

conduct toward you, but it would affect your conduct toward her. What is alleged is that you repeatedly asked her out and she refused. What is alleged is that you uttered very vile words, and she did not react the way you wished her to.

I would like you, if you are willing, to itemize for us decisions you had to make about Professor Hill in terms of job references, in terms of retention for jobs, in terms of pay, in terms of evaluation, in terms of references, and in terms of assistance, what did you do in terms of your conduct after this alleged event took place.

Judge THOMAS. Senator, my treatment of Anita Hill was consistent throughout. As I have indicated, her allegations are false. She repeatedly received promotions, as scheduled, as far as I can remember. In fact, she may have been promoted on an accelerated basis. Her assignments, for her age and experience at that time, I think were fairly aggressive.

I certainly made sure that when she decided to leave, that I assisted her and I have kept contact with her, not on a regular basis, but certainly returned her calls and, whenever she needed help, responded to that. That is during and after. My conduct is consistent with my treatment of all of my special assistants, particularly those who do a good job. There is nothing in my conduct toward her that would indicate any negative events.

Her conduct toward me over the years has been precisely the same, it has always been warm and cordial, professional. This is the first I have heard of any allegations and, certainly, as I have indicated, or two and a half weeks ago, certainly as I indicated, it did not occur. But my conduct toward her is the same as my conduct toward my other special assistants who were successful or who performed well.

I would look for, if these events had happened, some disparity in that, and there is no disparity in that. My relationship with her I think at this time or prior to this event was pretty much the same as my relationship with my other former special assistants.

Senator BROWN. Is there anything you can think of in your conduct that would suggest you retaliated?

Judge THOMAS. Absolutely not, Senator.

Senator BROWN. I yield back. Thank you.

The CHAIRMAN. Senator Kohl.

Senator KOHL. Thank you very much, Mr. Chairman.

Judge, all of our hearts and our concerns and our sympathies go out to you and your family, for the travail which you have undergone here, and I think it is important to recognize that it is a collective travail—that extends to institutions of government, the American people and Anita Hill. This has been a very damaging affair and many, many people have gotten hurt. I don't know as there is anybody in our country who has been helped by this unhappy situation.

I would like to offer the observation and get your response to it, that, regardless of all the other reasons that brought us here—including things like leaks which should not have occurred—there is a single most important reason without which we would not be here today, and that is Professor Hill, an African-American, hired by you, trained by you, promoted by you, a person that you have

described repeatedly as smart, tough-minded, resilient, and effective.

That person leveled a charge against you of sex harassment, a charge that you have said is a very, very serious charge and cannot be taken lightly. And Anita Hill and all that she represents in the relationship that you had with her is what brings us here today. Do you have a comment on that, sir?

Judge THOMAS. I don't agree with that, Senator. I have been exposed to this process for 105 days—105. I wasn't nominated last week and confirmation hearings set for this week. I think this is wrong.

Senator KOHL. But at the—

Judge THOMAS. I think this is wrong.

Senator KOHL [continuing]. But at the end of the nomination process, you said—you said to Senator DeConcini and he repeated back to you—you said that you had been treated fairly up to that point.

Judge THOMAS. I was treated fairly, Senator, but this is 105 days. That is a month ago. That is a month ago.

Senator KOHL. That's 30 days ago.

Judge THOMAS. Yes.

Senator KOHL. Right.

Judge THOMAS. This process is wrong, Senator. There is no way, as far as I am concerned, that you can validate it.

Senator KOHL. I don't want to—

Judge THOMAS. The allegations, anyone can make an allegation. I deny those allegations. I have always cooperated with the FBI. Think about who you are talking to. I have been a public figure for 10 years. I have been confirmed four times. I have had five FBI background checks. I have had stories written about me, I have had groups that despise me, looking into my background.

I have had people who wanted to do me great harm. You are talking about a person who ran an agency—two agencies to fight discrimination, who, if I did anything stupid like this, gross like this, had everything to lose, who adamantly preached against it. It just seems as though I am here to prove the negative in a forum without rules and after the fact.

I think that all this has done is give a forum to people who can make terrible charges against individuals who have to come here for confirmation. I think this is all this has done and it has harmed me greatly, Senator.

That is not to say that sex harassment is not serious. My record speaks for itself on that. But there is a forum for that. You have agencies for that. You have courts for that to deal with those. You cannot deal with those in this process in this manner.

What you are doing is you are inviting and validating people making very serious charges against other individuals who do not have the capacity to extricate themselves from it.

Senator KOHL. I think you are absolutely right. I still would like to make the point, if I may, very respectfully, that the charge was brought not by somebody who was a stranger to you but by somebody who was very close to you in a very important job with you, for a very long time.

Judge THOMAS. She was not there a very long time, Senator, and it was in 1983 that she left.

Senator KOHL. OK.

Finally, I would like to say, Judge Thomas, and to all of us who are here today and listening that this is obviously not what America ought to be. And while we want to get to the truth in this particular case, the truth will be well-served if all of us stop and think long and hard about what we are doing to our Nation.

We simply have to restore civility and decency to the public debate.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Kohl.

Senator SPECTER. Mr. Chairman?

The CHAIRMAN. Senator Specter and then to you. I hope the principals will limit their questions to 5 minutes or less. They have had plenty of time to question.

Senator SPECTER. Thank you, Mr. Chairman, just a couple of more questions.

Judge Thomas, the visits which you have testified about to the home of Professor Hill had not been known, at least to me, and my question to you is, how do you square that with your policy of not socializing or not dating anybody in the office? Was there any element of socializing at all in the visits which you have described to Professor Hill's apartment?

Judge THOMAS. Senator, I did not consider it socializing. It was, of course, it would be more the nature of my talking to my clerks or my talking to my special assistants outside of the office. I did not consider it anything other than a professional cordial talk or chat. And, of course, she has indicated, I guess, in some communications with the committee that I went over to help her with a stereo, but I would not have considered it socializing.

Senator SPECTER. Judge Thomas, when I met with you on the morning of September 27, before the Judiciary Committee voted, I had asked you at that time about these charges, having seen the FBI report the night before.

And I was asking you about the question of motivation. You made some comments to me at that time, although they are somewhat sensitive, I think they are worth exploring for just a moment now. That was the comment you made about a possible concern that Professor Hill might have had regarding your dating a woman who was of a lighter complexion. Would you amplify what had happened, respond, and testify as to what had happened in that regard?

Judge THOMAS. Senator, I think it is sensitive, and I think enough sensitive matters have been discussed here. I would reluctantly discuss it but I was merely speculating and groping around for some rationale. And the point I was making to you was that there seemed to be some tension between, as a result of the complexion, the lighter complexion of the woman I dated and the woman whom I chose to be my chief of staff, or my executive assistant and some reaction, as I recall it to my preferring individuals of the lighter complexion.

Senator SPECTER. Did Professor Hill not get a promotion that she was working for within your staff?