

I know he welcomes the opportunity to direct his talents and energy to the duties of the Chief Justice. Mr. Chairman, I am very pleased with the statement issued by the ranking member, our friend and colleague, Joe Biden, to address this hearing with an open mind, with a feeling that, certainly, there is a burden to prove qualifications, but, to look at it without a predisposed judgment as to this nominee.

Indeed, these are prerogatives that we all face, and a great responsibility, but I firmly believe that this man has proven, by his expert conduct on the Court as an Associate Justice, that he can fill the position that he has been nominated to. Thank you, Mr. Chairman.

Also, I wish to place a letter in the record.

[Letter follows:]

PHOENIX, AZ,
July 29, 1986.

DEAR DENNIS: Thank you for your nice letter.

I notice in this morning's paper they have the FBI investigating Bill Rehnquist's poll watching activities in the early 1960's, and several very unfair statements have been made by various individuals.

Could I ask you to read my letter to the Judiciary Committee.

As you know I am a Democrat but my politics has never influenced me as a newspaperman and for many years I covered politics for The Arizona Republic. Historically—from the late 30's when I started covering politics, until the 60's when party strength in Arizona became equalized—there were many rumors and accusations of improper voting in South Phoenix. These rumors included such things as voting dead people, voting people who had moved, wholesale registering and voting of illiterates, etc.

Starting in the 1950's, the Republicans started poll-watching and challenging in that area. It was particularly active when Dick Kleindienst was state chairman and I think that is when Bill was active in the party. I remember the GOP was very active with teams of poll watchers and as a result a good many irregularities were uncovered and corrected.

I do not agree with Bill on some things but I must say this, and add that he always was a fine gentleman and I don't think he would unnecessarily harrass any individual. At that time you had to be able to read the Constitution to qualify to vote and I am sure some who could not read probably felt intimidated if they had been registered.

Sincerely,

BEN AVERY.

The CHAIRMAN. Thank you very much, Senator DeConcini. The distinguished and able Senator from Virginia. Senator Warner.

STATEMENT OF HON. JOHN WARNER, A U.S. SENATOR FROM THE STATE OF VIRGINIA

Senator WARNER. Thank you, Mr. Chairman, and members of the committee. I shall follow the lead of the majority leader and submit my statement for the record, but I would like to add that we, in Virginia, are privileged to have him as a resident. I was honored to have my friend, of many years, ask that I appear on his behalf today, and I think I can best summarize my view, and that I think of the majority of Virginians, by saying that his judicial philosophy is predicated on courage, and it has as its foundation the Constitution of the United States.

Thank you, Mr. Chairman.

The CHAIRMAN. Without objection, the statement by the distinguished Senator from Virginia will be placed in the record.

[The prepared statement follows:]