

1 Q Okay, and these were statements specifically about  
2 you?

3 A Well, specifically about me and, like, you know,  
4 when are you going to date me, that kind of a thing.

5 Q Exactly, okay. Did he also make, then, statements  
6 about other women to you with any kind of regularity?

7 A No, not of that nature, if that's what you're  
8 asking. I mean, we may have discussed other women in the  
9 context of the way they were performing their jobs or  
10 something.

11 Q Well, I guess what I'm asking is, earlier you had  
12 told us that he did, on occasion, make statements about other  
13 women's anatomy in front of you, and I guess I'm asking was  
14 that an isolated incident that you described for us or did  
15 that also occur with some frequency.

16 A Oh, that's not something that I would say was  
17 frequent. Those are just what I remember as a couple of  
18 situations when that happened.

19 Q Okay, thanks. Also, just briefly, we discussed the  
20 comment that Judge Thomas made to you when you were at the  
21 EEOC seminar out of town when he asked about your breast size  
22 and complimented your dress, and I'm just wondering if you  
23 recall at all even generally what you were wearing at the  
24 time.

25 A No, I do not.

1 MS. HOGAN: Okay. That's all I have.

2 BY MR. WOOTEN:

3 Q Did Judge Thomas -- this is Terry again -- did Judge  
4 Thomas ever say that he could ask you out of the EEOC because  
5 of the professional relationship he intended to have with his  
6 employees there?

7 A Did ever say that he couldn't ask me out?

8 Q Yes.

9 A No, he never said anything like that.

10 Q Let me ask you, do you know a Kate Simperand?

11 A Kate Simerade?

12 Q Simperade, Simperande?

13 A Yes, I do.

14 Q And have you ever charged her with any kind of  
15 racism before or --

16 A Yes, I did. When I left the AID, I wrote her a  
17 letter of recommendation saying that I felt she -- I'm para-  
18 phrasing it, but I felt that she was quite unfair and racist  
19 and insecure and lots of other things.

20 Q Can you tell us what led to you writing that letter?

21 A I really don't think that's relevant. I mean, can  
22 you tell me why you want me to discuss my relationship with  
23 Kate Simerade?

24 Q Well, we would be interested if you had made  
25 allegations against other people.

1 MS. HOGAN: Is this -- excuse me for a minute. Why  
2 don't we go off the record for a minute, if you can just hold  
3 on, Ms. Wright.

4 MS. WRIGHT: Okay.

5 [Discussion off the record.]

6 BY MR. WOOTEN:

7 Q Let me ask you one more question. Again, I said  
8 earlier I thought we were close to the end; I think we are  
9 this time.

10 A Okay.

11 Q There's been a request to ask you a question, and  
12 obviously this may be something that you don't want to  
13 answer, but it's up to you. It's a question of who you voted  
14 for in the '80, '84 and '88 --

15 MS. HOGAN: No, no, no.

16 BY MR. WOOTEN:

17 Q Well, let me ask you, do you consider yourself a  
18 Republican? You don't have to say who you voted for.

19 MS. HOGAN: You don't have to answer that question  
20 either.

21 MS. WRIGHT: I am a registered Republican.

22 MS. HOGAN: I'm not your counsel, but --

23 MR. WOOTEN: Okay, all right.

24 MS. HOGAN: I'm sorry to do this to you, Ms.  
85 Wright. Can you hang on for one more minute?

1 MS. WRIGHT: Sure.

2 [Discussion off the record.]

3 MS. HOGAN: Ms. Wright, this is Cynthia Hogan  
4 again. Let me put you on the speaker phone. I believe we  
5 have no further questions, but I just want to make sure that  
6 that's the case by putting you on the record.

7 Ms. Wright?

8 MS. WRIGHT: Yes?

9 MS. HOGAN: Terry, I'm aware you have no further  
10 questions?

11 MR. WOOTEN: We have no further questions, and  
12 thanks.

13 MS. WRIGHT: Okay, thank you.

14 MS. HOGAN: Ms. Wright, we appreciate it very much.  
15 We're sorry for taking up so much of your time.

16 MS. WRIGHT: All right.

17 MS. HOGAN: We appreciate your willingness to talk  
18 with us today. Thank you.

19 MS. WRIGHT: Bye-bye.

20 MS. HOGAN: Bye-bye.

21 [Whereupon, at 12:35 p.m., the interview was  
22 concluded.]

**TRANSCRIPT OF PROCEEDINGS**

**UNITED STATES SENATE**

\* \* \*

**COMMITTEE ON THE JUDICIARY**

\* \* \*

In the Matter of:

THE NOMINATION OF JUDGE CLARENCE THOMAS  
TO BE AN ASSOCIATE JUSTICE TO THE U. S.  
SUPREME COURT

Telephonic Interview of ROSE JOURDAIN

Pages 1 thru 39

Washington, D.C.  
October 13, 1991

MILLER REPORTING COMPANY, INC.

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UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY

-----: :  
: :  
In the Matter of the Nomination of :  
Judge Clarence Thomas to be an Associate :  
Justice of the U.S. Supreme Court :  
: :  
-----: :

Sunday, October 13, 1991

Washington, D.C.

The telephonic interview of ROSE JOURDAIN, called for examination by counsel for the Senate Committee on the Judiciary in the above-entitled matter, pursuant to notice, in the offices of the Senate Committee on the Judiciary, Room SD-234, Dirksen Senate Office Building, Washington, D.C., convened at 2:150 p.m., when were present on behalf of the parties:

MARY DeOREO, Investigator, Staff of Senate Biden  
MARK SCHWARTZ, Staff of Senator Biden  
TRIS COPPIN, Staff of Senator Leahy  
MATT PAPPAS, Staff of Senator Heflin  
BARRY CALDWELL, Staff of Senator Specter  
MELISSA RILEY, Staff of Senator Thurmond

## P R O C E E D I N G S

1  
2 MS. JOURDAIN: Hello?

3 MS. DeOREO: Hi, Rose. This is Mary DeOreo, from  
4 the Senate Judiciary Committee.

5 MS. JOURDAIN: Yes.

6 MS. DeOREO: Rose, I want to tell you, before we go  
7 on the record, that there are sitting in the room with me  
8 representatives from the majority side, Senator Biden's  
9 staff, Senator Heflin's staff, and Senator Leahy's staff, and  
10 there are also representatives from the minority side.

11 I will have them each introduce themselves to you,  
12 but first I want to introduce Mark Schwartz, who wants to  
13 make a few things clear with you, so you understand how it is  
14 we are proceeding. Mark is an attorney on Senator's Biden's  
15 Judiciary Committee.

16 MR. SCHWARTZ: Rose, hi.

17 MS. JOURDAIN: Hi.

18 MR. SCHWARTZ: I just wanted to make sure you  
19 understood one point, which was that if this is going to be  
20 sworn testimony, which is the preference, that we have sworn  
21 testimony, you have the absolute right to have an attorney  
22 present, and we could not conduct such sworn testimony  
23 without either your having an attorney present or your saying  
24 it's okay for us to take your sworn testimony without an  
25 attorney present.

1 Now, before you answer that, the alternative for  
2 you is to say you do not want to have this be a sworn  
3 statement, in which case we will just take your statement on  
4 the record and not be sworn. That is your choice. I don't  
5 know if you have an attorney present with you.

6 MS. JOURDAIN: No, I don't. Hold on one minute.

7 [Pause.]

8 MR. SCHWARTZ: Are we on the record currently?

9 MS. DeOREO: Right now we are.

10 MR. SCHWARTZ: Okay. We are now on the record, so  
11 we will start the interview when the court reporter, at the  
12 appropriate time, can swear you in.

13 Whereupon,

14 ROSE L. JOURDAIN

15 was called for examination and was examined and testified, as  
16 follows:

17 BY MS. DeOREO:

18 Q Ms. Jordan, this is Mary DeOreo.

19 A Ms. Jourdain.

20 Q Thank you. In fact, the first question is, would  
21 you please give us the proper pronunciation and spelling of  
22 your full name?

23 A Rose L. Jourdain, J-o-r-d-a-i-n.

24

25

1  
2  
3 MS. DeOREO: Thank you. Ms. Jourdain, we are going  
4 to go off the record for a moment. I am going to put you on  
5 hold.

6 [Discussion off the record.]

7 MS. DeOREO: Back on the record.

8 BY MS. DeOREO:

9 Q Ms. Jourdain?

10 A Yes.

11 Q It's Mary again. I just want to clarify one point.  
12 Do you understand that you are sworn in?

13 A Yes.

14 Q And are you comfortable giving us your testimony,  
15 having been sworn in?

16 A I am quite comfortable. The only thing I want to  
17 ask you is that my address and phone number will not be made  
18 public, will they?

19 Q None of this will be made public, Ms. Jourdain.

20 A Okay.

21 Q Thank you. All right. Because I understand that  
22 this interview is taking place while you are at the Washington  
23 Hospital Center--

24 A Yes.

25 Q --so I am wondering--we are going to try to stay to

1 the point and not take too long. I understand that you are  
2 not physically all that comfortable.

3 A That's true.

4 Q Thank you. Could you please give me some general  
5 background information about yourself, just education and  
6 some of the jobs that you have had, bringing us up to EEOC?

7 A All right. I am a graduate of Lake Forest College,  
8 I did graduate work at Northwestern University, I have taught  
9 school, I have had many, many different jobs, largely writing  
10 jobs. I have written a novel, I have written a television  
11 play, you know, produced a novel, produced a television play,  
12 I have written a textbook, and that's about it in a capsule.

13 Q And let me ask you, during all of this experience,  
14 can you give me some of your more recent employers that you  
15 had prior to coming to the EEOC?

16 A I was teaching school and then I came to Washington  
17 and--

18 Q Was that a public.

19 A --I worked for the Agency for International  
20 Development, but I went to the EEOC and then I went to the  
21 NEA--

22 Q Thank you. I would like to now ask you--

23 A --the National Education Association, not the  
24 National Endowment for the Arts..

25 Q Thank you, and I appreciate the clarification.

1 Also, I can hear that you are speaking to someone in the  
2 room. Who is in the room with you?

3 A My daughter.

4 Q And what is her name, please?

5 A Jackie.

6 Q And her last name?

7 A Hayes.

8 Q Thank you. When were you employed at the EEOC?

9 A Now, I think, I believe it was 1980 -- I believe it  
10 was from November '83 to March '85, although -- I think those  
11 are the correct dates.

12 Q That's fine, and I understand, with the interview  
13 coming at short notice, you haven't had a lot of time to go  
14 back and think about it.

15 A I have not.

16 Q What was your position at the EEOC?

17 A I was hired as a speech-writer for the Chairman  
18 Clarence Thomas.

19 Q And at that time, did you know Anita Hill?

20 A No, I never met her.

21 Q Did you know Judge Thomas professionally?

22 A I had never met the man until I walked into his  
23 office for the job interview.

24 Q During the course of your working as a speech-  
25 writer for Judge Thomas, did you meet with him personally?

1 A Yes.

2 Q On a daily basis?

3 A Sometimes on a daily basis, sometimes on--it was an  
4 as-need-to-meet basis, really.

5 Q But you did have contact with him personally?

6 A Yes, and frequently.

7 Q Did you experience any sort of harassment from  
8 Judge Thomas?

9 A I personally, none.

10 Q Did you observe this behavior, alleged behavior  
11 from Judge Thomas towards anyone else?

12 A ..Well, he and I were generally in meetings discussing  
13 speeches or in full staff meetings, so there would have been  
14 little opportunity for that.

15 Q Thank you. Do you know Angela Wright?

16 A Yes, I do.

17 Q In what capacity?

18 A Angela Wright was head of the public relations  
19 department at the EEOC. I met her first at AID, and then she  
20 was also at EEOC. We became friends as a result of our  
21 working together.

22 Q As you were working together at both places?

23 A Yes.

24 Q Were you friends at AID?

25 A I did not know her until I became, you know, we

1 became co-workers.

2 Q At AID?

3 A Yes.

4 Q All right. So, did you leave AID at about the same  
5 time and go over to EEOC?

6 A I went first.

7 Q Okay. Just for our own background information,  
8 were you fired from your job at AID?

9 A No, I left.

10 Q On your own volition?

11 A Yes.

12 Q Did Ms. Wright ever discuss with you any concerns  
13 or problems she was having in her encounters with Judge  
14 Thomas?

15 A Yes, she did.

16 Q Can you give me some specific details as to what  
17 Ms. Wright told you?

18 A When Ms. Wright first came in, she was very  
19 enthusiastic about her job. She was very happy to be there.  
20 As time went on, she became increasingly -- she confided to  
21 me increasingly that she was a little uneasy and she grew  
22 more uneasy with the Chairman, because of comments she told  
23 me that he was making concerning her figure, her body, her  
24 breasts, her legs, how she looked in certain suits and  
25 dresses.

1 Q Did she recount any specific experience?

2 A Well, for example, she told me he had come to her  
3 home one night unannounced, and she told everyone--for  
4 example, one time she came into my office in tears, said she  
5 had bought a new suit that I thought was quite attractive, it  
6 was just a regular suit for a person to wear to work, a woman  
7 to wear to work, and he had had evidently quite a bit of  
8 comment to make about it and how sexy she looked in it and  
9 that kind of thing, and it unnerved her a great deal.

10 She became increasingly nervous about being in his  
11 presence along. As time went on, he asked her to have a  
12 meeting with him that was going to be a one-on-one meeting,  
13 which would not be unusual, you know, with the head of the  
14 public relations department, and these were scheduled in the  
15 evening, at the end of the workday, and she was increasingly  
16 uneasy about being there, and would say, why don't you wait  
17 for me and, you know, I really don't want to be there that  
18 long or alone with him, you know, not inviting me into the  
19 meeting, but just asking me to remain in the building until  
20 it was time for her--until she would be able to leave.

21 Q Were these conversations, Ms. Jourdain, between you  
22 and Ms. Wright, were there only the two of you, or were there  
23 occasions when someone else would be part of this specific  
24 type of conversation?

25 A I think most of the time that she spoke to me, I

1 know most of the time she spoke to me alone. I really don't  
2 know that there weren't times that there were other people in  
3 the room, but there was probably only one, because she was  
4 not going to--she was not trying to bad-mouth the Chairman.

5 Q Who would that other person--if there was someone  
6 else--

7 A Hold on a minute.

8 [Pause.]

9 My daughter said she was in the room once when we were  
10 discussing it.

11 Q And your daughter, again, for the record, is  
12 Jackelyn Hayes--

13 A Right.

14 Q --and she knows Ms. Wright?

15 A Yes, she does.

16 Q But not because she is an employee of EEOC?

17 A But not because she is an employee, because she is  
18 my daughter.

19 Q Thank you. Who did you talk to about Angela  
20 Wright's concerns concerning the Chairman's behavior?

21 A I don't remember speaking to anyone about it. I  
22 may have spoken--I probably did speak to my daughter. I may  
23 have spoken to--I don't know that I spoke to anybody--I don't  
24 know that I ever spoke to anybody specifically about his  
25 behavior concerning her.

