

about Anita Hill, it is because some in the Washington media are guilty of the broadcasting and publishing to the world of her confidential statement, one she really wanted to hold back.

Finally, let me say that since some have addressed the issue of me saying that there was "stuff dumped over the transom," let me now dump it over the transom into the CONGRESSIONAL RECORD. Because of those cowardly charged headlines and baiting, I want to put it in the RECORD at this point, letters and statements which our committee received over the transom—I or staff have talked to many of these people here—and we did not hear them in person.

I ask unanimous consent that these documents from lawyers in Oklahoma and people around the country be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MATTHIES LAW FIRM, P.C.,  
Tulsa, OK, October 12, 1991.

Re Anita Hill background.  
SENATE JUDICIARY COMMITTEE,  
U.S. Senate,  
Washington, DC.

DEAR SIR: On the afternoon of October 11, 1991, I went to the conference room of another law firm in my office building to watch a portion of the hearings during which Ms. Hill was being questioned. Also present were two or three young women lawyers who had recently graduated from the University of Oklahoma Law School, and who had Ms. Hill as an instructor during the time that they attended law school.

These young women stated that Ms. Hill was a very aggressive and ambitious woman, who was very outspoken with respect to her views. This trait was reportedly present in Ms. Hill to such excess that these women lawyers characterized her as a "bitch". Ms. Hill also reportedly was not a very good teacher, and was not considered to be a person of very high intellect. One of the women lawyers stated that Ms. Hill even had difficulty responding to questions of First Year law students, and commented that "If she could not even answer the questions of First Years, who don't know anything, this should give you a good idea of her abilities".

Ms. Hill also reportedly was considered to be overly ambitious and a vicious in-fighter by these women. They described an incident where there had been a very popular visiting professor (male) who was teaching contracts. Ms. Hill reportedly wanted to teach that course very much, and reportedly did her best to insure that this teacher was not invited to become a part of the permanent law school staff by attacking him both personally and professionally. As a result of Ms. Hill's attacks, this male professor left the University of Oklahoma law school, and Ms. Hill then took over the teaching of the Contracts course which she had wanted to teach.

I am in the process of attempting to contact these women to ascertain if they would be willing to repeat to the Committee what they told me privately yesterday. I swear under penalty of perjury that I have accurately reported their statements, to the best of my knowledge and belief.

MARY CONSTANCE T. MATTHIES.

Irving, TX, October 8, 1991.

Senator STROM THURMOND.

DEAR SENATOR THURMOND: I am currently the Associate Dean for Academic Affairs and an Associate Professor at the Dallas/Fort Worth School of Law. Prior to coming here, I was on the faculty at the University of Oklahoma College of Law. Anita Hill was a colleague of mine in Oklahoma.

My personal impression of Anita Hill was that she is a detailed, cold, and calculating person. Students commented to me that she was particularly ineffective in class and was not concerned about improving her performance. She appeared to recognize her protected position as a black woman in an era of affirmative action and to use that protected position for all it was worth—accelerated (sic) promotions, specially arranged teaching schedules, etc.

My own inclination is to view her interpretation of ten-year old events in light of the impact it will have on her personal interest.

Very truly yours,

DENNIS ALAN OLSON,  
Dallas Fort Worth School of Law.

#### AFFIDAVIT

John L. Burke, Jr., being duly sworn, says:

1. I am the managing partner of the Washington office of the law firm of Foley, Hoag and Elliot. I have been engaged in the private practice of law in Washington, D.C. for 20 years. I live at 1403 McLean Mews Court, McLean, Virginia 22101.

2. From August 1, 1980, until June 15, 1985, I was a partner in the Washington law firm of Wald, Harkrader & Ross. To the best of my recollection, Anita Hill joined that law firm in the fall of 1980.

