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July 20, 1966

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Mr. Michael E. Tigar
120 7th Street, S.E.
Washington, D.C.

Dear Mike:

I have heard from a number of sources here in Los Angeles about the unfortunate developments which have occurred concerning your clerkship with Justice Brennan. Naturally, I don't know whether or not everything that I hear is accurate. The story that I have heard is that quasi-political pressures applied to Justice Brennan by certain congressmen and newspaper stories caused him to change his mind after you had arrived in Washington, D.C. I also understand that Justice Brennan had full information regarding your "controversial" background at the time that the clerkship was granted.

I wanted to write to express to you my sympathy for this development. As you know, you and I have always been rather divergent in our opinions, but I feel very strongly that Justice Brennan's course of action was wrong. It is disconcerting to find that the Supreme Court's opinions relative to freedom of speech and freedom of association are not carried into practice in their own personal or official lives. It is especially bad for Justice Brennan to change his mind as a result of pressure when he had full information regarding your background to begin with. Obviously, if he was going to make a decision like this, the time to make it would have been before the clerkship was granted to you.

Mr. Michael E. Tigar
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Ellis Harmon informs me that Jerry Falk said you are already on a lease for your apartment in Washington. If so, I hope that you are able to find a job in Washington, as I am sure that you will be able to do, for this year.

Once again, I wish to express my sympathy for your situation and my disappointment in the Supreme Court. Please let me know if there is anything I can do to help.

Very truly yours,



Theodore B. Olson

TBO/ajs