

Ms. ALVAREZ [continuing]. Or she didn't respond to him in a staff meeting or anything like that. I am saying that with the other staff she was very stand-offish.

The CHAIRMAN. I see.

Ms. Holt, did you find her condescending and aloof? You dealt with her probably more than anybody.

Ms. HOLT. She wasn't condescending to me, Senator.

The CHAIRMAN. She was not?

Ms. HOLT. No.

The CHAIRMAN. I can understand why. She wanted to get in that door, right?

Ms. HOLT. That could have been it.

The CHAIRMAN. Ms. Myers—and my apologies, do you wish me to refer to you as Ms. Berry-Myers or would you prefer—

Ms. BERRY. It doesn't matter, Senator.

The CHAIRMAN. All right.

Ms. BERRY. I know who you are talking to, either way.

The CHAIRMAN. All right. Ms. Myers, did you find her to be aloof and condescending?

Ms. BERRY. I found her to be aloof, and a woman scorned can mean not just in the romantic context, but if your ideas are not longer, the ones that are considered the ones that the Chairman adopts, if your point of view is not given more weight than someone else's, if your—there are many ways, and not just in the romantic sense, but in the ways that—

The CHAIRMAN. I'm sorry. How did you mean them, then?

Ms. BERRY. Pardon me?

The CHAIRMAN. How did you mean?

Ms. BERRY. I meant it with both of those contexts.

The CHAIRMAN. You mean both romantic and in terms of being rejected professionally, in a sense?

Ms. BERRY. Yes. Those were my observations of Anita and the situation.

The CHAIRMAN. I see. Can you give me an example?

Ms. BERRY. Of what?

The CHAIRMAN. Of where she was either rejected and you observed the reaction to her rejection, either in terms of romantic entre or an intellectual entre?

Ms. BERRY. Or an intellectual entre? That was my job, as I said, to be the political eyes and ears, and that sometimes meant that I had to advise the Chairman to take a position that was in his best interest and that of the Commission, and not oftentimes a position that was in the best interests of the bureaucracy or of one side or the other. We had to do what was best in terms of enforcing the law, administering and managing the agency, et cetera, et cetera, and sometimes there were ideological conflicts in that way.

And I have heard Anita characterized in the press as a conservative, and I guess I have a different opinion of what that means. At the Commission I would not have characterized Anita as a conservative. I would have characterized her more as a moderate person or a liberal, and there were times when it was necessary that the conservative view prevail, in my opinion, on some positions that the Chairman took that she adamantly disagreed with.

The CHAIRMAN. How would you characterize yourself, Ms. Myers?

Ms. BERRY. I would characterize—

The CHAIRMAN. As conservative or liberal, I mean, or moderate or whatever.

Ms. BERRY. Now that's a good question. On some issues I am very conservative; on some issues I am not.

The CHAIRMAN. I see that.

Senator LEAHY. Aren't we all?

The CHAIRMAN. Is that not also the case for the Professor?

Ms. BERRY. Obviously, yes.

The CHAIRMAN. I see, so she is just like you, then?

Ms. BERRY. No, she is not. I haven't alleged that Clarence Thomas—

The CHAIRMAN. No, no, no. I mean—

Ms. BERRY. So she is not like me. [Laughter.]

The CHAIRMAN. No, no. I mean in terms of her political ideology.

Ms. BERRY. On some things, perhaps.

The CHAIRMAN. Does anybody else want to ask a question?

Senator LEAHY. This is not a question. I just would like to note something for the record, if I might, Mr. Chairman. And that is that Senator Hatch referred in just the last few minutes to Anita Hill's handlers somehow, Svengali-like—my term, not his—sending her out to take a polygraph.

I would just note for the record, according to her sworn testimony, the first suggestion of a polygraph came when the administration sent the FBI to talk to her. According to what she stated here, she told us that the FBI asked her if she would be willing to take a polygraph and she said—again according to her testimony here—that indeed she would.

I have no idea of the qualifications of whomever administered it or anything else. I have just heard about it. It would not be admissible in a court of law. Nobody is required to take a polygraph, but I just wanted to note, for the record, that the first suggestion of that came not from somebody advising Professor Hill but from, according to her testimony, the people the administration sent out on the investigation that was requested by the White House and this committee.

Senator HATCH. If the Senator would yield on that point, as the co-author along with Senator Kennedy of the Polygraph Protection Act, we did a lot of study of this, and there is no question that polygraphs should only be given under certain circumstances, with the approval of both sides, and not unilaterally by one side that may be very biased. You can find a polygraph operator to do anything you want them to do, just like you can find a pollster. Some pollsters in this country, not many, but some will do anything. They will find any conclusion you want, just by changing the questions.

Then again, polygraph operators, there are circumstances where people really believe what they are doing. They really believe it. It is totally false, but they believe it. She may very well be in that category, and might even pass a real polygraph examination.

So to throw that in the middle of a Supreme Court nomination as though it is real, legitimate evidence is highly offensive, that is my only point, and highly political, and again, too pat, too slick,