Mr. KING and Mr. KINGSTON changed their vote from "aye" to "no." Mr. Berman changed his vote from "no" to "aye."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PRIVILEGES OF THE HOUSE—IMPEACHING WILLIAM JEFFERSON CLINTON, PRESIDENT OF THE UNITED STATES, FOR HIGH CRIMES AND MISDEMEANORS

Mr. HYDE. Mr. Speaker, by direction of the Committee on the Judiciary, I call up a privileged Resolution (H. Res. 61) impeaching William Jefferson Clinton, President of the United States, for high crimes and misdemeanors, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 611

Resolved, That William Jefferson Clinton, President of the United States, is impeached for high crimes and misdemeanors, and that the following articles of impeachment be exhibited to the United States Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of the people of the United States of America, against William Jefferson Clinton, President of the United States of America, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

ARTICLE I

In his conduct while President of the United States, William Jefferson Clinton, in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has willfully corrupted and manipulated the judicial process of the United States for his personal gain and exoneration, impeding the administration of justice, in that:

On August 17, 1998, William Jefferson Clinton swore to tell the truth, the whole truth, and nothing but the truth before a Federal grand jury of the United States. Contrary to that oath, William Jefferson Clinton willfully provided perjurious, false and misleading testimony to the grand jury concerning one or more of the following: (1) the nature and details of his relationship with a subordinate Government employee; (2) prior perjurious, false and misleading testimony he gave in a Federal civil rights action brought against him; (3) prior false and misleading statements he made to an attorney to make him a Federal judge in that civil rights action; and (4) his corrupt efforts to influence the testimony of witnesses and to impede the discovery of evidence in that civil rights action.

In doing this, William Jefferson Clinton has undermined the integrity of his office, has brought disrepute on the Presidency, has betrayed his trust as President, and has acted in a manner subversive of the rule of law and justice, to the manifest injury of the people of the United States.

Wherefore, William Jefferson Clinton, by such conduct, warrants impeachment and trial, and removal from office and disqualification to hold and enjoy any office of honor, trust, or profit under the United States.

ARTICLE II

In his conduct while President of the United States, William Jefferson Clinton, in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has willfully corrupted and manipulated the judicial process of the United States for his personal gain and exoneration, impeding the administration of justice, in that:

(1) On December 23, 1997, William Jefferson Clinton, in sworn answers to written questions asked as part of a Federal civil rights action brought against him, willfully provided perjurious, false and misleading testimony in response to questions deemed relevant by a Federal judge concerning conduct and statements in a deposition given as part of a Federal civil rights action brought against him.

(2) On or about December 7, 1997, William Jefferson Clinton, by an order to corruptly influence the testimony of a witness in a Federal civil rights action brought against him to give perjurious, false and misleading testimony if and when called to testify personally in that proceeding.

(3) On or about December 28, 1997, William Jefferson Clinton, in sworn answers to written questions asked as part of a Federal civil rights action brought against him, willfully provided perjurious, false and misleading testimony in response to questions deemed relevant by a Federal judge concerning conduct and statements in a deposition given as part of a Federal civil rights action brought against him in order to corruptly prevent the truthful testimony of that witness in that proceeding at a time when the truthful testimony of that witness would have been harmful to him.

(4) On or about January 14, 1998, William Jefferson Clinton, by order to corruptly influence the testimony of a witness in a Federal civil rights action brought against him in order to corruptly prevent the truthful testimony of that witness in that proceeding at a time when the truthful testimony of that witness would have been harmful to him.

(5) On January 17, 1998, at his deposition in a Federal civil rights action brought against him, William Jefferson Clinton, in sworn answers to written questions asked as part of a Federal civil rights action brought against him, willfully provided perjurious, false and misleading testimony in response to questions deemed relevant by a Federal judge concerning conduct and statements in a deposition given as part of a Federal civil rights action brought against him.

(6) On or about January 18 and January 20, 1998, William Jefferson Clinton, in sworn answers to written questions asked as part of a Federal civil rights action brought against him, willfully provided perjurious, false and misleading account of events relevant to a Federal civil rights action brought against him to a potential witness in that proceeding in order to corruptly prevent the truthful testimony of that witness.

(7) On or about January 21, 23 and 26, 1998, William Jefferson Clinton, in sworn answers to written questions asked as part of a Federal civil rights action brought against him, willfully provided perjurious, false and misleading testimony in response to questions deemed relevant by a Federal judge concerning conduct and statements in a deposition given as part of a Federal civil rights action brought against him in order to corruptly prevent the truthful testimony of that witness.
CONGRESSIONAL RECORD – HOUSE

H11775

December 18, 1998

THOSE WITNESSES. The false and misleading statements made by William J. Jefferson Clinton in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in disregard of his constitutional duty to take care that the laws be faithfully executed, has engaged in conduct that resulted in the violation of the constitutional oath of the President, and has impaired the due and proper administration of justice and the conduct of lawful inquiries, and contravened the authority of the legislative branch in seeking the truth as set forth in a coordinate investigation providing for a coordinate investigative proceeding, in that, as President, William J. Jefferson Clinton refused and failed to respond to certain written requests for admission and willfully made perjurious, false and misleading sworn statements in response to certain written requests for admission propounded to him in connection with the impeachment proceeding authorized by the House of Representatives of the Congress of the United States. William J. Jefferson Clinton, in refusing and failing to respond and in making perjurious, false and misleading statements, assumed to himself power of impeachment to hold and enjoy any office of honor, trust, or profit under the United States.

ARTICLE IV

Using the powers and influence of the office of President of the United States, William J. Jefferson Clinton, in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in disregard of his constitutional duty to take care that the laws be faithfully executed, has engaged in conduct that resulted in the violation of the constitutional oath of the President, and has undermined the integrity of his office, has brought disrepute on the Presidency, has betrayed the trust as President, and has acted in a manner subversive of the rule of law and justice, to the manifest injury of the people of the United States.

Whereas, William J. Jefferson Clinton, by such conduct, warrants impeachment and trial, and removal from office and disqualification to hold and enjoy any office of honor, trust, or profit under the United States.

The SPEAKER pro tempore. The unanimous consent request there is nothing that could be added to the time problem that the gentleman has handed to us on our side of the aisle the request that he has just read, and we have just looked at it, and we have a number of concerns with it, and if I might proceed for just a second, Mr. Speaker, I would like to enumerate our concerns and, if I could, to my distinguished colleague, the gentleman from Michigan (Mr. Conyers), for any comments that he might have?

Mr. Speaker, we are concerned obviously because we do not believe we should be here today while our men and women are fighting abroad, and we have expressed that in the first motion of the day with respect to adjournment. We do not believe this is a proper time to be debating removing the Commander in Chief while thousands of men and women are fighting abroad.

Secondly, Mr. Speaker, the gentleman asks for 4 hours of debate. I have just done the math briefly here. The Speaker acknowledges that I have 4 hours here, but that is in perhaps one of the most important issues that they will face in their lifetime.

Thirdly, Mr. Speaker, it runs, this time problem that the gentleman has raised, the 4 hours, runs to the fairness issue, and we note that in the unanimous consent request there is nothing here to give the American people a chance to see this Congress vote on the option that they would like to see that would bring this country together: the option of censure.

Much of my argument, our argument, gets to the question of the issue, and we will have grave, grave concerns about agreeing to this request based on the arguments that have just been made.

Further reserving the right to object, Mr. Speaker, I yield to the gentleman from Michigan (Mr. Conyers).

Mr. CONYERS. First of all, Mr. Speaker, I want to indicate my concurrence in the position raised by the gentleman from Michigan (Mr. BONIOR), but is there any reason why the Chairman, the gentleman from Illinois (Mr. HYDE), could not wait for 2 days before proceeding with this very serious undertaking, until at least our brave soldiers may be out of harm’s way before we proceed?

Mr. HYDE. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Speaker, if the gentleman from Michigan (Mr. CONYERS) is not interested in the objection, I yield to my distinguished colleague from Michigan (Mr. CONYERS), I would like to say, first of all on the time, that the 4 hours I said, that is negotiable; I would not expect...
to limit it to 4 hours. Limit it to some reasonable sum. We offered a lot of hours last night that our colleagues rejected.

