Judge Roberts has refused to disavow his past record. We don't have the Solicitor General records on the *Franklin* case or others. He said many times he believes in judicial restraint, but unfortunately, what we see from the record and from his testimony is that he has been restrained in protecting individual rights and freedoms but unrestrained when he has been seeking to narrow them and that is what led the National Women's Law Center to oppose his confirmation, because we so fear turning back the clock for all Americans and most especially women and the risks are simply too high. Thank you.

Chairman SPECTER. Thank you very much.

[The prepared statement of Ms. Greenberger appears as a submission for the record.]

Chairman SPECTER. Thank you very much, Mrs. Greenberger.

Our next witness is Mayor Bruce Botelho, Mayor of Juno, Alaska. He has served as State's Attorney General. He has been a distinguished Chairman of many of the Commissions on Criminal Justice and Youth; undergrad and law degrees from Willamette University. Thanks for joining us, Mr. Mayor, and we look forward to your testimony.

STATEMENT OF HON. BRUCE BOTELHO, MAYOR OF JUNEAU, ALASKA AND FORMER ATTORNEY GENERAL, STATE OF ALASKA, JUNEAU, ALASKA

Mayor BOTELHO. Thank you, Mr. Chairman.

It is a distinct honor to appear before this Committee to support Judge Roberts's confirmation to be Chief Justice of the Supreme Court, that is, his nomination. I do so not only as a public official who has observed his work up close, but also as a liberal Democrat whose views on several social issues are likely at odds with the majority of this Committee.

I came to know Judge Roberts while serving as Alaska's Attorney General. In January of 1997 I first hired John to represent the State in an Indian law case that we had lost before the Ninth Circuit Court of Appeals. Mr. Roberts prepared our petition for cert, which was granted. He subsequently briefed and successfully argued the case before the U.S. Supreme Court. We ultimately retained him on 8 appellate matters over the course of the following 7 years.

I had the opportunity to work closely with Judge Roberts on these cases of immense importance to my State, and it is on the basis of this working relationship that I urge confirmation of Judge Roberts.

Mr. Chairman, I was struck by the eloquence, without exception, of the opening statements offered by members of this Committee on Monday, but it was Senator Kohl's personal test for confirmation that particularly resonated with me. Aside from candor, Senator Kohl said that he would look for a person who is competent, has strong character and judicial temperament, someone who knows the law and can explain it to the common person. He would look for a person who has compassion for real people who are affected by the Court's decisions, and he said he would look for a person who understands the fundamental values of this Nation.

In applying Senator Kohl's approach, I offer this brief perspective on Judge Roberts. As you have all heard repeatedly, Judge Roberts possesses extraordinary legal skills. His briefs are technically perfect. They are clear, persuasive, and they are a pleasure to read. His writing style is one that is reachable by our citizens. Likewise, his oral presentation and argument style is straightforward, responsive and conversational.

Judge Roberts is a modest, respectful, polite and eminently approachable person. He has remarkable ability to engage people of our backgrounds.

I have two anecdotes I would share with you. The first, in order to get a better understanding of the issues in a submerged land case that existed between the State and Federal Governments, he decided that he wanted to explore the area. I recall with a great deal of fondness his interaction with the crew members of a small State Fish and Game vessel as we plied the waters of southeast Alaska. He was intensely interested in the crew as persons, in what they did, what they thought, and particularly their sense of the land and water surrounding us. He truly made them feel that they were part of a team.

And as an aside, Judge Roberts's decision to spend time traveling to southeast Alaska was emblematic of his passion for learning everything there was to know about a case, not just to know the law, but to know the facts firsthand. That is the first example.

The second one a little more personal and more recent. Early this summer, I contacted Judge Roberts and asked him whether he would be willing to meet with a group of Boy Scouts on their way to the National Jamboree just as part of their trip. He immediately agreed to do so. The night that his nomination was announced in July, I e-mailed him to give him both my congratulations and to tell him that I understood that under the circumstances he had better fish to fry than meet with my troop. His reply, which was sent at 2:00 a.m., began, "Nonsense. I can think of no more valuable use of my time." He met with these young men for nearly an hour and he focused on them in a way that made them feel that they were the most important people in the world at the moment. And their collective evaluation, Mr. Chairman, was "He's a pretty good guy."

Judge Roberts works collaboratively. He always sought out views and our critique at every stage of preparation. He delighted in engaging and dialogue with my staff, and made clear his willingness to learn from, as well as to teach his clients. This collaborative approach to problem solving will be particularly valuable on the Supreme Court.

Finally, Judge Roberts has an unparalleled reverence for the role of the law and justice in our society. He was always faithful to the text and context of the law. His judgment and common sense were exquisite. He did not enter the debate on any case we presented him with a predetermined outcome or view. He subjected ideas to rigorous examination to reach logical sound conclusions based on the facts and the law. While he, like all of us, may hold personal views on a wide range of subjects, Judge Roberts has the capacity to approach every issue with a freshness and openness. He will de-