

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