So, Mr. Speaker, we are trying to be fair, and on the time I ask my colleagues to consider, and the time we could show the world our democracy works.

Mr. BONIOR. I object, Mr. Speaker.

Mr. SENSENBRENNER. Mr. Speaker, if the previous question is moved, I intend to vote against it so that I may be recognized to control time under the hour rule in order to continue debate on House Resolution 611.

Mr. HYDE. Mr. Speaker, I yield myself such time as I may consume.

Mr. HYDE. Mr. Speaker, my colleagues of the People's House, I wish to talk about the rule of law.

After months of argument, hours of debate, there is no need for further complexity. The question before this House is rather simple. It is not a question of sex. Sexual misconduct and adultery are private acts and are none of Congress' business. It is not even a question of lying about sex. The matter before the House is a question of lying under oath. This is a public act, not a private act. This is called perjury.

The matter before the House is a question of the Constitution. The Constitution accusses the President and the Senate adjudicates. True, the formula language of our articles recites the ultimate goal of removal from office, but this language does not trump the Constitution, which defines the separate functions, the different parts of the House and the Senate. Our Founding Fathers did not want the body that accues to be the same one that renders final judgment, and they set up an additional safeguard of a two-thirds vote for removal.

So, despite protests, our job is to decide if there is enough evidence to submit to the Senate for a trial. That is what the Constitution says no matter what the President's defenders say. When Ben Franklin, on September 18, 1787 told Mr. Madison that the Founders and Framers had given us a Republic "if you can keep it," perhaps he anticipated a future time when bedrock principles of our democracy could be mortally threatened as the Rule of Law stands in the line of fire today. Nothing I can think of more clearly illustrates that America is a continuing experiment, never finished, that our democracy is always a work in progress.

So, in my judgment, the Constitution and the American people, that compact has been broken. The people's trust has been betrayed. The Nation's chief executive has shown himself unwilling or incapable of enforcing its laws, for he has corrupted the rule of law by his perjury and his obstruction of justice.

Mr. Speaker, that and nothing other than that is the issue before this House.

We have heard ceaselessly that even if the President is guilty of the charges in the Starr referral, they do not rise to the level of an impeachable offense. Well, just what is an impeachable offense? One authority, Professor Stephen Presser of Northwestern University School of Law, said, and I quote:

"Those who haveCoroutine the fundamental betrayal of public trust; they suggest the federal official has deliberately failed in his duty to uphold the Constitution and laws he was sworn to enforce."

So, Mr. Speaker, if the previous question is moved, if a President, the chief law enforcement officer of the land, the person who appoints the Attorney General, the person who nominates every Federal judge, the person who nominates to the Supreme Court and the only person with a constitutional obligation to take care that the laws be faithfully executed, can lie under oath repeatedly and maintain it is not a breach of trust sufficient for impeachment.

The President is the trustee of the Nation's conscience, and so are we here today.

There have been many explosions in our committee hearings on the respective role of the House and the Senate. The Constitution of the House accuses and the Senate adjudicates. True, the formula language of our articles recites the ultimate goal of removal from office, but this language does not trump the Constitution, which defines the separate functions, the different parts of the House and the Senate. Our Founding Fathers did not want the body that accuses to be the same one that renders final judgment, and they set up an additional safeguard of a two-thirds vote for removal.

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Let us be clear. The vote that all of us were asked to cast is in the final analysis a vote on the rule of law.

Now the rule of law is one of the great achievements of our civilization, for the alternative is the rule of raw power. We here today are the heirs of 3,000 years of history in which human beings have sold their freedom in the grand test of a form of politics in which law, not brute force, is the arbiter of our public destinies.

We are the heirs of the Ten Commandments and the Mosaic law, a moral code for a free people, who, having been liberated from bondage, saw in law a means to avoid falling back into the habits of slavery. Nor are we the heirs of the Roman law, the first legal system by which peoples of different cultures, languages, races and religions came to live together in a form of political community.

We are the heirs of the Magna Carta, by which the free men of England began to break the arbitrary and unchecked power of royal absolutism.
We are the heirs of a long tradition of parliamentary development, in which the rule of law gradually came to replace royal prerogative as the means for governing a society of free men and women.

We are the heirs of 1776, and of an epic moment in human affairs when the Founders of this Republic pledged their lives, their fortunes and their sacred honors, think of that, sacred honor, to the defense of the rule of law. We fought the hard-fought war between the states, which vindicated the rule of law over the appetites of some for owning others.

We are the heirs of the 20th Century's great struggles against totalitarianism, in which the rule of law was defended at immense costs against the worst tyrannies in human history.

The phrase “rule of law” is no pious aspiration from a civics textbook. The rule of law is what allows us to live our freedom in ways that honor the freedom of others while strengthening the common good. The rule of law is like a three-legged stool. One leg is an honest judge, the second leg is an ethical bar, and the third is an enforceable oath. All three are indispensable to avoid political collapse.

In 1838, Abraham Lincoln celebrated the rule of law before the Young Men's Lyceum in Springfield, Illinois, and linked it to the perpetuation of American liberties and American political institutions. Listen to Lincoln, from 1838:

"Let every American, every lover of liberty, every well wisher to his posterity, swear by the blood of the Revolution never to violate in the least particular the laws of the country; and never to counsel or countenance their violation by others. As the patriots of seventy-six linked it to the perpetuation of American liberties and American political institutions. Let every American pledge his life, his property and his sacred honor; let every man remember that to violate the law is to trample on the blood of his father, and to tear the character of his own and his children's liberty. Let reference for the laws be breathed by every American mother to the last pallet on her lap, let it be taught in the schools, in seminaries, and in colleges. Let it be written in primers, spelling books and almanacs. Let it be preached from the pulpit, proclaimed in legislative halls, and enforced in the courts of justice."

So said Lincoln.

My colleagues, we have been sent here to strengthen and defend the rule of law; not to weaken it, not to attenuate it, not to disfigure it. This is not a question of heredity; it is a question of foundations. This is not a matter of setting the bar too high; it is a matter of securing the basic structure of our freedom, which is the rule of law.
I know what you say. You say that the Constitution does not allow this vote of censure. Constitutional scholars in the hundreds, some of the most respected, conservative constitutional scholars have opined in the days before, in their writings and the conversations and through speeches, that, in their view, the Constitution does allow this vote; that the Constitution is silent on this question of what else we can do; that the Constitution in no way prevents us from doing this.

What do I conclude? I can only conclude that you do not want our Members to have this choice. I can only conclude that some are afraid of this vote. I can only conclude that this may be about winning a vote, not about high-minded ideals.

Let me, if I can, go back to the values: Respect, fairness, trust, forgiveness. We need to begin in the way we do this to practice a different kind of politics. We need to stand today as a unified body, Republicans and Democrats, liberals and conservatives, moderates, rejecting raw, naked partisanship, and putting in its place a politics of trust and respect and decency, and values. We need to turn away from extremism and inquisition and return to a sense of moderation in our political system.

We are considering articles of impeachment that allege an abuse of power. We have an obligation not to abuse our power. We need to turn back. We have another chance. The chance is still there, before our Nation and our democracy have become unalterably and permanently degraded and lowered. The great Judge Learned Hand once said that no court can save a society so riven that it is difficult, it is unpleasant, and we would all just as soon the responsibility go aside. As our Founding Fathers warned, this is an issue that divides us and stirs the passions of the great people of this country. I know my fellow Arkansans are divided on the issue of impeachment, and for these reasons it is argued that we should find an easier way out of trouble, that we should put it off, we should turn aside. But as we all know, the easy way is not always the right way.

The difficult path is to follow the Constitution, but that is the path that will take us where I think we need to go. I have faith that the path James Madison marked will lead us out of these woods.

Mr. Speaker, I support the resolution that has been offered. I will focus my attention on this article charges that on August 17, William Jefferson Clinton willfully provided false testimony to the Federal grand jury. The first article is perjury before the grand jury. There are 3 questions: What are the facts, what is the law, and is it impeachable under the Constitution?

