

But I want to make it clear that Mr. Brudney was doing what he should have done, and had he done less he would have been irresponsible. And had this Senator and this committee done less, it would have been irresponsible. Sexual harassment is too important an issue to sweep under the rug.

Judge THOMAS. Senator, it was not swept under the rug. This issue was investigated by the FBI and then leaked to the press, and I do not share your view that this was not concocted. This has caused me great pain and my family great pain, and God is my judge, not you, Senator Metzenbaum.

Senator BROWN. Mr. Chairman, the Senator from Ohio has brought up the subject of his staffer and I understand his interest in defending him—

The CHAIRMAN. If I may—

Senator BROWN [continuing]. Why can't this committee hear from Mr. Brudney?

The CHAIRMAN. If you will just yield for just a second.

We are going a half hour and a half hour. The subject of Mr. Metzenbaum's staff was not brought up by Mr. Metzenbaum. It was brought up, appropriately, by Senator Specter. It was appropriate for Senator Specter to bring it up.

Now, on the half-hour time we have on this side, it was appropriate for the Senator to respond. When we go back, it will be appropriate for you to pursue it, if you would like.

It is true, Judge Thomas, that God is your judge and all our judges, we all know that. But in the meantime, under the rules, we have to make a vote, and we have to judge. We are not God and none of us thinks we are, and none of us like this. Some of us have been in a situation similar to yours, not many of us, but some of us, and it is not very comfortable, but, unfortunately, there is a question of judgment.

Now, before I yield the remainder of our time, which is probably only about 20 minutes. How much time is left? Fifteen minutes. Before I yield the remainder of the time to either Senator Heflin or Senator Leahy.

Senator HEFLIN. I believe it is Senator Leahy.

The CHAIRMAN. Before I yield to Senator Leahy, let me ask a question, if I may, and that is: Did you, when the nominee first moved into her apartment, help her and her roommate install a stereo and a turntable, her roommate is the basketball player whose name I don't remember? Did you—

Judge THOMAS. Sonia Jarvis is her name.

The CHAIRMAN [continuing]. Ms. Jarvis, her roommate. There is nothing wrong with this, but did you help her install a stereo and a turntable that took about a half hour or an hour or so? Did that occur? I'm just trying to find out where we agree.

Judge THOMAS. Senator, I don't recall that at all.

The CHAIRMAN. I thank you.

Now, I yield the remainder of the time to my friend from Vermont.

Senator LEAHY. Judge, you said that you remember seeing her housemate there. I understand you don't remember the name of her housemate?

Judge THOMAS. Sonia Jarvis.

Senator LEAHY. That was Sonia Jarvis?

Judge THOMAS. She is on my phone logs, also.

Senator LEAHY. And if Anita Hill were to say that you came to her house once to install stereo equipment and a turntable, and that was the only time you were in her home, would that be accurate?

Judge THOMAS. No, it would have been—I don't remember helping her install a stereo or turntable. I do remember several times just dropping in after I had driven her home, just to chat, but that was it. It was no significant—it was nothing of great moment. But I do not recall helping her install a—I don't know when she moved into her apartment.

Senator LEAHY. Of the times that you brought her home or to her apartment, how many times was Sonia Jarvis there, if you recall?

Judge THOMAS. I think each time. She would have wandered in or came by or something like that. I just simply remember her being in sweats, from a basketball game or something. That's the only time I can remember seeing her, I think.

Senator LEAHY. But you think that she was there each time?

Judge THOMAS. That's right.

Senator LEAHY. And if—

Judge THOMAS. That's my recollection.

Senator LEAHY. I understand. And if Anita Hill said that—other than that stereo and turntable, which you say you do not recall—if she said other than that time, that Judge Thomas never drove her home and never came in to visit and talk politics or any other thing, that would not be accurate?

Judge THOMAS. Not to my recollection, Senator.

Senator LEAHY. And if Sonia Jarvis said that she saw you there only once and it was to help install stereo equipment and that is the only time that she ever saw you in the house, that would be inaccurate?

Judge THOMAS. That would not be my recollection, Senator.

Senator LEAHY. It would be contrary to what you just testified to. That is, your recollection was that she was there each time you were there?

Judge THOMAS. My recollection was, as I stated this morning, again, we are talking 10 years ago, Senator.

Senator LEAHY. I understand.

But I am talking about what you stated just 1 minute or 2 ago—

Judge THOMAS. That she would have been there, yes, that would have been my recollection.

Senator LEAHY. Judge, I want to yield to Senator Heflin, but I have tried throughout all of this to ask very short questions and to stay away from the speech making. But bear with me just for a moment.

A robbery takes place, an armed robbery say, and two people are standing there, two witnesses see it. And one says, "that robber was tall." The other one says, "No, that robber was short." Well, the fact is, the robbery took place. Everybody, including the victim, agrees the robbery took place, but you have two people, honest people, standing there and one says, "By God, it was a tall robber,"

and the other one says, "No, it was a short robber," but the robbery takes place. We can understand that. And we can understand the difference of view in how two people might observe an event.

But here, it is like two ships in the night. I mean you seem to be diametrically opposed, certainly, in your testimony and Anita Hill's. I think we would both agree that, on the basic substance of what we are talking about here, you are diametrically opposed, is that correct?

Judge THOMAS. Senator, I just simply said that I deny her allegations categorically.

Senator LEAHY. I understand. If her allegations were correct, if what she has stated under oath was so, that would be sexual harassment, would it not?

Judge THOMAS. Senator, I think it would be.

Senator LEAHY. But, at the same time, you categorically deny that those events ever took place?

Judge THOMAS. I categorically deny, Senator, in the strongest terms.

Senator LEAHY. It would be sexual harassment if they happened, but you say they did not happen?

Judge THOMAS. That's right.

Senator LEAHY. Then we have one of two possibilities, obviously. One of you is not telling the truth. Or is there any possibility that both of you are seeing the same thing, both of you seeing the same robbery but seeing it entirely differently? Which is it? Is it that one of you absolutely is not telling the truth or one of you—or both of you, rather, are viewing the same events differently?

Judge THOMAS. Senator, I am not going to get into analyzing that. I will just simply say that these allegations are false. They were false when the FBI informed me of them, when they were subsequently changed to additional allegations they were false. And they continue to be false.

Senator LEAHY. And there is nothing in her testimony of these allegations, in your mind, where the two of you could be seeing the same thing?

Judge THOMAS. Senator, my relationship with Anita Hill was cordial and professional, just as it was with the rest of my special assistants. And I maintain that that is all there was. My other special assistants are available for you to talk to them to determine exactly how I treated them.

Senator LEAHY. Thank you.

Senator HEFLIN. Judge, Senator Hatch brought up the issue of the tenth circuit case pertaining to Long Dong Silver, and in your responsibility as head of the EEOC, do you keep up with cases involving discrimination and sexual harassment that the circuit court of appeals may decide?

Judge THOMAS. Senator, the way that that is normally done is that if there is a significant case, I did not read specific cases, but if there were a significant case the general counsel would summarize that, would analyze it, and if necessary, would simply provide us with a copy of it.

I would not normally read circuit court opinions unless it was breaking new ground.