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House of Representatives

The House met at 10 a.m.

The Reverend Dr. Ronald F. Christian, Director of Lutheran Social Services of Northern Virginia, Fairfax, Virginia, offered the following prayer:

Almighty God, we acknowledge Your presence this day in our own personal lives and in our corporate soul as a Nation.

Your steadfast love has been extended to all people for all time, especially those most in need of it.

Your gracious mercy has been meted out evenly and fairly throughout all generations.

Your nature of being righteous towards all is matched only by the demand from Your children for justice.

The clarion call by the prophets of old "to return to the Lord" is always apropos.

O God, may we be as free to give as we are desirous to receive the blessings of Your steadfast love and gracious mercy.

May we all seek to do right, be just, and always walk humbly before Your all-encompassing righteousness.

And, may we never turn a deaf ear to the trumpet call for an introspective look at who we are as persons and as a Nation.

Bless, O God, the efforts of all Your people this day, in this room and in the workplaces of our land.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Ohio (Mr. TRAFICANT) come forward and lead the House in the Pledge of Allegiance.

Mr. TRAFICANT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make a statement. With the concurrence of the Minority Leader, the Chair would take this occasion to make an announcement regarding proper decorum during debate in the House, including one-minute and special-order speeches, specifically with regard to references to the President of the United States.

As indicated in section 17 of Jefferson's Manual, which under rule XLII is incorporated as a part of the Rules of the House, Members engaging in debate must abstain from language that is personally offensive toward the President, including references to various types of unethical behavior.

Rulings in this Congress, which will be annotated in the accompanying section 370 of the House Rules and Manual, include references to alleged criminal conduct. This documented restriction extends to referencing extraneous material personally abusive of the President that would be improper if spoken as the Member's own words.

Occupants of the Chair in this Congress and in prior Congresses have consistently adhered to this principle regarding the present and past Presidents.

While several rulings by the Chair in this Congress may have predated certain public acknowledgments by the President, and while the standard in Jefferson's Manual has been held not to apply in the other body, it is essential that the constraint against such remarks in ordinary debate continue to apply in the House.

On January 27, 1909, the House adopted a report in response to improper ref-

erences in debate to the President. That report read in part as follows:

The freedom of speech in debate in the House of Representatives should never be denied or abridged, but freedom of speech in debate does not mean license to indulge in personal abuses or ridicule. The right of Members of the two Houses of Congress to criticize the official acts of the President and other executive officers is beyond question, but this right is subject to proper rules requiring decorum in debate. Such right of criticism is inherent upon legislative authority.

The right to legislate involves the right to consider conditions as they are and to contrast present conditions with those of the past or those desired in the future. The right to correct abuses by legislation carries the right to consider and discuss abuses which exist or which are feared.

It is * * * the duty of the House to require its Members in speech or debate to preserve that proper restraint which will permit the House to conduct its business in an orderly manner and without unnecessarily and unduly exciting animosity among its Members or antagonism from those other branches of the Government with which the House is correlated.

This is recorded in Cannon's Precedents, volume 8, at section 2497, and is quoted in section 370 of the House Rules and Manual.

In addition to relying on the precedents of the House, the Chair would comment on the importance of comity and integrity of debate in the House in an electronic age. Debates in the House were not broadcast by radio or television before 1978. There were correspondingly fewer occasions when Members were called to order for improper personal references to Presidents. In 1974, there were no allegations of personal misconduct on the part of the President called to order on the floor before or during proceedings in executive session of the Committee on the Judiciary.

Indeed, it is only during the actual pendency of proceedings in impeachment as the pending business on the

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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Floor of the House that remarks in debate may include references to personal misconduct on the part of the President.

While an inquiry is under way in committee, the committee is the proper forum for examination and debate of such allegations. In the meantime, it is incumbent on the House to conduct its other business, again quoting from the action of the House in 1909, "in an orderly manner and without unnecessarily and unduly exciting animosity among its Members or antagonism from those other branches of the Government with which the House is correlated."

This is not to say that the President is beyond criticism in debate, or that Members are prohibited from expressing opinions about executive policy or competence to hold office. It is permissible in debate to challenge the President on matters of policy. The difference is one between political criticism and personally offensive criticism. For example, a Member may assert in debate that an incumbent President is not worthy of reelection, but in doing so should not allude to personal misconduct. By extension, a Member may assert in debate that the House should conduct an inquiry, or that a President should not remain in office. What the rule of decorum requires is that the oratory remain above personality and refrain from terms personally offensive.