The facts are that a Federal civil rights lawsuit was filed by another citizen of the United States against the President. The Supreme Court said that lawsuit could proceed. In January 1998, the deposition was taken, and the committee found that the President, despite being told by the judge to answer the questions, lied under oath in order to protect himself from that lawsuit. At that point, a criminal investigation was begun with the approval of the United States Attorney General, and as a result of that investigation, President Clinton agreed to testify before the Federal grand jury investigating these allegations.

Prior to his testimony, we all recall that there was a uniform warning across this land by his aides, by the public: Mr. President, whatever you do, do not lie to the grand jury. In fact, Alan Dershowitz, an ardent defender of the President said, he must tell the truth, whatever the truth may be. If he perjures himself, he could very well be impeached.

Dick Morris warned him that the people would forgive a personal misconduct. They could not forgive perjury or obstruction of justice. Despite these warnings, the committee found that the President went before the grand jury, took an oath to tell the truth, and then intentionally provided false statements to the grand jury of citizens charged with a heavy responsibility.

The article specifically charges the President lied about his relationship with Monica Lewinsky, but not about the truthfulness of his prior testimony. He falsely testified about statements made by his attorney in the previous lawsuit. False statements were made about his efforts to corruptly influence the witnesses and so there were perjurious statements that were given. But what is the law? Title 18 of the United States Code makes it a felony for any citizen to willfully provide false statements to the grand jury.

Now, I agree this is not a criminal case, but it illustrates that these are not lies to inquiring minds at the country club, but they are to the grand jury of the United States. The President certainly understood the gravity of his testimony and the expectation of truthfulness.

At the beginning of his testimony, he could have said he told the truth, the whole truth and nothing but the truth, and that if you lie or to intentionally mislead the grand jury, you could be prosecuted for perjury of obstruction of justice, and the answer was, I understand. But is impeachable? The answer is yes.

Alexander Hamilton said that to do harm that is done to society itself, justice Story talked about great injuries to the State, and I believe that the damage to the State, the integrity of government occurs when those in high office violate a court oath and a constitutional oath and faithfully execute the law.

The facts establish a pattern of false statements, deceit and obstruction, and by committing these actions, the President moved beyond the private arena of protecting personal embarrassing conduct and his actions began to conceal, mislead and falsify; invaded the very heart and soul of our government which makes this Nation unique in the world, the right of any citizen to pursue justice equally.

The conduct obstructed our judicial system and at that point that became an issue, not a personal concern, but of national consequence. The preamble to our Constitution, in the second purpose says, it is to establish justice. It is not for the President or his lawyers to determine who can or cannot seek justice, and if the President lied under oath in a Federal civil rights case, that he took it upon himself to deny the right of a fellow American, in this case a fellow Arkansan, equal access to seek relief in the courts.

The President's lawyers have declared such a lie to be a small one, of small consequence, and therefore, not impeachable. But I cannot see how denying the rights of a fellow citizen could be considered a small consequence.

Mr. Speaker, I ask my colleagues to support Article I, and this resolution.
Mr. CONYERS. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Michigan (Mr. BONIOR), the minority whip of the Congress.

Mr. BONIOR. Mr. Speaker, as I rise to speak, the men and women of America’s Armed Forces are engaged in battle. Halfway around the world on ships at sea, in the skies over Baghdad, they are risking their lives for us. But even as millions of Americans across our country are hoping for a quick end to this conflict, even as we are praying for the safety of our sons and daughters, my Republican colleagues are obsessed with a different target. They are determined to impeach the Commander in Chief of America’s Armed Forces, the President of the United States. Even as the bombs are falling on Baghdad, they are trying to force him from office.

What kind of signal does this send to our troops, our allies, the American people, the world? I find it quite incredible that we are even here today having to force an impeachment vote to completely ignore the will of the American people.

Mr. BONIOR. Mr. Speaker, as I rise to speak, the men and women of America’s Armed Forces are engaged in battle. Halfway around the world on ships at sea, in the skies over Baghdad, they are risking their lives for us. But even as millions of Americans across our country are hoping for a quick end to this conflict, even as we are praying for the safety of our sons and daughters, my Republican colleagues are obsessed with a different target. They are determined to impeach the Commander in Chief of America’s Armed Forces, the President of the United States. Even as the bombs are falling on Baghdad, they are trying to force him from office.

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Mr. CONYERS. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. FROST).

Mr. FROST. Mr. Speaker, the decision we are faced with today is of singular importance. We are being asked to overrule the results of a presidential election under a procedure that is fundamentally unfair, and at a time that is contrary to the strategic national interests of the United States.

There are three issues involved here today: the unfairness of this proceeding, the timing of this action, and the merits of whether or not to impeach the President. Let us start with the fundamental unfairness of this proceeding. The Republicans have denied the House the opportunity to vote on censuring the President, even though a clear majority of the American public believes the President should be censured for his conduct in office. Leading members of the Republican Party, former President Gerald Ford, former Senator Bob Dole, have urged the censure option, but we are being denied the opportunity to even consider it today. There is no fairness on this floor today.

Second, the Republican majority, by starting this proceeding today, while we are engaged in military action against Saddam Hussein, sends entirely the wrong message to the rest of the world. We have a great bipartisan tradition of supporting the Commander in Chief and supporting our soldiers, sailors, and airmen in the time of war. That tradition is being shattered today by a partisan majority.

Seven years ago I joined 86 of our colleagues, of our Democratic colleagues, in supporting a Republican President, George Bush, and his critical military action against Saddam Hussein. I disagreed with President Bush on a variety of matters, but I felt it was important to show national unity against Saddam.

By starting this proceeding against President Clinton today, we are sending the ultimate mixed message to Saddam about our national resolve. We may be encouraging him to resist longer by our actions in the midst of war. That proceeding today may wind up costing American lives.

The majority may well have blood on its hands by starting this proceeding today. We certainly could have waited until Monday to pursue this proceeding, giving our military time to pursue its mission.

That brings me to the question of the merits. The Republican majority is trivializing the U.S. Constitution and setting a terrible precedent by pressing for impeachment on these particular grounds. What Clinton did was wrong, but it does not rise to the level of an impeachable offense.

If Members cannot set aside partisan politics until our troops are safe, at least, at the very least, let us have a clean vote of conscience, and let us bring America together once again.

Mr. CONYERS. Mr. Speaker, it is my pleasure to yield 3 minutes to the gentleman from Texas (Mr. FROST).

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If we make every Member of this House rumored to have been involved in an affair subject to a $40 million special prosecutor, and then hold them accountable for any misstatement of fact, we may be faced with a number of empty seats in this Chamber. We should reserve instances of those rare instances that undermine our form of government and threaten the essence of democracy. It should not be used as a club by a partisan majority that dislikes the particular president. If Members cannot set aside partisan politics until our troops are safe, at least, at the very least, let us have a clean vote of conscience, and let us bring America together once again.

Mr. CONYERS. Mr. Speaker, it is my pleasure to yield 3 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Speaker, today’s vote is set upon an unfair, false choice. This historic decision should be a moment above all political maneuvering. Instead, it is riddled with unfairness, sloppy procedure, and mean-spirited partisanship.

From the 4-year, $40 million investigation which could only turn up a private, consensual affair, the airing and publishing of the tawdry Starr report and Lewinsky tapes where all of our children could hear and read every sexual detail, the failure of the Presi- dent’s accusers to call as Mr. Clinton’s words were allegedly perjurious, the unfair denial of the censure option here today, to trying to impeach the Commander in Chief with troops in harm’s way, this process is a travesty. Where is their sense of fairness?

Somewhere along the way, some in this House forgot that Bill Clinton is our President, not their personal enemy. The Constitution is not a license to destroy a president because one does not like him. I believe the President’s actions were reprehensible and worthy of condemnation, but the clearest, most appropriate way to send a message about this President’s behavior is censure. That is what our best legal scholars say, that is what most Americans say. If the Republican leadership would allow us the freedom to vote our conscience, that would be the option.

A censure would put an indelible scar upon the President’s place in history, something we all know this President cares about deeply. It is a tough, just, and appropriate punishment. It would not absolve the President of any future indictment and prosecution of alleged perjury.

