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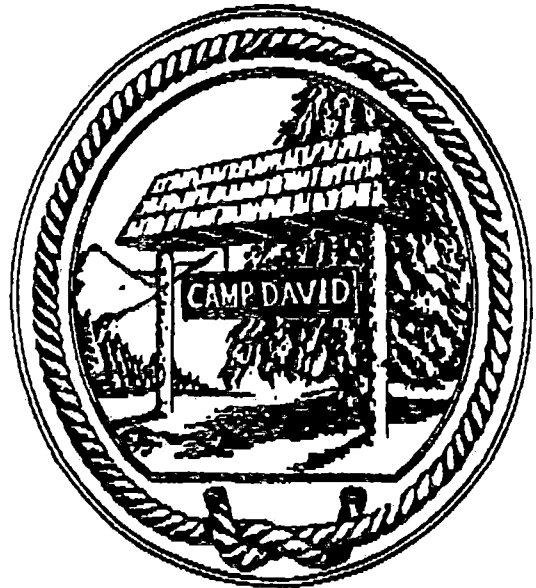
Record Group/Collection: George H.W. Bush Presidential Records
Collection/Office of Origin: Speechwriting, White House Office of
Series: Speech File Backup Files
Subseries: Chron File, 1989-1993

OA/ID Number: 13732
Folder ID Number: 13732-008

Folder Title:
[David] Souter Swearing-in 10/8/90 [OA 6896]

Stack:	Row:	Section:	Shelf:	Position:
G	26	20	7	6

CAMP DAVID



FAX COMM # 301-271-1366

TO: CHRIS WINSTON (SPEECH
FROM: LCDR JUSTICE WRITING)
SUBJECT: SOUTER SPEECH

No. of Pages to follow: 5

Reply Requested (Y/N)?

COMMENTS: PLEASE HOLD IN
SITROOM FOR SPEECH
WRITER

If you don't receive all copies, call 301-271-1400.

McNally/Simon
Oct. 4, 1990
Draft Four (B:SOUTER)

PRESIDENTIAL REMARKS: SWEARING-IN CEREMONY FOR JUSTICE SOUTER
THE EAST ROOM
MONDAY, OCTOBER 8, 1990, 5:00 P.M.

Thank you, and good afternoon. Mr. Chief Justice, Members of the Court, ladies and gentlemen: Truly, it is a great honor to greet you at the White House, and in particular, to welcome the friends of this extraordinary judge to Washington.

Today's ceremony is historic for many reasons. It is, of course, the first Supreme Court appointment of this presidency. But more importantly, it serves as another occasion to celebrate the 200 years of the Constitution of the United States, and the independent judiciary it launched.

We meet on Columbus Day, birthdate of a modern hemisphere -- and an auspicious date for any new beginning. Elsewhere around the world, the origins of many countries are almost lost in time, their roots unclear or unknown. Not so in America. We know exactly where -- and exactly when -- our modern history begins. But we often forget that, back in 1492, Christopher Columbus was searching not for a new world, but for a new way -- a passage to the riches of the Far East. (In fact, Columbus was so confident he carried a letter from Queen Isabella to be delivered to the Emperor of China. [TRUE] This marked history's first known case of mail getting lost on its way across America.)

But if our modern history began with a search for earthly treasure, it was a search for something more elusive that actually gave birth to the United States. A search for freedom.

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A search for justice and self-government. A search that produced the Constitution of the United States.

In ancient China, the word "wisdom" was formed by a combination of the ideograms for wind and lightning. Wind and lightning. Years before the American Revolution, Benjamin Franklin lofted a kite upon the wind and seized lightning from the sky. At age 81, he did it again. For four sweltering months in the summer of 1787, 55 delegates met in Philadelphia, debating a wonderful, audacious, unsettling idea. Washington called the Constitution "little short of a miracle." It was wisdom. Wind and lightning. A nation inventing itself.

One of those 55 delegates was James Wilson, the son of a Scottish farmer, and the Pennsylvania lawyer who shared responsibility for writing the Constitution's first draft. A fervent advocate of the sovereignty of the people, Wilson fought for a strong national judiciary, and was one of the first to envision the principle of judicial review. Today, Wilson's idea stands as one of the cornerstones of our Republic -- and one of America's greatest gifts to the world. \\\

Tomorrow morning, Justice David Souter -- sounds good, doesn't it? -- assumes a distinguished seat on the Supreme Court. It was first held by that very same James Wilson -- one of the five men that President George Washington first appointed to the Supreme Court in 1789. His successor was Bushrod Washington, a nephew of the President, soldier in the Revolutionary War, and founding member of one of the many organizations that has recog-

nized David Souter for his brilliant intellect -- Phi Beta Kappa.

34 years ago, this distinguished seat became open during the presidency of one of my personal heroes -- Dwight D. Eisenhower. And Ike filled that seat with a jurist who was to become one of the most personally beloved members of the Court: Justice William Brennan. And in marking this moment of transition, let me first -- on behalf of all Americans -- wish Justice Brennan a most pleasant and active retirement. \\\

Like his predecessor, Justice Souter comes to the Court with a distinguished record of judicial service. And I am grateful that many of the fine judges with whom he has served are able to be with us today.

During the recent hearings, Justice Souter clearly demonstrated the superb education, training, and experience that grace his record. But even more important, Justice Souter once again demonstrated his life-long devotion to principle -- a simple, strait-forward, and enduring principle -- a principle quite familiar to Justice James Wilson and the other Framers of the Constitution. And the principle is this: The role assigned to judges in our system is to interpret the Constitution and lesser laws -- not to make them.

And on this issue of principle, I also want to congratulate the Judiciary Committee, and the full Senate, for the prompt and faithful exercise of their own constitutional responsibilities. ~~By abiding by constitutional tradition -- by not insisting that a nominee commit himself to any preordained outcomes or formula-~~

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tions -- you enabled Justice Souter to fully inform the Senate as to his qualifications and general interpretive principles, while still abiding by the constraints needed to protect our tradition of an independent judiciary. It marks a victory for excellence over special interest politics, and let us hope it marks an end to litmus tests.

Like many Americans, I was particularly moved by Justice Souter's opening comments, ^{at his hearing >} "The first lesson," he said, "simple as it is, is that whatever court we are in, whatever we are doing ... at the end of our task some human being is going to be affected, some human life is going to be changed by what we do." And he added: And so "we had better use every power of our minds and our hearts and our beings to get those rulings right."

