

The CHAIRMAN. Thank you very much, Ms. Hernandez. Mr. Rauh, welcome.

STATEMENT OF JOSEPH L. RAUH

Mr. RAUH. Thank you, sir.

The leadership conference organizations range from those formally opposed to Judge Souter's confirmation to those deeply troubled. The importance of this cannot be exaggerated. The Court has reached the stage where one more conservative or reactionary Justice will create a serious problem for the Bill of Rights.

We ask, the leadership conference is unanimous in this request, that the record be left open for a significant time and that Judge Souter be called back for further questioning. I will now in the short time available try to give you as much understanding of the new material that we have in this case.

On page 198 of the transcript, Judge Souter makes a remarkable statement that we definitely challenge. This is the statement: "The State of New Hampshire does not have racial problems." Let me say that again. What he said was, "The State of New Hampshire does not have racial problems."

Now, let me make perfectly clear to you that I am not blaming Judge Souter for the racial problems. It is a fact that judge of the Supreme Court ought not be one who cannot see what is right under his nose: the terrible racial problems in New Hampshire. It is not that it is worse than anything else. It is just as bad as anything else. It is not that—I am not saying that Judge Souter did it. I am saying that he has shown such an insensitivity to it. He has done nothing about it. He has over and over again tried to brush it under the rug. Indeed, it is even worse than that. He said that was his justification for refusing information on racial breakdown. It is connection with that that he said we do not have it. He repeated that.

Now, if you want that insensitive a man on that Court, why, I am only one citizen. But I tell you that the most frightening thing is to put people on that Court who have no sensitivity to the race problem in this country.

Let me just show you some of the things about New Hampshire. There are only two States in the Union that don't have a King holiday. One is Montana. One is New Hampshire, and they have had fights over and over again.

Mr. Chairman, I hope that the documents I am going to show you here can be put into the record, sir.

The CHAIRMAN. Yes, they will.

[Mr. Rauh submitted the following material for the record:]