

Ms. HILL. Yes, we are beyond that point, but it certainly prevailed up until that point.

The CHAIRMAN. The reason I ask that is that it is important, it seems to me, for the committee to know why someone would move from one point to the next and still hope that she didn't have to reach an end point, with the end point being a situation like this one here. Am I misstating in any way your desires as you moved along in this process or were moved along in this process?

Ms. HILL. The desire was never to get to this point. The desire—and I thought that I could do things and if I were cautious enough and I could control it so that it would not get to this point, but I was mistaken.

The CHAIRMAN. I thank you very much.

I yield to my friend from Alabama, Senator Heflin.

Senator HEFLIN. Professor Hill, we heard Judge Thomas deny that he had ever asked you to go out with him socially, dating, and deny all allegations relative to statements that allegedly he had made to you that involved sex, sex organs, pornographic films and materials and this type of thing.

You have testified that this occurred, and that he asked you to date and go out socially. You have testified here today concerning statements that he had made to you about pornographic films and materials and other things.

I, and I suppose every member of this committee, have to come down to the ultimate question of who is telling the truth. My experience as a lawyer and a judge is that you listen to all the testimony and then you try to determine the motivation for the one that is not telling the truth.

Now, in trying to determine whether you are telling falsehoods or not, I have got to determine what your motivation might be. Are you a scorned woman?

Ms. HILL. No.

Senator HEFLIN. Are you a zealoting civil rights believer that progress will be turned back, if Clarence Thomas goes on the Court?

Ms. HILL. No, I don't—I think that—I have my opinion, but I don't think that progress will be turned back. I think that civil rights will prevail, no matter what happens with the Court.

Senator HEFLIN. Do you have a militant attitude relative to the area of civil rights?

Ms. HILL. No, I don't have a militant attitude.

Senator HEFLIN. Do you have a martyr complex?

Ms. HILL. No, I don't. [Laughter.]

Senator HEFLIN. Well, do you see that, coming out of this, you can be a hero in the civil rights movement?

Ms. HILL. I do not have that kind of complex. I don't like all of the attention that I am getting, I don't—even if I liked the attention, I would not lie to get attention.

Senator HEFLIN. Well, the issue of fantasy has arisen. You have a degree in psychology from the University of Oklahoma State University.

Ms. HILL. Yes.

Senator HEFLIN. Have you studied in your psychology studies, when you were in school and what you may have followed up with,

the question of fantasies? Have you ever studied that from a psychology basis?

Ms. HILL. To some extent, yes.

Senator HEFLIN. What are the traits of fantasy that you studied and as you remember?

Ms. HILL. As I remember, it would require some other indication of loss of touch with reality other than one instance. There is no indication that I am an individual who is not in touch with reality on a regular basis and would be subject to fantasy.

Senator HEFLIN. The reality of where you are today is rather dramatic. Did you take, as Senator Biden asked you, all steps that you knew how to take to prevent being in that witness chair today?

Ms. HILL. Yes, I did everything that I knew to do, I did.

Senator HEFLIN. There may be other motivations. I just listed some that you usually look to relative to these. Are you interested in writing a book? [Laughter.]

Ms. HILL. No, I'm not interested in writing a book.

Senator HEFLIN. In the statement that was made which we refer to as an affidavit, on the—do you have a copy of that?

Ms. HILL. Yes, I do.

Senator HEFLIN. Mr. Chairman, just for part of the full record, I would move that that statement be made a part of the record.

The CHAIRMAN. Without objection, it will be made part of the record.

Senator HEFLIN. You describe on the second page, starting at the first paragraph there, about the working relationship and the various conversations, which you say were very vivid and very graphic, pertaining to pornographic materials and films and other statements of that nature.

Then you end that paragraph with these words: "However, I sense that my discomfort with his discussions only urged him on, as though my reaction of feeling ill at ease and vulnerable was what he wanted."

In other words, you are basically stating that that appeared to be his goal, rather than trying to obtain an intimate or sexual relations with you. It may be that you also felt that, though that raises quite an issue.

