

ORAL HISTORY OF HARRIET SHAPIRO
Sixth Interview
July 9, 2012

This interview is being conducted on behalf of the Oral History Project of the Historical Society of the District of Columbia Circuit. The interviewer is Judy Feigin, Esquire, and the interviewee is Harriet Shapiro, Esquire. The interview took place at Harriet's apartment in Rockville, Maryland, on Monday, July 9, 2012. This is the sixth interview.

MS. FEIGIN: Good morning, Harriet.

MS. SHAPIRO: Good morning, Judy.

MS. FEIGIN: Last week we did an overview of your life at the Solicitor General's Office. As a continuation of that overview, since you saw so many cases and reviewed them from all over the country, I wonder if you have a sense of the circuits and the differences among them.

MS. SHAPIRO: I don't have any particular notion of differences among them. I do know that it was generally accepted by me and by everybody else that the Second Circuit was really first-rate and the D.C. Circuit was also right up there with the better circuits. I think the Fifth was probably pretty good. But no, I don't think they were particularly different.

MS. FEIGIN: In terms of the cases you did, we didn't really discuss the particulars. I wonder if any stand out in importance to you personally, in importance to the country, juridically, or in any other way.

MS. SHAPIRO: I argued seventeen. I don't think any of them were particularly important. They weren't earth-shaking cases. Maybe there was one, *Kirby Forest*, which dealt with condemnation and the date of taking in condemnation cases. It was significant for condemnation cases, that's certain, but in terms of the ones I remember, the first one was the absolute worst. That

was *Renegotiation Board v. Bannercloth Clothing*. We won the battle, so it counted as a win, but we lost the war. The issue was the scope of judicial review under the Freedom of Information Act. The district court had enjoined the Renegotiation Board's proceeding pending their supplying the respondent with the materials that they had asked for under the Freedom of Information Act. The district court had enjoined the Renegotiation Board, and the Court of Appeals affirmed. Our claim was that the remedies provided under the Freedom of Information Act were limited and specific. The remedies were that the court could order the production of material that had been denied and enjoin their withholding, but those remedies were exclusive and did not include the right to enjoin a pending proceeding. The court rejected that position, which was the main reason we took the case up, but it did hold that under the Renegotiation Act, the scheme of the Act was that this was a negotiation, and the Board did not have to provide the requested information to improve respondent's negotiating position. The Court reversed the decision so it counted as a win for the government, the petitioner, but the basis for the reversal was much narrower than we had hoped for. It was a win for the Board, but not for the interpretation of the Freedom of Information Act we sought.

MS. FEIGIN: Do you think it could have been won?

MS. SHAPIRO: Probably not. As I said before, you can certainly lose a case on oral argument, but I rather doubt that it's possible to win a loser. But you certainly can do better than I did [laughter]. The thing that really scorches

my soul when I remember it is that Brennan gave me a softball question. He said, “What were the materials that the respondent wanted?” and I couldn’t tell him.

MS. FEIGIN: Because you were nervous?

MS. SHAPIRO: Mostly because I was nervous. But I had been looking at the law, figuring out the legal arguments and not focusing on the facts. Oh, it was awful [laughter]. The other awful thing was Justice Douglas’s question. Justice Douglas had been on the Court ever since I was aware that there was a Supreme Court. He was an icon. He usually didn’t seem to be paying attention during arguments, but he asked me a question, and I don’t even remember what it was. All I remember was realizing, “My goodness, Douglas is asking *me* a question!” I froze completely. It was pitiful. It really was pitiful.

MS. FEIGIN: I doubt it was as bad as you remember, but even if it was, I assume things got better after that.

MS. SHAPIRO: Things got better after that. Not a whole heck of a lot better, but they did get better. My next argument was *Schlesinger v. Ballard*. That was the case that I’m sure I got because I am a woman. Jewel Lafontant, who was the Deputy – she was a political deputy even before there were political deputies – was scheduled to do it, but she said no, she wouldn’t defend a case challenging a sexually discriminatory practice. Ballard was claiming that the Navy’s “up or out” promotion rule for officers, under which he was discharged, discriminated against him because female officers weren’t

subject to the same rule. Jewel didn't want to defend the statute. I kind of enjoyed that argument because it was the kind of case that turned on the details.

