The CHAIRMAN. Aye. The vote is 15 to 0 to go into closed session. The committee will now adjourn. We will go vote, come back and go into closed session. When that session is completed, we will come back for the public witnesses who wish to testify on this nomination.

[The committee recessed to closed session at 10:06 a.m.]

[A short recess was taken.]

[The committee resumed in open session at 11:50 a.m.]

The CHAIRMAN. The hearing will come to order.

We will now begin the portion of the hearing where outside witnesses will come and testify. As is the tradition of the committee for Lord knows how many years, all the years that I have been here, over 20—and I think well before that—the honor and in a sense the duty of the first outside panel, the first person to testify other than the witness himself or herself has been, on matters relating to the Supreme Court, the American Bar Association.

By way of very brief background, we ask the American Bar Association, as does the administration—and all have—to do their professional analysis of the competence and capability and the fitness of the nominee to sit on the bench, not only for the Supreme Court but for all Federal courts. They do their job, in my view, diligently and, I might add, without remuneration and at considerable expense of their time and effort. The committee appreciates it very much.

Let me call now our first panel of William E. Willis, Esq., Chairman of the Standing Committee on Federal Judiciary, the American Bar Association, and Mr. Best, also an attorney, the D.C. Circuit Representative on the Standing Committee on the Federal Judiciary, the American Bar Association in Washington, DC.

Gentlemen, welcome, and as we have indicated ahead of time, we have had the advantage of your report, and we are aware of it. We would truly appreciate it if you would summarize in 5 minutes, if you would, the findings of the committee. Then we will yield to committee members for any questions they might have.

Mr. Willis, welcome.

STATEMENT OF WILLIAM E. WILLIS, CHAIRMAN, STANDING COMMITTEE ON FEDERAL JUDICIARY, AMERICAN BAR ASSOCIATION, ACCOMPANIED BY JUDAH BEST, D.C. CIRCUIT REPRESENTATIVE, STANDING COMMITTEE ON FEDERAL JUDICIARY, AMERICAN BAR ASSOCIATION

Mr. WILLIS. Thank you. Mr. Chairman, members of the committee, my name is William E. Willis. I practice law in New York City and am Chair of the American Bar Association's standing committee on Federal judiciary. With me today is Judah Best of Washington, DC, one of our committee members who took a principal role in this investigation. Bob Watkins, another of our members, intended to be here but was called away today.

We appear here to present the views of the American Bar Association on the nomination of the Honorable Ruth Bader Ginsburg, judge of the United States Court of Appeals for the District of Columbia Circuit, to be Associate Justice of the Supreme Court of the United States.

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At the request of the White House, our committee investigated the professional competence, judicial temperament, and integrity of Judge Ginsburg. Our work included discussions with more than 625 persons, including Justices of the Supreme Court, Federal and State judges, a national cross-section of practicing lawyers, and law school deans and faculty members, some of whom are specialists in constitutional law, as well as experts on Supreme Court practice. In addition, Judge Ginsburg's opinions were independently reviewed by three reading groups—a reading team of lawyers who have practiced actively in the Supreme Court, chaired by Rex E. Lee, former Solicitor General of the United States and currently president of Brigham Young University; and two panels of law professors, one chaired by Professor Ronald J. Allen at Northwestern University Law School and one chaired by Dean Mark G. Yudof of the University of Texas Law School. And finally, Judge Ginsburg was interviewed personally by three members of this committee.

Our committee began its investigation of Judge Ginsburg on June 14, 1993, and concluded on July 13, 1993. Based upon our evaluation, we reported to the White House and to this committee that the Standing Committee is unanimously of the opinion that Judge Ginsburg is entitled to the committee's highest evaluation for a nominee to the Supreme Court of the United States: well qualified. That evaluation is reserved for those who are at the top of the legal profession, have outstanding legal ability and wide experience, meet the highest standards of professional competence, judicial temperament and integrity, and merit the committee's strongest affirmative endorsement.

I have filed with the Judiciary Committee a letter describing the results of our investigation and shall not repeat those results in detail here. I request that the letter be included in the record of these proceedings.

The CHAIRMAN. We will make it a part of the record.

Mr. WILLIS. Thank you.

[The letter follows:]

AMERICAN BAR ASSOCIATION,
STANDING COMMITTEE ON FEDERAL JUDICIARY,
Washington, DC, July 19, 1993.

Hon. JOSEPH R. BIDEN, Jr.,
Chairman, Committee on the Judiciary,
Dirksen Senate Office Bldg., Washington, DC.

Re: Honorable Ruth Bader Ginsburg.

DEAR MR. CHAIRMAN: This letter is submitted in response to the invitation from the Senate Committee on the Judiciary to the Standing Committee on Federal Judiciary of the American Bar Association (the "Committee") to present its report regarding the nomination of the Honorable Ruth Bader Ginsburg to be an Associate Justice of the Supreme Court of the United States.

The Committee's evaluation of Judge Ginsburg is based on its investigation of her professional qualifications, that is, her integrity, judicial temperament and professional competence. Consistent with the Committee's long standing policy it did not undertake any examination or consideration of Judge Ginsburg's political ideology or her views on any issues that might come before the Supreme Court.

To merit the Committee's evaluation of *Qualified* or *Well Qualified* the Supreme Court nominee must be at the top of the legal profession, have outstanding legal ability and wide experience and meet the highest standards of integrity, professional competence and judicial temperament. The evaluation of *Well Qualified* is reserved for those found to merit the Committee's strongest affirmative endorsement.