Now those are the sentiments of one very thoughtful and caring man. ~~Matched by his extraordinary talents, impeccable integrity, and devotion to neutral principles. It promises that Justice Souter will serve the Court and the country as a powerful force for good. !!!!~~

Just down the street, as the autumn twilight descends on Washington, an underground vault holds America's founding papers, the birth certificate of a Nation. [Tomorrow morning the steel doors will open, the display case rising up to a large, rather ordinary room. And, like every morning, a long line of visitors will touch their fingers gently to the glass.] Inches below, the paper is a deep yellow, but the writing is still strong and distinct. "We the People of the United States..."

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The Constitution is not just a symbol but a living idea, the world's greatest experiment in freedom and self-government. Four hand-written pages that promise freedom and justice before the law. Unlike other nations, Americans cannot look to a common heritage of culture or blood. Americans come from every corner of the world, linked only by this, an idea, a nation that invented itself.

In just a few moments, we will all bear solemn witness to the oath of office of America's newest Supreme Court Justice -- ~~and so help begin a new journey, a rite of passage and renewal that, with each generation, can breathe wind and lightning into~~ ~~an ancient dream.~~ And so let me conclude with Justice Souter's own description of the task ahead: It is "the responsibility to join with eight other people, to make the promises of this Constitution a reality for our time, and to preserve that Constitution for the generations that will follow us, after we are gone from here."

And now I would invite Chief Justice William Rehnquist, with the assistance of Erin Rath, to administer the constitutional oath of office to Justice David Souter. \\\ Mr. Chief Justice

#

[[FOLLOWING SWEARING-IN]] Thank you, ladies and gentlemen. And now on behalf of Chief Justice Rehnquist, Justice Souter and all the members of the Court, Barbara and I would like to invite you to join us for refreshments in the State Dining Room.

THE WHITE HOUSE
WASHINGTON

October 5, 1990

MEMORANDUM FOR THE PRESIDENT

THROUGH: CHRISS WINSTON *W*
FROM: EDWARD E. McNALLY *gmm*
SUBJECT: SWEARING-IN CEREMONY FOR JUSTICE DAVID SOUTER

On Monday, October 8, at 5:00 p.m., you will give remarks and then observe the swearing-in of Supreme Court Justice David Souter in the East Room. Approximately 200 friends of Justice Souter and other government officials will attend.

The remarks (9 minutes, on cards) are rather formal, as befits the occasion.

McNally/Simon
Oct. 4, 1990
Draft Four (B:SOUTER)

PRESIDENTIAL REMARKS: SWEARING-IN CEREMONY FOR JUSTICE SOUTER
THE EAST ROOM
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McNally/Simon
Oct. 3, 1990
Draft Three (B:SOUTER)

PRESIDENTIAL REMARKS: SWEARING-IN CEREMONY FOR JUSTICE SOUTER
THE EAST ROOM
MONDAY, OCTOBER 8, 1990, 4:00 P.M.

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Who's Who in the East

3

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Encyclopedia

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And now I will ask that Chief Justice William Rehnquist administer the constitutional oath of office to Judge Souter.

Mr. Chief Justice.

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Jill Brett
517-5255
what's archives

transcript
of
hearing
9-13-90
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ribed the visit in her excellent
den nya världen (3 vols.,
Homes of the New World,
 champion of women's rights,
 novel *Hertha* (1856),
 out legislation advancing
 Sweden. She died in Ar
 1, 1865.

37; Eng. tr., *The Neighbour*
 t (1839; Eng. tr., *The House*
 considered Miss Bremer's
 lled with gentle humor about
Familjen H- (1829; Eng. tr.,
 14) was the first realistic novel
 e. Miss Bremer's other novels
 ; Eng. tr., 1844); *En dag i*
Diary, 1845); and *Fader och*
 tr., *Father and Daughter*
 r's collected works in Swed
 ix volumes between 1868 and
 ondance was issued in four
 15 and 1920.

ELLAS L. BREDSO
University of Cambridge

rä-mär-hä'fən, is a port city in
 the state of Bremen. Situated
 on the bank of the Weser River
 North Sea, Bremerhaven is a
 Bremen. Vessels with
 the Weser River docks of
 miles (74 km) upriver—dock
 is Germany's largest fishing
 d industries and wholesalers.
 port area as well. There are
 and repair shops in Bremen
 n has a school of navigation
 ring, an institute for ocean
 museum, and the North Sea

germeister (mayor) of Bremen
 larger ships of the future
 use the Weser channel, ne
 of Bremerhaven by Bremen
 ion of the Old Harbor, which
 l. The new Harbor was fin
 icilities have been continually
 en. The adjacent town of
 incorporated into Bremerhaven
 the city was destroyed in
 because of the heavy use of
 States armed forces, it was
 ulation: (1983) 137,769.

A. G. STEER, JR.
Columbia University

r-ər-tən, is a port city in
 in Kitsap county. It is sit
 id, 15 miles (24 km) south
 h which it is connected by
 und Naval Shipyard was es
 n in 1891, and its shops and
 most important of the city's
 ctivities include lumbering,
 ying and poultry raising, and
 s, codfish, salmon, and hall
 e seat of Olympic College,
 al institution. The city is

r.
 med for William Bremer, a
 who platted the townsite to
 ublish the shipyard. Bremer
 form of government. Popu-

BRENDAN, bren'dən, **Saint** (died c. 583), Irish
 saint, the most famous of the many Irish saints
 bearing this name. He founded several mona-
 chies but is most noted for the one at Clonfert,
 County Galway, where he was also abbot.
 Brendan's visit to St. Columba on the island of
 is recorded in the 7th century life of
 Columba by St. Adamnan, Irish monk and writer.
 Beyond these few details, however, nothing is
 known with any certainty about Brendan be-
 cause the extant sources, written long after
 the saint's death, are conflicting and filled with
 legends.

Reputed to be a great traveler, Brendan was
 the navigator-hero of a voluminous literature that
 survives in general from the *Life of Brendan*
 (Vita Brendani) and the more famous *Voyage of*
Brendan (*Navigatio Brendani*). The former de-
 scribes two voyages, one successful and one un-
 successful, to an island to which Brendan was
 directed by a vision in order to live in seclusion
 as an anchorite. The *Navigatio*, composed by an
 Irishman apparently in the first half of the 10th
 century, tells that Brendan's goal was "the land
 of the promise of the saints." These tales are
 Christianized adaptations of pagan sagas of
 voyages, which were very popular in Ireland.
 The *Navigatio* was translated into several lan-
 guages and made Brendan one of the best known
 saints in the Middle Ages.

Mapmakers charted a St. Brendan's Isle in the
 Atlantic Ocean as late as the 18th century. Even
 more recently Brendan has been honored by some
 as the first discoverer of America. His feast day
 is May 16.

JOHN F. BRODERICK, S. J.,
Weston College, Mass.