Our justification for the use of different promotion standards was that since men, and only men, could at that time be captains of ships, it was important that their promotion standards were more restrictive and rigid than the ones for women. The adverse effects of having a mediocre captain of a ship were so serious that the Navy had to be more selective about promoting men than they did women. Making that argument required that I know pretty thoroughly just what kinds of jobs women had, and what kinds of jobs they didn't have, under the Navy's rules, which were not being challenged. Thus, there was a lot of detail involved in the case. The basic argument was fairly simple, that the situation is different for men than women. But then you had to demonstrate that the situation really was different, and I had talked to the relevant Navy officers a lot, and by the time of the argument, I really knew the facts.

Howie still thinks it was improper for the Naval officers to sit at counsel table in their dress uniforms. He thought it was improper for them to wear their uniforms in a prominent position in a civilian court – particularly, they shouldn't be showing off their military colors in the Supreme Court. But I really wanted them to be there because I wanted to have backup if there was a question that I didn't know the answer to, and it never occurred to me to ask them to wear civilian clothes. I wouldn't

have thought it was appropriate. They were military and they were there as military. But Howie thought differently. Anyway, I really did kind of enjoy that oral argument.

MS. FEIGIN: So you had no problem with the underlying philosophical position?

MS. SHAPIRO: No, I didn't. The question of the justification for the Navy's rules regarding the positions available to women was not at issue. Ballard would not have had standing to raise that question anyway.

MS. FEIGIN: An important question.

MS. SHAPIRO: That is an important question. It's a much trickier question and one I would have been uncomfortable arguing. But that was a given, and since that was a given, the other followed.

MS. FEIGIN: When you say you think you might have been given that one because you're a woman, are there others you think there was a difference because you were a woman?

MS. SHAPIRO: No. I don't think so. The Social Security cases everybody argued. There weren't any others where I felt my gender had anything to do with the assignment. The Social Security cases involved widows and illegitimate children and domestic issues. I had a couple of those, but then I also had a Social Security case about the eligibility of aliens.

MS. FEIGIN: Was Ruth Bader Ginsburg ever your opponent?

MS. SHAPIRO: Oh yes.

MS. FEIGIN: Anything memorable about those occasions?

MS. SHAPIRO: Larry Wallace, who was the First Deputy for a long time, was a classmate of hers, and she kind of teased him. I don't know whether "teasing" is quite the right word, but she sort of asked him how he could defend these cases. I never had any particular problem with those cases because the disparities in treatment arose from the way the Social Security Act was amended over time, and it seemed to me to be appropriate to let Congress correct resultant disparities. It didn't seem to me to be wrong to defend the step-by-step approach to coverage.

MS. FEIGIN: You said today, and you've said before, that you weren't really an ardent feminist. In the context of these cases, and as a general proposition, I'm wondering how you felt about the feminist movement. You're seen as iconic in what you did from the feminist perspective.

MS. SHAPIRO: I suppose I never really felt as though I were discriminated against in any way. Anything that a tough skin couldn't bear, I mean, look at my record. I didn't have any problems doing what I wanted to do. I have to say life must have been different for Sandra Day O'Connor because apparently she did have a terrible time. I just didn't, and I suppose that's the reason I felt well, you know, just go out and do it, don't make such a fuss about it, just do it. And I also felt that part of the problem in women having equal opportunity was the lack of training. There weren't that many women in law school. There weren't that many women in medical school. They weren't getting out there and doing the grunt work of preparing themselves for these higher positions. It isn't just that you're entitled. It's

that you earn it.

