

## AFTERNOON SESSION

The CHAIRMAN. The hearing will come to order.

Judge I will begin with a few questions. I will be asking questions off and on during the day. Both Senators Leahy and Heflin may have questions, so we will go for roughly 40 or 45 minutes with questions on this side, and then yield back to our friend from Utah, and then maybe start to wind this down, hopefully.

Senator THURMOND. I may have a few myself.

The CHAIRMAN. As pointed out by the ranking member, other Senators may have questions, as well.

Judge Thomas, yesterday and today, we heard about the obvious sharp and stark contrast between Professor Hill's testimony and yours. You have indicated that you have no desire or willingness, and I have agreed, to go into aspects other than those that have been alleged in your personal life.

We had a witness before us who is a tenured professor at a law school and whom, prior to her coming forward, you viewed, as a credible person. We have two very credible people, with very, very diverse positions on an issue. I know of no way to make this process enjoyable.

Rather than ask you to go through her allegations, which you have categorically denied and my colleagues, Senators Hatch and Heflin and Leahy, have already questioned you about, I would like to try to find out where there is agreement in the testimony, not disagreement. Hopefully we can determine whether or not there is any place from which we can logically begin to make the cut on who is telling the truth. Obviously, someone is not.

Again, I go back to the point that you have made time and again, and admirably, that you had not second-guessed the professor's credibility until now. It came as a shock to you.

So, if you are willing, I would like to decide where there is agreement between the testimony given by you and given by her. You testified that Professor Hill was your attorney advisor at the Education Department. Is that correct?

Judge THOMAS. That's right, Senator.

The CHAIRMAN. How many such attorney advisors did you have?

Judge THOMAS. Senator, there was one other more senior professional on my staff, but she was not an attorney at the time—she was going to law school, in fact—on whom I relied for some policies as well as some management work. She would have been the only other professional on my personal staff.

The CHAIRMAN. So, on your personal staff, there were only two people at the Department of Education—

Judge THOMAS. That's right.

The CHAIRMAN [continuing]. Professor Hill and this other person who was going to law school at the time.

Judge THOMAS. That's right. Two professionals, and there was also a secretary.

The CHAIRMAN. And a secretary.

Judge THOMAS. That's right, Diane Holt.

The CHAIRMAN. Now, I take it that it was not uncommon for you to talk one on one with Professor Hill, while at the Department of Education?

Judge THOMAS. That's true. That was also true with the other person.

The CHAIRMAN. With regard to both of these persons, I assume conversations with either or both would take place fairly frequently. Let me not assume anything. Would they take place fairly frequently? Would you see them more than once a day, for example, in the conduct of your affairs at the Department of Education?

Judge THOMAS. It would not be uncommon, but I would not assign a number to it. It may be that some days I may see them none and other days I might see them once.

The CHAIRMAN. Up here, for example, as you know from working with Senator Danforth's staff, the chief of staff, the head of the committee, the person in charge of the legislative operation, those people, generally speaking, have media access to Senators Danforth, Thurmond, Biden. I mean that is kind of how it works up here, but I don't want to confuse how it works here with how it worked there. I assume that if Professor Hill wanted to see you, she would have essentially the same kind of access that you observe the chief of staff would have here, on the Hill, to the office in which you worked?

Judge THOMAS. No.

The CHAIRMAN. No?

Judge THOMAS. That's not an accurate comparison.

The CHAIRMAN. Then I would like to hear what yours was.

Judge THOMAS. The Deputy Assistant Secretary would have that kind of access.

The CHAIRMAN. The Deputy Assistant Secretary would have that access to you.

Judge THOMAS. That's right.

The CHAIRMAN. I see. Would you describe the type of access that Professor Hill, in her professional responsibilities at Education, had to you?

Judge THOMAS. I think it was my secretary who normally made those kinds of judgments. If I were available, if I were not busy, if I were not in the middle of something and the matter merited it, she certainly didn't have to make an appointment.