BRENDEL, bren'dəl, **Karl Franz** (1811–1868),
 German musicologist. He was born in Stolberg
 on Nov. 26, 1811, and studied at the univer-
 sities of Leipzig and Berlin. In 1845 he became
 editor of the *Neue Zeitschrift für Musik*, which
 had been founded in 1834 by Robert Schumann.
 During Brendel's tenure the journal championed
 Schumann and the "New German" musical re-
 form led by Liszt and Wagner.

In 1846, Brendel joined the faculty of the
 Leipzig Conservatory. In 1856 he founded a
 second periodical, *Anregungen für Kunst, Leben*
und Wissenschaft, which began in 1859 to urge
 a reconciliation between the conservative and
 "New German" schools. To this end Brendel
 helped establish, in 1861, the Allgemeiner deut-
 scher Musikverein (German Music Union), and
 he served as its first president until his death, in
 Leipzig on Nov. 25, 1868. Brendel's works in-
 clude several studies in musical history, the most
 important being *Geschichte der Musik in Italien*,
Frankreich und Deutschland (1852).

BRENNHAM, bren'əm, is a city in south central
 Texas, the seat of Washington county, 72 miles
 (116 km) northwest of Houston. The trade and
 shipping center for an agricultural area in the
 Brazos Valley, it has cotton and cottonseed-oil
 mills and creameries. Other industries produce
 mattresses, springs, brooms, and furniture. There
 are oil fields nearby. The city is the seat of Blinn
 College, a 2-year coeducational institution.

Settled in 1844, Brenham was partly burned
 during the Reconstruction era after the Civil
 War. It has a commission government. Popula-
 tion: 10,966.

BRENNAN, Francis (1894–1968), American car-
 dinal of the Roman Catholic Church. He was
 born in Shenandoah, Pa., on May 7, 1894.
 Ordained in Rome in 1920, he graduated in the-
 ology, then in Roman and canon law at the Apol-
 linare faculty. He returned to Philadelphia in
 1924 and taught moral theology and canon law
 until his appointment to the Sacred Rota in
 Rome (1940). (The Rota is a high court of
 appeals with competence in all matters concern-
 ing the ecclesiastical rights of individuals.) The
 first American dean of the Rota (1959–1967), he
 was raised to cardinal in 1967 by Pope Paul VI.
 Cardinal Brennan also held the post of commis-
 sioner of the Prefecture of the Holy See's Eco-
 nomic Affairs and served as consultant to the
 Central Commission for the Second Vatican
 Council. He died in Philadelphia on July 2, 1968.

BRENNAN, William Joseph, Jr. (1906–),
 American judge, who became an associate justice
 of the U. S. Supreme Court in 1956. Although
 he frequently voted to dispose of a case on nar-
 row grounds, he undertook groundbreaking in-
 novations on other occasions. Personally cordial
 and informal, he showed intense dedication and
 a meticulous thoroughness in his work that often
 resulted in his writing lengthy opinions.

The son of Irish immigrant parents, Brennan
 was born in Newark, N. J., on April 25, 1906.
 He attended the Newark public schools and re-
 ceived a bachelor's degree from the University
 of Pennsylvania's Wharton School of Business
 in 1928 and a law degree from Harvard Univer-
 sity in 1931. Thereafter he practiced law in
 Newark (and as an Army officer, 1942–1945)
 until 1949, when he became a trial judge in the
 New Jersey superior court. Elevated to that
 court's appellate division in 1951 and to the
 New Jersey supreme court in 1952, he won
 recognition for his role in the nationwide drive
 to clear up court congestion and delays in litigation.
 President Dwight D. Eisenhower, a Rep-
 ublican, appointed Brennan, a Democrat, to the
 U. S. Supreme Court in 1956.

On the court in the 1960's, Brennan was in
 the majority more often than any other justice,
 and he wrote many important majority opinions.
 Among these was *Baker v. Carr* (1962), a land-
 mark case in which legislative apportionment was
 opened to scrutiny by the federal courts. Bren-
 nan also wrote the historic decision in *New York*
Times Co. v. Sullivan (1964), in which the court
 first imposed limitations on state libel laws,
 holding that a public official cannot collect dam-
 ages for published material relating to his official
 conduct unless "actual malice" is proved. Among
 his other free speech, press, and association
 opinions for the court, were most of the basic
 opinions on the law of obscenity. A proponent of
 strong enforcement of the antitrust laws, he
 wrote such major antitrust opinions as those re-
 quiring du Pont to dispose of its General Motors
 stock.

Brennan wrote opinions making post-convic-
 tion remedies widely available to state prisoners
 and requiring the states to observe fully various
 criminal procedural guarantees of the Bill of
 Rights. On the other hand, he wrote majority
 opinions interpreting some of these guarantees
 more restrictively than several justices advocated
 in dissent. Among his notable writings on re-
 ligious liberty is an extensive, scholarly opinion
 explaining his concurrence with the court's hold-

Stone's acceptance of the Holmes-Brandeis position. Had Stone been a member of Congress, he would have worked vigorously to prevent the passage of the legislation in question, which was the New Deal measure known as the Agricultural Adjustment Act. He upheld the statute, saying: "While unconstitutional exercise of power by the executive and legislative branches of the Government is subject to judicial restraint, the only check upon our own exercise of power is our own sense of restraint."

In 1937 several of the more conservative justices retired from the Supreme Court, and President Franklin D. Roosevelt selected liberals to fill the vacated positions. This change in the Court's membership resulted in a corresponding change in its rulings. Post-1937 decisions reversed previous opinions, and the majority of the Court after that date accepted many of the positions that Holmes, Brandeis, Stone, and Cardozo had taken in their earlier dissents.

When Chief Justice Charles Evans Hughes retired in 1941, President Roosevelt named Stone as his successor. Stone served five years in this office. He was delivering a dissenting opinion in the case of *Girouard v. the United States* when he became fatally ill. He died on April 22, 1946, in Washington, D.C.

OCTOBER 12

Columbus Day

This is a movable event. See note on page xxvi.

The identity of the first Europeans to visit the shores of America is uncertain. The Irish may have reached what is now Canada in the 9th or 10th century, and two Norse sagas report that Leif Ericson (see October 9), son of Eric the Red, reached Vinland, an area of wild grapes and self-sown wheat located west of Greenland, about 1000 A.D. But if the Irish or the Norse were the first Europeans to set foot in the Americas, neither had any lasting impact on the land or its natives. It was only with the voyage of Christopher Columbus in 1492 that effective European exploration and colonization of the New World commenced.

Little is known about the commander of the momentous 1492 expedition. Most historians believe Christopher Columbus, or, in Italian, Cristoforo Colombo, was born in Genoa in 1451. His father, Domenico Colombo, was a weaver, and the future navigator may have followed his father's trade during his youth. He very likely went to sea sometime around 1472.

