

TO: Todd Stern
FROM: Jennifer Klein ☺
DATE: 9/16/94
RE: Blackmun Tribute

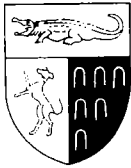
94 SEP 17 A 9:05

Attached please find the page proofs for President's Tribute to Justice Blackmun. What's the next step? The tribute looks fine to me. I'm not crazy about the title but I couldn't think of something better. Also, they need an authorization form signed. Who does that?

Thanks for your help.

✓ ALL Done
m3. Klein. ☺

T.



THE YALE LAW JOURNAL

P.O. Box 208215, NEW HAVEN, CONNECTICUT 06520
(203) 432-1666
FAX (203) 432-7482

EDITOR-IN-CHIEF
(203) 432-7585

September 14, 1994

Ms. Jennifer Klein
Second Floor, West Wing
White House
1600 Pennsylvania Ave., N.W.
Washington, D.C. 20050

Dear Ms. Klein:

Enclosed are the page proofs of President Clinton's forthcoming tribute in *The Yale Law Journal*. As you can see, other than the addition of a few footnotes and a proposed title, we have made no substantive alterations. If possible, we would like to know of any comments or changes by Wednesday, September 21. Please do not hesitate to let me know if this timing proves inconvenient.

I also have enclosed a letter from our Managing Editor requesting a grant of permission for the *Journal* to publish and distribute the piece.

We are very pleased to be publishing the President's piece. Thank you very much for your assistance, and please feel free to contact me with any questions or concerns.

Sincerely,

Patricia L. Small
Editor-in-Chief



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P.O. Box 208215, NEW HAVEN, CONNECTICUT 06520
(203) 432-1666
FAX (203) 432-7482

MANAGING EDITOR
(203) 432-1623/4

September 15, 1994

Jennifer Klein
Second Floor, West Wing
White House
1600 Pennsylvania Ave., N.W.
Washington, D.C. 20050

Dear Ms. Klein:

We are pleased to be publishing in *The Yale Law Journal* President Clinton's Tribute to Justice Blackmun. To enable the *Journal* to comply with various contracts regarding the reprinting of issues, the sale of back issues, and access to the *Journal* via Lexis, Westlaw, and other computer-assisted research services, we ask that President Clinton, or his authorized agent, grant us a non-exclusive right to publish and distribute, and to authorize the publication, distribution and reproduction of the Tribute in such manner as we deem appropriate. I have enclosed, for your convenience, a draft letter granting us such permission. Please return this letter or its equivalent at your earliest convenience.

Sincerely,

Brita D. Strandberg
Managing Editor
Volume 104

September, 1994

Brita D. Strandberg
Managing Editor
The Yale Law Journal
P.O. Box 208215
New Haven, CT 06520

Dear Ms. Strandberg:

The Yale Law Journal is hereby granted a non-exclusive right to publish and distribute, and to authorize the publication and distribution and reproduction of my Tribute to Justice Blackmun, in such manner as you deem appropriate.

Tributes

The Steady Hand of Justice Blackmun

William Jefferson Clinton[†]

It is my duty and my honor on behalf of the people of the United States to thank Justice Blackmun for his lifetime of service to our nation.

Justice Blackmun, in stepping down from the Supreme Court, steps up into our history. During his twenty-four years on our highest court, he has become part of the rich and evolving story of American justice and constitutional law—with majesty and reason, with scholarship and grace. He is a good man who has earned the respect and the gratitude of every American.

When President Nixon nominated Harry Blackmun for service on the Court, his candidacy naturally occasioned much speculation about what kind of Justice he would be. Some labeled him a strict constructionist. But he rejected such attempts to tag him with a label, saying, “I’ve been called liberal and conservative. Labels are deceiving. I call them as I see them.” Twenty-four years later, we can say that he did exactly what he said he would.

It was President Woodrow Wilson who called our judiciary “the balance-wheel of our entire system; it is meant to maintain [the] nice adjustment between individual rights and governmental powers which constitutes political

[†] Forty-second President of the United States. This Tribute is an adaptation of the President’s remarks upon the announcement of the retirement of Justice Blackmun.

