

Senator THURMOND. He held the same position, I believe, Ms. McPAHIL, as you hold now; is that correct?

Ms. MCPAHIL. No, Senator, it is not correct.

Senator THURMOND. He was president. You are president now.

Ms. MCPAHIL. Yes. With all due respect—oh, you mean he had the same—yes, he held—

The CHAIRMAN. At one time he did.

Ms. MCPAHIL. He was in the position.

Senator THURMOND. Yes, of the National Bar Association.

Ms. MCPAHIL. But let me make clear for the record that only one person may speak for the National Bar Association and that is its current president.

Senator THURMOND. You are the president now of the National Bar Association, aren't you?

Ms. MCPAHIL. Yes, sir.

Senator THURMOND. Well, he was the president evidently several years ago.

Ms. MCPAHIL. Several years ago.

Senator THURMOND. So I just want to place that in showing there is a division in your association as to how you stand on this matter.

Ms. MCPAHIL. Yes, sir. Mr. Duckenfield is certainly free to express his opinion as a private citizen, but not as a representative of the National Bar Association.

The CHAIRMAN. I don't believe he purports to speak for the National Bar.

Ms. MCPAHIL. Thank you.

Senator THURMOND. The hour is late, and I have no questions. Thank you very much.

The CHAIRMAN. Thank you.

Senator Simon.

Senator SIMON. Thank you, Mr. Chairman.

If I could get real fast answers from each of you on this: Ms. McPAHIL has told about the National Bar Association and the division there, if I may ask each of you—Reverend Taylor, I don't know if you are speaking for your organization or not.

Reverend TAYLOR. Yes.

Senator SIMON. Was this a close vote, an easy vote, marginal in the authorization for you, Ms. Aiyetoro?

Ms. AIYETORO. Senator Simon, I have to answer it this way: It was a very difficult vote, because we had to deliberate and some of the questions I raised were questions to you all, we had to raise for ourselves, the importance of him being a black man, but our board voted unanimously to oppose.

Senator SIMON. OK. Mr. Hou.

Mr. HOU. Senator Simon, I think for the NAPABA's position, what had happened is that each of the local Asian bar associations that comprise NAPABA engaged in extensive debate and discussion at the local level, from there moved up to a regional level, and then ultimately up to the national board level, where the final vote was taken.

During the process, I think, as an organization, we did a very thorough review of all of Judge Thomas' decisions, his record at EEOC, at DOE, and through that process we also talked to various people who knew Judge Thomas in various capacities, and as a

result of that entire process, we ended up voting to oppose. I think it was a pretty thorough discussion, but the actual vote I don't believe was that very close.

Senator SIMON. OK. If I can ask the rest of you to be a little more brief, because I am trying to get a couple more questions in here.

Ms. Seymore.

Ms. SEYMORE. The annual conference of the National Black Police Association, our general assembly instructed the national board of directors to make a decision on the Clarence Thomas nomination, and it was a close vote.

Senator SIMON. Mr. Schulder.

Mr. SCHULDER. No, it was not a close vote. Our organization opposed his nomination to the court of appeals and it was easy to oppose this nomination.

Senator SIMON. Ms. Axford.

Ms. AXFORD. Ours was not a close vote, either. There were only several people who were not willing to oppose, and the central issues had to do with the future issues that were coming up, particularly waiver of constitutional and statutory rights, and our major concerns about his opposition to class actions.

Senator SIMON. Reverend Taylor.

Reverend TAYLOR. The majority of our organization voted against Clarence Thomas.

Senator SIMON. Was it a close vote?

Reverend TAYLOR. No, no.

Senator SIMON. OK. Mr. Hou. We have had how many witnesses, Mr. Chairman, or will have?

The CHAIRMAN. We are getting close to 90 when we finish—I am sorry, through today we will have had about 60 witnesses so far.

Senator SIMON. Sixty witnesses, and to my knowledge, you are the only Asian-American who will be testifying; is that correct?

The CHAIRMAN. I think that is true. I don't know that.

Senator SIMON. Are there any other Asian-American organizations that have taken a stand in this, do you know?

Mr. Hou. I am aware that the Organization of Chinese-Americans, which is a national organization, has taken a stand to oppose the nomination. I am also aware that Chinese for Affirmative Action, which has a long history as a civil rights organization, voted to oppose him.

Senator SIMON. Mr. Schulder, on page 9 of your testimony, you have something here that I don't believe I have read before, and it gets to the whole question of whether Judge Thomas sides on the side of privilege or with people who have great need. It talks about a closed session, where he is speaking. What is your source for this closed session?

Mr. SCHULDER. The transcript of closed sessions are made available to the public, they are public documents and that is the source of this, and what it does show is that Judge Thomas, indeed, was speaking from the vantage point of employers, rather than the workers in the Xerox case.

Senator SIMON. I thank you.