Columbus arrived in Portugal in 1476 after

narrowly escaping death during a naval battle. The young seaman made a number of voyages under the Portuguese flag during the following years and visited England, the African Gold Coast, the Madeira Islands, and the Azores. In 1479 or 1480 he married Felipa de Perestrelo, the daughter of the captain of Porto Santo, one of the Madeiras.

Unfortunately, Portugal failed to offer Columbus support for his most daring venture. Like many mariners of his time, Columbus dreamed of gaining fame and wealth by finding a water route to the Orient. In 1484 he asked King João II of Portugal to provide financial backing for his plan to reach the East Indies by sailing west. The king refused.

Most educated persons of the 15th century believed the earth to be round and accepted Columbus's plan as theoretically possible. Nevertheless, the best geographers correctly calculated that 10,000 miles lay between Europe and the East Indies, and few were convinced that ships could successfully complete so arduous a voyage. Columbus disagreed, claiming that only 2,400 miles separated the continents, and his gross underestimation was the source of much of his self-confidence and courage.

For years Columbus was unable to obtain financial support for his adventurous undertaking. Then, in 1492, King Ferdinand and Queen Isabella of Spain agreed to sponsor his voyage. The Spanish monarchs met all of Columbus's demands: they provided him with three ships, named him Admiral of the Ocean Sea, and appointed him viceroy of any territory he might discover. On August 3, 1492, Columbus and his 90-member crew sailed from Palos, Spain, aboard the *Niña*, the *Pinta*, and the *Santa María*. They carried with them a letter from Ferdinand and Isabella addressed to the Grand Khan of China.

Columbus's transatlantic crossing was relatively easy. From Spain his three ships sailed to the Canary Islands, off the coast of Africa. There they took on additional provisions and on September 6 began their voyage west. At first the northeast trade winds wafted the caravels briskly along, but then unfavorable breezes and calms slowed their progress. For more than a month the vessels sailed, almost 2,700 miles, without sighting land. The sailors became mutinous, and in early October they tried to persuade Columbus to turn back. The commander remained steadfast, vowing that he would continue the voyage until, with God's help, he found the Indies.

The expedition maintained its westward course, and within a few days Columbus believed he had accomplished his purpose. At 2:00 A.M.

an award, 1989. Mem. Nat. Music Council, 1989. (c. 1989). Music Critics Assn., Pi Kappa Lambda, Mu Phi Epsilon Found., nat. chmn. Sterling Staff Concert Series, citation 1989. West End Ave New York NY 10023

ALAN JAY, financial services counselor; b. Hutchinson, Kans., 41; s. Jacob Nelson and Aline A. (Burge) S.; m. Deanna Lea, 26, 1980; 1 child, Elizabeth Beth. BA, Coll. Wooster, 1963; U. N.Y., 1966; MBA, Fordham U., 1985. Asst. pastor First Presbyterian, 1966-69; pastor Trinity Presbyterian Ch., N.Y.C., 1970-75; exec. pres. Chn. (USA), N.Y.C., 1974-84; pres. Religion in Inc., N.Y.C., 1985-87; fin. svcs. counselor, 1988-; parish assoc. Presby. Chn., N.Y.C., 1987-; Author: *Lives in Progress*, 1989; *Together We Care*, 1981, *Abound in Hope*, 1983; producer: (film) *The Gift*, 1982, *Claimed by God's Grace*, 1984. Class sec. Yale Nat. Haven, Conn., 1988-; Fellow, Rockefeller Bros. Found., m. Nat. Assn. Life Underwriters, Presbytery of N.Y.C., Wooster (pres. 1973-75, 77), Presbyterian, Home: 70 La Salle St New York NY 10027 Office: 27 E 39th St 3d Fl New York NY 10016

EN, KELD, biochemist; b. Copenhagen, Denmark, June 5, 1953; S. 1987; s. Alf and Karin (Bendtsen) S.; m. Susan Linda Horn, 180; 1 child, Kasper, PhD, U. Copenhagen, Denmark, 1980. Assoc. U. Bern, Switzerland, 1980-82; postdoctoral researcher Tex. Temple, 1982-83; asst. prof. U. Bern, 1983-87; dir. biotechnology nology NTD Labs., Carle Place, N.Y., 1987-; Editorial bd. *emica Acta*, Glasgow, 1987-; referee several sci. journals; contr. prof. journals; patentee in field. Mem. N.Y. Acad. Sci., Danish Soc. istry, Am. Assn. Clin. Chemistry, Unitarian Universalist. Home: Ave Dix Hills NY 11746 Office: NTD Labs 383 Old Country Rd NY 11514

EN, MEREDITH JEAN, educator; b. Penn Yan, N.Y., May 23, 1928; s. Alfred Edwin and Mary (Raiman) S. BA, Ottawa (Kans.) U., No. Mich. U., 1976; postgrad. New Zealand Whole Lang. Program, Hamilton, summer 1989. Cert. elem. tchr., elem. sch. Rochester (N.Y.) City Schs., 1962-63; Penfield (N.Y.) Chn. Sch., 1963-64; Cts. Sch., 1967-70. Vol. (correctional facility) In- Y. Sch., 1970-83; adv. dir., 1982-; bd. dirs. Ottawa U., 1970-74; Y. Sch., 1970-83; adv. dir., 1982-; bd. dirs. Fairport Apts. State Legis. Adv. Comm., Albany, 1977-83; bd. dir. Dance Club, 1981-83; founder Swinging Singles Western Sch. Dance Club, 1967. Named one of Outstanding Young Women Am., 1971. Federated Tchrs., N.Y. State United Tchrs., Marion Tchrs. Assn., 1971-73; soc. social and sunshine comm., chair negotiations comm., Reading Assn., N.Y. State Reading Assn., Genesee Valley Devel. Group, Assn. for Supervision and Curriculum Devel., Phi Delta Kappa, Club: Danish Sisterhood (Penn Yan). Office: Marion Ctn N Main St Marion NY 14505

EN, OVE, electronics executive; b. Aarhus, Denmark, Dec. 3, 1915; s. Jorgen and Dagmar (Moller-Christiansen) S.; m. Marie King, July 2, 1978; children: Carsten, Merete, Chiara, JEE, Air Force Acad., 1973. Quality assurance mgr. Oticon Corp., J., 1975-79; dir. engring. Charlus Systems, Whippany, N.J., 1979-79; engring. N.Y.C. Offtrack Betting, 1981-83; dir. engring. Iorsham, Pa., 1983-85; assoc. Scandesign Electronics, Pipersville, Pa., 1985-86; mem. Danish Bro. (Bensalem, Pa.), Vasa Order (Sterling, N.J.), inne.