Impeachment, however, should not be used as a form of super censure. Far from upholding the rule of law, a vote for impeachment under these circumstances weakens and undermines that rule of law, turning our Constitution into an unfair political tool.

Former chairman of the Committee on the Judiciary Peter Rodino said to me, “We voted to impeach Richard Nixon because of the irreparable harm he had done and threatened to do to the rights, liberties, and privileges of American citizens using the CIA, the FBI, the IRS, illegally wiretapping and auditing United States citizens. But we
Would not have impeached Nixon alone for lying."

Yes, let us censure the President for his misconduct, let us send a message to our children that these actions are wrong, but let us not unfairly use the Constitution as a way to send that message.

I warn my colleagues that they will reap the bitter harvest of the unfair partisan seeds they sow today. The constitutional provision for impeachment is a way to protect our government and our citizens, not another weapon in the political arsenal. Monica Lewinsky is not Watergate. Let he who has no sin in this Chamber cast the first vote.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. BARNEY FRANK), a senior member from Massachusetts on the Committee on the Judiciary.

Mr. FRANK of Massachusetts. Mr. Speaker, this House is launched upon a historically tragic case of selective moralizing. By the history of this country, the appropriate response to lying about a consensual sexual affair would be censure.

When Ronald Reagan's Secretary of Defense was indicted for perjury by an Independent Counsel and pardoned by George Bush, Members on that side applauded the action. When Speaker GINGRICH was found to have been inaccurately charged 13 times in an official proceeding by the House Ethics Committee, he was reprimanded and simultaneously reelected Speaker with the overwhelming vote of Members on that side. That is why we believe censure is appropriate.

The American people also believe censure is appropriate. Let me agree with those who say that simply because a large number of the voters believe something, we are not obligated to vote for it. I welcome this assertion that we have an obligation not always to follow public opinion.

But while we have the right not to vote for something just because there is overwhelming public support in a democracy, we have no right not to vote on it. We have a right to stand up honestly and say, I disagree with censure. Members have no right to hide behind a partisan leadership and not take a position.

The public has a right, on this overwhelmingly important issue, to have the preferred option that the public supports voted on. That is the abdication of democracy. It is not that Members have to support what the public wants, but Members cannot hide from it in a democracy.

Why will Members not take a position on censure? If they have the votes to defeat it, they should not use partisan pressure and threats to keep it from being voted on. Do not deny to the American public a recorded vote on their notion of what ought to be done, particularly since Members' own behavior in the case of Caspar Weinberger, in the case of the gentleman from Georgia (Mr. NEWT GINGRICH), clearly makes it understandable that censure and not impeachment is relevant.

The final point is this: Members on the other side understand that people think through someone out of office is to be trusted, we are talking about an illegal political scandal.

We go through this illogical cycle. First, to get votes for impeachment from people who know that the public doesn't want it, they downgrade impeachment. Impeachment is not throwing the President out of office; it is not bringing the President into court; it is not driving a President out of office.

First, impeachment will simply be very little, and then it will be an enormous amount.

Members cannot, de facto, amend the Constitution by that distortion of impeachment, and then use it to try to drive a President out of office. First impeachment will simply be very little, and then it will be an enormous amount.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. CONYERS), for the speech of the gentleman from Missouri (Mr. GEPHARDT)

The SPEAKER pro tempore. The gentleman from Missouri (Mr. CONYERS)

Mr. GEPHARDT of Missouri. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The SPEAKER pro tempore. The Chair will say this, because other Members have inquired about this. The Chair has in the past had a standing policy during important debates to allow for the highest ranking party-elected Members of the House, the Speaker, the majority leader, the minority leader, and the minority whip, additional time during the time they are making important statements.

The answer to the gentleman's question is that while the gentleman from Missouri (Mr. GEPHARDT) took 12 minutes to make his remarks, the Chair extended the time to him as a courtesy, as has traditionally been done on both sides of the aisle.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, the hindsight of history will be harsh on this Congress and this unfair process. For some to speak of their vote of conscience today, even as they deny others a deep vote of conscience, is in itself unconscionable.

A process whose goal was to emulsify the Watergate legacy sadly will leave a legacy more akin to time. Why will Members not take a position on censure? If they have the votes for an impeachment, where the bar has been lowered, then to say, that is the basis for resignation. First, impeachment will be insignificant, it will simply be the beginning of the process.

But having used their partisan power and the power of the right wing in the country to get an impeachment through after they have dumbed it down in significance, they will turn around and use the fact that they got impeachment to try to try to drive a President out of office. First impeachment will simply be very little, and then it will be an enormous amount.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Ms. DELAURO)
Mr. GEKAS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan (Mr. BOUCHER), a member of the Committee on the Judiciary.

Mr. BOUCHER. Mr. Speaker, I thank the gentleman from Michigan for yielding me the time.

In its 1974 Watergate inquiry, the House Judiciary Committee conducted an exhaustive examination of the constitutional history of the impeachment power. Then on a broad bipartisan basis, the committee adopted a report which eloquently states the constitutional standard for use by the House of Representatives of its impeachment power.

In the committee’s words, only that presidential misconduct which is seriously incompatible with either the constitutional form and principles of our government or the proper performance of the constitutional duties of the presidential office will justify impeachment.

The facts now before the House, which arise from a personal relationship and the efforts to conceal it, simply do not meet that standard. While the President’s conduct was reprehensible, it did not threaten the Nation. It did not undermine the constitutional form and principles of our government. It did not disable the proper functioning of the constitutional duties of the presidential office. These facts simply do not meet the standard.

To misuse of impeachment power in this case, as some are now prepared to do, will create a national horror. The divisions on this subject which now exist within our society will harden and deepen. A rift and a divide will exist within our society which now divides on this subject which now divides.

There will be a lowering of the standard for future impeachments with an inherent weakening of the presidential office. There will probably be instability in the financial markets with adverse effects for the economy.

These harms are unnecessary. The President’s conduct was deplorable, but it was not impeachable.

The House today should censure the President for bringing dishonor on the
Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. SHELTON).

Mr. SHELTON. Mr. Speaker, our friend from Illinois spoke reverently of Bunker Hill and Arlington Cemetery. We find ourselves in a debate to impeach a President of the United States.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. LEWIS), one of our leadership members.

Mr. LEWIS of Georgia. Mr. Speaker, I come before you to speak for the principle of democracy, the doctrine of fairness, and the spirit of forgiveness.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Virginia (Mr. SCOTT), a member of the Committee on the Judiciary.

Mr. SCOTT. Mr. Speaker, impeachment is in the Constitution to protect our Nation from a president who is subverting our constitutional form of government. Our authority to impeach is limited in the Constitution to finding a president guilty of treason or other high crimes and misdemeanors.

What is a few days? Why the rush to judgment? Our being here reflects a lack of respect for all in uniform as well as their families. If there was such an attempt by my party to remove President Bush during the Persian Gulf conflict, I would have opposed it with all of my being.

We must look at the proceeding today in the light of our Constitution. We must do so without emotion, for the more emotion, the less reason.

The framers of the United States Constitution knew that in an extreme case they needed to remove or overturn a popular election. They also knew that they must not make impeachment easy or routine. To maintain separation of powers, they set the bar of impeachment high and limited the grounds to impeachment. Initially, the framers made the great crimes of treason and bribery the only offenses worthy of impeachment. Later, at the Constitutional Convention, the standard was broadened to include "other high crimes and misdemeanors."

I studied the phrase carefully. The word "other" is important because I believe it is crucial to our deliberations on impeachment. I have concluded that the correct legal interpretation and the intent of the framers of that document is that the general phrase "other high crimes and misdemeanors" must be limited to the kinds of class or things within the specific words "treason" and "bribery."

As members of the House of Representatives, we have to measure the President's actions against this high Constitutional standard, without regard to political party or partisan influence. We should not establish a new Constitutional standard which lowers the threshold for ousting a sitting President. I have concluded that even if we concede that all of the allegations in the Judiciary Committee Report are true, President Clinton's actions do not constitute impeachable offenses under the Constitution. There is just no evidence that permitting him to stay on would cause great or serious harm to our system of government.