The CHAIRMAN. Now, this other person who worked in the capacity similar to Professor Hill, as you described it, what was his or her name?

Judge THOMAS. Her name was Tricia Healey.

The CHAIRMAN. Healey, H-e-a-l-e-y?

Judge THOMAS. I think so, but she perhaps had more access, because I believe—and that has been 10 years ago—we met at the beginning and at the end of the day routinely. She was the person who followed the list of assignments that I had within the organization, people who needed to be involved in certain projects, people with whom I needed to touch base, projects that were finished and unfinished, evaluations that needed to be done, and those kinds of things.

The CHAIRMAN. Now, either at the Department of Education or at EEOC, when Professor Hill would have access to you, either at her initiative or your initiative, in the performance of your duties, was it unusual for those conversations or exchanges to take place alone, just with the two of you?

Judge THOMAS. It wasn't unusual, just as it wasn't unusual for Tricia Healey, but normally I have basically an open door and my secretary Diane would guard that door, basically.

The CHAIRMAN. So, like the conduct of any business, usually, not all decisions or all judgments that are brought to you by staff require you to call in all the staff. Many of those decisions are made, as they are here, one on one?

Judge THOMAS. No, I think that's going too far. I made those kinds of decisions one on one, generally with the Deputy Assistant Secretary.

The CHAIRMAN. I see.

Judge THOMAS. There were any number of problems that we had within the agency, and I believe that when I made those kinds of decisions, it would have been with him. I would have spent a significant amount of time with Tricia Healey, I think, going through the assignments, and that would be one on one, but it would usually be more going through a list of things to get done.

The CHAIRMAN. Now, in your discussions, conversations, and meetings with Professor Hill, you have indicated to the committee or I have gotten the impression that you viewed yourself as her mentor, the same role you have with all people who have been on your personal staff. Is that correct?

Judge THOMAS. I looked out for the members of my personal staff. I made sure that I tried to be aware of their careers and aware of their progress, et cetera, not just a mere employer-employee relationship. Again, that was true in the case of my other assistant, who was I believe at that time either finishing night law school and/or studying for the bar exam, and it was simply an effort to make some accommodation. I thought it was a good idea and she was doing very well.

The CHAIRMAN. In attempting to find out where there is agreement were there ever occasions that you would have an opportunity or occasion to be speaking with Professor Hill, in either capacity, EEOC or as her boss at Education, where you would discuss matters, either as her mentor, or in any other capacity, where you would discuss matters other than business matters?

Judge THOMAS. I think that there may be occasions when we would debate politics, as I indicated. She was from Yale Law School and, of course, I was interested in what had happened to the law school. There were some people I think who had clerked on the Supreme Court who had been in her class, and that sort of thing, similar to what I do with my clerks. They have their own friends, they have their ideas about the world, and occasionally they will chat with me about those or if they have problems. I think Anita Hill had some health problems from time to time. I can't remember exactly what they were, but I believe either back or allergies or something like that. It would be those sorts of things.

The CHAIRMAN. Professor Hill testified, for example, that you sometimes discussed how your son was doing.

Judge THOMAS. No, I don't remember that. I brought my son to the office quite a bit. He was a young kid then and my wife and I were separated and he would be in the office, and—

The CHAIRMAN. I am not going anywhere in terms of your son. I am just trying to get a sense of the flavor of the conversation.

Judge THOMAS. I am trying to tell you, I don't remember that. I discussed my son perhaps and the problems that I was having from a financial standpoint, I may have mentioned it to my secretary, but I don't remember mentioning that to Professor Hill. What I am suggesting to you now is that my son, because he was living with his mother, came to the office fairly frequently and was around.

The CHAIRMAN. I understand that. Once when we were having a full committee meeting over here, there was a knock on the door. We had asked not to be disturbed, and in walked my 10-year-old daughter, so I understand about children being at work.

Senator DECONCINI. It raised the IQ of the whole meeting, didn't it? [Laughter.]

The CHAIRMAN. How can I disagree with that? [Laughter.]

