and confirmation by the United States Senate for his present position as Assistant Attorney General also recorded there. Professional associates, President's Committee on Personnel Interchange, and the Council of the Administrative Conference of the United States, of which applicant is still a member, comment favorably concerning him and endorsed him for the Supreme Court. Employment with United States Department of Justice considered by many there to be outstanding and everyone favorably recommends him. Security file disclosed he holds Top Secret clearance. Judges, attorneys, United States Senators and Representatives, and personal associates recommend. One attorney, [REDACTED]

[REDACTED] remarked that applicant is "inclined sometimes to be rather cavalier about what seem to be extremely important matters". [REDACTED] however, considers REHNQUIST to be of excellent character and reputation and to possess outstanding knowledge of the law. He endorsed him for appointment to the Supreme Court. Applicant was admitted to practice law in the District of Columbia and before the Supreme Court of the United States and is in good standing at both places. Membership in

WFO 77-86748

Synopsis Continued:

Federal Bar Association also verified. Bar Association officials know primarily by reputation and interposed no objection to this appointment. District of Columbia Government officials were not personally acquainted with applicant but have never heard any unfavorable information concerning him. Leaders in the District of Columbia pertaining to political, labor, civil rights, and religious affairs only know by reputation and interpose no objection to his serving as a Justice of the United States Supreme Court. Credit satisfactory. Police agencies negative. No record HCIS. Received passport for official business to visit Europe. An article from "The Washington Post" and an article from the "Washington Evening Star" concerning applicant's nomination are enclosed as attachments 1 and 2 respectively. No information located Library of Congress. No record CSC and USSS. [redacted] Attorney, associated

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[redacted] advised this group conducting investigation concerning applicant's qualifications and attitudes concerning civil rights. Their investigation has just been instituted and has not as yet developed any information. Interview of applicant set forth.

- P -

ENCLOSURES

Enclosed as Attachment 1 is an article from "The Washington Post" newspaper dated October 23, 1971, entitled "HILL Sets Nominee Reviews".

Attachment 2 is an article from the "Washington Evening Star" dated October 22, 1971, captioned "WILLIAM REHNQUIST: Bold Clothes -- Tough Views".

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JAR:rs

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DETAILS: AT WASHINGTON, D. C.

Background investigation conducted in 1969 on WILLIAM H. REHNQUIST for position of Assistant Attorney General, United States Department of Justice, has been brought up to date.

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RCK/act/cn

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PHYSICIAN

[redacted]
[redacted] Washington, D.C., was interviewed by SA [redacted] He advised as follows:

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He stated that he has known the applicant since May 11, 1971, on a doctor-patient basis. He stated that he does not know the applicant personally but he has seen him several times in his office which was for the purpose of performing surgery on May 24, 1971. The surgery involved a laminectomy (repair of ruptured disk in lower back). He has not seen the applicant since August, 1971, when he came to his office for a post operative examination. The applicant's recovery is excellent and he has had no problem regaining mobility. He could not comment about the applicant's character other than he feels the applicant accepted pain quite well and was an impressive man in this regard. Physically, the applicant is in excellent general health and in this respect [redacted] recommended him for a position on the Supreme Court. He could not comment further on the applicant's other qualities as he is not that familiar with the applicant.

The above investigation was conducted on October 26, 1971.

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Minister

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[redacted]
[redacted] Bethesda, Maryland, advised Special Agent [redacted] on October 26, 1971, that he has known the applicant, his wife, NATALIE; and their three minor children JAMES, JANET, and NANCY since July, 1969, when they [redacted] Applicant and his family are regular worshipers at his church. Applicant has served as an usher, and his ~~two~~ sons have served as acolytes. Applicant's wife has taught a Confirmation class at the church. He considers the applicant's attitude toward his family and church as commendable. Applicant is a stable, polite, neat, personable individual. Applicant and his family's character, reputation, associates and loyalty are beyond reproach.

Applicant does not partake of intoxicants to excess. To his knowledge the applicant does not belong to any racial organization. He believes that the applicant has an equalitarian viewpoint as far as law and order and civil rights are concerned and that he is flexible and the type of individual who is always open-minded and willing to understand other persons' views.

Applicant's unfailing kindness and modesty give testimony to the genuineness of his concern for others and his understanding of viewpoints contrary to his own. Applicant's clarity of thought and firmness of conviction demand respect.

He recommended the applicant without reservation for a judicial position with the United States Government

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Employments

White House Office (WHO)

The following investigation was conducted by Special Agent (SA) [] on October 22, 1971:

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The files of the Records Office, WHO, were caused to be searched and it was determined that they contain the following information:

- 1/22/69 Nominated for position of Assistant Attorney General, United States Department of Justice
- 1/31/69 Confirmed by the United States Senate
- 2/1/69 Commission dated and signed
- 9/30/69 Commission dated and signed for appointment as a member, President's Commission on Personnel Interchange)
- 10/23/70 Commission dated and signed for appointment as a member, Council of the Administrative Conference of the United States)

The WHO records contained no additional pertinent information concerning REHNQUIST.

Administrative Office of the United States Courts

On October 26, 1971, Special Clerk (SC) [] [] determined at the Record Section, Personnel Division, above captioned office, that no record concerning the applicant could be located.

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JWS:jmg

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President's Commission on Personnel Interchange (PCPI)

On October 26, 1971, [redacted] Personnel Clerk, Personnel Office, United States Civil Service Commission (CSC), advised Special Agent [redacted] that no official personnel file is maintained by CSC for WILLIAM HUBBS REHNQUIST. She explained that personnel files are not maintained by CSC for members of this Commission.

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On October 26, 1971, [redacted] Security Clerk, Security Office, CSC, advised Special Agent [redacted] that she could locate no security record for REHNQUIST at CSC.

On October 26, 1971, [redacted] Administrative Assistant to the Executive Director, PCPI, advised Special Agent [redacted] that her record reflected that REHNQUIST received a Presidential Appointment on December 8, 1969, as a Commissioner on the PCPI for a two year period. She indicated that he is still serving as a Commissioner. [redacted] remarked that she does not know REHNQUIST personally and can furnish no information concerning his suitability for a clearance.

On October 26, 1971, [redacted] Executive Director, PCPI, advised Special Agent [redacted] that he took his present position only about 1 month ago and, therefore, has met REHNQUIST on only one occasion for a period of approximately 2½ hours about 1 week ago to discuss commission business. [redacted] indicated that he did not feel he knew REHNQUIST well enough personally to comment concerning his suitability for a clearance except to say that his impression of REHNQUIST is very favorable.

[redacted] mentioned that the PCPI was set up in 1969 to foster a better understanding and cooperation between the Federal Government and the business community

by involving high-potential executives in the opposite sector by an interchange of personnel. He added that the Commission also is set up to bring business management "know how" and techniques into the Government and to establish a group of people from the business community who can be called upon at a later date for Government service.

[redacted] advised that REHNQUIST reviewed all appointments where the Commission or the individual felt there might possibly be a conflict of interests. REHNQUIST also worked with the Commission in examining the rules and regulations for conflicts of interests and that applied to the PCPI program. [redacted] reported that there have been only three meetings of the PCPI since 1969 and REHNQUIST attended only one of these three meetings.

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On October 26, 1971, [redacted] Personnel Management Specialist, Bureau of Executive Manpower, CSC, advised Special Agent [redacted] that until September, 1971, he was Executive Director of the PCPI and had seen WILLIAM H. REHNQUIST perhaps six or seven times in connection with Commission business. [redacted] explained that REHNQUIST attended that one meeting of the commission and consulted with [redacted] on several occasions regarding possible conflicts of interests involving assignments of business executive to various government agencies. [redacted] stated that he has absolutely no question concerning REHNQUIST's loyalty to the United States. He added that REHNQUIST's character and reputation appeared to be outstanding and he recommended REHNQUIST "absolutely" for a judicial appointment. [redacted] remarked that he is not an attorney and therefore, unable to comment concerning REHNQUIST's legal background, experience, practice and ability. He could furnish no information regarding REHNQUIST's associations or relatives.

[redacted] advised that REHNQUIST is unquestionably very intelligent, straight forward and businesslike individual with a very pleasant and agreeable personality who gets along well with all types of people. REHNQUIST seemed fair,

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impartial, objective, and unbiased in his approach to Commission matters and exhibits no prejudices for or against any groups in our society. [redacted] could furnish no information concerning REHNQUIST's civic participation, memberships in organizations, views on civil rights matters or his writing, and speaking ability.

On October 26, 1971, [redacted] Deputy Executive Director, PCPI advised Special Agent [redacted] that he has been in his present position for only 6 weeks, has never met REHNQUIST and can furnish no information concerning him.

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JWM:sas

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Council of the Administrative Conference of the
United States

[redacted] Administrative
Conference of the United States, New Executive Office Building,
Washington, D. C., advised Special Agent [redacted]
on October 26, 1971, that the applicant has been a member of the
Council of the Administrative Conference of the United States
since approximately October, 1970, when he was appointed to that
position by the President of the United States. The applicant is
still a member and he has been active and very useful to this
Council. [redacted] stated that he has known the applicant for
approximately three years both on a professional and social basis.
He is also acquainted with the applicant's wife and children. He
considers the applicant to be an extremely intelligent person who
is very knowledgeable of the law. The applicant is very capable
and extremely competent. It is his opinion that the applicant is
an excellent administrator who gets along well with his employees.
He is very personable and friendly and is well liked by his fellow
colleagues. He believes that the applicant is in good health and
that the applicant and the members of his family are persons of
excellent character and reputation. He has never had any reason
to doubt the applicant's or his family's loyalty to the United
States. He further stated that he would consider the applicant
to have excellent temperament and one who is fair to all individuals
he comes in contact with in his work. The applicant is highly
respected by his professional colleagues. He further stated that
the applicant and members of his family are religious persons and
he does not know what organizations, if any, the applicant is a
member of. He believes that the applicant will someday be an
intellectual leader and would also make a great contribution to
the Supreme Court of the United States if he receives this appoint-
ment. He very highly recommended the applicant for a judicial
position.

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[redacted] Adminis-
trative Conference of the United States, New Executive Office
Building, Washington, D. C., advised Special Agent [redacted]
on October 26, 1971, that he has known the applicant for almost
[redacted] years on a professional basis. [redacted]

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[redacted] Department of Justice.
He also verified the fact that the applicant is a member of the
Council of the Administrative Conference of the United States.
He stated that in his opinion the applicant is a very highly
intelligent man who is extremely knowledgeable of the law. [redacted]
[redacted] considers the applicant to be a "top flight attorney" who
is respected by all of his fellow colleagues. He said that in his
dealings with the applicant while he was working at the Depart-
ment of Justice, he came to respect the applicant as a very
capable and competent administrator who was very considerate
and a very fair person. The applicant has an excellent personality
and gets along very well with people. He is extremely well liked
by the employees at the Department of Justice. He stated that the
applicant makes a very fine appearance, and as far as he knows,
the applicant is in good health. He is not acquainted with the
applicant's family nor does he have any knowledge of the applicant's
social activities. The applicant has the reputation among attorneys
as an extremely competent, capable and intelligent attorney. He
is the type of person who respects and listens to other people's
opinions and judgements. He is very considerate and a hardworking
individual. He does not know if the applicant belongs to any
organizations. [redacted] stated that he considers the applicant
to be a person of excellent character and reputation and he has
never had any reason to doubt his loyalty to the United States.
He considers the applicant to be extremely well qualified for the
position of justice in the Supreme Court, and he very highly
recommended him for that position. He believes that the applicant
would make an outstanding addition to the Supreme Court of the
United States.

