

Senator HATCH. I would be happy to yield my 5 minutes to Senator Specter, as well.

Senator THURMOND. Senator Simpson?

Senator SIMPSON. Mr. Chairman, I would like to ask a couple of questions.

The CHAIRMAN. The Senator from Wyoming.

Senator SIMPSON. Thank you, Mr. Chairman.

Because the anguish of the committee is just encompassed in the immediate remarks of Ellen Wells saying those things about Ms. Hill in a beautiful way is just exactly what Jack Danforth said about Clarence Thomas, that he was a man of joy, you said, and laughter and a great friend to be around, and that was said the first day, and now you add to it this day and that is the anguish of the moment for us.

We are, you know, trying our best. We really are not open-minded, but trying, because we have had a vote here already. The vote was 7 to 7, and when you hear people speak, the two speaking from that side of the aisle, they are speaking on the basis that they voted against Judge Clarence Thomas to confirmation to the U.S. Supreme Court, and when you hear Senator Specter and Senator Hatch, they voted for his confirmation.

So, this is really not—we are not here as judges, as our chairman has so clearly reminded you, and it becomes ever more clear every day. But we are doing our best, and they can chuckle and giggle and laugh about the process and be cynical, but cynics have no heroes and they never will. Something terribly, something terribly bad has happened here. I don't know that we will ever find it.

I just wanted to ask—just to be sure that I have—Mr. Paul just one question. In your statement, you said when she told you of this, you did not recall whether she went on to say the name Clarence Thomas. You have been very frank about that. You don't remember that?

Mr. PAUL. I don't recall that she did, Senator. She may have, but it would have meant nothing to me.

Senator SIMPSON. And then you said, "If she said it, the name would not have meant anything to me, since I would not have recognized it at the time."

Mr. PAUL. That's correct, Senator.

Senator SIMPSON. You know, part of this terrible process has been about sexual harassment, a great deal of it, but some of it has been about leaks, a lot of it, too. So, I looked in your testimony here in the transcript of proceedings, and on page 18, you name a person who spoke with you who told you that you were going to be subpoenaed later that day.

That person is on Senator Biden's staff and a very reputable man. His name I do not bring up. He is a senior staff person, and that would have been his job, for him to call you and say you are going to be subpoenaed. But I was interested in your comment, only because I had my old bald dome battered in the other day by this person.

It says here on page 18 that Mr. Biden's person spoke to you to say that "I was going to be subpoenaed later today, although I had already learned that from Nina Totenberg."

Mr. PAUL. Senator, I should explain—

Senator SIMPSON. Would you tell me how that came to pass? I just have a passing interest.

The CHAIRMAN. I would like to know the answer to that, too.

Mr. PAUL. Senator, I apologize. I didn't mean to take sides between you and Ms. Totenberg.

Senator SIMPSON. No, no, we are both able to do that. [Laughter.]

Mr. PAUL. I was being perhaps too glib there. I've never spoken to Ms. Totenberg. What I meant was that I had been woken up by my clock radio going off and I heard Ms. Totenberg say my name, as I woke up, saying that I had been subpoenaed to appear before this committee.

Senator SIMPSON. I see.

Mr. PAUL. It was quite a wake-up call, Senator. [Laughter.]

Senator SIMPSON. That saved us a further round. [Laughter.]

Now, wait until I tell you what she told me. [Laughter.]

I have it here before me, but it is Sunday in America, so I shall leave it out. [Laughter.]

One final question, and here it really is. You are speaking with passion and with truth, and this is my question: Does it seem odd to any of you here that these universally crude and obscene things which we have all heard, it is all that is out there, and we know that they took place, according to Ms. Hill, between 1981, 1982, 1983, and 1984, somewhere in all that pattern, perhaps, that is what we are told, and that she has stated to this panel that pressure, that this man was exerting power over her, authority, status, a threat of a loss of a job.

Those things are all in this record, and yet others have said that, because she was a schedule A attorney, there was never any fear of that and that she knew that or should have known that, and others have given us information that there was plenty of budget there and she would have been taken care of, and that will come in later in the next panel.

So, here is, this foul, foul stack of stench, justifiably offensive in any category, that she was offended, justifiably, embarrassed, justifiably, and that she was repelled, justifiably. And I ask you why, then, after she left his power, after she left his presence, after she left his influence and his domination or whatever it was that gave her fear—and call it fear or revulsion or repulsion—why did she twice after that visit personally with him in Tulsa, OK, had dinner with him in the presence of others, had breakfast with him in the presence of others, rode to the airport alone with him in the presence of no one, and we have 11 phone calls initiated by her from 1984 through the date of Clarence Thomas' marriage to Ginni Lamp, and then it all ended and not a single contact came forward.

What does that say about behavior? Because Ms. Hill is not alleging sexual harassment—go back and look, go back and look at her press conference, go back and look at all of it—she is alleging behavior.

We are here today because of behavior. If we are here today because of behavior, may I please have a summary from you of what this says about her behavior? I would ask each of you—and I will defer my next round—I just think it is critical. We are talking about behavior. As human beings, I would like you to respond to this as behavior.

Mr. PAUL. Senator, I am not an expert in the field of sexual harassment and I think I probably should defer to someone who has had a bit more experience in the area.

Senator SIMPSON. Thank you. Mr. Carr?

Mr. CARR. Neither am I an expert in sexual harassment or, for that matter, behavioral sciences. However, I do know that in looking forward as a young professional at my career, I am concerned that I will be on good terms with the people who have a say or an impact or are in a position to judge my career, and I would be extremely, extremely hesitant to say anything to offend or cut them off, for fear that in the future they might adversely impact my career.

I may need them for a reference or anything of that sort, and it may well be that Anita Hill—and I am just telling you, this is my own view on the way people act—it may well be that a good portion of Anita Hills', so to speak, professional claim to fame was due to her experiences with Clarence Thomas, and it may well be that to categorically cut off that relationship would have been detrimental to her career going forward.

Senator SIMPSON. Even in the face of this stuff. Now, may I ask Ms. Wells?

Ms. WELLS. Yes, Senator, I think Mr. Carr has stated the case very well, and even in the face of that, you would, until she got to be in a position that would be, shall we say, higher, she would not wish to find herself on less than cordial terms with him. It is something that—I know my mother told me, and I am sure Anita's mother told her, when you leave, make sure you leave friends behind, because you don't know who you may need later on, and so you at least want to be cordial.

I know I get Christmas cards from people that I don't see from one end of the year to the other and, quite frankly, do not wish to, and I also return their cards and will return their calls, and these are people who have insulted me and done things which perhaps have degraded me at times, but they are things that you have to put up with, and, being a black woman, you know, you have to put up with a lot, and so you grit your teeth and you do it.

Senator SIMPSON. Judge.

Judge HOERCHNER. Senator, I believe Anita has testified very credibly in response to the issues that you raised. I would like to add my voice to what Mr. Carr has said, that simply the realities of business and professional life are such that she could not afford to burn that particular bridge behind her, particularly, to extend the metaphor, when that bridge is the highest person in her field and her claim to fame.

And to that, I would add the understanding of her character, that she, in my impression, only wanted the behavior to stop. She has no desire to get even or to harm him.

Senator SIMPSON. Mr. Chairman, I thank you. I am afraid that will remain a puzzlement for me forever, as to how that can be, where one would continue a relationship with a person that had done this foul, foul presentation of verbiage, verbal garbage to him or her, and I shall never understand that, and it remains one of my great quandaries.