

**David S. Tatel Papers**  
**A Finding Aid to the Collection in the Library of Congress**



**Manuscript Division, Library of Congress**  
**Washington, D.C.**  
**2021**

Contact information: <https://hdl.loc.gov/loc.mss/mss.contact>

Catalog Record: <https://lcn.loc.gov/mm98084306>

Additional search options available at: <https://hdl.loc.gov/loc.mss/eadmss.ms020012>

Prepared by Manuscript Division staff

Finding aid encoded by Manuscript Division staff, 2020

## Collection Summary

**Title:** David S. Tatel Papers

**Inclusive Dates:** 1871-2014

**Bulk Dates:** 1994-2014

**ID no.:** MSS84306

**Creator:** Tatel, David S.

**Extent:** 155,000 items

**Extent:** 525 containers

**Extent:** 210 linear feet

**Extent:** 7,171 digital files (4.38 GB)

**Language:** Collection material in English

**Location:** Manuscript Division, Library of Congress, Washington, D.C.

**LC Catalog record:** <https://lccn.loc.gov/mm98084306>

**Summary:** Judge, lawyer, and public official. Correspondence, memoranda, case files, speeches, writings, reports, newspaper clippings, printed matter, and other papers in both physical and digital formats relating chiefly to Tatel's legal career as a judge on the United States Court of Appeals for the District of Columbia Circuit, his service as Director for the Office for Civil Rights for the Department of Health, Education, and Welfare, and his private law practices in Chicago, Ill., and Washington, D.C.

## Acquisition Information

The papers of David S. Tatel were given to the Library of Congress by Tatel in 1998. Numerous additions were given by him between 1999 and 2016.

## Processing History

The papers of David S. Tatel were arranged and described by Connie L. Cartledge with the assistance of Rachel Telford, Thomas Bigley, Maria Farmer, and Rosa Hernandez in 2020.

Digital files were received as part of the David S. Tatel Papers on a variety of storage media, each of which was assigned a unique digital ID number. Use the digital ID number to request access copies of the files associated with each media. A description of the standard processes taken on all born digital records can be found in the Processing History Note: Born Digital Collection Material at <https://hdl.loc.gov/loc.mss/eadmss.digital>.

## Transfers

Audio cassettes and videotapes have been transferred to the Motion Picture, Broadcasting, and Recorded Sound Division where they are identified as part of the David S. Tatel Papers. Patrons are encouraged to contact the Motion Picture, Broadcasting, and Recorded Sound Division in advance of a research visit. Patrons are encouraged to contact the Motion Picture, Broadcasting, and Recorded Sound Division in advance of a research visit.

## Copyright Status

Copyright in the unpublished writings of David S. Tatel in these papers and in other collections of papers in the custody of the Library of Congress has been dedicated to the public, although copyright is reserved by Tatel during his lifetime.

## Access and Restrictions

Restrictions apply governing the use, photoduplication, or publication of items in this collection. Consult reference staff in the Manuscript Division for information concerning these restrictions. In addition, many collections are stored off-site and advance notice is needed to retrieve these items for research use.

## Technical Requirements

Digital files were created in a Windows operating system, version is unknown. The content is primarily text files in .doc, .wpd, and .pdf formats and images files in .tiff format. Audio files in .wav format and moving image files in .wmv format are also included.

## Preferred Citation

Researchers wishing to cite this collection should include the following information: Container or digital ID number, David S. Tatel Papers, Manuscript Division, Library of Congress, Washington, D.C.

## Biographical Note

| Date          | Event  |
|---------------|--|
| 1942, Mar. 16 | Born, Washington, D.C.   |
| 1963          | B.A., University of Michigan, Ann Arbor, Mich.   |
| 1966          | J.D., University of Chicago, Chicago, Ill.   |
| 1966-1967     | Instructor, University of Michigan   |
| 1967-1969     | Associate of law firm, Sidley & Austin, Chicago, Ill.                                    |
| 1969-1970     | Executive Director, Chicago Lawyers' Committee for Civil Rights Under Law, Chicago, Ill. |
| 1970-1972     | Associate of law firm, Sidley and Austin   |
| 1972-1974     | Director, National Lawyers' Committee for Civil Rights Under Law, Washington, D.C.       |
| 1974-1977     | Associate, law firm of Hogan & Hartson, Washington, D.C.                                 |
| 1975-1976     | General counsel, Legal Services Corporation, Washington, D.C.                            |
| 1977-1979     | Director, Office for Civil Rights, Department of Health, Education, and Welfare          |
| 1979-1994     | Partner, law firm of Hogan & Hartson   |
| 1985-1990     | Member, board of directors, Refugee Policy Group, Washington, D.C.                       |
| 1989-1991     | Co-chairman, National Lawyers Committee for Civil Rights Under Law, Washington, D.C.     |
| 1994-         | Judge, United States Court of Appeals for the District of Columbia Circuit               |

## Scope and Content Note

The papers of David Stephen Tatel (1942- ) span the years 1871-2014, with the bulk of the material dating from 1994 to 2014. The collection primarily documents Tatel's career as a judge on the United States Court of Appeals for the District of Columbia Circuit from 1994 to 2014. Also represented are papers relating to Tatel's tenure as Director of the Office for Civil Rights for the Department of Health, Education, and Welfare, his private law practices in Chicago, Illinois, and Washington, D.C., and his activities with various legal and educational organizations. The papers are in English and organized into the following five series: [Office for Civil Rights](#), [United States Court of Appeals: Case File](#), [Speeches and Writings File](#), [Miscellany](#), and [Closed](#).