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RJP/hab

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U. S. Department of Justice (USDJ)

On October 26, 1971, SA [redacted] reviewed the applicant's official personnel file at the File Room, Office of the Deputy Attorney General, which listed his birth as October 1, 1924, Milwaukee, Wisconsin, and verified the following employment:

1/21/69 Entered on duty under excepted appointment as Special Assistant to the Attorney General, Office of Legal Counsel, with compensation of \$110 per day. His regular tour of duty was shown as Monday through Friday, 9:00 A.M. to 5:30 P.M.

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2/1/69 Entered on duty under Presidential appointment, after being confirmed by the Senate, as Assistant Attorney General, Office of Legal Counsel, USDJ, Washington, D. C. He is currently serving in this capacity.

SA [redacted] caused a search to be made of the files of the Security Office, Internal Security Division, United States Department of Justice. He was informed on October 26, 1971, that applicant was satisfactorily processed under the provisions of Executive Order 10450 on February 1, 1969, on the basis of a full field background investigation. He was granted a Top Secret security clearance on the same date. This clearance is currently active.

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RJP/hab

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On October 22, 1971, SA [redacted] interviewed [redacted]

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[redacted] U. S. Department of Justice (USDJ). He has known and worked closely with applicant since approximately January, 1969. Applicant is a loyal, honest, and circumspect citizen with high rectitude and upstanding associates. He is an excellent administrator and executive and enjoys a fine reputation. His affable manner and pleasant personality are among his greatest assets. He is compassionate and considerate. He is stable, level-headed, and uses good judgment in his official determinations. His knowledge of the law is outstanding and he is conservative in his approach to the law. He possesses exceptional writing skills and his written memoranda are clear, concise, and succinct. He is neat in appearance and a fine speaker. Applicant enjoys good health. He has high professional ethics and is fair and objective in all his dealings. Applicant believes in equal rights for all people and this is reflected in his administration of the Office of Legal Counsel. He is a Republican. The applicant has the unique ability to quickly get to the heart of any problem and his decisions are made only after careful analysis of all the facts. He exhibits depth and perception and considerable aplomb. He works long hours on a regular basis. Applicant has judicious temperament, and is calm under pressure. [redacted] considers him exceptionally well qualified for a high judicial post and he so endorsed him without qualification.

On October 23, 1971, SA [redacted] contacted [redacted]

[redacted] USDJ. [redacted]

[redacted] She had exceptionally high praise for his legal competence and ability to deal with people. He is extremely friendly and is well liked by all with whom he comes in contact. Applicant is a hard working official who is an excellent administrator. He never wastes time and puts every minute of the day to good use. When dictating, he is precise, clear, and thoughtful. He displays

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RJP/hab

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all the desirable traits one would look for in a judge. Applicant is cool under pressure, stable, and well organized. He exudes integrity. His personal and professional ethics are high and he enjoys a fine reputation. Applicant is sober, honest, and loyal to the country and to the Administration. He enjoys good health. [redacted] vouched for his moral habits and associates, adding he conducts himself as a gentleman at all times. He is well groomed with a high sense of responsibility. Applicant is positive in his thinking and exacting in his work. [redacted] highly recommended him for a high judicial position. b6 b7C

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On October 26, 1971, [REDACTED]

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[REDACTED] USDJ, advised SA [REDACTED] he has known the applicant, since the early part of 1969. He stated that he has worked with the applicant on several projects in the past, and they meet briefly at least weekly on an informal basis. He regards the applicant as a very capable lawyer and is amazed at the applicant's extensive knowledge of the law. [REDACTED] advised he has had no occasion to observe the applicant's writing and speaking abilities. He further regards the applicant as a very amiable, modest, and pleasant individual who consistently presents a pleasing and respectable appearance. He believes the applicant enjoys good health. [REDACTED] is sure the applicant enjoys an excellent reputation on a professional and personal basis. He firmly believes that the applicant is an honest and loyal American. He related that the applicant displays an excellent judicial temperament evidenced by his even disposition, objectivity and unbiased approach to all problems. He is certain the applicant maintained an extremely high standard of professional ethics. [REDACTED] was not familiar with any professional and civic organizations to which the applicant belonged. Based upon his casual discussions with the applicant, [REDACTED] contended the applicant viewed the Civil Rights issue as one of the most difficult problems the nation faces.

In his opinion, he believes the applicant desired to approach this matter in an analytical and sympathetic manner. He was not cognizant of the applicant's political affiliations. [REDACTED] considered the applicant to be exceptionally well qualified for a high judicial post, and he so endorsed him without qualification.

On October 26, 1971, [REDACTED]

[REDACTED] USDJ, advised that he has known the applicant since April, 1969.

He reported he is in weekly contact with the applicant and frequently engages the applicant in the discussions of legal matters. In this regard, he believed the applicant was an expert in his field. He further described the applicant as a diligent worker and one who was very thorough in his work assignments. He never loses his temper and consistently displays a very calm approach to all matters. The applicant never over dresses and always presents a neat appearance. The applicant is kind and considerate and consistently displays exemplary conduct. He enjoys good health. [redacted] is acquainted with the applicant's family and is favorably impressed with them. He was sure the applicant enjoyed an excellent reputation on a personal and professional level. He had no reason to question the applicant's loyalty to the United States. He stated the applicant was very even tempered and was willing to listen very carefully to anyone. In addition, he believed the applicant's professional ethics are of an exceptionally high caliber. He is certain the applicant did not belong to any racially prejudice organizations. [redacted] highly endorsed the applicant for a judicial position.

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The following individuals were interviewed on October 26, 1971, by SA [redacted] at the United States Department of Justice:

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[redacted]
[redacted] advised he has known applicant since January, 1969. He described applicant as a brilliant, legal scholar. He has heard applicant speak in public situations and applicant has always performed remarkably well. His personal and professional ethics are high and he enjoys a fine reputation. He approaches problems honestly and fairly. [redacted] did not have any knowledge of applicant's membership in any professional and civic organizations. Applicant is a Republican. He described applicant as a conservative, that is, one who does not want to expand concepts or applications of the law beyond what they presently are. Applicant is neat in appearance and projects a good image. He enjoys good health. [redacted] had no reason to question the honesty or integrity of the applicant. He had no reason to doubt applicant's loyalty to the United States. [redacted] considers the applicant exceptionally well qualified for a high judicial post and he so endorsed him without qualification.

[redacted]
[redacted] advised he has known the applicant professionally since April, 1969. He described applicant as being very intelligent and knowledgeable of the law. He has been very impressed with applicant's legal ability and legal competence. He possesses exceptional writing and speaking skills. He is neat in his appearance and always well-groomed. He is a Republican. He works long hours on a regular basis. Applicant is well thought of by his fellow co-workers and consistently displays an even temperament. He enjoys good health. [redacted] had no knowledge of any membership which applicant might hold in professional and civic organizations but stated that he knew of no unfavorable information regarding applicant.

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He had no reason to question applicant's honesty, integrity or loyalty to the United States. [redacted] highly recommended applicant for a high judicial position.

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[redacted]
[redacted] advised that he has known applicant since December, 1968, when they both joined the Justice Department. He described applicant as a fine legal scholar with exceptional intellect. Applicant was graduated one in his law class at Stanford University and has practiced private law in Phoenix, Arizona. He has had substantial court experience during his private practice. He is an excellent administrator and executive and an outstanding student of constitutional law. He is an excellent family man who spends almost all of his free time with his family. [redacted] stated that the applicant is a member of the American Bar Association and is active in the Ninth Circuit Bar. He is a Republican. His personal and professional ethics are high. He would approach any problem with a fair and impartial view. He enjoys good health. He is neat in appearance and is an excellent speaker. [redacted] recommended the applicant without hesitation for a high judicial position.

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[redacted] advised that he has known the applicant since April, 1970, and has worked quite closely with him since that time. He is an excellent administrator and executive and enjoys a fine reputation in the Department. His knowledge of the law is outstanding and he possesses exceptional intellect when it comes to the fine points of the law. Applicant has argued cases before the Supreme Court and it is to be noted that he did an exceptionally fine job on a Selective Service type case earlier this year before the Supreme Court. He is neat in appearance, and enjoys good health. [redacted] had no knowledge of applicant's membership in any professional or civic organizations, but added that he would only be a member of the very best professional type organizations. [redacted] had no reason to question applicant's honesty, integrity, or loyalty to the United States. His personal and professional ethics are high. Applicant has a judicious temperament and an even temperament. He is a Republican. [redacted] recommended applicant without reservation for a high judicial position.

[redacted] advised that he has known and worked closely with applicant since approximately January, 1969. He has heard cases that applicant has argued before the Supreme Court. Applicant has impressed him with his knowledge of the law. He is neat in appearance and enjoys good health. He is an excellent speaker and has written several excellent pieces of work. He is well qualified in the legal field and has extremely high professional ethics. He is a fine family man who attempts to devote much of his free time with family activities. [redacted] has never had any reason to question applicant's

honesty, integrity, reputation or loyalty to the United States. [redacted] considered applicant especially well qualified for a high judicial post and he so endorsed him without qualification.

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[redacted] advised that he has known applicant since early 1969. He described applicant as an extremely intelligent individual with a fine knowledge of the law. He has heard the applicant argue a case in the Supreme Court earlier this year and applicant performed remarkably well. He possesses exceptional writing skills and applicant's statements before congressional committees have been very good. He has high professional ethics and is fair and objective in all his dealings. He is neat in appearance and always projects a good image. He is in good health. [redacted] has never had any reason to question applicant's honesty, character, reputation, [redacted] or loyalty to the United States. [redacted] stated he has no hesitancy in recommending applicant for a high judicial position.

[redacted] advised that he has worked with applicant since January, 1969. He had exceptionally high praise for applicant's legal competence and ability to deal with people. He has demonstrated competency and expertise in writing and speaking. He is a person of outstanding character and unquestionable ability. His personal and professional ethics are high and he enjoys a fine reputation. He enjoys good health and always makes a good appearance. He is a person of high integrity and even temperament. [redacted] has never had any reason to question applicant's honesty, integrity or loyalty to the United States. [redacted] considered applicant exceptionally well qualified for a high judicial post and he so endorsed him without qualification.

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[redacted]
[redacted] USDJ, advised SA [redacted] on October 26, 1971, he has known the applicant since January, 1969, [redacted]
[redacted]

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REHNQUIST is an extremely friendly, well controlled, cheerful and conscientious person who makes a good appearance and enjoys an excellent reputation among his personal and professional associates. He is honest, possesses great integrity and is unquestionably loyal to the United States. He is a sober, responsible person who maintains a high level of professional ethics and is an extremely skillful lawyer who has excellent writing and speaking abilities. He has an even temperament and consistently approaches problem situations objectively and with a sense of fairness. [redacted] has never heard the applicant express himself directly on civil rights issues but has all confidence that he would handle civil rights matters in an objective fashion. [redacted] considers the applicant to be exceptionally well qualified for a high judicial post and endorses him without qualifications. [redacted] is casually acquainted with Mrs. REHNQUIST and is favorably impressed by her.

