

Senator HEFLIN. So you are saying that he could have called, or do you know that she called or what?

Ms. HOLT. I know, Senator, that there were occasions when she called and was put directly through to Judge Thomas.

Senator HEFLIN. But those were not recorded and no record is made, is that what you are saying?

Ms. HOLT. Exactly.

Senator HEFLIN. Do you know how often they occurred?

Ms. HOLT. No, I don't. But there weren't that many of them.

Senator HEFLIN. Wasn't that many of them. And over a period of how many years are these phone—that is from 1984, these logs are 1984, 1985, 1986, 1987. Would there have been as many as two or three?

Ms. HOLT. Four or five. Six, maybe.

Senator HEFLIN. It would have probably been what, in the neighborhood of no more than one a year?

Ms. HOLT. Possibly, sir.

Senator HEFLIN. Well, my time has run out.

Senator KENNEDY [presiding]. Senator Hatch.

Senator HATCH. Thank you. Now, let me go back to you, Ms. Berry. If I can call you Ms. Berry for the purposes of this hearing.

Ms. BERRY. That is fine.

Senator HATCH. Did you hear Anita Hill's press conference last Monday?

Ms. BERRY. Pardon me?

Senator HATCH. Did you see Anita Hill's press conference last Monday, or hear it?

Ms. BERRY. Last Monday? Was that October—I don't know dates anymore.

Senator HATCH. Whenever it was, the first press conference.

Ms. BERRY. October 7? No, I did not see her press conference. Reporters starting calling my home asking me had I seen Anita Hill's press conference where she indicated that she was responding to my quotes in the Times article and she indicated that she did not know me and that I did not know her.

And so I issued a statement saying that this is in response to Anita Hill's statement at an October 7 press conference indicating that she did not know me and I did not know her, that is not true. And then I went on to explain how it is that I did, in fact, know Anita Hill.

Senator HATCH. Well, when you heard Professor Hill claim "I don't know Phyllis Berry and she doesn't know me," did you think, as Professor Hill claimed on Friday, that her remark was only meant to indicate that you were not in a position to speculate about her private life or did you give those words what I would call their natural meaning and think that she was not telling the truth?

Ms. BERRY. When I heard it I thought she wasn't telling the truth. Obviously, she knew me. We worked together for many years, and we worked closely together, particularly in the Office of Congressional Affairs, particularly on the Chairman's staff, and I knew of her at the Department of Education. So I had no idea what she was talking about, except that I took her at face value. She said she didn't know me.

Senator HATCH. Well, after Professor Hill denied that she knew you the press conference erupted in applause, which is the largest ovation of the day. What were you thinking at that moment?

Ms. BERRY. I didn't see her press conference.

Senator HATCH. You didn't see it?

Ms. BERRY. I am sorry. I was working on Little League stuff and I wasn't watching television.

Senator HATCH. Well, you have indicated that the reason why Professor Hill has been so reluctant to acknowledge your existence appears to be the fact that you have advanced a theory for why Professor Hill is making these allegations, and your theory is, to say the least, unflattering to her in her position.

Can you repeat that theory as you gave it to the New York Times, and tell us if it still seems accurate to you?

Ms. BERRY. It still seems accurate to me.

Senator HATCH. And what was your theory?

Ms. BERRY. Because Clarence Thomas did not respond to her heightened interest, didn't respond to her in that way. He treated her just like he treated everybody else on the staff. That her feelings were hurt.

And I think opportunities that she thought that she ought to have, access that she ought to have and she didn't receive. I mean it was competitive. We were a tough, strong group of women around Clarence Thomas and he based—we had to perform. We had strict performance agreements, and you had to perform. And, if you couldn't hang, if you couldn't perform, you got his wrath. If you performed, you got his praise.

I think because she was at EEOC not treated special that she didn't feel comfortable there.

Senator HATCH. OK. Ms. Fitch, I was impressed by your statement, as I have been of all of your statements. I am impressed with each and everyone of you, and I think Judge Thomas was very lucky to have you working with him.

But I particularly notice you used the term "decent"—

Ms. FITCH. I'm sorry.

Senator HATCH. I particularly noticed you the used the term "decent" in describing Clarence Thomas.

Ms. FITCH. Yes.

Senator HATCH. Do you use that very often?

Ms. FITCH. Yes. If you talk to the people who talked to me even before I left the Commission, when I went to Lynchburg, VA, when I went to Temple, even at the time that he was nominated for the Supreme Court, I've always used that term about the Judge, and it kicked out for me some time ago, at least a year or two ago, if not longer, that I don't use that term for everybody, and it's not that there aren't other decent people, because there certainly are.

But what intrigues me about him is that I always paid a great deal of attention to his character, this man that I felt had a conscience that operated all the time, that realized the gravity of his position, and I found that impressive and that has a lot to do with my use of that term, and I still don't throw it around indiscriminately and I still call him a decent person.