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Folder Title:
Souter, David H.

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WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1/1/90Name of Correspondent: David H. Souter☐ MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: Expresses appreciation for nomination to Court of Appeals for First Circuit.**ROUTE TO:****ACTION****DISPOSITION**

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>Cuofc</u>	ORIGINATOR	<u>901021/2</u>			<u>1/1</u>
<u>Cuat 07</u>	Referral Note: <u>I</u>	<u>901021/3</u>		<u>S</u>	<u>901021/3</u>
	Referral Note: _____	<u>1/1</u>			<u>1/1</u>
	Referral Note: _____	<u>1/1</u>			<u>1/1</u>
	Referral Note: _____	<u>1/1</u>			<u>1/1</u>
	Referral Note: _____	<u>1/1</u>			<u>1/1</u>

ACTION CODES:

A - Appropriate Action
 C - Comment/Recommendation
 D - Draft Response
 F - Furnish Fact Sheet
 to be used as Enclosure

I - Info Copy Only/No Action Necessary
 R - Direct Reply w/Copy
 S - For Signature
 X - Interim Reply

DISPOSITION CODES:

A - Answered
 B - Non-Special Referral
 C - Completed
 S - Suspended

FOR OUTGOING CORRESPONDENCE:

Type of Response = Initials of Signer
 Code = "A"
 Completion Date = Date of Outgoing

Comments: Informational copy retained. Please close out.
02/28/90

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113460cu

THE SUPREME COURT
OF NEW HAMPSHIRE

DAVID H. SOUTER
ASSOCIATE JUSTICE

SUPREME COURT BUILDING
CONCORD, NEW HAMPSHIRE 03301

THE PRESIDENT HAS SEEN 1-3660

CP
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January 30, 1990

Dear Mr. President,

For the better part of a week, I have tried to think of a response to you that would bear some proportion to the honor you have done to me by the nomination to the Court of Appeals for the First Circuit. Nothing will do, however, but to repeat what I said when you called me, that if I am confirmed to sit on that court I will do my best as I see it under the Constitution.

Yours respectfully,

David Souter

The President
The White House
Washington, D. C.

THE WHITE HOUSE
WASHINGTON

January 22, 1990

MEMORANDUM FOR THE PRESIDENT

FROM: C. BOYDEN GRAY *HCBG*

SUBJECT: Nomination of David H. Souter to be United States
Circuit Judge for the First Circuit

The Attorney General, Governor John H. Sununu, C. Boyden Gray, Frederick D. McClure and Charles G. Untermeyer recommend that you nominate David H. Souter to be United States Circuit Judge for the First Circuit. Since 1983, Justice Souter has served as an Associate Justice on the Supreme Court of New Hampshire. Prior to his service in that position, he served as an Associate Justice for the Superior Court of New Hampshire, 1978-1983; in the Office of the Attorney General of New Hampshire as Attorney General, 1976-1978, Deputy Attorney General, 1971-1976, and Assistant Attorney General, 1968-1971; and as an associate with the law firm of Orr and Reno, 1966-1968. Justice Souter received his B.A. (1961) from Harvard College, B.A. and M.A. degrees (1989) from Magdalen College, Oxford, and his LL.B. (1966) from Harvard Law School. Justice Souter is 50 years old, single and resides in Weare, New Hampshire.

RECOMMENDATION:

1. That you call Justice Souter (Telephone recommendation attached at Tab A).
2. That you sign the nomination at Tab B.

Attachments

THE WHITE HOUSE

WASHINGTON

Recommended Telephone Call

TO: Justice David H. Souter

TELEPHONE: Home: (603) 529-2382 *ok*
Office: (603) 271-3660 *ok*

DATE TO CALL: January 22 or 23, 1990

RECOMMENDED BY: The Attorney General, Governor John H. Sununu, C. Boyden Gray, Frederick D. McClure and Charles G. Untermyer

PURPOSE: To ask him to serve as United States Circuit Judge for the First Circuit

TOPICS OF DISCUSSION:

1. Since 1983, Justice Souter has served as an Associate Justice on the Supreme Court of New Hampshire (a position to which he was appointed by Governor Sununu). Prior to his service in that position, he served as an Associate Justice for the Superior Court of New Hampshire, 1978-1983; in the Office of the Attorney General of New Hampshire as Attorney General, 1976-1978, Deputy Attorney General, 1971-1976, and Assistant Attorney General, 1968-1971; and as an associate with the law firm of Orr and Reno, 1966-1968.
2. Justice Souter received his B.A. (1961) from Harvard College, B.A. and M.A. degrees (1989) from Magdalen College, Oxford, and his LL.B. (1966) from Harvard Law School.
3. Justice Souter is 50 years old, single and resides in Weare, New Hampshire.

