

Now, did you hear of or know of anyone by the name of Earl Harper at the Washington office?

Ms. HOLT. I am not familiar with him; no.

Senator HEFLIN. You are not familiar with him. All right.

Did any of you?

Ms. FITCH. No, Senator.

Senator HEFLIN. Did you, Ms. Berry?

Ms. BERRY. Yes.

Senator HEFLIN. We went into this and then it was reopened later. It is my information that I now believe may have been incorrect.

Was he in the Washington office?

Ms. BERRY. I am sorry. I don't know for sure which office he was assigned to.

Senator HEFLIN. You don't know that. Well, what do you know about him?

Ms. BERRY. What I know is, and I don't recall all of the facts of the case, I just understand that Earl Harper was alleged to have been a sexual harasser.

Senator HEFLIN. Do you remember, Ms. Holt, dictating, any dictation by Clarence Thomas to the General Counsel pertaining to this man Harper?

Ms. HOLT. I don't remember any specific letters; no.

Senator HEFLIN. Now, Ms. Berry, have you made any statements that suggested that the allegations of Anita Hill were the result of Ms. Hill's disappointment and frustration that Mr. Thomas didn't show any sexual interest in her?

I am talking to Ms. Phyllis Berry Myers.

Ms. BERRY. That is what I said.

Senator HEFLIN. You said that to a newspaper?

Ms. BERRY. Yes, I did.

Senator HEFLIN. What were the facts pertaining to that?

Ms. BERRY. Just my observations of Anita wishing to have greater attention from the Chairman. I think she was used to that at the Department of Education. Wanting to have direct access to his office, as though she had a right to have access to his office. Speaking in just highly admirable terms for the Chairman, in a way sometimes that didn't indicate just professional interest.

Those were my impressions.

Senator HEFLIN. Now, what you are relating to me relates to a sexual interest.

Ms. BERRY. Pardon me?

Senator HEFLIN. What you just related, are you saying that those set of circumstances made you to believe that she had a sexual interest?

Ms. BERRY. That she had a crush on the Chairman? Yes.

Senator HEFLIN. She had a crush on the Chairman?

Ms. BERRY. Yes.

Senator HEFLIN. And would you recite those statements and things that you observed again?

Ms. BERRY. It is in my written testimony, sir.

Senator HEFLIN. Well, I am asking you now, if you would, in order to recite those again as to that. I didn't understand anything that you said—

Ms. BERRY. Had any effect relative to sexual relations. They appeared to be more professional and an attempt to have greater access to him from a professional viewpoint.

Senator HEFLIN. I just would like for you to recite them again, if there is something—

Ms. BERRY. That is your impression. My impression was that Anita wished to have a greater relationship with the Chairman than just a professional one.

Senator HEFLIN. And so you say that the fact that she didn't have as much access and other things that they indicate a sexual interest, as opposed to a professional or a work interest?

Ms. BERRY. Exactly.

Senator HEFLIN. And that is what you are saying.

How would you distinguish between the two?

Ms. BERRY. How would I distinguish between the two?

Senator HEFLIN. Yes. What you recited to me did not appear to be anything other than a work interest. But I would just like for you to go ahead and recite how that is a sexual interest, as opposed to a work interest.

Ms. BERRY. To have in a working environment, in a busy office, part of my responsibilities coming to the EEOC was to help structure access to the Chairman. There was a lot of work to do helping setting up scheduling, helping organize the work flow of a product, determining staff positions, things of that nature. That was one of my responsibilities when I first came there.

To think that you should at any hour of the day, anytime that you want to be able to walk in, have time with him, indicated to me more of a proprietary interest than a professional interest.

Senator HEFLIN. Were you conversant or did you know what the relationship had been at the Department of Education relative to access with her boss there?

Ms. BERRY. Only from her indications. That she was a primary, and whatever that meant, a primary adviser to the Chairman. And I would assume a primary adviser, such as myself or J.C. or Diane, meant someone that had readily—could be readily available to the Chairman.

Senator HEFLIN. Now, we went into this somewhat, Senator Leahy but also Senator Specter in his examination of Ms. Hill went into this question about whether or not she knew Phyllis Berry, and I assume—I don't know how—did the paper refer to you as Phyllis Berry or Phyllis Barry?

Ms. BERRY. Yes, as far as I know. It wasn't a paper. It was a press conference.

Senator HEFLIN. I mean, well whatever it was, was it Barry or Berry?

Ms. BERRY. That was my understanding, that they said do you know Phyllis Berry?

Senator HEFLIN. Is it Berry or Barry?

Ms. BERRY. Berry—B-e-r-r-y.

Senator HEFLIN. All right. Now, Senator Specter asked these questions, and I will read the questions and the answer:

Senator SPECTER. There is a question about Phyllis Barry, B-a-r-r-y, who was quoted in the New York Times on October the 7th, "In an interview Ms. Barry suggested that the allegation [referring to your allegation] was a result of Ms. Hill's

disappointment and frustration that Mr. Thomas did not show any sexual interest in her."

You were asked about Ms. Barry at the interview on October the 7th and were reported to have said, "Well, I don't know Phyllis Barry and she doesn't know me." And there were quite a few people who have come forward to say that they saw you and Ms. Barry and that you knew each other very well.

Then Ms. Hill answered.

I would disagree with that. Ms. Barry worked at EEOC. She did attend some staff meetings at EEOC. We were not close friends. We did not socialize together and we had no basis for making a comment about my social interest with regards to Clarence Thomas or anyone else. I might add at the time that I had an active social life and that I was involved with other people.

Then later Senator Specter asked her:

So that when you said Ms. Barry doesn't know me and I don't know her you weren't referring to just that, but to some intensity of knowledge.

And Ms. Hill answered:

Well, this is a specific remark about my sexual interest and I think one has to know another person very well to make those kind of remarks unless they are very openly expressed.

Now, I am asking, you don't have any question in your mind that Anita Hill knew you. It is a question as to the degree of intensity she knew you relative to whether or not you could form an opinion as to whether or not she had a sexual interest with Mr. Thomas?

Ms. BERRY. Senator, as I indicated in my statement, I worked very closely with Anita and I think that—I don't have the record before me, but I do believe that Senator Specter asked her also, "And she had the opportunity to observe you and Clarence Thomas at the office?" and she indicated that yes, not only did I have the—yes, I did have the opportunity to observe them. And I did have that opportunity.

And my opinion is that Anita had more than a professional interest in Clarence Thomas.

Senator HEFLIN. Well, did he ever indicate any return of it?

Ms. BERRY. No. And, if you continue reading the New York Times article, that is exactly what I said. And I said that "And because of that I think her feelings were hurt."

Senator HEFLIN. Now, Ms. Holt, in regard to telephone calls other than those that you logged, do you have a recollection as to whether there were any additional phone calls that came in from Anita Hill to Mr. Thomas?

Ms. HOLT. What I recall, Senator, is that there were occasions when Ms. Hill would call the office and would be put directly through to Clarence Thomas.

Senator HEFLIN. You have taken a deposition in this case where people asked you questions, and a question was asked you, "Do you have a recollection"—on page 44—"of Anita Hill calling Clarence Thomas any more times than may have been sporadically shown up on these three other pages?" And the answer: "I would not even guess about that. I don't know."

Have you had changes in recollection since giving that deposition?

Ms. HOLT. As I just indicated to Senator Leahy, I was saying that I would not fathom a guess about any particular day or time or year that she had called him without it being in the log.