[redacted]
[redacted] USDJ, advised SA [redacted] on October 26, 1971, [redacted]
[redacted] since January, 1969, and regards the applicant as one of the brightest lawyers she has ever known. He is very cool and relaxed during speaking engagements and writes clearly. The applicant is an excellent administrator who shows respect for other lawyers and is very considerate. The applicant is held in high regard by his personal and professional associates. He presents a good appearance and his conduct is above reproach. The applicant has judicial temperament, is fair and objective and has a high sense of professional ethics. [redacted] is not familiar with the applicant's views on civil rights matters but

believes his general spirit of fairness would govern his future decisions. He is in a good state of health and [redacted] affords him the highest recommendation for a judicial position.

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[redacted]
[redacted] USDJ, advised SA [redacted] on October 26, 1971, that she has known REHNQUIST since January, 1969, through an office association. He is a very open, honest and calm individual who never passes office stress on to his subordinates. He is even tempered and consistently approaches problems in a fair and impartial manner. His professional ethics are of the highest and [redacted] recommends him for a responsible judicial appointment. She has found the applicant's wife to be a fine person.

[redacted]
[redacted] USDJ, advised SA [redacted] on October 26, 1971, that [redacted] since January, 1969. He has found the applicant to be a very knowledgeable attorney, [redacted] an excellent speaker and an outstanding writer. He is extremely well organized, takes difficult assignments in stride and enjoys the esteem of his personal and professional associates. His conduct is above reproach and he makes an excellent personal appearance. He is even tempered, fair and impartial. [redacted] has never heard the applicant make any derogatory comment toward any religious or racial group. He believes him to be a member of the Republican Party, but knows nothing of his party activity. [redacted] is acquainted with the applicant's family and they have impressed him as very refined people. [redacted] highly recommends the applicant for a judicial position.

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CV:blz

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The following individuals were interviewed on October 27, 1971 at U.S. Department of Justice (USDJ) by SA [redacted]

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[redacted] advised he has known applicant professionally since January, 1969. He has worked with him on several legal matters and has exceptionally high praise for applicant's legal competence and ability to deal with people. He considers him to be an outstanding lawyer. He is an individual who is clear and concise about what he stands for, but yet flexible enough to hear both sides of an issue. He has high professional ethics and is fair and objective in all his dealings. He is neat in appearance and always projects a good image. He is in fairly good health.

[redacted] had no knowledge of applicant's membership in any organizations and has never had any reason to question his honesty integrity or loyalty to the United States. He has an even temperament and is well qualified for a high judicial position. [redacted] recommended applicant without hesitation for a high judicial position.

[redacted] advised he has known applicant since approximately November, 1970. He stated applicant was the team leader of a group of individuals from the Justice Department who traveled to several universities and had conferences with university students discussing a wide variety of subjects. Applicant did an outstanding job of handling the questions put forth by students and was always cool under pressure and well organized. [redacted] stated he has had several discussions with applicant concerning the problems of minority groups. Applicant displays a sincere understanding and is always willing to listen to both sides of an issue. He is flexible and the type of individual who would be fair and impartial in his decision making. [redacted]

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[redacted] had exceptionally high praise for applicant's legal ability and knowledge of the law. He has high professional ethics. He is neat in appearance and enjoys good health.

[redacted] had no reason to question applicant's honesty, integrity or loyalty to the United States. [redacted] considers applicant to be exceptionally well qualified for a high judicial position and so endorsed him without qualification.

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[redacted]
[redacted] advised he has known applicant since January, 1969. Applicant is one of the finest legal minds in the country. He has handled many tough legal problems and legal interpretations with ease. He has the uncanny ability to cut through the shaft of a problem and get to the main issue, and is considered to be everyone's lawyer within the Justice Department. He speaks with clarity and never has difficulty in getting his point across. He has high professional and personal ethics and is fair and objective in all his dealings. Applicant is honest and loyal to the United States and to the administration. He is of excellent character and enjoys a fine reputation. He enjoys good health and is neat in appearance. He is a Republican. [redacted]

[redacted] considers the applicant to be well qualified for a high judicial position and so endorsed him without qualification.

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FFB:jdw/can

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JUDGES

United States Court of Appeals for the
District of Columbia Circuit

The following judges of the U. S. Court of Appeals for the District of Columbia Circuit advised Special Agent [redacted] on October 23, 1971, as follows concerning WILLIAM H. REHNQUIST:

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Chief Judge DAVID L. BAZELON believed that he may have appeared in the above mentioned Court but does not recall that he made any arguments in that Court. Judge BAZELON indicated that he did not know Mr. REHNQUIST well enough to make any recommendations concerning his suitability for the U. S. Supreme Court.

Judges GEORGE E. MAC KINNON and EDWARD A. TAMM indicated that they did not know Mr. REHNQUIST and did not feel qualified to make any recommendations concerning his suitability for the U. S. Supreme Court.

[redacted] had a slight acquaintance with Mr. REHNQUIST. He discussed legal topics with him at a meeting of the American Bar Association in London, England, and on the basis of this very limited discussion was impressed that Mr. REHNQUIST was an extremely capable attorney. [redacted] knew nothing more about him. [redacted] recommended Mr. REHNQUIST to be a justice on the U. S. Supreme Court on the basis of his legal ability.

Judge CARL MC GOWAN personally met Mr. REHNQUIST about a year ago. He has the reputation, according to Judge MC GOWAN in the legal circles, of having a fine academic background. He did not know him well enough to recommend him for the U. S. Supreme Court.

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FFB:vrb

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[redacted] advised as follows:

[redacted]
[redacted]
[redacted] has met Mr. REHNQUIST at social gatherings around Washington, D. C. (WDC), however, they have never been professionally associated with each other. To the best of [redacted] knowledge Mr. REHNQUIST has never argued any cases in the U.S. Court of Appeals for the District of Columbia Circuit. Nor has [redacted] seen any of his legal writings. However, [redacted] former associates and friends in the U.S. Department of Justice have indicated to [redacted] that Mr. REHNQUIST is a "tremendous lawyer" and has an outstanding reputation there for his legal ability. Based on this information [redacted] highly recommends Mr. REHNQUIST for a position of a Justice in the U.S. Supreme Court.

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WFO 77-86748

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Judge J. SKELLY WRIGHT advised as follows:

He knows Mr. WILLIAM H. REHNQUIST but not well. He has attended some dinner parties with Mr. REHNQUIST and discussed legal matters of interest with him. Judge WRIGHT has found Mr. REHNQUIST a very pleasant person and an easy person with whom to get along. Mr. REHNQUIST has impressed Judge WRIGHT as a "first class lawyer". Judge WRIGHT indicated "He doesn't feel that it is in his role as a judge to make any recommendations concerning the suitability of a person for the U.S. Supreme Court and feels this is more within the jurisdiction of the Executive Branch of the U.S. Government". Therefore, Judge WRIGHT did not make any recommendations concerning Mr. REHNQUIST for the position of a Justice of the U.S. Supreme Court.

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[redacted] advised as follows:

He has known Mr. WILLIAM H. REHNQUIST since Mr. REHNQUIST came to the Department of Justice in 1969. He has seen Mr. REHNQUIST on a number of occasions. On one occasion, Mr. REHNQUIST assisted [redacted] on a project [redacted] was handling in connection with the Judiciary Committee. [redacted] considers Mr. REHNQUIST a very capable attorney who is very knowledgeable in law.

He makes a very fine appearance. He is a very personable young man, and has an excellent personality. As far as [redacted] knows, his character, habits, and sobriety are excellent. He seems to be vigorous and in good health. He has a reputation of being a very fine lawyer and one of the finest in the Justice Department. His loyalty to his country is unquestionable. He is a man of honesty and integrity.

He has a very fine judicial temperament and handles matters with a fine hand and mind. [redacted] believes that he would be impartial, objective, unbiased, and fair in any decision he might have to make as a Judge.

There has been no indication to [redacted] that he has any extremist viewpoints, nor that he has been connected with any racially prejudiced organizations or extremist groups. [redacted] highly recommended Mr. REHNQUIST for a position of Judge on the United States Supreme Court.

WFO 77-86748

FFB:jdw

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United States District Court
for the District of Columbia

The following judges of the U. S. District Court for the District of Columbia advised SA [redacted] on October 25, 1971, as follows concerning WILLIAM H. REHNQUIST.

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Judges WILLIAM B. BRYANT, [redacted] and [redacted] advised that they did not know Mr. WILLIAM H. REHNQUIST.

[redacted]

[redacted]

CHARLES L. RICHEY, and Judge JOHN LEWIS SMITH, JR. advised that mutual friends in legal circles have indicated to them that WILLIAM H. REHNQUIST has a very high reputation in the legal field, however, they themselves have not had any association with Mr. REHNQUIST. They also have indicated that they have observed in the newspapers that Mr. REHNQUIST has a very fine reputation. They indicated because of their lack of personal knowledge or association with Mr. REHNQUIST, they were not in a position to make any recommendations concerning his suitability for a position of justice in the U. S. Supreme Court.

[redacted] advised he may have met Mr. REHNQUIST when Mr. REHNQUIST served as law clerk for Supreme Court Justice ROBERT H. JACKSON. [redacted]

[redacted]

[redacted] stated that everything he had read in the newspapers about Mr. REHNQUIST would tend to indicate he would make a good justice in the U. S. Supreme Court. However, [redacted] felt that because he did not

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know Mr. REHNQUIST personally that he was not in any position to make any recommendation for the position of justice in the U. S. Supreme Court!.

[redacted] advised that he had met Mr. REHNQUIST on one occasion and has been told by mutual associates of Mr. REHNQUIST and himself that Mr. REHNQUIST is "the smartest lawyer in the U. S. Justice Department". However, [redacted] did not feel that he knew Mr. REHNQUIST well enough to make any recommendation concerning him for the position of justice in the U. S. Supreme Court.

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1 District of Columbia Court of Appeals

The following Judges of the District of Columbia Court of Appeals, advised Special Agent [redacted] as follows on October 26, 1971, concerning Mr. WILLIAM H. REHNQUIST:

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[redacted] advised he had never met Mr. REHNQUIST personally but through mutual friends and associates had ascertained he has a very high professional reputation in legal circles and has also read in newspapers very favorable comments concerning him. [redacted] indicated that despite the fact that he has never been able to make any personal observations concerning Mr. REHNQUIST, he knew of no reason why he should not be confirmed as a Justice of the United States Supreme Court.

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Judge J. WALTER YEAGLEY advised as follows:

He met Mr. REHNQUIST around February, 1969, when the new Presidential administration was taking office. Judge YEAGLEY was associated with him professionally from February, 1969, to October, 1970, when Judge YEAGLEY was appointed to the bench. They attended staff meetings at the Justice Department together and met at a lunch given by the Attorney General of the United States each week.

Mr. REHNQUIST has an outstanding legal mind and is recognized in the Justice Department as a great legal technician. He is considered by people who have been in the Justice Department for a number of years as one of the best, if not the most outstanding persons who has headed up the Office of the Legal Counsel. in the last 25 years.