I am a feminist. Of course women ought to be treated equally, and I think the strides toward that goal that have been made in my lifetime are remarkable. I also think that I was on the scene just at the cusp when things were breaking open. As I said before, when we had that tea with the women in law school, the women who had been in law school before us had a much tougher time. I guess I'm kind of conflicted. I certainly, intellectually, sure, I think absolutely I am a feminist. It's just that the emotion of it has never particularly touched me. It isn't something beating in my heart, that life is so unjust to women.

MS. FEIGIN: It's interesting because you went to a women's college. I wonder if that had an impact one way or another on this issue.

MS. SHAPIRO: Maybe, because I certainly never felt put down intellectually, or that I should just be quiet and let others talk. I don't know whether that would have happened in a co-ed college. I just don't know.

MS. FEIGIN: Speaking of pressures one way or another, another area I would like to explore with you is political pressure and whether you felt in all your time there that there were times when the Office was under more or less political pressure. Either you personally, or if not you, maybe the SG.

MS. SHAPIRO: I always have felt that one of the functions of the SG is to be immune to political pressure, not to be influenced by political pressure, and certainly to protect his staff from any such pressure. The only time I really felt that there was political pressure was during the Reagan years when the Civil

Rights Division was under a lot of pressure, and that kind of transferred over to us a bit.

MS. FEIGIN: How so?

MS. SHAPIRO: Well, there were a couple of people; the head of the Civil Rights Division was kind of a political czar. In an appeal recommendation once, I cited a Skelly Wright decision, and his reaction was, “We don’t cite those cases. They aren’t our cases. We don’t use those cases.” “What?!” And the other time was when, in the course of some discussion with the Civil Rights people, Larry Wallace asked me to find a case supporting the Division’s position regarding states’ rights. So I went out and found a case and brought it back to him. We both were really very pleased because it was the *Dred Scott* case [laughter]. Other than that period, no. One of the principles that I think the Solicitors General all followed was that the government’s position before the federal courts would not change just because the Administration changed. There has to be some substantial legal reason if you’re going to change your position. It can’t just be the political winds have changed.

MS. FEIGIN: So when he didn’t want this Skelly Wright case cited, was it cited, or did it come out?

MS. SHAPIRO: I didn’t take it out. I think it was in an appeal recommendation, which was an internal document. I don’t remember whether the Solicitor General followed my advice in that case. Those were tough times, they really were, because we did feel pressure. I have to say that Rex Lee was

very supportive. His line was, “I’m the Solicitor General. I’m not the Pamphleteer General.” And he stood up to political pressures.

MS. FEIGIN: Do you remember any situations where the Solicitor General wouldn’t sign off on the brief?

MS. SHAPIRO: No, but I remember one situation in which the Solicitor General was disqualified. It was *Bob Jones University v. United States*. The issue in that case, decided in 1983, was whether an IRS regulation denying a charitable tax exemption to racially discriminatory educational institutions could constitutionally be applied to Bob Jones University, whose discriminatory policies were based on religion. After a complicated procedural history, the case reached the Supreme Court. The Solicitor General was disqualified for some reason from participating in the case, so Larry Wallace, the First Deputy Solicitor General, and a long-time member of the Office was the Acting Solicitor General for that case. The political appointees heading the Civil Rights Division determined that the District Court’s opinion holding that the IRS regulation at issue violated the University’s First Amendment rights should be supported by the government in the Supreme Court. Accordingly, such a brief was filed. However, the final footnote stated, “The Acting Solicitor General does not agree with the view expressed [or the position taken] in this brief.” I think the Assistant Attorney General for Civil Rights and his Deputy signed the brief. The Court upheld the IRS regulation.

After that, the Office always had a politically-approved deputy

who became the Acting Solicitor General whenever the Solicitor General was disqualified. That's where the political deputies came from.

MS. FEIGIN: You said Jewel Lafontant came around the time you did and she was a political deputy.

MS. SHAPIRO: She was a political deputy before there were political deputies.

MS. FEIGIN: What does that mean?