The impeachment proceedings which took place in 1974 can provide us with a useful precedent. In that investigation, the House Judiciary Committee discovered persuasive evidence that President Nixon was criminally liable for tax fraud. However, the Committee, with a Democratic majority, voted 26-12 not to impeach President Nixon for tax fraud because it did not involve official conduct or abuse of Presidential powers. Rather, the Committee limited its impeachment articles to those actions by President Nixon which affected our rights, our liberties, and our privileges, and which if permitted to go on would have seriously harmed our Constitutional system.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from Virginia (Mr. SCOTT), a member of the Committee on the Judiciary.

Mr. SCOTT. Mr. Speaker, impeachment is in the Constitution to protect our Nation from a president who is subverting our constitutional form of government. Our authority to impeach is limited in the Constitution to findings of treason, or other high crimes or misdemeanors.

We know, from our hearings, that treason, bribery, or other high crimes or misdemeanors does not cover all felonies. In fact, it does not even cover the half-million-dollar tax fraud. That is the rule of law. We cannot act unless there is treason, bribery, or similar offenses. And so, that is why historians and constitutional scholars have said that these allegations, even if they were true, do not constitute impeachable offenses; and that is why one historian warned that history will hunt down those who knowingly violate the Constitution when they vote for impeachment.

That would be the case even if the allegations were true. But support of the new, low standard for impeachment comes by way of contradictory, double hearsay, and dubious inferences, without a single witness.

In substitute for every other prior impeachment, we heard witnesses. In this case, the accused has not even had an opportunity to cross-examine witnesses. In fact, the accused has never been told the specifics of the charges against him. There is a reason why the specifics are not mentioned and that is because the so-called perjurious statements constitute such immaterial minutiae that the supporters of impeachment resort to titles of offenses such as perjury, without stating what the perjurious statements are.

Mr. Speaker, it is an outrage that we would attempt to overturn a national democratic election on these flimsy allegations on the very day that our young women and men are risking their lives to preserve our democratic form of government.

Mr. CONYERS. Mr. Speaker, I yield myself the balance of the time.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CONYERS) has 5 minutes remaining and has the right to close.

Mr. CONYERS. Mr. Speaker, impeachment is in the Constitution to protect our Nation from a president who is subverting our constitutional form of government. Our authority to impeach is limited in the Constitution to findings of treason, or other high crimes or misdemeanors.

We know, from our hearings, that treason, bribery, or other high crimes or misdemeanors does not cover all felonies. In fact, it does not even cover the half-million-dollar tax fraud. That is the rule of law. We cannot act unless there is treason, bribery, or similar offenses. And so, that is why historians and constitutional scholars have said that these allegations, even if they were true, do not constitute impeachable offenses; and that is why one historian warned that history will hunt down those who knowingly violate the Constitution when they vote for impeachment.

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Mr. CONYERS. Mr. Speaker, I yield myself the balance of the time.
Mr. Speaker, in September when the Rules Committee brought a resolution to the floor to provide for the appropriate handling and reference of an impeachment resolution which the Judiciary Committee had adopted, I asked and was given permission to revise and extend my remarks.

Mr. Speaker, the evidence is overwhelming, it is remarkably detailed, and it is corroborated at key points. It has also not been rebutted, in any meaningful way, by the President or his attorneys.

The President's conduct could be considered request for any government official or chief executive officer of a corporation, but it is truly tragic—for the office and the Nation—when that illegal conduct was committed by the President of the United States.

Perjury is a felony. Mr. Speaker, and it is an offense which demands impeachment. Mr. Speaker, the rule of law, and our adherence to the rule of law, have made us the great Nation that we are today.

What kind of example do we set for the future if we do not impeach the chief law enforcement officer of the land, who happens to be our President? If we countenance this misconduct, what are the American citizens currently serving Federal prison sentences for perjury? How are we to answer our children when they ask us “If the President can lie and get away with it, why can't I?”

The argument has been advanced in recent days that impeachment is disruptive to the Nation; it will result in chaos in the financial markets, and the economy will crumble. The work of government will somehow cease.

Mr. Speaker, this is the greatest representative body in the world. The Members of this institution can attest, based on their close interaction with their constituents, that America is strong.

America is healthy and robust and prosperous in spite of the misconduct of the President.

This notion of a world thrown into turmoil due to impeachment is completely false.

We are a resilient people, and we have endured depression and world wars in this century and a vicious civil war in the century before. We are able men and women are risking their lives abroad. Republicans sacrifice the nation for the sake of their party. Perhaps, hopefully, we may never use impeachment again after this experience.

Now, I am personally outraged that we would decapitate the Commander in Chief at a time when we are at war abroad. Republicans sacrifice the national security by doing so. To be spending time of this House to smear our Commander in Chief when brave men and women are risking their lives for their country shocks the conscience. The failure by the Republican majority to allow a censure alternative shows again the perversely partisan process this is.

I have been a Member here for some time and I cannot recall a single occasion when the Democrats denied the Republicans the ability to offer an alternative on a matter as momentous as this.

Our Nation has been pushed to the edge of a constitutional cliff. We are about to inflict permanent damage on our Constitution, on our President, on the Nation and ourselves. We should not be here today. And history will not look kindly on the partisan passions that have brought us to this point.

Mr. Speaker, is the time of the gentleman from Michigan (Mr. Conyers) expired in this hour? The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. SENSENBERGNER. Mr. Speaker, is the time of the gentleman from New York (Mr. Solomon) expired?

Mr. Solomon. Mr. Speaker, I rise in support of the impeachment resolution.

Mr. Speaker, in September when the Rules Committee brought a resolution to the floor to provide for the appropriate handling and release of the Independent Counsel report. I stated that many of us hoped such a day would never come in our careers in public life. These last few months have been difficult and profound for the House of Representatives, and certainly for the American nation.

It is only since hope, despite the unfortunate nature of the subject matter, that we will make the Founding Fathers proud by solemnly addressing our constitutional obligation today.

If the meaning of an oath has been minimized at all in America, at least we can courageously abide by our constitutional oaths here in this Chamber today.

Mr. Speaker, I wish to commend the Judiciary Committee for their diligent service to the House and to the Nation, in this difficult time. Mr. Speaker, I intend to support the resolution impeaching President Clinton for high crimes and misdemeanors.

I find the case presented by the Judiciary Committee in its report devastating and I am compelled, after studying the case, to support these articles.

The evidence presented demonstrates the President committed perjury both in a deposition before a Federal judge in a sexual harassment lawsuit and in grand jury testimony.

I am astounded at the methodical and calculating manner in which this perjury was conducted. The President obstructed justice and interfered with the machinery of our judicial system, and he committed perjury before the Congress in response to the Judiciary Committee's inquiries under oath.

Mr. Speaker, the evidence is overwhelming, it is remarkably detailed, and it is corroborated at key points. It has also not been rebutted, in any meaningful way, by the President or his attorneys.

The President's conduct could be considered request for any government official or chief executive officer of a corporation, but it is truly tragic—for the office and the Nation—when that illegal conduct was committed by the President of the United States.

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America is healthy and robust and prosperous in spite of the misconduct of the President.

This notion of a world thrown into turmoil due to impeachment is completely false.

We are a resilient people, and we have endured depression and world wars in this century and a vicious civil war in the century before.

After defeating fascism and communism in this bloody 20th century, are we to believe that we simply cannot survive without Bill Clinton? We should remember that we are all just temporary occupants of these offices.

The Constitution was here long before we were and it will be here long after.

Why discard our historic notion of the rule of law, a notion which differentiates us from much of the world around us, for one man?

The man in question clings to the trappings of his powerful office, and cloaks himself in its symbols and icons, but adheres to none of the principles of the men who served in it before him.

Why is any one man worth the sacrifice of the office which we hold with such great esteem? this impeachment vote by the House and trial in the Senate is intended to protect constitutional government, good and not intended to punish the President for his crimes.

Rather, it is designed to protect the office—our office—from further harm by its temporary occupant.

I will vote to impeach President Clinton, and vindicate the rule of law.