Although he is not a fancy dresser and is somewhat plain in his appearance, he nevertheless makes a very good appearance. He is compassionate, modest, humble, soft-spoken, and has a pleasant and affable personality. He is sober minded, a person of good character, conduct, and morals. He appears to be in good health. Judge YEAGLEY has met his wife who is of excellent character and reputation, very intelligent, and well read. The loyalty of Mr. REHNQUIST to his country is unquestionable. He has a high professional and personal reputation. He has an outstanding judicial temperament. Judge YEAGLEY believes he would be objective, impartial, and fairminded as a judge.

There has been no indication to Judge YEAGLEY that Mr. REHNQUIST has been associated with any racially prejudiced organizations, or extremist groups. Nothing has come to Judge YEAGLEY's attention to indicate Mr. REHNQUIST has any extremist views. Mr. REHNQUIST has a good, basic, sound

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grasp of juristic problems. As a humanitarian, he is unbiased concerning race, color, creed or political affiliations. With his wit, intelligence, objectivity, and legal experience, he will make a great jurist. Judge YEAGLEY felt applicant's appointment to the U. S. Supreme Court will serve to further enrich and distinguish the "highest court in the land".

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[redacted] advised as follows:

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He met Mr. REHNQUIST roughly in the period of November 19, 1969, to July, 1970, [redacted]

[redacted] Mr. REHNQUIST is very knowledgeable in law and an outstanding attorney.

He makes a good appearance and has a pleasing personality. Nothing of an adverse nature concerning his character, conduct, nor sobriety has come to [redacted] [redacted] attention. There has been no indication to [redacted] of any ill health on the part of Mr. REHNQUIST. He has a high reputation professionally and personally. [redacted] has had no reason to question his loyalty to the United States. He is a man of high professional ethics.

As far as [redacted] has been able to ascertain, he seems to have a good judicial temperament and [redacted] believes he would be objective, impartial, and fair in any decisions he might have to make as a judge.

There has been no indication to [redacted] that Mr. REHNQUIST has been associated with any racially prejudiced organizations, nor that he has any extremist viewpoints himself. [redacted] highly recommended Mr. REHNQUIST for a position as justice of the U. S. Supreme Court.

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[redacted] advised that they have not had any contact nor personal association with Mr. WILLIAM H. REHNQUIST and consequently are not in a position to make a recommendation concerning him for a position of Justice of the U.S. Supreme Court.

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FFB:jdw/cn/lak

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Superior Court for the District of Columbia

Chief Judge HAROLD H. GREENE, Superior Court for the District of Columbia, advised SA [redacted] on October 23, 1971, that he had met WILLIAM H. REHNQUIST on one or two occasions in the Department of Justice, but knows him mostly by reputation. Judge GREENE indicated that he has not had enough contact with Mr. REHNQUIST on a personal basis to evaluate his ability or make a recommendation concerning his qualifications for the Supreme Court.

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[redacted] Superior Court for the District of Columbia, advised SA [redacted] as follows on October 27, 1971:

He has known Mr. WILLIAM H. REHNQUIST for approximately three years since the start of President NIXON's Administration. [redacted] had a close association with Mr. REHNQUIST in the Department of Justice until [redacted] was appointed to the Superior Court for the District of Columbia. Mr. REHNQUIST has a superior legal ability.

He makes an excellent appearance. He has a pleasant personality. Nothing of an adverse nature concerning the character, conduct, morals, or sobriety of Mr. REHNQUIST has come to [redacted] attention. [redacted] has met the family of Mr. REHNQUIST. They have visited each other in their respective homes on numerous occasions. His family is of the highest type and of good character and reputation. The reputation, both professionally and personally, of Mr. REHNQUIST is of the highest quality. His loyalty to the United States is unquestionable.

Mr. REHNQUIST has an excellent judicial temperament. He has a reputation for thoroughness and erudition. [redacted] believes that Mr. REHNQUIST would be impartial, objective, and fair in any decisions he might be called upon to make as a Judge.

There has been no indication to [redacted] that Mr. REHNQUIST has any extremist views, nor that he has been associated with any racially prejudiced organizations or extremist groups.

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[redacted] believes President NIXON has chosen a superior attorney who is destined to make a decided contribution to the United States Supreme Court. [redacted] highly recommends Mr. REHNQUIST for the position of a Justice on the United States Supreme Court.

[redacted]
[redacted], advised SA [redacted] on October 27, 1971, that he did not know Mr. REHNQUIST.

[redacted]
[redacted] advised SA [redacted] as follows on October 27, 1971:

She first met Mr. REHNQUIST when President NIXON's Administration came into being in January, 1969. She worked with Mr. REHNQUIST in the Department of Justice from January, 1969 to September, 1970. They worked on special problems in the Department of Justice. He has an excellent legal mind and is well informed on legal matters. He has a superior intellectual capacity.

He makes a very good appearance and has a very fine personality. His character, conduct, and sobriety are far beyond reproach. He appears to be in very good health. He has an excellent reputation, both professionally and personally. His loyalty to the country is unquestionable.

[redacted] believes that he has a very fine judicial temperament. She has observed that in her association with him that he is always willing to listen and ready to hear other people's point of view. She, therefore, thinks that he would be objective, impartial and fair in any decisions he might make as a judge.

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There has been no indication to her that he has any extremist views, nor that he is associated with any racially prejudiced organizations or extremist groups. She highly recommended him for the position of Justice on the United States Supreme Court.

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JWS:lms

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Attorneys

On October 26, 1971, [REDACTED]

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[REDACTED] advised SA [REDACTED] that he has known WILLIAM H. REHNQUIST professionally since 1969, when REHNQUIST joined the Department of Justice. [REDACTED] has worked with REHNQUIST fairly frequently on day-to-day legal matters which arise at the [REDACTED] [REDACTED] and the Department of Justice.

[REDACTED] considers REHNQUIST to be a loyal and dedicated citizen of the United States and an extremely capable and intelligent individual. He has no information concerning REHNQUIST's past legal practice, his membership in organizations and his political affiliations and activities.

[REDACTED] remarked that REHNQUIST is "inclined sometimes to be rather cavalier about what seems to me to be extremely important matters." He cited as the only example he could recall the Executive Order and proclamation by the President on August 13, 1971, or August 15, 1971, having to do with the Wage-Price Freeze. This was a matter of great importance, according to [REDACTED] and REHNQUIST handled a discussion of this matter with [REDACTED] over the telephone at 9:00 or 9:30 at night from his home. [REDACTED] commented "I feel he should have been here or at least should have been represented here." [REDACTED] admitted that "there may have been things going on elsewhere; I knew nothing about which demanded his attention, but from where I sat I felt the situation was important enough to require his personal presence."

[REDACTED] reported that REHNQUIST is an extremely intelligent person with an outstanding knowledge of the law. He has no information regarding REHNQUIST's writing and speaking ability nor concerning his court room and trial experience. REHNQUIST has appeared frequently before Congressional Committees in the course of his duties at the Department of Justice.

REHNQUIST has a pleasant personality and gets along very well with all types of people. His character, habits, morals and integrity appear to be of the very highest type and he is highly regarded by his co-workers. [] could furnish no information concerning REHNQUIST's associations or relatives.

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[] advised that REHNQUIST is "one of the finest guys I've ever met in my life and a fine, intelligent, capable and conscientious attorney." He remarked that he does not always agree with REHNQUIST's views and cited the handling of the May Day protests last spring when many students and demonstrators were picked up and incarcerated in various places in the city. [] advised that "I think we were wrong in the way this was handled although we may not have had any choice. Concerning the matter, [] attitude would be "we were wrong and we're sorry." Whereas from reports and quotations he has seen in the newspapers from REHNQUIST, his views appear to be "we were not wrong and we are not sorry." [] emphasized that he had never discussed this matter with REHNQUIST and is commenting only on the basis of his understanding of REHNQUIST's views as set forth in the newspapers. He added that there may have been no alternative to what the government had to do, but "we could at least be sorry and make plans so this doesn't happen again."

[] stated that "I can't state strongly enough that he is a good lawyer and one of the finest people I have ever met." He stated that in spite of his disagreement with REHNQUIST, he hopes that REHNQUIST is confirmed for a position on the U.S. Supreme Court. [] recommended REHNQUIST for this appointment. He added that "REHNQUIST will call them as he sees them and I hope he makes it."

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[] advised that REHNQUIST is a man of obvious intelligence, good will and sincerity who will "rise to the occasion," if appointed to the Supreme Court. He added that "as a citizen I would be willing to take my chances before him in any court of law." REHNQUIST will be fair, objective and unbiased on the bench.

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[redacted]
[redacted] Washington, D. C.,
advised Special Agent [redacted] on October 26, 1971,
that he has known the applicant for approximately nine months on
a professional basis. [redacted]

[redacted] He considers the applicant to
be an excellent superior who gets along exceptionally well with
his subordinates. He is very considerate, sensitive and courteous.
He is also very helpful to his subordinates. [redacted] considers
the applicant to be intelligent, capable, competent and knowledgeable
in the law. He is an outstanding attorney and has an outstanding
reputation among his professional colleagues. [redacted] stated
that the applicant is the type of individual who will listen to
all viewpoints on any matter and then he will make judgement on
the merits of the case or of the law. He considers the applicant
to be well qualified for the position of Justice, Supreme Court
of the United States, and he believes that the applicant, if he
receives an appointment, will someday be regarded as one of the
outstanding justices in the Supreme Court. He considers the
applicant to be a person of excellent character and reputation
and he has never had any reason to doubt his loyalty to the
United States. He very highly recommended applicant for a
judicial position.

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CLW:cac

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On October 26, 1971, [REDACTED]

[REDACTED] advised Special Agent (SA) [REDACTED] that he has known the appointee since January of 1969, when the appointee was made Assistant Attorney General in charge of the Office of Legal Council, U.S. Department of Justice (USDJ).

[REDACTED] stated at that time he was [REDACTED]

He stated there is no question regarding the appointee's intelligence and knowledge of the law. He remarked the appointee has an outstanding speaking ability. He added the appointee's written reviews of civil disturbances were outstanding.

He added he has no knowledge of the appointee's court room or trial experiences.

He stated that he knew the appointee only on a professional basis and has no knowledge whatsoever of his family members or their activities.

[REDACTED] stated he has the highest opinion of the appointee's honesty, integrity, reputation, and [REDACTED] loyalty to the United States. He said he has a very pleasing personality and is neat in his appearance. He remarked the appointee enjoys good health.

He remarked he has no knowledge of the appointee's personal life and he has no reason to doubt that it is impeccable. He remarked that based upon his numerous contacts with the appointee, he feels that the appointee has exhibited outstanding judicial qualifications which would qualify him for a position on the Supreme Court. He stated there is no question concerning his business ethics and that he certainly

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exhibited fair, partial, unbiased and objective thinking in the decisions he had made during the interim that he was in close contact with him.

[redacted] stated the appointee represents a very balanced point of view regarding civil rights and has a definite feeling on individual civil rights. He remarked the appointee exhibited a strong feeling that government had the right to go about its business in any civil disturbance; however, there must be a protection of the individual's rights. He said that the appointee is not insensitive to civil rights.

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[redacted] stated were he in a position to recommend an individual for a position on the Supreme Court, he would consider the appointee as number one on his list of individuals to be so recommended.

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RFR:dam

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The following investigation was conducted by
Special Agent [redacted] on October 26, 1971.

