



NINTH JUDICIAL COMMITTEE

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June 11, 1992

Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, D.C. 20510

RE: Moratorium on Judicial Confirmations

Dear Committee Members:

We understand that an Executive Business meeting of the Senate Judiciary Committee is taking place at 10 a.m. this morning to consider confirmation of four judicial nominees--two of whom would be filling vacancies in the Southern District of New York.

We trust that before any vote is taken on such confirmations every member of the Committee will have reviewed our June 2, 1992 letter to Senate Majority Leader Mitchell, reinforcing--as it does--our call for an immediate halt on all judicial nominations. We respectfully request that you place such requested moratorium on your agenda as a priority item, if you have not already done so.

Our Law Day transmittal relative to Andrew O'Rourke's nomination establishes the total unreliability of screening purportedly provided by the American Bar Association and Association of the Bar of the City of New York. It may be noted that one of the two New York nominees presently before you, Loretta Preska, was "approved" by the Association of the Bar of the City of New York in the very same May 7, 1992 letter as set forth its "approved" rating of Andrew O'Rourke.

Our exhaustive investigation and analysis demonstrates that the public interest is in immediate danger in a manner analogous to that presented by the discovery that medical screening had failed to prevent transmission of contaminated blood to a patient. There is no question but that such discovery would result in an immediate emergency halt of all blood transfusions--until the source of contamination was isolated and safeguards put in place.

We have documented that our judicial nominating process has been infected by a contaminated legal screening process which has resulted in "approved" ratings of unfit nominees for life-time federal judgeships. Our findings present an issue of emergency national concern.

Most respectfully,



ELENA RUTH SASSOWER  
Coordinator, Ninth Judicial Committee

Enclosure:

(a) 6/2/92 ltr to Senate Majority Leader George Mitchell

cc: Senate Majority Leader George Mitchell  
Members of the Senate Task Force on the Confirmation Process  
Senator Daniel Patrick Moynihan  
Alliance for Justice  
People for the American Way