Now, Judge, you testified that you never asked out the professor on a date, is that correct?

Judge THOMAS. That's right.

The CHAIRMAN. Now, I am sure it was pointed out to you, if you don't know, that everything that is reported isn't true, not because it is intentionally meant to mislead, but because sometimes there is a miscommunication. It was reported in the New York Times, on the October 7, on page A13, that "Judge Thomas told the investigators"—meaning the paper's investigators—"that he had asked the woman out a few times and, after she declined, eventually dropped all advances." I assume that is a misunderstanding?

Would someone rapidly running back tell me, without my glasses, did I misread it? What's this say? I don't have my glasses. What does that say?

Senator THURMOND. Do you want to borrow mine?

The CHAIRMAN. Yes. [Laughter.]

Thank you. You are only twice my age, too.

Senator THURMOND. We are young otherwise.

The CHAIRMAN. That's exactly right.

It says: "Senator Biden said in a statement today that the allegations were investigated by the Federal Bureau of Investigation, at the request of the Judiciary Committee. Judge Thomas"—this did not come from Senator Biden—"Judge Thomas told the Bureau's investigators that he had asked the woman out a few times and, after she declined, eventually dropped all advances." That is incorrect?

Judge THOMAS. That is wrong.

The CHAIRMAN. Wrong.

Judge THOMAS. I had the occasion to be re-investigated by the FBI agents prior to this hearing. In fact, I believe that it would have been on Thursday afternoon, and the FBI agent, in my living room, stated that it was wrong, the very same FBI agents who interviewed me, and indicated that he was distressed that this matter had been reported that way. At no time, did I ever indicate that I ever asked her out. I categorically deny that I ever asked her on a date.

The CHAIRMAN. That is why I ask you the question, Judge, to confirm on the record, what you said. I thought that is what you had said, but it has been sitting out there.

Let me return to your discussions, if any, with Professor Hill that may have been of a non-work nature.

Judge THOMAS. Pardon me?

The CHAIRMAN. You indicated, there were some discussions you have had with her about Yale Law School, discussions, conversations or exchanges at work that did not relate to what was going on at work, which would be almost impossible for anyone in the whole world to not have in a business setting. I want to make it clear that you don't every time, and we don't, always talk to our staff about business only. So, you have indicated that you have had some discussions with her about Yale Law School, how it was going, how it has changed—

Judge THOMAS. Mutual friends, frankly, Gil Hardy, it may have been current events, those sorts of things, the things I talk with my clerks about or the other members of my staff.

The CHAIRMAN. Did you ever inquire about or did she ever volunteer, to the best of your recollection, anything about her social life. Such as, "I can't stay late tonight, I've got a date, yeah, that fellow you mentioned at the Supreme Court from Yale, I'm dating him," or anything? Was there any discussion ever that you recall about her social life?

Judge THOMAS. Someone might—she may have said I've got to leave tonight, because I'm going out to dinner. I can't recall a specific, nor would there be any reason for me. It would be simply a reason for her not being at work. There may have been an indication of what she was doing. There could be no extensive discussion about that. I don't see any reason why that would happen. I mean, today, what my clerks would simply do is, "I'm having dinner with a couple of friends of mine from law school."

The only thing that I can remember, and this is very general, was that I believe—and I could be misrecalling this—was that she had dated someone in Oklahoma who came to New England or something and they weren't together, or something like that. That's really vague.

The CHAIRMAN. It is kind of hard for anybody to remember anything of a passing topic from a while ago.

And again, we are all trying to find out what could be the motivation, if, in fact, what you say is true and what she says is not true. How has this happened?

You indicated, today, that a friend of yours who was your Holy Cross classmate, law school classmate, summer roommate is now deceased.

Judge THOMAS. That's right.

The CHAIRMAN. This friend had referred Anita Hill to you—and I do not have the transcript from this morning, so please correct me if I am wrong—so you said you believed you had a special obligation as a consequence of his referral.

