

NOMINATION OF JUDGE CLARENCE THOMAS TO BE ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES

WEDNESDAY, SEPTEMBER 11, 1991

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The committee met, pursuant to notice at 10:05 a.m., in room 325, Senate Caucus Room, Russell Senate Office Building, Hon. Joseph R. Biden, Jr. (chairman of the committee) presiding.

Present: Senators Biden, Kennedy, Metzenbaum, DeConcini, Leahy, Heflin, Simon, Kohl, Thurmond, Hatch, Simpson, Grassley, Specter, and Brown.

The CHAIRMAN. The hearing will come to order.

Welcome back, Judge. It is a pleasure to have you back. Let me very, very briefly explain to you, your family, and everyone else the process this morning. I expect that we will have four Senators question before we break for lunch. If I were you, I would probably want to break after 2, but it is up to you. I will go through four Senators until lunchtime unless there is some indication from you or anyone else that you would like to stop and take a break. I will be glad to give you a break to get a cup of coffee or anything else you want.

Now, we need to get started. Do you have a preference, Judge, as to how you would like to proceed? Really, I am not kidding. Any way you want to do it.

Judge THOMAS. We will play it by ear.

The CHAIRMAN. Play it by ear. I agree with you. All right.

Now, we will start this morning's questioning in the same format as before; each Senator will have ½ hour for his questions and your response. We will start this morning with Senator Metzenbaum.

I might add that we do not plan on going beyond 5 o'clock today unless we are very close to finishing. We are going to try to end the hearing today at 5 and we will pick up tomorrow at 10 o'clock no matter what. I expect we will still have questions for the judge if people haven't had their second round.

With that, let me yield the floor to Senator Metzenbaum.

Senator METZENBAUM. Thank you, Mr. Chairman.

Good morning, Judge Thomas. Nice to see you again. You have an extensive record of speeches and published articles. Judge, I have made no secret of the fact that I have serious concerns with many of the things in your record.