

Mr. RAUH. You will recall that Judge Souter made a statement in his speech in 1976 to the Daniel Webster College that affirmative action was affirmative discrimination. Well, he has said that he hoped he didn't say that. He hasn't denied it. He ought to be asked about that.

But you ought to know something about the Daniel Webster College. Daniel Webster College is the Bob Jones University of the North. Souter's speech to Daniel Webster College in 1976 was just exactly what they were looking for: calling affirmative action affirmative discrimination. If you have any question about it, here is the letter that was received 2 years later from minority students at Daniel Webster College talking about the harassment of black students there, the slurs the KKK made, and "niggers suck" are frequently written on the walls of our room. Judge Souter should be asked, is this the kind of a place that you can say does not have any discrimination? Were you aware of the kind of place you were going to? Then the idea that there is no discrimination there.

This is a piece from the Atlanta Constitution, making clear the exact degree of discrimination. This is what the Atlanta Constitution says about this matter. It says, "White Bias in America, Part 2, New Hampshire." Then over here it says, "Racism is not a Southern or even a regional phenomenon," and New Hampshire is their example.

You have over here another absolutely frightening example of the problems in New Hampshire that our friend, Judge Souter, couldn't see. When Meldrim Thomson, the Governor of New Hampshire, visited South Africa, he is the one person who came back and said blacks in South Africa were doing very well under apartheid. His attorney general never spoke out against that. I can only say for myself I could not work for a man who said in 1978 that blacks in South Africa were doing very well under apartheid.

We have here the story of a racial club that wouldn't serve a black man, a black referee of a well-known reputation. And I don't know. Maybe there is no discrimination, but the press up in New Hampshire doesn't say that. It is only Judge Souter who has said that, and in this particular instance, he should have been asked—and will be asked, if you recall him, as we beg for—whether he has ever been a member of or even gone to such a club. I don't think the members of this committee which has voted on that subject would want to go to a club that wouldn't admit a black man.

There is also here the story of "Klan holds King Day area recruitment effort." There are two stories on that.

Now, he says we really don't have a problem here, we don't do anything wrong in New Hampshire on race, but they have defeated under acrimonious terms, time and again, having a person to deal with this problem. Here is a story of a man he appointed to the Human Rights Commission who had to be withdrawn when it was found his own company was guilty of international intentional race discrimination.

Here is the story of the Human Rights Commission case on a man named Rallett who was harassed by being called "nigger." Is this the place where there is no racial discrimination?

Finally, just on these, Senator Chandler is the district senator from Weare, the home of Judge Souter. Shouldn't he be asked what

his relations are with his own senator? He was the attorney general. This is his own senator. Listen to what he said as a racial joke: "Jesse Jackson has stopped running for President because it was found out that his grandmother had posed for the centerfold of National Geographic."

That is a pretty rough joke.

I want to make perfectly clear that I am not accusing Judge Souter of ever having done these things. I am saying he should be questioned about them when he brought up—the leadership conference didn't bring up here that the State of New Hampshire does not have racial problems. Nobody on our side has ever said that. That was brought up by Judge Souter.

I am saying if Judge Souter is so insensitive to these problems of race, to these problems that are going to come before the Court, so insensitive that he says they don't exist, I don't see how a man can get a fair deal from him.

Finally, I see my time is up, and I have appreciated what you gave me, Senator. But I do want to make this point because it is so important. There are ways of finding out Judge Souter's views without asking him how he is going to vote. What you simply didn't do that you should have—and I think if you will recall him, you can do it—you can ask him what he ever said to people about a particular case, using *Roe v. Wade* as an example, although I don't mean it as the thing. He should be asked, Did you ever discuss *Roe v. Wade* with your nice friends and lawyers in the situation there? Why, he would have had to answer, and if he hadn't told the truth, why, someone would have come forward. There is a way of finding what a person said about a thing, and that is a fact, not an opinion.

I thank you for the chance to be here. I hope you will recall the judge. I think we are entitled to that. Everything that I have said has come up since last night because we didn't know what you would ask about. Please analyze the record, work with us, and there will be plenty to ask. I have only given you 10 examples. There are at least that many more in here of racism in New Hampshire, which Judge Souter says doesn't exist. I hope that these can all be put in the record, and I hope your staff will examine them to see whether we do not have a real case of new items for a new interrogation. Thank you.

The CHAIRMAN. Thank you very much.

Ms. Bronk.

#### STATEMENT OF JOAN BRONK

Ms. BRONK. Thank you, Mr. Chairman.

Senators, I am Joan Bronk, national president of the National Council of Jewish Women. I am not an attorney. I am not a constitutional law scholar, and my testimony has not been prepared in consultation with such experts. I proudly speak as an American Jewish woman on behalf of an organization of 100,000 volunteers serving women and their families through community service, education, and advocacy in 500 communities nationwide.

Each day, NCJW volunteers deal with the outcomes of court actions, as volunteer service providers for homeless families, juveniles involved in abuse and neglect cases, victims of domestic vio-