The collection provides a comprehensive account of Tatel's jurisprudence as a judge for the United States Court of Appeals for the District of Columbia Circuit and his career as a lawyer, where he was known especially for his education and civil rights work. As a federal judge, Tatel heard appeals from the district court of the District of Columbia and from federal administrative agencies with many cases relating to constitutional and administrative law that often had national

implications. The papers also document Tatel's career prior to his judgeship with files pertaining to his service as Director of the Office for Civil Rights during the administration of President Jimmy Carter; as a lawyer in Chicago, Illinois, engaged in civil rights work at Sidley & Austin, the Chicago Lawyers' Committee for Civil Rights Under Law, and the Chicago Riot Study Committee; and his tenure as an attorney at Hogan & Hartson in Washington, D.C., focusing especially on education issues; his endeavors with organizations such as the National Lawyers' Committee for Civil Rights Under Law (known as the Lawyers' Committee for Civil Rights Under Law), and general counsel of the Legal Services Corporation; and his mediation of a dispute between special education students and the public school system of Baltimore, Maryland.

The collection series are listed and briefly described below. A fuller description of each series and a list of its contents can be accessed in the series descriptions within the container list.

The [Office for Civil Rights](#) series features administrative and legal files pertaining to Tatel's activities to enforce federal civil rights laws as Director for the Office for Civil Rights (OCR) for the Department of Health, Education, and Welfare (HEW) during the Carter administration.

The [United States Court of Appeals: Case File](#), documenting Tatel's judicial service from the 1994 to the 2013 terms, reflects the variety of issues heard by the Court including civil rights, federalism, environmental law, civil liberties, national security, and regulatory and labor law.

The [Speeches and Writings File](#) reflects Tatel's interest in civil rights and school desegregation.

The [Miscellany](#) series covers Tatel's career as a lawyer in private practice and his involvement with several legal and educational organizations.

## Arrangement of the Collection

This collection is arranged in five series:

- [Office for Civil Rights, 1961-1981](#)
- [United States Court of Appeals: Case File, 1994-2014](#)
- [Speeches and Writings File, 1965-2004](#)
- [Miscellany, 1871-2004](#)
- [Closed, 2009-2011](#)

## Selected Search Terms

The following terms have been used to index the description of this collection in the LC Catalog. They are grouped by name of person or organization, by subject or location, and by occupation and listed alphabetically.

### People

Aamer, Shaker, 1966- --Trials, litigation, etc.  
Carter, Jimmy, 1924-  
Harvey, Francis J.--Trials, litigation, etc.  
Holder, Eric H., 1951- --Trials, litigation, etc.  
Hutchins, Tiana, approximately 1980- --Trials, litigation, etc.  
Latif, Adnan, 1981-2012--Trials, litigation, etc.  
Omar, Shawqi, approximately 1962- --Trials, litigation, etc.  
Reno, Janet, 1938-2016--Trials, litigation, etc.  
Tatel, David S.  
Terry, Randall A.--Trials, litigation, etc.

### Organizations

American Trucking Associations--Trials, litigation, etc.  
Chicago (Ill.). Riot Study Committee.  
Chicago Lawyers' Committee for Civil Rights Under Law (Ill.)  
Coalition for Responsible Regulation--Trials, litigation, etc.  
Guantánamo Bay Detention Camp--Trials, litigation, etc.

Hogan & Hartson.  
Lawyers' Committee for Civil Rights Under Law.  
Legal Services Corporation.  
Sidley & Austin.  
United States. Clean Air Act.  
United States. Court of Appeals (District of Columbia Circuit)  
United States. Department of Health, Education, and Welfare. Office for Civil Rights.  
United States. Environmental Protection Agency--Trials, litigation, etc.  
United States. Federal Communications Commission--Trials, litigation, etc.  
Verizon--Trials, litigation, etc.

### **Subjects**

Abortion services--United States.  
Abortion--United States.  
Administrative agencies--United States.  
Administrative law--United States.  
African Americans--Civil rights.  
African Americans--Segregation.  
African Americans--Suffrage.  
Air quality--United States.  
Civil rights--Law and legislation--United States.  
Civil rights--United States.  
Constitutional law--United States.  
Courts--United States.  
Detention of persons--Cuba--Guantánamo Bay Naval Base.  
Detention of persons--Iraq.  
Discrimination--Law and legislation--United States.  
Education--United States.  
Environmental law--United States.  
Habeas corpus--United States.  
Judicial opinions--United States.  
Labor laws and legislation--United States.  
Law--United States--Cases.  
Minorities--Suffrage--United States.  
Minors--United States.  
National security--United States.  
Network neutrality--Law and legislation--United States.  
Practice of law--United States.  
Public schools--Maryland--Baltimore.  
Race discrimination--United States.  
School integration--United States.  
Segregation in education--North Carolina.  
Segregation in education--United States.  
Segregation in higher education--Illinois--Chicago.  
Segregation in higher education--United States.  
Special education--Maryland--Baltimore.  
Terrorism--Political aspects.  
Voting--Law and legislation--United States.  
Youth curfews--Law and legislation--Washington (D.C.)

### **Places**

Shelby County (Ala.)--Trials, litigation, etc.  
United States--Politics and government--20th century.  
United States--Politics and government--21st century.  
United States--Race relations.

United States--Social conditions--20th century.  
United States--Social conditions--21st century.  
Washington (D.C.)--Trials, litigation, etc.

**Occupations**

Judges.

Lawyers.

Public officials.