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In cases argued before him, he found the human dimension and struck the right balance—in the struggle over how we might overcome our legacy of racism;² in protecting the reproductive rights of women;³ in providing poor people and sick people access to the lowest priced prescription drugs;⁴ in opening the courthouse doors to the mentally ill;⁵ in upholding tough sentencing guidelines to keep hardened criminals confined in prison;⁶ in averting a constitutional crisis by voting with a united Court to tell the president who appointed him to obey the law.⁷

Those of us who have studied the law can at times be lost in its abstractions. The habits, the procedures, the language of the law can separate lawyers from the people who look to the Bar for justice. Justice Blackmun identified firmly and decisively with the concerns of the ordinary people of this country. And he gave voice to his humanity not only in majority opinions, but also in his dissents.

When he stood apart from the Court and aligned himself with an abused son against a violent parent and an indifferent child welfare agency, he appealed to the Court: “What is required of us is moral ambition. . . . Poor Joshua! . . . It is a sad commentary upon American life, and constitutional principles . . . [that] Joshua and his mother . . . are denied by this Court” the opportunity to have their rights protected.⁸ As he promised, his opinions defied labels. Only the word “justice” applies. Justice has not only been his title, it has been his guiding light.

Consider the history of which he has been a part. His tenure on the Court of Appeals and the Supreme Court extended through the terms of nine

1. WOODROW WILSON, CONSTITUTIONAL GOVERNMENT IN THE UNITED STATES 142-43 (1908).

2. *Regents of the Univ. of Cal. v. Bakke*, 438 U.S. 265, 402 (1978) (separate opinion of Blackmun, J.); *see also* *Ward's Cove Packing Co. v. Antonio*, 490 U.S. 642, 661 (1989) (Blackmun, J., dissenting).

3. *Roe v. Wade*, 410 U.S. 113 (1973); *see also* *Planned Parenthood v. Casey*, 112 S. Ct. 2791, 2843 (1992) (Blackmun, J., concurring and dissenting); *Webster v. Reproductive Health Servs.*, 492 U.S. 490, 537 (1989) (Blackmun, J., concurring and dissenting).

4. *Virginia State Bd. of Pharmacy v. Virginia Citizens Consumer Council*, 425 U.S. 748 (1976).

5. *Zinerman v. Burch*, 494 U.S. 113 (1990).

6. *Mistretta v. United States*, 488 U.S. 361 (1989).

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I can only say that every one of us who serves in any capacity in public life would do very well by the people of the United States if we could bring to our work half the integrity, the passion, and the love for this country that Justice Blackmun has given us on the United States Supreme Court for twenty-four years.

Thank you, Justice Blackmun.

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I can only say that every one of us who serves in any capacity in public life would do very well by the people of the United States if we could bring to our work half the integrity, the passion, and the love for this country that Justice Blackmun has given us on the United States Supreme Court for twenty-four years.

Thank you, Justice Blackmun.

THE WHITE HOUSE

WASHINGTON

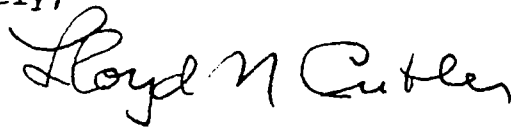
September 19, 1994

Ms. Brita D. Strandberg
Managing Editor
The Yale Law Journal
Post Office Box 208215
New Haven, CT 06520

Dear Ms. Strandberg:

The Yale Law Journal is hereby granted a non-exclusive right to publish and distribute, and to authorize the publication and distribution and reproduction of President Clinton's Tribute to Justice Blackmun, in such manner as you deem appropriate.

Sincerely,

A handwritten signature in dark ink, reading "Lloyd N. Cutler". The signature is written in a cursive, flowing style with a large initial "L".

Lloyd N. Cutler
Special Counsel to the President

THE WHITE HOUSE

WASHINGTON

THE PRESIDENT HAS SEEN 5/13/94

May 13, 1994

✓
MR. PRESIDENT:

The attached is a draft submission for the Yale Law Journal in tribute to Justice Harry Blackmun for the Journal's October issue, which will include a number of tributes.

At David Dreyer's suggestion, the attached draft is a combination of the written remarks he prepared for you and the remarks you actually delivered. Jennifer Klein, a health policy assistant to the First Lady and Yale Law graduate, who has been dealing with the Journal on this, did the editing and David reviewed it.