Mr. SENSENBERGNER. Mr. Speaker, I yield the balance of our time to the gentleman from Georgia (Mr. BARR).

The SPEAKER pro tempore. The gentleman from Georgia (Mr. BARR) is recognized for 5 minutes.

Mr. BARR of Georgia. Mr. Speaker, I thank the gentleman for yielding me time.

Extraordinary powers and authority are extended to Members of the House, today our Constitution stands in harm’s way. The rule of law in America is under fire, the rule of law about which our chairman, the gentleman from Illinois (Mr. Hyde), spoke so eloquently just a few short moments ago, the rule of law which finds its highest and most solemn expression in the absolute, the unshakeable right each one of us has to walk in a courtroom and demand the righting of a wrong.

As President John F. Kennedy so eloquently put it, “Americans are free to disagree with the law but not to disobey it. For a government of laws and not of men, no man however prominent and powerful, no mob however unruly or boisterous is entitled to defy a court of law. If this country should ever reach the point where any man or group of men, by force or threat of force, could long defy the commands of our courts and our Constitution, then no law would stand free from doubt, no judge would be sure of his writ, and no citizen would be safe from its neighbors.” This, Mr. Speaker, is the fundamental American right which President William Jefferson Clinton claimed to deny a fellow citizen.

How did he do it? I direct the attention of every Member of this body to the report of the Committee on the Judiciary to accompany H. Res. 611. I direct their specific attention to Article III, which lays out a case of obstruction of justice. Despite the fact that in the eyes of this court, President Clinton obstructed justice before a grand jury, which finds its highest and best embodiment in the absolute, the unshakeable right each one of us has to walk in a courtroom and demand the righting of a wrong.
Mr. McCOLLUM. Mr. Speaker, if the previous question is moved, I intend to vote against it so that I may be recognized to control under the hour rule time in order to continue the debate on House Resolution 601.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. SAM JOHNSON).

(MR. SAM JOHNSON of Texas asked and was given permission to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, we have heard the argument that our military forces are fighting. Do my colleagues know what they are fighting for? They are fighting to uphold the Constitution and the oath that we took and they took.

As my colleagues know, when the President stands before God, puts his hand on the Bible and takes an oath to uphold the Constitution and lawfully carry out the duties of his office, he is promising to put the people and the Nation before his own interests. I believe the President violated the laws and beliefs he swore to uphold instead of following the law, respecting American people's values and honoring his office as our supreme court and evade the truth. His actions have made a mockery of the people who fought for this country and are fighting for this Nation today, the Constitution and the laws we live under, and because of the President's actions Congress must act as dictated by the Constitution.

Mr. HYDE. Mr. Speaker, will the gentleman yield?

Mr. SAM JOHNSON of Texas. I yield to the gentleman from Illinois.

Mr. HYDE. The gentleman has some familiarity with our military service. Did he serve in the Vietnam War?

Mr. SAM JOHNSON of Texas. Yes, sir, and the Korean one, if we want to call it.

Mr. HYDE. And the Korean War.

How much time did the gentleman spend in the prison camp in Hanoi or in Vietnam?

Mr. SAM JOHNSON of Texas. Nearly 7 years, sir.

Mr. HYDE. Seven years in a POW camp.

Mr. SAM JOHNSON of Texas. Yes, sir.

Mr. HYDE. In solitary?

Mr. SAM JOHNSON of Texas. Yes, sir; 3 years of that.

Mr. HYDE. Well, I think the gentleman from Texas is qualified to talk about military service.

Mr. SAM JOHNSON of Texas. Well, I want to tell my colleagues that our military fighting men want the Congress to carry on their constitutional responsibility every day. That is why we are here today.

As my colleagues know, maybe we ought to be debating right after this issue how we support our military and give them more arms and more people to make sure they can win that battle. We cannot sacrifice what is right to do, what is easy.

As my colleagues know, when I was a POW, we did some things that were tough to do. This is a tough thing to do, but it is the right thing to do, and I suggest we continue with this impeachment process.

Mr. Speaker, the duty of the President of the United States is to preserve, protect and defend our Constitution. For over two hundred years we have sent our fathers, brothers, sons, mothers and daughters to war to do just that.

Many of them never returned. They gave their lives for a better America. They believed that America is greater than one person, one life.

They gave their lives to ensure that America and our Constitution remain safe and that our way of life would not perish.

They knew—with death—came honor, trust, loyalty and respect. They knew their death meant freedom to the millions of Americans who would come after them. Many of those who died were my friends.

I spent 29 years in the Air Force, fought in two wars and was a prisoner of war for nearly 7 years in Vietnam.

I love this great nation. And I would defend it again because America and our ideals are worth dying for.

When I left Vietnam there was an inscription scrawled on one of the prison walls which read: "freedom has a taste to those who fought and almost died that the protected will never know."

The President is the one person who must hold these words and actions in the highest regard.

The President is our moral leader. His pictures hang in classrooms throughout America. The President is our symbol of freedom. The President is the Commander in Chief, the chief law enforcement officer, and the leader of the free world.

When the President stands before God, puts his hand on the Bible and takes an oath to uphold the Constitution and lawfully carry out the duties of his office—he is promising to put the people and the Nation before his own interests.

I believe this President violated the laws and beliefs he swore to uphold. Instead of following the law, respecting American people's values and honoring his office, he chose to lie, cover up and evade the truth.

His actions have made a mockery of the people who fought for this country, the Constitution and the laws we live under.

It is clear from the evidence that this President committed perjury.

It is clear from the evidence that this President obstructed justice.

It is clear from the evidence that this President abused the power of his office.

He systematically used his office and staff to protect his own personal interests. Instead of truth and forgiveness he hid behind legalistic jargon.

And now, because of the President's actions, Congress must act as dictated by the Constitution.

We cannot sacrifice what is right to do what is easy.

During those awful years as a prisoner of war in Vietnam, there were many times that I and my fellow prisoners could have taken the "easy" way out.

We could have told the enemy our military secrets, or we could have betrayed one another. That would have been the "easiest"
thing to do to stop the daily torture we endured. If we had just given up a few military secrets or betrayed a fellow soldier, we could have avoided starvation, been released much earlier, and not missed all those years of our lives with our families and children. But we never did. Even through all the daily torture, beatings, and interrogations I considered taking the "easy" way out, and now we must endure these hardships, uphold our Constitution and protect America.

When we, in Congress, raised our right hands and took our oaths of office, we promised to make the difficult decisions.

We have come to the end of a very long and winding road. Long and winding—not because of anything Congress has done, but rather because President Clinton has walked us down it by his own actions.

The President has diminished his office in the eyes of the Nation, and more dangerously, in the eyes of the world.

The President is the chief law enforcement official of this country. If you lose respect for him, you lose respect for the law. I want to call on the American people, that this is not a choice about doing what is easy. This is a choice between what is right and what is wrong under our Constitution and the rule of law.

Let’s be clear: the President lied to us. He pointed his finger at us, looked us in the eye and lied to us, over and over again.

We must make a stand and say—we are a nation of laws and no one is above the law.

So, I will vote to impeach the President. The Constitution demands it and the country deserves it.

Thank you, Mr. Speaker.

Mr. CONYERS. Mr. Speaker, I yield 3½ minutes to the gentleman from New York (Mr. SCHUMER), a distinguished member of the Committee on the Judiciary and Senator elect.

(Mr. SCHUMER asked and was given permission to revise and extend his remarks.)

Mr. SCHUMER. Mr. Speaker, these are my last moments as a Member of the House of Representatives. I have served for years, and I love, but this is a bittersweet day for me because a pall hangs over this House. Unless a miracle occurs, we will take one of the most serious and rare actions that this body can assume and impeach the President against the overwhelming will of the American people. Voting against these articles will be my last act.

Since September I have said what the President did was reprehensible and should be punished. I also argued that lying about an extramarital affair, even under oath, does not rise to the level of high crimes and misdemeanors as spelled out in the Constitution and that the proper punishment is censure, not impeachment.

But today, Mr. Speaker, my last day in the House that I cherish, I ask myself what has brought us to this day? It would be easy for Democrats to lay the blame on a narrow band of right wing zealots out to destroy Bill Clinton. It would be convenient for Republicans to lay the blame squarely at the feet of the President for his behavior. But this goes much deeper than that.