"However, I sense that my discomfort with his discussions only urged him on as though my reaction of feeling ill at ease and vulnerable was what he wanted." What do you mean by that? How do you conclude that?

Ms. HILL. Well, it was almost as though he wanted me at a disadvantage, to put me at a disadvantage, so that I would have to concede to whatever his wishes were.

Senator HEFLIN. Do you think that he got some pleasure out of seeing you ill at ease and vulnerable?

Ms. HILL. I think so, yes.

Senator HEFLIN. Was this feeling more so than a feeling that he might be seeking some type of dating or social relationship with you?

Ms. HILL. I think it was a combination of factors. I think that he wanted to see me vulnerable and that, if I were vulnerable, then he could extract from me whatever he wanted, whether it was sexual or otherwise, that I would be under his control.

Senator HEFLIN. As a psychology major, what elements of human nature seem to go into that type of a situation?

Ms. HILL. Well, I can't say exactly. I can say that I felt that he was using his power and authority over me, he was exerting a level of power and attempting to make sure that that power was exerted. I think it was the fact that I had said no to him that caused him to want to do this.

Senator HEFLIN. You cite the instance of the Coke can and his statement of pubic hair on it. Do you feel that he was attempting to have some specific message by relating that? How did you interpret that?

Ms. HILL. I did not have a clue as to how to interpret that. I did not know; it was just a very strange comment for me. I could not interpret it. I thought it was inappropriate, but I did not know what he meant.

Senator HEFLIN. Now, was there an occasion when you were at the EEOC that you wanted a different job or a promotion or a higher job?

Ms. HILL. I never sought a promotion with Clarence Thomas while at the EEOC. I never sought a promotion with anyone while at the EEOC.

Senator HEFLIN. Well, did this Allyson Duncan, in effect, take over some position or become a supervisor of you, as opposed to what it had previously been, and was it a reorganization, or what were the facts pertaining to that?

Ms. HILL. When Allyson Duncan took over her position—let me say this: Prior to when Allyson Duncan moved into the office of the Chair as an assistant, the assistants had basically been reporting directly to Thomas, and what I understood happened was that the work got too much for him to handle, to dole out to the assistants himself, so he reorganized the structure and appointed Allyson as the chief of staff for the special assistants in that office.

Senator HEFLIN. Now, Senator Specter asked you about the USA Today report of October 9, 1991, in which it recites that Anita Hill was told by Senate staffers her signed affidavit alleging sexual harassment by Clarence Thomas would be the instrument which quietly and behind the scenes would force him to withdraw his name.

Keith Henderson, a 10-year friend of Hill's and a former Senate Judiciary Committee staffer, says Hill was advised by Senate staffers that her charge would be kept secret and her name kept from the public scrutiny.

Have you had a conversation with Keith Henderson during the period of time from when you were originally contacted by some staffers from the Senate and the time that this newspaper account occurred?

Ms. HILL. Yes, I did.

Senator HEFLIN. You did. All right. And what was your conversation with Mr. Henderson? What did you tell him?

Ms. HILL. Well, my conversation was that I was really concerned about the situation involving this issue, that I had made the comments to the staff, that I had followed up on those comments with an affidavit and that I had gone through the investigation, all with the understanding that this was not going to be a public matter,

and that I was concerned about whether or not the information would be made available to all the committee.

Senator HEFLIN. Well, during any conversation with Keith Henderson, did you tell him that certain staffers had told you that if you went ahead and signed the affidavit, that that might be a way to get him to withdraw?

Ms. HILL. No, I did not tell him that.

Senator HEFLIN. Well, did you tell him that that was mentioned or that it would have been mentioned relative to this?

Ms. HILL. No, I didn't tell him that.

Senator HEFLIN. Do you know whether or not Keith Henderson talked to certain Judiciary Committee staffers?

Ms. HILL. I did not—I don't know whether he did talk to Judiciary Committee staffers.

Senator HEFLIN. Do you know whether in any conversation that he might have talked to Judiciary staffers, they might have said that is a possibility?