DATE OF SUBMISSION: January 22, 1990

ACTION _____



Office of the Attorney General
Washington, D.C. 20530

January 19, 1990

The Honorable George Bush
President of the United States
The White House
Washington, D.C. 20500

Dear Mr. President:

I have the honor to enclose the nomination of David H. Souter, of New Hampshire, to be United States Circuit Judge for the First Circuit vice Hugh H. Bownes, retired.

Justice Souter was born September 17, 1939 in Melrose, Massachusetts and is single. He received a B.A. degree in 1961 from Harvard College, a B.A. degree and M.A. degree in 1989 from Magdalen College, Oxford, and a LL.B. degree in 1966 from Harvard Law School. He was admitted to the New Hampshire State Bar in 1966.

Since 1983, Justice Souter has served on the Supreme Court of New Hampshire. Prior to his appointment to the supreme court, he served as an Associate Justice for the Superior Court of New Hampshire, 1978-1983; in the Office of the Attorney General of New Hampshire as Attorney General, 1976-1978, Deputy Attorney General, 1971-1976, and Assistant Attorney General, 1968-1971; and as an associate with the law firm of Orr and Reno, 1966-1968.

Justice Souter bears an excellent reputation as to character and integrity, has judicial temperament and is, I believe, worthy of appointment as a United States Circuit Judge.

I recommend the nomination.

Respectfully,

Dick Thornburgh
Attorney General

DAVID H. SOUTER

Birth:	September 17, 1939	Melrose, Massachusetts
Legal Residence:	New Hampshire	
Marital Status:	Single	
Education:	1957 - 1961	Harvard College B.A. degree
	1961 - 1963	Magdalen College BA and MA, 1989
	1963 - 1966	Harvard Law School LL.B. degree
Bar:	1966	New Hampshire
Experience:	1966 - 1968	Orr and Reno Associate
	1968 - 1978	Ofc of the Attorney General Assistant Attorney General (1968-1971) Deputy Attorney General (1971-1976) Attorney General (1976-1978)
	1978 - 1983	Associate Justice Superior Court of New Hampshire
	1983 - present	Associate Justice Supreme Court of New Hampshire
Office:	Supreme Court Building Noble Drive Concord, New Hampshire 03301 603 271-3660	
Home:	34 Cilley Hill Road Weare, New Hampshire 03281 603 529-2382	
Ethnic Group:	Caucasian	
Salary:	\$102,500	

The White House,

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*To the
Senate of the United States.*

I nominate David H. Souter, of New Hampshire,

to be United States Circuit Judge for the First Circuit

vice Hugh H. Bownes, retired.

Judge - 1st Circuit

Interviewed
Tues - Dec 12
morning - DOJ
afternoon - NH
Dave Souter

DAVID HACKETT SOUTER

PERSONAL DATA

Born: September 17, 1939
Address: 34 Cilley Hill Road
Weare, New Hampshire 03281
Telephone: Home (603) 529-2382
Work (603) 271-3660

(B) Supreme Court Bldg
Concord, New Hampshire
03301

EDUCATION

Harvard College 1957-1961
Phi Beta Kappa Senior Sixteen, 1960
A.B. 1961

Elected Rhodes Scholar

Magdalen College, Oxford 1961-1963
A.B. in Jurisprudence 1963
M.A. 1963

Harvard Law School 1963-1966
LL.B. 1966

LEGAL EXPERIENCE

Associate Justice, New Hampshire Supreme Court, 1983 to date

Associate Justice, New Hampshire Superior Court, 1978 - 1983

Attorney General of New Hampshire, 1976-1978

Deputy Attorney General of New Hampshire, 1971-1976

Assistant Attorney General of New Hampshire, 1968-1971

Associate, Orr and Reno, 1966-1968

OTHER STATE SERVICE

Maine-N.H. Interstate Boundary Commission, 1971-1975

New Hampshire Police Standards and Training Council, 1976-1978

New Hampshire Governor's Commission on Crime and Delinquency,
1976-1978, 1979-1983

