

Senator SESSIONS. You have always been accommodating.

Senator COBURN. Senator, I will defer. There is obviously a very distinguished panel before us, each a leader in their own way, respected for their advocacy and their heart, and their desire to make our country better. The fact that you would come here today and put forward your views lends great credibility to the process, and places more responsibility on us to hear every point of view as we make a consideration on this nominee, and I thank you for coming.

Thank you.

Chairman SPECTER. Thank you very much, Senator Coburn.

Thank you, Mr. Gray and Ms. Michelman, Professor Sullivan, Professor Frost, Professor Flym. We will take a 5-minute recess while the next and final panel comes forward.

[Recess at 11:57 a.m. to 12:04 p.m.]

Chairman SPECTER. The Committee will resume.

The Committee will resume. Let's have order in the hearing room, please.

Our first panelist on the sixth and final panel is Kate Pringle from the Litigation Department of Friedman, Kaplan, Seiler and Adelman, a graduate with honors from American University in 1990, cum laude from Georgetown University Law Center, editor-in-chief of the Law Journal there. Ms. Pringle was one of Judge Alito's clerks in the 1993–94 term.

Thank you for joining us, Ms. Pringle, and the floor is yours for 5 minutes.

STATEMENT OF KATHERINE L. PRINGLE, PARTNER, FRIEDMAN KAPLAN SEILER & ADELMAN, LLP, NEW YORK, NEW YORK

Ms. PRINGLE. Mr. Chairman and honorable members of the Committee, thank you very much. I greatly appreciate the opportunity to share my experiences with and personal observations of Judge Alito, for whom I did clerk in 1993 to 1994 and who has served as my mentor since that time.

First, let me explain briefly the job of a law clerk. It is the law clerk's job to provide legal research to the judge, to assist him in his analysis, and generally to act as a sounding board in the difficult process of deciding cases. As Judge Garth indicated yesterday, it is an unusually close professional relationship.

I began my clerkship for Judge Alito upon my graduate from Georgetown Law School. I was then—as I am now—a committed and active Democrat. I had heard from some of my professors that Judge Alito had a reputation as a conservative, and I, therefore, expected his to be an ideologically charged chambers, in which I would battle to defend my liberal ideals against his conservative ones.

But what I found was something very different than what I had expected. I learned in my year with Judge Alito that his approach to judging is not about personal ideology or ambition, but about hard work and devotion to law and justice.

I would like to share with you several things that I learned about Judge Alito during the time I which I worked with him.

First, I learned that Judge Alito reaches his decisions by working through cases from the bottom up, not the top down, to use a

phrase that we heard from Judge Roberts. Judge Alito taught me to try to ignore my personal predispositions and to come to each case with an open mind. He taught me to work carefully through an analysis of the facts of the case and the legal precedents, and to try to find the resolution that flowed from that analysis.

Judge Alito consistently applied this bottom-up approach. He approached every case without a personal agenda and with a commitment to careful and methodical review. His approach was demanding. He read and reread the record of each case, the decisions cited, and the relevant decisions that the parties had failed to cite. I remember him building a model from string and paper to try to figure out the events of one case, and I remember him physically acting out the events of another, all in an attempt to truly understand the facts. He worked hard on every case, large or small, and he sought to find the result that flowed from the facts and the law, divorced from any personal bias or interest.

Second, I learned that Judge Alito is interested in, and respectful of, differing points of view. The law clerks with whom I worked spanned the ideological spectrum. I later learned that this is typical and that Judge Alito selects law clerks with widely varying backgrounds political outlooks, and personal views. This led to lively debates amongst the law clerks. In my experience, Judge Alito was never dismissive of any point of view. He encouraged our input, challenged each of us to substantiate our views, and listened carefully to the points that each of us made.

Judge Alito treated advocates before him with that same respect. He asked probing questions, which he refused to let the advocates sidestep. But he was never caustic or rude, and he always appreciated the honest efforts of an advocate.

Judge Alito was similarly respectful of the differing opinions of his fellow judges on the Third Circuit. He sought to forge consensus where consensus could be reached. When he dissented from another judge's views, he did so in a respectful and intellectually honest way. The appreciation that all of Judge Alito's colleagues on the bench have for him is reflected in the outpouring of support at these hearings from other judges on the Third Circuit.

Finally, I learned that Judge Alito approaches his job with personal humility and a great respect for the institution of the courts. What I saw was a person cognizant of the limited role assigned to him by the Constitution to interpret the law as established by written law and prior precedent. Judge Alito did not, in my experience, ever treat a case as a platform for a personal agenda or ambition. Rather, his decisions are limited to the issue at hand. They demonstrate an effort to interpret honestly and faithfully apply the law to the parties that seek justice before him.

Apart from his judicial approach, Judge Alito was a thoughtful and generous boss. He took the time to get to know his clerks and to learn about us and our families. He had none of the personal arrogance that sometimes attends power.

It was my great privilege to work with and learn from Judge Alito at the outset of my career. Many of Judge Alito's law clerks, both men and women, both Republicans and Democrats, have traveled to Washington to be here for these hearings. We are all here because we feel strongly about Judge Alito's talent and character.

We all believe that he will be an outstanding Justice of the U.S. Supreme Court.

Thank you very much.

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

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

Our next witness is Congressman Charles Gonzalez. Representative Gonzalez was first elected to the House in 1998. He is a member of the House Energy and Commerce Committee. He served as a Texas Regional Whip for the Democratic Caucus and as Chair of the Hispanic Caucus Civil Rights Task Force. Congressman Gonzalez has been Chair of the House Judiciary Initiative for the Congressional Hispanic Caucus.

There is a little extra time left over from the time given to the judges yesterday, so we are going to start the clock at 8 minutes for each of the witnesses invited by the Democrats, and you have 8 minutes, Representative Gonzalez.

**STATEMENT OF HON. CHARLES A. GONZALEZ, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS**

Representative GONZALEZ. Well, thank you very much, Chairman Specter, and, of course, Senator Kennedy. And today I am representing the Congressional Hispanic Caucus in my capacity as the Chairman of the Hispanic Judiciary Initiative and Task Force on Civil Rights.

The Hispanic Caucus was obviously disappointed that the President did not nominate a highly qualified Hispanic to the bench. We did not expect a Hispanic to be nominated for the sake of being a Hispanic. We did expect the administration to have recognized the need for our Nation's highest Court to reflect the Nation's diversity in all its forms—thought, experience, and expression.

The Hispanic Caucus's policy with respect to the evaluation of nominees for judicial vacancies requires an extensive examination of each nominee in order to assess the following: his or her commitment to equal justice and right of access to the courts, his or her efforts in support for Congress's constitutional authority to pass civil rights legislation, and his or her efforts in support of protecting employment, immigrant, and voting rights, as well as educational and political access for all Americans.

Our process is also assisted by the excellent work of many legal and advocacy organizations, and I would like to especially thank the Mexican American Legal Defense and Educational Fund for their efforts to assist us in our work.

Allow me to highlight a few areas that cause the Hispanic Caucus great concern:

Discrimination in jury selection, *Pemberthy v. Beyer*. Judge Alito's ruling would allow the use of language to serve as a pretext to discriminate on the basis of ethnicity.

Voting Rights Act violation, *Jenkins v. Manning*. Judge Alito appears to have joined the majority opinion in that case. It dealt with at-large school district voting systems. Judge Alito, along with the majority—and we are assuming that that is what he signed off on—found no violation of the Voting Rights Act even though his-