You can certainly add to these remarks if you wish, but there is no need to -- the Journal would be delighted with this submission.


Todd Stern

Copy
Jennifer Klein
Rm 2nd 71
WW



THE YALE LAW JOURNAL
401A YALE STATION, NEW HAVEN, CONNECTICUT 06520
(203) 432-1666

Editor-in-Chief

April 12, 1994

President and Mrs. William J. Clinton
The White House
1600 Pennsylvania Ave.
Washington, D.C. 20500

Dear President and Mrs. Clinton:

The *Yale Law Journal* plans to publish several tributes to Justice Harry A. Blackmun in October of 1994. On behalf of the *Journal*, I am writing to invite you to contribute for publication a piece sharing your reflections on Justice Blackmun's tenure on the Court. I found the President's remarks at Justice Blackmun's resignation ceremony to be extremely moving. I hope that you might consider developing those remarks into a fuller statement about your friendship with him and your thoughts on his legacy.

If you would be willing to contribute a piece, we would hope to receive a draft by July 1, 1994. If this time frame presents a problem, please let me know. I can be reached at the *Journal* office at (203) 432-1666, or at home at (203) 624-7457.

I hope that you will look sympathetically upon this invitation. Best wishes.

Sincerely,

Patricia L. Small
Editor-in-Chief

Remarks of President William Jefferson Clinton
Upon the Retirement of Associate Justice Harry Blackmun

It is my duty and my honor on behalf of the people of the United States of America to thank Justice Blackmun for his lifetime of service to our nation.

Justice Blackmun, in stepping down from the Supreme Court, steps up into our history. During his 24 years on our highest court, he has become part of the rich and evolving story of American justice and constitutional law -- with majesty and reason, with scholarship and grace. He is a good man who has earned the respect and the gratitude of every American.

When President Nixon nominated Harry Blackmun for service on the Court, his candidacy naturally occasioned much speculation about what kind of justice he would be. Some labeled him a strict constructionist. But he rejected such attempts to tag him with a label, saying, "I've been called liberal and conservative. Labels are deceiving. I call them as I see them." Twenty-four years later, we can say that he did exactly what he said he would.

It was President Woodrow Wilson who called our judiciary "the balance wheel of our entire system; it is meant to maintain the nice adjustment between individual rights and government powers which constitutes political liberty." Harry Blackmun has been a steady and strong hand on that balance wheel.

The family man. The lawyer. The resident counsel at Mayo Clinic. The teacher. The loyal member of the Bar. The gifted

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In cases argued before him, he found the human dimension and struck the right balance -- in the struggle over how we might overcome our legacy of racism; in protecting the reproductive rights of women; in providing poor people and sick people access to the lowest priced prescription drugs; in opening the courthouse doors to the mentally ill; in upholding tough sentencing guidelines to keep hardened criminals confined in prison; in averting a constitutional crisis by voting with a united Court to tell the president who appointed him to obey the law.

Those of us who have studied the law can at times be lost in its abstractions. The habits, the procedures, the language of the law can separate lawyers from the people who look to the Bar for justice. Justice Blackmun's identification was firmly and decisively with the ordinary people of this country -- with their concerns. And his humanity was given voice not only in majority opinions, but also in his dissents.

When he stood apart from the Court and aligned himself with an abused son against a violent parent and an indifferent child welfare agency, he appealed to the Court: "What is required of us is moral ambition. Poor Joshua! It is a sad commentary upon American life and constitutional principles that Joshua and his

mother are denied by this Court the opportunity to have their rights protected." As he promised, his opinions defied labels. Only the word "justice" applies. Justice has not only been his title, it has been his guiding light.

Consider the history of which he has been a part. His tenure on the Court of Appeals and the Supreme Court extended through the terms of nine presidents. Fewer than 110 Americans have served on the Supreme Court, and Justice Blackmun served with 17 of them. Of the Judiciary Committee members who unanimously approved his nomination -- giants like John McClellan, Sam Ervin, Phil Hart, Hugh Scott, Mac Mathias -- just Senators Kennedy, Byrd and Thurmond remain. He's been part of a very lively, long and vital period in American history. And he has served us well.