1 Q It would be pretty good gossip, there would be no  
2 one else in the--

3 A It would be gossip, but I have never been a person  
4 who was much into gossip.

5 Q All right. So, there was no occasion when someone  
6 was talking about the Chairman, that you can recall saying,  
7 "Oh, by the way"--

8 A I wasn't very--I mean I was not interested in  
9 denigrating the Chairman.

10 Q All right.

11 A I was not out to say, oh, he's a dog or this kind  
12 of thing. I was not interested in denigrating him at all.

13 MS. DEOREO: I am going to go off the record and  
14 put you on hold for a moment.

15 [Discussion off the record.]

16 MS. DeOREO: Back on the record.

17 Ms. Jourdain?

18 MS. JOURDAIN: Yes?

19 MS. DeOREO: Mark Schwartz, who is on Senator  
20 Biden's staff, has got some questions he would like to ask  
21 you.

22 Ms. JOURDAIN: Yes.

23 BY MR. SCHWARTZ:

24 Q Ms. Jourdain, do you know the dates that Angela  
25 Wright worked or was employed by the EEOC?

1           A     I would not--I would believe it was shortly before  
2 December or end of November of--if I went there in November,  
3 I believe she came there in December. If I went there in  
4 October, she came there in December. I went very shortly  
5 before she did.

6           Q     Could you give us an approximation as far as the  
7 year?

8           A     [No response.]

9           Q     Let me go back to my notes and repeat--

10          A     I have a feeling it was '83 to '85. I am pretty  
11 sure of that. I'm pretty sure it was--

12          Q     Just so that you understand, I don't want to be  
13 confusing, I understand you have already said that you were  
14 there approximately from November of 1983 to March of 1985.  
15 I just wanted to know what part of your tenure at the EEOC  
16 that Angela Wright was there, also.

17          A     I'm not absolutely certain of these dates, but I  
18 think I'm correct, but I must say that I am not positive I'm  
19 correct on this issue. She would have been there from the  
20 November following my coming until the time I left.

21          Q     So, approximately the later part of 1984 through  
22 March of '85?

23          A     No, '83, I said '83.

24          Q     Did you stay at the EEOC after Angela Wright left?

25          A     I did not. We left at the same time.

1 Q Okay. Are you aware of the circumstances under  
2 which Angela Wright left the EEOC?

3 A No, I'm not, actually. She told me she got a  
4 letter from the Chairman saying that her services were no  
5 longer required. I don't know that he gave her any reason.  
6 I believe that she told me--and here again, I have not  
7 committed it to memory, but it was a very curt, you know, a  
8 two-paragraph or a three-paragraph letter. I don't remember  
9 it. I had no reason to want to remember it.

10 Q You stated a little bit earlier that you were also  
11 fired from the EEOC.

12 A I was dismissed the same day as Angela, and Angela  
13 was like

14 Q Ms. Jourdain--

15 Q --when he wrote a letter of recommendation,  
16 withdrawing that letter of recommendation for me for another  
17 job, I had no problems with that, because I knew I had done a  
18 decent job for him, but I did ask him and he wrote a very  
19 strong letter, in fact, that the reasons for letting me go  
20 was that he had chosen to write his own speeches and, to the  
21 best of my knowledge, he never replaced me and did from then  
22 on write his own speeches, probably--I don't know this for  
23 sure--using somebody in part-time work, but I don't believe  
24 he ever fired another full-time--

25 MR. SCHWARTZ: I just want to put you on hold for

1 one second.

2 Off the record.

3 [Discussion off the record.]

4 MR. SCHWARTZ: Back on the record.

5 BY MR. SCHWARTZ:

6 Q Ms. Jourdain?

7 A Yes.

8 Q We are back on the record. I just wanted to  
9 clarify one thing and Mary DeOreo is going to help me clarify  
10 it. I asked you a question, my last question, where I used  
11 the word, fired, and I just wanted to back-track for a second  
12 because you had earlier stated that the circumstances under  
13 which you left the AID were what?

14 A That I quit.

15 Q Okay, that you had quit. And the circumstances  
16 under which you left the EEOC were?

17 A I was dismissed.

18 Q Okay. I just wanted to be clear that my question  
19 went to the circumstances under which you left the EEOC?

20 A Mm-hmm.

21 Q Okay, fine, just so there is no confusion on the  
22 record.

23 A Now, the point that I am trying to make in my  
24 statement is that as time went on Angela Wright became  
25 increasingly upset and increasingly unnerved by what appeared

1 to be more aggressive behavior on the Chairman's part. She  
2 came to me--I am older than she--and she came to me often  
3 times to ask advice what should she do? I mean we are  
4 talking about a time when sexual harassment was not a thing  
5 that women were talking about, and how to handle this. You  
6 know, what do you say? You know, I know that she had made it  
7 quite clear to him that she was not interested in developing  
8 a relationship with him outside of the work place.

9 BY MR. PAPPAS:

10 Q Ms. Jourdain, I am Matt Pappas and I work with  
11 Senator Heflin. I was just wondering about Angela Wright  
12 being dismissed from the EEOC. Did she ever give you any  
13 indication that she was bitter toward the agency or toward  
14 Clarence Thomas?

15 A No. I think that, I know that I was, I am certain  
16 that both of us were dismissed for a very similar reason and  
17 that was that we were increasingly ideologically opposed to  
18 the Chairman's position. I know I was and I believe that  
19 that had a great deal to do with Angela's dismissal.

20 Q But she never indicated to you that she was--

21 A No. She never said anything about being bitter.  
22 In fact, I think she rather welcomed it because she was  
23 thinking about going back to school and doing some other  
24 things with her life anyway.

25 Q Okay.

1           A     She was saving her money very carefully for a  
2 return to school so I don't think it was a major interruption  
3 of a career plan.

4           Q     And she never said anything to you that would  
5 insinuate that she might have been let go because she would  
6 not enter into a relationship with Clarence Thomas?

7           A     No. She never said that that was the reason. I  
8 know that she was upset and more and more upset, as I said by  
9 what she told me on--you know, she kept me pretty much  
10 informed on this because it was making her very nervous, on a  
11 more aggressive--not, you know, I am not speaking of a week-  
12 to-week more aggressive--but a seemingly more aggressive  
13 posture that--I mean her comments on her body and things. I  
14 am not saying that each week it got worse, but they were  
15 coming more frequently because she was telling me this more  
16 frequently.

17                     And her thing was, gee, I want to go back to  
18 school. I want to get out of this, you know, I want to do  
19 something else with my life.

20           Q     So at the time she was dismissed from EEOC, would  
21 you say that that was when it was at its worst? And what I  
22 mean by that, the advances that she alleged that Clarence  
23 Thomas made toward her?

24           A     I can't say that for a--I can say that you are  
25 talking about a cumulative effect, you know. I am not saying

1 that it was worse that week than it had been two months  
2 before, but the cumulative effect, I think was there.

3 MR. PAPPAS: All right, thank you.

4 BY MR. COFFIN:

5 Q Hello, Rose, this Tris Coffin from Senator Leahy's  
6 office.

7 A Yes?

8 Q I was wondering if you could tell me a little bit  
9 more about the circumstances of Angela Wright's dismissal  
10 from EEOC. You said it had something to do with an  
11 increasingly--

12 A No. I am saying I don't know that that was it. I  
13 am saying I know that these were circumstances that were also  
14 happening at the same time. I don't know that these were the  
15 circumstances of the dismissal.

16 Q Did you ever hear a comment that Ms. Wright made  
17 that might have had something to do with her dismissal?

18 A Comment?

19 Q A particular comment?

20 A No. No, I don't know that.

21 Q Did you ever of Ms. Wright said of another EEOC  
22 employee or called another EEOC employee a faggot?

23 A No, I did not hear that. I heard a lot, but I  
24 didn't hear that one.

25 Q Okay.

1           A     But nor do I want to give you the impression, under  
2 any circumstances, that I felt that, as I said before, that  
3 we have two situations here. We have a woman who is being  
4 increasingly, made increasingly, who is being increasingly  
5 unnerved, but I am not saying that her lack of responsiveness  
6 is the reason for her dismissal. I don't want that to be  
7 read into the record. I think there are two separate things  
8 going on there.

9           Q     I understand you.

10           Can you give us a little more detail about these  
11 conversations between you and Ms. Wright where you discussed,  
12 where she would tell you about the increasingly aggressive  
13 behavior?

14           A     Well, you know, for example, I was in my office,  
15 and she would come in and she would close the door. And you  
16 know, once she was, you know, once she was crying, and you  
17 know--

18           Q     Okay, slow down.

19           A     She is a very strong woman. She is not the kind of  
20 female that cries, you know what I mean?

21           Q     Yes. I see, if you could just recall the first  
22 time she came into your office or the first time she told you  
23 these things. Tell us about that conversation.

24           A     I don't remember the first--you know, we are  
25 talking about events that happened a long time ago. I can

1 give you snapshot impressions but I can't tell you which  
2 snapshot came first.

3 Q Okay. So do you have a conversation in your mind,  
4 you are sitting in one chair and she is sitting in the other?

5 A I am sitting in the office, she walks in, slams the  
6 door and says, do you know what he said to me, do you know  
7 what he said to me? And I said, "No, what did he say to you?  
8 you know, because it has gone on before. And I think at this  
9 point it had something to do with her legs, you know.

10 Q And what would he say?

11 A I think it had something to do with, ooh, you have  
12 very sexy legs, or something like you have hair on your legs  
13 and it turns me on, or something like that. I thought, it  
14 was nutty, you know what I mean? It was that, but it was  
15 very unnerving to a young woman who is sitting there hearing  
16 this, you know.

17 Then there was a conversation about her bra size,  
18 and there was a conversation about a dress that she wore, I  
19 don't know why that was a dress that was to be commented on.  
20 It wasn't a skin-tight knit-type dress. There was another--  
21 you know, it was the constant kind of do you know what he did?

22 Sometimes she laughed about it, you know. Sometimes  
23 it got on her last nerve. You know, sometimes it had  
24 happened so much that it was like you won't believe what  
25 this, what he said now, you know?

1 Q Yes, did you travel with Angela to--

2 A No, I never did.

3 Q You never did.

4 A Yes, I did once.

5 Q Where?

6 A We went to, we went to New York, the Chairman,  
7 Angela and I went to New York to set up something. I don't  
8 even remember what it was. It was the only time we all went  
9 anywhere.

10 Q Okay. You mentioned earlier on that Ms. Wright  
11 said something to you about the Chairman coming by her house.  
12 Could you tell me about that, please.

13 A Well, she called me up and she told me that he had  
14 had the nerve to show up in her house and come in and--

15 Q Was this--

16 A --sat down and made himself at home, and you know,  
17 what do you do about this kind of thing, you know?

18 Q Was this the next day?

19 A No, when that she told me?

20 Q Yes.

21 A I don't know whether she told me the next day or  
22 she called me up that evening, that same evening, and said,  
23 you won't believe what just happened.

24 Q Can you tell me step-by-step?

25 A No, I cannot tell you step-by-step on anything that

1 happened six years ago.

2 I mean I cannot swear to any step-by-step, anything

3 MR. COFFIN: Thanks.

4 BY MS. DEOREO:

5 Q I want to ask before go further, Ms. Jourdain, all  
6 of us are sensitive to the fact that these are uncomfortable  
7 days for you, physically uncomfortable days. How are you  
8 doing?

9 A It's, it's hard sitting here talking.

10 Q Can I ask, can you give us a few more moments? I  
11 very much would like representatives on the minority staff to  
12 have an opportunity to ask you some questions.

13 A All right.

14 Q Would you like us to take a little break and call  
15 you back?

16 A I would rather get through it.

17 Q Thank you. They are going to introduce themselves  
18 to you.

19 A All right.

20 MS. RILEY: Ms. Jourdain, I am Melissa Riley and I  
21 am with Senator Strom Thurmond's office and--

22 MR. CALDWELL Ms. Jourdain, my name is Barry  
23 Caldwell and I am counsel to Senator Specter.

24 MS. JOURDAIN: All right.

25 BY MS. RILEY:

1 Q Can you go back to when you worked with Ms. Wright,  
2 at AID?

3 A Ma-hum.

4 Q Can you tell us, do you know the reason why Ms.  
5 Wright left AID?

6 A Yes. She was offered a much better position.

7 I know that she was not happy there and she was  
8 offered a better position and she left. I believe that is  
9 the reason.

10 She was not happy and she had an opportunity to  
11 advance herself. She thought she did.

12 Q Okay. Could you tell us when was the last time you  
13 spoke with Ms. Wright?

14 A You mean, today?

15 Q Yes, Ma'am, the last time you had a conversation  
16 with her?

17 A I think it's been about--I can't really. I mean  
18 it's been gee, I haven't spoken with her in several days, I  
19 can tell you that. She knew that I was ill. And so she  
20 called me, she has called me since I have been in the  
21 hospital to see how I was doing.

22 Q Okay. Could you give me your best guess?

23 A Un-unh. In the hospital days start to run together.

24 Q I am sorry, I did not--

25 A I think it has been a week. Maybe, maybe 10, 11

1 days, something.

2 Q Okay. Going back to the episode that you mentioned  
3 that Clarence Thomas came to Angela Wright's house, can you  
4 give us, at all any kind of time frame during the period  
5 that you specified that you worked at EEOC with her, during  
6 the year, do you remember any season?

7 A I have a feeling that my recollection of her  
8 telling me this is that it was very cold out, and that, you  
9 know, it was not the type or time of year when people are out  
10 for a walk, you know, and just drop by somebody's house.

11 So I think it was cold, it was kind of in winter.  
12 It might have been late fall.

13 Q Okay, and back to the last time that you spoke to  
14 her in a week or maybe 10 or 11 days ago, did you talk about  
15 these episodes with Ms. Wright?

16 A About which episodes?

17 Q The episode of the house--

18 A No, I was talking about my illness.

19 Q Okay. So you never spoke to Ms. Wright about the  
20 episode with Clarence Thomas dropping by her house  
21 unannounced?

22 A I haven't spoken to her about that in a long time.  
23 In fact, that is why it is not really clear to me.

24 Q Okay.

25 A I mean the details of it are not clear.

1 Q But the episode, you didn't speak to her about the  
2 episode?

3 A I spoke many, a long time ago, but not, not not, we  
4 were talking about my, my being in the hospital.

5 Q That's fine.

6 Did you know Ms. Wright before you worked at AID?

7 A No.

8 Q Okay. How close a friend were you with Ms. Wright,  
9 would you socialize with her outside of work?

10 A Yes, we did. As time went on we became close  
11 friends. Not at first we weren't close friends, but we became  
12 closer because we worked together and we had projects that  
13 overlapped and we became friends. In other words, the public  
14 affairs office and the speech-writer's office, you know, has  
15 things that they had to discuss. I mean, you know, those two  
16 offices or those two people needed to confer and we found  
17 that we had a lot of things we enjoyed in common, our  
18 opinions in common and became friends.

19 Q And your friendship continued after Ms. Wright went  
20 to EEOC and you joined her there or did--

21 A No, I was there first.

22 Q Okay, I am sorry.

23 A And she came over.

24 Q And your friendship continued at EEOC?

25 A Yes, it did.

1 Q Okay.

2 A In fact, it grew mainly because since that is when  
3 that relationship was there, because that was when she headed  
4 the public affairs office, and I was the Chairman's speech  
5 writer.

