next Chief Justice. The mastery of the law that he exhibited in oral arguments leaves little doubt that he will be able to find a principled way through the murkiest of constitutional waters. His focus on the facts of the case and the circumstances of his clients, suggest that as Chief Justice he will approach each case on its individual merits. His respect for precedent, with his cautious approach to moving beyond its established bounds, offers reassurance that he will respect the role of *stare decisis*. And his collegiality and his congeniality will enable him to lead the Court as Chief Justice with grace and style.

I would like to make two final points. First, in part because of my experience as a Supreme Court clerk, I have development tremendous respect and an appreciation of the role of the Court and the role of the rule of law in safeguarding our democracy.

As a professor of law I make it my business now to try and instill that respect in the students I teach. I could not in good conscience come before you today were I not convinced that John Roberts shares that respect, and will demonstrate it every day that he serves the Court and this Nation as Chief Justice.

Finally, as both a Democrat and a woman, it is fundamentally important to me that the individual liberties of every citizen, including those relating to the right to privacy and the right to be free from discrimination be fully protected. I could not be here today if I did not feel confident in trusting my own rights and those of my children and their generation to John Roberts for safekeeping.

Thank you.

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

Chairman SPECTER. Thank you very much, Ms. Bradley.

Our next witness is Ms. Anne Marie Tallman, General Counsel of the Mexican Legal Defense and Education Fund, actually President and General Counsel.

Prior to taking that position she had been an executive with Fannie Mae. She began her career with the law firm of Kutak Rock in Denver; bachelor's degree in psychology and political science from University of Iowa, and her law degree from Boalt Hall.

Thank you for joining us, Ms. Tallman, and the floor is yours.

STATEMENT OF ANN MARIE TALLMAN, PRESIDENT AND GENERAL COUNSEL, MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND, LOS ANGELES, CALIFORNIA

Ms. TALLMAN. Thank you very much, Mr. Chairman, members of the Committee. Thank you for the invitation to testify before you today on the confirmation of John Roberts for the post of Chief Justice of the United States.

I am Ann Marie Tallman, President and General Counsel of MALDEF, the Mexican American Legal Defense and Educational Fund. We are a nonpartisan civil rights organization established to promote and protect the civil rights of over 40 million Latinos in the area of education, voting rights, immigrants rights, access to the courts and employment.

It is in these areas that the writings and decisions of Judge Roberts placed him in positions opposed not only to equal justice for

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Latinos, but opposed to the positions taken by bipartisan majorities of this Congress, and even by the Reagan administration that he served.

There has been much discussion about respect for the law. This hearing is not an abstract discussion. It serves as an acknowledgement of how the law's application impacts all of us, living, working and contributing to the richness of our country, regardless of our station in life.

A Chief Justice must approach his responsibilities with not only an open mind, but cognizant of how his decisions will affect real people. If some of John Roberts's written legal views had been adopted and become settled Federal law, thousands of undocumented immigrant children would have effectively been barred from public schools, left largely illiterate and without hope as members of a permanent underclass. A national system of identification cards might be in place, representing an unprecedented intrusion in the privacy rights of Americans, and placing minorities at much greater risk of racial profiling and discrimination. An electoral empowerment of Latinos, African-Americans, Asian-Americans and Native Americans and the record number of elected officials of these ancestries in Congress and State and local government nationwide would likely have not been achieved.

On immigrants rights, as Special Assistant to the Attorney General, he criticized the Supreme Court decision in *Plyler* v. *Doe*, a case brought by MALDEF. In *Plyler* the Court, following two lower courts, struck down a Texas law effectively barring undocumented children from public schools. Roberts criticized the Solicitor General's Office for not standing up for what he described as judicial restraint and supporting the State of Texas arguments against the application of the Equal Protection Clause, an action, he wrote, that could well have altered the outcome of the case.

As Associate White House Counsel he derided, as clinging to symbolism, the civil liberties and privacy concerns surrounding national identification cards. In expressing his disagreement with the Reagan administration's opposition to national identifiers, he failed to even mention the potential for discrimination and singling out of Latinos and African-Americans.

In voting rights, Judge Roberts mischaracterized the bipartisan efforts by members of this Committee to restore the effects test to Section 2 of the Voting Rights Act as a radical experiment, rather than a restoration of Congress's original purpose.

Finally, a Chief Justice must possess an even temperament in fulfilling his duties to dispassionately adjudicate with an open mind. We need men and women on the Court who will understand our changing Nation. Strikingly, on official White House Counsel and Department of Justice memoranda, Judge Roberts displayed a pattern of insensitivity and dismissive comments that show a lack of respect for Latino immigrants, Members of Congress who supported equal pay for women, and the history of the Kickapoo Indian Tribe.

For these reasons, we respectfully urge that you oppose Judge John Roberts's confirmation to serve as Chief Justice of the United States.

Thank you very much.

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

Chairman SPECTER. Thank you very much, Ms. Tallman.

Our next witness is Judge Denise Posse-Blanco Lindberg, a State Court Judge in Utah. An immigrant from Cuba, Judge Lindberg and her family fled Castro, coming here when she was 10-years-old. After receiving her bachelor's degree from BYU she then added three advanced degrees, including a law degree.

Among her many accomplishments are clerkship for Justice O'Connor. She worked in the D.C. Office of the Law Firm of Hogan & Hartson, and has been a State Court Judge in Utah since 1998.

Thank you for joining us, Judge Lindberg, and your testimony begins simultaneously with the re-arrival of Senator Hatch.

[Laughter.]

Senator HATCH. I would not miss this for the world, I will tell you.

STATEMENT OF DENISE POSSE-BLANCO LINDBERG, JUDGE, THIRD JUDICIAL DISTRICT COURT, STATE OF UTAH, SALT LAKE CITY, UTAH

Judge LINDBERG. Thank you, Mr. Chairman, members of the Committee. My name is Denise Posse-Blanco Lindberg, and I am a State Trial Court Judge from the State of Utah. I am honored to appear before you today in enthusiastic support for the nomination of Judge John Roberts as Chief Justice of the United States.

He brings to this appointment a keen intellect, sound judgment, honesty, fairness and decency, and exceptional knowledge of and respect for the law, the courts, and our constitutional system. He has all the attributes necessary to be a Chief Justice in the highest traditions of that office.

Over the past 15 years, I have observed his career from at least three different vantage points; first as a law clerk to Justice Sandra Day O'Connor; second as his colleague at the Washington, D.C. law firm of Hogan and Hartson; and as a member of the Appellate Practice Group, which he headed; and now as a fellow judge who has reviewed his judicial record.

My first exposure to Judge Roberts came on opening day of October term 1990 at the Supreme Court when then-Deputy Solicitor General Roberts presented one of the First Monday arguments. I expected a professional presentation from members of the Solicitor General's office, but the skill and effectiveness with which he argued his case far exceeded my expectations. Notwithstanding his youth, his composure, his clear command of the relevant facts in law, and his exceptional ability to engage with the Court in a discussion of the issues made a lasting impression on me.

After clerking for Justice O'Connor, I joined Hogan's appellate practice group and I worked with John on a number of cases following his return to the firm. I remember many cases that we worked on, but I specifically remember his support and guidance during my first solo effort at drafting a brief for a case before the D.C. Circuit. It was a pro bono matter and he willingly spent considerable time reviewing drafts, providing feedback, and that was invariably insightful, helpful, and courteous. He analyzed issues creatively without distorting precedent or stretching a point of law