I can only say that every one of us who serves in any capacity in public life would do very well by the people of the United States if we could bring to our work half the integrity, the passion, and the love for this country that Justice Blackmun has given us on the United States Supreme Court for 24 years.

Thank you, Justice Blackmun.

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Thank you, Justice Blackmun.

TO: Todd Stern
FROM: Jennifer Klein
DATE: 5/6/94
RE: Blackmun Tribute

A professor of mine from Yale Law School has asked if the Yale Law Journal could publish remarks by President Clinton in their issue paying tribute to Justice Blackmun. The issue will be published in the fall.

I have enclosed a copy of the President's remarks for the ceremony on April 6. At David Dreyer's suggestion, I have combined the prepared remarks with the remarks as they were actually delivered. I have also enclosed a copy of the formal request from the Yale Law Journal.

David also suggested that I send this request to John Podesta. Can you help with this?

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Editor-in-Chief

April 12, 1994

Jennifer Klein
Second Floor, West Wing
White House
1600 Pennsylvania Ave., N.W.
Washington, D.C. 20050

Dear Ms. Klein:

As promised, enclosed is a copy of the invitation to President and Mrs. Clinton to contribute to the *Yale Law Journal* a tribute to Justice Harry A. Blackmun. Thank you once again for your assistance in this matter. If you have any questions, I can be reached at the *Journal* at (203) 432-1666, or at home at (203) 624-7457.

Sincerely,

Patricia L. Small
Editor-in-Chief

John Podesta
Mark Gearan
Vicki Radd

Cover memo
Letter
Revised remarks



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I hope that you will look sympathetically upon this invitation. Best wishes.

Sincerely,

Patricia L. Small
Editor-in-Chief

APR 12 '94 11:13AM 2034327482



The Yale Law Journal

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Street Address:
127 Wall Street
New Haven, Connecticut 06511

Mailing Address:
401A Yale Station
New Haven, Connecticut 06520

To: JENNIFER KLEIN

From: PATRICIA L. SMALL

Date: 12 APRIL 1994

Subject: JUSTICE HARRY A. BLACKMUN TRIBUTE

Number of Pages, Including Cover Sheet: 3

Message: _____

Transmitting Fax: (203) 432-7482

If there is a problem
with this fax, call: (203) 432-1666



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(203) 432-1666

Editor-in-Chief

April 12, 1994

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Second Floor, West Wing
White House
1600 Pennsylvania Ave., N.W.
Washington, D.C. 20050

FAX: (202) 456-2878

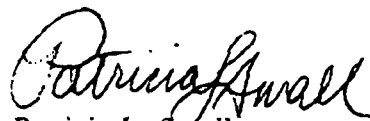
Dear Ms. Klein:

As Alan Davidson mentioned to you last night, the *Yale Law Journal* would like to invite President and Mrs. Clinton to contribute to the *Journal* a tribute to Justice Harry A. Blackmun, for publication in a collection of tributes in October of 1994. Attached is a letter to the Clintons proposing the idea. I will Federal Express a copy of the letter to you for arrival tomorrow morning.

We greatly appreciate any help that you can give us with this matter. If I can be of any assistance, please feel free to call me at the *Journal* at (203) 432-1666, or at home at (203) 624-7457.

Thank you, and best wishes.

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Patricia L. Small
Editor-in-Chief

APR 12 '94 11:14AM 2034327482



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Editor-in-Chief

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Washington, D.C. 20500

Dear President and Mrs. Clinton:

The *Yale Law Journal* plans to publish several tributes to Justice Harry A. Blackmun in October of 1994. On behalf of the *Journal*, I am writing to invite you to contribute for publication a piece sharing your reflections on Justice Blackmun's tenure on the Court. I found the President's remarks at Justice Blackmun's resignation ceremony to be extremely moving. I hope that you might consider developing those remarks into a fuller statement about your friendship with him and your thoughts on his legacy.

If you would be willing to contribute a piece, we would hope to receive a draft by July 1, 1994. If this time frame presents a problem, please let me know. I can be reached at the *Journal* office at (203) 432-1666, or at home at (203) 624-7457.

I hope that you will look sympathetically upon this invitation. Best wishes.