Now, did that special obligation result in any additional impact on your relationship, professional or otherwise, with Anita Hill in a way any differently than it has with any other person that has worked for you? Let me make it clear now, OK, for the moment I am not talking about the allegations, I am trying to figure the relationship that you and Professor Hill had. Did you feel a special obligation to look out for her? She was a young woman, so did you say be careful what you do because certain parts of this city are dangerous. Or, you know, you have to be careful who you date, or

make sure you call your mother. Or have you called, was his name, Gil?

Judge THOMAS. Yes.

The CHAIRMAN. Have you called Gil, he is concerned about you, you need to keep in touch, or anything of that nature?

Judge THOMAS. I don't recall anything of that nature, Senator. What I was referring to was to make sure that I looked out for her career, that she got solid work, to make sure that everything was OK at work, that she got her promotions, those kinds of things. The kind of relationship that you are talking about, in your examples, those are the kinds of things I look out for with young interns, who work with me during the summer, or individuals who are in coop programs, those individuals.

I have had some who were 19 or 20 years old who I would treat more like my own son or daughter.

The CHAIRMAN. So there would be no reason for anyone, including Professor Hill, to assume that you were asserting and/or you were taking on a role, any other role, other than an employer who was concerned about the work product. This is as opposed to what all of us have when young interns, from our States, are sent down here to work for us. We have unpaid interns in my office. A friend will say, can my son or daughter come work for you, and the first thing I say is they can't come down unless I know where they are going to live. Is there a relative down here? I am not taking responsibility for a 17-year old kid to come, not just to this city, but to any city.

So, all of us, I am sure at one time or another have talked to young women or men who are in college and in town to work as interns. We have said how are you doing in school? Or tell me what you are doing?

Was there any reason for Anita Hill to think that there was that kind of relationship between you and her?

Judge THOMAS. I can't think of a reason for her to think that. As I indicated, Senator, or Mr. Chairman, there are any number of younger kids that have worked for me that I would be concerned about, individuals who are not from this city and who do not understand the city; individuals who occupy themselves after work with other kids their age, again, without the guidance. I would be concerned about them not knowing the rules of the city, but certainly not in her case.

The CHAIRMAN. Now, you said yesterday something that I don't dispute—I don't know so I can't dispute it. When one of the committee members said that Professor Hill was a meek professional woman, and she came across as a meek person, you replied well, I would call her anything but meek.

Can you elaborate on that a little bit more for me today?

Judge THOMAS. Well, the point that I was making, Senator, if you asked me to describe the Anita Hill who worked for me, meek would not be the word. She was very bright. And she would argue for, particularly with the other special assistants, argue for her position and, sometimes to a fault. And by that, I simply mean that she would become entrenched in her own point of view and not understand the other point of view. And she was certainly capable of

storming off and going to her office, and that happened on any number of occasions.

So, meek, would not be the word. She was also a forceful debater on the issues that she was involved in.

The CHAIRMAN. Was there any change between the Anita Hill that first started to work for you at the EEOC and the Anita Hill—I beg your pardon, at Education—who eventually worked for you at EEOC? Just before she left, was it basically the same person, same modus operandi, same professional relationship relative to you?

Judge THOMAS. No. The relationship, as I indicated in my opening statement, Mr. Chairman, changed primarily because my job changed and the staff went from those 2 professionals to maybe 10, 12, 15 professionals with a chief of staff, office directors of 14 individuals, and a chief of staff being in charge of my personal staff, as opposed to the staff having direct access. So even the special assistants could not see me on an as-available basis.

The chief of staff could see me on that basis, but she could not.

The CHAIRMAN. When you saw her, though, was it essentially the same professional woman in terms of her professional attitude? Did she seem more confident, less calm? Was there any difference in the Anita Hill, not necessarily in terms of access, but in terms of the professional lawyer who worked for Clarence Thomas? Was she the same woman in terms of when you were with her?

Judge THOMAS. Senator, I can't—all I can say is this, that I can't tell you that there was a specific change. What I can say is that she was having more of a difficulty, I thought, from my perspective, she was having more difficulty in the role at EEOC because there were so many more staffers. And there were so many different levels of communications.

