



AMERICAN BAR ASSOCIATION

Standing Committee on
Federal Judiciary
1800 K Street, NW
Washington, DC 20006
(202) 331-2210

November 16, 1987

Honorable Arlen Specter
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Senator Specter:

Thank you for yours of November 11.

Taking up the first point you make in respect to the Post article of October 31, that portion stating that Judiciary Committee sources reported that I had hoped that our Committee would finish its work on Judge Douglas H. Ginsburg by December 1, etc., I believe this to have been a substantively accurate summary of what I informed either Senator Biden or Senator Thurmond.

(Turning to the second point to which you refer, and which again is based upon a later portion of the same article in the Post dated October 31, I share your expressed concern. Indeed, I had called a special meeting of this Committee on October 16 with the main item on the agenda to remind everybody that only the Chairman by our rules is entitled to talk to the press. That is a rule which, as far as I know, has been in place for many years so far as this particular Committee is concerned. Nonetheless, we have the problem which you and others have noticed in the October 31 Post article. I wish I could say that we have absolutely resolved the issue of leaks. Unfortunately, painful as it is, I cannot be sure that this is so. Now that I have been Chairman of the Committee for about two months, I have some ideas of what might be done by the ruling authorities of the ABA to assist in this area. Unfortunately, as long as we have the Supreme Court nomination open, I fear I won't be able to get to making these recommendations to the current President and the President-Elect until the process on Judge Anthony Kennedy is completed.)

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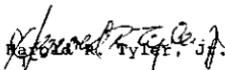
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Finally, I confess I do not understand at all why Jerry Shestack objected to your signing the letter sent to me by your colleagues on the Republican side of the Judiciary Committee.

With kind regards to you and thanks for your continuing interest.

Yours sincerely,


Harold M. Tyler, Jr.