Sincerely,

Patricia L. Small
Editor-in-Chief

**REMARKS OF PRESIDENT WILLIAM JEFFERSON CLINTON
UPON THE RETIREMENT OF ASSOCIATE JUSTICE HARRY BLACKMUN
APRIL 6, 1994.....DRAFT ONE/DREYER: 456-7151**

It is my duty and honor this morning, on behalf of the people of the United States of America, to thank Justice Blackmun for his lifetime of service to our country.

Justice Blackmun, in stepping down from the Supreme Court, steps up into its history: During his twenty-four years on our highest court, he has become a part of the rich, evolving story of American justice and constitutional law; with majesty and reason, scholarship and grace, a good man who has earned the gratitude of every American.

When Harry Blackmun was nominated by President Nixon for service on the Court, his candidacy naturally occasioned much speculation over what kind of justice he would be. Some labeled him a 'strict constructionist.' But he rejected such attempts to tag him, saying "I've been called liberal and conservative. Labels are deceiving. I call them as I see them."

His nomination sailed through the Judiciary Committee by a 17-0 vote. He was confirmed by the Senate unanimously. The President who selected him, the Senate which approved him, and the country which received him, clearly wanted a jurist who would call them as he saw them. Twenty-four years later we can say, with great appreciation, that is exactly what we got.

The family man. The lawyer. The resident counsel at Mayo Clinic. The teacher. The loyal member of the Bar. The gifted and scholarly judge. All that Harry Blackmun was, when he came to the Court, foreshadowed what Associate Justice Blackmun would be: A compassionate centrist, an independent thinker, a pragmatic student of each case in all its aspects, a steady hand on the balance wheel.

It was Woodrow Wilson who called our judiciary "the balance wheel of our entire system; it is meant to maintain that nice adjustment between individual rights and government powers which constitutes political liberty."

In his opinions, Harry Blackmun found the human dimension and struck the right balance -- in the struggle over how we might best overcome our nation's legacy of racism; in protecting the reproductive rights of women; in providing poor people and sick people access to the lowest priced prescription drugs; in opening the courthouse doors to the mentally ill; in averting a constitutional crisis by telling the President who appointed him to obey the law.

As he promised, these opinions defy labels. Only the word justice applies. Justice has been not only his title, but his guiding light.

Fewer than 110 Americans have served on the Supreme Court in its history. Harry Blackmun served with seventeen of them.

Of the Judiciary Committee Members who approved unanimously his nomination -- giants like John McClellan, Sam Ervin, Phil Hart, Hugh Scott, and Mac Mathias -- just Ted Kennedy, Robert Byrd, and Strom Thurmond are present today to hear their names at the call of the roll.

His tenure, on the Court of Appeals and the Supreme Court, extended through the terms of nine Presidents.

He has been a part of a lively, long and vital period in our history, and he has served us all very well.

Over many years and many enjoyable hours, I have had the chance not only to study his decisions but also to study Justice Blackmun's mind and glory in his nature -- his passion for American history, his love for Minnesota, his grasp of Abraham Lincoln and the private agonies of Lincoln's time, his gentility. Our friendship is one of the greatest gifts I have enjoyed in public service. And I can only wish him joy as he enters the latest phase of his extraordinary and productive life.

Thank you, Justice Blackmun.

REMARKS BY THE PRESIDENT
AT RESIGNATION CEREMONY
OF JUSTICE BLACKMUN

The Roosevelt Room

10:34 A.M. EDT

THE PRESIDENT: Good morning. It is my duty and my honor on behalf of the people of the United States of America to thank Justice Blackmun for his lifetime of service to our nation.

I have received his letter announcing his intention to step down from the Supreme Court. In so doing, he will step up into our history. During his 24 years on our highest court, Justice Blackmun has become part of the rich and evolving story of American justice and constitutional law with majesty and reason, with scholarship and grace. He is a good man who has earned the respect and the gratitude of every one of his fellow countrymen and women.

When President Nixon nominated Harry Blackmun for service on the Court, his candidacy naturally occasioned a great deal of speculation about what kind of justice he would be. Some labeled him a strict constructionist. But he rejected any attempt to tag him with a label, saying, and I quote, "I've been called liberal and conservative. Labels are deceiving. I call them as I see them." Twenty-four years later, we can say that he did exactly what he said he would do 24 years ago.