DAVID HACKETT SOUTER

New Hampshire Judicial Council, 1976-1978

ORGANIZATIONS

Concord Hospital Board of Trustees, 1971 - 1985,
President 1978 to 1984

New Hampshire Historical Society Trustee, 1976 - 1985

Dartmouth Medical School, Board of Overseers, 1981 -1987

National Association of Attorneys General

New Hampshire Bar Association

American Bar Association

November, 1989

A22

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THE NEW YORK TIMES, THURSDAY, OCTOBER 29, 1987

A NEW CONTENDER IS SEEN FOR COURT

Souter, on Top Bench in New
Hampshire, Is Said to Be
High on Reagan's List

By LINDA GREENHOUSE

Special to The New York Times

WASHINGTON, Oct. 28 — A potential nominee to the Supreme Court who has received virtually no public attention has apparently emerged as one of the leading contenders as President Reagan prepares to announce the Administration's selection Thursday.

A Senate source said tonight that Justice David Souter of the New Hampshire Supreme Court, whose name was on a list of 13 potential nominees that Howard H. Baker Jr., the White House chief of staff, presented to Senate leaders earlier in the week, was now near the top of the list along with three other candidates.

The three others, according to this account, are Federal appeals court judges: Anthony M. Kennedy of the Court of Appeals for the Ninth Circuit, in California; Douglas H. Ginsburg of the District of Columbia Circuit, and William W. Wilkins Jr. of the Fourth Circuit, in South Carolina.

Justice Souter is said to be something of a protégé of Senator Warren E. Rudman, a Republican who is a former Attorney General of New Hampshire. Justice Souter, a 47-year-old Harvard Law School graduate and former Rhodes scholar, worked for Mr. Rudman and later became the state's Attorney General himself. He has been on the New Hampshire Supreme Court since September 1983, and Senator Rudman has told colleagues that the justice has "the most brilliant legal mind" he has ever encountered.

Reputation as Conservative

Justice Souter, a Republican, is said to have a reputation as a conservative judge who nonetheless is highly regarded by New Hampshire Democrats. On that basis, he would be an appealing choice for those in the White House eager to find a nominee who can be approved in the Senate without a bitter confirmation fight.

At the same time, conservative Republican senators would also have difficulty opposing him, and in any case Senator Gordon J. Humphrey, a New Hampshire Republican who was a leader in the last-ditch battle to keep Judge Robert H. Bork's doomed nomination alive on the Senate floor, would have political trouble opposing a nominee from his own state.

One conservative Republican senator said today that conservatives were raising objections to Judge Kennedy, of the Ninth Circuit, who is seen by many as the leading contender. "There's concern that Kennedy is not solid enough on issues that conservatives care about," this senator said.

Democratic members of the Senate Judiciary Committee met for an informal caucus this afternoon to review the names that Mr. Baker presented to the Democratic leadership Tuesday. Among the contenders who drew substantial opposition was Judge Ginsburg. He held several jobs in the Reagan Administration before joining the Court of Appeals last year and was active in the Administration's deregulation efforts and in the narrowing of antitrust enforcement.

Senator Joseph R. Biden Jr., the chairman of the Judiciary Committee, telephoned Mr. Baker today to convey the Democrats' concern about Judge Ginsburg. He said that he did not want Mr. Baker to be misled by an account today in The Washington Post, which, quoting an Administration source, said Senator Biden and Senator Robert C. Byrd, the majority leader, had offered a "generally positive reading" on the judge.

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(202) 224-1353

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1-800-852-3714

United States Senate

WASHINGTON, DC 20510

COMMITTEES
JUDICIARY
FOREIGN RELATIONS
ENVIRONMENT AND PUBLIC
WORKS

David Souter

December 19, 1989

Honorable George Bush
President of the United States
The White House
Washington, DC 20500

Dear Mr. President:

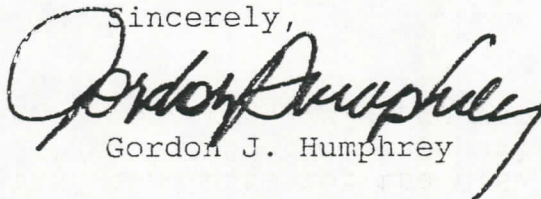
On January 1, 1990, Judge Hugh Bownes of the U.S. Court of Appeals for the First Circuit will take senior status, thereby creating a vacancy on that court. As Judge Bownes was the only judge from New Hampshire on the First Circuit, I would like to recommend that you consider a very distinguished New Hampshire jurist to fill this important vacancy.