For example, on—or responsibilities—for example, I would rely on individuals with more experience to work on projects that were of great significance to me. There were routine assignments that would be, what I could call grunt work, much more than we had at Education. There was sort of a pecking order and I don't think that she, in that role, at EEOC was very high on the pecking order because of experience.

The CHAIRMAN. Well, you said yesterday, when you first appeared, that you can't imagine what you could have said that would have caused Anita Hill to say what she has said. But if there was anything she misunderstood—I don't know this exact quote—then you are sorry.

Now, let me ask you this. On its face that seems to me to be a completely reasonable statement for one to make. I think—I will speak for myself—that things I might say, or jokes that I might tell with a male, trusted aid that I have been with for 20 years, might not be the same joke that I would be willing to tell with the female members of my staff.

And I suspect that, were I a woman, there are certain things that I could say to the females on my staff that I couldn't say to the males on my staff.

Among the men on your staff did you ever kid about, make reference to, say you saw, or deal with any of the subjects that Anita Hill says you dealt with, spoke to, and mentioned to her?

Judge THOMAS. No. Let me go back a second. There are a couple of comments I would like to make about that.

The CHAIRMAN. Sure.

Judge THOMAS. I attempted to conduct myself in a way with my staff so that there were no jokes that I would listen to or tell to men that I could not listen to or tell to women. There were no jokes that I found acceptable that I could not listen to or tell to any ethnic group.

The other thing. When I was speaking about on something I may have missed, I was talking about a kind of insensitivity—let me give you an example.

The CHAIRMAN. That's what I am trying to drive at.

Judge THOMAS. And it doesn't mean mean-spirited and it's not in the area we are talking about. A former member of your staff came to work for me in 1982, Barbara Parris.

The CHAIRMAN. One of the best people who have ever worked for me.

Judge THOMAS. That's right, and one of the best who has ever worked for me and who is familiar with me.

The CHAIRMAN. She has made me aware of just how familiar she is.

Judge THOMAS. That's right and she understands about why I feel so strongly about being here. Barbara Parris, my offices were on the fifth floor and the elevator panel, button panel, panel of buttons was at a level that Barbara Parris could not reach because she is a short person. She did not tell me. And I was insensitive to it because I could reach the panel. So someone had to inform me that she was climbing up four or five flights of stairs because she could not reach the panels.

It is that kind of insensitivity, oversight, and I made it a point to tell my staffers, if I do something, let me know what it is. If you see something, tell me what it is so that we can correct it. If you hear something, tell me what it is. My grandfather used to have a statement, "I can read your letter, but I can't read your mind."

And the point is, let me know if I am overlooking something, and I think that the totality, the other component of my statement was that if something happened, if I had known, I could have corrected it. That has been my attitude.

The CHAIRMAN. I was just referring to your comment, I think you said, if there was anything I did or said.

Judge THOMAS. That's right.

The CHAIRMAN. I was referring to the "said" part. I was not referring to telling ethnic jokes, but let's say that you and I are sitting and watching a football game and you watch some 280-pound tackle blow away a 158-pound flankerback. You and I might describe that in a way, sitting with one another and both having played football, that we would not describe in the same way if there were five women sitting in the room. I may be wrong, maybe you would not.

Judge THOMAS. Senator, this may sound unusual to you, but I would describe it the same way.

The CHAIRMAN. Well, that's interesting. Maybe that is because you were closer to the 280-pound lineman and I was closer to the 130-pound flankerback. [Laughter.]

Judge THOMAS. Senator, my attitude was, in my work environment, my staffs were almost invariably predominantly women. The senior person on my staff was a woman. I could not tolerate individuals making that environment uncomfortable or hostile. I could not tolerate individuals who had to segregate their language or conduct in order to get along. The conduct had to be purged of offensive attitudes and I made that a constant effort, and that's something that I was proud of and it was something I am sure the people who worked with me felt comfortable with and understood.