MS. SHAPIRO: When Bob Bork was confirmed as Solicitor General – this is all kind of hearsay, but this is what was believed around the office – the condition was that Jewel would come on as deputy. Nobody in the Office thought she was really qualified for the position. Fortunately, she went home to Chicago for long weekends. Danny Friedman did all the work that she wasn't up to while she was gone. She was there because I guess the Administration thought that Bork needed to have somebody riding herd on him, although it was pretty ridiculous to think that Jewel could ride herd on Bork. Maybe she was there to show the Administration's support of diversity. Anyway, there wasn't a position of political deputy as there was later after the Bob Jones thing.

MS. FEIGIN: While we're talking about Bork, you must have been there during the Saturday Night Massacre.

MS. SHAPIRO: I was indeed.

MS. FEIGIN: Can you tell us about that? And maybe for people down the road who may not know what that is, we should probably state what the Saturday

Night Massacre was and how the Solicitor General's Office came to be involved.

MS. SHAPIRO: I need to make sure I get this right. Archibald Cox was appointed by Attorney General Elliot Richardson to investigate the Watergate incident (where intruders broke into Democratic Party offices in the Watergate building). President Nixon wanted Cox dismissed when his investigation got too close to uncovering the President's involvement. So Nixon told the Attorney General to fire him. But both the Attorney General, Elliot Richardson, and the Deputy Attorney General, Bill Ruckelshaus, had assured Congress that they would dismiss Cox only for gross impropriety. Accordingly, both refused to fire Cox, and, having disobeyed a direct Presidential order, both resigned. The line of succession ran from the Attorney General to the Deputy Attorney General, and then to the Solicitor General. But there was no established line of succession beyond that point. Bork, having made no congressional promises, and believing the President had the right to direct his inferior executive officials to dismiss Cox, intended to do as the President directed, and then resign to show his disagreement with that order. However, Richardson reminded Bork that there was no procedure set up to determine who would lead the Department if he resigned, and that uncertainty would cause chaos in the Department, so Bork fired Cox and stayed on as Acting Attorney General for a couple of months until a new Attorney General was confirmed. For that, Bork got mud all over his face.

MS. FEIGIN: Are you saying he didn't think it was right to fire Cox but he did it because he felt he had to?

MS. SHAPIRO: He felt he had to. And his legal position was different than Richardson's and Ruckelshaus's because, unlike them, he had given no assurances to Congress concerning Cox's independence. But although he didn't agree with Nixon's decision, he was simply obeying the President's direct, and legal, order. Bork then intended to resign to signal his disagreement with Nixon's order. I think in the Office, anyway, everybody recognized this. I really admired Bork very much. He was probably the brightest Solicitor General I ever worked for.

MS. FEIGIN: And you served under how many?

MS. SHAPIRO: Eight. Eight-and-a-half [laughter], because one of them was Acting. Bork was extremely bright. He was also opinionated. He had some rather strange ideas, but he was a very good Solicitor General. He stood up for his staff. He was one of the best oral advocates that I've ever served under. He also kept up with his huge workload; in fact, every once in a while you would go into the office and he would be sitting there doing a crossword puzzle because he was all caught up on his work [laughter].

He really loved to debate. He would come down and have lunch in the cafeteria with the staff, partly because he really liked to engage in discussions about the cases, and he just liked to bat ideas around. I have a half-serious belief, maybe not even half serious, that some of his rather strange ideas might perhaps have come about because he was being

devil's advocate and nobody persuaded him that these positions were wrong, so he kind of backed into them [laughter]. He was a nice guy. He was very admirable. I have always felt he got a raw deal. The public perception of him is not entirely accurate. He's very conservative, absolutely, but he was conscientious too.

MS. FEIGIN: I think you gave some of the factors, but I just want to ask you to be sure we have them all, what do you think makes a good Solicitor General?

MS. SHAPIRO: Brains and backbone [laughter]. Well, from an Assistant's point of view, brains and backbone are the most important factors. It's also that you respect the traditions of the office. You conform to making decisions based on the record, and you certainly respect the staff, and you take them into your confidence. It's a group. It's a group working together, and to be the leader of that group, you have to act like a leader.