## Description of Series

**Container**  
BOX 1-19

**Series**  
**Office for Civil Rights, 1961-1981**

The Office for Civil Rights series features administrative and legal files pertaining to Tatel's activities to enforce federal civil rights laws as Director for the Office for Civil Rights (OCR) for the Department of Health, Education, and Welfare (HEW) during the Carter administration. The administrative files include memoranda to the Under Secretary of HEW, weekly early warning reports identifying civil rights issues of priority, and briefing material, consisting mainly of reports, statements and memoranda, evaluating the Office's performance. The majority of the series documents the OCR's efforts to desegregate state higher education systems in North Carolina, Oklahoma, and Virginia. Administrative enforcement proceedings were initiated against North Carolina for not taking action to change its dual systems. In 1978 HEW Secretary Joseph A. Califano Jr. accepted a desegregation plan by North Carolina officials. Tatel felt the plan did not adequately meet the requirements of Title VI of the Civil Rights Act and considered resigning. The files include a draft letter of resignation about the matter that Tatel did not send. Also present in the Office for Civil Rights series are papers pertaining to the racial desegregation of primary and secondary schools in Chicago, Illinois, and New York, New York. Papers for the majority of the series consist mostly of photocopies rather than original items.

Material types include correspondence, memoranda, briefing books and briefing papers, reports, plans, legislative testimony, deposition transcripts, court documents, newspaper clippings, and other material.

Arranged alphabetically by topic or type of material and therein alphabetically.

BOX 19-477

**United States Court of Appeals: Case File, 1994-2014**

The United States Court of Appeals: Case File, documenting Tatel's judicial service from the 1994 to the 2013 terms, reflects the variety of issues heard by the Court including civil rights, federalism, environmental law, civil liberties, national security, and regulatory and labor law. The Case File is arranged by court term from September through June of each year and therein by two types of cases: argued cases and miscellaneous cases. Argued cases are those heard in oral argument by three judge panels or the full court. The argued cases comprise the largest portion of the case files. Occasionally a case scheduled for oral argument was decided without a panel hearing, and these cases remain as they were filed by Tatel's staff according to their proposed argument date. Miscellaneous cases are appeals matters that were decided without oral argument.

Issues covered in substantive cases in which Tatel participated include network neutrality of the Internet (*Verizon v. Federal Communications Commission*), implementation of the Clean Air Act by the Environmental Protection Agency (*American Trucking Associations v. the Environmental Protection Agency* and *Coalition for Responsible Regulation v. the Environmental Protection Agency*), access obstruction by protestors to abortion clinics (*Terry v. Reno*), restriction of unaccompanied minors by curfew (*Hutchins v. District of Columbia*) and racial discrimination in voting (*Shelby County v. Holder* and *Northwest Austin Municipal Utility District 1 v. Mukasey*, the latter an opinion written by Tatel as a member of a panel for the federal district court for the District Court of Columbia).

The Court of Appeals Case File also documents the Court's role as the principle court interpreting the legal rights of non-citizens and United States citizens suspected of terrorism held overseas by the federal government. Cases include those of Guantánamo Bay, Cuba, detainees challenging their imprisonment and confinement conditions (*Latif v. Obama* and *Aamer v. Obama*) and the authority of American courts to hear habeas claims by American citizens held out of the country by the military for alleged crimes (*Omar v. Harvey*). The miscellaneous cases for the 2006 term contain a number of files for a group of Guantánamo Bay special panel matters.

Material types include correspondence, memoranda, notes, orders, briefs, opinions, vote sheets, newspaper clippings, and background material relating to cases in which Tatel participated as a judge on the United States Court of Appeals for the District of Columbia Circuit. Some content of case files, including select exhibits, memoranda, draft opinions, notes and depositions, is in digital format as word-processed documents and moving image files.

Arranged by court term and therein alphabetically by type of case: argued cases and miscellaneous cases. The argued cases are further arranged by the date the case was heard by the court and therein by case number. Miscellaneous cases are arranged by case number or alphabetically by case title if there is no case number. The file structure of the digital content maintained as received.

BOX 477-499

#### **Speeches and Writings File, 1965-2004**

The Speeches and Writings File reflects Tatel's interest in civil rights and school desegregation. The majority of the files feature speeches and articles by Tatel, including typed drafts and published versions. The bulk of the series consists of drafts and research material pertaining to Tatel's James Madison lecture entitled "Judicial Methodology, Southern School Desegregation, and the Rule of Law" given in 2003 at the New York University School of Law. The speech was published in 2004 in the school's law review. Drafts of the article and research files relating to it are filed in the writings section of the series. The writings also contain drafts and research pertaining to Tatel's 1996 introduction to the "D.C. Circuit Review," published in the *George Washington Law Review*. A partial list of Tatel's speeches and writings is filed at the beginning of the series.

Material types include correspondence, memoranda, notes, outlines, speech drafts, drafts and published versions of writings, legal briefs and memoranda, transcripts of tapes, research material, invitations, newspaper clippings, and printed material. Some material, including drafts and research material, is available in digital format as word-processed documents and audio files.

Arranged alphabetically by type of material and therein chronologically or alphabetically. The file structure of the digital content maintained as received.

BOX 499-524

#### **Miscellany, 1871-2004**

The Miscellany series covers Tatel's career as a lawyer in private practice and his involvement with several legal and educational organizations. The papers document his time in Chicago as a lawyer at the firm of Sidley & Austin, his activities as Director of the Chicago Lawyers' Committee for Civil Rights Under Law, and his work for the Chicago Riot Study Commission. The files include material relating to the successful efforts by the Chicago Lawyers' Committee in getting the federal government to investigate the murder of two Chicago leaders of the Black Panther Party in 1969, as well as files relating to the Chicago Riot Study Committee. As a member of the committee's staff, Tatel investigated how schools and the police functioned during the riots that occurred in Chicago in 1968 after the assassination of Dr. Martin Luther King Jr. Included in the committee files are Tatel's interviews with merchants, teachers, students, school officials, and the final published report.