3. It was the practice of that law firm to evaluate the work performance of its associates approximately every six months. I recall a time, which I believe to be in the late winter or early spring of 1981, when I met with Anita Hill in my office at the law firm to discuss her work performance with her. At that time, I was the partner in charge of coordinating work assignments for the tax, general business and real estate section of that law firm. Anita Hill had performed work assignments for the lawyers practicing in that section, including several assignments for me.

4. To the best of my recollection, that performance evaluation lasted between 30 minutes and one hour. During the course of that performance evaluation, the specific details of which I am unable to reconstruct, I expressed my concerns and those of some of my partners, that her work was not at the level of her peers nor at the level we would expect from a lawyer with her credentials, even considering the fact that she was a first-year associate.

5. During the course of that performance evaluation, I suggested to Anita Hill that it would be in her best interests to consider seeking employment elsewhere because, based on the evaluations, her prospects at the firm were limited. I also discussed with Anita Hill the fact that Wald, Harkrader & Ross was not a firm which treated its lawyers harshly and would assist her, as it would any of its associates, in finding an appropriate legal position and that she should avail herself of that assistance.

6. The performance evaluation meeting was uncomfortable for both Anita Hill and me because I was conveying a very difficult message. Anita Hill discussed with me, and disputed, some of the comments about the quality of her work. Apart from that, there was nothing that I recall to be unusual about her

reaction to the evaluation, given the circumstances.

7. It is my personal view that, based on Anita Hill's performance evaluations at Wald, Harkrader & Ross, returning to that law firm at the time that Clarence Thomas moved from the Department of Education to the Equal Employment Opportunity Commission was not an available option.

The above statement is given by me voluntarily this 13th day of October, 1991.

JOHN L. BURKE, JR.

Sworn to before me and subscribed in my presence this 13th day of October, 1991.

JUDITH A. HOLLIS,  
Notary Public,  
District of Columbia.

STATEMENT OF HON. HARRY M. SINGLETON,  
FORMER ASSISTANT SECRETARY OF EDUCATION FOR CIVIL RIGHTS SUBMITTED TO THE U.S. SENATE COMMITTEE ON THE JUDICIARY IN THE MATTER OF THE CONFIRMATION OF HON. CLARENCE THOMAS AS ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES

I immediately succeeded Judge Clarence Thomas as Assistant Secretary of Education for Civil Rights. I was brought on in the capacity of a Deputy Assistant Secretary in the Office for Civil Rights (OCR) as a means of transition to the position of Acting Assistant Secretary pending my confirmation as Assistant Secretary. During that transition period, Judge Thomas and I overlapped at OCR for approximately 4-6 weeks before his departure for the Equal Employment Opportunity Commission (EEOC). During the period of time, I met Ms. Anita Hill who was serving as an Attorney Advisor to the Assistant Secretary (Judge Thomas) and had an opportunity to observe her and her interaction with Judge Thomas. I worked closely with Judge Thomas during this period. At no time did I observe any conduct on his part remotely resembling that which has been alleged by Ms. Hill nor did I observe any behavior on her part which would have suggested that she was having problems with him, in general, or that she felt intimidated by him, in particular, as one might suspect of someone who was being sexually harassed.

More important, however, and the point upon which I specifically want to comment, is the statement made by Ms. Hill on numerous occasions that she followed Judge Thomas to the EEOC because she would have been without a job had she not done so. In fact, during a recent appearance on the Today Show program she stated, according to the transcript from that program, "[I] didn't have the option of staying at Education, so it would have meant that I would have had no job." I submit that this is not an accurate statement.

As I recall, Ms. Hill was a Schedule A attorney. As such, she had career rights. If Ms. Hill was being harassed by Judge Thomas and did not feel comfortable continuing to work with him, she could have remained at OCR. Had she approached me, and she did not, to request that she remain at OCR, she certainly would have been accommodated. In fact, I was prepared to retain her as one of my attorney advisors, but it was always made very clear that she was going on to EEOC with Judge Thomas.

HARRY M. SINGLETON.

OCTOBER 10, 1991.