MS. FEIGIN: Was politics ever a factor in hiring an Assistant?

MS. SHAPIRO: Not in my day.

MS. FEIGIN: Do you think it has changed?

MS. SHAPIRO: I don't know. I think it was for a while, and that worried me terribly because if you let politics in, the system is polluted. But no, in my day it certainly was not. That was one of the beauties of the office. People in the office were first-rate. They all were. There were only a couple of people in all the years that I was there who weren't really up to the job, and that's pretty remarkable, and it made it a wonderful place to work. It really did.

MS. FEIGIN: What was it like to be working in the same office as your husband?

MS. SHAPIRO: It was great before he came to the Office. While he was the head of the Antitrust Appellate section, and I was in the Solicitor General's Office, I never had to review any antitrust cases [laughter]. I find Antitrust boring. When we were both in the Solicitor General's Office, it was good to share the same environment (and great for commuting!), but our actual work didn't overlap.

That was before I was reviewing the IFPs. It did get a bit hard to manage our home life when we both had oral arguments in the same Supreme Court two-week session. Howie didn't like being in the Office as much as I did because he had been the head of the Antitrust Appellate section, and it was harder than he thought it would be to go from being a chief to being an Indian [laughter], but I loved being an Indian, I really did. It was nice.

MS. FEIGIN: Well you were in a powerful tribe.

MS. SHAPIRO: Yes [laughter]. There's one other case I could talk about which was *Andrus v. Allard*. It stands out in my memory because I couldn't go to my nephew's wedding in Boston, since I was arguing the case the next week. Under the Eagle Protection Act, it is illegal to sell eagle feathers; the question was whether it was illegal to sell feathers from eagles that were taken before the Act was enacted. We said "yes," basically because you can't tell from a feather when it was taken. It was kind of fun to argue because this was a case where the facts were fairly coucined. There

wasn't a whole area that you had to get familiar with. There was a Fifth Amendment issue kind of kicking around in there, but it was a relatively straightforward argument, and I did feel pretty much on top of it. It helped that the government won the case. I don't want to exaggerate. Every argument when you go in you're on top of it, but there are levels of comfort.

MS. FEIGIN: What was the Fifth Amendment issue?

MS. SHAPIRO: Whether this was a taking without just compensation. Under our interpretation, the Act deprived feathers possessed before its enactment of their commercial value. You could no longer sell them, but you still had all the other attributes of ownership. The Court agreed that was not a taking. That was the only tricky part about the argument. Basically the only way to enforce the Act, really, was to make it apply across the board to all feathers. Otherwise, when dealers had artifacts, Indian headdresses, for instance, that were missing feathers, they could just replace the missing feathers with new feathers and sell the piece intact. The only way to keep that from happening was to ban the sale of all feathers, whenever taken.

MS. FEIGIN: Is that a case, you bring this case up of all the many, because it's one you are most proud of?

MS. SHAPIRO: No, it is just a niche case that I kind of liked, and I remember it because I missed my nephew's wedding for it.

MS. FEIGIN: You've talked a little bit about Dean Griswold, and you've talked a little bit about Robert Bork. I wonder if you want to add to either of those discussions or to discuss some of the many of the other SGs you've served under.

MS. SHAPIRO: Rex Lee was probably the nicest. He was a real gentle man. But he also had backbone. You didn't push him around. Drew Days came after a whole bunch of Republicans. I was particularly glad to see him arrive. He had been head of the Civil Rights Division before he was Solicitor General so I knew and liked him from then.

MS. FEIGIN: Why were you particularly glad to see him arrive?

MS. SHAPIRO: He was the first Democrat after a whole bunch of Republicans.

MS. FEIGIN: I thought that might be the reason, but to the extent you have said the office was pretty apolitical, did it make a difference that he was the first Democrat?

