

The CHAIRMAN. The distinguished junior Senator from Arizona, Mr. DeConcini.

**STATEMENT OF HON. DENNIS DeCONCINI, A U.S. SENATOR  
FROM THE STATE OF ARIZONA**

Senator DeCONCINI. Mr. Chairman, my fellow colleagues of the Judiciary Committee, it is a great pleasure to join with you and to join Senator Goldwater today in introducing Sandra Day O'Connor to the U.S. Senate Judiciary Committee for confirmation as an Associate Justice to the U.S. Supreme Court. It is with a sense of history that I find myself presenting to this committee Judge O'Connor, who I believe is about to become the first woman Justice on the U.S. Supreme Court.

Judge O'Connor's qualifications are not that she is a woman, although it is certainly long past due that the Supreme Court has its first woman. In fact, the Supreme Court should have more than just one woman.

Judge O'Connor's qualifications are many. She has distinguished herself as a judge both at the trial court level and at the appeals court level; as a legislator, where she served as majority leader of the Arizona State Senate and as chairman of one of the major committees; as an attorney, both in private practice and in public service; and as an active private citizen who is willing to devote her time for the benefit of the public as a member of the National Board of the Smithsonian Associates and as president of the board of trustees of the Herd Museum in Phoenix, as well as a long list of public and private service organizations too lengthy to go into today.

It should be noted that she has served in the executive, legislative, and judicial branches of Government with distinction. She has gained from those experiences an invaluable insight of how each of those branches of Government work, which will serve her in good stead as a member of the Supreme Court. In addition, her public service and private legal experience gives her an extremely broad-based foundation for a truly outstanding career on the Supreme Court.

I have had the unique benefit of knowing of Judge O'Connor's qualifications firsthand but I am certain that by the termination of these hearings you, my fellow members of the Judiciary Committee, will be as convinced as I am that Judge O'Connor will make a superb Supreme Court Justice and should be confirmed.

At this time I would like to congratulate President Reagan for nominating an outstanding candidate and for recognizing after all the many, many years that there certainly should be a woman sitting on the Supreme Court, and there will be.

My personal experience with Judge O'Connor's legal ability occurred when she was the assistant attorney general assigned to advise the Governor of the State of Arizona, and I at the time was the Governor's administrative assistant during the period 1965-66. She was a Republican legal counsel for a Democratic Governor. That situation many times creates problems that are frequently unsolvable and that make relations unworkable but not with Sandra O'Connor.

To her credit, she was always hard-working, fair, intelligent, conscientious, and I have to admit, correct. Her reputation was outstanding. Her friends admired her for her ability and her hard work. Her foes, although in disagreement with her sometimes, always admitted that she was a true professional. Any criticism of her today will not be directed toward her reputation, simply because that reputation is beyond reproach. She exhibits consummate traits that are necessary for a professional, traits that will stand her in good stead when she is sworn into and becomes a member of the U.S. Supreme Court.

When Justice Potter Stuart resigned from the Supreme Court, I recommended that Judge O'Connor be considered for that very important appointment. Again, even though we are of different political parties it is necessary that we overcome any political, partisan differences when appointments to the U.S. Supreme Court are concerned. Therefore, as a Democrat I heartily commend a Republican appointment and the superb Justice that Sandra O'Connor will make. At a time like this, partisanship should be shelved. I think you will see by the wholehearted support of the Arizona delegation that certainly is not a question.

A gage of her reputation is contained in a document entitled "House Concurrent Memorial 2001" commending President Reagan on his nomination of the Honorable Sandra Day O'Connor to the U.S. Supreme Court and urging the U.S. Senate to swiftly confirm her nomination.

The memorial was passed with only three negative votes in the two bodies of the Arizona Legislature, which consists of 90 men and women. The memorial was passed with the almost total support of Republicans and Democrats, liberals and conservatives, pro-life and pro-choice proponents. These are the people that have worked with her and know her integrity and her ability. I am inserting in the record a copy of that memorial for the committee's consideration.

