

Because of the preparation required for the first October conference, the Court should be at full strength no later than the first part of September. For this reason I commend the members of this committee for the sensitivity that you have shown in moving both this nomination and that of Judge Scalia with such expeditious care. Thank you.

The CHAIRMAN. Thank you very much, Mr. Lee, and if you have any further remarks to go in the record, you are welcome to put them in.

Hon. Erwin N. Griswold. Dean Griswold, we are pleased to have you to make a statement.

STATEMENT OF ERWIN N. GRISWOLD

Mr. GRISWOLD. Mr. Chairman, I served as Solicitor General of the United States for 6 years by appointment of President Johnson, and then continued in the first Nixon administration.

As a matter of fact, when I was a very young lawyer, my first job was 5 years in the Solicitor General's office, and during that time I played quite a role in establishing a new Office of Assistant Solicitor General.

When the department moved into the new building on Constitution Avenue, that office was right adjacent to the Solicitor General's office. That office, in course of time, became the Assistant Attorney General, Office of Legal Counsel, and it was because of that that I first met Mr. Rehnquist in January 1969, when he came to Washington.

Because our offices were adjacent, we saw each other frequently. We interchanged views about the legal problems of the Government quite frequently, and I quickly came to form a very high opinion of him in terms of his character and his ability.

I was very much pleased when he was nominated and confirmed for the Court. Like Mr. Lee, I have also appeared before him a good many times, probably not as many as 37, but a number of times, and because of my academic career of 33 years, I have been quite a student of the Supreme Court over the past good many years, including the current Court.

I have read the opinions. I think Justice Rehnquist's opinions are able, lawyer-like, important contributions to our constitutional and other law. In my opinion, he is extremely well qualified to be Chief Justice, and I am very glad to have the privilege of appearing here in support of the nomination.

The CHAIRMAN. Thank you very much, Dean Griswold. Honorable Robert Stern. Mr. Stern.

STATEMENT OF ROBERT STERN

Mr. STERN. Mr. Chairman, and Senators, I am now a practicing lawyer in Chicago but I was in the Department of Justice, mostly in the Solicitor General's office for 20 years, before I went to Chicago, and among other things, I am also an author of the book on Supreme Court practice which is now generally used. And I suppose that may be the reason I was asked to speak here.

Because of that, I have read all of the opinions of the Supreme Court, at least since 1950, including all of Justice Rehnquist's, al-

though I must say I do not remember them all, but I have a general impression.

It seems to me that certainly he is more clearly qualified for the job of Chief Justice than anyone else can imagine. First of all, he has the advantage of having been a Justice and knowing the ropes and not having to learn them.

Second of all, we know that he gets along, personally, with all the members of the Court, including particularly, the three liberal members of the Court. And I want to quote to you what you probably know already: that Justice Brennan has recently stated, that in his opinion, "Rehnquist would be a splendid Chief Justice, and that his philosophical bent would not have much effect." I stress that, because like Justice Rehnquist, I am a Democrat. I probably would not vote for Justice Rehnquist if he were running for public office, but that does not mean I do not think he is amply qualified to be Chief Justice of the United States. The qualifications are the ones which have been stated to you already, and I think they are contained in the written statement which I have submitted.

[Prepared statement follows:]