6 Q And since you have, since you left EEOC and Ms.  
7 Wright left the EEOC, how much contact have you had with her  
8 over these years? Could you just take a guess?

9 A We have kept in contact with each other. You know,  
10 we were, you know, it's like anybody else that you know and  
11 you like and you hope to remain friends through life or at  
12 least keep up with them and see how they are doing and coming  
13 along. We have certainly kept up with each other. I think  
14 she is a friend of mine, yes.

15 Q Would you, say, call her on holidays or her  
16 birthday or would you just--

17 A I don't call anybody except my family on holidays  
18 and my birthday.

19 Q Okay. So what would you say, would it be infrequent  
20 contact since you left the EEOC?

21 A I think we talked, there were times that I called  
22 her about things that I was doing that I thought she might be  
23 interested in knowing about or give me some clues about how I  
24 might, you know, make some improvements and she did the same  
25 with me. She might be working on a story and call me up and

1 say, I'm working on this, do you think, you know, where else  
2 do you think I might find some additional research material?  
3 I was working on several projects and I said, hey, take a  
4 look at this and what do you think of it? And she responded  
5 to that.

6 Q Has Ms. Wright--

7 A These are episodic things, do you know what I am  
8 saying?

9 Q Yes, Ma'am. Has Ms. Wright called you recently  
10 working on a story about Clarence Thomas?

11 A No, un-unh. I didn't know she was.

12 Q I was just curious when you mentioned that.

13 A No, un-unh.

14 Q And you mentioned earlier that your daughter  
15 acknowledged that she had some knowledge of the conversations  
16 that you had with Ms. Wright about Clarence Thomas'  
17 inappropriate comments to Ms. Wright, can you give us a time  
18 frame about when your daughter would have known about these  
19 comments?

20 A No, she heard about them about the same time they  
21 were being made.

22 Q And how did she hear about them?

23 A She may have heard, she probably heard about them,  
24 she did hear about them when Angela was at my house and she  
25 may have been discussing it or was discussing it, you know,

1 trying to figure out what should I do about this, you know?  
2 And it made a big impression on my daughter because she was  
3 young.

4 Q After Ms. Wright became upset about Clarence  
5 Thomas' advances towards her or his comments, I should say,  
6 did you try to, what advice did you give her?

7 A As I remember the situation, I said to her, you  
8 know, why don't you sit down and just discuss it with--I know  
9 that she had said to him, she had made it clear to him that  
10 she did not welcome these advances, and I said, just stay  
11 firm with it, you know, just don't let him think you are  
12 giving into it. You know, that you are becoming more, you  
13 are, that there isn't any kind of possibility of any kind of  
14 relationship here.

15 Q Did you, after Ms. Wright, conveyed these comments  
16 to you, attempt to confirm his actions or did you try to  
17 investigate these comments or go to any other women and say,  
18 has he made these type of comments to you?

19 A I did not do that. I did not feel that I should  
20 discuss her business or his business with other staff  
21 members. I would never have said to anybody else on the  
22 staff that the Chairman was saying these things, you know.

23 Q Did you consider them inappropriate?

24 A I--yes, I did consider them inappropriate and I did  
25 not feel that that would help him at all in the delegation of

1 his duties to have women knowing that he was saying these  
2 kinds of things, but I didn't say anything.

3 MR. SCHWARTZ: Melissa, may we go off the record?

4 MS. RILEY: We are going to put you on hold for  
5 just a moment. Thank you.

6 [Discussion off the record.]

7 BY MS. RILEY:

8 Q Ms. Jourdain?

9 A Yes.

10 Q Sorry about that. We have a couple more questions.

11 I was just curious, have you ever contacted

12 Clarence Thomas for job references?

13 A Yes, I have.

14 Q And did he respond favorably?

15 A Extremely so.

16 Q And do you know if Ms. Wright ever contacted him?

17 A Yes, and he -- and I know that she was delighted  
18 with the recommendation he gave her.

19 Q So she did attempt to contact him for a  
20 recommendation?

21 A Yes, and he gave both of us very good  
22 recommendations. In fact, you know, that being our -- we  
23 needed them, you know.

24 Q A couple more questions, and then I believe one  
25 more person, a couple more people, have more.

1           Did you happen to attend a retirement party for Al  
2 Sweeney?

3           A     Do you know, it seems to me that I did, but didn't  
4 he die?

5           Q     I am not sure and I would hate to say anything  
6 about that. I just was curious if you attended the retirement  
7 party.

8           A     I can't remember whether I attended his retirement  
9 party or his funeral. That sounds weird, but I think I did  
10 attend a retirement party for him, yes.

11          Q     It may have been at perhaps some club in Virginia?

12          A     No, I have never been to a club in Virginia.

13          Q     Or a hotel, maybe, in Virginia?

14          A     I don't recall.

15          Q     That's fine.

16                 Did Ms. Wright ever talk to you about comments that  
17 Clarence Thomas made to you at a retirement party?

18          A     Made to me.

19          Q     No, no, no, no. I'm sorry. Let me clarify that.

20                 Did Ms. Wright ever speak to you about comments  
21 which Clarence Thomas made to her at a retirement party?

22          A     No, I don't remember her ever saying anything like  
23 that.

24          Q     Thank you.

25          A     Any kind of comment about a retirement party.

1 Q No, let me clarify: Comments that Clarence Thomas  
2 made, inappropriate comments that Clarence Thomas made to Ms.  
3 Wright while attending a retirement party.

4 A No, I don't differentiate them as anything special.  
5 You know what I mean?

6 MS. RILEY: Thank you, and I believe Mr. Caldwell  
7 has a couple of questions for you.

8 BY MR. CALDWELL:

9 Q Hi, Ms. Jourdain. Just a couple of more questions  
10 and perhaps a couple of follow-up.

11 You said you went to the EEOC just before Ms.  
12 Wright.

13 A Yes.

14 Q Do you have a sense of how she found out about the  
15 EEOC job?

16 A I think she told me about the job. I think she  
17 knew the Chairman. I mean, I think that -- you know, they  
18 were both Republicans and they had met at some Republican  
19 functions. I think it was that kind of thing. You know,  
20 there are not many black Republicans, and so they all knew  
21 each other.

22 Q Right. You don't know if someone in particular  
23 introduced her to the Chairman?

24 A I have no idea. It was not important, you know  
25 what I mean? It was just something that she told me about.

1 I don't think that -- he was somebody, it was a contact that  
2 she had. It was not anybody, you know.

3 Q I'm sorry. I missed that last part.

4 A He was a contact that she had. You know, in this  
5 city, who are your contacts?

6 Q Right. Okay. I guess, lastly, do you have a sense  
7 of why -- and I hope I don't misstate this -- why Ms. Wright  
8 is coming forward? Motive is the question. Do you have a  
9 sense of why she is coming forward now?

10 A Yes. Based on what I know about her, I would tend  
11 to believe -- no, I don't tend to believe, I absolutely  
12 believe that she heard this young black woman on the  
13 television being raked over the coals, as though this  
14 experience that she was having was completely impossible, and  
15 you know, that a person in Clarence Thomas' position, black  
16 or white, would not have done this, and this woman was  
17 somehow coming from left field with some malicious agenda.

18 And having had a similar experience, I believe that  
19 Angela would have felt it her bounden duty to go on record  
20 saying that, and she is a very religious, very morally strong  
21 person. You know, she is a person who believes very much in  
22 right and wrong.

23 Q You said that you guys talked about these instances  
24 of the Chairman's behavior while at the EEOC, and that you  
25 remained in contact as friends. Did she discuss her --

1           A     Wait a minute. I don't understand your question.

2           Q     Well, here is my question: Did Ms. Wright discuss  
3 with you her coming forward?

4           A     No. When she called me, the last time I talked to  
5 Angela Wright, she called me to see how I was doing. She  
6 knew that I was sick. And if she mentioned it, it was in  
7 passing and it was not something that I was particularly  
8 involved in at that moment. Do you know what I mean? I was  
9 in a lot of pain, and my concentration unfortunately was on  
10 myself.

11          Q     Okay. One last question. I understand that you  
12 are friends, but if you had to step back and look at Ms.  
13 Wright objectively, could you say there are any negative  
14 qualities about her that stick out in your mind? For  
15 instance, is she vindictive? Is she vengeful? Is she  
16 something along those lines?

17          A     No, I cannot say that, nothing like that. No, no.  
18 No, no, no.

19          Q     What about flirtatious?

20          A     No, I don't think she is flirtatious. She is a  
21 very life-affirming human being. She believes in -- she is  
22 serious. She can have a lot of fun, but she believes that  
23 life is a serious venture, that we are charged with certain  
24 responsibilities, those of us who have had advantages, to  
25 help other people.

1           Now if you are talking -- the only thing I can think of  
2 that really, and that is not a negative, she tends to spend  
3 an awful lot of time with her dog and treat it more as a  
4 human being. That is the only thing that I can think of. I  
5 have said to her, you know, like this dog gets as much care  
6 as a lot of human beings, but that is the only thing I could  
7 ever think of that I would say was negative.

8           MR. CALDWELL: Okay. Thank you. I think Ms. Riley  
9 just has one or two other questions for you. Thank you very  
10 much.

11           BY MS. RILEY:

12           Q     Ms. Jourdain, I just wanted to go back and once  
13 again ask you a couple of questions regarding the time that  
14 Ms. Wright told you that Clarence Thomas came to her house  
15 unannounced. Could you tell me, did she happen to say how  
16 long he stayed at her house?

17           A     No, I don't remember, but I think it was -- she was  
18 -- no, she did not. I don't remember if she did tell me  
19 that. I don't know that she told me that. I don't know that  
20 she told me that, but I do know that he arrived, he made  
21 himself at home, and all of this was rather presumptuous.

22           Q     So you don't have a time frame as far as, did she  
23 say he just stayed for 20 minutes, or did he stay for an hour  
24 or two hours or --

25           A     No, I don't believe she ever said that. I don't

1 believe she put it within a time frame. I think she was  
2 appalled at the presumptuousness of it.

3 Q And did she ever tell you what time of the evening  
4 he left, or the day or the morning or --

5 A It was not morning, and it certainly was not late  
6 at night. I mean, it wasn't that he stayed there until  
7 really late. I just don't remember. I don't know. I don't  
8 know, but given my feeling of the affair or the incident, it  
9 was probably something that he arrived around 8:30 or 9:00  
10 and left around 10:30 or 11:00. I don't know.

11 MS. RILEY: Okay. I think that is all that I have.

12 BY MS. DeOREO:

13 Q Ms. Jourdain, this is Mary DeOreo again.

14 A Yes.

15 Q On the same point Melissa was asking about, that  
16 same evening visit, did you have any understanding of how  
17 Chairman Thomas got to Angela Wright's house? Did they live  
18 within walking distance?

19 A I have no -- to the best of my knowledge, I know  
20 she lived on Capitol Hill.

21 Q Fine.

22 A And to the best of my knowledge, he lived in  
23 Southwest.

24 Q I am not asking you to guess. I am asking do  
25 you --

1           A     I don't know.

2           MS. DeOREO: Okay. That's fine.

3           I believe that the interview now is over, and Mr.  
4 Schwartz has some things he wants to talk to you about, on  
5 the record.

6           MR. SCHWARTZ: Ms. Jourdain, we are still on the  
7 record. I wanted to go back to the original point we had  
8 made at the beginning of the interview. Everyone here in the  
9 room when we went off the record before has come to an  
10 understanding, at least on our end, and just want to make  
11 sure it squares with yours: that since you have given a sworn  
12 statement, though none of us in the room would give a legal  
13 opinion as to the effect of that sworn statement, you should  
14 realize that the possibility would occur that if there were  
15 later found to be a contradiction in some sort of legal form,  
16 that could have legal consequences against you similar to  
17 perjury, in some sort of untoward consequences.

18           I am not saying that would happen, but because of that I  
19 wanted you to understand the implications of having sworn  
20 yourself in, and if you now feel uncomfortable with that and  
21 would like to take back your sworn part of it, we will just  
22 treat the testimony as we have all other interviews we have  
23 conducted during this proceeding, which is, it is out there  
24 for the informational purposes of the members of the  
25 committee. Now you should discuss that with your daughter.

1 MS. JOURDAIN: Hold on. Can you explain this to  
2 her, because I have to move.

3 MR. SCHWARTZ: Okay.

4 Hi. I'm sorry, what was your name again?

5 MS. HAYES: Jacqueline Hayes.

6 MR. SCHWARTZ: Jacqueline, I'm sorry. My name is  
7 Mark Schwartz, and we have in the room, I don't know if your  
8 mother has told you, we have attorneys representing both  
9 Senator Leahy, Senator Heflin, Senator Biden's staff, and  
10 Senator Thurmond and Senator Specter's staff, along with  
11 another member of Senator Biden's staff.

12 I just wanted your mother to understand that since  
13 she has agreed to give sworn testimony, that if at some point  
14 later there was found to be -- and I am not saying there  
15 would be -- some contradiction, that the ramifications of  
16 that, I could not swear to her that it might not be a  
17 potential problem with perjury. And I just wanted her to  
18 understand that, since she did not have an attorney present  
19 with her.

20 And if she feels uncomfortable about that, we have  
21 all agreed to treat this as we have all other statements, as  
22 unsworn and just for informational purposes. Do you  
23 understand?

24 MS. HAYES: Yes. Let me just explain that to her.  
25 Hold on.

1 [Pause.]

2 MS. JOURDAIN: Hi. She explained this to me. You  
3 said that many of the people you interviewed did not make it  
4 a sworn statement?

5 MR. SCHWARTZ: To the best of my understanding --  
6 and you can correct me if I am wrong, Melissa or Barry -- no  
7 one else has given a sworn statement to us.

8 MS. JOURDAIN: If no one else has given it, then I  
9 won't give one either. This is a statement but not a sworn  
10 statement.

11 MR. SCHWARTZ: Okay. The reason why we had  
12 requested that it be sworn is because of your current status  
13 in the hospital room and the unlikelihood that you would be  
14 able to testify before the committee. I just wanted you to  
15 understand that.

16 MS. JOURDAIN: Yes.

17 MR. SCHWARTZ: Okay. Is there anybody on the  
18 record who would like to make any more comments about this  
19 subject?

20 [No response.]

21 MR. SCHWARTZ: Okay.

22 MS. JOURDAIN: So now we are clear, this is no  
23 longer a sworn statement?

24 MR. SCHWARTZ: None of the parties involved in this  
25 on the majority or the minority staff or the Senate will

1 treat this as a sworn statement taken under oath, so you can  
2 feel comfortable with that. It will be stricken from the  
3 record. Okay?

4 MS. JOURDAIN: Yes.

5 MR. SCHWARTZ: Okay, and before we go off the  
6 record, anybody else? Any comments? Any questions?

7 MS. DeOREO: I want to thank you very much. We are  
8 off the record now.

9 [Discussion off the record.]

10 MS. DeOREO: Back on the record.

11 Ms. Riley has one more question.

12 BY MS. RILEY:

13 Q Ms. Jourdain, I apologize. I have one more  
14 question.

15 A Okay.

16 Q Could you tell us if the incident when Clarence  
17 Thomas went to Angela Wright's house occurred while she  
18 worked at AID with you, or --

19 A No, at EEOC. I believe it was -- oh, God. I'm  
20 sure it was EEOC.

21 MS. RILEY: Okay. Thank you.

22 MR. SCHWARTZ: Okay. That's fine.

23 Since we are still on the record, I will just state  
24 what your daughter said to us off the record, which was that  
25 if it could be arranged at a future time, ~~that you would be~~

1 prepared to give a sworn statement.