EN, ROBERT C., marketing executive, educator; b. Lincoln, 7, 1923; s. Christian Abraham and Annis Sarah (Chaikin) S.; m. Joyce Mattson, Sept. 11, 1943; children: Robert C.A., Katherine (W.M. Student, U. Nebr., 1940-42; Northwestern U., 1942-43; AB, 1944, MA, 1948, PhD, 1954. Field examiner Chgo. regional office 945-46; indsl. rels. dir. Scott Radio Labs., Chgo., 1946-48; dir. John Marshall Law Sch., Chgo., 1948-52; asst. prof. law U. Ill. Law, Lincoln, 1948-52; ops. analyst Ops. Rsch. Office, Johns U., Chevy Chase, Md., 1952-54; dir. audience analysis dept. Rsrch. Darcy Advt. Co., N.Y.C., 1961-65; exec. dir. Ctr. for Ad- ractice, McCann-Erickson Inc., N.Y.C., 1965-67; pub. Psychology assn., N.Y.C., 1967-68; pres. Robert C. Sorensen & Assocs. Inc., 1968-85; Sorensen Mktg./Mgmt. Corp., N.Y.C., 1979-; v. dir. rner Communications Inc., N.Y.C., 1972-74; prof. mktg. Grad. and d. Sch. Bus. Adminstr., Rider Coll., Lawrenceville, N.J., 1981-; pert witness in intellectual property and Anti-trust. Author: *it Sexuality in Contemporary America*, 1973, (with Viggo Morten- Will and Determinism, 1987; assoc. editor: *Zygon: Jour. of Reli- Sci.*; contr. articles to prof. journals. v.p., councilor Inst. on Reli- n Age of Sci.; chmn. Scandinavian Seminar, Inc.; bd. dirs. Foster lan Internat., Foster Parents Plan U.S., Scandinavian Seminar Coll. genat. Recipient UN award for civilian work in Korea, 1953. Mem. (sch. Coun., Am. Sociol. Assn., Am. Assn. for the Advancement Politi. Sci. Assn., Am. Assn. Pub. Opinion Rsch., Am. Mktg. S. Trademark Assn., Univ. Club, Democrat. Unitarian. Address: id St New York NY 10021

STEPHEN MICHAEL, lawyer, consultant; b. Newark, May 2, 1945; s. Louis and Felice (Hoch) S.; m. Karen Ann Maris, Mar. 17, A. Yale U., 1971; JD, George Washington U., 1976. Bar. Md. 1976, 7, U.S. Dist. Ct. D.C. 1977, U.S. Claims Ct. 1977, U.S. Supreme Ct. tity, advisor GAO, Washington, 1976-80; sr. atty. EPA, Wash- 980-83; mgr. govt. contracts and grants, nat. coord. privatization- ture svcs. Touche Ross & Co., Washington, 1983-86; dep. gen. AAI Corp., Balt., 1986-; v.p. Privatization Council, N.Y.C., Author: (with others) *Federal Grant Law*, 1979, Privatization, 1988; gal newsletter Forum, 1982-83; contr. articles to legal jour- reater Coleville Citizens Assn., Silver Spring, Md., 1982-84. Mem. st chmn. fed. grants and contracts comm. 1981-82, vice chair environ- m. 1985-; Fed. Bar Assn. (chmn. fed. grants comm. 1982-; v. d. chpt. 1982-86, Disting. Service award 1983). Club: Yale (Wash- Home: 428 Corona Pl Silver Spring MD 20905 Office: AAI Corp 126 Hunt Valley MD 21030-0126

MICHAEL ROBERT, sales and marketing executive; b. N.Y.C., 4; s. Robert and Irma (Shaefitz) S.; m. Elena Maxine Weintraub, 1947 (dec. Aug. 1977); m. Barbara Anne Harris, Oct. 17, 1987; Eric Jason, Brian Wayne, BS, L.I.U., 1966. Promotional, Schenley's, N.Y.C., 1967-70; regional mktg. mgr. IBM, N.Y.C., 1970-82; dir. 17-85; exec. v.p. Forrester Results, Inc., Morristown, N.J., 1989-; rristownship Homeowners Assn., Morristown, 1985-; Mem. Am. ssn., Sales Execs. Club N.Y. Home: 15 Ketch Rd Morristown NJ

HEY, GABRIEL EUSTACE, accountant; b. Sapele, Nigeria, May 1; came to U.S., 1971; s. Edward A. and Iteureu (Ekuvoru) S.; m. Albertha Ruffin, Apr. 15, 1978; children: Lori, Staci, BS, Providence 76; MBA, Bryant Coll., 1979. Cost acct. Cuno div. AMF, Meriden, 979-83; asst. acct. Codman and Shurtliff, Randolph, Mass., 1983- ps. analyst EG&G, Inc., Wellesey, Mass., 1988-; Active Comm- Bus. Network, Providence, 1988. Mem. Nat. Assn. Accts., Nat. lack Accts. Democrat. Mem. Christian Ch. Home: 34 Russell Ave idence RI 02914 Office: EG&G Inc 45 William St Wellesey MA

JIN, JANET, artist; b. Hartford, Conn., Apr. 2, 1932; d. William nd Rose Irene Levin; m. Raymond L. Sorokin, June 8, 1950; chil- mily Sorokin Kessler, Judith Ellen. Student, Simmons Coll., 1950- fardford, 196-172, Trinity Coll., 1972. Home: 101 Mohawk Dr West 3 CT 06117

JIN, MAXINE ANN, artist, educator; b. Bklyn., Dec. 15, 1948; d. Harry and Jeanne (Moskowitz) S.; m. Henry Sam Altmann, May 27, child, Jedidiah Ira Sorokin-Altmann. AA, Kingsborough Com-

1972; Tchrs. Canassee High Sch., Bklyn., 1971-72; instr. art, Mass. Boston, 1972-73; with Art Inst. Boston, 1973-; assoc. prof., 1986-; tchr. Leventhal Sidman Jewish Community Ctr. of Greater Boston, Newton, Mass., 1980-; craft room dir. Striar Jewish Community Ctr., 1988-; cons. artist Internat. Inst. for Visually Impaired, Newton, 1983-86. Two person shows include Boston Young Adult Ctr., 1984, Rose Warner Gallery, Chn., 1986; exhibited in group shows at Starr Gallery, Newton, Mass., 1984, 87, Boston Young Adult Ctr., 1987; numerous others; represented in numerous pub. and pvt. collections; contrb. artist Litht Mag., 1985. Mem. West Roxbury Art Assn. (past pres.), West Roxbury Hist. Soc. Democrat. Jewish. Home: 61 Perham St Boston MA 02113 Office: Art Inst Boston 70 Beacon St Boston MA 02115