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[redacted]
[redacted] who resides [redacted]
[redacted] advised he was employed with the United
States Department of Justice in August, 1969, as [redacted]

[redacted] During above period
[redacted] stated he worked closely with Mr. REHNQUIST and
has stayed in contact with him since leaving the Justice
Department and has had several luncheon dates with him in
the recent past. He has met applicant's wife on several
occasions at Christmas parties at the Justice Department and
she made a very good impression on him. He stated Mr.
REHNQUIST is highly regarded by his associates in the Justice
Department and he was impressed with applicant's intelligence
and broad knowledge of the law, particularly constitutional
law. He described applicant as a good speaker who has an
excellent writing ability and knew applicant was primarily a
trial attorney when in private practice. While employed in
the Office of Legal Counsel REHNQUIST was primarily involved
in giving legal advice to various branches of the Government,
specifically to the White House, and to Congress concerning
legislation. [redacted] advised Mr. REHNQUIST
litigated several Supreme Court cases which he won for
the United States Government but he is not familiar with
applicant's background experience as a trial attorney in the
State of Arizona.

He further described applicant as a warm person, a
careful thinker, even tempered and one who does not do things
impulsively but thinks them through. He has never known
applicant to become emotional and he has always been very calm
under stress. Applicant makes an above average appearance and
is distinguished looking. Applicant has no bad habits and he
described applicant as a sober individual who has no vices to
his knowledge. He stated applicant was in excellent health
during the period he was closely associated with him. He had
heard applicant recently injured his back but understood he
is in good condition today.

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[redacted] stated he could not comment concerning applicant's family and children due to his lack of knowledge concerning them. He knows applicant's reputation as a lawyer is excellent and his honesty, integrity and loyalty to the United States are above reproach. [redacted] had no information concerning the applicants participation in any professional or civic organizations. Applicant's views on civil rights have failed to indicate any bias and [redacted] is of the opinion applicant would interpret the laws of the land in a fair and objective manner. [redacted] highly recommended applicant for the position of Associate Justice on the Supreme Court stating he is of the "highest caliber."

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RFR:dam

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The following investigation was conducted by Special Agent [redacted] on October 26, 1971.

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[redacted] who resides at [redacted] advised he has known WILLIAM H. REHNQUIST two years and five months and met REHNQUIST at the United States Department of Justice when he [redacted]

[redacted] Their relationship professionally was on a daily basis during the period [redacted]

[redacted] stated he has remained friendly with Mr. REHNQUIST since he left the Justice Department and REHNQUIST was his guest at [redacted]

[redacted] He has also had several luncheons as a guest of Mr. REHNQUIST's at the National Lawyers Club, Washington, D. C. He related REHNQUIST is married and has two daughters and one son, all minor children. He described the applicant and his family as fine people whose character, loyalty, associates, reputation and morals are above reproach. He stated applicant is of the absolute "highest order", a brilliant attorney who is generally knowledgeable in the law and described applicant's writing ability as extremely good and his speaking ability as persuasive and articulate, having no difficulty in conveying his thoughts in the greatest of detail. He described applicant's type of practice as fairly general in nature and knew applicant was formerly an attorney in Phoenix, Arizona, from the period 1953 to 1969. He related he had the impression REHNQUIST has had quite a bit of trial experience in Arizona and applicant argued several cases before the Supreme Court successfully in January, 1971. Applicant's law experience appears to be related closely to several matters, most of them criminal matters according to [redacted]

He described applicant as having a very pleasant personality, one who has a good sense of humor and one who is well regarded by his associates. Applicant is well groomed and makes a good appearance. Applicant's sobriety is unquestioned and he has no bad habits and his conduct is above reproach. Applicant had a back operation in May, 1971,

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(a laminectomy) at the Washington Hospital Center and has been in the best of health since this operation. [redacted] related applicant's family resides in McLean, Virginia, and his wife is involved in civic activities and all their children are of school age attending local public schools. He stated applicant's reputation both personal and professional is absolutely excellent and above reproach. He described applicant as even tempered and one who can "keep his cool" in tough situations, and he is known to be tactful with people. He stated applicant is fair, unbiased and objective and his professional ethics are above reproach. He advised he is not aware of organizations either, professional or civic, that applicant may belong to. [redacted]

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[redacted] stated he never knew or heard REHNQUIST say anything that would indicate he was biased concerning minority groups. He further described applicant as an excellent legal technician who is very precise and his thinking is clear. He stated applicant is a Republican and formerly worked for Senator GOLDWATER's election in 1964 and also for President NIXON in the Republican Campaign of 1968. He does not know applicant's current activities in the Republican Party but stated applicant is unquestionably extremely well qualified to serve on the Supreme Court of the United States and highly recommends applicant for this judicial position.

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On October 26, 1971, [redacted] Attorney.

[redacted]
[redacted] Washington, D. C. (WDC), was interviewed by
Special Agent [redacted] and he provided the following
information regarding WILLIAM HUBBS REHNQUIST:

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He has been acquainted with applicant for the past six or seven years. He has been aware of applicant as a "Constitutional Scholar" for the past three to five years. He has had social contact with applicant at many Bar Association type functions since applicant has been in WDC. He and applicant have many mutual type friends employed by the United States Government.

During the summer of 1971, he [redacted] had three meetings with applicant and applicant's staff in the Justice Department relating to legal questions to [redacted]. The legal questions involved pertained to interpretation of [redacted] rulings and procedures of [redacted]. The matter was resolved in court with applicant's position being in agreement with interviewee's: The trial work was handled by attorneys of the Department of Justice.

He and applicant have not engaged in litigation in a court of law.

He considers applicant's legal ability and experience to be outstanding. He speculated that applicant engaged to the General Practice of Law in Phoenix, Arizona, rather than specializing in any one area of law. He has not had the opportunity to observe applicant in a court of law.

He considers applicant's personal characteristics to be above reproach. Applicant is a very pleasing, affable, friendly type individual. He has known applicant to drink an occasional cocktail, but has never observed applicant to be intoxicated. Applicant appears to be healthy and he has heard nothing to be contrary regarding applicant's physical condition. He has met applicant's wife who likewise enjoys a favorable reputation. He has not met any of the children nor

does he know anything about them. He considers applicant's personal and professional reputation to be outstanding. He commented favorably regarding applicant's honesty, character, integrity and loyalty to the United States.

He considers applicant to be eminently qualified for this position due to his judicial temperament. Applicant is considered to be very fair, impartial, unbiased and objective. Applicant approaches all problems in a calm, level headed manner. In his opinion, applicant is the type of individual that belongs on the Supreme Court of the United States. Applicant's professional ethics are above reproach.

Applicant is a member of various Bar Associations; however, it is not known if applicant is a member of any other professional or civic organizations. He has not engaged in any conversations with applicant regarding civil rights and he has not heard any comments regarding applicant in the civil rights area. He is certain that applicant is a Republican; however, it is not known what offices, if any, that applicant has held in the Republican Party.

He highly recommends applicant as Associate Justice of the Supreme Court. He has hoped for years that a man of the stature of applicant would be appointed to the Supreme Court. He knows of absolutely nothing in applicant's past whether it be organizations, associations, or attitudes which would disqualify him for the court. In applicant's interpretation of the Constitution, he feels that applicant would take the careful, restrained approach. Applicant has a sense of obligation to the long development of the law, tied to the continuity of the Constitution and precedents established in judicial proceedings.

WFO 77-86748

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U. S. Senators

The following investigation was conducted by SA
 on October 26, 1971.

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Senator MARLOW COOK (Kentucky) advised he has known the applicant as a personal friend since 1969, when the applicant assumed his present duty as Assistant Attorney General, Office of Legal Counsel. He has not observed him in a court of law nor in an adversary proceeding. He has no question concerning the applicant's suitability for nomination to the bench of the U. S. Supreme Court, and he completely endorses him for this post. He knows of no unfavorable information concerning the applicant's character, associates, reputation, or loyalty.

WFO 77-86748

RTT:djw

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The following investigation was conducted by SA
 on October 22, 1971:

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Senator HENRY L. BELLMON (Oklahoma) advised he has known the applicant, WILLIAM HUBBS REHNQUIST, for more than ten years as a close personal friend and political associate. He noted that immediately following President NIXON's announcement of his selection of the applicant for a vacancy existing in the bench of the United States Supreme Court, Senator BELLMON telephoned the applicant's residence and informed him of his complete support of his candidacy and, in turn, also communicated similar expressions of support and confidence to the President and to the Department of Justice. Senator BELLMON, a non-attorney, disqualified himself from furnishing comments with regard to the applicant's judicial temperament and demeanor. He is certain, however, the applicant will serve with distinction and make a considerable contribution to the bench of the Court. He knows of no prejudice or bias in his professional or personal life other than a complete dedication to the law. He knows of no unfavorable information concerning the applicant's character, associates, reputation or loyalty. He continues in his endorsement of him.

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U. S. Representatives

The following investigation was conducted by SA
 on October 26, 1971.

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Representative SAM STEIGER advised he has known the applicant, WILLIAM HUBBS REHNQUIST, for more than fifteen years as a close personal friend and as his personal attorney. He is well acquainted with the applicant's wife, NATALIE, and their children. He has not observed the applicant in a court of law nor in an adversary type proceeding. He considers him fair and impartial in his personal life and in his professional activity as an attorney at law, and he is certain the applicant will uphold existing legal precedents in a fair and impartial manner without regard to the ethnic, political, or economical background of those appearing before him in a court of law. He knows of no unfavorable information concerning his reputation or loyalty to the United States. He recommends him to a position of trust and responsibility in the U. S. Government.

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The following investigation was conducted by SA
[redacted] on October 22, 1971:

[redacted] Administrative Assistant to Representative JOHN J. RHODES (Arizona), advised the Representative is not presently available for interview. She said she is authorized to furnish the following information in his absence:

Representative RHODES has known the applicant, WILLIAM HUBBS REHNQUIST, for more than 15 years as a close personal friend and political associate in Arizona and in Washington, D. C. Representative RHODES, Chairman of the United States Republican Policy Committee, already has furnished endorsement on behalf of the applicant to the White House and to the Department of Justice in which he expressed complete satisfaction in the applicant's selection as a candidate for the bench of the United States Supreme Court. He still gives this endorsement. Representative RHODES knows of no deficiency in the applicant's attainment as an attorney and advocate, nor in his personal or public life which might be considered to be a serious draw back to the eventual confirmation by the United States Senate. He is fair and impartial both in his professional life and in his personal life. He is certain the applicant will uphold legal precedents in a fair and impartial manner without regard to the ethnic, political or economical background of those appearing before him in a court of law. He endorses him as a worthy [redacted] candidate for the bench and as a loyal and patriotic citizen.

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Congressman RICHARD H. POFF, (Virginia), was interviewed by [redacted] on October 26, 1971, and he provided the following information regarding WILLIAM HUBBS REHNQUIST.

He has been acquainted with applicant for approximately the past three years in the Washington, D.C., area. He met applicant in connection with the Judiciary Committee of the House of Representatives of which interviewee has been acting Ranking Minority Member. Applicant has testified before this sub-committee and has always demonstrated a full understanding of his subject, indicative of careful preparation and a good deal of homework. He has not had any social contact, except a few working luncheons and dinners relating to Justice Department business. Applicant has been to interviewee's office to discuss pending legislation or legislation about to be proposed. Applicant's legal ability and experience definitely qualify him for the position of Associate Justice of the U. S. Supreme Court. Applicant is a man of special skill in drafting legislation and in statutory interpretation. He is an earnest student of the U.S. Constitution and always approaches problems in a very scholarly manner. He is unemotional and not easily rattled. He structures his speech and writings most carefully, logically and methodically. It is unknown what type of law practice applicant specialized in prior to being employed by the U. S. Government. He is unable to comment on courtroom and trial appearances performed by the applicant.