Justice David Souter has served with great distinction on the New Hampshire Supreme Court since 1983. Prior to that, Justice Souter was a Rhodes Scholar, a graduate of Harvard Law School, and New Hampshire's Attorney General. His sound and scholarly opinions as a member of New Hampshire's highest court have earned him respect and admiration throughout New Hampshire's legal and general communities. The bipartisan high regard in which Justice Souter is held was indicated in an article in the New York Times (at a time when he was rumored to be a potential candidate for the U.S. Supreme Court), which stated: "Justice Souter, a Republican, is said to have a reputation as a conservative judge who nonetheless is highly regarded by New Hampshire Democrats."

I know that Justice Souter has the strong support and admiration of Governor Sununu and Senator Rudman. Having familiarized myself with his opinions and legal philosophy, I would like to lend my support for his nomination to the First Circuit. With his outstanding professional qualifications and sound legal philosophy, Justice Souter would be an ideal choice for this nomination.

With best wishes for a happy holiday season, I remain,

Sincerely,


Gordon J. Humphrey

bcc: Lee Liberman, Esq.

*Lee, F.Y.
Justice Souter
is outstanding.
— George Smith*

ONE EAGLE SQUARE
CONCORD, NH 03301
(603) 228-0453

157 MAIN STREET
BERLIN, NH 03570
(603) 752-2800

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THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

January 24, 1990

NOMINATIONS SENT TO THE SENATE:

Raymond C. Clevenger, III, of the District of Columbia, to be United States Circuit Judge for the Federal Circuit, vice Oscar H. Davis, deceased.

Alan D. Lourie, of Pennsylvania, to be United States Circuit Judge for the Federal Circuit, vice Daniel M. Friedman, retired.

David H. Souter, of New Hampshire, to be United States Circuit Judge for the First Circuit, vice Hugh H. Bownes, retired.

Robert H. Hodges, Jr., of South Carolina, to be a Judge of the United States Claims Court for a term of fifteen years, vice John L. Napier, resigned.

Joseph M. Hood, of Kentucky, to be United States District Judge for the Eastern District of Kentucky, vice Scott Reed, retired.

James F. McClure, Jr., of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania, vice William J. Nealon, retired.

Lawrence M. McKenna, of New York, to be United States District Judge for the Southern District of New York, vice William C. Conner, retired.

John S. Martin, Jr., of New York, to be United States District Judge for the Southern District of New York, vice Edward Weinfeld, deceased.

John D. Rainey, of Texas, to be United States District Judge for the Southern District of Texas, vice Gabrielle K. McDonald, resigned.

James K. Singleton, Jr., of Alaska, to be United States District Judge for the District of Alaska, vice James M. Fitzgerald, retired.

William M. Nickerson, of Maryland, to be United States District Judge for the District of Maryland, vice Herbert F. Murray, retired.

Daniel B. Sparr, of Colorado, to be United States District Judge for the District of Colorado, vice John P. Moore, elevated.

Norman H. Stahl, of New Hampshire, to be United States District Judge for the District of New Hampshire, vice Martin F. Loughlin, retired.

Jack N. Egnor, of Colorado, to be United States Marshal for the District of Colorado for the term of four years, vice Charles L. Dunahue.

Donald W. Tucker, of Arizona, to be United States Marshal for the District of Arizona for the term of four years, vice John W. Roberts.

✓ John Wesley Bartlett, of Massachusetts, to be Director of the Office of Civilian Radioactive Waste Management, vice Ben C. Rusche, resigned.

✓ Bradley Gordon, of Virginia, to be an Assistant Director of the United States Arms Control and Disarmament Agency, vice Kathleen C. Bailey, resigned.

#

**TRANSFER SHEET
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ACCESSION NO.:

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DESCRIPTION:

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FOIA Request

FOIA Log Number: 98-0206-F

Book Location:	Row	Section	Shelf	Position	Map Case Location:
Series: Counsel Office / Lee S. Liberman / Judicial Candidates					Box No:
File Folder Title: David H. Souter - Presidential Photos [OA/ID CF02086]					
Transferred By: Debbie Carter					Date of Transfer: 5/8/98
Received By:					Date Received: