

# OATH OF OFFICE FOR UNITED STATES JUDGES

(Title 28, Sec. 453 and Title 5, Sec. 3331, United States Code)

I, Merrick B. Garland, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as United States Circuit Judge under the Constitution and laws of the United States; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter.

SO HELP ME GOD.

Merrick B. Garland

Subscribed and sworn to (or affirmed) before me this NINTH day of April, 1997.

John T. Edwards  
Chief Judge

Actual abode \_\_\_\_\_

Official station\* \_\_\_\_\_

Date of birth 52 FOIA Exemption 6

Date of entry on duty \_\_\_\_\_

\*Title 28, sec. 456 United States Code, as amended.

# APPOINTMENT AFFIDAVITS

United States Circuit Judge

March 20, 1997

(Position to which appointed)

(Date of appointment)

U.S. Court of Appeals, District of Columbia Circuit,

Washington, DC

(Department or agency)

(Bureau or Division)

(Place of employment)

I, Merrick B. Garland, do solemnly swear (or affirm) that—

## A. OATH OF OFFICE

I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

## B. AFFIDAVIT AS TO STRIKING AGAINST THE FEDERAL GOVERNMENT

I am not participating in any strike against the Government of the United States or any agency thereof, and I will not so participate while an employee of the Government of the United States or any agency thereof.

## C. AFFIDAVIT AS TO PURCHASE AND SALE OF OFFICE

I have not, nor has anyone acting in my behalf, given, transferred, promised or paid any consideration for or in expectation or hope of receiving assistance in securing this appointment.

Merrick B. Garland  
(Signature of appointee)

Subscribed and sworn (or affirmed) before me this 9<sup>th</sup> day of APRIL, 19 97,

at Washington D.C.  
(City) (State)

[SEAL]

H. T. Edwards  
(Signature of officer)  
Chief Judge  
(Title)

Commission expires \_\_\_\_\_  
(If by a Notary Public, the date of expiration of his/her  
Commission should be shown)

NOTE.—The oath of office must be administered by a person specified in 5 U.S.C. 2903. The words "So help me God" in the oath and the word "swear" wherever it appears above should be stricken out when the appointee elects to affirm rather than swear to the affidavits; only these words may be stricken and only when the appointee elects to affirm the affidavits.



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

April 8, 1997

The Honorable Merrick B. Garland  
United States Circuit Judge  
5418 Grove Street  
Chevy Chase, Maryland 20815

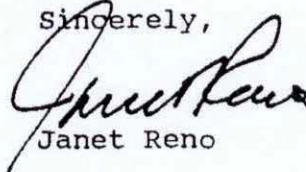
Dear Judge Garland:

It gives me a great deal of pleasure to forward your commission appointing you United States Circuit Judge for the District of Columbia Circuit

When you take the oath of office and have entered on duty, please execute the enclosed forms 61 and 61B, and the judge's oath. Return the original oaths to the Administrative Office of the United States Courts and certified copies to Sheila Joy, Department of Justice, Rm 4429, Washington, DC 20530.

Congratulations and best wishes as you become a member of the federal judiciary.

Sincerely,

  
Janet Reno

Enclosures



**Senate of the United States**  
IN EXECUTIVE SESSION

March 19, 1997

**Resolved,** That the Senate advise and consent to the following  
nomination:

Merrick B. Garland, of Maryland, to be United States Circuit Judge for  
the District of Columbia Circuit.

Attest:



Secretary.



William Jefferson Clinton  
President of the United States of America.

To all who shall see these Presents, Greeting:

Know Ye, That reposing special trust and confidence in the Wisdom, Uprightness, and Learning of **Merrick B. Garland, of Maryland,** I have nominated, and, by and with the advice and consent of the Senate, do appoint him United States Circuit Judge for the District of Columbia Circuit and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to Have and to Hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said Merrick B. Garland during his good behavior.



In testimony whereof, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

I gave at the City of Washington this twentieth day of March in the year of our Lord one thousand nine hundred and ninety-seven and of the Independence of the United States of America the two hundred and twenty-first.

By the President.

*James H. Beahm*  
Attorney General

William J. Clinton



# THE WHITE HOUSE

## Office of the Press Secretary

For Immediate Release

January 7, 1997

### PRESIDENT NOMINATES TWENTY TWO TO THE FEDERAL BENCH

The President today nominated **Marjorie Rendell** to serve on the U.S. Court of Appeals for the Third Circuit in Pennsylvania and **Helene White** to serve on the U.S. Court of Appeals for the Sixth Circuit in Michigan. He also resubmitted to the Senate the following, each of whom was nominated to the federal bench during the 104th Congress:

**James A. Beaty, Jr.** to serve on the United States Court of Appeals for the Fourth Circuit,  
North Carolina

**Eric Clay** to serve on the U.S. Court of Appeals for the Sixth Circuit, Michigan.

**William Fletcher** to serve on the U.S. Court of Appeals for the Ninth Circuit, California.

**Arthur Gajarsa** to serve on the U.S. Court of Appeals for the Federal Circuit.

✓ **Merrick Garland** to serve on the U.S. Court of Appeals for the District of Columbia Circuit.

**Margaret McKeown** to serve on the U.S. Court of Appeals for the Ninth Circuit, Washington.

**Richard Paez** to serve on the U.S. Court of Appeals for the Ninth Circuit, California.

**Ann L. Aiken** to serve on the U.S. District Court for the District of Oregon.

**Lawrence Baskir** to serve on the U.S. Court of Federal Claims.

**Joseph F. Bataillon** to serve on the U.S. District Court for the District of Nebraska.

**Colleen Kollar-Kotelly** to serve on the U.S. District Court for the District of Columbia.

**Richard A. Lazzara** to serve on the U.S. District Court for the Middle District of Florida.

**Donald M. Middlebrooks** to serve on the U.S. District Court for the Southern District of  
Florida.

**Jeffrey T. Miller** to serve on the U.S. District Court for the Southern District of California.

**Susan Oki Mollway** to serve on the U.S. District Court for the District of Hawaii.

**Margaret M. Morrow** to serve on the U.S. District Court for the Central District of California.

**Robert W. Pratt** to serve on the U.S. District Court for the Southern District of Iowa.

**Christina A. Snyder** to serve on the U.S. District Court for the Central District of California.

**Clarence J. Sundram** to serve on the U.S. District Court for the Northern District of New York.

**Thomas Thrash** to serve on the U.S. District Court for the Northern District of Georgia.

Biographical summaries of the nominees follow:

**Marjorie Rendell** is currently a judge on the U.S. District Court for the Eastern District of Pennsylvania. Prior to her appointment to the District Court, Rendell practiced for over twenty



years with the Philadelphia law firm of Duane, Morris & Heckscher, first as an associate and then as a partner. As a member of the firm's Reorganization and Finance Section, Rendell engaged primarily in commercial and creditors' rights litigation in both the federal and state courts.

Rendell has worked extensively with various professional and community groups over the years, serving as a mediator for the U.S. District Court in Philadelphia and a board member of the Philadelphia Bar Foundation. She has been Vice Chair of the Visiting Nurse Association of Greater Philadelphia, an organization that provides home nursing care to the indigent, and has served as a board member for any number of groups, including the Market East Improvement Association, the Council of Penn Women, and the Avenue of the Arts, Inc., a local project committed to developing a world-class cultural and performing arts district in Center City.

A cum laude and Phi Beta Kappa graduate of the University of Pennsylvania, Rendell attended Georgetown Law Center for a year before transferring to Villanova School of Law where she earned her juris doctor degree.

Rendell, who is married to the Mayor of Philadelphia, Edward Rendell, has one child and resides in Philadelphia. Upon confirmation, Rendell would become one of 14 judges on the U.S. Court of Appeals for the Third Circuit, which hears cases from Delaware, New Jersey, Pennsylvania, and the Virgin Islands.

Helene N. White has been a judge on the Michigan Court of Appeals since January 1993. A graduate of Barnard College in 1975 and the University of Pennsylvania Law School in 1978, White spent her first two years following law school as a clerk to Michigan Supreme Court Justice Charles L. Levin. Immediately thereafter, she won an elected position on the Common Pleas Court for the City of Detroit. In 1982, White was elected to the Wayne County Circuit Court. White served on the Circuit Court for nearly ten years as a trial judge, handling a wide range of civil and criminal cases. She ran successfully for her current position on the Michigan Court of Appeals in November 1992, and has served on this general appellate court since January 1993. Upon confirmation, White would become one of sixteen judges on the U.S. Court of Appeals for the sixth circuit, which hears cases from Kentucky, Michigan, Ohio, and Tennessee.

James A. Beaty, Jr. is currently serving as a judge on the United States District Court for the Middle District of North Carolina. Before assuming his present position, Beaty spent thirteen years as a judge on the North Carolina Superior Court. Prior to taking the bench, Beaty practiced law in Winston-Salem, where he maintained a general civil and criminal litigation practice.

Beaty has remained active in community service throughout his legal career. Over the years he has worked with many civic groups including Big Brothers/Big Sisters, the Salvation Army Girls Club Advisory Committee, and Inner City Council of the Boy Scouts of America. He has also worked as an assistant coach for the local Pop Warner football league. In recognition of both his professional and civic contributions, Beaty received the Western Carolina University Distinguished Alumnus Award in 1994.



Beaty received his B.A. degree from Western Carolina University, which he attended on an athletic scholarship. After graduating from college, Beaty went on to earn his J.D. degree from the University of North Carolina.

Beaty and his wife, Toy Beary, have one child and reside in Winston-Salem. Upon confirmation, Beaty would become one of fifteen judges on the U.S. Court of Appeals for the Fourth Circuit, which hears cases from Maryland, North Carolina, South Carolina, Virginia, and West Virginia.

Eric L. Clay is currently a partner and co-founder of Lewis, White & Clay, a law firm in Detroit. Clay serves as Chair of the firm's litigation department and maintains a diverse civil litigation practice. Before entering private practice, Clay served as a law clerk for then-District Judge Damon Keith, now a senior member of the United States Court of Appeals for the Sixth Circuit.

Clay received his undergraduate degree from the University of North Carolina and his J.D. from Yale University. He has remained active in bar activities and is a former member of both the U.S. Magistrates Selection Panel and the U.S. Bankruptcy Judge Merit Selection Committee for the United States District Court for the Eastern District of Michigan. He also has been selected to serve as a life member of the Sixth Circuit Judicial Conference.

Clay resides in West Bloomfield and upon confirmation would become one of sixteen judges on the U.S. Court of Appeals for the Sixth Circuit, which hears cases from Kentucky, Michigan, Ohio, and Tennessee.

William A. Fletcher has been a professor of law at the University of California, Berkeley (Boalt Hall) since 1977.

At Boalt Hall, Fletcher has focused his academic work on federal civil procedure and federal jurisdiction. He is a co-author of a leading casebook on federal civil practice and procedure, and has been a member of the American Law Institute since 1989. In 1993, Fletcher was awarded the University of California, Berkeley, Distinguished Teaching Award.

In addition to his teaching responsibilities, Fletcher has been active in law school administration, serving as Chair of the Appointments Committee and the Dean Search Committee. Fletcher also has served as a visiting professor at the University of Michigan Law School, and as a professor at the Salzburg Seminars.

Fletcher received his B.A. degree from Harvard University and was awarded a Rhodes Scholarship to attend Oxford University. After serving as an officer with the U.S. Navy, Fletcher received his J.D. degree from Yale Law School. He then served as a law clerk to Judge Stanley



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A. Weigel of the U.S. District Court for the Northern District of California and to Justice William J. Brennan, Jr., of the U.S. Supreme Court.

Fletcher and his wife, Linda Morris Fletcher, have three children and reside in Berkeley. Upon confirmation, Fletcher would become one of 28 judges on the U.S. Court of Appeals for the Ninth Circuit, which hears cases from Alaska, Arizona, California, Guam, Hawaii, Idaho, Montana, Nevada, the Northern Mariana Islands, Oregon and Washington.

Arthur Gajarsa is currently a partner in the Washington, D.C. law firm of Joseph, Gajarsa, McDermott & Reiner, where he maintains a diverse civil practice in corporate law, international trade, commercial litigation and the representation of Native American Tribes in water rights, land claims and gaming matters. Gajarsa began his career as a patent examiner with the U.S. Patent and Trademark Office. He served as a law clerk for Judge Joseph McGarraghy on the U. S. District Court for the District of Columbia and worked as an attorney in the Department of Defense specializing in defense systems analysis and intellectual property rights. Before entering private practice, he was special counsel to the Secretary of Interior and Commissioner of Indian Affairs at the Department of the Interior.

Gajarsa is a member of the Federal Circuit Bar, the Federal Bar Association and American Judicature Association. He is also a member of the American Bar Association and participates in the Administrative Law, Business Law, Litigation and Antitrust Sections. Long active in the Italian-American community, Gajarsa has served as both President and General Counsel of the National Italian American Foundation. Gajarsa also has made considerable contributions to the community through his participation as a board member of numerous civic and educational organizations, including the Georgetown University Board of Regents, the Rensselaer Neuman Foundation, the Institute for Contemporary Culture, the Foundation For Improving Understanding of the Arts, and Outward Bound.

Gajarsa earned his undergraduate degree from Rensselaer Polytechnic Institute, a masters in economics from Catholic University, and his law degree from Georgetown Law Center. He and his wife, Melanie, have five children and reside in Potomac, Maryland.

Upon confirmation, Gajarsa would become one of 12 judges on the U.S. Court of Appeals for the Federal Circuit, which has nationwide jurisdiction over appeals involving patents, trademarks, and intellectual property, appeals from the U.S. Court of Federal Claims, the Court of International Trade, the International Trade Commission, the Merit Systems Protection Board, the Court of Veteran Appeals, the Board of Contract Appeals, and from federal sector labor arbitrations.

Merrick B. Garland is currently the Principal Associate Deputy Attorney General, serving as senior advisor and chief of staff to Deputy Attorney General Jamie S. Gorelick. In that capacity, he has been responsible for coordinating the Justice Department's prosecution in the



Oklahoma City bombing case. Garland has an extensive background in criminal law, having served as Deputy Assistant Attorney General in the Criminal Division prior to taking his current post and as an Assistant U.S. Attorney for the District of Columbia from 1989-1992. Before joining the U.S. Attorney's Office, Garland was a partner in the Washington, D.C. law firm of Arnold & Porter, where he maintained a practice in criminal, civil, and appellate litigation.

A native of Illinois, Garland earned his B.A. degree from Harvard College and his J.D. degree from Harvard Law School. Upon graduation from law school, Garland served as a law clerk to Judge Henry Friendly of the United States Court of Appeals for the Second Circuit and later for Justice William Brennan, Jr., of the United States Supreme Court. Garland and his wife, Lynn, live in Maryland.

**M. Margaret McKeown** is currently a partner at the Seattle firm of Perkins Coie, where she maintains a diverse civil litigation practice, handling numerous and complex cases in the fields of intellectual property, antitrust, government contracts and commercial law. Since becoming the first woman to be selected for partnership in the firm's eighty-year history, McKeown has been actively involved in firm management, serving for over eleven years on the firm's Executive Committee and, for the last five years, on the four-person Management Committee. Currently, she is the firm's Client Relations Partner and co-chair of the Antitrust, Trade Regulation and Intellectual Property Group. Although she has worked at Perkins Coie for virtually all of her professional career, she took a one-year sabbatical from 1980 to 1981 to serve in the prestigious White House Fellow program, working in the White House Office of Policy Development and as a Special Assistant to the Secretary of the Interior.

McKeown was named "Outstanding Lawyer" by the Seattle-King County Bar Association in 1992. She has received innumerable honors and awards and has been listed in "Best Lawyers in America," "Washington's Winningest Trial Lawyers" by the *Washington Journal*, "Top Players in Hi-Tech Intellectual Property" by the *National Law Journal*, "Who's Who in Professional Firms" by the *Puget Sound Business Journal*, and "Who's Who in America." Based on her expertise in international intellectual property issues, she was selected as a Japan Society Leadership Fellow. McKeown also has been active in community and professional organizations, including life-long participation in the Girl Scouts, where she served for over nine years on the National Board and is currently a Girl Scout troop leader.

McKeown earned her B.A. degree (Phi Beta Kappa) from the University of Wyoming and her J.D. degree from Georgetown University, where she was selected as an editor of the *Journal of Law and Policy in International Business*. McKeown and her husband, Peter Cowhey, have one child and reside in Seattle.

Upon confirmation, McKeown would become one of 28 judges on the U.S. Court of Appeals for the Ninth Circuit, which hears cases from Alaska, Arizona, California, Guam, Hawaii, Idaho, Montana, Nevada, the Northern Mariana Islands, Oregon and Washington.



**Richard A. Paez**, is currently a judge on the U.S. District Court for the Central District of California. He previously served for over a decade as a judge on the Los Angeles Municipal Court, winning reelection on two separate occasions. During his tenure on the Municipal Court, Paez was selected by his fellow judges to serve as the Presiding Judge and he occasionally sat by designation on the Superior Court and the California Court of Appeal. In addition, Paez was extremely active on a number of judicial committees, often serving at the request of the Chief Justice of the California Supreme Court.

Before taking the bench, Paez was an attorney for the Legal Aid Foundation of Los Angeles, serving initially as Senior Counsel and later as Acting Executive Director and Director of Litigation. He also spent several years early in his career as a staff attorney with the Western Center on Law and Poverty in the San Joaquin Valley and with California Rural Legal Assistance.

Paez, who was born and raised in Utah, earned his B.A. from Brigham Young University and his J.D. from Boalt Hall.

Paez and his wife, Dianne Marie Erickson, have two children and reside in Los Angeles. Upon confirmation, Paez would become one of 28 judges on the U.S. Court of Appeals for the Ninth Circuit, which hears cases from Alaska, Arizona, California, Guam, Hawaii, Idaho, Montana, Nevada, the Northern Mariana Islands, Oregon, and Washington.

**Ann L. Aiken** has served as a judge for the Lane County District and Circuit Courts in Eugene since 1988. Previously, she practiced law for six years in Oregon, served as Chief Clerk to the Oregon House of Representatives, and worked as a law clerk for Judge Edwin Allen of the Lane County Circuit Court. Aiken earned a J.D. degree from the University of Oregon School of Law; an M.A. degree from Rutgers University; and a B.A. degree from the University of Oregon. She and her husband, James Klonoski, have five children and reside in Eugene.

**Lawrence Baskir** has served as Principal Deputy General Counsel for the Department of the Army since 1994. Prior to entering private practice in 1981, Baskir was legislative director for Senator Bill Bradley, Deputy Assistant Secretary (Legislation) for the Department of Treasury, Director of the Vietnam Offender Study at the University of Notre Dame, Chief Executive Officer and General Counsel to the Presidential Clemency Board for Draft Evaders and Deserters, and Chief Counsel and Staff Director to the Constitutional Rights Subcommittee of the Senate Judiciary Committee. He earned his LL.B. degree from Harvard Law School and his B.A. degree from Princeton University. Baskir and his wife, Marna Tucker, have two children and reside in Chevy Chase, Maryland.

**Joseph F. Bataillon** is an attorney with the Omaha law firm of Sodoro, Daly & Sodoro, where he has practiced since 1980. Previously, he was a Deputy Public Defender for



Douglas County and a Defense Counsel Judge Advocate General in the United States Army Reserve. Bataillon earned his J.D. and B.A. degrees from Creighton University. He and his wife, Pamela, have five children and reside in Omaha.

**Colleen Kollar-Kotelly** has been a judge on the District of Columbia Superior Court since 1984. For the twelve years preceding her appointment to the bench, she was the Chief Legal Counsel for St. Elizabeth's Hospital in the District of Columbia. She began her career as a law clerk on the D.C. Court of Appeals before joining the Appellate Section of the Criminal Division at the Department of Justice. Kotelly received both her undergraduate and law degrees from Catholic University. She and her husband, John Kotelly, reside in Washington, D.C.

**Richard A. Lazzara** is a judge on Florida's Second District Court of Appeals, where he has served since 1993. He previously served as a judge on Florida's Thirteenth Judicial Circuit Court and on the Hillsborough County Court. Prior to taking the bench, Lazzara was both the Assistant County Solicitor and Assistant State Attorney for Hillsborough County, an associate with the Tampa law firm of Levine, Freedman & Hirsch, and a sole practitioner. Lazzara earned his J.D. degree from the University of Florida College of Law and his B.A. degree from Loyola University of the South. He and his wife, Celeste, reside in Lutz.

**Donald M. Middlebrooks** is a partner with the Miami-based law firm of Steel Hector & Davis, resident in West Palm Beach. He received both his undergraduate and law degrees from the University of Florida. After a short stint in private practice, he worked in the office of Governor Reubin Askew, eventually serving as General Counsel for the Office of the Governor. With Steel Hector since 1977, Middlebrooks has specialized in complex civil litigation. He has served as President of the Florida Bar Association, Director of the Volunteer Lawyers Resource Center, Director of the Florida Bar Children's Fund, and President of Florida Legal Services. He received the Florida Bar's Award of Merit in 1990. He and his wife, Victoria have two children and reside in Jupiter.

**Jeffrey T. Miller** is a judge on the state Superior Court in San Diego, where he has served since 1987. During that time he has twice won reelection to his position without challenge. Before his selection for the state trial bench, Miller served in the California Department of Justice in the Office of the Attorney General. Beginning as a staff attorney, Miller eventually was named a Deputy Attorney General, a position he held from 1974 to 1987. During his tenure as a Deputy Attorney General, Miller argued two cases before the United States Supreme Court and obtained favorable results for the State in both cases. Miller received both his undergraduate and law degrees from the University of California at Los Angeles. Miller has two children and he and his wife reside in Encinitas.

**Susan Oki Mollway** is a partner with the Honolulu law firm of Cades Schutte Fleming & Wright, where she has practiced since 1981. She has also taught as an adjunct professor at the University of Hawaii School of Law. Mollway earned her J.D. degree from Harvard Law School



and her M.A. and B.A. degrees from the University of Hawaii. She and her husband, Daniel, have one child and reside in Honolulu.

**Margaret M. Morrow** has been a shareholder at the Los Angeles law firm of Quinn, Kully & Morrow since 1987. Previously, she was a partner at the law firm of Kadison, Pfaelzer, Woodard, Quinn & Rossi. At both firms she pursued a civil litigation practice. Morrow earned her J.D. degree from Harvard Law School and her A.B. degree from Bryn Mawr College. She and her husband, Paul Boland, have one child and live in Pasadena.

**Robert Pratt** is in the private practice of law in Des Moines. A graduate of Loras College and Creighton University School of Law, Pratt began his career as a staff attorney with the Legal Aid Society. After ten years with private firms in Des Moines, Pratt started his own practice in 1985. He has been active in professional organizations and has maintained a significant pro bono practice. He received the Iowa Bar's Volunteer Lawyer of the Year Award in 1983. Pratt practices primarily in the workers' compensation, social security disability, and personal injury fields. He and his wife, Rose Mary have three children and reside in Des Moines.

**Christina A. Snyder** is a partner with the Los Angeles law firm of Corinblit & Seltzer, where she has practiced since 1994. Previously, she was a partner with the Los Angeles law firms of Katten, Muchin, Zavis & Weitzman and Wyman, Bautzer, Kuchel & Silbert. She is primarily a civil litigator. Snyder earned her J.D. degree from Stanford Law School and her B.A. degree from Pomona College. She and her husband, Marc Seltzer, reside in Beverly Hills.

**Clarence J. Sundram** was appointed to his position as Chairman of the New York State Commission on Quality of Care for the Mentally Disabled in 1978. Previously, he was an Assistant Counsel to the Governor of the State of New York. Sundram earned his J.D. degree from the State University of New York at Buffalo and his B.A. degree from Niagara University. He and his wife, Theresa Rodrigues, have three children and reside in Delmar.

**Thomas W. Thrash** is currently a sole practitioner in Atlanta, where he practices both civil and criminal law. Previously, he was a partner in the Atlanta law firm of Finch, McCranie, Brown & Thrash, an Assistant District Attorney for Fulton County, and an Associate with McClain, Mellen, Bowling & Hickman. Thrash earned his J.D. degree from Harvard University and his B.A. degree from the University of Virginia. He and his wife, Margaret, have two children and reside in Atlanta.

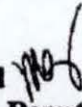
**Nomination of Merrick B. Garland  
to the U.S. Court of Appeals for the D.C. Circuit**

- Merrick Garland has been nominated to fill one of two vacancies on the D.C. Circuit Court of Appeals. The nomination has been approved by the Senate Judiciary Committee.
- Garland is an exceptionally well qualified nominee, who should enjoy the unanimous support of the Senate. He currently serves as Principal Associate Deputy Attorney General. He is a former Assistant U.S. Attorney and a former partner at Arnold & Porter.
- In the wake of the terrorist bombing in Oklahoma City, Garland was sent by Attorney General Reno to Oklahoma to spearhead the Justice Department's investigation. He has continued to play a vital role in the government's preparation for trial. According to Governor Keating, Garland has "distinguished himself in a situation where he had to lead a highly complicated investigation and make quick decisions during critical times."
- Garland has broad bi-partisan support. Governor Keating of Oklahoma, Governor Branstad of Iowa, William T. Coleman, Jr., and former Reagan and Bush officials Robert S. Mueller, Jay B. Stephens, Joe Whitley, Charles Cooper, Donald Ayer, George Terwilliger, and Dan Webb have expressed support for the Garland nomination. These supporters have acknowledged Garland's tremendous qualifications for this position.

