

committee for the Study of Monopoly Power in the House of Representatives. Later he returned to private practice in Chicago and was a founding partner in the firm of Rothschild, Stevens, Barry & Meyers, where he stayed until 1970 when he was appointed to the Seventh Circuit Court of Appeals.

During the years he was engaged in private practice he was the author of numerous articles on antitrust law for legal and other journals and he lectured both at Northwestern Law School and the University of Chicago Law School.

As President Ford has said, the nomination of a Supreme Court Justice is one of the most important decisions the President has to make. Equally important is the Senate's responsibility to advise and consent on such nominations. The individual we confirm to this vacancy will participate in deliberations that will relate to some of the most complex and crucial issues in the history of the Court. Those decisions will affect the lives of generations of Americans.

There is no question that the action we take will affect profoundly the course of this Nation's Highest Court. I am confident that your committee will carefully and critically examine Judge Steven's record and judicial philosophy to determine his fitness to serve. Each time I appear before this distinguished committee I am impressed with the fact that perhaps the single greatest responsibility we have in the Senate of the United States is to advise and consent in the selection of judicial appointments.

Mr. Chairman, I sincerely appreciate the opportunity to appear before you today to express my deep affection and my great respect for John Paul Stevens. I have known him as a friend for 38 years. I have no doubt that he is magnificently prepared to render distinguished service on the Supreme Court of the United States.

Chairman EASTLAND. Senator Stevenson.

#### **TESTIMONY OF ADLAI STEVENSON, A SENATOR FROM ILLINOIS**

Senator STEVENSON. Mr. Chairman, I am pleased to join the Attorney General and my colleague, Senator Percy, in introducing Justice John Paul Stevens to this committee.

The universality of the judge is evidenced this morning by the support of more generations than there are generations. I represent yet another.

[Laughter.]

I do not recall a nomination to high office in recent years that was as widely acclaimed. The favorable response to the nomination of Judge Stevens is remarkable, and it is, in my judgment, fully deserved.

From his undergraduate days as a member of Phi Beta Kappa to his law school days as a law review editor, to his professional career as law clerk to Justice Rutledge, as practitioner, scholar, teacher, and jurist, Judge Stevens has earned the respect and the good will of all who know him, so much so that this, his nomination to the Supreme Court, seems not so much a stroke of good fortune as a logical next step in his career.

That career reflects a discipline and intellectual capacity of a high order. In his exercise of judicial authority Judge Stevens is not doctrinaire or judicially adventurous. He is a judge. His record on the

bench indicates that he sees it as his duty to apply the law and not to make it.

This nomination, Mr. Chairman, would be widely acclaimed at any time. It is a most propitious nomination today. A large space exists in the Court. I believe that John Paul Stevens can fill it. And therefore, Mr. Chairman, I urge this distinguished committee to act favorably and with as much dispatch as the gravity of its duty permits on the nomination of John Paul Stevens to serve as an Associate Justice of the Supreme Court.

Chairman EASTLAND. Thank you, Senator Percy and Senator Stevenson.

Are there any questions?

The Chair hears none.

Judge Stevens, will you stand please?

### TESTIMONY OF JOHN PAUL STEVENS, NOMINEE TO BE A JUSTICE OF THE SUPREME COURT

Chairman EASTLAND. Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Judge STEVENS. I do.

Chairman EASTLAND. Senator McClellan.

Senator MCCLELLAN. Thank you very much, Mr. Chairman, for yielding to me.

First, Judge Stevens, I wish to congratulate you upon receiving this high honor and great distinction.

I am confident that you realize fully the responsibilities, that are the gravest responsibilities in government in my judgment, to be a member of the Highest Court in the Nation and to undertake to resolve the many highly complex and difficult issues that come before the Court.

Mr. Chairman, with your permission, I will read a very brief statement, and then I will leave for Judge Stevens a few questions which he can answer for the record at his leisure.

I will not be able to remain, Mr. Chairman, during the rest of the hearings today because I must preside at a conference with Members of the House of Representatives on the Defense appropriation bill.

Because some of the questions I have may require somewhat lengthy answers, out of deference to my colleagues I will read a brief statement and submit the questions for the judge to answer for the record.

Mr. Chairman, on other occasions I have expressed the view that in considering the confirmation of a nomination to the Supreme Court there are three basic questions pertaining to the nominee's qualifications that must be answered in the affirmative.

First, does the nominee have personal integrity?

Second, does he have professional competence?

And third, does he have an abiding fidelity to the Constitution?

Out of proper deference to the nominee himself, and to the judgment and choice of the President of the United States, the strongest possible presumption that the nominee possesses all three of these fundamental qualifications should be indulged, and in this instance, as to Judge Stevens, I entertain no expectations whatsoever that there will be any discoveries or developments during the course of these hear-