The CHAIRMAN. In order to attempt to seek the truth I am accepting, for the sake of this discussion, the assertions that you never said anything in the workplace or out of the workplace to Ms. Hill. Let's, as we lawyers say, stipulate to that for the moment.

Judge THOMAS. Senator, you stipulated to my character earlier.

The CHAIRMAN. I did, and I have again. All right, now let me ask you this question. We are trying to find out why we are here. An incredibly credible woman, who thus far has not had her character or her integrity impugned, sat before us and, at a minimum, impressed this committee on both sides. Now, we both know that employees form opinions about the person with whom they work not based totally upon that person in the working environment.

For example, no matter how well your boss treats you if you knew, from observation or you heard from outside, that he did not treat his children well, then you would not necessarily have a universally high regard for him. You treat your children well, I am not making any innuendo. The point I am trying to make is how can we figure out, if we can, why this very credible woman might, as you are asserting, be telling a lie?

Judge THOMAS. No, she is asserting that I did something. I am not asserting anything about her.

The CHAIRMAN. I understand that. Well, she is asserting you did something, and you are denying you did what she asserted. We have two very credible people in front of us. Now, all I am asking you is, if there is anything outside of the workplace that would reasonably, unreasonably, or even remotely lead a person to form an opinion of you different than they had of you in the workplace?

Judge THOMAS. Senator, my relationship with my staff, although I care about them, is in the workplace.

The CHAIRMAN. I understand that, but opinions—

Judge THOMAS. No, Senator, it is in the workplace. I did not make these statements or do these things. And I cannot get into or determine how she arrived at whatever it is that influenced her. I am simply saying that I don't know what her motivation was. These things did not happen. I did not allege anything, or I did not say anything to her or I did not attempt to date her.

The CHAIRMAN. I understand that. Let me give you an example of what I am thinking of and maybe you can think of something that relates to this. If not, we will drop the whole subject.

I can think of specific employees with whom I have worked. Their working relationship with me and with everyone in my office has been exemplary. I have gone—I can think of a specific incident—to lunch with this person and several others, in this case the person was a man. We ordered lunch and the lunch was late. We are out of the work environment. This person berated the waitress

at which time I said, you don't work for me here, and you are not going to work for me anywhere if you treat people that way. Now, this occurred out of the work environment.

After about 5 or 6 years working with this person, I had never seen him this way, and yet I watched this person just read the riot act to a waitress because she brought the wrong meal. So my opinion of that person was colored by something totally unrelated to the workplace.

This is the last time I will ask you this and then I will drop it. Is there anything you can think of outside the workplace that Professor Hill would have heard of, or witnessed, that might have shaded her opinion of you?

Judge THOMAS. Senator, or Mr. Chairman, I attempt to conduct myself with my staff, at lunch or walking down the street or whatever, in a way that they could be, or think, or feel was admirable. I do not and did not co-mingle my personal life with my work life, nor did I co-mingle their personal life with the work life.

I can think of nothing that would lead her to this.

The CHAIRMAN. OK. I accept your statement.

Let me ask you another question. Did you inform the FBI that you had, on occasion, driven Professor Hill home or 't you had, on occasion, gone in for a Coke or a beer after work?

Judge THOMAS. I think I did, Senator, again these events have unfurled very rapidly. And I don't think that was a particular issue. Their response was, or their questioning went to specific allegations.

The CHAIRMAN. I am not suggesting if you didn't—

Judge THOMAS. I am just saying, I don't remember but I think I did.

The CHAIRMAN. OK, now, having asked you that, I have another area I am confused about. I don't know whether it was Senator Hatch, Senator Leahy, or Senator Specter, that asked these questions, but I am confused about cars.

Senator LEAHY. About?

The CHAIRMAN. Cars, automobiles. Now, I thought I heard you say you did not own an automobile when you were at the Department of Education. I thought I heard you say that you did not have a driver assigned to you when you were at the Department of Education. Did I miss that? What are the facts? Did you own an automobile when you were at the Department of Education, and/or did you have a driver assigned to you or an automobile available to you through the Government?