He has no reason to question applicant's personal characteristics, to include, character, loyalty, honesty and integrity. Applicant presents a very pleasing personality and appearance, is a true gentleman in every sense. He may have an occasional cocktail, but has never been observed to be intoxicated. He has not met applicant's family or heard anything about them. He considers applicant's personal and professional reputation to be above reproach.

He is of the opinion that applicant exhibits proper judicial temperament, is calm, detached, fair, impartial, unbiased and objective. He has no reason to question applicant's professional ethics.

WFO 77-86748

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The only organization, to the best of his knowledge, that applicant belongs to, is the American Bar Association. He is not aware of applicant belonging to any racially prejudiced organizations, nor has he heard applicant express any views on the civil rights issues. Applicant is believed to be a Republican, however, he is not aware of how much time is devoted to the Republican Party.

Applicant is recommended for the position for which being considered. Applicant is a legal craftsman of great dedication and high respect for the rule of law. He has a great potential for growth and could not fail to make a good justice.

WFO 77-86748

RTT:1mt

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Black Caucus, Representatives
U.S. House of Representatives

The following investigation was conducted by SA
 on October 26, 1971.

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Representative WILLIAM L. CLAY (Missouri) advised the so-called Black Caucus is an adhoc group composed of various black United States Representatives who maintain a private office staff and research facilities for the purpose of assisting members of the Caucus in various legislative matters.

The following members of the Caucus advised they have no personal knowledge of the applicant, WILLIAM HUBBS REHNQUIST, and will have no comment to make concerning him until such time as the Black Caucus conducts the study of his qualifications for nomination to the bench of the United States Supreme Court:

Representative WILLIAM L. CLAY (Missouri)
Representative SHIRLEY CHISHOLM (New York)
Representative CHARLES B. RANGEL (New York)
Representative RALPH H. METCALFE (Illinois)
Representative GEORGE W. COLLINS (Illinois)

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GES:ss

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On October 27, 1971, [redacted] Administrative Assistant to Congressman RONALD V. DELLUMS (California), advised Special Agent [redacted] that the Congressman is not available for interview due to the pressure of his work. She advised he is not personally acquainted with WILLIAM REHNQUIST. She advised the House of Representatives Black Caucus is presently doing research work and forming a position on Mr. REHNQUIST as regards his appointment to the Supreme Court. When the position of the Black Caucus is made public, Congressman DELLUMS will support this position as regards the applicant.

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RJP:jdw

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PERSONAL ASSOCIATES

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On October 26, 1971, SA [] interviewed the following officials at the USDJ:

RICHARD G. KLEINDIENST, Deputy Attorney General, stated he has known the applicant as a close professional associate since approximately 1953. He also knows him socially and has participated in Republican Party activities with the applicant. They are good friends. Since early 1969, the applicant has been serving on his staff as Assistant Attorney General, Office of Legal Counsel. The applicant is a brilliant attorney who is a lawyer's lawyer. While practicing in Arizona, the applicant was frequently called upon by other lawyers to handle involved and complicated legal cases. Applicant is a fine researcher and an excellent writer. He makes careful analysis of all the facts before making decisions. Mr. KLEINDIENST has seen him in the court room many times, both as an attorney on the same side, as well as an opposing lawyer. His court room demeanor is outstanding, and he displays tact and proper decorum. The applicant is conservative in his approach to the law and his legal determinations are completely within the framework of the Constitution and existing statutes. He is even tempered and not easily stampeded. The applicant is a loyal, honest, and discreet citizen with high moral habits and respectable associates. He has high legal ethics and is a solid citizen with his feet on the ground. Applicant is well groomed and a fine speaker. His high administrative talents are readily apparent, and he has an excellent reputation. He is a man of modest talents and is sober, stable, and especially well motivated. He works long hours on a regular basis. He enjoys good health. Applicant is fine family man and his wife is likewise a respectable person. His children are polite and well mannered. The applicant believes in equal rights for all citizens, and counts among his close friends, many persons of diverse ethnic background, such as Negroes and spanish speaking persons. He does not

belong to any racially prejudiced organizations. He is fair and equitable in all his dealings. Mr. KLEINDIENST declared that by personality, ability, and training, the applicant is especially well suited for a high judicial position and he so endorsed him without qualification.

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[redacted] advised the applicant has been known to him for about three years as a professional associate and social acquaintance. He has high praise for applicant's legal competence and knowledge of the law. Applicant is the finest legal scholar in the Government. He displays a calm and judicial temperament and has aplomb and equanimity. He is a capable executive and administrator and enjoys a fine reputation. Applicant displays a warm and friendly personality and gets along affably with others. He has the facility for getting the job done. Applicant is upright, honest, and scrupulous. His approach to the law is fair, unbiased, and objective. His patriotism, associates, and personal habits are beyond reproach. His wife and family are respectable persons. The applicant does not belong to any racially prejudiced organizations and he firmly believes in equal rights for all persons. He has never uttered any racially prejudiced remarks. [redacted] declared the applicant would be a credit to the Government in a high judicial post and he so recommended him.

When interviewed, [redacted]

[redacted] endorsed applicant for a high judicial position in the Federal service. For the past three years he has known him as a professional associate in the USDJ. They have had infrequent social contact primarily through office functions. He is impressed with applicant's intelligence and especial professional skill. Applicant has a sense of responsibility, and engaging personality, and active interest in his work. He

WFO 77-86748

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reaches his official decisions after deliberate and calculating examination of all the facts involved. Applicant is a loyal American citizen with impeccable habits and respectable associates. He is perceptive, alert, and poised. He displays an even temperament and is not easily rattled. Applicant is unbiased and objective in his dealings and has never uttered any racially prejudiced remarks. Applicant has extraordinary intellectual power and conducts himself as a gentleman at all times. His affable personality enables him to get along with others. He is circumspect and cooperative. Applicant is nobly motivated and projects a favorable image. Concluding, [redacted] asserted he is aware of nothing unfavorable concerning him.

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BAR MEMBERSHIPS

On October 26, 1971, SC [] caused a search to be made of the files of the District of Columbia Bar Association concerning bar membership and no record was found for the applicant.

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The files of the Lawyers Register, United States District Court for the District of Columbia (USDCDC) revealed he was admitted to practice law in the District of Columbia on October 27, 1952.

The records of the Supreme Court of the United States disclosed he was admitted to practice before this court on February 24, 1969, and is in good standing.

The Federal Bar Association files indicated he became a member of this association on July 23, 1962, and is presently a member in good standing.

✓ The file concerning applicant at the Committee on Admissions and Grievances, USDCDC, revealed that he applied for admission to practice law in the District of Columbia on May 15, 1962. The results of inquiries made by the Committee during August and September, 1952, were favorable. The file contained no additional pertinent information.

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RPS/cb/hab
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Bar Association Officials (District of Columbia)

The following investigation was conducted by SA
[redacted] on October 26, 1971, at Washington, D. C.

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[redacted]
[redacted] Bar Association of the District
of Columbia advised that he is not familiar with the
applicant and could make no further comment.

[redacted]
[redacted] Bar Association of the District of
Columbia advised that he knows the applicant only by reputation
and could pose no objection to his nomination.

[redacted]
[redacted] Bar Association of the District of Columbia
advised that he does not know the applicant personally but
only through legal reputation and what he has read about the
applicant. On this basis he would pose no objection to the
applicant's nomination for the Supreme Court.

[redacted]
[redacted] the Bar Association of the
District of Columbia advised that he does not know the
applicant personally, but only through legal reputation and
what he has read about the applicant. On this basis he would
pose no object on to the applicant's nomination for the
Supreme Court.

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RPS:mbf

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Federal Bar Association Officials

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[redacted]
[redacted]
[redacted] Federal Bar
Association, [redacted] advised that he
does not know the applicant personally, but as far as
his reputation within the legal profession is concerned,
he could pose no objection to his nomination, and stated
that he believes that applicant will become a dominant figure
on the Supreme Court.

[redacted]
[redacted] Washington,
[redacted] Federal Bar Association, advised
that he only knows the applicant by reputation and stated
that he would pose no objection to his nomination.

WFO 77-86748

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On October 26, 1971, [redacted]
[redacted] National Lawyers Club, 1815 H Street,
N.W., advised SA [redacted] that their records indicate the
appointee became a member of this organization on January 5,
1970, and was assigned membership number 8116. She added
these records indicate that he is currently an Assistant
Attorney General for the Justice Department and that he is
also a member of the Federal Bar Association.

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JER:jdw District of Columbia
1 Government Officials

WALTER E. WASHINGTON, Mayor, District of Columbia, advised on October 26, 1971, that he is not personally acquainted with the applicant. He has never heard anything unfavorable concerning the applicant, but since he does not know the applicant, he is unable to make any comments concerning him.

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[redacted] Metropolitan Police Department, Washington, D. C., advised on October 27, 1971, that he is not personally acquainted with the applicant. He noted that he has attended a few conferences at the Department of Justice when the applicant was present. By reputation, [redacted] knows that the applicant enjoys an outstanding reputation in the Department of Justice for being an expert in the field of law. Inasmuch as [redacted] was not sufficiently acquainted with the applicant, he was unable to make any further comments concerning him.

[redacted] added, however, that he was in complete agreement with the applicant's decision concerning the May Day arrests by the Metropolitan Police Department during which it was necessary to make no less than 7,000 arrests within a few hours of demonstrators who planned to disrupt traffic with the announced purpose of "shutting down the government".

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RPS:ww

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Political Leaders

The following investigation was conducted by Special Agent [redacted] on October 26, 1971, at Washington, D.C.:

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[redacted]
[redacted] advised that he is not familiar with the applicant and could not comment on his nomination.

[redacted]
[redacted] advised that he has no knowledge of the applicant other than what he has read in the press and did not feel qualified to comment on the applicant's nomination.

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RPS:rps

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LABOR ATTORNEYS

On October 26, 1971, [redacted] Attorney, [redacted]
[redacted] Washington, D.C., [redacted]
the United Steel Workers of America and [redacted]
[redacted] AFL-CIO advised SA [redacted]
[redacted] that he does not know the applicant personally, but
only by reputation and articles in the press concerning him.
[redacted] stated that although the applicant's philosophies may
be different from his own, as far as the applicant's legal
reputation is concerned, he would interpose no objection to his
nomination.

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The following investigation was conducted by Special
Agent [redacted] on October 27, 1971, at Washington, D. C.

[redacted] AFL-CIO, 815 16th
Street, N.W., advised that he is presently in the process of
examining the applicant's qualifications and philosophies and
did not wish to comment any further at this time.

[redacted] AFL-CIO,
815 16th Street, N.W., advised that he has reached no decision,
at this time, concerning the applicant's nomination and
therefore could make no additional comment.