2 MS. JOURDAIN: Yes. In other words, since nobody  
3 else is giving a sworn statement, I would just as soon let it  
4 go as what I have done. If it becomes extremely,  
5 excruciatingly necessary and I can get it together, then I  
6 will do it.

7 MR. SCHWARTZ: Okay. Thank you very much, and we  
8 wish you a speedy recovery.

9 MS. JOURDAIN: Okay. Thank you.

10 MS. RILEY: We will be back in touch. Bye-bye.

11 MS. DeOREO: Bye-bye.

12 [Whereupon, at 3:08 p.m., the interview concluded.]

The CHAIRMAN. And that will, at least as far as this Committee's investigation at this moment of those two witnesses, end the matter. Now—and not in the matter in terms of judgment, in the matter in terms of witnesses.

So we are taking extensive testimony placed in the record by both majority and minority at the request of Republicans and Democrats as well as the potential witness. That is why I vitiated the subpoena, in spite of the fact I would have preferred her to be here. But, in light of the time constraints, I did not insist that that be done.

Now that means for the remainder of the night, I hope this doesn't encourage people to go longer than they otherwise would. For the remainder of the night, the only witnesses remaining are the four distinguished gentlemen before us and a panel of nine witnesses that are being produced by Judge Thomas, all women who worked in some capacity with him at, I believe EEOC. Don't hold me to that. It could be at Education as well.

Each will be by previous unanimous consent agreement limited precisely to three minutes. No more time will be allowed. And there will be 16 minutes a side to cross-examine if anybody wishes to do that.

I say that to the press and others who have been here so long trying to determine what the remainder of the witness list is.

Senator METZENBAUM. Mr. Chairman?

The CHAIRMAN. I yield to my friend from Ohio.

Senator METZENBAUM. Mr. Chairman, I certainly think we should conclude the hearing with respect to these witnesses. But I wonder whether, in view of the fact that it is now 11:30 at night, and the next nine witnesses, of those nine I think seven of them are employed by the Administration either at the EEOC or at the Labor Department or the Department of Education, and two of them, one is a former secretary to Senator Danforth and one is a former chief of staff to Clarence Thomas—I wonder, Mr. Chairman, if we couldn't stipulate that all of that testimony will be very supportive of Clarence Thomas? I don't think there is any argument about that. I don't know why there is any reason to have to hear it. And, frankly, I think in fairness to this Committee and in fairness to the candidate that it would serve just the same purpose. We know what the testimony will be.

The CHAIRMAN. I appreciate the Senator's request. And, as I hear from one of my friends from the far West and my right, not far right, a deal is a deal. They will be heard unless they choose to decide as two panels have on behalf of the witness, Ms. Hill, unless they so choose they will be heard because we have a unanimous consent agreement to do just that.

Now, with that, I apologize to my friend from Pennsylvania. I hope someone has kept some notion as to how much time—how much time does the Senator have left? He has nine minutes left. Six minutes had expired when I interrupted. And you will have time to come back, if you wish.

Senator SPECTER. Thank you. Thank you, Mr. Chairman.

The CHAIRMAN. I apologize to the gentleman for the interruption.

Senator SPECTER. Mr. Stewart, after Professor Hill said to you "how great Clarence's nomination was and how much he deserved it," did you continue to have a discussion with Professor Hill?

Mr. STEWART. Correct.

Senator SPECTER. Was there any mention at all of any sexual harassment by Judge Thomas of Professor Hill?

Mr. STEWART. No mention at all, Senator.

Senator SPECTER. Or any other unfavorable conduct of Judge Thomas?

Mr. STEWART. No, none at all, Senator.

Senator SPECTER. And, Mr. Grayson, after, as you have testified, Professor Hill said about Judge Thomas that he deserved it, referring to the Supreme Court nomination, was there any discussion by Ms. Hill of anything derogatory about Judge Thomas?

Mr. GRAYSON. No, Senator.

Senator SPECTER. Is it Professor Kothe?

Mr. KOTHE. Well, you use the Pennsylvania Dutch pronunciation. Actually it is "Kothe."

Senator SPECTER. Professor Kothe?

Mr. KOTHE. Kothe.

Senator SPECTER. Professor Kothe—

Mr. KOTHE. Right.

Senator SPECTER. I would like you just to start, because time is limited and I can assure you there will be many questions on the body of your statement later, but because I want to move to Mr. Doggett in just a moment I would like you to just read the final paragraph of your statement of October 7, if you would, please?

Mr. KOTHE. I read it.

Senator SPECTER. Would you read it, please?

Mr. KOTHE. "I find the references to the alleged sexual harassment not only unbelievable but preposterous. I'm convinced that such is a product of fantasy."

Senator SPECTER. Professor Kothe, did anybody suggest to you that you use the word "fantasy" in describing Professor Hill's conduct?

Mr. KOTHE. No. In the second statement that I made on October 10 I left that off. That wasn't intended as words of art or scientific expression. It was just the instant reaction I had to this awful event. When I heard what the allegations were, my instant reaction was that it is just unbelievable, preposterous, and then I said that it must be a product of fantasy. Because if you just knew these people and knew Clarence Thomas, you would know that that couldn't possibly have been true.

Senator SPECTER. Well, Professor Kothe, was there anything that you could point to in Professor Hill's conduct which would lead you in either an evidentiary or a feeling way to that conclusion of fantasy?

Mr. KOTHE. No. I think perhaps my selection of words there was probably unfortunate. I have never seen Anita Hill in a situation where she wasn't a decent person, a dignified person, a jovial person. I have never seen her in a situation where actually you would say she is fantasizing in that sense. I almost regret that I used that in my first testimony.

Senator SPECTER. Well, then how would you explain Professor Hill's charges against Judge Thomas in the context of your very forceful testimony in support of Judge Thomas?

Mr. KOTHE. There is just no way of explaining it. How she ever was inclined to make such an observation is something that is totally beyond my comprehension. If you knew these two people as we all have known them, and evaluate that or equate that in the context of what has been alleged here, it just, it just couldn't be the same person, you wouldn't think.

Senator SPECTER. Mr. Doggett, turning to your affidavit, and I am going to ask you for the conclusions first before you comment on the substance of your statement. And permit me to comment, I found your testimony of your professional background extremely, enormously impressive.

And let me now move to the last line in the third full paragraph where you—well, why don't you read the last sentence in the third full paragraph on page 2, if you would, please?

Mr. DOGGETT. "I came away from her "going away" party feeling that she was somewhat unstable and that in my case she had fantasized about my being interested in her romantically.

Senator SPECTER. And, if you would now, Mr. Doggett, read the paragraph on page 3?

Mr. DOGGETT.—

It was my opinion at that time, and is my opinion now, that Ms. Hill's fantasies about my sexual interest in her were an indication of the fact that she was having a problem with being rejected by men she was attracted to. Her statements and actions in my presence during the time when she alleges that Clarence Thomas harassed her were totally inconsistent with her current descriptions and are, in my opinion, yet another example of her ability to fabricate the idea that someone was interested in her when in fact no such interest existed.

Senator SPECTER. Now, Mr. Doggett, while your testimony has already, in effect, answered this question, I want to ask you explicitly did anyone suggest to you that you use the word "fantasy" in describing your conclusion about Professor Hill?

Mr. DOGGETT. I talked to no one about my affidavit and the contents of my affidavit. I was quite frankly amazed when I heard the Professor had used the same term. In fact, just to make it very clear, I have not talked to the Judge, have not talked to any of these witnesses, I have not talked to the women that preceded us.

Senator SPECTER. Now, Mr. Doggett, what happened between you and Professor Hill which led you to conclude that she was fantasizing?

Mr. DOGGETT. At a going away party for Anita Hill before she went to Oral Roberts University Law School, soon after I arrived and relatively early in that going away party she asked me if we could talk in private, and I agreed, having no reason to see that that was inappropriate.

And she talked to me like you would talk to a friend who you are going to give some advice to help them "clean up their act." She said, "Something I want to tell you"—and this is what I have quoted in my affidavit, and it is the only part of my affidavit that talks about her statements that is in quotes because it was emblazoned in my brain because it was such a bizarre statement for me.

She said, "I'm very disappointed in you. You really shouldn't lead women on, or lead on women, and then let them down."

I came to a woman's "going away" party who I really didn't know very well. She says, "Hey, let's talk in the corner," and she said, "You led me on. You've disappointed me." And it is like, What? Where is this coming from?

I don't know about you, gentlemen. Washington, DC, is a very rough town if you are single and you are professional, for men and for women. Most people come here to be a part of the political process. They have legitimate, real ambitions. And it is a lonely town, a difficult town to get to know people because people are constantly coming in and coming out.

I came to Washington, DC, to be part of the business process. I was not interested in politics. I wanted to be an international management consultant. And the first time I met Anita Hill I sensed that she was interested in getting to know me better and I was not interested in getting to know Anita Hill. And, based on my experience as a black male in this town, I did everything I could to try not to give her any indication that I was interested in her, and my affidavit talks about that in some detail.

Even when I was jogging by her house and she said, "Hi, John," and we had a conversation, and she raised the issue of, well, since we are neighbors why don't we have dinner, I tried to make it very clear that although I respected her as a person and as a fellow alumnus of Yale Law School, and as somebody I thought was very decent, the only relationship I was interested in was a professional relationship.

And, as I stated in my affidavit, she said, "Well, what would be a good time?" and I was in my jogging clothes and so obviously I don't have a calendar with me. I said, "Well, I will check my calendar and I will get back to you." And I checked my calendar and I said, "Looks like Tuesday will work. You get back to me if that will work and let's talk about a place."

Later on with that dinner agreement, arrangements fell through, she gave me a call and said, "What happened?" I said, "What do you mean what happened? I never heard from you." She said, "Well, I never heard from you." And apparently, we both had expected the other person to call to confirm.

At the end of that I never heard from you, I never heard from you, if I was interested in her the logical response would have been, "Well, since we didn't get together this time, let's do it again." There was no response, and there was a very awkward, pregnant pause and the conversation ended.

And I never saw Anita Hill again until that "going away" party where she dropped at bombshell on me.

The CHAIRMAN. Senator, your time is up.

Senator SPECTER. Thank you very much, Mr. Chairman. I will come back the next round.

The CHAIRMAN. Mr. Doggett, I don't doubt what you said, but I kind of find it equally bizarre that you would be so shocked. Maybe it has never happened to you.

I know a lot of men who call a woman and ask her out or ask to meet. Let me finish my comments here. Ask to have—decide to have dinner. Say let's get together for dinner, but afraid to say

fully let's go out together for dinner. Let's get together. We live in the neighborhood, let's go to dinner. And then that person call back or you call again and speak to her again and the date is set. And then for whatever reason she doesn't show up.

You are still interested. You call back. You say, "How come you weren't there?" You say, "Well, I thought that you were going to call." And you thought I was going to call, et cetera. And that goes back and forth. Then there is a pregnant pause and you hang up.

Maybe I am just accustomed to being, turned down more than you were, when I was younger. But some men sit and say, "Geez. I wonder whether she's just bashful, that was the reason for the pregnant pause, or I wonder if she really wants me to call her back. She didn't say don't call me again. She didn't say I don't want to hear from you again. Maybe."

And then you see her a little while later a party and she is leaving town. And you walk up to her and you say, you know, "Can I talk to you?" And she says, "Yes." And you walk over to the corner of the party and say, "You know, you really shouldn't let guys down like that. You led me to believe that you wanted to go out with me. You shouldn't do that to women—or to men."

And, if she turned around and said, "You're fantasizing. How could you ever think that? You must be demented? You must be crazy."

I don't think that is how normal people function. I mean, I don't doubt a word you said. But you go on and say you said, "I'll check my calendar and get back to you." You checked calendars, you got back to each other, the date fell—the date? We don't use dates these days, I know. The dinner fell through. You talk again and say, "What happened?" and she is silent. And she says, "What happened?" and you are silent.

You did not say to her, did you, don't call me again? Don't pay attention to me? I may be a virile person but don't pay any attention, just stay away from me? You didn't say anything like that did you?

Mr. DOGGETT. I sure wish I had, Senator.

The CHAIRMAN. Well, I wish you had to because maybe there wouldn't be this confusion. She may not be telling the truth, but how one can draw the conclusion from that kind of exchange that this is a woman who is fantasizing, this is a woman who must have a problem because she has turned—are you a psychiatrist?

Mr. DOGGETT. Senator, I am trying to follow your question, but I may have to ask you to restate it.

The CHAIRMAN. My question is are you a psychiatrist?

Mr. DOGGETT. Absolutely not.

The CHAIRMAN. Are you a psychologist?

Mr. DOGGETT. Absolutely not.

The CHAIRMAN. Well, how from that kind of an exchange can you draw the conclusion that she obviously has a serious problem? Where is the section? I want to find it here in your statement. You were stunned by her statement. You told her her comments were totally uncalled for and completely unfounded. Balderdash!

I reiterated I had never expressed a romantic interest in her, had done nothing to give her any indication he might romantically be interested in the future. And I

also stated the fact that I lived three blocks away from her, but never came over should have led her to believe something.

Mr. DOGGETT. Pardon?

I didn't hear what you just said, sir.

The CHAIRMAN. The implication is that should have led her to understand that you weren't interested in her. Did she come up to you say in mildly hysterical terms, why have you not called me or did she just make the statement straight, monotone, you shouldn't lead somebody on like that, or whatever the precise statement was? Can you characterize the way she said it? Did she sound very disappointed in you, you really shouldn't lead women on like that and then let them down? Or did she say, why did you do this? I am very disappointed in you?

I mean can you characterize what it was like?

Mr. DOGGETT. She was very, very intense, Senator. This was not—

The CHAIRMAN. Describe for me how intense she was? Was her voice at a higher octave than normal?

Mr. DOGGETT. She seemed very upset to me.

The CHAIRMAN. Was her voice at a higher octave than normal, do you recall?

Mr. DOGGETT. She seemed very upset, Senator.

Senator my statement, my conclusion is based on a year and a half of experience, not just one afternoon jog on a Saturday in 1983.

The CHAIRMAN. Well, tell me what else she ever said to you?

Mr. DOGGETT. OK. Examples, that is a very fair question, Senator.

The CHAIRMAN. Thank you.

Mr. DOGGETT. The first time I went over to Clarence Thomas' office, okay, the question is what else did she say to me?

The CHAIRMAN. What did she ever say to you, yes.

Mr. DOGGETT. A, she called me after the dinner fell through. I didn't call her. B, there were a number of months that—

The CHAIRMAN. Let's stop there a minute. Wouldn't that lead you to believe that maybe she thought you might be interested or she wouldn't put her ego on the line to call a man?

Mr. DOGGETT. Absolutely, Senator.

The CHAIRMAN. All right.

Mr. DOGGETT. What I have tried to say and what I am trying to say right now is that I did everything in my power with Professor Hill over the time I knew her to make it absolutely, positively clear that I was not interested in that woman.