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SORREL, WILLIAM EDWIN, psychiatrist, educator, psychoanalyst; b. N.Y.C., May 27, 1913; s. Simon and Lee (Lesenger) S.; m. Rita Marcus, July 1, 1950; children: Elynn Gail, Joy Shelley, Beth Mara, BS, NYU, 1932; MA, Columbia U., 1934, MD, 1939; PhD, NYU, 1963. Diplomate Am. Bd. Med. Psychoterapists; qualified psychiatrist, also cert. examiner N.Y. State Dept. Mental Hygiene. Intern Madison (Tenn.) Sanitarium and Hosp., 1939; resident physician Alexian Bros. Hosp., St. Louis, 1940; officer instrn. St. Louis U. Sch. Medicine, 1940-41; asst. psychiatrist Central State Hosp., Nashville, 1941; assoc. psychiatrist Eastern State Hosp., Knoxville, 1942-44; assoc. attending neuropsychiatrist, chief clin. psychiatry Jewish Meml. Hosp., N.Y.C., 1946-59; assoc. attending neuropsychiatrist, chief clin. child psychi- atry Lebanon Hosp., Bronx, N.Y., 1947-65; psychiatrist-in-chief Psychiatry Clinic, Yeshiva U., 1950-66, asst. prof. psychiatry, 1952-54, assoc. prof., 1954-58, prof., 1959-62, psychiatrist-in-chief, assoc. dir. Psychol. Center, 1957-67; prof. human behavior Touro U., 1974-90; attending psychiatrist St. Clare's Hosp., N.Y.C., 1983-; asst. prof. clin. psychiatry Albert Einstein Coll. Medicine, 1986-; psychiatrist, cons. SSS, 1951, N.Y. State Workmens Compensation Bd., 1951; Bronx-Lebanon Med. Ctr., 1985-; vis. psychi- atrist Fordham Hosp., N.Y.C., 1951; attending neuropsychiatrist, chief mental hygiene svcs. Beth David Hosp., 1950-60; assoc. attending neuropsychiatrist Grand Central Hosp., 1958-66; Morrisania Hosp., 1959-72; psychiatrist-in- chief Beth Abraham Hosp., 1954-60; psychiat. cons. L.I. U. Guidance Ctr., 1955-60; Daytop Village, 1970-71; asst. psychiatrist Seton City Hosp., 1955; guest lectr. U. London, 1947; vis. prof. Jerusalem, Israel Acad. Med., 1960, Hebrew U., 1960; mem. psychiat. staff Gracie Soc. Hosp., 1960-; chief psychiatry Trafalgar Hosp., 1962-72; vis. prof. psychiatry Tokyo U. Sch. Medicine, 1964; adj. prof. N.Y. Inst. Tech., 1968; vis. lectr. in psychiatry N.Y. U., 1971-73; Am. del. Internat. Conf. Mental Health, London, 1948; mem. Am. Psychiat. Comm. to USSR, Poland and Finland, 1963, Empire State Med. Sci. and Ednl. Found. Author: booklets: *Neurosis in a Child*, 1949, *A Psychiatric Viewpoint on Child Adoption*, 1954, *Shock Therapy in Psychiatric Practice*, 1957, *The Genesis of Neurosis*, 1958, *The Prejudiced Personality*, 1962, *The Schizophrenic Process*, 1962, *The Prognosis of Elec- troshock Therapy*, 1963, *Psychodynamic Effects of Abortion*, 1967, *Violence Towards Self*, 1971, *Basic Concepts of Transference in Psychoana- lysis*, 1973, *A Study in Suicide*, 1972, *Masochism*, 1973, *Emotional Factors Involved in Skeletal Deformities*, 1977, *Cults & Cult Suicide*, 1979; contrb. articles on the psychoses. Vice pres. Golden Years Found.; N.Y.C. chmn. Comm. Med. Standards in Psychiatry, 1952-54. Recipient Sir William Osler Internat. Honor Med. Soc. Gold Key; 3d prize oil paintings N.Y. State Med. Art Exhibit, 1954; NYU Founders Day award, 1963; Presdl. Achievement award, 1984; others. Fellow Am. Psychiat. Assn. (life, pres. Bronx dist. 1960-61, other offices, Gold medal 1974), Am. Assn. Psychoanalytic Physicians (pres. 1971-72, gov. 1972-90); mem. AMA, Eastern Psychiat. Rsch. Assn., N.Y. State Soc. Med. Rsch., Am. Med. Writers Assn., N.Y. State, N.Y. County Med. Soc., N.Y. Soc. for Clin. Psychiatry, P.A. Med. Assn. (various offices including pres. 1983), Assn. for Advancement Psychotherapy, Bronx Soc. Neurology and Psychiatry (pres. 1960-61, Silver medal 1970, others. Home: 23 Meadow Rd Scarsdale NY 10583 Office: 263 West End Ave New York NY 10023

SOTERIADES, MICHAEL COSMAS, civil engineering educator; b. Is- tambul, Turkey, Mar. 25, 1923; came to U.S. 1952; s. Cosmas S. and Evouli (Tsaousoglou) S.; m. Rose Marie Rentiroa, N.Y.C., 1950; civil enging diploma, Athens (Greece) Nat. Tech. U., 1948; D. Enging., 1952; ScD, MIT, 1954. Registered prof. civil eng. Research asst. MIT, Cambridge, 1953-54; asst. engr. A. Woolf & Assocs., Boston, 1952-56; chief structural engr. University Engring. Corp., Boston, 1956-58; v.p., treas. Doxiadis Assocs., Washington and Athens, 1958-61; prof. civil enging. Cath. U. Am., Wash- ington, 1961-; chmn. dept., 1975-81. Author: (in Greek) *Asismic Design- Construction*, 1956. 2d It. Greek Amer., 1948-52. Fellow ASCE; mem. Am. Concrete Inst., Sigma Xi, Tau Beta Kappa. Home: 3380 Stephenson Pl NW Washington DC 20015 Office: Cath U Am Washington DC 20064

