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15 pages

March 4, 1997

Mike Pendleton, Deputy Director
Free Congress Foundation
Judicial Selection Monitoring Project
717 Second Street, N.E.
Washington, D.C. 20002

Dear Mike:

As discussed, we are surprised and disappointed that in all the many, many columns of Tom Jipping that have appeared in The Washington Times and elsewhere, as well as in the articles that fill the Free Congress Foundation's bulletin that you publish, there has not appeared the slightest mention of our groundbreaking work, exposing the ABA's dysfunctional so-called "screening" and the Senate's knowing and deliberate cover-up of it.

This, notwithstanding that you and Tom continually decry the role of the ABA and the hypocrisy of the Senate, particularly the Republican Senators, for rubber-stamping President Clinton's judicial nominees.

Our June 28, 1996 letter to Chairman Hatch--with copies to the Senate leadership--was so scandalous as to what it said about the ABA, the Justice Department, and the Senate Judiciary Committee, that it had the potential "to stop the process". It was with those words "Now, let's stop the process" that my July 26, 1996 letter to you concluded -- and why we then transmitted to you the massive documentary materials we did. Yet, there has been not the slightest acknowledgment of those materials in anything that you and Tom written -- let alone discussion of their significance.

I have previously spoken to you about this. At the end of last summer, I left a couple of fairly specific messages for Tom on his voice mail, but, to my knowledge, he never returned my calls.

If Free Congress Foundation truly wants to kick out the ABA from the "screening" process and if it truly wants to expose the hypocritical posturing of Senators, such as Chairman Hatch, who claim they oppose "activist" judges, but keep right on confirming them in the face of evidence that the ABA and Justice Department have not performed essential screening, then it behooves you to focus in on our materials -- all the more so because they come from a completely non-partisan source.

Mike Pendleton

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So as to reinforce the significance of our June 28, 1996 letter to Chairman Hatch and Senate leadership, I enclose a copy of our three proposed letters to the editor, which we sent to The New York Times. The first, dated February 18th, responded to their editorial of February 14th, "Too Many Federal Court Vacancies". After The Times published Chairman Hatch's response on February 19th Times, as well as a separate Times article about his assertion that the time had come to examine the ABA's role, we sent in our second two letters. Copies are enclosed.

Let's talk after you and Tom read them.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator
Center for Judicial Accountability, Inc.

Enclosures