

preme Court and the Federal judiciary. I will ask you whether Congress should respond to decisions of the Supreme Court by limiting Supreme Court review of constitutional questions. Finally, I will ask you how you, Justice Sandra O'Connor, hope to be remembered in history. I look forward to our discussion of these issues.

Thank you very much.

The CHAIRMAN. Senator Grassley of Iowa.

OPENING STATEMENT OF SENATOR CHARLES E. GRASSLEY

Senator GRASSLEY. Judge O'Connor, I once again extend my congratulations to you on your nomination for Associate Justice of the Supreme Court.

Your nomination is important in and of itself and because it will hopefully set the stage for fulfillment of President Reagan's promise to reverse a current trend in the Federal courts. We hope that this nomination will be the first of several appointments to the Supreme Court by this President and that it will signal a dramatic return by Federal court appointees at all levels who are committed to the preservation of our greatest constitutional principles.

Through the strict observation of both the separation of powers by restraining from legislating from the bench, as well as vigorous enforcement of the division of powers by acting when necessary to prevent the Congress from usurping powers reserved to the States, will start the Court back down the road in the right direction. We also pray that these Reagan appointees will differ from many recent appointees by showing at least as much compassion for society's innocent victims as its criminal wrongdoers. These are the qualities of individuals the President promised to appoint when he was campaigning, and indeed that was the explicit pledge of the platform upon which he ran.

It is already apparent that you, Judge O'Connor, exhibit some of those qualities, just by the mere fact that you are sitting before us today. I have the utmost respect for President Reagan's judgment, and I received the impression through our meeting a few weeks ago that you are a warm, perceptive, and articulate person. I also can see from your judicial opinions, published comments, and record in the State legislature, that you are a master of the law as well.

I debated with myself about approaching the subject of the fact that you are a woman but I think it is necessary to recognize that that fact alone may indicate more about your character and competence than anything which appears on your résumé. That is because the profession of law was closed to women for a long time both legally and figuratively. Your presence here today indicates to me that you had the stamina to succeed in what was and still is a male-dominated arena. I just want to let you know that I admire you for your success.

However, we must not forget that your selection by the President is made only with the advice and the consent of this Senate. This constitutional role is not one to be taken lightly. Our questioning of you and other nominees must be thorough and direct, and we must insist upon at least as much clarity and candor in your answers to our questioning as has been given by other recent nominees to the Supreme Court. At the conclusion of these hearings, we must be