Ms. HILL. Do I know of any conversation—

Senator HEFLIN. Well, do you know whether or not there was a conversation between Keith Henderson and some staffer in which they were discussing the affidavit and saying that there were certain possibilities, which included the possibility that Clarence Thomas might withdraw his name?

Ms. HILL. That might have happened, but I haven't talked with Keith Henderson about that.

Senator HEFLIN. When you were at the EEOC, were you there on November 23, 1983? Would you have been there then?

Ms. HILL. No, I was not there then. I had left for Oral Roberts University.

Senator HEFLIN. When did you leave?

Ms. HILL. I left in July 1983.

Senator HEFLIN. Have you read a story in the Washington Post, today, Friday, October 11, in which there is mentioned a case involving allegations that Earl Harper, Jr., a regional attorney in the EEOC Baltimore office, had made unwelcome sexual advances to several women on his staff? When you were there at the EEOC, do you remember anything about a case being alleged involving Earl Harper, who was a trial attorney at the Baltimore office of the EEOC?

Ms. HILL. I don't recall any case.

Senator HEFLIN. All right. Since you graduated, your scholastic work, have you written any Law Review articles?

Ms. HILL. Yes, I have.

Senator HEFLIN. How many Law Review articles have you written?

Ms. HILL. I've written six, seven, including a short Law Review article—if I may back up, I have written five Law Review articles, some shorter pieces in journals.

Senator HEFLIN. Now, while you were at the Office of Civil Rights of the Department of Education, according to the way I read the statements, most of these instances pertaining to descriptions of pornographic films and materials was mentioned to you at the Department of Education, as opposed to the EEOC office?

Ms. HILL. I think the more explicit statements probably did occur at Education more than later at EEOC.

Senator HEFLIN. But they did occur some at EEOC?

Ms. HILL. Yes.

Senator HEFLIN. Now, how old were you at this particular time that you were at the Department of Education?

Ms. HILL. I was 25, I just turned 25 when I started the job.

Senator HEFLIN. Did you have any family here in Washington?

Ms. HILL. No, I did not.

Senator HEFLIN. Did you have other than certain friends that you could turn to in times of difficulty and—

Ms. HILL. I just had some friends. I did have some friends, but no family.

Senator HEFLIN. Mr. Chairman, I believe that is all I have.

The CHAIRMAN. Thank you very much.

We will recess for 15 minutes—let's have order in here, please—and at that time we will come back and Senator Specter will question, and then we will move to Senators who have 5 minutes of questions and we hope that will be it. We will, in due course, call back Judge Thomas.

We are recessed for 15 minutes.

[Recess.]

The CHAIRMAN. The hearing will come to order.

Before we begin this next round of questioning, through what I know to be inadvertence, the affidavit that was given to Professor Hill was also for the first time made available to the committee at-large; the Senator from Pennsylvania did not realize that we did not have it, either.

There has been an agreement from the outset of this proceeding—because, as I said, this is not a trial, this is a hearing to seek the facts—that everyone on the committee would have made available to them any and all documents that are produced, for whatever reason, before there is any introduction of such documents in the record or before there is any questioning on any documents. That applies to Professor Hill, that applies to Judge Thomas, and that applies to all our witnesses.

Again, I think in this case this was inadvertence. The Senate has indicated to us they want this very important and difficult matter resolved and they gave us essentially 48 hours to get ready for this, so there is going to be a lot that drops between the cup and the lip here, but one of the things that won't is any document that all members of the committee have not had in sufficient time to examine, read, and think about before it is even presented.

With that, while we are doing a bit of housekeeping here on such an important matter, let me suggest, again, the committee's intention in terms of timing: The committee intends to go back to Senator Specter. He indicates he may have more questions than his next half-hour, and Senator Leahy has indicated that he has some more questions. It is my sincere hope, Professor Hill, that we do not keep you much longer.

At the conclusion of Senator Leahy's questioning, we will then do what I indicated at the outset. Each member who has not asked questions, all of whom have a keen interest in this matter, will have up to 5 minutes to ask a question or questions.