MS. SHAPIRO: No, but I just felt more comfortable. It didn't make any difference from the Assistant's point of view; the work of the Office was apolitical. But the Solicitor General is a political appointee, and in a larger sense, the work of the Office, and ultimately the responsibility of the Solicitor General, was deciding what was right, what the law ought to be in these situations where it was not yet clear what the law was, and so where he came from politically did make a difference in how he saw that. In that sense, the Office was political because we were at the cutting edge of the law, and your political notions, I guess, as well as ethical and whatever, do

color the way you see the law and the way you believe that the law ought to develop. So in that sense, yes, the Solicitor General and the Office he led was political, and I felt more comfortable, more in sympathy, with Drew Days' basic orientation than I had certainly with Fried or with Starr. They were bright. They were sensible. But their basic orientation was not my basic orientation, so in that sense, sure it was political, it has to be political. I'm not being consistent am I? [Laughter.]

MS. FEIGIN: I'm not suggesting that. I just want to understand.

MS. SHAPIRO: I hadn't really put it together, but in that sense, of course it's political.

MS. FEIGIN: So back to the SGs. Any others that you have any particular thoughts about?

MS. SHAPIRO: Seth Waxman, who was the last one that I worked with, was also very good and very easy to work with. They all were bright. And again, I was perfectly in sympathy with where he was basically coming from so it was a good experience working with him.

MS. FEIGIN: What about Ken Starr?

MS. SHAPIRO: He was alright. I didn't have any particular warm feeling about him. He was a politician. He and Wade McCree were the two that I thought were fundamentally politicians.

MS. FEIGIN: Meaning what? In terms of that office, what does that mean?

MS. SHAPIRO: I only mean that they seemed to have a politician's instinct. I don't know how Wade McCree found out that one of the people he dealt with regularly (in the Administrative Office of the Courts I think) was a

classmate of mine at Columbia. He was just a classmate, that's all, but every time McCree saw him, he would come back and report to me that he had seen him. He always remembered everybody's names and the connections.

McCree sent me out to a U.S. Attorneys meeting in Portland, Oregon to represent the Solicitor General's Office. It was fun, I really enjoyed it. The U.S. Attorneys meet regularly in small groups, and this was a meeting of U.S. Attorneys from medium-sized offices. It was a fascinating group. These are people who are used to being the U.S. government in their medium-sized towns, and they get together to talk about mutual problems. He sent me out there because my younger son was at Reed at the time. He was interested in connections.

MS. FEIGIN: What does the Solicitor General's representative say to U.S. Attorneys?

MS. SHAPIRO: I told them about what was going on in the Office, and probably something about our appeal recommendation procedures and the considerations involved. The meeting lasted for several days. That is where I first met Drew Days because he was there as head of the Civil Rights Division. I don't think they had all the heads of Divisions. No, I'm sure they didn't. But it was to update them on what was going on in Washington, and it was a little bit about what the Office was doing. Howie came along as a spouse which was kind of fun [laughter].

MS. FEIGIN: For him or for you?

MS. SHAPIRO: Both [laughter].

MS. FEIGIN: You said also that Kenneth Starr was somewhat political.

MS. SHAPIRO: Kenneth Starr was very aware of who your connections were and kept track and every time he would see me anywhere, big fuss about “Oh, Harriet, how glad I am to see you.” He was very careful to keep the political machinery oiled. That’s what I mean by political, I guess. He was alright. I don’t have any real objections to him. He wasn’t one of my favorites, partly because I don’t like charmers [laughter]. I really don’t like charmers. Griswold was not a charmer, he was the antithesis of a charmer. That’s what I liked about him. He told you what he thought, without any thought to how it would strike you.

MS. FEIGIN: You talked about him a little bit. Do you want to tell us more about him? Was he the one you served longest under? Who would that be?

MS. SHAPIRO: I have no idea. I never thought about it that way. Possibly. He was first, so he is kind of my notion of what a Solicitor General is. He set the mold kind of.

