Senator MATHIAS. Thank you very much. Miss Katzen.

Ms. KATZEN. Thank you.

STATEMENT OF SALLY KATZEN

My name is Sally Katzen. I am a lawyer in private practice—a partner at Wilmer, Cutler & Pickering here in Washington.

I am speaking today on behalf of myself alone in support of the nomination of Judge Scalia.

As you know, several women's groups have voiced concern about Judge Scalia. I understand that they are concerned because, based on his opinions and other statements, they believe that if he were confirmed he would undo much of what the women's movement has accomplished in the courts in the last decade.

In essence they disagree with Judge Scalia's position on a number of issues of importance to women.

I, too, disagree with Judge Scalia on many of these issues. But whereas they believe him to be closeminded, or perhaps affected by a personal bias against or insensitivity to women, my experience is very much to the contrary.

As Dean Verkuil noted this morning, Judge Scalia, who was then Professor Scalia, served as the chairman of the administrative law section of the American Bar Association in 1980–81. I had been elected to the council of the section, which is the decisionmaking body, in August 1980, when I was serving as the general counsel of the Council on Wage and Price Stability in the Carter administration.

My 3-year term on the council of the administrative law section coincided with Judge Scalia's tenure as chairman-elect, chairman, and past immediate chairman. As a result I had an opportunity to see firsthand Judge Scalia's stewardship of the administrative law section, and how he chose to exercise the leadership role that he had.

During those years I found Judge Scalia to be very bright; with strong analytical skills, well versed on administrative law issues, and intellectually curious.

He rarely, if ever, accepted arguments or contentions just because they were forcefully presented. He frequently challenged positions, including his own, in a spirit of collegial decisionmaking and debate. He attempted to bring his colleagues around to his point of view, but he was equally willing to be persuaded by well-reasoned, well-documented arguments. And I wish to stress that he never demonstrated any bias against or insensitivity to women, nor did he ever indicate that discrimination against women is appropriate, or even acceptable.

On the contrary, during these years, when he had no basis for knowing that his statements and actions would be subject to the intense scrutiny to which they are now being subjected, he was fair and nondiscriminating to all members of the section. He solicited and listened to my views, notwithstanding that we often disagreed, and, as best I recall, he related or responded to the other women in the section with the same courtesy and respect, treating us no differently than our male colleagues.

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

In fact, it is my clear impression that he actively encouraged women to participate in the work of the section. As chairman-elect, he appointed 6 women as chairs of committees, and 16 as vice-chairs of committees, and he appointed a woman to the 3-person nominating committee, which had the responsibility for selecting the following year's officers and council members.

When I served on the nominating committee several years later, I undertook as one of my assignments to poll past chairmen to get their views as to bright young, or not-so-young, rising stars. And I recall that Judge Scalia was very enthusiastic about women in leadership roles in the section generally, and very high on some women candidates in particular.

I should add that in the last few years I have appeared before Judge Scalia in oral arguments in the District of Columbia Circuit. And the traits that I discerned in the early eighties—being well prepared, analytically quick, and intellectually curious and fair—were very much evident in his performance on the bench.

I, therefore, urge your favorable consideration and confirmation of Judge Scalia to be Associate Justice on the Supreme Court.

Senator MATHIAS. Thank you, Ms. Katzen.

Mr. Fuller.

STATEMENT OF JACK FULLER

Mr. FULLER. I am Jack Fuller. I am editorial page editor of the Chicago Tribune.

Though I do not speak today in the voice of the newspaper, since it confines its say to the printed page, I should tell you at the outset that the Tribune has applauded Judge Scalia's nomination. In editorial published in the newspaper of June 18, 1986, the Tribune praised Judge Scalia's "reputation for intelligence, intellectual honesty and convincing argument" and went on to characterize him as "a lawyer's lawyer: meticulous, measured, determined to read the law as it has been enacted by the people's representatives rather than to impose his own preference upon it."

I am here——

Senator BIDEN. We would be surprised if you were here and it did not.

Mr. FULLER. I have known Judge Scalia for more—I do not know why you would be.

I have known Judge Scalia for more than a decade since working with him in the Department of Justice where I served as a special assistant to the Attorney General at that time, Edward Levi.

In the Department I worked with Judge Scalia closely on a wide range of issues of Federal legal policy, many of them difficult constitutional matters that touched on fundamental concerns of liberty and the structure of constitutional government.

Judge Scalia brought to bear the lawyerly virtues of attention to detail, close analysis and clear, direct expression.

He was openminded in the examination of legal questions, and scrupulously honest in the presentation of his views.

If character, intelligence, legal craftsmanship and a passionate regard for the tradition and responsibility of the law are the marks