The Miscellany series also features material relating to Tatel's endeavors as an attorney in Washington, D.C. While a partner at Hogan & Hartson 1972-1977 and 1979-1994, Tatel focused on educational issues, particularly the area of school desegregation. The series includes files relating to his negotiation of a settlement between the NAACP and the city of St. Louis (*Liddell v. Board of Education of the City of St. Louis*) resulting in increased desegregation of city schools and files pertaining to his involvement in the Milwaukee, Wisconsin, school desegregation case. Also present are papers pertaining to Tatel's activities with the National Lawyers' Committee for Civil Rights Under Law (director from 1972-1974) and his work with the Legal Services Corporation (general counsel from 1975-1976).



In addition, the Miscellany series documents Tatel's unusual role as a mediator to end a dispute between special education students and the public schools in Baltimore, Maryland. The series also includes files relating to his affiliation with the National Research Council, the Spencer Foundation, and his time as an instructor at the University of Michigan Law School and as a lecturer briefly at Stanford University Law School.

Material types include correspondence, memoranda, interviews, court documents, petitions, briefs, notes, reports, research material, newspaper clippings, and printed material. One draft policy of the Committee to Draft Sexual Harassment Policy for the District of Columbia Circuit is in digital format as a word-processed document.

Arranged alphabetically by name person or organization, topic, or type of material and therein alphabetically or chronologically. The file structure of the digital content maintained as received.

**BOX X525**

**Closed, 2009-2011**

Sealed case files.

Arranged and described according to the series, containers, and folders from which the items were separated.

# Container List

| Container | Contents   |
|-----------|--|
| BOX 1-19  | <p><b>Office for Civil Rights, 1961-1981</b></p> <p>The Office for Civil Rights series features administrative and legal files pertaining to Tatel's activities to enforce federal civil rights laws as Director for the Office for Civil Rights (OCR) for the Department of Health, Education, and Welfare (HEW) during the Carter administration. The administrative files include memoranda to the Under Secretary of HEW, weekly early warning reports identifying civil rights issues of priority, and briefing material, consisting mainly of reports, statements and memoranda, evaluating the Office's performance. The majority of the series documents the OCR's efforts to desegregate state higher education systems in North Carolina, Oklahoma, and Virginia. Administrative enforcement proceedings were initiated against North Carolina for not taking action to change its dual systems. In 1978 HEW Secretary Joseph A. Califano Jr. accepted a desegregation plan by North Carolina officials. Tatel felt the plan did not adequately meet the requirements of Title VI of the Civil Rights Act and considered resigning. The files include a draft letter of resignation about the matter that Tatel did not send. Also present in the Office for Civil Rights series are papers pertaining to the racial desegregation of primary and secondary schools in Chicago, Illinois, and New York, New York. Papers for the majority of the series consist mostly of photocopies rather than original items. Material types include correspondence, memoranda, briefing books and briefing papers, reports, plans, legislative testimony, deposition transcripts, court documents, newspaper clippings, and other material.</p> <p>Arranged alphabetically by topic or type of material and therein alphabetically.</p> |
| BOX 1     | Administrative file  |
| BOX 1     | Budget and finance, 1978-1980  |
| BOX 1     | Califano, Joseph A., Jr., resignation, 1979  |
| BOX 1     | Early warning reports, 1978-1979<br>(4 folders)  |
| BOX 1     | Initiatives and accomplishments, FY79, 1979  |
| BOX 1     | Memoranda to the Under Secretary, 1977-1979<br>(2 folders)   |
| BOX 2     | Memoranda to the Under Secretary, 1977-1979<br>(2 folders)   |
| BOX 2     | Office for Civil Rights briefing paper, 1979   |
| BOX 2     | Office for Civil Rights complaint procedures, 1979<br>(2 folders)  |
| BOX 2     | Office for Civil Rights performance, 1979<br>(2 folders)   |
| BOX 2     | Office for Civil Rights performance, 1980<br>(2 folders)   |
| BOX 3     | Personal highlight book, 1974-1979   |
| BOX 3     | Quality assurance program handbook, 1979   |
| BOX 3     | Age discrimination, 1977-1979<br>(5 folders)   |
| BOX 4     | Anti-civil rights amendments, 1979   |
| BOX 4     | Architectural standard for accessibility for physically handicapped, 1961  |

## Office for Civil Rights, 1961-1981

| Container | Contents  |
|-----------|---|
| BOX 4     | Cannon v. University of Chicago, 1979   |
| BOX 4     | Health policy, 1975-1979  |
| BOX 4     | Language-based discrimination in education (Lau remedies), 1978-1979<br>(4 folders) |
| BOX 5     | Legislative testimony   |
| BOX 5     | 1977  |
| BOX 5     | 1978, Apr.<br>(1 folder)  |
| BOX 6     | 1978, Apr.<br>(1 folder)  |
| BOX 6     | 1978, May-Dec.  |
| BOX 6     | 1979, Feb.-Mar.<br>(1 folder)   |
| BOX 7     | 1979, Feb.-Mar.<br>(2 folders)  |
| BOX 8     | 1979, Apr.-Oct.   |
| BOX 8     | New York State Association for Retarded Children and Parisi v. Carey, 1979          |
| BOX 8     | Policies, 1978-1979   |
| BOX 8     | Racial desegregation in higher education  |
| BOX 8     | Alabama, 1981   |
| BOX 8     | Arkansas, 1978-1979<br>(2 folders)  |
| BOX 8     | Delaware, 1981  |
| BOX 8     | Florida, 1981   |
| BOX 8     | Missouri, 1981  |
| BOX 8     | North Carolina  |
| BOX 8     | Adams criteria, 1977  |
| BOX 8     | Affidavit background material, 1977-1981<br>(1 folder)                              |
| BOX 9     | Affidavit background material, 1977-1981<br>(3 folders)                             |
| BOX 9     | Briefing book, 1980   |
| BOX 9     | Depositions, 1977-1980<br>(2 folders)   |
| BOX 10    | Depositions, 1977-1980<br>(3 folders)   |
| BOX 10    | Depositions, David Tatel, 1980  |
| BOX 10    | Negotiations, 1977-1980<br>(1 folder)   |
| BOX 11    | Negotiations, 1977-1980<br>(3 folders)  |
| BOX 11    | October 1979 submission, 1978-1980<br>(4 folders)                                   |
| BOX 12    | Proceedings, miscellaneous, 1979-1981<br>(3 folders)                                |
| BOX 12    | Oklahoma, 1977-1979<br>(3 folders)  |