SOTHERLAND, DONALD LEROY, postal service administrator; b. Troy, Ohio, Apr. 15, 1928; s. Ralph Elwood and Mary Isabelle (Rhynard) S.; m. Selma Ann Allie, Jan. 31, 1953; children: Donald Ralph, Dale LeRoy, Student, Miami-Jacobs Coll., Dayton, Ohio, 1947; MS in Mgmt., Ren- seler Poly. Inst., 1973. CPA, Ariz., Ohio. Prin. Sotherland Publ. Acctg., Troy, 1949-51, 56-67, Sotherland Plumbing, Heating and Cooling, Troy, 1956-64; controller Piqua (Ohio) Steel Co., 1964-67; sr. subcontractor auditor Hughes Aircraft Co., Tucson, Ariz., 1967-68; sr. fin. analyst Pratt & Whitney Aircraft Co., East Hartford, Conn., 1968-72; gen. mgr. Kohn Display and Woodworking Co., Hartford, Conn., 1972-74; dir. fin. N.Y. bulk and fgn. mail ctr. U.S. Postal Svcs., Jersey City, 1974-80; program mgr. N.E. region U.S. Postal Svcs., N.Y.C., 1980-86; dir. fin. U.S. Postal Svcs., Hackett- s, N.J., 1986-88, Paterson, N.J., 1988-; Staff Asst. USAF, 1951-55. Mem. AICA, AIA, Soc. P.A. Masons. Home: 420 Kinderkamack Rd River Edge NJ 07661-2138 Office: US Postal Svcs 194 Ward St Paterson NJ 07510-9995

SOTOS, HERCULES PETER, manufacturing company executive; b. Salonic, Greece, Apr. 14, 1933; came to U.S., 1946; s. Peter Hercules and Fotini (Drapolis) S.; m. Mary M. Yiotis, Mar. 9, 1959; children-Cynthia, Peter, Christina, B.S., NYU, 1962; grad. Advanced Mgmt. Program, Harvard U., 1978. Dir. internat. fin. AMF, Inc., 1957-67; sr. fin. analyst W.R. Grace & Co., 1967-68; controller internat. div. Internat. Playtex, Inc., Stamford, Conn., 1968-70; corp. controller B.V.D. Internat. Playtex, Inc., 1970-71, v.p. fin., 1971-77, group v.p. fin. and adminstr., 1977-80, exec. v.p. fin. and adminstr., 1980-85, pres., 1985; vice chmn. Internat. Playtex, Inc. (name changed to Playtex, Inc.), 1985-; chief fin. officer Beatrice Consumer Products, 1985. Served with U.S. Army, 1953-55. Office: Playtex Apparel Inc Playtex Family Products Corp 700 Fairfield Ave Stamford CT 06904

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SOUHAM, GÉRARD, communications executive; b. Paris, May 30, 1928; s. Lucien and Mary-Françoise (Husson) S.; m. Eliane Meyrat, June 23, 1951; children: Glenn (dec.), Yan, Phil. Diploma, Am. Community Sch., Paris, 1948; cert., Ecole Commerciale de Paris. Chargé de mission State Dept., Europe, 1950-52; pub. info. officer Allied Air Forces NATO, Fontainebleau, 1953-55; chmn. bd., chief exec. officer J. Walter Thompson, Paris, 1955-75; v.p. J. Walter Thompson, N.Y.C., 1970-75; prin. SCJ Gerard Souham Group Communication Cos., Overseas and Lausanne, Switzerland, 1975-; N.Y.C., 1979-; bd. dirs. Am. Overseas Meml. Author: *General Souham Comte de l'Empire*, 1964, *Impressions sur...*, 1970, Souham, 1989, *Sur les Champs de Bataille de la Révolution et de l'Empire*, 1990. Mem. pvt. sector internat., pub. relations comm. USIA, 1984, world bd. govs. USO, Washington, 1984; bd. dirs. Paris council USO, 1971. Decorated Knight of Legion of Honor (France); Officer Order of Leopold (Belgium); Knight of Belgian Crown. Mem. Internat. Advt. Assn. (v.p. pub. svcs. bd. dirs.), Pub. Relations News Adv. Bd., French Advt. Council, Internat. Inst. Strategic Studies, France USA (bd. dirs.), Am. Overseas Meml. Assn. (bd. dirs. 1988-). Roman Catholic. Clubs: HM Guards Polo (Windsor, Eng.) (life); Polo de Bagatelle (Paris); N.Y. Athletic; Yacht of Monaco. Office: 53C Gerard Souham Group Communication Cos 500 Fifth Ave New York NY 10036

SOULE, DAVID CONDER, urban planning executive; b. Washington, Dec. 31, 1946; s. George H. and Jean (Conder) S.; m. Rita Annette Goudout, June 24, 1968; children: Richard, Joseph, Amy Jeanne, BA, Trinity Coll., Hartford, Conn., 1968; postgrad., So. Conn. U., 1971-73, Northeastern U., Boston, 1990. Caseworker Conn. Dept. Pub. Welfare, Hartford, 1968-69; planner Conn. Dept. Community Affairs, Hartford, 1969-71; dep. planning dir. Capitol Region Coun. Govts., Hartford, 1971-80; exec. dir. Nashua (N.H.) Regional Planning Comm., 1980-86, Met. Area Planning Coun., Boston, 1986-; cons. N.E. Consulting Svcs., Inc., Manchester, N.H., 1985-86. Recipient Regional Leadership award New Eng. Regional Coun., 1985. Mem. Am. Planners Assn. (bd. dirs. N.H. chpt. 1983-84), Internat. City Mgmt. Assn.

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1 TESTIMONY OF THE HONORABLE DAVID H. SOUTER, TO BE
2 ASSOCIATE JUSTICE OF THE SUPREME COURT

3 Judge Souter. Thank you, Mr. Chairman. I probably
4 should begin by asking you if you can hear me as well as I
5 can hear you.

6 The Chairman. Yes, we can, Judge.

7 Judge Souter. Mr. Chairman, Senator Thurmond, and other
8 members of the committee, as you know, I did not ask to make
9 a formal and pre-prepared statement, but I would like to
10 accept your invitation to say a few words before our dialogue
11 together does begin.

12 I would like to start maybe in a very obvious way simply
13 by saying thanks for some things, to begin with, to thank
14 every member of this committee who, in the waning and the very
15 hectic days that you went through prior to the summer recess,
16 nonetheless found some time to see me when I came by to meet
17 you, in most cases for the first time. I was grateful for
18 the reception and the courtesy that every one of you gave to
19 me.

20 Equally obviously, I would like simply to say here what
21 I have already said privately this morning, or at least
22 quietly this morning, in thanking both Senator Humphrey and
23 Senator Rudman for their generosity to me in their introduc-
24 tion and their sponsorship of me before you. And I will have
25 to continue, as I have been trying to do for the past seven

1 bear on the kind of judge that I am and the kind of judge
2 that I can be expected to be.

