

reference about inconsistency and the use of "garbage," as Ms. Hill used it:

Senator SPECTER: Did you call the telephone log issue garbage? Ms. HILL: I believe the issue is garbage, when you look at what seems to be implied from the telephone log, then, yes, that is garbage. Senator SPECTER: Have you seen the records of the telephone logs? Ms. HILL: Yes, I have. Senator SPECTER: Do you deny the accuracy? Ms. HILL: No, I don't. Senator SPECTER: Then you now concede you have called Judge Thomas 11 times? Ms. HILL: I do not deny the accuracy of the logs. I cannot deny they are accurate. I will concede that those phone calls were made, yes. Senator SPECTER: So, they are not garbage? Ms. HILL: Well, Senator, what I said was the issue is garbage. Those telephone calls do not indicate that they are being used to indicate that somehow I was pursuing something more than a cordial relationship or a professional relationship. Each of those calls were made in a professional context. Some of those calls revolved around one incident. Several of those calls, in fact, three involved one incident where I was trying to act in behalf of another group. So, the issue that is being created by the telephone calls, yes, indeed, is garbage.

Senator METZENBAUM. Mr. Chairman?

The CHAIRMAN. The Senator from Ohio.

Senator METZENBAUM. Mr. Chairman, there seems to be some issue made as to the conduct of Mr. Brudney, who is the director of my Labor Subcommittee. Mr. Brudney is as honorable and able and dedicated as any person on my staff.

Mr. Brudney was performing his responsibilities in that connection by inquiring into the background of the nominee to be an Associate Justice of the Supreme Court. That came about by reason of the fact that Mr. Brudney and his staff had considerable knowledge concerning Judge Thomas when he was up for confirmation by reason of his activities at the Equal Employment Opportunity Commission. There is no secret about the fact, on the basis of those conclusions, this Senator decided not to vote for Judge Thomas' confirmation to the Circuit Court of Appeals.

But Mr. Brudney was inquiring into what facts were concerning the thoughts of your former employees. He and his staff were doing it. The first call was actually made in September—earlier than September 9. When Mr. Brudney was informed that there were certain allegations concerning the possibility of sexual harassment, he did exactly what any other staffer should have done.

He performed his responsibilities and performed them well. He reported them to me and I told him to immediately turn them over to the Judiciary Committee staff. That is what he did. The fact that Ms. Hill and he had a conversation as to what might develop by reason of her speaking out has already been spoken to in the transcript.

Now, Judge Hill, I have a lot of respect for you—Judge Thomas, excuse me, I apologize—Judge Thomas, I have to say to you that these are important allegations. These are allegations concerning the issue of sexual harassment, and I can only say this to you: Mr. Brudney would have been irresponsible had he not brought the matter to my attention, and I would have been irresponsible if I did not direct him to bring it to the attention of the Judiciary Committee, in order that the Judiciary Committee might investigate the matter. Mr. Brudney did not arrive at any conclusion, I did not arrive at any conclusion, and the subject of this hearing has not, as yet, arrived at any conclusion, and I doubt very much that it will arrive at any specific conclusion.

But I want to make it clear that Mr. Brudney was doing what he should have done, and had he done less he would have been irresponsible. And had this Senator and this committee done less, it would have been irresponsible. Sexual harassment is too important an issue to sweep under the rug.

Judge THOMAS. Senator, it was not swept under the rug. This issue was investigated by the FBI and then leaked to the press, and I do not share your view that this was not concocted. This has caused me great pain and my family great pain, and God is my judge, not you, Senator Metzenbaum.

Senator BROWN. Mr. Chairman, the Senator from Ohio has brought up the subject of his staffer and I understand his interest in defending him—

The CHAIRMAN. If I may—

Senator BROWN [continuing]. Why can't this committee hear from Mr. Brudney?

The CHAIRMAN. If you will just yield for just a second.

We are going a half hour and a half hour. The subject of Mr. Metzenbaum's staff was not brought up by Mr. Metzenbaum. It was brought up, appropriately, by Senator Specter. It was appropriate for Senator Specter to bring it up.

Now, on the half-hour time we have on this side, it was appropriate for the Senator to respond. When we go back, it will be appropriate for you to pursue it, if you would like.

It is true, Judge Thomas, that God is your judge and all our judges, we all know that. But in the meantime, under the rules, we have to make a vote, and we have to judge. We are not God and none of us thinks we are, and none of us like this. Some of us have been in a situation similar to yours, not many of us, but some of us, and it is not very comfortable, but, unfortunately, there is a question of judgment.

Now, before I yield the remainder of our time, which is probably only about 20 minutes. How much time is left? Fifteen minutes. Before I yield the remainder of the time to either Senator Heflin or Senator Leahy.

Senator HEFLIN. I believe it is Senator Leahy.

The CHAIRMAN. Before I yield to Senator Leahy, let me ask a question, if I may, and that is: Did you, when the nominee first moved into her apartment, help her and her roommate install a stereo and a turntable, her roommate is the basketball player whose name I don't remember? Did you—

Judge THOMAS. Sonia Jarvis is her name.

The CHAIRMAN [continuing]. Ms. Jarvis, her roommate. There is nothing wrong with this, but did you help her install a stereo and a turntable that took about a half hour or an hour or so? Did that occur? I'm just trying to find out where we agree.

Judge THOMAS. Senator, I don't recall that at all.

The CHAIRMAN. I thank you.

Now, I yield the remainder of the time to my friend from Vermont.

Senator LEAHY. Judge, you said that you remember seeing her housemate there. I understand you don't remember the name of her housemate?

Judge THOMAS. Sonia Jarvis.