The CHAIRMAN. Did you say that to her? Did you say, Professor Hill, look, I mean, Anita, I just want to be clear before we get things out of hand here. I want to make it clear to you, I think you are a wonderful person, but I have absolutely no interest in you in anything other than professional terms. Did you ever say that to her?

Mr. DOGGETT. There was never a need to do that because we never got to the level where I had given her enough encouragement where she felt that it was appropriate to—

The CHAIRMAN. Well, give me more instances where she said things to you that this just wasn't the one instance where she said, you know, you led me on or you led women on.

Tell me another instance.

Mr. DOGGETT. Well, I think a perfect example of the conclusion that I came to when I was sitting at my computer in Austin, TX was the statement that she gave under oath, before you 2 days ago, that she had dated John Carr. And the statement that John Carr gave under oath today that he would not characterize their relationship as a dating relationship.

The CHAIRMAN. Now, wait a minute. John Carr said he went out with her.

Mr. DOGGETT. That's right, and I believe, as I understand it—

The CHAIRMAN. He said dating.

Senator THURMOND. Let him get through.

Mr. DOGGETT. Pardon?

The CHAIRMAN. I am worried about your instances. What did she ever say to you, you that led you to believe that she, in fact, had a clear understanding that you had no interest? You said that there were other instances, other than this occasion, where she said to you, I am very disappointed in you, you really shouldn't lead on women and then let them down.

Mr. DOGGETT. Right.

The CHAIRMAN. What else did she ever do or say?

Mr. DOGGETT. Nothing else, Senator.

The CHAIRMAN. That's it?

Mr. DOGGETT. Absolutely, Senator, and if she hadn't said it and hadn't been upset to some degree with—

The CHAIRMAN. Well, how was she upset again?

Senator THURMOND. Well, let him get through, let him get through, let him answer.

The CHAIRMAN. OK.

Mr. DOGGETT. It was her, she was intense. I do not believe she raised her voice, but this was not just, hey, guy, you know, be careful as you characterized it, this clearly bothered her. And I hear what you are saying, Senator, and I respect your opinion and I am not trying to argue with you but for me, in that time, in that room, that shocked me and maybe it would have not shocked you, it shocked me.

The CHAIRMAN. I appreciate that. I do appreciate that. I sincerely do. Let me tell you what I thought when I first was told about this.

Mr. DOGGETT. OK.

The CHAIRMAN. I thought it was the case of a woman walking up to someone she never had spoken to other than in passing business, watched him jog, said hello to them and then all of a sudden at a going away party walked up and called him aside and said, I don't know why you led me on like this.

That to me, if a woman did that to me, I may either think she is nuts or be flattered but I would wonder, at a minimum. I would walk away going "where did that come from?" Whether she called me or I called her, if I had agreed on one occasion to go to dinner with her, and if I had known that she had, if I felt that she had an

interest in me, if the dinner date was broken, if she called me to ask me why.

If I said nothing and remained silent, and did not say, look, I just don't want to go out to dinner with you, I was just polite and said nothing. And then she came up to me and said that one sentence, I don't know how, quite frankly, a reasonable man could conclude from that to be stunned and shocked that this woman is fantasizing because she has a male complex—what was your phrase about complex? Come on, earn your salary. There is some place in there where you say, this must mean that she is used to be, this is a complex from being rejected by men.

Mr. DOGGETT. It is on page 3.

The CHAIRMAN. The fact, you believe Ms. Hill's fantasies about my sexual interest in here were an indication of the fact she was having a problem with being rejected by men she was attracted to. It seems to me that is a true leap in faith or ego, one of the two. [Laughter.]

Senator SIMPSON. Are we playing to the audience now?

The CHAIRMAN. No, I am not.

Senator SIMPSON. Well, then let's stop the crowd from responding. You have done that before and they have responded about six times now.

The CHAIRMAN. If anyone else responds they are out and the reason I probably didn't is I am so intensely involved in this, I did not do that. Please, if anyone else responds I ask the police officers to move them out, I mean that sincerely.

Mr. DOGGETT. Would you like for me to respond to your question?

The CHAIRMAN. I would like you to say anything you want. I mean I truly would because I am having trouble understanding this one and I won't say anything more.

Senator THURMOND. Now, take your time and say what you please.

The CHAIRMAN. As long as you want.

Mr. DOGGETT. I appreciate your concern.

The CHAIRMAN. My confusion, not concern.

Mr. DOGGETT. I assumed you were concerned also.

The CHAIRMAN. No, I am not concerned.

Mr. DOGGETT. I appreciate your confusion and I will do what I can to try to clarify it. A, I clearly reacted to this event differently than you would and I respect our differences of opinion.

B, there were a number of occasions when Gil Hardy and others who were black Yale Law School graduates made an attempt to bring together those of us who were in town, including people like me who were not practicing law and who were not involved in the political process, so that we could have social fellowship. We had parties, and other get-togethers.

I observed from a distance—and I am not a psychiatrist, I am not an expert, just a man—Anita Hill attempting to be friendly with men, engage them in conversation, initiate conversation, elongate conversations, and people talking with her and eventually going away.

The CHAIRMAN. Can you name any of those men for us, for the record?

Mr. DOGGETT. Sir, 8 almost 9 years have gone by. If she had filed a sexual harassment charge—

The CHAIRMAN. That's not the issue—

Mr. DOGGETT [continuing]. I would be able to do that because we would be in 1983 or 1984 given the statute of limitations. Which is why you have created a statute of limitations. It is too long, I cannot, sir.

I also remember, sir, the first time I went to Clarence Thomas' office, I was going to talk to somebody who was a classmate of mine about why he had become a black Republican Reaganite, because I had some real concerns. And as I went into his outer office, Anita Hill happened to walk by and she tried to stop me and engage me in conversation and acted as though she thought that since we were all black Yale Law School graduates, I should say, well, let's go in and talk with Clarence, which I did not.

Clearly, people can disagree as to whether or not my observations and conclusions are ones that they would make. But I assure you that based on my experiences and my observations of Anita Hill, both in terms of how she related to me—and let's talk about the jogging incident, Senator. When I was running by I was timing myself with my watch and my interest was to run in place for maybe 30 seconds, be polite and keep going. The reason we continued to talk was because she wanted me to continue to talk. That is action on her part, sir.

The CHAIRMAN. Can I ask you a question, why didn't you keep running?

Mr. DOGGETT. Because the group of black Yale Law School graduates is a very small, a very close, and a very special group and it is like a family. Gil Hardy, the man who introduced Anita to Clarence Thomas was one of the leaders of that group. We did what we could to be as supportive as possible.

Senator I graduated in 1972. She graduated in 1980. She was significantly younger than me, she seemed to be lonely in this town. I was not going to try to make this woman feel that I was not going to be straightforward with her as a professional. There have been other women who have made it very clear that to me that they have been interested in me and I have said, I am not interested. Anita Hill did nothing to deserve me to slam the door in her face. She was one of the Yale Law School black fraternity and there are very few of them, Senator.

Now, I agree that others may interpret my conclusions differently but that's how I saw it and that's why I said what I said.

The CHAIRMAN. I appreciate that and I thank you very much.

Dean, did you work for Clarence—this is the first time I knew this, I should have read the record more closely—did you work for Clarence Thomas when you spent most time with Anita Hill, Professor Hill?

Mr. KOTHE. I would have to say it this way. I worked for Clarence Thomas after I worked with Anita Hill. She was a professor on our faculty. When I retired as Dean, I became special assistant to Clarence Thomas. I think in large part through what she did in initiating our arrangement.

The CHAIRMAN. Thank you.

Now, from your testimony I got the impression though that the time that you spent the most time with Anita Hill was in setting up that conference you referred to on harassment.

Well, let me not say most time. You said there was a conference that you were setting up on harassment and Anita Hill was participating in that. And you were surprised that if she had been harassed she would have said something to you at that time. Were you working for the man that she alleges harassed her when you were surprised that she did not say something about harassment?

Mr. KOTHE. Yes, sir, it was in 1987 and I had already been working with Thomas then—

Senator THURMOND. Talk into the machine so that everybody can hear you.

Mr. KOTHE. Yes, I had been working with Chairman Thomas at that time for probably two years.

The CHAIRMAN. So I want to just make sure I understand. You made a statement which I thought was fairly powerful and obviously accurate. You said that one of the things you pointed to as evidence of the fact that Anita Hill's assertions are probably not true is with regard to a conference on harassment she worked with you in setting up. And you said, and I am paraphrasing, that if she had been harassed why would she not say to me that she had been harassed when the purpose we were getting together for was to discuss harassment?

And I ask you, in light of the fact that you worked for the man who allegedly harassed her, would it surprise you that she would not confide in you? Sir, I mean that sincerely?

Mr. KOTHE. Well, precisely and that is what I said in my opening statement.

The CHAIRMAN. That's what I did not understand. Thank you.

Mr. KOTHE. How could it possibly be that a person was talking to me about being a featured speaker on the subject of sexual harassment and never, ever have said, I have been harassed, I have been exposed to this, I know if from personal experience, never ever?

The CHAIRMAN. Now, what I am saying Dean, as a trained lawyer, does it surprise you that a person who says they were harassed now, would not say to you she was harassed when she would then have to tell you that the man who harassed her was your boss?

Mr. KOTHE. It not only surprises me, it completely confounds me. How could it possibly be that a person as intelligent, as decent, as dignified as this young woman was could talk to me about having a program of sexual harassment and never say, I personally have experienced it?

The CHAIRMAN. Thank you, very much. My time is up and I yield to Senator Thurmond.

Senator THURMOND. Senator Specter.

Senator SPECTER. Thank you, Mr. Chairman.

Mr. Doggett, we have been searching in the past week, and you are right when you talk as an experienced litigator, the speed with which this matter has been put together. I have never seen anything like it. I doubt that there has ever been as complex a matter as this put together in this kind of a hearing sequence, calling of

witnesses and examination as we have proceeded with overnight transcripts in trying to move through in an orderly process.

And we are doing it at the mandate of the Senate and those of us who are doing it, at least, this Senator has some concern about doing it at this speed. We are doing it the best we can. And we have been trying to figure this matter out.

And we have been going on the proposition most of the time, and it hasn't been very long, that either he is lying or she is lying. I have been trying to figure it out myself on the credibility issue or the perjury issue. And as the matter has evolved I have started to explore a third alternative. And that alternative was suggested to me when I read on the same day, which was last Thursday, the affidavits of Professor Kothe and the affidavit of Mr. Doggett.

And I had not seen, I still have not seen Professor Kothe's affidavit of the 10th. I have your affidavit of the 7th, where you had the word fantasy in, but as you say, you have changed it.

But I am fascinated, Mr. Doggett, by your pinpointing the John Carr issue. And I think that could bear some additional clarification because, as you testify about it, as I understand your testimony—

Senator THURMOND. Senator, you had better wait a few minutes, somebody is talking to your witness. And let him get through.

Senator SPECTER. Will somebody stop the clock.

The CHAIRMAN. I apologize. I asked that they speak up. I just wanted to give the Dean an opportunity, if he wanted to, to take a break at this moment if you want to and come back. I want the witnesses to know if they have to get up and leave and come back they can.

Mr. KOTHE. Mr. Chairman, I have a requirement at this time. I would have to have something, protein or something.

The CHAIRMAN. Yes, that's why I asked the staff to talk to you and, Dean, you are free to come and go. Or go. You don't have to come back. I sincerely mean it. The hour is late and you have a medical requirement and I understand that.

Mr. KOTHE. I don't want to miss this.

The CHAIRMAN. Senator Specter, understandably, says he needs the dean here to ask him questions.

Senator SPECTER. I need the dean here, because I am going to talk about the dean's statement—

The CHAIRMAN. Fair enough. Why don't we yield to some on the other side who can question, who does not have questions for the dean, but wishes to ask someone else questions, and then come back to you.

Senator SPECTER. What do I have left, 14 minutes?

The CHAIRMAN. No, you can have as much time as you want.

Senator SPECTER. OK. Thank you.

The CHAIRMAN. I yield to the Senator from Ohio.

Senator METZENBAUM. Mr. Doggett, I haven't had a chance to read the full transcript of your testimony that was given in the telephone interview with several staff members representing Senator Biden, Senator Heflin, Senator Thurmond, Senator Leahy and Senator Specter.

But let me read you some portions of it, because I think we are talking about Anita Hill, and I think we need to also talk a little bit about Mr. Doggett, and this is a question to you:

Now, since we have received your affidavit and since your statement has gone public, the majority staff has received word from an individual who said she worked with you at McKenzie. Answer: Yes.

And she has made some allegations concerning yourself. Answer: All right. And did she give you a name? Answer: She did. And we will move to that. I wanted to let you know where this line of questioning was going, to turn at this time. Answer: All right. I am not surprised. Question: This morning, we spoke with a woman named Amy Graham, who said she worked with you—

Senator SPECTER. Excuse me, Senator Metzenbaum. Would you tell us where you are reading from?

Senator METZENBAUM. Yes, page 64.

Senator SPECTER. Thank you.

Senator METZENBAUM [reading:].

Who said she worked with you at McKenzie & Company, and I believe you started down there in August of 1981. Answer: That is correct. Let me tell you generally what her allegations were, and then I will ask you some questions, and then I will turn back to Ms. DeOreo, to follow up with some questions. Answer: All right.

Question: Ms. Graham indicated that, on her first day of work, when she met you, along with other people in that office; first of all, very succinctly, do you remember Ms. Amy Graham? Answer: I do not. Question: You do not? Answer: I do not. Question: She claims that, on her first day at work, at some point in the day, I believe she said—I don't have the transcript available yet, but at some point during the day you confronted her in the hall, in front of an elevator, and kissed her on the mouth and told her that she would enjoy working with you very well. She also—Answer: You know, I also got—I deny that. I didn't remember the woman, and that is outrageous. I also got a message on my answering machine after you guys went public with my affidavit, saying "This is your Texas whore from five years ago." Somebody, I don't know, never met, who decided that she was going to claim to be my whore. Question: Mr. Doggett, let me just tell you generally her allegation, and then I will give you adequate opportunity to respond. I think that, in all fairness, that you need to know what she said, and then you can respond overall. She also claimed that, during the time that she worked there—she was 19 years old when she began work, she is 29 years old now—she also claimed that at times, in front of the copying machine—and again, I am just going from my recollection, I don't have the transcript—that you would rub her shoulders at the copying machine. At the time, you suggested to her, "Oh, you are making copies, that is sort of like reproduction, isn't it?" She also said that some of your conversation dealt with sexual innuendo, there was sexual overtone in your talk. But what struck me, though, is she also said that you weren't in the office very much. So, first, if you could respond to Ms. Graham's allegations, and then I have some questions I want to discuss with you.

I am still reading:

Answer: I do not remember Amy Graham. If she was there, she was not there as an associate or as a researcher or as a consultant, but was there as a part of the secretarial staff. I never made any comments or statements to anybody like that. I never did anything like that, so I categorically deny it. I am, quite frankly, not surprised that somebody has come out of the woodwork to make a claim like this. That's the nature of this business.

That is on page 76.