3 I think you know that I spent most of my boyhood in a
4 small town in New Hampshire--Weare, New Hampshire. It was
5 town large in geography, small in population. The physical
6 space, the open space between people, however, was not matched
7 by the interspace between them because, as everybody knows
8 who has lived in a small town, there is a closeness of people
9 in a small town which is unattainable anywhere else. There
10 was in that town no section or place or neighborhood that was
11 determined by anybody's occupation or by anybody's bank
12 balance. Everybody knew everybody else's business, or at
13 least thought they did. And we were, in a very true sense,
14 intimately aware of other lives. We were aware of lives that
15 were easy, and we were aware of lives that were very hard.

16 Another thing that we were aware of in that place was
17 the responsibility of people to govern themselves. It was a
18 responsibility that they owed to themselves, and it was a
19 responsibility that they owed and owe to their neighbors. I
20 first learned about that or I first learned the practicalities
21 of that when I used to go over to the town hall in Weare, New
22 Hampshire, on Town Meeting Day. I would sit in the benches
23 in the back of the town hall after school, and that is where
24 I began my lessons in practical government.

As I think you know, I went to high school in Concord,

1 New Hampshire, which is a bigger place, and I went on from
2 there to college and to study law in Cambridge, Massachu-
3 setts, and Oxford, England, which are bigger places still.
4 And after I had finished law school, I came back to New
5 Hampshire, and I began the practice law. And I think
6 probably it is fair to say that I resumed the study of
7 practical government.

8 I went to work for a law firm in Concord, New Hampshire,
9 and I practiced there for several years. I then became, as I
10 think you know, an assistant attorney general in the criminal
11 division of that office. I was then lucky to be deputy
12 attorney general to Warren Rudman, and I succeeded him as
13 attorney general in 1976.

14 The experience of government, though, did not wait until
15 the day came that I entered public as opposed to private law
16 practice; because although in those years of private practice
17 I served the private clients of the firm, I also did something
18 in those days which was very common then. Perhaps it is less
19 common today--I know it is--but it was an accepted part of
20 private practice in those days to take on a fair share of
21 representation of clients who did not have the money to pay.

22 I remember very well the first day that I ever spent by
23 myself in a courtroom. I spent in a courtroom representing a
24 woman whose personal life had become such a shambles that she
had lost the custody of her children, and she was trying to

— 1 get them back. She was not the last of such clients. I
2 represented clients with domestic relations problems who
3 lived sometimes, it seemed to me, in appalling circumstances.
4 I can remember representing a client who was trying to pull
5 her life together after being evicted because she couldn't
6 pay the rent.

7 Although cases like that were not the cases upon which
8 the firm paid the rent, those were not remarkable cases for
9 lawyers in private practice in those days before govern-
10 mentally funded legal services. And they were the cases that
11 we took at that time because taking them was the only way to
12 make good on the supposedly open door of our courts to the
13 people who needed to get inside and to get what courts had to
14 offer through the justice system.

15 I think it is fair to say--I am glad it is fair to say--
16 that even today, with so much governmentally funded legal
17 service, there are lawyers in private practice in our
18 profession who are doing the same thing.

19 As you know, I did go on to public legal service, and in
20 the course of doing that, I met not only legislators and the
21 administrators that one finds in the government, but I began
22 to become familiar with the criminal justice system in my
23 State and in our Nation. I met victims and sometimes I met
24 the survivors of victims. I met defendants. I met that
25 train of witnesses from the clergy to con artists who passed

1 through our system and find themselves, either willingly or
2 unwillingly, part of a search for truth and part of a search
3 for those results that we try to sum up with the words of
4 justice.

5 As you also know, after those years I became a trial
6 judge, and my experience with the working of government and
7 the judicial system broadened there because I was a trial
8 judge of general jurisdiction, and I saw every sort and
9 condition of the people of my State that a trial court of
10 general jurisdiction is exposed to. I saw litigants in
11 international commercial litigation for millions, and I saw
12 children who were the unwitting victims of domestic disputes
13 and custody fights which somehow seemed to defy any reasonable
14 solution, however hard we worked at it.

15 I saw, once again, the denizens of the criminal justice
16 system, and I saw domestic litigants. I saw appellants from
17 the juvenile justice system who were appealing their findings
18 of delinquency. And, in fact, I had maybe one of the great
19 experiences of my entire life in seeing week in and week out
20 the members of the trial juries of our States who are rightly
21 called the consciences of our communities. And I worked with
22 them, and I learned from them, and I will never forget my
23 days with them.

24 When those days on the trial court were over, there were
25 two experiences that I took away with me or two lessons that

1 I had learned, and the lessons remain with me today. The
2 first lesson, simple as it is, is that whatever court we are
3 in, whatever we are doing, whether we are on a trial court
4 an appellate court, at the end of our task some human being
5 is going to be affected. Some human life is going to be
6 changed in some way by what we do, whether we do it as trial
7 judges or whether we do it as appellate judges, as far removed
8 from the trial arena as it is possible to be.

9 The second lesson that I learned in that time is that
10 if, indeed, we are going to be trial judges, whose rulings
11 will affect the lives of other people and who are going to
12 change their lives by what we do, we had better use every
13 power of our minds and our hearts and our beings to get those
14 rulings right.

15 I am conscious of those two lessons, as I have been for
16 all of the years that I was on an appellate course. I am
17 conscious of them as I sit here today, suddenly finding
18 myself the nominee of the President of the United States to
19 undertake the greatest responsibility that any judge in our
20 republic can undertake: the responsibility to join with
21 eight other people, to make the promises of the Constitution
22 a reality for our time, and to preserve that Constitution for
23 the generations that will follow us after we are gone from
24 here.

I am mindful of those two lessons when I tell you this:

1 That if you believe and the Senate of the United States
2 believes that it is right to confirm my nomination, then I
3 will accept those responsibilities as obligations to all of
4 the people in the United States whose lives will be affected
5 by my stewardship of the Constitution.

6 Thank you, Mr. Chairman.

7 The Chairman. Thank you very much, Judge, for a
8 statement that gives us all more insight into you. When I
9 ended my opening statement, I said "maybe a little glimpse
10 into your heart," I think you have given us a little glimpse
11 into your heart as well as how you view the responsibility
12 you hope to undertake.

13 Judge, before I begin my questioning, I want to make it
14 clear to you that under precedence--we can debate and argue,
15 which we will up here, about how long they have existed--but
16 under precedence dating back, as one of my colleagues said,
17 at least to the 1950's, and arguably much earlier, each
18 member of the committee can decide whatever questions he
19 deems proper to ask you. We have never imposed a gag rule on
20 any committee member.

21 But, Judge, while we may ask any questions we deem
22 proper, you are free to refuse to answer any questions you
23 deem to be improper. No one is going to try to force you to
24 answer any question you think in good conscience you cannot
25 appropriately address. So, Judge Souter, I trust you are