MS. FEIGIN: So you’ve come from being the first woman in the Office to having seen the first woman Solicitor General, and then having seen that Solicitor General become a Supreme Court Justice. Do you have an overarching perspective on all that? That’s quite an amount of movement.

MS. SHAPIRO: Yes it is. As I say, I think that the women’s movement, or the status of women, has come a tremendously long way, and again, I kind of came in when the ice was just beginning to break. It was a matter of being in the right time at the right place with the right training. That’s all it was.

MS. FEIGIN: I think you're being modest. Speaking of that arc, do you know Justice Kagan?

MS. SHAPIRO: I've met her. We had this wonderful dinner for her when she first became the Solicitor General.

MS. FEIGIN: Who's "we?"

MS. SHAPIRO: The women in the Office.

MS. FEIGIN: You were no longer in the Office.

MS. SHAPIRO: No, but all the women who had ever been in the Office had the dinner.

MS. FEIGIN: Do you have any idea how many women have been in the Office at this point?

MS. SHAPIRO: I think most of the women who had been in the Office were at that dinner. Since then there have been – I don't know, what does Eric say, half a dozen?

MS. FEIGIN: I guess we should say Eric is my son, who is in the Office now. I don't know the number.

MS. SHAPIRO: There were about 23 at the dinner.

MS. FEIGIN: So that means from your day through when Elena Kagan was appointed.

MS. SHAPIRO: Yes. The dinner was in September 2009. There were a few alums who weren't at the dinner. One I know who wasn't there was a professor at Harvard. She couldn't come. Twenty-five, say. Something like that from the beginning, and that includes deputies, and there were maybe four or five of them.

MS. FEIGIN: Women who became deputies?

MS. SHAPIRO: Yes, they weren't Assistants first. They were political deputies. Caroline Kohl, Maureen Mahoney, and Jewel Lafontant. And then there was Barbara Underwood. She was a Deputy too, but also an Acting Solicitor General for a while. Twenty-five.

MS. FEIGIN: So you've met Justice Kagan but you don't really know her.

MS. SHAPIRO: I don't know her. We had this dinner, and I see her at the Christmas parties, that kind of thing, but no, I don't know her.

MS. FEIGIN: Are you involved in an organization with the women in this office?

MS. SHAPIRO: The female alums go to lunch every so often. We are having a lunch this July to say goodbye to Emily Spadoni who is retiring. I don't know what's going to happen to the Office when she goes.

MS. FEIGIN: We should make clear who Emily is.

MS. SHAPIRO: What's her official title, the docket clerk? She's the one who is the liaison with the Supreme Court and makes sure that we file things on time, makes sure that things run right. She's the Administrative Officer basically. There were eight solicitors general, but there were only three Administrative Assistants in my whole time.

MS. FEIGIN: In 29 years?

MS. SHAPIRO: Yes. They are crucial. They're not lawyers. One was Mildred Fanebust. She left when computers came in. And then there was Ginny Bolling who was there for a long time, and then there was Emily Spadoni, who has been there for a long time.

MS. FEIGIN: So they're all women.

MS. SHAPIRO: Yes. Mildred Fanebust was secretary to one of the Solicitors General, Cox maybe, but the others are administrative types, but also very bright. You can't have a life and do that job. If there's an emergency, call Emily [laughter].

MS. FEIGIN: You came after Cox had been Solicitor General, but do you have any Cox stories to share with us?

MS. SHAPIRO: No. I don't think so. You got a lot of Cox stories from Alan Rosenthal, I'm sure. Most of my Cox stories come from Alan.

MS. FEIGIN: Before we close out today's session, let me just ask if there's anything else you'd like to say about any of the Solicitors General or anything else about your time in the Office.

MS. SHAPIRO: I think I've told you everything I can think of.

MS. FEIGIN: I'm grateful for that. Next time perhaps we'll get more into your personal life and learn more about your outside activities.

MS. SHAPIRO: Okay.

MS. FEIGIN: Thank you very much.

MS. SHAPIRO: You're welcome.