



NINTH JUDICIAL COMMITTEE

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FAX COVER SHEET

5/18/92

3:30 p.m.

DATE

TIME

NEWSDAY

ATT: Mr. Sidney Schamberg

TO:

212-696-0487 (tele: 212-251-6800)

FAX NUMBER:

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This fax consists of a total of _____ pages, including this cover sheet. If you do not receive the indicated number of pages, or if there is a question as to the transmittal, please call (914) 997-8105.

Elena Ruth Sassower, Coordinator

FROM:

MESSAGE:

Dear Mr. Schamberg:

I understand that the "Dump D'Amato" team has passed on our Senate Judiciary submission to you relative Andrew O'Rourke.

As documented therein (Exhibits "SS"), Senator D'Amato has refused to provide us with any information as to the basis for his recommendation of Andrew O'Rourke for a federal judgeship or to furnish us with information as to the screening procedures employed by his office.

Mr. O'Rourke was, of course, the "sacrificial lamb" for the Republican Party when he agreed to run in 1986 against Mario Cuomo for the governorship. Interestingly, it is not only his federal court nomination which is pending before the Senate Judiciary Committee, but that of Michael Kavanaugh--who Senator D'Amato also recommended for a judgeship. Perhaps you will recall that in 1986 Michael Kavanaugh ran on the Republican line for Lieutenant Governor (see footnotes #41, #61).

Because of such blatant politicization of the federal judiciary by politicians such as Senator D'Amato (pp. 19-20, 24, 29-32)-- and the failure of the Justice Department, the American Bar Association, and other organizations to conduct appropriate screening (pp. 29-38)--a dangerous situation presently exists. For this reason--which our critique fully documents--we have called upon Senate Majority Leader George Mitchell to halt further judicial confirmations--until appropriate investigation is had.

Enclosed is our letter to Senator Mitchell, dated today, May 18, 1992. We look forward to working with you on this breaking story!

*Elena Ruff
Sassore*

PS (1): We have confirmed that Joseph Gale, Chief Counsel to Senator Moynihan is in possession of a copy of our submission, as well as our letter to Senator Mitchell. We have left word with Mr. Gale's assistant, Eliana Dolgoff, that, based upon the Senator's review of the documentary evidence contained in our submission, we expect the Senator to publicly support us in this important matter.

PS (2): For background on Mr. O'Rourke, you might wish to contact Mike Gallagher of Long Island Newsday. Mike wrote some first-class stories about Mr. O'Rourke when he was in Westchester and working for Gannett. In fact, Exhibit "Z" to our submission is one of Mike's articles.

cc: Mike Gallagher/LI