We now turn over to page 77, again the question—I was not present at this and I am only reading from the transcript: "Question: Okay. Fine. So, I understand that you didn't have much conversation with Mr. Chisholm. Let me ask you, do you recall the name Joane Checci? Answer: Joane Checci, yes, I do remember that name. She designed business cards for me and stationery for me, when I was getting ready to leave the firm and become an independent consultant. Question: Do you recall ever touching Joane

Checchi? Answer: I never recall doing anything other than standing next to her. I may have brushed her when I was standing next to her, as she was designing business stationery, but I never remember. Question: Do you remember giving any neck massages? Answer: I don't remember, but if she had asked for one, I would have."

Then we go over to page 84:

*Question:* Mr. Doggett, so I don't leave one more thing hanging out there that has been alleged against you, I want you to have an opportunity to clear your name. I recall one other thing Ms. Graham said. She said that, subsequent to your leaving McKenzie, she bumped into you on the street one afternoon or one day, and that she was still at McKenzie. She told you she had since that time received a promotion and that you responded, "Well, whom did you sleep with to get the promotion?" Answer: All right. *Question:* Did that occur? Answer: I absolutely categorically completely deny that.

Mr. Doggett, you have an interesting series of questions and answers in this transcript. I wonder if you would care to tell us what are the facts with respect to these several ladies who have raised questions concerning your own conduct?

Mr. DOGGETT. Senator, your comments about this document are one of the reasons that our process of government is falling apart.

First of all, Senator, I have a copy of the statement that this person met—it is called a transcript of proceedings. But, Senator, if you read this, it is as telephone conversation that she has with some staff members pro and against Mr. Thomas, and she is not under oath. I did not do any of the things that she alleged. In fact, the first time any of these issues were raised was the day before I was supposed to come here, 8½ years later.

I knew when I put my information into the ring, that I was saying I am open season. For anybody to believe that, on the first day of work, for a woman working in the xerox room, who is 19 years old, a 33-year-old black man would walk up to a 19-year-old white girl and kiss her on the mouth as the first thing that they did, whoever believes that really needs psychiatric care.

But let me talk about the facts, since you brought up this statement, which was not made under oath, which was not made consistent with any of the rules that you Senators are supposed to be responsible for, since this is the Judiciary Committee, let me talk about that, since you asked the question and went on and on and on.

During that time that she—I have read this statement. If she had made it under oath, Senator, I would go to court, but—

Senator METZENBAUM. This isn't her statement. I am reading from your statement, Mr. Doggett.

Mr. DOGGETT. The statement that you read from was a discussion with me, and consistently your staff people said, "I don't have the transcript, I don't remember the exact facts." Well, I have the transcript and the exact facts show this woman to be a profound liar who does not even remember the facts accurately.

She said—Senator, I would suggest we all turn to "Transcript of Proceedings of Ms. Amy Graham," the woman who has accused me, the liar, page 6: "I met John Doggett the first day I started there, which I remember correctly was probably Monday, March 20, 1982."

Senator SPECTER. Mr. Doggett, what page are you on, please?

Senator METZENBAUM. I don't have that.

Mr. DOGGETT. Page 6 of the unsworn telephone conversation that Ms. Graham had with some staffers.

The CHAIRMAN. Excuse me, let me interrupt for a minute.

Mr. DOGGETT. I'm pissed off, sir.

The CHAIRMAN. It is totally out of line with what the committee had agreed to—

Mr. DOGGETT. I'm sorry.

The CHAIRMAN [continuing]. For there to be entered into this record any unsworn statement by any witness who cannot be called before this committee, and I rule any such statement out of order.

Now, I apologize for being out of the room. Was there any—

Senator METZENBAUM. I was only reading from Mr. Doggett's own statement.

Mr. DOGGETT. My statement was not under oath, sir. That was a telephone conversation and they said we staffers would like to talk with you, we have a court reporter there. I'm a lawyer, sir, it was no deposition, it was not under oath, as Ms. Graham's comments were not under oath. And since you have brought this up, I demand the right to clear my name, sir.

Senator METZENBAUM. I was only reading from his statement, not from—

Mr. DOGGETT. I demand the right to clear my name, sir. I have been trashed for no reason by somebody who does not even have the basic facts right. This is what is going on with Clarence Thomas, and now I, another person coming up, has had a "witness" fabricated at the last moment to try to keep me from testifying.

Senator METZENBAUM. Well, Mr. Doggett—

Mr. DOGGETT. I am here, I don't care, she is wrong, and I would like to be able to clear my name, sir.

Senator METZENBAUM. Please do.

The CHAIRMAN. Sir, you will be permitted to say whatever you would like to with regard to, as you say, clearing your name. If there was no introduction of the transcript of Amy Louise Graham in the record, then that is a different story. I was under the impression that had been read from. That has not been read from.

Senator METZENBAUM. I did not read from that at all.

The CHAIRMAN. It has not been read from, and I don't know what else took place, but—

Senator METZENBAUM. I read from Mr. Doggett's questions asked of him—

The CHAIRMAN. Mr. Doggett, please, as much time as you want to make—

Senator METZENBAUM [continuing]. By the staff of Senator Biden, Senators Heflin, Thurmond, Leahy and Specter. My staff was not even present. I am just asking you if you would please go ahead and respond in any manner that you want to clear your name.

Mr. DOGGETT. Yes, sir.

Senator SPECTER. Mr. Chairman, you were not here, but what happened is that Senator Metzenbaum was reading to Mr. Doggett from Mr. Doggett's unsworn statement of the telephone interview—

Senator METZENBAUM. That's correct.

Senator SPECTER [continuing]. And that statement involved questions from Ms. Graham, who was questioned similarly in an unsworn statement over the telephone, and for Mr. Doggett to reply to what Senator Metzenbaum had asked him, since Senator Metzenbaum was basing his questions on what Ms. Graham had said, it is indispensable that Mr. Doggett be able to refer to what Ms. Graham said—

The CHAIRMAN. It is appropriate for Mr. Doggett to refer to whatever he wishes to refer to at this point, in light of where we are at the moment.

Mr. DOGGETT. Thank you, Mr. Chairman.

The CHAIRMAN. So, Mr. Doggett, proceed.

Mr. DOGGETT. I will tell you, Senators, before I talk about the specifics, I debated, myself and with my wife, whether or not to start the process that resulted in me being here, because this is vicious, and I knew, since anything I said was going to raise the question about the credibility of Professor Anita Hill, as a lawyer, that meant my character was open season.

I have never been involved as a candidate, although I have always said you can't complain about the process, if you're not willing to put your ass on the line—pardon me, I am sorry. I am sorry about that.

Senator METZENBAUM. Mr. Chairman—

Mr. DOGGETT. But I have said if you don't like the way the political process is, then you have to get into it and you have to get into the fray.

So, I said, okay, if I submit this information to this committee, then I am open season and people are going to shoot at me, and I do not care. I have information I think the committee needs to hear. If they feel it is relevant enough for me to be here, I will be here and I will take whatever occurs.

But I will tell you, sir, I have had lawyers and professional people in Texas and around the country say that I was insane to subject myself to the opportunity to have something like this crawl out from under a rock. They have said I should have just stood on the sidelines and let it go by.

I am an attorney, sir—

Senator METZENBAUM. Mr. Doggett—

Mr. DOGGETT [continuing]. I am a businessman and I cannot allow this process of innuendo, unsworn statements and attacks on characters to continue, without saying it is unacceptable.

Now, specifically, page 6 of her unsworn telephone conversation with Senate staff, dated the 12th of October, 2 days ago, says, "I met John Doggett the first day I started there, which, if I remember correctly, was probably Monday, March 20, 1972. At that"—

The CHAIRMAN. I will let you continue, but you ought to seek your own counsel for a minute here. No one has read anything into the record, as I understand—

Mr. DOGGETT. Now—

The CHAIRMAN. No, wait, let me finish.

Mr. DOGGETT. Yes, sir.

The CHAIRMAN [continuing]. That you may be about to read into the record. Let me say that anyone who asks you—that I think it is unfair—that you were in a telephonic interview, whether it is

sworn or unsworn, are asked about an uncorroborated accusation that is not sworn to, and then in open session you are asked from your statement about that same statement, that's no different than as if it was introduced without—if the original statement were introduced, which is inappropriate.

Now, all I am saying to you is this: I believe you are entitled to say whatever you wish to say here, and I believe we are beyond the bounds here.

Mr. DOGGETT. I understand.

The CHAIRMAN. The question I want you to think about is whether you want to further give credence to an unsubstantiated, unsworn to statement of someone that may be completely lying. It is up to you to make that judgment. That is your call, but I would think about it.

Mr. DOGGETT. I appreciate your comments and I apologize for getting angry.

The CHAIRMAN. No, you have no reason to apologize.

Mr. DOGGETT. No, I am going to apologize, sir. This is a difficult process. I have only been up here for a short period of time and you have been here, as I understand it, for a very long period of time.

Let me say, without reading the statement or putting in that "evidence," since I am under oath, comments made by this person, that they are wrong, that at the time the allegations, the unsworn allegations were made, I was in the midst of a major project with McKenzie & Company regarding the Comptroller of the Currency, where we had just found, from a computer analysis, that bank deregulation would result in bank failures and savings and loan failures that exceeded the historical limits of bank failures over the past ten years.

We were in the midst of that analysis, we were frightened by the information that we had found, and we were doing everything we could do to prove ourselves wrong, and it is in the context of that time that this person, whom I do not remember, claims that I would walk up to her and do that.

At the same time, Senator, I had just started a relationship with an attorney, a very intense relationship. The facts are wrong.

Second, that person, as read by Senator Metzenbaum, alleges that I was getting ready to leave the firm at that time. Senator, after I finished that Comptroller of the Currency study, in approximately April of 1982, in May of 1982, McKenzie & Co. sent me to Copenhagen, Denmark, to spend the summer working for our Danish office. That is not exactly an exit strategy, sir. That was one of the most prized assignments that the firm had.

The facts in this uncorroborated, unsworn to statement are not even consistent with the facts of my life. So, without trying to put this thing into the record, all I can say is that I expected somebody to do something like this, because that is what this process has become, and one of the reasons I am here is to work with you gentlemen to try to take the public process back into the pale of propriety.

Now, second, when I was the director of the State Bar of California's Office of Legal Services, I had the opportunity to hire two deputies. Both of those people were women. In fact, when I knew

that I was going to leave the state bar to go to Harvard Business School, the person I hired to replace me was a woman.

I have a very clear long record of commitment, sensitivity and support for women having the greatest role possible, but I am afraid that the outlandish allegations of Anita Hill are going to result in us feeling that it is inappropriate for us to be human beings with people if they happen to be women. Nobody would ever question me if I put my hand around this man, who I have never met.

The CHAIRMAN. He might.

Mr. DOGGETT. Well, maybe he would. [Laughter.]

But I hope we don't get to the point where if anybody by any way, accidentally or purposely, innocently touches somebody of the opposite sex, that becomes sexual harassment.

The CHAIRMAN. I would really like this to end. Let the record show, and I am stating it, there is absolutely no evidence, none, no evidence in this record, no evidence before this committee, that you did anything wrong with regard to anything, none. I say that as the chairman of this committee. I think your judgment about women is not so hot, whether or not people fantasize or don't. You and I disagree in that.

Mr. DOGGETT. Yes, sir.

The CHAIRMAN. But you did nothing. There is no evidence, the record should show, the press should show, there is absolutely no evidence that you did anything improper, period.

Mr. DOGGETT. Thank you, Senator.

Senator THURMOND. Mr. Chairman, would it be proper to expunge from the record, then, that information that came out?

The CHAIRMAN. Well, fine, but Senator, I would hope you would read from his statement of questions asked of him. It is a little bit like if someone asked me over the telephone, "Are you still beating your wife?" and I answer yes or no, it doesn't matter. I am still in trouble. And then someone says, "I am reading only from your statement, Mr. Biden. You are the one that mentioned your wife." I never did.

And I know that is not what the Senator intended, but that is the effect. It is no different than just putting this unsubstantiated material in, and I want the record to show I don't think anything that is unsworn and I don't think anything in an FBI record is anything—up until the time it is sworn or the person is here to be cross-examined—is anything but garbage.

Mr. DOGGETT. Thank you, sir.

The CHAIRMAN. Senator, I apologize for the interruption—

Senator THURMOND. Mr. Chairman?

The CHAIRMAN. Yes?

Senator THURMOND. Would it be proper for you to explain for the record those parts that you feel were improper?

The CHAIRMAN. Yes, and I will.

Senator THURMOND. Thank you.

The CHAIRMAN. Now, Senator, please continue, not along the lines of what someone said he said, and he had to respond to what they said.

Senator METZENBAUM. I am not saying what somebody said he said. I am asking him what he said. He said that he did not remember Ms. Amy Graham, that he did not know Amy Graham.

You also indicated that she was white and 19. How did you know that?

Mr. DOGGETT. Senator, when your staff or the staff of the committee—

Senator METZENBAUM. My staff has not been in touch—

Mr. DOGGETT. Excuse me. When the staff of the committee—I corrected myself—made these allegations to me, one of the things I said, and if you read my complete statement, you will realize it is there, is that although I do not remember this person, that does not mean this person was not there; that it is possible that she did work at McKenzie and Company. I just do not remember her. I said that. OK?

The second thing I did after the staffers of committee hung up was to call an associate of mine who started at McKenzie in the company with me, at the same time, a man named Carroll Warfield, and I asked him if he remembered this woman because I did not remember her name at all. I did not remember her face. Nothing about her came into my mind, but I knew it was possible she could have been there. Senator, it has been eight or nine years and I, even I can forget people.

He said, "Oh, yes, I remember her," and he was the one who indicated to me that she was white. That, as far as the age 19, I believe you read that when you read statements that I responded to from the Senate Judiciary Committee staff, and that is how we got the age 19, sir.

Senator METZENBAUM. No, I think it was your statement, but we will just drop it, Mr. Chairman.

The CHAIRMAN. All right. Thank you. Now let me make one other thing clear. The exception to unsworn statements being placed in the record is when the witnesses stipulate that they are admissible, when the parties mentioned in the statements stipulate they are admissible, and when the committee stipulates they are admissible, which is the case of the Angela Wright stipulation. That is different, so no one is confused later, that there is a fundamental distinction.

Now, Senator, who had the—

Senator THURMOND. The distinguished Senator from Pennsylvania.

Senator SPECTER. Well, thank you, Mr. Chairman. I was in the midst of questioning Mr. Doggett and Professor Kothe when we had to take a brief recess for Professor Kothe, so I shall resume at this point.

I think it is worth noting, Mr. Chairman, to amplify what Mr. Doggett has said—if I could have the attention of the chairman for just a moment—

The CHAIRMAN. Yes. I'm sorry.

Senator SPECTER. Late yesterday evening when we caucused and the chairman stated his intention to try to finish the hearings today—

The CHAIRMAN. Yes.

Senator SPECTER [continuing]. I then reviewed what had to be done, and at about 6:45 this morning called Duke Short and said we ought to have Mr. Doggett here, and that is why he was called this morning at about 7 o'clock, he said—

Mr. DOGGETT. 6:30, sir.

Senator SPECTER [continuing]. 6:30 central time, so he has been on that track to accommodate our schedule so we could finish today.

Mr. DOGGETT. I don't mind staying here as long as you need, sir.

Senator SPECTER. Well, that is probably going to happen. [Laughter.]