## Office for Civil Rights, 1961-1981

### Container

### Contents

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|        |  |
|--------|--|
| BOX 13 | Oklahoma, 1977-1979<br>(1 folder)  |
| BOX 13 | Pennsylvania, 1981   |
| BOX 13 | South Carolina, 1981   |
| BOX 13 | Texas, 1981  |
| BOX 13 | Virginia, 1977-1979<br>(3 folders)   |
| BOX 14 | Virginia, 1977-1979<br>(1 folder)  |
| BOX 14 | West Virginia, 1981  |
| BOX 14 | Racial desegregation in primary and secondary schools                                      |
| BOX 14 | Chicago, Ill.  |
| BOX 14 | Briefing book, 1979<br>(5 folders)   |
| BOX 15 | Briefing book, 1979<br>(1 folder)  |
| BOX 15 | General, 1978<br>(3 folders)   |
| BOX 15 | General, 1979<br>(2 folders)   |
| BOX 16 | General, 1979<br>(7 folders)   |
| BOX 17 | General, 1979<br>(4 folders)   |
| BOX 17 | Integration of faculty and bilingual education, 1977-1978<br>(2 folders)                   |
| BOX 18 | Integration of faculty and bilingual education, 1977-1978<br>(2 folders)                   |
| BOX 18 | New York, N.Y., 1977-1979<br>(5 folders)   |
| BOX 18 | <i>A Report by the Lawyers' Review Committee to Study the Department of Justice</i> , 1972 |
| BOX 18 | Section 504 of the Rehabilitation Act, West Virginia, 1977                                 |
| BOX 19 | Title III developing institutions, 1974-1979<br>(2 folders)                                |
| BOX 19 | Title VI enforcement, New York, N.Y., 1978-1979<br>(3 folders)                             |

BOX 19-477

#### **United States Court of Appeals: Case File, 1994-2014**

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Issues covered in substantive cases in which Tatel participated include network neutrality of the Internet (*Verizon v. Federal Communications Commission*), implementation of the Clean Air Act by the Environmental Protection Agency (*American Trucking Associations v. the Environmental Protection Agency* and *Coalition for Responsible Regulation v. the Environmental Protection Agency*), access obstruction by protestors to abortion clinics (*Terry v. Reno*), restriction of unaccompanied minors by curfew (*Hutchins v. District of Columbia*) and racial discrimination in voting (*Shelby County v. Holder* and *Northwest Austin Municipal Utility District 1 v. Mukasey*, the latter an opinion written by Tatel as a member of a panel for the federal district court for the District Court of Columbia).

The Court of Appeals Case File also documents the Court's role as the principle court interpreting the legal rights of non-citizens and United States citizens suspected of terrorism held overseas by the federal government. Cases include those of Guantánamo Bay, Cuba, detainees challenging their imprisonment and confinement conditions (*Latif v. Obama* and *Aamer v. Obama*) and the authority of American courts to hear habeas claims by American citizens held out of the country by the military for alleged crimes (*Omar v. Harvey*). The miscellaneous cases for the 2006 term contain a number of files for a group of Guantánamo Bay special panel matters.

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|           |                |  |
|-----------|----------------|--|
| BOX 19-35 | 1994 term      |  |
| BOX 19    | Argued cases   |  |
| BOX 19    | 1993, Sept. 13 |  |
| BOX 19    | 93-1092        | Action for Children's Television v. Federal Communications Comm'n                |
| BOX 19    | 93-1100        | Pacifica Foundation v. Federal Communications Comm'n                             |
|           |                | <u>See same container, 93-1092</u>   |
| BOX 19    | 1993, Sept. 14 |  |
| BOX 19    | 93-1169        | Alliance for Community Media v. Federal Communications Comm'n                    |
|           | (1 folder)     |  |
| BOX 20    | 93-1169        | Alliance for Community Media v. Federal Communications Comm'n                    |
|           | (1 folder)     |  |
| BOX 20    | 93-1171        | Denver Area Educ. Telecommunications Consortium v. Federal Communications Comm'n |
|           |                | <u>See same container, 93-1169</u>   |
| BOX 20    | 93-1270        | Alliance for Community Media v. Federal Communications Comm'n                    |
|           |                | <u>See same container, 93-1169</u>   |
| BOX 20    | 93-1276        | American Civil Liberties Union v. Federal Communications Comm'n                  |
|           |                | <u>See same container, 93-1169</u>   |