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LWS:jab/can

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Civil Rights Leaders (District of Columbia)

On October 26, 1971, [redacted]

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[redacted] advised Special Agent [redacted] that he had met the applicant on one occasion several years ago at a legal function. He has had no additional contact with the applicant and has had no personal or professional relationships with him. He has no first hand knowledge concerning the applicant's personal or professional qualifications for a judicial position. He has read several of the applicant's speeches but at this time does not recall the specific details of the speeches so he can make no additional comments in this regard. Due to the absence of any professional or personal contact with the applicant, he could furnish no additional comments concerning him.

The following investigation was conducted by Special Agent [redacted] on October 26, 1971, at Washington, D. C.

[redacted] advised that he does not know the applicant personally, but from what he has read about him, he could think of no objection he would have concerning the applicant's nomination.

[redacted] advised that he does not know the applicant personally, but from what he has read about the applicant he could pose no objection to his nomination.

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Religious Leaders

The following investigation was conducted by Special Agent [redacted] on October 26, 1971, at Washington, D.C.:

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[redacted] advised that he does not know the applicant but from what he has heard and read concerning him, he could pose no objection to his nomination.

[redacted] advised that he is not familiar with the applicant and could make no further comment concerning him.

[redacted] advised that he is not familiar with applicant and could, therefore, make no comment concerning his nomination.

WFO 77-86748

JAR:rs

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CREDIT AND POLICE AGENCIES

SA [] caused a search to be made of the files of The Credit Bureau, Inc., Washington, D.C., and was advised on October 26, 1971, that the files contained a satisfactory credit record for the applicant.

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On October 26, 1971, SE [] determined that no record was contained in the Metropolitan Police Department files concerning the applicant, his wife, NATALIE CORNELL REHNQUIST, or his son, JAMES REHNQUIST.

It is to be noted that at all times an indefinite number of unidentified records are out of file and not available for review.

Investigative Clerk (IC) [] on October 26, 1971, searched the files of the United States Park Police and no record identifiable with the applicant or the above listed relatives could be located.

On October 26, 1971, Investigative Clerk [] caused a search to be made of the files of the Montgomery County, Maryland, Police Department, and was advised that no record identifiable with the applicant or the above listed relatives could be located.

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MISCELLANEOUS

IC [] caused a search to be made of the files of the House Committee on Internal Security and was advised that no record identifiable with the applicant could be located.

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The files of the Passport Office, United States Department of State, as reviewed by SC [] on October 26, 1971, disclosed that WILLIAM HUBBS REHNQUIST was issued passport number [] on July 3, 1971, at Washington, D.C., for an official business trip of approximately 22 days to visit England, France, Switzerland, Germany, Belgium and the Netherlands.

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It was indicated he was born October 1, 1924, at Milwaukee, Wisconsin; and the file contained the notation that his birth certificate had been seen by passport authorities.

The applicant's wife was listed as NATALIE CORNELL REHNQUIST, who was born May 25, 1929, at San Diego, California.

No additional pertinent information concerning the applicant was contained in the passport files.

On October 26, 1971, SC [] determined at the library of the "Washington Daily News" newspaper that there were no articles concerning applicant which contained any additional pertinent information.

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Enclosed with this report as Attachment 1 is an article appearing in the "Washington Post" newspaper dated October 23, 1971, and as Attachment 2 an article appearing in the "Washington Evening Star" newspaper dated October 22, 1971. These articles pertain to REHNQUIST's nomination to the Supreme Court.

WFO 77-86748

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SC [] reviewed the Main Card Catalog at the Library of Congress on October 26, 1971, and no information concerning the applicant could be located.

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On October 26, 1971, SC [] caused a search to be made of the files of the Bureau of Personnel Investigations, Civil Service Commission, and was advised that no record was found concerning the applicant.

SC [] caused a search to be made of the files of the U.S. Secret Service, Department of the Treasury, and was advised on October 26, 1971, that no record was located concerning the applicant.

WFO 77-86748

JER:rs

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[redacted]
[redacted] advised SA [redacted] on October 26,
1971, that [redacted]

[redacted] which is a lobbying group dealing primarily with minority groups and civil rights. This council is presently investigating the applicant as well as the other nominee announced by President NIXON for the Supreme Court to determine their qualifications and attitudes concerning civil rights. At the present time she said that their investigation has just been instituted and no information concerning the nominees has been developed.

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JER:ss

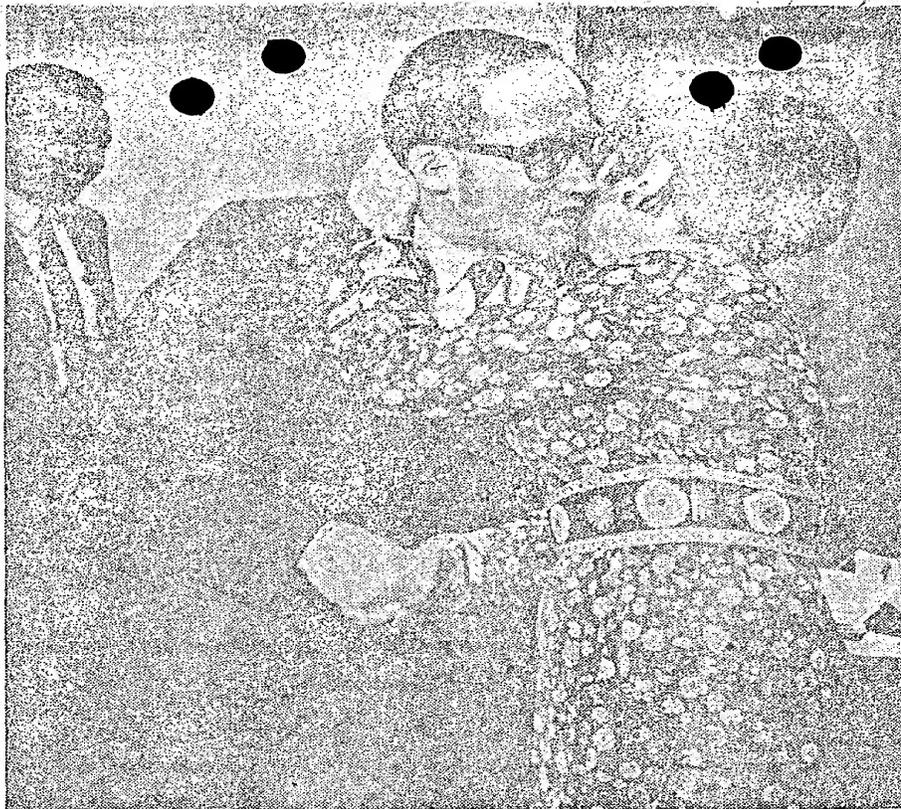
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INTERVIEW WITH APPLICANT

On October 27, 1971, Special Agent [redacted] [redacted] interviewed WILLIAM HUBBS REHNQUIST, Assistant Attorney General, Office of Legal Counsel, United States Department of Justice. He said that while residing in Milwaukee, Wisconsin, and attending grade and high schools, he was involved in the usual boyhood pranks with his friends and associates. He has never been arrested with the exception of one instance when he was found sleeping on the courthouse lawn in Ravenna, Ohio, adding he previously furnished the details of this incident in Ohio. He mentioned all his employments and activities in Milwaukee were favorable.

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Mr. REHNQUIST declared he is not now and never has been a member of the John Birch Society or any other similar organizations. He also said he does not subscribe to the aims of this organization and has never attended any meetings of this organization or been associated with any persons known to be members.



By Arthur Ellis—The Washington Post

William Rehnquist is congratulated by Rhoda Newman, one of his secretaries.

*The Washington Post
Saturday 10/23/71*

Hill Sets Nominees Reviews

ABA Dispute Continues on Court 'Leak'

By Spencer Rich
Washington Post Staff Writer

Aides to Sens. Bayh (D-Ind.) and Edward M. Kennedy (D-Mass.) began an exhaustive review yesterday of the civil liberties record of Supreme Court nominee William H. Rehnquist during his tenure as an assistant attorney general.

The record of the other nominee, Lewis F. Powell Jr. of Richmond, was placed under review on racial and other matters.

The American Bar Association and the Nixon administration, meanwhile, continue their disputes over the ABA's future role in the Supreme Court nomination process. A man who was responsible for "leaking" to the press names of several persons rumored as presidential choices for the court before Mr. Nixon named Rehnquist and Powell.

In a "Dear John" letter to Attorney General John Mitchell yesterday, Lawrence E. Walsh, chairman of the ABA's Standing Committee on the Federal Judiciary, said he deeply regrets Mitchell's decision not to submit the names of future potential Supreme Court nominees to the ABA for a review of professional qualifications prior to nomination.

Walsh said that after present vacancies are filled he hoped some new procedure could be worked out to let the ABA evaluate potential nominees before the Attorney General makes his final recommendation to the President.

At the same time, Walsh questioned whether the ABA's unfavorable recommendation on Mildred Lillie and Herschel Friday had been disclosed to the press from the committee.

As for the leak to the press of the six persons, including Mrs. Lillie and Friday, whose names were sent to the ABA for evaluation, Walsh did not deny that they could have come from sources consulted by the committee. But Walsh recalled that he had warned Mitchell in advance that giving six names to check within a week with hundreds of professional peers, the press probably would learn of the leak within six days and had been told this was "an acceptable risk."

Bayh, who led the fight to defeat two previous Nixon administration nominees, Clement F. Haynsworth and G. Harrold Carswell, plunged into the administration's disputes with the ABA yesterday, lining up with the ABA on both counts.

Bayh charged that it was Mitchell, not the ABA—as

See COURT, A4, Col. 4

ENCLOSURE

77-106904-108

Hill Starts Review of Rehnquist, Powell Recs

COURT, From A1

plied in a letter from Mitchell to Walsh informing the ABA of the administration's decision not to seek ABA review of future nominees—who had leaked the six names. "He released them. It's part of the leak pattern," Bayh charged in an early morning broadcast. (The Washington Post did not receive its list of six names from the Nixon administration.)

Later, at a press conference, he castigated the administration for allegedly deliberately floating names to the press which "the President didn't have the slightest idea of nominating" in order to gain political credit for its intention of naming a woman or a person of a particular outlook.

At the same time, Bayh said he favored having the President submit the names of future nominees to the ABA one at a time for review before nominations are decided.