Mr. DOGGETT. I sense that.

Senator SPECTER. I want to explore with you what conceivably—I don't want to overstate it—could be the key to the extremely difficult matter we are looking into. And I had said, shortly before my line of questioning was interrupted, that we have been working on the proposition that either Anita Hill is lying or Judge Thomas is lying.

And we have explored earlier today, with a panel of four women who favor Judge Thomas but who knew Professor Hill very well, the possibility that there could be in her mind that these things happened when they really didn't. And I developed that question after talking to a number of my colleagues, because we have been discussing this matter all day, and it originated with the two affidavits or statements, your affidavit, Mr. Doggett, and Professor Kothe's statement that was not sworn to, where the word "fantasy" was used.

And it may be that we are not limited to the two alternatives, one, that he is lying; two, that she is lying. Perhaps they both think they are telling the truth, but in Professor Hill's case she thinks it is true but in fact it is not. And you testified to a very interesting approach when you referred to the testimony of Mr. John Carr, whom you said you went to graduate school at Harvard with, where you made a key distinction between the way Professor Hill viewed the relationship and the way John Carr viewed the relationship. And I think it would be worthwhile if you would amplify that, as you had started to articulate it earlier.

Mr. DOGGETT. Senators, at every step—in fact I remember when I was at Yale Law School seeing Senator Kennedy give a speech to people at Yale, back in the early seventies—at every step of my education, at Claremont Men's College, at Yale Law School, at Harvard Business School, one of the things I tried to do was to provide assistance to make sure that black law students and Hispanic law students would have the best possible opportunity to do as well as possible, because I had something to prove, Senators. I had had people tell me that I could not be good because I was black, and I was out to prove them wrong.

Because of that, I was asked by my colleagues at Harvard Business School, in part because I was an older student and in part because of my commitment to excellence, to be the Education Committee chairperson for the African-American Student Union, and to organize tutorial study groups and other support activities to make sure that every one of our people had the best possible

chance to do as well as possible, to excel. That is how I met John Carr.

I know John Carr, and I think I know him well. I definitely know him better than I know the judge and I know the professor. I saw John Carr this May at Harvard Business School for our 10th Harvard Business School Alumni reception, reunion, and we talked.

In those 10, 12 years, John Carr has never mentioned Anita Hill to me. We have talked about women John Carr has had relationships with. I have called him up at times and said, "Hey, man, haven't you gotten married yet?" because we were that close, and he would say, "Well, you know, there really hasn't been anybody special." We have talked about the issue of John Carr's personal life, and her name never came up in the way that she described herself.

I, as the Senator asked me, am not a psychiatrist, I am not a psychologist, and so maybe I am not qualified to use the term "fantasy" from a professional standpoint, but as a lay person and an individual, that is what I felt. And given what John Carr has said and has not said, given what the Professor has said, given that she has described a series of activities where Clarence Thomas was obsessed with her—every time she said no, he would try to get her to relent and go out with him, over a period of years, obsessed with her—I have to deal with the realities that if he was so obsessed with her, why did he never talk to me about her or anybody else about her?

One of the things, Senator, that stunned—I won't use that word again—that amazed me about the testimony of the women who worked with Anita Hill and Clarence Thomas, is that they came up with conclusions very similar to what I put in my affidavit, and these are women I have never met. These are women who knew both of the people involved in this hearing at this stage far better than I did.

I was going to a gut sense, on male intuition. They were saying the same thing, without any communication between the four of them and myself, based on years of observation. I find that amazing.

Senator SPECTER. Mr. Doggett, you heard the testimony of the panel with Ms. Berry on it? You were in the hearing room at that time today?

Mr. DOGGETT. Hearing room at the end, and I was at the hotel looking at it on TV, sir.

Senator SPECTER. So you saw the panel with Ms. Alvarez, Ms. Fitch, Ms. Holt—

Mr. DOGGETT. I saw most of what they said, although I missed part of it as I was coming here to appear before you gentlemen.

Senator SPECTER. Did you hear the part where Ms. Berry testified to amplify an interview which she had given to the New York Times, that Professor Hill was rebuffed by Judge Thomas?

Mr. DOGGETT. I do not remember the exact facts, but I heard most of her response to the New York Times—

Senator SPECTER. Well, I think it would be worthwhile for you to refer to whatever you heard of their testimony, in terms of their statements as to the relationship between Judge Thomas and Pro-

fessor Hill, because their testimony was extensive as it relates to the approach you are articulating.

Mr. DOGGETT. Right. My experience with Clarence Thomas and Anita Hill was inconsistent, as I said, with what she was alleging, and based on my experiences over a period of a year and a half with Anita Hill and over a period of 7 or 8 years with Clarence Thomas, I came to some conclusions as a lay person, as an individual, as an untrained non-professional, where I used the words "fantasies" and I talked about her possibly reacting to being rejected. I did that sitting in Austin, Texas, Thursday afternoon, on my computer with my word processing software.

Today, gentlemen, as you know, four women I have never met and have never talked with came to the same conclusion based on extensive experience and observations with Anita, with Professor Hill and Judge Thomas. Mine was just intuition, gentlemen. Theirs was based on experience, and we both came, all five of us came to essentially the same conclusion. That surprised me, but now I am not surprised.

Senator SPECTER. Mr. Doggett, what similarities, if any, do you see between the description you have made of your own relationship with Professor Hill, where you categorized in your affidavit her response to being rejected, and the relationship which Professor Hill had with John Carr, where she had exaggerated the relationship as you have testified from your personal knowledge of the two of them, and the relationship with Judge Thomas, where she has represented the kind of a relationship which Judge Thomas has flatly denied and others who know the two of them think totally implausible?

Mr. DOGGETT. In my case, Senator, which I obviously can talk about the clearest, she came up to me before we left—before she left for Oral Roberts University, and basically chastised me for leading her on, and gave me in effect advice that I should not in the future lead women on. I felt at the time, and the good chairman of this committee notwithstanding, I still feel at this point and I will always feel that that was totally inappropriate, given everything I tried to do to be a supportive, older upper-classman, part of the Yale Law School group.

Regarding Mr. Carr, John Carr, Attorney Carr, my friend, I have had a series of conversations with this man over the past decade. He has never, ever said that he was dating Anita Hill. When he was here under oath he said, to paraphrase him, "I would not define our relationship as a dating relationship."

Regarding Judge Clarence Thomas I have the least information, because he never, ever at any time mentioned this woman to me. And at the time, the one time that I have concrete observation about her perception of how she thought she should be treated by me vis-a-vis Judge Thomas, she wanted to go into Judge Thomas' inner office at EEOC because she felt that was appropriate, and for me it didn't make any sense at all.

So in those three instances—my own personal experience, a statement by a business school colleague and friend of mine, and my one observation about Anita Hill and Clarence Thomas back, I believe, in 1982, there is a consistency in a perception of something that did not exist.

Senator SPECTER. Mr. Doggett, do you think it a possibility that Professor Hill imagined or fantasized Judge Thomas saying the things she has charged him with?

Mr. DOGGETT. You know, part of what makes this so unpleasant for all of us is that her charges are so clear, explicit, and extreme. I know how difficult it has been for me to even remember what happened back in 1982, so one of the things I did was take some time off from work to look at Anita Hill when she was testifying before this committee, and I will tell you gentlemen, she looked believable to me, even though the words she was saying made absolutely no sense.

I believe that Anita Hill believes what she has said. I believe, and I am saying this under oath, that there is absolutely no truth to what she has said. But I believe that she believes it.

I was impressed with her confidence, her calm, even though the things she was saying in my mind were absolutely, totally beyond the pale of reality.

Clarence Thomas told me in his office that "These people are going to shoot at me. I have a target on my back. It is one of my jobs to make sure that I am not going to be the black in the Reagan Administration that gets tarred and feathers."

Doing what she alleges that he did with her was a prescription for instant death. Clarence is not a fool. And quite frankly, Anita Hill is not worth that type of risk.

Senator SPECTER. Thank you very much, Mr. Doggett. Very powerful.

Professor Kothe, just a question or two, and this is following up on what Senator Biden had asked you, and it relates to the testimony which you had given that Professor Hill was very complimentary about Judge Thomas. There has been considerable testimony given by people who have tried to explain Professor Hill's activities in the sense that she was controlled by Judge Thomas when she worked for him, and that even after she left him she needed him for a variety of assistance.

But my question to you is did there come a point where she had sufficient independence from Judge Thomas so that a continuation of laudatory, complimentary comments which you have testified about would tend to undercut her credibility that he had said these dastardly things to her early on?

Mr. KOTHE. I am not so sure that I grasped the essence of your question. I don't know that she was ever dependent upon him for adulation. She had a continuing relationship, I think of a professional nature, with the EEOC. She was doing some studies and getting materials from them, and the things that we were working on together, we both derived information from the EEO office.

Just how extensive was her continued interaction with Chairman Thomas, I really don't know.

Senator SPECTER. Well, let me break it down for you, Professor Kothe, to this extent. You have testified that you thought her charges were inconceivable, as I think you have earlier said. Is that correct?

Mr. KOTHE. Yes. Absolutely.

Senator SPECTER. And you have based that on your testimony that when you would talk to her about Judge Thomas she would consistently compliment Judge Thomas. Correct?

Mr. KOTHE. Correct.

Senator SPECTER. So, is it your conclusion that if she consistently said complimentary things about him that it could not be true that he had done these dastardly deeds?

Mr. KOTHE. Yes, that would be my conclusion. It is just so utterly incongruent and inconsistent that a person that would speak of him almost reverently as a hero, as a person—a remarkable person, she would say, as a person of untiring energy, she spoke of him, as I said earlier, as a devoted father.

I have never heard her speak of him but in pretty much relatively glowing terms. Never have I heard her say anything critical about him, even when we were discussing the subject of sexual harassment.

So, in that situation with a person that I respected and a person that I admired, I just cannot in my mentations equate how utterly impossible, grotesque statements could be made about this person that she spoke of to me with such high admiration.

Senator SPECTER. The follow-up question to that is some have sought to explain her continuing association with Judge Thomas on the basis that she needed him, that he was her benefactor. And my question to you is would it be necessary for her to go as far as she did in the kind of complimentary statements she made to you on a personal basis to maintain that kind of an association where she could go back to him, for example, for letters of recommendation?

Mr. KOTHE. Well, certainly she needed no further letters of recommendation after she established herself as a teacher. She was a good teacher.

This is not a young woman that is obsequious and fawning and retiring. She was a very positive person. In our faculty meetings she was forthright. She was always a strong person. She didn't need Clarence Thomas to continue in her career of teaching, which she has done and become tenured at the University of Oklahoma.

Senator SPECTER. So your conclusion was when she complimented Judge Thomas she meant it?

Mr. KOTHE. I had no reason to believe she didn't.

Senator SPECTER. And, if she complimented Judge Thomas, it would be totally inconsistent with his having said these terrible things to her?

Mr. KOTHE. Utterly inconsistent.

Senator SPECTER. And the final point is the one where Senator Biden asked you would she have been reluctant to talk to you in truthful derogatory terms considering the fact that you were in a sense an employee of Chairman Thomas?

Mr. KOTHE. I wouldn't think there was any basis for her having a reluctance to disclose to me anything that was of that nature if, indeed, it were a fact. I think that our relationship was such that she could have confidence in me.

I didn't need the position with Clarence Thomas. She didn't need Clarence Thomas to keep the position she had. We were both ad hoc in that sense, working on something that was avocational with us, from the point of view of our then situation.

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

The CHAIRMAN. Thank you, Senator. The Senator from Massachusetts indicates he would like to question.

Senator KENNEDY. Just for a moment, Mr. Doggett. When you were at Harvard, did you say you headed the Afro students' organization for student assistance?

Mr. DOGGETT. Senator, what I said was that in the second year I was asked by my co-students to be the chairman of the Education Committee, of what at that time was called the Afro-American Student Union.

Senator KENNEDY. And that was a tutorial program for kids in Cambridge, or what was that?

Mr. DOGGETT. No. Harvard Business School has a program to weed out people that it does not feel deserve an Harvard MBA. It is called hitting the screen. It is one of the most intense academic experiences that they have.

The Afro-American Student Union is a membership organization of black American students at Harvard Business School, and those of us who are second-years organized programs to do what we can, not only to prevent first-years from hitting the screen, but to do everything possible to make it possible for them to excel.

My fellow students asked me to be the chairperson of this committee and to organize programs for Harvard Business School MBA students in their first year.

Senator KENNEDY. Well, that is fine. I was just interested in whether you were working through the Phyllis Brooks House or community programs. Because the Business School, I believe, has a program. I just wanted to see whether you were associated with it.

Mr. DOGGETT. No, sir.

Senator KENNEDY. Thank you very much.

The CHAIRMAN. Senator Brown?

Senator THURMOND. Senator Brown?

Senator BROWN. Thank you, Mr. Chairman.

The CHAIRMAN. I am sorry. I am sorry.

Senator LEAHY. Mr. Chairman, we go 20 some odd minutes on that side, 38—I am sorry, 48 seconds on this side. Just a couple of questions.

Senator THURMOND. Are we next over here?

The CHAIRMAN. Well, apparently Senator Kennedy yielded the remainder of his five minutes.

Senator THURMOND. Hold off for just a minute then.

Senator BROWN. OK.

Senator LEAHY. Mr. Doggett, you said that in the years that you have known John Carr, he never mentioned knowing Anita Hill. You are not suggesting that John Carr didn't know Anita Hill, are you?

Mr. DOGGETT. Absolutely not, Senator.

Senator LEAHY. OK.

Mr. DOGGETT. It is clear that he did.

Senator LEAHY. The fact that he didn't mention her to you is one thing.

Mr. DOGGETT. Senator, I asked John Carr specifically about who he was going out with and whether or not he was getting married.

Senator LEAHY. I understand. I think, though, that we should perhaps go by Mr. Carr's sworn statement here this afternoon. It might be the best testimony, rather than whether he thought it necessary to discuss it with you whether he knew her or not.

Now, in your statement you talked about how much you have known Professor Hill. You met her at a social function in 1982. You had two or three phone conversations in which you were primarily interested in having her get you in touch with Harry Singleton. You met outside, I think, Clarence Thomas's office. You bumped into each other jogging, and you explained how you jog in place, so you couldn't talk to her there. Somehow, other plans to go out fell through. Then you saw each other at a party and, according to you, Professor Hill said, "I'm very disappointed in you. You really shouldn't lead on women and let them down."

Now, you have described these contacts with her as minimal. Professor Hill, incidentally, testified she has little or no recollection of you. When I pressed her—and I asked her specifically—she said she thinks she recalls that you were tall.

Now, based on such minimal contacts with Professor Hill, how could you conclude that she had fantasies about your sexual interest in her, or do you just feel that you have some kind of a natural irresistibility?

Mr. DOGGETT. My wife says I do.

Senator LEAHY. Well, Anita Hill apparently doesn't say you do, Mr. Doggett.

Mr. DOGGETT. Sir—

Senator LEAHY. She doesn't even remember you.

Mr. DOGGETT. No, she didn't say that, sir.

Senator LEAHY. She said she barely remembers you. When I asked her to describe you she had some difficulty and thought that you were tall.

Mr. DOGGETT. I looked at Anita Hill's face when you folks mentioned my name. She remembers me, Senator, I assure you of that.