What began 25 years ago with Watergate as a solemn and necessary process to force a President to adhere to the rule of law has grown beyond our control so that now we are routinely using criminal accusations and scandal to win the political battles and ideological ones left at the ballot box. It has been used with reckless abandon by both parties, Democrats and Republicans, and we are now at a point where we risk, deeply risk, wounding the Nation we all love.

We cannot forceably advocate for our positions, without trying to criminalize or at least dishonor our adversaries over matters having nothing to do with public trust. And it is hurting our country, it is marginalizing and polarizing this Congress.

I want to be clear. I am not pointing fingers at Republicans. The Democrats investigated John Tower for allegations not too dissimilar from allegations against President Clinton. The gentleman from Georgia (Mr. GINGRICH) led the investigation which brought down Speaker Wright, and Speaker GINGRICH was investigated and brought down as well. The ledger between the two parties is even.

Today we are upping the ante. The President could be removed from office over a matter that most Americans feel does not come close to the level of high crimes and misdemeanors as written in our Constitution. Expert historians will show that we have lowered the bar on impeachment so much we have broken the seal on this extreme penalty so cavalierly that it will be used as a routine tool to fight political battles. My fear is that when a Republican wins the White House Democrats will demand payback.

Mr. Speaker, in Greek mythology, in the Oresteia, a trilogy of ancient Greek plays by Aeschylus, the warring factions of the House of Atreus trapped themselves in an escalating chain of revenge.

** such as Atreus serves his brother a pie that contained his brother's own murdered children. It was the end of what was once a noble family. A noble House

Let us not become a House of Atreus. Let us reject the instinct for revenge and embrace instead a greater sense of justice for the sake of our Republic.

That is why I leave the institution that I cherish and respect with a heavy heart. I know we are better than we reveal ourselves. But I fear that the road that we are on will lead us to ruin. It is time to get off.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. CUNNINGHAM), who served in Vietnam and was recommended for the Medal of Honor.

Mr. CUNNINGHAM. Mr. Speaker, I served on the Committee on National Security and the extremely distinguished gentleman from California (Mr. CUNNINGHAM), who served in Vietnam and was recommended for the Medal of Honor.

Mr. CUNNINGHAM. Mr. Speaker, I served on the Committee on National Security in authorization. I now serve on the Committee on National Security of the Committee on Appropriations, and I want to tell my colleagues, every single member on those two committees, I have the greatest respect for what they try to do to bolster our military and our men and women. And my colleagues, some of them say, "Why not wait? Why can’t we wait just a few days?"

The President of the United States laid the blame squarely at the feet of the most serious and rare actions that this body can assume and impeach the President against the overwhelming will of the American people. Voting against these articles will be my last act.

We must make a stand and say—we are a nation of laws and no one is above the law.

So, I will vote to impeach the President. The Constitution demands it and the country deserves it.

Thank you, Mr. Speaker.

Mr. CONYERS. Mr. Speaker, I yield 3½ minutes to the gentleman from New York (Mr. SCHUMER), a distinguished member of the Committee on the Judiciary and Senator elect.

(Mr. SCHUMER asked and was given permission to revise and extend his remarks.)
Mr. NADLER. Mr. Speaker, the precedents show and the Nation’s leading scholars and historians overwhelmingly agree that impeachment is reserved under the Constitution only for abuses of presidential power that undermine the structure of functioning of government or of constitutional liberty. It is not intended as a punishment for crimes but as a protection against the President who would abuse his powers to make himself a tyrant. That is why Benjamin Franklin called impeachment a substitute for assassination.

We are told that perjury is as serious an offense as bribery, a per se impeachable offense, but bribery goes to the heart of the President’s conduct of his constitutional duties. It converts his loyalties and efforts from promoting the welfare of the Republic to promoting some other interest.

Perjury is a serious crime and, if provable, should be prosecuted in a court of law. But it may or may not involve the President’s duties and performance in office. Perjury on a private matter, such as a matter involving sex, is not a great and dangerous offense against the Nation. It is not an abuse of uniquely presidential power. It does not threaten our form of government. It is not an impeachable offense.

Impeachment is to overturn the popular will of the voters. We must not overturn an election and remove a President from office except to defend our system of government or our constitutional liberties against a dire threat, and we must not do so without an overwhelming consensus of the American people.

There must never be a narrowly voted impeachment or an impeachment supported by one of our major political parties and opposed by another. Such an impeachment would produce division and bitterness in our politics for years to come, and will call into question the very legitimacy of our political institutions.

The American people have heard the allegations against the President, and they overwhelmingly oppose impeaching him. They elected President Clinton, they still support him. We have no right to overturn the considered judgment of the American people.

Mr. Speaker, the case against the President has not been made. There is far from sufficient evidence to support the allegations, and the allegations, even if proven true, do not rise to the level of impeachable offenses.

Mr. Speaker, this is clearly a partisan railroad job. The same people who today tell us we must impeach the President for lying under oath, almost to a person voted last year to reelect the Speaker who had just admitted lying to Congress in an official proceeding.

The American people are watching, and they will not forget. You may have the votes, you may have the muscle, but you do not have the legitimacy of a national consensus or of a constitutional imperative. This partisan coup d’etat will go down in infamy in the history of this Nation.

Mr. Speaker, today, for only the second time in our history, and the first in the history of the United States, the House meets to consider articles of impeachment against a President of the United States. This is a momentous occasion, and I would hope that, despite the sharp partisan tone which has marked this debate, we can approach it with a sober sense of the historic importance of this matter.

I believe that we need to get back to basics—the Constitution and what the impeachment power conferred on the Congress requires of us. Article II, section 4 of the Constitution says that a President “shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.” We have received testimony from some of the nation’s leading legal scholars and historians who agree that impeachable offenses are those which are abuses of Presidential power that undermine the structure or functioning of government, or constitutional liberty.

Benjamin Franklin called impeachment a “substitute for assassination.” It is, in fact, a peaceful procedure for protecting the nation from开发利用, constitutional means for removing a President who would misuse his presidential power to make himself a tyrant or otherwise undermine our constitutional form of government. To impeach a President, it must be that serious.

The history of the language is also clear. At the Constitutional Convention, the Committee on Style, which was not authorized to make any substantive changes, dropped the words “against the United States” after the words “high crimes and misdemeanors” because it was understood that only high crimes and misdemeanors against the system of government would be impeachable—that the words “against the United States” were redundant and unnecessary.

History and the precedents alike show that impeachment is not a punishment for crimes, but a means to protect the constitutional system, and it was certainly not meant to be a means to punish a President for personal wrongdoing not related to his office. Some of our Republican colleagues have made much of the fact that some of the Democrats on this Committee in 1974 voted in favor of an article of impeachment relating to President Nixon’s alleged perjury on his tax returns, but the plain fact is that a bipartisan vote of that Committee—something we have not yet had in this proceeding—rejected that article. That’s the historical record, and it was largely based on the belief that an impeachable offense must be an abuse of Presidential power, a “great and dangerous offense against the Nation,” not perjury on a private matter.

We are told that perjury is as serious an offense as bribery, a per se impeachable offense. But bribery goes to the heart of the President’s conduct of his constitutional duties—it converts his loyalties and efforts from promoting the welfare of the Republic to promoting some other interest. Perjury is a serious crime—and, if provable, should be prosecuted in a court of law. But it may, or may not, involve the President’s duties and performance in office. Perjury on a private matter—perjury regarding sex—is not a “great and dangerous offense against the Nation.” It is not an abuse of uniquely Presidential power. It does not threaten our form of government. It is not an impeachable offense.

The effect of impeachment is to overturn the popular will of the voters as expressed in a national election. We must not overturn an election and remove a President from office except to defend our very system of government on our constitutional liberties against a dire threat. And we must not do so without an overwhelming consensus of the American people and of their Representatives in Congress on its absolute necessity. There must never be a narrowly voted impeachment, or an impeachment substantially supported by one of our major political parties and largely opposed by the other. Such an impeachment will lack legitimacy, will produce divisiveness and bitterness in our politics for years to come, and will call into question the legitimacy of our political institutions.