It was President Woodrow Wilson who called our judiciary "the balance wheel of our entire system." It is meant to maintain the nice adjustment between individual rights and government powers which constitutes political liberty. Harry Blackmun has been a steady and strong hand on that balance wheel.

In cases argued before him, he found the human dimension and struck the right balance -- in the struggle over how we might best overcome our legacy of racism; in protecting the women's reproductive rights; in providing poor people and sick people access to the lowest-priced prescription drugs; in opening the courthouse doors to the mentally ill; and upholding tough sentencing guidelines to keep hardened criminals confined in prison; in averting a constitutional crisis by voting with a united Court to tell the president who appointed him to obey the law.

Those of us who have studied the law can at times be lost in its abstractions. The habits, the procedures, the language of the law can separate lawyers from the people who look to the bar for justice. Justice Blackmun's identification was firmly and decisively with the ordinary people of this country, with their concerns. And his humanity was often given voice not only in majority opinions, but in his dissents.

When he stood apart from the Court and aligned himself with an abused son against a violent parent and an indifferent child welfare agency, he appealed to the Court, "What is required of us is moral ambition. Poor Joshua. It is a sad commentary upon American life and constitutional principles that Joshua and his mother are denied by this Court the opportunity to have their rights protected

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...promised, his opinions defied labels. Only the word "justice" applies. Justice has not only been his title, it has been his guiding light.

Consider the history of which he has been a part. His tenure on the Court of Appeals and the Supreme Court extended through the terms of nine presidents. Fewer than 110 Americans have served on the Supreme Court, and Justice Blackmun served with 17 of them. Of the Judiciary Committee members who unanimously approved his nomination, including strong people in the Senate like John McClellan and Sam Ervin, Phil Hart, Hugh Scott, Mack Mathias, only three remain -- Senators Kennedy, Byrd and Thurman. He's been part of a very lively period in American history. And he has served us well.

Let me also say on a personal note, one of the most rewarding experiences of my public life and my personal life has been the opportunity that Hillary and I have had to get to know Harry Blackmun and his wonderful wife, Dotty, who is here with us today. I have seen his passion in a private way for the people of this country, for its history, for its leaders, for its institutions, for its laws, for holding us together and moving us forward.

I can only say that every one of us who serves in any capacity in public life would do very well by the people of the United States if we could bring to our work half the integrity, the passion, and the love for this country that Justice Blackmun has given us on the United States Supreme Court for 24 years. And I thank him very much. (Applause.)

JUSTICE BLACKMUN: Mr. President, you've been generous, far too generous in your remarks. There are those who don't agree with you, of course. (Laughter.) But I really wanted to say that it's been a great privilege to be on the federal bench for over 34 years, in 24 terms here, and to watch the country move along through those 24 years. It hasn't been much fun on most occasions, but it's a fantastic experience which few lawyers are privileged to have. And as Byron White put it a year ago, it's been a great ride. And I'm indebted to the nation and, Mr. President, to you and your predecessors, for putting up with the like of me.

But thank you all for your generosity and for being here today. It's not easy to step aside, but I know what the numbers are and it's time. (Applause.)

Q Mr. President, these are such large shoes to fill. Have you thought about the kind of person you would want? And if we could take you back to politics and the practical nature of politics, would it be possible, for instance, to elevate someone from the Senate, such as George Mitchell, without jeopardizing your program, such as health care?

THE PRESIDENT: Well, today I'd like to make just one statement about that because I think today should be Justice Blackmun's day. We'll have a lot of time in the days ahead to discuss this.

The shoes are large. The role that he has filled on this Court is terribly important. I will attempt to appoint someone of genuine stature and a largeness of ability and spirit to the Court. I will try to do it in a timely fashion, in an appropriate and timely fashion. That is, within a reasonable amount of time. But I want to make sure that we have reviewed the appropriate options, and I will do that.

And I think you'll -- we'll have lots of time to talk about it in the days ahead. But I just don't think I should say much more today. I think this should be Justice Blackmun's day.

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Q Mr. President, Justice Blackmun has been known for his commitment to the decision in Roe versus Wade that legalizes abortion. How important is it for the Supreme Court to keep that philosophy toward the right to abortion?