## United States Court of Appeals: Case File, 1994-2014

| Container | Contents  |
|-----------|---|
| BOX 20    | 1994, Oct. 21   |
| BOX 20    | 93-5247 National Medical Enters. v. Shalala                                       |
| BOX 20    | 94-5004 <i>In re</i> Sealed Case (slip opinion only)                              |
| BOX 20    | 94-5005 Resolution Trust Corp v. Thornton (slip opinion only)                     |
| BOX 20    | 1994, Oct. 27   |
| BOX 20    | 94-1166 Lindsay v. National Transp. Safety Bd.                                    |
| BOX 20    | 1994, Nov. 1  |
| BOX 20    | 93-3199 United States v. Pinnick  |
| BOX 20    | 1994, Nov. 2  |
| BOX 20    | 93-5260 Transcapital Fin. Corp. v. Director, Office of Thrift Supervision         |
| BOX 20    | 1994, Nov. 8  |
| BOX 20    | 92-5508 Cope v. Scott   |
|           | (2 folders)   |
| BOX 20    | 93-1357 Keystone Steel & Wire v. National Labor Relations Bd. (slip opinion only) |
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|             |  | The Speeches and Writings File reflects Tatel's interest in civil rights and school desegregation. The majority of the files feature speeches and articles by Tatel, including typed drafts and published versions. The bulk of the series consists of drafts and research material pertaining to Tatel's James Madison lecture entitled "Judicial Methodology, Southern School Desegregation, and the Rule of Law" given in 2003 at the New York University School of Law. The speech was published in 2004 in the school's law review. Drafts of the article and research files relating to it are filed in the writings section of the series. The writings also contain drafts and research pertaining to Tatel's 1996 introduction to the "D.C. Circuit Review," published in the <i>George Washington Law Review</i> . A partial list of Tatel's speeches and writings is filed at the beginning of the series. Material types include correspondence, memoranda, notes, outlines, speech drafts, drafts and published versions of writings, legal briefs and memoranda, transcripts of tapes, research material, invitations, newspaper clippings, and printed material. Some material, including drafts and research material, is available in digital format as word-processed documents and audio files. Arranged alphabetically by type of material and therein chronologically or alphabetically. The file structure of the digital content maintained as received. |
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| DF          | "Harold M. Stephens and Administrative Law Reform in the 1930s: A Chapter in a Loser's History of the New Deal State," by Daniel R. Ernst, 2001-03-09<br><b>Digital ID:</b> 84306_205_015                |   |
| DF          | "Harold M. Stephens and Administrative Law Reform in the 1930s: A Chapter in a Loser's History of the New Deal State," by Daniel R. Ernst, partial draft, 2001-03-09<br><b>Digital ID:</b> 84306_205_016 |   |
| DF          | "The Special Contributions of the D. C. Circuit to Administrative Law," by Richard J. Pierce, Jr., 2001-03-09<br><b>Digital ID:</b> 84306_205_017  |   |
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| BOX 490   | Tapes   |
| DF        | Tapes, "Busing Conversations", circa 1971-1973<br><b>Digital ID:</b> 84306_205_021            |
| DF        | Tapes, transcripts and finding aid, circa 1971-1973, 2002<br><b>Digital ID:</b> 84306_205_023 |
| DF        | Tapes, audio recording, circa 1971-1973<br><b>Digital ID:</b> 84306_205_024                   |

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| BOX 494   | Correspondence   |
| BOX 494   | Drafts and published version<br>(2 folders)  |
| BOX 494   | Research<br>(2 folders)  |
| BOX 495   | Research<br>(3 folders)  |
| DF        | "Some Thoughts on Unpublished Decisions," <i>George Washington Law Review</i> , drafts, 1996<br><b>Digital ID:</b> 84306_205_018 |
| DF        | "Some Thoughts on Unpublished Decisions," <i>George Washington Law Review</i> , draft, 1996<br><b>Digital ID:</b> 84306_205_019  |
| DF        | "Some Thoughts on Unpublished Decisions," <i>George Washington Law Review</i> , draft, 1996<br><b>Digital ID:</b> 84306_205_020  |
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| BOX 499-524 | <b>Miscellany, 1871-2004</b> <p>The Miscellany series covers Tatel's career as a lawyer in private practice and his involvement with several legal and educational organizations. The papers document his time in Chicago as a lawyer at the firm of Sidley &amp; Austin, his activities as Director of the Chicago Lawyers' Committee for Civil Rights Under Law, and his work for the Chicago Riot Study Commission. The files include material relating to the successful efforts by the Chicago Lawyers' Committee in getting the federal government to investigate the murder of two Chicago leaders of the Black Panther Party in 1969, as well as files relating to the Chicago Riot Study Committee. As a member of the committee's staff, Tatel investigated how schools and the police functioned during the riots that occurred in Chicago in 1968 after the assassination of Dr. Martin Luther King Jr. Included in the committee files are Tatel's interviews with merchants, teachers, students, school officials, and the final published report.</p> <p>The Miscellany series also features material relating to Tatel's endeavors as an attorney in Washington, D.C. While a partner at Hogan &amp; Hartson 1972-1977 and 1979-1994, Tatel focused on educational issues, particularly the area of school desegregation. The series includes files relating to his negotiation of a settlement between the NAACP and the city of St. Louis (<i>Liddell v. Board of Education of the City of St. Louis</i>) resulting in increased desegregation of city schools and files pertaining to his involvement in the Milwaukee, Wisconsin, school desegregation case. Also present are papers pertaining to Tatel's activities with the National Lawyers' Committee for Civil Rights Under Law (director from 1972-1974) and his work with the Legal Services Corporation (general counsel from 1975-1976).</p> <p>In addition, the Miscellany series documents Tatel's unusual role as a mediator to end a dispute between special education students and the public schools in Baltimore, Maryland. The series also includes files relating to his affiliation with the National Research Council, the Spencer Foundation, and his time as an instructor at the University of Michigan Law School and as a lecturer briefly at Stanford University Law School.</p> <p>Material types include correspondence, memoranda, interviews, court documents, petitions, briefs, notes, reports, research material, newspaper clippings, and printed material. One draft policy of the Committee to Draft Sexual Harassment Policy for the District of Columbia Circuit is in digital format as a word-processed document.</p> <p>Arranged alphabetically by name person or organization, topic, or type of material and therein alphabetically or chronologically. The file structure of the digital content maintained as received.</p> |
| BOX 499     | American Civil Liberties Union  |
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| BOX 503   | Committee to Draft Sexual Harassment Policy for the District of Columbia Circuit |
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|           | (2 folders)  |
| BOX 506   | District of Columbia Circuit Task Force on Gender, Race, and Ethnic Bias, 1995   |
|           | (3 folders)  |
| BOX 506   | Governor's Education Task Force, Ill., 1969-1970                                 |
| BOX 506   | Hogan & Hartson, law firm, Washington, D.C.                                      |
| BOX 506   | Chronological file   |
| BOX 506   | 1994, Jan. 5-14  |
| BOX 507   | 1994, Jan. 21-31   |
| BOX 507   | 1994, Feb.-May   |
|           | (9 folders)  |
| BOX 508   | 1994, June-Oct.  |
|           | (9 folders)  |
| BOX 508   | General correspondence   |
| BOX 508   | 1979   |



