

In this case, he has fulfilled that promise. Judge Scalia is the very best.

In this case, the best happens also to be an Italian American. There are millions of Italian Americans in this country, many of whom started with nothing, many of whom started with immigrant parents who may not have even spoken English, such as mine. Judge Scalia's father came here from Italy as a young man. His mother was the daughter of immigrants from Italy, also.

Obviously, it is with great pride that we witness one who shares our history and our traditions nominated to serve on the highest court of our Nation. Of course, Italian Americans are Americans first and last, and it is because we are Americans that we applaud a fellow Italian American's achievement of the American dream.

This is truly a success for Italian Americans and obviously a magnificent success for the American tradition. I have no doubt that Judge Scalia will serve with distinction on the Supreme Court and will make all Americans proud to call him one of their own.

I thank you very much for permitting me to testify on his behalf. The CHAIRMAN. Thank you very much, Senator.

The distinguished Senator from New York.

**STATEMENT OF HON. DANIEL PATRICK MOYNIHAN, A U.S.
SENATOR FROM THE STATE OF NEW YORK**

Senator MOYNIHAN. Mr. Chairman, I appear to express the satisfaction and, indeed, high expectation and gratification of another ethnic group in our country, which is to say the academics, for the appointment of Judge Scalia. He comes from a distinguished academic family. His father was a professor of romance languages at Brooklyn College. He himself graduated from Xavier High School in Manhattan and went on to Georgetown and then to Harvard.

He did practice law with great success for about 8 years, but thereupon went into the teaching of law which has been his avocation ever since.

Judge Scalia's nomination by President Reagan marks the first time a professor of law has been nominated to the Court since Wiley Ruthledge was appointed in 1943 by Franklin D. Roosevelt. The last law professor to sit on the Court was Felix Frankfurter who President Roosevelt nominated in 1939. That is 47 years, sir, and 47 years between law professors is long enough.

And on that note, I would like to let you get on with these hearings.

The CHAIRMAN. Thank you very much, Senator.

Senator MOYNIHAN. May I say, also, expressing the appreciation of this member of the Finance Committee, over the years we have had more than one occasion when Judge Scalia has advised us, testified before us on constitutional issues regarding taxation. He invariably has been a source of counsel and guidance and good judgment, in our view, and I commend him to this honorable committee.

The CHAIRMAN. Thank you both for your presence and for your testimony. We will now hear from Senator Kennedy.