

Folks, thank you very much. We appreciate it. It was very enlightening.

Mr. RAUH. Thank you very much.

[Pause.]

The CHAIRMAN. The committee will come to order.

I am sorry—I kept you waiting because I was waiting for the fourth panelist, who I am told is not here now.

Our next and patient panel is made up of Dr. Julius Becton, Jr., president of Prairie View A&M University. Welcome, Doctor.

We welcome also Dr. Jimmy Jenkins, chancellor of Elizabeth City State University, and Yvonne Thomas of Zeta Phi Beta Sorority.

Welcome, all three. We are anxious to hear what you have to say. Obviously, our interest in the previous panels is one of the reasons why we are as late as we are, but we are here to hear what you have to say, and we will stay here. So we appreciate very much your patience.

Have you concluded how you would like to begin, or should we begin in the order you have been called?

Mr. BECTON. You are more senior than I am, you've got more tenure. What do you want to do?

Mr. JENKINS. I'll go first.

Mr. BECTON. I knew they'd do that to me.

The CHAIRMAN. All right, Chancellor, you begin, please.

STATEMENTS OF A PANEL CONSISTING OF JIMMY JENKINS, CHANCELLOR, ELIZABETH CITY STATE UNIVERSITY, NC; YVONNE THOMAS, ZETA PHI BETA SORORITY, AND JULIUS BECTON, JR., PRESIDENT, PRAIRIE VIEW A&M UNIVERSITY

Mr. JENKINS. Mr. Chairman, distinguished members of this august body, ladies and gentlemen, I am both honored and humbled by this opportunity to come before you and this Nation to voice my views on whether or not Judge Clarence Thomas should be confirmed as an Associate Justice of our Nation's highest court.

I am honored because this chancellor of a small university in North Carolina called Elizabeth City State University, which this year is celebrating its 100th anniversary, was selected.

The CHAIRMAN. Congratulations.

Mr. JENKINS. I am humbled because I realize that what I say here today may have some influence on your decision to affirm or reject Judge Thomas as the nominee with all of the ramifications your decision has for our Nation now and in the future.

I have come to express my support of Judge Thomas as the second such nominee in the history of America's highest court. Let me quickly say to you that my support of Judge Thomas is not based upon a personal association. Judge Thomas and I have never met. My support is not based upon a party affiliation, since I am a registered Democrat. My support is not based upon the notion that he and I agree on every aspect of the philosophies that have molded his character.

I am here this evening, Mr. Chairman and members of this body, because Judge Thomas is widely acknowledged for his philosophy

of self-help as relates to the African-American struggle for justice and equality.

As the leader of a historically black university and a representative of 117 HBCU's in this country, our very existence is a shining example of our belief in self-help. Education has always been America's trump card in dealing with its problems. From Sputnik to the age of computers to the sexual revolution, we have turned to our schools to provide solutions to complex problems.

One hundred years or so ago, when African-Americans were unable to attend historically white institutions, in the spirit of self-help, the HBCU's were born. Clarence Thomas has consistently expressed his admiration for HBCU's. In a speech given at Clark College in Atlanta, GA in 1983, he reiterated his support of HBCU's. Quoting from his speech, Thomas said: "I recognize that historically black colleges have produced 50 percent of the black business executives, 75 percent of the black military officers, and 80 percent of the black physicians in this country. Even though traditionally white institutions are now open to everyone, black higher education institutions produce more than three-fourths of the black graduates. I refuse to pursue desegregation policies which penalize black colleges. They were not the ones doing discriminating. Realizing the importance of the continuing contribution of black colleges, I approach enforcement with great care. I insist that the State plans have as a major objective the enhancement of black institutions. This means better libraries, better programs, upgraded faculty and more funds. In that way, equality of educational opportunity was best realized."

Historically black colleges and universities benefited from Thomas' support when in 1983, as chairman of the EEOC, he signed a \$42.5 million agreement with General Motors Corp. in the largest nonlitigation settlement in EEOC history, resolving hundreds of employment discrimination claims. Additionally, the agreement provided for more than \$10 million in endowments and scholarships to increase educational opportunities for minorities and women. HBCU's received almost 50 percent of the funds allocated, another example of Thomas' philosophy of enhancing these institutions.

If Clarence Thomas is confirmed as an Associate Justice of the Supreme Court, he may have an opportunity to participate in the high court's deliberation on the case of *Ayers v. Mabus*. This case threatens the existence of public HBCU's unlike any other case in recent memory.

As an Associate Justice of the Supreme Court, Clarence Thomas will have an opportunity to influence and to vote according to the position he espoused in 1983, and I quote again:

Within a month of taking that job, I was terrified by the possible effects of the desegregation efforts on black colleges. How will desegregation policies which ultimately eliminate black colleges help black people? They worked to keep those institutions alive and vital. Let us continue to do so.

The nomination of Judge Clarence Thomas is not just about the filling of a vacant seat on the High Court. This nomination is also about democracy. The New World Order that is evolving has as its catalyst the cry for democracy as nation after nation focus attention on America as the preeminent role model. If we are to truly

provide a meaningful example, we must come to understand that democracy is more than the right to vote, freedom of religion, freedom of the press, or even freedom of speech. If the spirit of our Constitution is to truly be embodied in our democracy, we must have fair representation in all aspects of our society. That includes all three branches of the government. It is through fair representation that our youth, coming from diverse cultural backgrounds, find role models and acquire the motivation for upward mobility. As an Associate Justice of the Supreme Court, Clarence Thomas will be that fair representation for African-Americans.

With a background evolving out of Pin Point, GA, which has been vividly and emotionally described by Thomas himself and others who were his peers, to assert that when the cases that offer an opportunity for redress of the ills of poverty and illegal racial discrimination are placed before him that he would be indifferent, vote to maintain the status quo, or even worse, seek to turn the clock back, I believe is ludicrous. We may be singing different songs, but we are all singing from the same hymnal.

Mr. Chairman and members of the committee, thank you for letting me share this moment in history and for the opportunity, as a scholar of a historically black university, to express my support for Judge Clarence Thomas, who has consistently expressed his support for HBCU's, to be an Associate Justice of the United States Supreme Court.

Thank you.

Senator HEFLIN [presiding]. Senator Biden is out of the chair, and I want to hear Ms. Thomas because I've still got things that keep competing with my time, and so if you don't mind, Dr. Becton, I am going to call on Ms. Thomas.

The light system is working, and if you can limit it to 5 minutes or we won't be out of here until 3 in the morning.

Ms. Thomas.

STATEMENT OF YVONNE THOMAS

Ms. THOMAS. Good evening, distinguished members of the Senate Judiciary Committee.

I am Yvonne Thomas, a lifelong resident of the great State of Alabama. I was born and reared in Mobile, AL. I received my undergraduate education at Alabama State University in Montgomery and received my master's degree from the University of Alabama in Birmingham.

For the past 27 years I have lived in a place with a name well known to many—Selma, AL. As you see, I am truly a product of the State.

I am here today representing Zeta Phi Beta Sorority, Inc., to speak in strong support of the nomination of Judge Clarence Thomas.

Zeta Phi Beta Sorority was founded in 1920 on the campus of Howard University in Washington, DC. The sorority now encompasses over 75,000 black American women with more than 500 graduate and college chapters across the country. Our members come from various walks of life. We are educators, students, entertainers, corporate executives, entrepreneurs, lawyers, and judges.