Non-Responsive



Non-Responsive

ROUTING AND TRANSMITTAL SLIP		DATE
TO: (Name, office symbol, room number, Agency/Post)		<div>Initials</div> <div>Date</div>
1. The Deputy Attorney General		
2.		
3.		
4.		
<b>REMARKS:</b>  <p>Re: <u>Final Emergency Wiretap Procedures Memorandum</u></p> <p>Attached at Tab A, for your signature, is the emergency wiretap procedures memorandum you requested. As indicated by the material at Tab B, the Criminal Division (and OEO) have approved.</p> <p><small>DO NOT use this form as a RECORD of approval, concurrence, disposal, clearance, and similar actions.</small></p>		
<b>FROM:</b> (Name, org. symbol, Agency/Post)  Merrick B. Garland  Principal Associate Deputy Attorney General U.S. Department of Justice		<div>Room No. -Bldg.</div> <div>4206-Main DOJ</div> <div>Phone No.</div> <div>202-514-2105</div>





U. S. Department of Justice  
Office of the Deputy Attorney General

The Deputy Attorney General

Washington, D.C. 20530

August 14, 1996

MEMORANDUM FOR HEADS OF ALL JUSTICE AND TREASURY  
DEPARTMENT LAW ENFORCEMENT AGENCIES

FROM: The Deputy Attorney General *SSJ*  
SUBJECT: Requests for Emergency Wiretap Authority

The federal electronic surveillance statute (Title III) permits emergency interception of wire communications in limited circumstances for 48 hours where there is not enough time to first obtain a court order. To utilize this provision, the Attorney General, Deputy Attorney General or Associate Attorney General must specially designate an investigative or law enforcement officer to determine whether an emergency situation exists as defined in the statute. This authority is reserved for true emergencies and is used only in rare circumstances.

Attached are pages from the Summer 1996 Electronic Surveillance Bulletin prepared by the Office of Enforcement Operations (OEO) of the Justice Department's Criminal Division. The Bulletin sets forth the procedures that agencies should follow in requesting this authority in emergency situations.

As the Bulletin explains, OEO is the initial point of contact for the requesting agency, and will facilitate the approval process. Once OEO orally advises the agency that the Assistant Attorney General or a Deputy Assistant Attorney General for the Criminal Division has approved the seeking of emergency authorization, the requesting agency should then contact the Attorney General, Deputy Attorney General, or Associate Attorney General, in that order. The agency's oral request should come from the agency head, or from the next highest available official, and should include a representation that the request has been approved by the Criminal Division.

ROUTING AND TRANSMITTAL SLIP		DATE
TO: (Name, office symbol, room number, Agency/Post)		August 13, 1996
1. Jack Keeney, AAG, CRM	Initials	Date
2. Merrick Garland, associate AG	JAK	
3.		
4.		
<p>REMARKS:</p> <p>Re: <u>Emergency Wiretap Procedures</u></p> <p>As we have discussed, the DAG would like to send a memorandum on this subject to heads of Justice and Treasury law enforcement agencies. Please let me know if any changes should be made in the attached draft before it is finalized. Many thanks.</p> <p>Merrick — <span style="float: right;">8-13-96</span></p> <p style="text-align: center;">This is fine. OEO agree.</p> <p style="text-align: center;">JAK</p> <p><small>DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions.</small></p>		
FROM: (Name, org. symbol, Agency/Post)		Room No. -Bldg.
Merrick B. Garland <i>MKG</i> Principal Associate Deputy Attorney General U.S. Department of Justice		4206-Main DOJ
		Phone No.
		202-514-2105





U. S. Department of Justice  
Office of the Deputy Attorney General

The Deputy Attorney General

Washington, D. C. 20530

MEMORANDUM FOR HEADS OF ALL JUSTICE AND TREASURY  
DEPARTMENT LAW ENFORCEMENT AGENCIES

**DRAFT**

FROM: The Deputy Attorney General  
SUBJECT: Requests for Emergency Wiretap Authority

The federal electronic surveillance statute (Title III) permits emergency interception of wire communications in limited circumstances for 48 hours where there is not enough time to first obtain a court order. To utilize this provision, the Attorney General, Deputy Attorney General or Associate Attorney General must specially designate an investigative or law enforcement officer to determine whether an emergency situation exists as defined in the statute. This authority is reserved for true emergencies and is used only in rare circumstances.

Attached is a copy of the Summer 1996 Electronic Surveillance Bulletin prepared by the Office of Enforcement Operations (OEO) of this Department's Criminal Division. The Bulletin sets forth the procedures that agencies should follow in requesting this authority in emergency situations.

As the Bulletin explains, OEO is the initial point of contact for the requesting agency, and will facilitate the approval process. Once OEO orally advises the agency that the Assistant Attorney General or a Deputy Assistant Attorney General for the Criminal Division has approved the seeking of emergency authorization, the requesting agency should then contact the Attorney General, Deputy Attorney General, or Associate Attorney General, in that order. The agency's oral request should come from the agency head, or from the next highest available official, and should include a representation that the request has been approved by the Criminal Division.

ROUTING AND TRANSMITTAL SLIP		DATE
TO: (Name, office symbol, room number, Agency/Post)		August 12, 1996
1. Jamie	Initials	Date
2.		
3.		
4.		
<b>REMARKS:</b>  <p>Re: Emergency Wiretap Memorandum</p> <p>Attached is a draft of the emergency wiretap memorandum you requested (Tab 1), as well as the original explanatory memorandum from the Criminal Division (Tab 2). OEO has just issued a Bulletin on this subject, which provides a convenient hook for your memo to the agencies.</p> <p>Although I have run this by Jack Keeney and OEO by telephone, I would like to send them the hard copy before you finally sign off. If this draft is what you have in mind, let me know and I will get a clearance from CRM before I send you a final version for signature</p> <p><small>DO NOT use this form as a RECORD of approvals, concurrences, dissents, clearances, and similar actions.</small></p>		
<b>FROM:</b> (Name, org. symbol, Agency/Post)  Merrick B. Garland <i>meb</i> Principal Associate Deputy Attorney General U.S. Department of Justice		Room No. -Bldg.  4206-Main DOJ  Phone No.  202-514-2105