When an impeachment matter is not pending on the floor, a Member who feels a need to dwell on personal factual bases underlying the rationale on which he might question the fitness or competence of an incumbent President must do so in other forums, while conforming his remarks in debate to the more rigorous standard of decorum that must prevail in this Chamber.

The Chair will enforce this rule of decorum with respect to references to the President, and asks and expects the cooperation of all Members in maintaining a level of decorum that properly dignifies the proceedings of the House.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain 15 one-minutes on either side.

IN SUPPORT OF PAUL MCHALE

(Mr. BUYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUYER. Madam Speaker, I rise today as a Republican in strong support of my Democrat colleague, my fellow veteran and my friend, the gentleman from Pennsylvania (Mr. MCHALE). I rise to defend the gentleman because as an individual who admires the virtues of honor, courage and commitment wherever they are found, in Congressman PAUL MCHALE they are found in abundance.

Last month, the gentleman from Pennsylvania (Mr. MCHALE) called for

the President's resignation stating that, "perjury is not excused by an apology compelled by overwhelming evidence and delivered under pressure."

The gentleman from Pennsylvania (Mr. MCHALE) has served this country in uniform as a Marine and as public servant. He is a man of honor, courage and commitment who has stood fast to his convictions.

These convictions have led the gentleman from Pennsylvania to examine the course of conduct by the President and to reach a somber conclusion. As a member of the Committee on the Judiciary, I, like others in this body perhaps are still examining, soul searching and analyzing the case, and that is also appropriate. However, what is reprehensible is the vilification to which Congressman MCHALE has been subject for exercising his First Amendment rights and voicing the views of his constituents.

The gentleman from Pennsylvania (Mr. MCHALE) has had his military record slandered. Rumors and innuendos have been whispered about his reputation. All of this White House mudslinging, because Congressman MCHALE has put honor above party loyalty.

These are times when every ounce of wisdom and courage will be required by all. It is not a time for smears on character when voices of conscience are raised.

I admire the honor, courage and commitment of Congressman MCHALE. To the President, order and stop these character assassinations by your staff and the defense team.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. EMERSON). The Chair would remind the Member not to refer to the words of others which refer to the personal conduct of the President.

NEW MORAL STANDARD TO REPLACE TRUTH AND JUSTICE

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Madam Speaker, from the military to the Oval Office, America now has a new moral standard: Do not ask, do not tell. Do not ask, do not tell. What is next, Madam Speaker? Cannot ask, will not tell? Beam me up.

The First Amendment was never intended to hide truth. The First Amendment was intended to promote and preserve truth and justice.

□ 1015

No wonder that values and morals in America have gone to hell. Just think about it. Congress aided and abetted this whole process when they removed God from our schools. Now we face the test, the test of morals and values.

ELIMINATE THE MARRIAGE TAX PENALTY

(Mr. WELLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELLER. Madam Speaker, let me ask a basic question of fairness: Is it right, is it fair, that the average married working couple with two incomes pays higher taxes, just because they are married, than an identical couple living together outside of marriage? Is it right that 21 million married working couples pay on the average \$1,400 more in taxes just because they are married? \$1,400 in the south suburbs in Chicago, that is one year's tuition at Joliet Junior College, three months' worth of day care at a local day care center in Joliet.

In the remaining weeks of this session let us go about doing the people's business. Let us ask the President to work with us. Let us help the middle class with the Marriage Tax Penalty Elimination Act. Let us eliminate the marriage tax penalty. Let us do it now, and make it our top priority in the next few weeks.

URGING MEMBERS TO JOIN THE CONGRESSIONAL MINING CAUCUS, PRESERVE JOBS, AND BRIDGE THE KNOWLEDGE GAP ON MINING

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Madam Speaker, whether it is just the pocket change in our purses or pockets, or our Nation's highways and bridges, or our personal computers, minerals are paving our Nation's way into the 21st century. Without the minerals and materials supplied by the mining industry, Americans could not have that small change in their pocket, bridges, roads, or that personal computer.

However, the mining industry yields more than just small change. In addition to acquiring metals for coinage, Uncle Sam reaps more than \$57 million in annual receipts from the mining industry. This does not include the \$27 million in State and local government collections from mining industry revenues.

Mining contributions to our Nation do not stop there. Mining in all forms pumps \$524 billion into the American economy. That is equivalent, Madam Speaker, to \$60 million an hour from mining.

Mining matters. It matters to each Member, it matters to Congress, and it matters to every American. I ask my congressional colleagues to join the Mining Caucus.

TIME TO PASS FURTHER TAX RELIEF AND HOLD THE LINE ON SPENDING

(Mr. HERGER asked and was given permission to address the House for 1