And I wondered if Justice Blackmun might say a few words about where he thinks the Court might be headed on that issue.

THE PRESIDENT: Well, I don't know if he wants to talk about it. You know, of course, that I agree with the decision, and I think it's an important one in a very difficult and complex area of our nation's life. But again, I don't want to talk about the appointment of a new justice today.

Q Justice Blackmun, could you say a few words about Roe versus Wade, what it's meant and why you think that it has been an important decision for our country?

JUSTICE BLACKMUN: I didn't hear that. Can you repeat it?

Q I'm sorry. Could you say a few words about the decision in Roe versus Wade and about why you think it's been important for women in this country, your continued commitment to it, and where you think the Court might be headed on it?

JUSTICE BLACKMUN: Well, I didn't come in here to indulge in a question and answer session, but I'll try to answer that. Roe against Wade hit me early in my tenure on the Supreme Court. And people forget that it was a 7-to-2 decision. They always typify it as a Blackmun opinion. But I'll say what I've said many times publicly -- I think it was right in 1973, and I think it was right today. It's a step that had to be taken as we go down the road toward the full emancipation of women.

Q Mr. President, I take it you've had some advance warning that this might be coming. Could you give us some sense of how much opportunity you've had to get your process started and how far along it might be?

THE PRESIDENT: Well, I spoke a little this morning with our staff about it. We will have, I think, a good process that will involve Mr. Cutler, the White House Counsel; the Attorney General; Mr. McLarty; and Mr. Lader, who's been overseeing our personnel operations. And I think it will proceed in a very deliberate way. Justice Blackmun referred in his letter to a conversation we had several months ago indicating that he might -- or that he intended to leave at sometime during this year, or announce his intention. I, frankly, kept hoping he would change his mind. But I think we are prepared and I think we proceed forthwith.

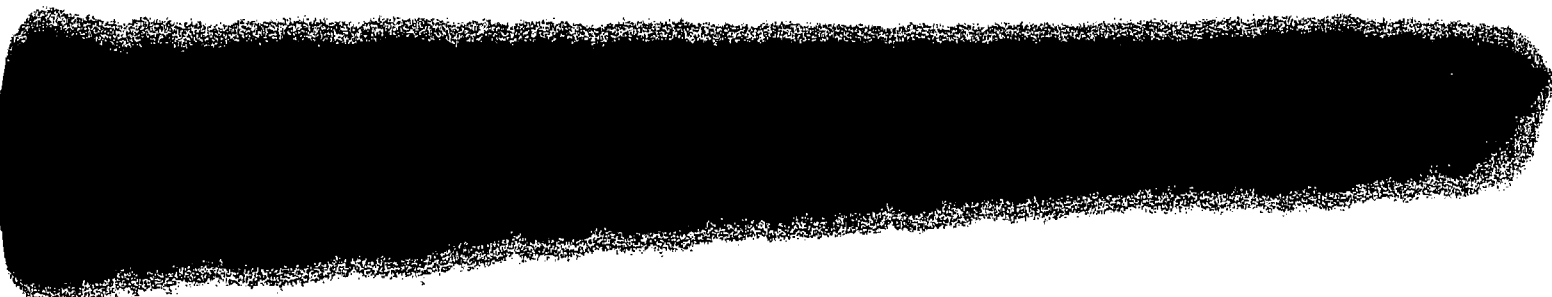
Q Mr. President -- this is for Justice Blackmun. I thought you had taken the public decision that your doctors would tell you when it was time to go. That having been so, can you say how you reached your decision to retire? And would you add to that how you can get along without a daily fix of hate mail? (Laughter.)

JUSTICE BLACKMUN: I missed the punch line.

THE PRESIDENT: He asked how you were going to get along without your daily fix of hate mail. He offered to take some of mine. (Laughter.)

JUSTICE BLACKMUN: I think the President and I have a lot to share in those hate mail things, but we'll see. We'll let the future take care of itself. I'm advised there's a vacancy on the 8th Circuit I think I'll apply for. (Laughter.) I'll be turned down I know. (Laughter.)

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Q Mr. President, it took you three months the last time. Will it take you that long this time?

THE PRESIDENT: Thank you. (Laughter.)

END

10:43 A.M. EDT