ROUTING AND TRANSMITTAL SLIP		DATE	August 4, 1994
TO: (Name, office symbol, room number, Agency/Post)		Initials	Date
1. Jamie Gorelick			
2.			
3.			
4.			
5.			
REMARKS:			
Re: Serbian Witness <span style="background-color: black; color: black;">[REDACTED]</span> re War Crimes			
(b) (5), (b) (6), (b) (7)(D)			
DO NOT use this form as a RECORD of approvals, concurrence, disapproval, clearance, and similar actions.			
FROM: (Name, org. symbol, Agency/Post)		Room No. -Bldg.	
Merrick B. Garland Principal Associate Deputy Attorney General U.S. Department of Justice		4206-Main DOJ	
		Phone No. 202-514-2105	

Merrick -  
I have asked David Margolis  
to get us an update.  
Jamie

Read  
DAG  
8/4/94



U. S. Department of Justice  
Office of the Deputy Attorney General

Principal Associate Deputy Attorney General

Washington, D.C. 20530

June 17, 1996

Memorandum

TO: Robert Blitzer, FBI  
James Reynolds, CRM/TVCS

FROM: Merrick Garland *mg*

Re: June 21 Terrorism Briefing for the Attorney General

Attached is the agenda for the June 21 briefing, incorporating the suggestions made by both of you. As we have discussed, the FBI will take the lead on items A-D; the FBI and CRM will share item E; and CRM will take the lead on item F. Jim Reynolds will collect briefing material from both the FBI and CRM, and submit it by COB June 19.

Many thanks for your help.

cc: Robert Bryant  
Robert Litt  
Mark Richard



**AGENDA**  
**TERRORISM ISSUES FOR JUNE 21, 1996 AG MEETING**

- A. PDD39: in general
  - 1. FBI responsibilities in general
  - 2. Prevention
  - 3. Warnings
  - 4. Incident response
  
- B. The FBI Counter-Terrorism Center: in general
  - 1. Current status
  - 2. Compilation and analysis of domestic terrorism data
  - 3. Relationship with state/local law enforcement
  
- C. Cooperation with State/Local Law Enforcement
  - 1. Joint terrorism task forces
    - a. How organized: which personnel; what level of seniority; which geographic locations
    - b. How operate: regular meetings; scenario training
    - c. Which dangers: chem/bio; subways; critical infrastructure - physical and cyber
  - 2. FEMA - working relationship
  - 3. Rural areas; RISS training
  - 4. Warnings to state/local; public & private sector; NLETS & DECA
  - 5. IACP terrorism committee
  
- D. Nuclear/Chem/Bio
  - 1. Deutch remarks
  - 2. Legislation: existing; needed

3. Anything else needed
4. FEMA Project Ill Wind -- DOJ/FBI role

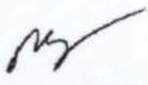
E. Domestic Terrorism

1. Dees' points re state/local cooperation and task forces
2. Crim Div's intra-departmental working group - status
3. FBI's three-phase program - status

F. Treasury Department (ATF)

1. Status of existing cooperation
2. Proposed AG memo to USAs re consultation with the FBI by any other LEA prior to high-risk process (arrests, search warrants, etc.)
3. Proposed DOJ/Treasury discussions to develop new inter-departmental understanding re cooperation in terrorism matters.



ROUTING AND TRANSMITTAL SLIP		DATE	May 16, 1996
TO: (Name, office symbol, room number, Agency/Post)		Initials	Date
1. DAG			
2. cc: Paul Fishman			
3.			
4.			
REMARKS:			
Re: CRM Memo re Treasury/DOJ Coordination of Domestic Terrorism Investigations and re High-Risk Arrests			
(b) (5)			
DO NOT use this form as a RECORD of approvals, concurrences, disposes, clearances, and similar actions.			
FROM: (Name, org. symbol, Agency/Post)		Room No. -Bldg.	
Merrick B. Garland  Principal Associate Deputy Attorney General U.S. Department of Justice		4206-Main DOJ	
		Phone No. 202-514-2105	



U. S. Department of Justice  
Office of the Deputy Attorney General

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Principal Associate Deputy Attorney General

Washington, D.C. 20530

October 14, 1994

MEMORANDUM

TO: Mark Steinberg, Director  
Executive Office for National Security

FROM: Merrick Garland *MG*

RE: Information Sharing with Columbia

The Deputy Attorney General has just received the attached memorandum, requesting clearance by 10:00 a.m. Monday of a proposed memorandum regarding resumption of sharing of aerial tracking information with Columbia. Please consult with the Office of Legal Counsel, and staff this matter for the Deputy.



