

I know he welcomes the opportunity to direct his talents and energy to the duties of the Chief Justice. Mr. Chairman, I am very pleased with the statement issued by the ranking member, our friend and colleague, Joe Biden, to address this hearing with an open mind, with a feeling that, certainly, there is a burden to prove qualifications, but, to look at it without a predisposed judgment as to this nominee.

Indeed, these are prerogatives that we all face, and a great responsibility, but I firmly believe that this man has proven, by his expert conduct on the Court as an Associate Justice, that he can fill the position that he has been nominated to. Thank you, Mr. Chairman.

Also, I wish to place a letter in the record.

[Letter follows:]

PHOENIX, AZ,
July 29, 1986.

DEAR DENNIS: Thank you for your nice letter.

I notice in this morning's paper they have the FBI investigating Bill Rehnquist's poll watching activities in the early 1960's, and several very unfair statements have been made by various individuals.

Could I ask you to read my letter to the Judiciary Committee.

As you know I am a Democrat but my politics has never influenced me as a newspaperman and for many years I covered politics for The Arizona Republic. Historically—from the late 30's when I started covering politics, until the 60's when party strength in Arizona became equalized—there were many rumors and accusations of improper voting in South Phoenix. These rumors included such things as voting dead people, voting people who had moved, wholesale registering and voting of illiterates, etc.

Starting in the 1950's, the Republicans started poll-watching and challenging in that area. It was particularly active when Dick Kleindienst was state chairman and I think that is when Bill was active in the party. I remember the GOP was very active with teams of poll watchers and as a result a good many irregularities were uncovered and corrected.

I do not agree with Bill on some things but I must say this, and add that he always was a fine gentleman and I don't think he would unnecessarily harrass any individual. At that time you had to be able to read the Constitution to qualify to vote and I am sure some who could not read probably felt intimidated if they had been registered.

Sincerely,

BEN AVERY.

The CHAIRMAN. Thank you very much, Senator DeConcini. The distinguished and able Senator from Virginia. Senator Warner.

STATEMENT OF HON. JOHN WARNER, A U.S. SENATOR FROM THE STATE OF VIRGINIA

Senator WARNER. Thank you, Mr. Chairman, and members of the committee. I shall follow the lead of the majority leader and submit my statement for the record, but I would like to add that we, in Virginia, are privileged to have him as a resident. I was honored to have my friend, of many years, ask that I appear on his behalf today, and I think I can best summarize my view, and that I think of the majority of Virginians, by saying that his judicial philosophy is predicated on courage, and it has as its foundation the Constitution of the United States.

Thank you, Mr. Chairman.

The CHAIRMAN. Without objection, the statement by the distinguished Senator from Virginia will be placed in the record.

[The prepared statement follows:]

PREPARED STATEMENT OF SENATOR JOHN WARNER

Mr. Chairman, I am both pleased and honored to introduce Associate Justice William Hubbs Rehnquist to the Judiciary Committee for the position of Chief Justice of the United States.

William H. Rehnquist was originally confirmed as an Associate Justice in 1971. During his tenure as an Associate Justice, he has displayed a brilliant intellect and is respected by his colleagues as one of the brightest judicial minds on the Court.

Since graduating first in his class from Stanford University Law School, he has consistently maintained the highest standards of professionalism, and since 1971, has proved to be a jurist eminently qualified for our highest court.

Justice Rehnquist's unique combination of qualifications does not stop with his legal acumen or his dedication to the Constitution. He is also known for his energetic approach to his duties, and his congenial spirit. A Chief Justice possessing such well balanced and admirable qualities will certainly make a strong, effective and respected leader.

President Reagan described Justice Rehnquist as "sensitive to the role of courts, attentive to rights specifically guaranteed in the Constitution, and a jurist of highest competence."

Justice Rehnquist's judicial philosophy begins with courage. He has faced the most difficult issues before the Court with determination, placing his confidence and trust in the Constitution, and never being afraid to defend even the most unpopular position.

It is my hope that the Senate will strongly endorse President Reagan's nominee for Chief Justice of the United States.

The CHAIRMAN. We will now hear from the able and distinguished junior Senator from Virginia. Senator Trible.

STATEMENT OF HON. PAUL TRIBLE, A U.S. SENATOR FROM THE STATE OF VIRGINIA

Senator TRIBLE. Mr. Chairman, I thank you for this opportunity to join my distinguished colleagues on this historic occasion, and I am honored to be asked to join him in presenting to this committee, Justice Rehnquist.

Let me add very briefly to what has been said. Justice Rehnquist, in my judgment, is an extraordinarily qualified choice for Chief Justice. He is a man of formidable intellect who has consistently demonstrated analytical rigor and wide-ranging scholarship.

During his tenure on the Court, Justice Rehnquist has been an articulate and persuasive advocate of traditional constitutional interpretation of federalism, individual liberty, and respect for the law.

I enthusiastically support his confirmation and I urge this committee to act promptly, and positively, and I thank you.

The CHAIRMAN. So, I believe the record shows that the Chief Justice is endorsed by both Senators from Arizona, his original home State—Senator Goldwater and Senator DeConcini—and by both Senators from his resident State at present—from Virginia, Senator Warner and Senator Trible.

You gentlemen are now excused, if you wish to leave. We will now return to the committee members, and the first, now, will be Senator Mathias of Maryland.

Senator MATHIAS. Thank you, Mr. Chairman. One of the great strengths of the Supreme Court is, of course, its stability. History does not assess the record of the Court in 2-year, or 4-year, or 6-year terms, but it studies it as a generation, or, even as an era.

Today, for the first time in 17 years, we stand on the threshold of a new era in the history of the Supreme Court. The Judiciary Com-