## Miscellany, 1871-2004

| Container | Contents  |
|-----------|---|
| BOX 508   | 1980, Jan.-Apr.<br>(3 folders)  |
| BOX 509   | 1980, May<br>(2 folders)  |
| BOX 509   | 1981  |
| BOX 509   | Liddell v. Board of Educ. of the City of St. Louis, 1980<br>(3 folders) |
| BOX 509   | Milwaukee, Wis., school desegregation case                              |
| BOX 509   | Memoranda   |
| BOX 509   | Board of School Directors, 1983   |
| BOX 509   | Chapter 220, 1983   |
| BOX 509   | Notebook, 1990-1991<br>(1 folder)                                       |
| BOX 510   | Notebook, 1990-1991<br>(1 folder)                                       |
| BOX 510   | Settlement agreement, 1987  |
| BOX 510   | Legal Services Corp.  |
| BOX 510   | 1975, July-Oct.<br>(3 folders)  |
| BOX 511   | 1975, Nov.-Dec.   |
| BOX 511   | 1976, Feb. 16-20<br>(4 folders)   |
| BOX 512   | 1976, Feb. 27   |
| BOX 512   | 1976, Mar.-Aug.<br>(2 folders)  |
| BOX 512   | 1980-1984<br>(2 folders)  |
| BOX 512   | Letter of Recommendation, 1998  |
| BOX 512   | Moot court  |
| BOX 512   | 1997-2001<br>(2 folders)  |
| BOX 513   | 2002-2004<br>(2 folders)  |
| BOX 513   | National Board for Professional Teaching Standards                      |
| BOX 513   | Board of Directors, 1992-1995<br>(2 folders)                            |
| BOX 513   | Miscellany, 1994-1998<br>(2 folders)                                    |
| BOX 514   | Miscellany, 1994-1998<br>(1 folder)                                     |
| BOX 514   | National Lawyers' Committee for Civil Rights Under Law                  |
| BOX 514   | Correspondence, 1973-1974<br>(6 folders)                                |
| BOX 514   | Correspondence, 1975<br>(1 folder)                                      |
| BOX 515   | Correspondence, 1975<br>(1 folder)                                      |
| BOX 515   | Correspondence, 1976-1977   |

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| Container | Contents   |
|-----------|--|
| BOX 515   | Desegregation and Educational Change in San Francisco", 1992                                 |
| BOX 515   | The Fall and Rise of the Office of Economic Opportunity, 1973                                |
| BOX 515   | Miscellany, 1976-1977<br>(2 folders)   |
| BOX 515   | Pennsylvania Human Relations Comm'n v. School Dist. of Philadelphia, 1992                    |
| BOX 516   | Special Subcommittee for Evaluation Involvement of Private Bar in LCCRUL Cases,<br>1975-1976 |
| BOX 516   | National Research Council  |
| BOX 516   | Board on Testing and Assessment, meetings  |
| BOX 516   | 1993<br>(4 folders)  |
| BOX 516   | 1994, Mar.<br>(3 folders)  |
| BOX 517   | 1994, July<br>(3 folders)  |
| BOX 517   | Commission on Behavioral and Social Sciences and Education, 1993-1994                        |
| BOX 517   | Newspaper clippings and articles about Tatel, 1977-1991<br>(3 folders)                       |
| BOX 518   | PEW Forum on Educational Reform, 1991-1995<br>(2 folders)                                    |
| BOX 518   | Sidley & Austin, law firm, Chicago, Ill.   |
| BOX 518   | Illinois v. Davis, 1968  |
| BOX 518   | Snow, Jefferson McLaughlin   |
| BOX 518   | Correspondence, 1968-1969  |
| BOX 518   | Court papers   |
| BOX 518   | General, 1958-1959<br>(2 folders)  |
| BOX 518   | Ingrassia, Anthony S., 1959  |
| BOX 518   | District court record, 1959  |
| BOX 518   | Research material and notes, 1962-1969<br>(2 folders)  |
| BOX 519   | Tometz v. Board of Educ., Waukegan City School Dist. No. 61                                  |
| BOX 519   | Correspondence, 1967-1968  |
| BOX 519   | Court papers, 1967<br>(2 folders)  |
| BOX 519   | Drafts of petitions and brief, 1967  |
| BOX 519   | Miscellany, 1964-1967  |
| BOX 519   | State and local information, 1967-1968   |
| BOX 519   | Spencer Foundation   |
| BOX 519   | Affirmative Action Conference, proposed (diversity in education), 1997                       |
| BOX 519   | Correspondence, 1970-1986  |
| BOX 519   | Correspondence, 1987, Jan.-May   |
| BOX 520   | Correspondence, 1987, Jun.-Dec.<br>(2 folders)   |
| BOX 520   | Correspondence, 1988-1990<br>(4 folders)   |
| BOX 520   | Cremlin, Larry, memorial service, 1990   |