Judge THOMAS. At the Department of Education I owned a car.

The CHAIRMAN. So you would drive to work?

Judge THOMAS. No. Some days—I lived in Southwest—and the Department of Education is in Southwest, the Switzer Building, and I would walk to work some days and other days I would drive depending on what I needed the car for. My point was that I would work late often, and if it was late or if for some reason she may have needed a ride, I would give her a ride. Or if I were headed in that direction or if I were leaving.

The CHAIRMAN. So you would drive her in your own automobile is the point.

Judge THOMAS. Yes, but it wasn't—I don't remember a large number of times, but it has happened.

The CHAIRMAN. Can you give us any sense of how often it happened that you would go in and have a coke or a beer after work?

Judge THOMAS. Oh, it couldn't have happened any more than maybe twice or three times. Nothing, there was no, it was nothing major. It was just a matter of, you know, we may have been arguing about something, debating something, a policy or something.

The CHAIRMAN. What are the kinds of things you would argue about?

Judge THOMAS. I think we debated affirmative action, we debated busing, those sorts of things, black colleges.

The CHAIRMAN. Now, you said she had a roommate. Did you ever meet her roommate when you—

Judge THOMAS. Yes. To my knowledge, those were the only times I have seen her. She was, as I remember, a basketball player, I think she was in a basketball league. And occasionally she would walk by in her sweats or be there in her sweats.

The CHAIRMAN. At the apartment?

Judge THOMAS. That's right.

The CHAIRMAN. So you would be in the apartment with both—

Judge THOMAS. In an open area, yes, that's right.

The CHAIRMAN. OK.

I am almost finished here. I just want to make sure that I have covered the things that I had questions about or that I misunderstood.

Judge THOMAS. Let me make one point. I did not have a driver assigned to me at Education. There was a carpool at the Department of Education. I had a driver assigned to me as Chairman of EEOC. After I arrived at EEOC, the car that I had, it was a Fiat Spider, was recalled. And—

The CHAIRMAN. Was what? I am sorry?

Judge THOMAS. Was recalled.

The CHAIRMAN. Oh, rehauled.

Judge THOMAS. Defective.

The CHAIRMAN. Recalled?

Judge THOMAS. Yes.

The CHAIRMAN. Oh, because it was defective. I am sorry. Fiat will appreciate that.

Judge THOMAS. And I used the money to pay my son's tuition so I didn't have a car.

The CHAIRMAN. Gotcha. At Education?

Judge THOMAS. At EEOC.

The CHAIRMAN. At EEOC.

Judge THOMAS. And I, subsequently, I believe in 1983, got a car a year or so later.

The CHAIRMAN. Another area where you both agree is that occasionally, or at least on one or more occasions, you had lunch with Professor Hill in the cafeteria.

Judge THOMAS. I don't think I said that. I just—

The CHAIRMAN. No, I think she said it. I'm not sure what you said.

Judge THOMAS. No, I don't think I said that. I don't recall ever having lunch with her in the cafeteria.

The CHAIRMAN. I see.

Judge THOMAS. I would rarely, at the Department of Education, almost never, at EEOC, go to the cafeteria with the exception of breakfast. That may not have been a good thing, but I rarely went there in the early years. In the later years—

The CHAIRMAN. This was at EEOC?

Judge THOMAS. At EEOC, in the later years I went more frequently.

The CHAIRMAN. Did you ever have breakfast with her at EEOC in the cafeteria?

Judge THOMAS. No, not to my knowledge. I am trying to finish up with Education.

The CHAIRMAN. I am sorry.

Judge THOMAS. At the Department of Education, my habits for eating lunch usually consisted of—and I am giving my normal pattern—my normal pattern was to work out at the NASA gym at noon and then to run and then to grab takeout or have my secretary grab takeout and eat at my desk. That was my normal pattern. I rarely remember eating at the Department of Education cafeteria.

The CHAIRMAN. OK.