Sandra is not just an outstanding professional, however. She is accompanied here today by her husband, John O'Connor, a prominent Phoenix lawyer; her three sons, Scott, Brian, and Jay; as well as her sister, Ann Alexander and her brother-in-law, former State Senator Scott Alexander, along with many friends from across the country.

Her record as a wife and a mother is commendable. The number and quality of people who are here today from Arizona to testify in Sandra's behalf are equally impressive: In addition to Senator Goldwater, Congressman Morris K. Udall, chairman of the Interior Committee; Congressman Bob Stump, who will have a statement before these hearings are over; Congressman Eldon Rudd; Governor Bruce Babbitt; Arizona State Senate President Leo Corbet, who served in the State senate with Judge O'Connor; Mayor Margaret Hance of Phoenix, the largest city having a woman mayor in the United States; Senator Stan Turley, Arizona State senator who served with Judge O'Connor in the State senate, and who has been a leader in the pro-life movement; Senator Alfredo Gutierrez, former Democratic majority leader of the Arizona State Senate; Representative Donna Carlson West, Arizona House of Representatives member, distinguished, who is a strong pro-life leader; Representative Art Hamilton, the minority leader of the Arizona House

of Representatives, who has served with Sandra O'Connor; Representative Tony West, a distinguished member of the Arizona House of Representatives, who is also a strong pro-life leader; Jim McNulty, former State senator who served with Judge O'Connor and is one of the most prominent members of the Arizona Bar Association, and now serves on the board of regents.

In presenting Judge O'Connor to you today, my fellow colleagues, I can only add that she has the extraordinary mix of intelligence, industry, imagination, ingenuity, and integrity that will cause those that are here 50 years from now to comment that Sandra O'Connor was not only the first woman Justice of the U.S. Supreme Court but she was, more importantly, one of the best Justices. May I present Judge O'Connor.

Thank you, Mr. Chairman.

The CHAIRMAN. A Senator from West Virginia has made a request to make some remarks. We shall ask the distinguished Senator from West Virginia, Jennings Randolph, to come around at this time.

#### STATEMENT OF HON. JENNINGS RANDOLPH, A U.S. SENATOR FROM THE STATE OF WEST VIRGINIA

Senator RANDOLPH. Chairman Thurmond and members of the committee, I appreciate the opportunity to appear before the committee on this historic occasion.

For the first time in the 205 years of our Republic's existence, the Senate is called on to judge the qualifications of a nominee to the U.S. Supreme Court who is a woman. I regret that it has taken more than two centuries to acknowledge through this nomination that just as justice should be symbolically blindfolded when determining the facts, we should be oblivious to sex when selecting those who administer justice.

Mrs. Sandra O'Connor appears before you today as the choice of the President of the United States, not solely because she is a woman but because her record appears to qualify her to serve on our Nation's highest tribunal. It would be naive to believe that if Mrs. O'Connor is confirmed as an Associate Justice of the Supreme Court, that her sex will cease to be a factor in her decisions. She will be urged to have feminist rulings; she will be criticized if she makes them or if she resists this pressure.

I look forward to the time when Justices of the Supreme Court are selected and evaluated solely on their experience, their knowledge of the law, and their dedication to the United States as a nation governed by the laws the people impose on themselves.

Mr. Chairman, when Mrs. O'Connor becomes a member of the Supreme Court, she will have succeeded at long last in having a woman occupy virtually every high office our country has to offer. The most notable exception is the White House, and I anticipate the day when the highest office in our land is not exclusively a male preserve.

A breakthrough occurred during the first week in March of 1933. That was the time when I came first to Washington to serve as a Member of the House of Representatives. It was on March 4 of that year that President Franklin D. Roosevelt—I remind you of the day he took office—that he broke another precedent by appointing