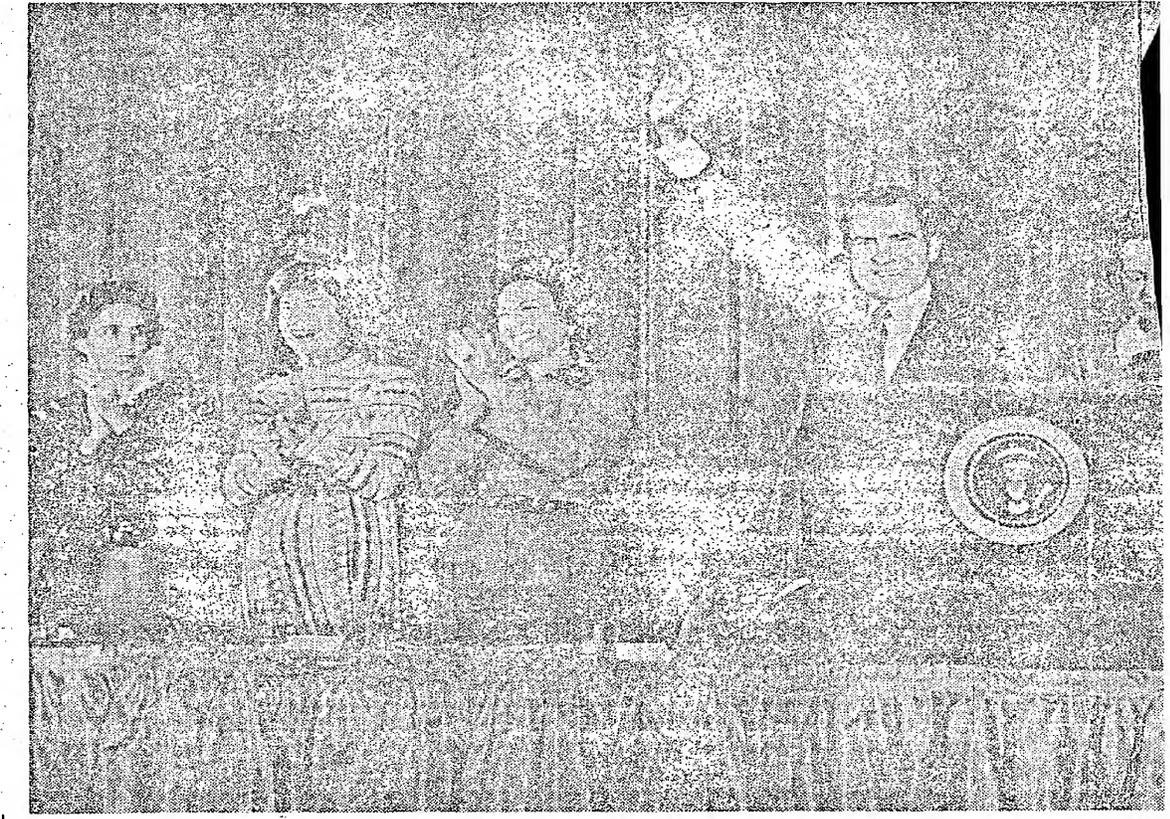
Bayh also announced that he and four other Northern Democrats on the Senate Judiciary Committee—Kennedy, Philip A. Hart (D-Mich.), Quentin N. Burdick (D-N.D.) and John V. Tunney (D-Calif.)—had written to Judiciary Committee Chairman, James Eastland (D-Miss.) asking that the ABA be requested to evaluate the qualifications of the two nominees and present its findings to the committee.

Bayh said the ABA's Walsh had assured him such an investigation would be undertaken.

The letter also requested that the Department of Justice be asked to submit to the committee information on the financial holdings, possible conflicts of interest, private legal clients and relevant writings and speeches of the two nominees. The hearings are expected to start late the week of Nov. 1 or sometime during the two weeks following that.

At the White House, press secretary Ronald L. Ziegler vehemently denied that any of the names or ABA findings on Mrs. Lillie and Friday had been "leaked" by either the White House or the Justice Department, but added that the administration wasn't pinning it on the ABA, either.

Ziegler also said that all six names initially submitted to the ABA had actually been under serious consideration until Mr. Nixon chose as his nominees two other persons. Mrs. Friday was quoted yesterday by the Associated Press as saying that she thought her husband would be nominated until Thursday evening, when Attorney General Mitchell called just before the presi-



By Charles Del Vecchio—The Wash
 Applauding President Nixon at National Federation of Marriott, Mrs. George Romney, Mrs. Tobin A and Gladys O'Donnell, president of the org

dential announcement and said the President would not be nominating Friday because of the ABA committee vote that he was not qualified.

While charges and countercharges about the disclosures and the ABA's role were flying back and forth, Mr. Nixon, in an address to the National Federation of Republican Women, said he thought the ABA judiciary committee should have a woman on it, and as for a woman nominee to the court some time in the future: "There will be a woman on the court in time."

The request by Bayh and his associates for full financial details on the two nominees from the Justice Department indicates the depth to which they expect to go in examining the nominees. Aides to the senators, for example, already are looking into Rehnquist's briefs and surveys on the President's war powers, the May Day disturbances in Washington, his statements on when martial law can be invoked, on the government's right to wiretap, on surveillance and data

banks on citizens and his position on search and seizure.

Based on one piece of testimony before a congressional subcommittee, Bayh said yesterday, "it appears he (Rehnquist) felt the government had a vested right to bug our telephones and invade our individual privacy."

Meanwhile, the Associated Press reported that in a 1968 speech, Powell, the other nominee, had charged the New Left with the objective of "first to disrupt and then to destroy our most cherished institutions... although many of the organizations are Communist oriented or supported, the dominant philosophy of the New Left is nihilistic."

"The line must be drawn sharply and resolutely between those willing to observe traditional methods of peaceful assembly, rational discussions and orderly procedures and those who inspire and lead the sit-ins, the lawless demonstrations and other forms of coercion," Powell reportedly said.



United Press I
 Richmond lawyer Lewis F. Powell Jr. gets laboratory phone call after nomination to Suppre



Star Photographer Pete Schmick

WILLIAM H. REHNQUIST

WILLIAM REHNQUIST

Bold Clothes —Tough Views

No one in the Justice Department has a grievance against William Hubbs Rehnquist—unless, one colleague says, it would be about his shirts.

Rehnquist is not keen on style, and his loud shirts with ill-matched ties are notorious. His colleagues complain, too, of other sartorial deficiencies—like brown shoes.

Otherwise, y seems to have only admirers. He has many friendships within the department, and is said to treat subordinates very kindly.

The mildest man in hierarchy, Rehnquist does not seem to quite fit among a generally strong-willed group of deputies and assistants who lead the government's most controversial department.

But, appearances to the contrary, Rehnquist has fit very well. He is the chief legal draftsman for many of Atty. Gen. John N. Mitchell's most disputed policies, and is the resident conservative philosopher who fashions the theory behind policy.

Old-Fashioned Values

What is more, he makes clear, he believes in what he is doing. His ideas match as close as any administration official's the old-fashioned values of discipline, behavior and authority.

As a result, he has gotten into trouble, regularly, with liberal and civil libertarians. Rehnquist, though basically shy, recites Agnew-like philosophy in often bold language.

He is the Justice Department

assistant who got into trouble with Sen. Edward M. Kennedy for justifying the mass arrests here during the Mayday uprising by suggesting that "modified martial law" was then in order.

He is the assistant who riled squads of civil libertarians by arguing that the government is the best judge of when secret surveillance should be conducted on its dissident citizens.

Played Key Role

He is the assistant who turned off hundreds of anti-war protesters with a full-scale constitutional defense of the U.S. troop invasion of Cambodia in May 1976.

He is the assistant who played a key role in an all-night work session last June which produced the legal foundation for the government's attempt to stop the New York Times from publishing the secret Pentagon papers.

He is the assistant who aroused Sen. Birch Bayh with the defense of Clement Haynsworth's ethics and G. Harrold Carswell's judicial talents while the Senate was preparing to deny them seats on the Supreme Court.

He is the assistant who astounded both Kennedy and Bayh by coming to the strong defense of Mrs. Mildred Lillie just before the American Bar Association found her unfit as a Supreme Court nominee.

He is the assistant who drafted a presidential order to revive the controversial Subversive Activities Control Board when it had next to nothing to do.

He is the assistant who stirred the displeasure — and the fear — of legions of government workers by suggesting that the government may limit their right to criticize official action.

He is the assistant who offend-

REHNQUIST

Loud Shirts, Tough Views

Continued From Page A-1
ed Sen. George S. McGovern by defending the way that FBI Director J. Edgar Hoover handles his job.

He is the assistant who angered women's rights groups by suggesting that the administration's enthusiasm was waning for a constitutional amendment banning sex discrimination.

He is the assistant who annoyed protesters everywhere by suggesting that "if force or the threat of force is required in order to enforce the law, we must not shirk from its employment."

He is the assistant who upset liberal lawyers with the claim that the loss of some privacy is not "too high a price to pay" if wiretapping works as a method of attacking major crime.

He is the assistant who upstaged a score of Democrats

by working out the legal details for the President's wage-price freeze.

Virtually every one of those incidents involved some aspect of constitutional law or rights, and thus they involved Rehnquist.

For the Nixon administration, he is the principle interpreter of the Constitution. He is also the original author of all presidential executive orders. And he is available as a legal adviser to any government agency seeking guidance on its authority.

Rehnquist is, in President Nixon's words last night, "the President's lawyer's lawyer" — in other words, the lawyer who counsels John Mitchell on how to counsel Richard Nixon. His title is assistant attorney general in charge of the office of legal counsel.

In the three years he has held that job, Rehnquist has probably drafted more controversial legal documents than any of the predecessors in that post.

Called "Fantastic"

The President spoke of Rehnquist last night in notably flattering terms. He is "fantastic," Nixon said. "I would rate William Rehnquist as having one of the finest legal minds in this whole nation today."

When Nixon and Mitchell put Rehnquist to work screening the legal philosophy of potential nominees to the Supreme Court, they conceded, in effect, that he is the administration's most knowledgeable reader of court opinions.

Rehnquist follows the Supreme

Court's rulings almost as an avocation. He often seems routinely familiar with even marginal rulings that could have no direct bearing on his official tasks. He traces the fascination to his year at the highest court as a law clerk to the late Justice Robert H. Jackson.

But he had no expectation of returning as a justice himself. That possibility apparently arose almost at the last minute.

Mocks Some Critics

Those who contacted him during the day yesterday, before the formal disclosure that he was a nominee, found him pretending amusement at the thought he would be selected. In a comment mocking the critics of the administration's nominee-selection experiences, Rehnquist said he would not get the job "because I'm not from the South, I'm not a woman, and I'm not mediocre."

His plans for last evening, he said, were to watch his 14-year-old daughter Janet lead the cheers for the Langley High School freshman football game.

His reaction to all the attention was typical, his associates said, of his wit. Serious about his work, he is not terribly serious about himself, they say.

An official who keeps long hours, Rehnquist works at a desk that is in disarray only in "a civilized way," according to his staff. He takes telephone calls even when his staff believes he is too busy to do so.

Close to Kleindienst

Within the department, he seems closest—personally and philosophically—to Deputy Atty. Gen. Richard G. Kleindienst. They were both lawyers in Phoenix, Ariz., before Mitchell brought them into the Justice Department.

Both worked in the 1964 presidential campaign of fellow Arizonan Barry M. Goldwater, and in the Western states' segment of President Nixon's 1968 campaign.

Rehnquist's wife, California-born Natalie Cornell, is described by a friend of the family as "as all-American as he is."

Their daughter Janet is thinking about being either a lawyer or a legal secretary. The other Rehnquist children are James, 16, and Nancy, 12. All three are in public schools in the McLean area.

Rehnquist is a native of Wisconsin. He grew up in the Milwaukee suburb of Shorewood. Before going to college, he served in the Army Air Corps. He graduated from Stanford University "with great distinction" in 1948, and was a member of Phi Beta Kappa. He finished first in his law school graduating class at Stanford, where he was on the law review editors' board.

Immediately after getting his law degree, he became a clerk to Justice Jackson. He then entered private law practice in Phoenix, working with three firms before setting up his own partnership in 1940. The firm took a variety of cases, but emphasized civil suits.

He remained in practice until coming here to join the Justice Department in 1969. — LYLE DENNISTON.

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