ROUTING AND TRANSMITTAL SLIP		DATE	
TO: (Name, office symbol, room number, Agency/Post)		Initials	Date
1. DAG			
2.			
3.			
4.			
5.			
<p>REMARKS:</p> <p>RE: <u>Pardon Matters</u></p> <p>Attached are two recommendations for pardons from the Pardon Attorney. We have previously discussed them in the context of whether to adopt formal written standards for pardon decisions; after some discussion, we decided not to do so. We will be meeting with the Pardon Attorney in the next few weeks for a "component" meeting, and I recommend discussing the standards issue at that time, in order to give her some guidance as to your general views.</p> <p>Your decision regarding these two recommendations is now required. █</p> <div style="background-color: black; color: red; font-size: 48pt; text-align: center; padding: 20px;">(b) (5)</div>			
DO NOT use this form as a RECORD of approvals, concurrences, disagreements, and similar actions.			
FROM: (Name, office symbol, Agency/Post)		Room No. -Bldg.	
Merrick B. Garland <i>MBG</i> Principal Associate Deputy Attorney General U.S. Department of Justice		4206-Main DOJ	
		Phone No.	
		202-514-2105	

ROUTING AND TRANSMITTAL SLIP

DATE

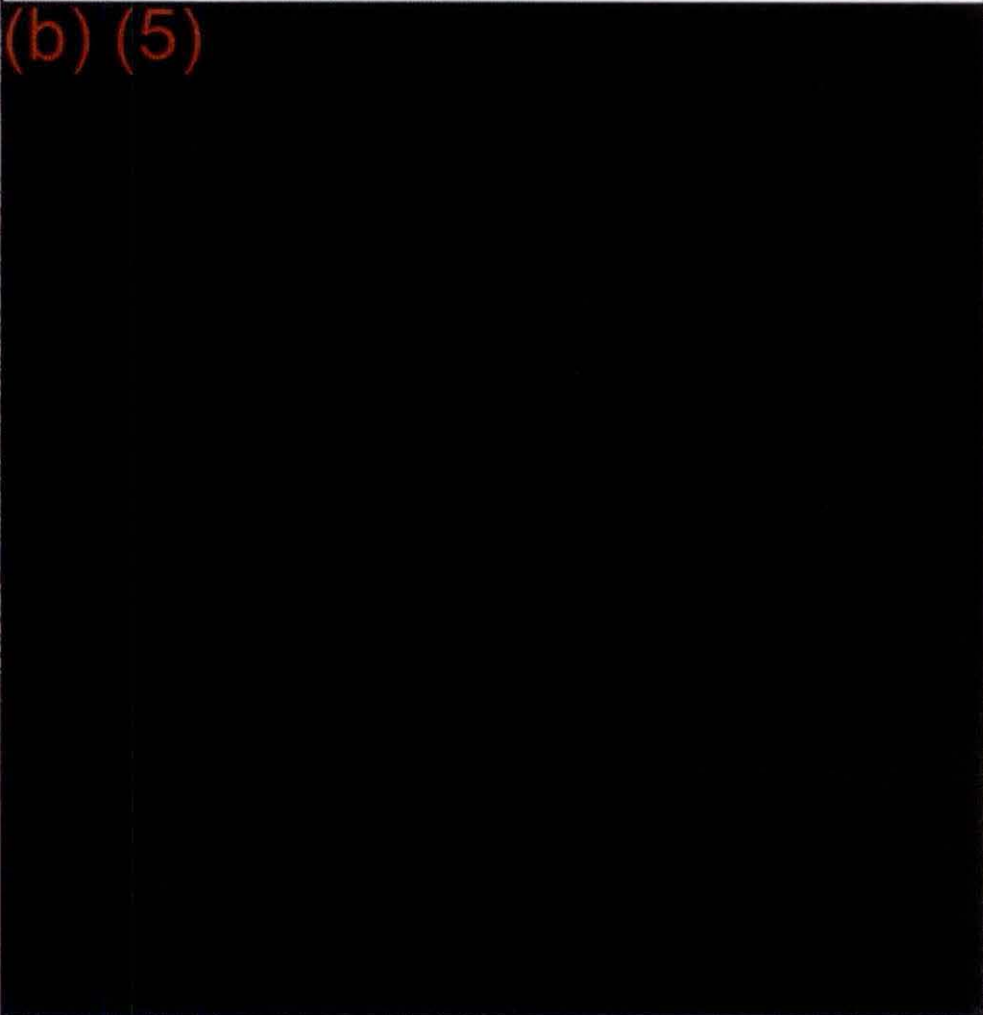
June 4, 1994

TO: JAMIE GORELICK, DAG *Amc*  
FROM: MERRICK GARLAND, PADAG

Re: Pardons

Attached at Tab 1 is a cover memo from Roger Adams, and two recommendations for pardons from the Pardon Attorney. Pursuant to my request, Roger provided me with a memo -- at Tab 2 -- describing standards the Pardon Attorney applies in recommending pardons.

(b) (5)



*Handwritten:*  
1000  
The  
6/6/94



4/30  
TO: Merrick Garland

FROM: Roger Adams RCA 4/26

(b) (5)

Since they are [redacted] they have to go to Jamie. You will note that the Pardon Attorney always prepares a one page summary of every (b) (5) [redacted]. If Jamie agrees with the recommendation, she should sign in the signature block at the end of both memos.

(b) (5)

① What does this mean?

② Do you have a brief summary of (1) the standards for (b) (5) pardons?; (2) kinds of cases in which they have been (b) (5) + (b) (5) in the past? (3) statistics of number of recs by past PAB's, etc.??



U. S. Department of Justice  
Office of the Deputy Attorney General

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Principal Associate Deputy Attorney General

Washington, D. C. 20530

August 4, 1994

MEMORANDUM

TO: Margaret Love  
Pardon Attorney

FROM: Merrick Garland *MG*

RE: Albert Nocar and Bill West

This is to advise you that the Deputy Attorney General has decided against recommending pardons for either of the above-named individuals.