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| Container | Contents   |
|-----------|--|
| BOX 520   | Newsletters, 1987-1992   |
| BOX 520   | Stanford University, Stanford, Calif., teaching file   |
| BOX 520   | General, 1990-1991<br>(2 folders)  |
| BOX 520   | Teaching material  |
| BOX 520   | 1963-1965, 1974-1979   |
| BOX 521   | 1981-1990<br>(6 folders)   |
| BOX 521   | 1991<br>(1 folder)   |
| BOX 522   | 1991<br>(4 folders)  |
| BOX 522   | 1992-1995<br>(2 folders)   |
| BOX 522   | University of Michigan, Ann Arbor, Mich., teaching file, 1966-1967<br>(2 folders)  |
| BOX 523   | University of Michigan, Ann Arbor, Mich., teaching file, 1966-1967<br>(1 folder)   |
| BOX 523   | Vaughn G., mediation   |
| BOX 523   | Agreement, 2000  |
| BOX 523   | Case file, 1999-2000<br>(6 folders)  |
| BOX 524   | Case file, 1999-2000<br>(1 folder)   |
| BOX 524   | Clippings, 1996-2000   |
| BOX 524   | Consent order, 1998-1999   |
| BOX 524   | Reports, 1998-2000<br>(2 folders)  |
| BOX 524   | Special master's report, 2000<br>(2 folders)   |
| BOX 524   | Status report, 2000  |
| BOX X525  | <b>Closed, 2009-2011</b><br>Sealed case files.<br>Arranged and described according to the series, containers, and folders from which the items were separated. |
| BOX X525  | United States Court of Appeals: Case File  |
| BOX X525  | 2009   |
| BOX X525  | Miscellaneous cases  |
| BOX X525  | 10-5200 Mohammed v. Obama (Container 395)<br>(5 folders)   |
| BOX X525  | 2010   |
| BOX X525  | Argued cases   |
| BOX X525  | 2011, Apr. 1   |
| BOX X525  | 10-5180 Falesteny v. Obama (Container 418)   |

## Appendix: Legal Abbreviations

| Legal term             | Abbreviation |
|------------------------|--------------|
| Administrat [ive, ion] | Admin.       |
| Administrat [or, rix]  | Adm'[r,x]    |
| Agriculture            | Agric.       |
| America [n]            | Am.          |
| Associate              | Assoc.       |
| Association            | Ass'n        |
| Atlantic               | Atl.         |
| Authority              | Auth.        |
| Automobile             | Auto.        |
| Avenue                 | Ave.         |
| Board                  | Bd.          |
| Brotherhood            | Bhd.         |
| Brothers               | Bros.        |
| Building               | Bldg.        |
| Central                | Cent.        |
| Chemical               | Chem.        |
| Commission             | Comm'n       |
| Commissioner           | Comm'r       |
| Committee              | Comm.        |
| Company                | Co.          |
| Consolidated           | Consol.      |
| Construction           | Constr.      |
| Cooperative            | Coop.        |
| Corporation            | Corp.        |
| Department             | Dep't        |
| Development            | Dev.         |
| Distribut [or, ing]    | Distrib.     |
| District               | Dist.        |
| Division               | Div.         |
| East [ern]             | E.           |
| Education [al]         | Educ.        |
| Electric [al, ity]     | Elec.        |
| Electronic             | Elec.        |
| Engineer               | Eng'r        |
| Engineering            | Eng'g        |
| Enterprise             | Enter.       |
| Environment            | Env't        |
| Environmental          | Envtl.       |
| Equipment              | Equip.       |
| Exchange               | Exch.        |
| Execut [or, rix]       | Ex'[r,x]     |
| Federal                | Fed.         |
| Federation             | Fed'n        |
| Financ [e, ial, ing]   | Fin.         |
| Foundation             | Found.       |
| General                | Gen.         |
| Government             | Gov't        |

| <b>Legal term</b>     | <b>Abbreviation</b> |
|-----------------------|---------------------|
| Guaranty              | Guar.               |
| Hospital              | Hosp.               |
| Housing               | Hous.               |
| Incorporate           | Inc.                |
| Indemnity             | Indem.              |
| Independent           | Indep.              |
| Industr [y, ies, ial] | Indus.              |
| Institut [e, ion]     | Inst.               |
| Insurance             | Ins.                |
| International         | Int'l               |
| Investment            | Inv.                |
| Liability             | Liab.               |
| Limited               | Ltd.                |
| Litigation            | Litig.              |
| Machine [ry]          | Mach.               |
| Manufacturer          | Mfr.                |
| Manufacturing         | Mfg.                |
| Market                | Mkt.                |
| Marketing             | Mktg.               |
| Metropolitan          | Metro.              |
| Municipal             | Mun.                |
| Mutual                | Mut.                |
| National              | Nat'l               |
| North [ern]           | N.                  |
| Organiz [ation, ing]  | Org.                |
| Pacific               | Pac.                |
| Product [ion]         | Prod.               |
| Public                | Pub.                |
| Railroad              | R.R.                |
| Railway               | Ry.                 |
| Refining              | Ref.                |
| Road                  | Rd.                 |
| Savings               | Sav.                |
| Securit [y, ies]      | Sec.                |
| Service               | Serv.               |
| Society               | Soc'y               |
| South [ern]           | S.                  |
| Steamship [s]         | S.S.                |
| Street                | St.                 |
| Surety                | Sur.                |
| System [s]            | Sys.                |
| Tele [phone, graph]   | Tel.                |
| Transport [ation]     | Transp.             |
| University            | Univ.               |
| Utility               | Util.               |
| West [ern]            | W.                  |