

Senator BROWN. With regard to the Judge, himself, you clearly, in working with him as you had, were familiar with a portion of his philosophy. Do you find you were in agreement with his philosophy on most issues proposed? What can you share with us on that?

Ms. HILL. Well, I am not really sure what his philosophy on many issues is. And so I can't say that I am in agreement or disagreement. I can say that during the times that we were there were, worked together, there were matters that we agreed on and some that we did not agree on and we had discussions about those matters.

But I am not really certain what his philosophies are at this point.

Senator BROWN. Would that be the case with regard to say, abortion or *Roe v. Wade*?

Ms. HILL. That I am not sure of his philosophies?

Senator BROWN. Sure of his philosophy or do you perceive a significant difference between the two of you in that area?

Ms. HILL. Yes.

Senator BROWN. Can you tell us what that might be? I don't mean to pressure you here. If you would prefer not to, please don't. But if there is something that you could share with us in that area, I think the committee would like to hear it.

The CHAIRMAN. Senator, from Judge Thomas' position this was supposed to relate to issues of harassment, and was not intended to be an investigation of Judge Thomas' views on abortion.

Senator BROWN. Mr. Chairman, you are perfectly correct. If there were something that wished to be offered there I thought it would be helpful.

I see the red light is on so I will conclude.

The CHAIRMAN. Now, two of our primary questioners also want to take an additional 5 minutes. Senator Leahy and then Senator Specter.

Senator LEAHY. I will be very brief. I know that everyone is tired. Professor Hill, you were asked questions by Senator Simpson this afternoon regarding the FBI report, which I believe you were shown, and about the question of whether there may be some inconsistencies. Everybody has to determine whether they feel there are or are not, I make no statement to that. Basically, the thrust was that you were less specific about these incidents—the language and the description of these two incidents—when you talked to the two agents than you were in your statement, here today.

Let me just ask three or four very quick questions and I think probably you could just answer, "yes", or "no".

The statement that you made here today was made under oath, is that correct?

Ms. HILL. Yes.

Senator LEAHY. And that statement was more specific than the conversation that you had with the FBI agents, is that correct?

Ms. HILL. Yes, I agree.

Senator LEAHY. And when specific questions were asked by different Senators about that, you went into even more specific details of the language that you say that Judge Thomas used, is that correct?

Ms. HILL. Yes.

Senator LEAHY. And if there had been even more questions going specifically conversation-by-conversation it would be safe to say that you would have had even more specific language?

Ms. HILL. I would have attempted to.

Senator LEAHY. It would be safe to say, also, that you found it uncomfortable repeating even the language that we elicited from you in the questions?

Ms. HILL. Yes.

Senator LEAHY. Thank you.

I have no further questions.

The CHAIRMAN. Thank you.

Senator SPECTER.

Senator SPECTER. Thank you, Mr. Chairman.

Just a word or two. Professor Hill, when you say that by hindsight—because I wrote this down, it is difficult for me to understand. In looking at the entire record, it is difficult for me to understand. You have substantially enlarged a testimony which I had expected based on the FBI report and your statement as to what you allege Judge Thomas had done. The critical move from the Department of Education to the EEOC is not understandable to me, where you make the statements about his offensive conduct. For an experienced lawyer not to inquire about standing or even an inexperienced lawyer not to inquire about standing to stay at the Department of Education or not to make an inquiry of the people in charge.

The toll calls you characterized as garbage which you admitted to in your interviews with the newspaper although you denied other aspects. You know concede to be true, you did make those calls. It is one thing for you to say that you felt constrained to maintain some sort of an association with Judge Thomas in the face of this kind of conduct which you have represented, but why make the calls which you agreed to, the how are you doing, or I am in town, or tell the secretary you are in town? Why drive the man to the airport? Why maintain that kind of a cordial association in the face of this kind of conduct?

We have an office, equal opportunities, EEOC to enforce the laws on sexual harassment. And we have here representations that the nation's chief law enforcement officer sexually harassed his attorney advisor. That attorney advisor is dedicated to enforcement of the law against sexual harassment and tells us that she moved from the Department of Education to EEOC because she wanted to protect the women of America. And conceding that this is an enormous educational experience, the question is why with an experienced lawyer in that position being concerned about women's rights, do you leave a man, Clarence Thomas, as Chairman of the EEOC for years when according to your testimony he has been guilty of sexual harassment, himself?

Now, I do see explanations at every turn. And I have wondered about the quality of those explanations, candidly. But there is no description for this entire proceeding other than a tragedy. I do not know how Judge Thomas defends himself beyond stepping forward and saying that he is shocked, surprised, hurt, and saddened. And the shortest statute of limitations I have ever heard of is 180 days.