

Judge HOERCHNER. I believe we finished the interview, with the understanding that the agent would have interviewed Susan Hoerchner, who would have said "no comment," and that my interview, the interview that I gave him would go out under something like L.A. No. 1.

Senator LEAHY. Judge, you were given the opportunity, if you just wanted to stay anonymous, not to have to testify here, to be in California this afternoon. Why did you come forth?

[Pause.]

Judge HOERCHNER. I think my reasons were similar to those of Anita and the sense that I have a duty, as a citizen, to tell the truth.

Senator LEAHY. And what you have told me here today is the truth?

Judge HOERCHNER. Yes, it is.

Senator LEAHY. I will just ask you one more question about Professor Hill. Is she, in your estimation, a woman who suffers from fantasies in any way, or is she pretty level-headed?

Judge HOERCHNER. She is one of the most level-headed people I have ever known. Her feet are firmly on the ground. She has never conveyed any fantasy to me whatsoever.

Senator LEAHY. Thank you, very much.

Ms. Wells, in speaking of Anita Hill, you said, "we are both very private persons." Is that a fair restatement of what you said?

Ms. WELLS. Yes, Senator.

Senator LEAHY. But you said something else and I think maybe it's important—especially for this panel to hear, and probably a lot of other people to listen to—you said, you weren't surprised that she stayed.

Ms. Wells—I am sorry to delve into your privacy and everybody else's—tell me, why do you say that?

Ms. WELLS. Well, when you are confronted with something like that you feel powerless and vulnerable. And unless you have a private income, you have no recourse. And since this is generally done in privacy, there are no witnesses, and so it is your word, an underling, against that of a superior, someone who is obviously thought well of or they would not have risen to the position that they hold. And so if you hope to go forward, and by going forward, move out from under their power and control, you sometimes have to put up with things that no one should be expected to put up with.

Senator LEAHY. No one should be expected to put up with—but, Ms. Wells, it's your experience that this is something that goes on?

Ms. WELLS. Yes, it is my experience.

Senator LEAHY. And Ms. Wells, sitting here today do you feel that this is what Anita Hill experienced?

Ms. WELLS. Yes, I do, Senator.

Senator LEAHY. Thank you.

Now, Mr. Carr, thinking back on it, you said that you did not give her any advice on filing a complaint or anything else. Now that you have thought about it, and listened to all that has happened, if you had it to do over again, what do you think you might have given for advice?

Mr. CARR. I think I would have advised her to leave her job. I just, I have no recollection that I gave her any advice or didn't give

her any advice, and we may have discussed that. I mean she may have told me that she was planning to leave her job at some point. I just don't recall it.

Senator LEAHY. Mr. Carr, would it not be right to say if a friend comes to you and says, "Look, I've got this problem"—well, let's do it in the abstract: A friend comes to you with a problem. What is going to be your first reaction? Interrogate the heck out of them on the problem? Or, if they are troubled, offer them comfort?

Mr. CARR. I am sorry, the first choice was?

Senator LEAHY. Interrogate the heck out of them on the problem or offer them comfort?

Mr. CARR. I think my first inclination is going to be to try to find out exactly what they are talking about, but I think I will be very hesitant to push to find out too much information if they are reluctant.

And realizing that they are reluctant and I think I would certainly worry about comforting them.

Senator LEAHY. And Ms. Wells, I want to deal with one point you said. And correct me if I am not restating your testimony correctly. You said that if somebody, not independently wealthy, needs a job, and hopes that maybe if they stay at that job they might advance to a different job, that's one reason for not just walking away. Is that correct?

Ms. WELLS. That is correct.

Senator LEAHY. Was Anita Hill somebody who was independently wealthy who could just say, "I will take my trust fund or whatever and walk out of here"?

Ms. WELLS. By no means. If she was, she certainly never disclosed it to me. One of the things we liked to do was to bargain hunt.

Senator LEAHY. Would it be fair to say that your impression of her was of the single woman in the workplace living on her salary?

Ms. WELLS. Precisely, Senator.

Senator LEAHY. Now, Mr. Paul, account again what Professor Hill's demeanor was when she told you about this?

Mr. PAUL. We were sitting in the university cafeteria. It was in the course of an informal conversation about her employment opportunities. She was obviously embarrassed that I had asked the question. She was reluctant to answer the question. She was emotional, hesitant.

Senator LEAHY. You remember that attitude on her part?

Mr. PAUL. I remember quite vividly because I felt embarrassed, Senator, that I had asked what may have been an inappropriate question with no intention of asking an inappropriate question.

Senator LEAHY. Did you have any reason to doubt what she was saying to you?

Mr. PAUL. Absolutely not.

Senator LEAHY. Now, back to you, Judge Hoerchner. You have come here and you have testified under oath about a conversation some years ago. The conversation, because of its nature, apparently stands out strongly in your mind. Is that correct?

Judge HOERCHNER. There are certain aspects of the conversation that stand out in my mind. They are the fact that her boss' name was Clarence. He repeatedly asserted to her that he was her kind

of man, she would not admit it, he said, and that if she had any witnesses she would have a great case against him.

Senator LEAHY. Judge, has anybody forced you or enticed you to come forward here?

Judge HOERCHNER. Absolutely not. In fact, Anita has never asked me to come forward.

Senator LEAHY. Ms. Wells, I will ask you the same question. Has anybody enticed you, forced you to come forward here?

Ms. WELLS. No, they have not, Senator.

Senator LEAHY. Is this a process you would have just as soon passed up?

Ms. WELLS. Oh, yes, I—oh, yes, I would not be here if I could have, you know, done something else.

Senator LEAHY. Mr. Carr, you are a partner in a law firm in New York City, is that correct?

Mr. CARR. That's correct.

Senator LEAHY. And would it be safe to say that this type of a Sunday afternoon testifying is not the sort of thing that the partners in your law firm normally do?

Mr. CARR. That's true, Senator. I would tell you that I am a corporate lawyer. I represent clients in business transactions that we try to keep quiet and confidential and discreet. I do not believe any client I have represented would be pleased to know that their lawyer was before you or before the cameras. It is something that I have been concerned about and worried about and was very hesitant to do this.

But I think it is, I think it is important to speak the truth when you know it, and I felt that I had an obligation to do this.

Senator LEAHY. And, Mr. Paul, you stated earlier that when many of your colleagues signed a letter or petition or whatever opposing Judge Thomas for confirmation to the Supreme Court, you declined to sign that, that you did not join with the others.

Mr. Paul, did anybody force you to come forward here?

Mr. PAUL. Absolutely not, Senator.

Senator LEAHY. And why are you here?

Mr. PAUL. I am here because I read the reports in the newspaper on Monday and credibility and character of a professional colleague of mine was called into question. I felt that it was my duty to come forward. My duty both with respect to my colleague and also, more importantly, with respect to the U.S. Senate.

Senator LEAHY. Thank you very much.

Mr. Chairman, I see the red light is on.

The CHAIRMAN. Thank you, very much, Senator.

Now, we will have one more, an additional 15-minute round for Senator Specter.

Senator SPECTER. Thank you, Mr. Chairman.

Judge Hoerchner, turning now to page 7 of the previous deposition which you have given on line 4, the question was, the last part of the question:

You tried to talk to her about it later; did you have any idea about when your attempt was? Answer: I think it would have been once or twice when we spoke on the phone. It was very unsuccessful and I just know that it was after the one time we talked about it at length.

Judge HOERCHNER. I am sorry, Senator, we are page 7, line?