

Ms. MICHELMAN. We did not take a position on Justice Kennedy. I am not sure that I would say that was the best decision NARAL ever made, given what we know about Justice Kennedy right now.

Ms. WATTLETON. We opposed his confirmation, but did not launch an active campaign against him.

Senator GRASSLEY. Do either of you remember whether your organizations supported Judge Stevens in 1976, when he was before—

Ms. MICHELMAN. I do not remember.

Ms. WATTLETON. I was not head of Planned Parenthood.

Senator GRASSLEY. Mr. Chairman, I have no further questions.

The CHAIRMAN. Thank you very much.

The Senator from Alabama, Senator Heflin.

Senator HEFLIN. The issue of *Roe v. Wade* is a national issue and certainly on our minds. In the future, the question of whether it will or will not be reversed will bring into consideration two major elements for the Court to look at. One is the issue of prochoice/prolife, and the other issue is stare decisis, the precedent which Senator Grassley referred to. There may be other elements that would enter into it.

Would you give us your evaluation of what you have read and heard relative to Judge Souter's writings and statements pertaining to stare decisis?

Ms. MICHELMAN. Well, before I get to that point, Senator, I would just like to say that the issue really is not prolife/prochoice, it is who decides, it is who decides what is the right thing to do, the individual or the State.

As far as stare decisis, he did not indicate how he would rule, how he would use the issue of precedent as it relates to *Roe v. Wade*. He did not discuss—

Senator HEFLIN. He spoke generally pertaining to—

Ms. MICHELMAN. He spoke generally.

Senator HEFLIN. Well, give us your evaluation of his general statements and writings relative to stare decisis.

Ms. MICHELMAN. Well, his general statement, he said that he has respect for precedent.

Ms. WATTLETON. I believe in his statement he also said that stare decisis was but one element that should be considered—

Ms. MICHELMAN. Right.

Ms. WATTLETON [continuing]. In whether the earlier decision had been right or wrong in its impact on the American or the people and that he would evaluate what impact it would have on the people, before making a decision to overturn it.

Ms. MICHELMAN. And he also went further in the area of privacy, to say that this whole area is open for reevaluation and, in fact, it would be years before it would be settled. So, there is a mixed review on the precedent view, his view of precedent as it relates to *Roe v. Wade*.

Senator HEFLIN. That is all. Those are all the questions I have.

The CHAIRMAN. Thank you very much.

The Senator from Pennsylvania, Senator Specter.

Senator SPECTER. Thank you, Mr. Chairman.

I would start with the very basic question as to whether you think that President Bush will submit a nomination more to your