Now, to answer your question, the reason I thought her statements were so bizarre was because our contact was so limited. If we had had much more contact with each other, and as the good Senator Chairman had said, she had come up to me at the end and said, "John, you know we've been seeing, running into each other time and time again," then her comment would have been much more understandable. Since we had had so little contact, I found it to be a bizarre comment.

Senator LEAHY. You have remarkable insight into her: You are able to watch her face and know when we mentioned your name, "By golly! John Doggett's name gets mentioned, this woman is, Wow!"

It really triggered a bell; is that what you are saying? I don't understand. Mr. Doggett, I know this has been an interesting experience for you. You have talked about how Tom Brokaw's office is looking forward—

Mr. DOGGETT. Sir, it has not been interesting. It has been very painful, been very difficult. It has interfered with my life. It has resulted in me getting threats and obscene phone calls on my telephone, people approaching me and accosting me in public. This is not fun, sir.

Senator LEAHY. But, Mr. Doggett, what I am saying is you had these very minimal contacts. Yet you have been able to analyze Anita Hill from just jogging in place and talking to her, and from talking to her on the phone a couple of times when you asked her to set up a meeting with somebody else, you are able to figure out that she has a problem with being rejected by men, and that she has fantasies about sexual interest in her.

Are you able to make such thorough judgments about everybody you meet for such a short period of time? And I mean that seriously.

Mr. DOGGETT. I understand, Senator. I appreciate your question and I think it is a very fair question. Let me do what I can to try to assist you in understanding how I could say what I said.

The jogging incidence, I wanted to jog in place for a few seconds and then move on. She made it very clear that she would like the conversation to be more involved by her body language, by her questions: Well, where do you live? Why are you jogging in this neighborhood? I stopped jogging and we had a conversation that lasted between 5 or 10 minutes. I don't remember exactly how long it was. It is a long time ago.

As I remember it, she was the one who initiated the suggestion that we have dinner. I also observed her from time to time at the Black Yale Law parties that we had. As she had conversations with me, my sense, unprofessional, limited as it was, was that she was trying to engage people in conversations and to prolong conversations. Based on my experience, it suggested an interest. I never saw any of those conversations result in people continuing to talk with her.

Now that is totally unscientific and it is just a point of view.

Senator LEAHY. You don't have an aversion to long conversations, do you, Mr. Doggett?

Mr. DOGGETT. When somebody is trying to, to use the terminology "hit on somebody," and the result is people walk away, and you see that happen more than one time, it leads you to believe, Senator, that maybe something is not working.

Senator LEAHY. You said in your sworn affidavit that Anita Hill was frustrated not being a part of Clarence Thomas's inner circle.

Mr. DOGGETT. That is correct, Senator.

Senator LEAHY. From these minimal contacts, you were able to deduce that?

Mr. DOGGETT. The look on Anita's face when we were in the outer office of Clarence Thomas's office at EEOC when I did not say, "I'm getting ready to talk with Clarence, why don't you come on in with me," the look on her face is the basis for that decision.

Now, you and anybody else may feel that I did not have sufficient information to justify making that opinion, but that is what I said and that is what I felt.

Senator LEAHY. Let me make sure I understand this. By her body language, you knew that she was concerned about not being part of Thomas's inner circle? From the look on her face outside of Thomas's office when you spoke to her, you are able to discern what was in her mind? And then watching her on television, by the look on her face when I mentioned your name, you are able to draw other conclusions about her remembrance of you?

Mr. DOGGETT. That is my sense, sir.

Senator LEAHY. That is all right. I just want to make sure I understand your ability of perception.

And, Dean, you have testified that the Clarence Thomas you knew could not possibly have made the statements Anita Hill claims he made, and I understand that. You stated that very forcefully, sir.

Do you believe that the Clarence Thomas you knew could enjoy talking about pornographic movies? I mean, that is one of the things that was alleged. Anita Hill alleged that he talked to her about pornographic movies. Are you saying that the Clarence Thomas you knew wouldn't even enjoy talking about pornographic movies?

Mr. KOTHE. I can't believe it. I can't just believe that this man would even think in terms of pornographic movies. All of my relationship with him was at such a high level, talking about books of religion and philosophy and the things that he was reading. I can't imagine this man would have any diversion in the area that you describe. I just can't.

Senator LEAHY. I understand. I understand, Dean.

You are aware, however, that a supporter, a Ms. Coleman, has been quoted in the New York Times as saying that at law school he didn't talk about religion or philosophy, that he talked about pornographic movies?

Mr. KOTHE. I didn't get that. Will you please say it again?

Senator LEAHY. I said you said that the man you know would talk probably about books and religion, but you could not conceive of him talking about pornographic movies. You knew that one of his supporters, strong supporters—she has written a letter to me, in fact, in support of him—a Ms. Coleman, has been quoted in the New York Times as saying that Judge Thomas used to talk about pornographic films at law school?

Does that surprise you at all?

Mr. KOTHE. It does.

Senator LEAHY. Thank you. And you have—just very quickly, you have no way of knowing from your own personal knowledge whether Anita Hill is telling the truth about what Clarence Thomas said to her?

Mr. KOTHE. No.

Senator LEAHY. And, Mr. Doggett, would your answer be the same? You know of nothing from your personal knowledge whether she is telling the truth or not? I know your opinion which you have expressed here. But of your personal knowledge, do you know?

Mr. DOGGETT. I have absolutely no information.

Senator LEAHY. And, Mr. Stewart, of your own personal knowledge?

Mr. STEWART. My personal knowledge of Clarence Thomas would lead me to conclude that she was, in fact, lying.

Senator LEAHY. But, of your own personal knowledge, you don't know whether Clarence Thomas sexually harassed Anita Hill?

Mr. STEWART. No. I don't know that we, the term sexual harass or said the things she said. I think we are confused about all of that.

I will restate my statement and say that my personal knowledge of Clarence Thomas would make it incredible for me to believe the things she has alleged.

Senator LEAHY. Do you know that Judge Thomas said that if somebody did the things that Anita Hill claims that he did, if somebody did that, Judge Thomas freely admits that that would be sexual harassment. But you don't know of your own personal knowledge whether that happened or not, is that correct?

Mr. STEWART. I don't know that it happened. I conclude that Clarence Thomas did not do it.

Senator LEAHY. Thank you.

Now, Mr. Grayson, of your personal knowledge, you don't know whether Clarence Thomas sexually harassed Anita Hill?

Mr. GRAYSON. I have no personal knowledge.

Senator LEAHY. Thank you.

Senator HEFLIN. I will just ask 1 minute and that will do it. Dean, Clarence Thomas wrote a letter of recommendation for Anita Hill to you and she became a member of the law school at the Oral Roberts University.

And is it correct that you wrote a letter of recommendation to the Dean of the University of Oklahoma Law School when she went there to teach at the University of Oklahoma?

Mr. KOTHE. I think I talked to Dean Swank, I don't remember writing the letter.

Senator HEFLIN. Well, he wrote, Clarence Thomas wrote you?

Mr. KOTHE. Yes.

Senator HEFLIN. Did you, in talking to the Dean of the University of Oklahoma Law School, did you give her a good recommendation?

Mr. KOTHE. Oh, yes.

Senator HEFLIN. A great recommendation?

Mr. KOTHE. Yes.

Senator HEFLIN. All right, thank you.

Senator SIMON. Mr. Chairman, just one 30-second comment to Mr. Doggett. When your counselor suggested the Illinois Institute of Technology rather than MIT or Cal Tech let me tell you, that counselor was recommending an excellent, superb school in Illinois. It was not a put down.

Mr. DOGGETT. All right.

Senator LEAHY. The only trouble with that, Senator Simon, is that there is probably no one up at this hour of the night to see you say that plug, but we will make sure that you have a certified copy of the record in the morning.

Senator THURMOND. Professor Kothe, I have two very brief questions. Knowing Clarence Thomas as you do, and knowing Anita Hill as you do, do you give any credibility to her charges against Clarence Thomas?

Mr. KOTHE. The last part?

Would I what?

Senator THURMOND. Do you give any credibility to her charges against Clarence Thomas?

Mr. KOTHE. No, the answer is I do not.

I can't believe that she would even say that. I can't believe that she would put that kind of words in her mouth and I can't believe that she would ever say that about Clarence Thomas.

Senator THURMOND. Well, do you give credibility to the charges or not?

Mr. KOTHE. I do not.

Senator THURMOND. What?

Mr. KOTHE. I do not.

Senator THURMOND. You do not.

The next question. You have had a close relationship with Clarence Thomas and Anita Hill. Do you believe the serious charges made against Judge Thomas by Professor Hill are true?

Mr. KOTHE. I do not believe they are true.

Senator THURMOND. You do not, that's all. I will yield to the Senator Simpson.

Senator SIMPSON. It's been a long night and thank you so much Professor, and Mr. Doggett, and Mr. Stewart and Mr. Grayson. I bet you two gentlemen wish you hadn't gone to the ABA convention in Atlanta if it was going to cost you this kind of a night, did you?

Mr. STEWART. It's well worth it, Your Honor, to clear the name of Clarence Thomas.

Senator SIMPSON. Let me tell you, it is true, you have to break it with levity because it does get so, it is so stunning. But I do ask you both, you two are really quite critical. And you have been asked very little but the questions you have been asked have been very important.

But you two are probably the two who have seen her most recently, and got an idea of her state of mind about Clarence Thomas in the midst of his travail. In other words, he has been in the tank now for 106 days. And you saw her in August and you spent 30 minutes with her, right?

Mr. STEWART. If not longer.

Senator SIMPSON. If not longer, and you talked about Clarence and lots of other things as we do, we lawyers at bar conventions.

Mr. STEWART. Mostly Clarence, because that is what we had in common.

Senator SIMPSON. And that was in an informal way, you are having a drink or just sitting, talking or just that was it?

Mr. STEWART. The former.

Senator SIMPSON. And she was very pleased about Clarence Thomas?

Mr. STEWART. Yes.

Senator SIMPSON. Or indicated that?

Mr. STEWART. Yes, Senator.

Senator SIMPSON. Proud of him, was she proud of him?

Mr. STEWART. There seems to be—there was such euphoria, I would assume she was proud of him.

Senator SIMPSON. You recall that and her voice and her demeanor?

Mr. STEWART. Laughing, smiling, warm.

Senator SIMPSON. And saying, isn't it great about Clarence?

Mr. STEWART. And how much he deserved it and that, essentially in other tones that his hard work was paying off.

Mr. GRAYSON. Senator, if I could comment. That particular afternoon was the first, and only time I have met Anita Hill and Mr. Stewart and Ms. Hill really spent a few moments sort of reminiscing, they both worked together. So, sort of as an observer, I clearly walked away from that meeting with the clear sense that Ms. Hill shared the excitement about Judge Thomas' nomination, and was, indeed, very supportive of it.

Senator SIMPSON. Well, and I am sure you found her testimony here incredible.

Mr. STEWART. Well, I think the reason we are here is incredible. It doesn't surprise me that she would say that after making all of these other allegations.

Mr. GRAYSON. I would have to say on my end, I was a bit surprised by it. I am not a student of people but I think to the extent of watching the interaction and the discussion, I was indeed surprised that the reaction was that she Carlton's enthusiasm for the Judge and didn't want to—I don't remember her exact words—but basically didn't want to ruin the mood of the little meeting that took place. If that is, in fact, the case, my response would be that she is very good because that was not clear in my perception of the conversation that took place.

Senator SIMPSON. Well, I thank you, very much for coming. And I realize the serious reason that you are both here. And Mr. Doggett, you have been dealing with the issue of what you saw of her and what she said to you. I accept your summary of your affidavit and your testimony as something you feel very strongly about. And apparently if someone else does not that is truly a difference of opinion.

But to you, from your background and the way you describe it, I understand your reaction and I believe it sounds like a natural reaction to you. And you, Professor, thank you. You have been very kind and very patient, and I would like to, if I were in law school, I would have loved to be under your tutelage. I had some rugged rascals that nearly drive me insane. I needed kindness, I needed kindness and sweetness that you could have given to me.

Senator LEAHY. They succeeded, Alan.

Senator SIMPSON. And as for Leahy—

Senator LEAHY. Alan, I think you succeeded in that insanity drive.

Senator SIMPSON. You see what happened to Leahy and I, we were in a hearing here one day and a courier came in and he said, I am looking for a bald-headed guy with gray hair and glasses and homely as hell and they said there are two of them, meaning myself and Leahy.

So I want to tell you if we all started to trot out what we did in law school that ought to be a riot for the American public. I don't know what Clarence Thomas did in law school, but I got a hunch about it. And I believe Playboy came out while I was in law school and I remember reading it for its articles and its editorial content. So maybe we can just drop all reflections of what we did in law school, what we watched. It is like doctors going to medical school and calling their cadaver certain names, you know, and lawyers doing all the black humor and the white humor and the ghostly

humor and the grotesque and the drinking. Well, some of you may have missed law school.

Anyway I thank you for coming and—

Mr. STEWART. Senator, may I make one comment?

Senator SIMPSON. Yes, sir.

Senator THURMOND. I believe we have six minutes left on this round.

Senator SIMPSON. Mr. Stewart had a comment.

Senator LEAHY. One thing I do want to say in fairness to the professor when I quoted from the New York Times Ms. Coleman's discussion of the x-rated films, the professor obviously had not seen that article. I am not going to go back to it—but out of fairness to him, could somebody from the staff just give that to the professor, please?

Senator SIMPSON. Mr. Stewart had a question.

Mr. STEWART. I would just like to make one comment. I understand the need for levity at this late hour but we are here for a very, very serious matter. I think we need not lose sight of the fact that separate and apart from Supreme Court confirmation, Clarence Thomas is a sitting Federal Judge. This process has treated him, in the last several days, like he is a foreman in a manufacturing plant. We are dealing with claims that are that's a nullity at law.

Allegations come in 10 years, eight years, whatever, way beyond the statute of limitation and I think we need to keep these things in focus and in vogue when we are trying to make a decision about who is telling what. We have two witnesses today for Ms. Hill who were told two different things. Two were told that she was being sexually harassed by her supervisor and two were told by her boss.

We still don't know who they are. There were giant leaps in logic to conclude that it was Clarence Thomas, but that is clearly not the case. Many were asked the question of why we are here? We are here because of a leak, not because of allegations, but because of a leak. This is publicized because of a leak by the committee, somebody on the committee.

Clarence should not be the person who receives the brunt of this. The very same rights that they accuse him of being against, they took from him by leaking this information.

That's all I have.

Senator THURMOND. I have propounded the question to Professor Kothe and I want to ask a second one and I just put one question to you three gentlemen.

Even though Anita Hill may believe what she said was true, in your opinion, is there any merit in the charges made by her against Clarence Thomas?

Mr. GRAYSON. In my judgment, Senator, absolutely not.

Senator THURMOND. Mr. Stewart?

Mr. STEWART. In my judgment, Senator, absolutely not. Whether they are lies or a product of fantasy, they should be dismissed.

Senator THURMOND. Mr. Doggett?

Mr. DOGGETT. Absolutely not. Clarence has been trying to do some things that are extremely important for this country and for any of the things that Anita said to have been true would have totally made it impossible for him to be successful.