Judge THOMAS. That does not mean I didn't, it just wasn't—

The CHAIRMAN. No, I understand what you are saying. The one, two, or three occasions that you drove Professor Hill home and went into her apartment to have a Coke or continue a debate, were they all at Education or did any of them also occur at EEOC?

Judge THOMAS. To my knowledge, it only occurred at Education because it was very convenient for me. My car was parked right outside of my office and easy just to drive over and drop her off.

The CHAIRMAN. All right. Now, are there other employees, such as this other person who had more access to you at EEOC, that you were in a position to offer a ride home? The one going to night school or law school or the bar exam, I apologize, but I forget the name.

Judge THOMAS. Her husband worked at the agency so they commuted together.

The CHAIRMAN. I see.

Judge THOMAS. So that was not the problem. I have, over time, with other members of my staff dropped them off some place if they needed it, at a Metro station or if we were headed, I was headed in the same direction.

The CHAIRMAN. Judge, there has been a lot of reference to the telephone logs. We went through them in detail with Professor Hill, but we did not spend much time discussing them with you.

And do you have the original telephone logs, by any chance?

Judge THOMAS. I have the originals in my chambers, yes.

The CHAIRMAN. You have the originals, because EEOC doesn't have them nor does Ms. Holt?

Judge THOMAS. I have the originals in my chambers. I was advised, I believe, and I could be wrong that those were my property when I left the EEOC.

The CHAIRMAN. I am not suggesting they are not. I just wonder where they are, that's all.

Well, Judge, that's all. I have used up enough time. Now, I may have a few more questions later, as I digest this, but thank you very much.

I yield to the ranking member, who indicates that he has a question.

Senator THURMOND. Mr. Chairman, in my opening statement I appointed Senator Hatch and Senator Specter to question the witnesses. However, I reserved the right, if I saw fit now and then, to ask a question. I do care to ask a question at this time.

Judge, we have your testimony and we have Ms. Hill's testimony. Some of the press have asked me outside and some people, too, what was the motivation? This question was raised by Senator Heflin earlier and Senator Biden touched on it—the motivation for these charges.

In other words, why did she make these charges? In talking with several people, some of them the press, and other people, various reasons have been assigned. I just want to ask you if you care to comment on any of them.

One is she failed to get a promotion under you. Another is because you didn't date her she felt rejected. Another is she said in her own statement to the FBI about differences in political philosophy. Another is stated by the dean of the law school, Charles A. Kothe, under whom she taught at the Oral Roberts University Law School, he made this short paragraph and it covers that. He said,

I have come to know Clarence Thomas quite intimately over the last 7 years and have observed him and his relationship with members of his staff as well as his conduct at social gatherings, and never once was there any hint of unacceptable conduct with respect to women. In fact, I have never heard him make a coarse remark or engage in any off-color conversation.

And he makes this statement, "I find the references to the alleged sexual harassment not only unbelievable, but preposterous. I am convinced that such is the product of fantasy." And I have had several other people mention that as a possible reason. Then, as a fifth reason that has been mentioned by someone is instability.

Now, those things have come to me from other people, and I just want to ask you if you care to comment on any of those?

Judge THOMAS. Senator, I don't know what the motivation is and, as I indicated, any of those may or may not be correct. I can't speculate. But I think that the appropriate individuals to ask that are the staffers who were involved in leaking this information and who made contacts with her.

Senator THURMOND. That is all, Mr. Chairman.

The CHAIRMAN. Thank you. I understand that you still have time. Whom do you wish to yield it to?

Senator HATCH. I am happy to defer the balance of my time to Senator Specter.

The CHAIRMAN. Senator Specter has the remainder of this half hour.

Senator SPECTER. Thank you, Mr. Chairman.

Judge Thomas, at the start of my participation in today's hearings I repeat what I said yesterday. I do not view this as an adversary proceeding, and I do not represent anyone in this proceeding except the people of Pennsylvania who elected me. I took on the job of questioning at the request of Senator Thurmond, the ranking