There are clearly some members of the Republican majority who have never accepted the results of the 1992 or 1996 elections, and who apparently have chosen to ignore the message of last month’s election. In a democracy, it is the people who rule, not political elites—and not members of political elites who were repudiated at the last election. Some members of the House may think the people have chosen badly, but it is the people’s choice and we must respect it. We have a duty to one to our democracy that would justify overturning the repeated expression of their will at the ballot box. Members of Congress have no right to arrogate to themselves the power to nullify an election absent that compelling case.

The Judiciary Committee also received testimony from some outstanding former prosecutors, including the former Republican Governor of Massachusetts, William Weld, who headed up the Criminal Division of Ronald Reagan’s Justice Department, who compellingly explained why all the legal scholars who have testified against perjury and obstruction of justice would not hold up in a real prosecutor’s office—that the evidence we have been given would never support a criminal prosecution in a real court of law.

For those who demand that the President prove his innocence, without his accusers having to provide his guilt or even to state clearly the charges, the Judiciary Committee received answers from the President’s Counsel, Mr. Ruff, and from the Committee’s Minority Counsel, Mr. Lowell this morning, in which they meticulously pointed out, using Mr. Starr’s own work, how the charges were not supported, and were indeed contradicted, by the evidence Mr. Starr’s own office had assembled. In fact, Mr. Starr has stated in his referral to Congress that his own evidence is credible, except when her uncorroborated testimony conflicts with the President’s, and then it proves his perjury.

We have received sandbagging testimonies from the other side about the “rule of law,” but the law does not permit perjury to be proved by the uncorroborated testimony of one witness. Nor does the law recognize as corroboration the fact that the witness made the same
Mr. Speaker, this is clearly a partisan railroading of the House. Today the matter before us is not a President's alleged personal or sexual sin or conduct, but a grave violation of the oath of office. To allow the House to take up the articles of impeachment today, I would argue, is not a completely impartial process. We must deal with the Constitution as it was written, not as it has been interpreted by some in the past.

The House is not a court; it is a legislative body. The President is not a defendant; he is the respondent. To impeach the President is not to prove guilt beyond a reasonable doubt but to prove the basis of a constitutional offense.

The role of the House is to determine if there is evidence of a constitutional offense. It is not to prove guilt beyond a reasonable doubt. The task of the House is not to find the facts, but to determine if there is evidence of a constitutional offense.

I would say to the House, is the evidence overwhelming? Is there a constitutional offense present? That is my question to this House. That is the role of the House, to determine if there is a constitutional offense present.

Some people believe that if we do not impeach the President, we treat him as if he is above the law. Is the President above the law? Certainly not. He is subject to criminal prosecution. He is subject to the criminal law. He is subject to indictment.

There is no evidence that the President has committed a constitutional offense. The constitutional offense is not a personal offense. The constitutional offense is a constitutional offense. The constitutional offense is an offense against the Constitution.

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The day the President gave deposition testimony to the Paula Jones lawsuit, months after being warned not to do so, the President lied. He lied in January to injure the Federal court system. The President has lied for many months. He has lied to a Federal judge. He has lied about the Paula Jones deposition. He has lied about the fact that he failed to provide truthful testimony.

Mr. Speaker, other than the president himself, who would have the right to impeach the president of the United States? The House of Representatives. Who actually got the president in trouble? The House of Representatives.

The House of Representatives has the right to impeach the president of the United States. The House of Representatives is not a rubber stamp for Kenneth Starr. The House of Representatives is not a rubber stamp for Kenneth Starr.

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United States is the day that he chose to
determine the course of impeach-
ment. He usurped our power, he abused
his authority, he gave false informa-
tion. That, to me, Mr. Speaker, is the
same as giving no information at all. Ac-
tually, it is worse.

So I believe these articles will stand
the test of time, they will stand a fac-
tual scrutiny that has to be done, and the
only way to avoid impeachment is
to leave your common sense at the
door, defy the way the world works and
ignore the facts and talk about some-
thing else.

We are the victim of Article IV. If
you believe he committed grand jury
perjury, I think it would be incumbent
upon you to find him guilty of Article IV.
Mr. Speaker, I am pleased to yield three minutes to the
gentleman from Wisconsin (Mr. Bar-
rett), perhaps our newest member on the
Committee on the Judiciary.

Mr. Speaker, I thank the gentleman for
yielding.

Mr. Speaker, this is a sad day. It is a
sad day for our democracy. I cannot de-
defend President Clinton's actions. He
took an oath. It is a very, very differ-
ent concept of the Speaker of the House. It is
an honest disagreement as to whether
impeachment is the appropriate
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ness to deny Members on this side of
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science for censure.

If we believe in the conscience of this
institution, let us let the conscience of
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Wisconsin. Mr. Speaker, I thank the
gentleman for yielding.

Mr. Speaker, I yield 5 minutes to the
gentleman from Indiana (Mr. Buy-
er).

Mr. BUYER. Mr. Speaker, I thank
the gentleman for yielding time.

Mr. Speaker, the gentleman from
Wisconsin (Mr. Barrett) brought up
the issue of censure to this House, and
I would like to address it at this time.
While I want to rate the inthusions of
the supporters of censure, I, nonetheless,
urge Members to oppose it, because it is
a fraud and assault upon the Con-
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Censure is not an authorized alter-
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The Founding Fathers set high
standards for impeachment, and by
providing for resolution requires a two-thirds vote in the Senate to re-
move the President from office, the en-
sured impeachment would not become
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The providing resolution would fly in
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Gary McDowell stated, "Impeachment
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tice Marshall once said, 'in plain and
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this grave and sensitive matter.'

Mr. Speaker, I want to respond to the point that
Mr. CONYERS. Mr. Speaker, I am
pleased to yield 3 minutes to the
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Mr. CANADY of Florida. Mr. Speak-
er, I yield 45 seconds to the gentleman
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Mr. CANADY of Florida. Mr. Speak-
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gentleman from Wisconsin.

Mr. BUYER. Mr. Speaker, I thank
the gentleman for yielding time.

Mr. Speaker, he is a Democrat. He is a
Democrat, and that difference is he is a Democrat. He is a
Democrat, and so we are going to go after
him.

I feel bad for this institution today,
because I think it is acting unfairly. I
trust the President if he is not vot-
ing his or her conscience. I will give
you that, because I trust the con-
science of this institution.

But what is happening today is the
conscience of this institution is being strangled. It is being strangled for the
cause of raw partisan politics.

Every person here today knows that
the American people believe the Presi-
dent should be held accountable. Every
person here today knows that the ap-
propriate remedy lies within this insti-
tution.

We can do it. We disagree, and there
is an honest disagreement as to whether
impeachment is the appropriate
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An integral part of the censure debate in the Committee on the Judiciary was whether the purpose of the censure that was offered was to punish the President. In answer to my questions on the intent, one of the authors, Mr. Bouchier of Virginia, stated in the Constitution is not to have purpose to have findings of guilt, it is not our purpose to punish the President. However, a close examination of the wording of the censure resolution appears that the explicit and implicit purpose would be to shame the President, to reproves him, to disown his actions, which undermine the integrity of the Office of the President to reprove his dubious, if not criminal acts, i.e., to punish.

The censure resolution offered in the Committee on the Judiciary uses such words and phrases as, “The President egregiously failed,” he “violated the trust of the American people,” he “lesseened their esteem,” he “dishonored his office,” he “made false statements, reprehensible conduct, wrongfully took steps to delay the discovery of the truth,” and then therefore cites that he “fully deserves the censure and condemnation of the American people.”

Mr. Speaker, these words and phrases are not remedial. On the contrary, the intent is to shame and condemn the President’s misconduct and impugn his reputation and is, therefore, a prohibited bill of attainder. It is unconstitutional in its form, and the idea is clearly in violation of a bill of attainder.

Now, some Members of Congress are arguing that censuring the President is a better idea because it is “what the American people want.” I believe the American people want their elected representatives to honor their oath, defend the Constitution in accordance with the laws of this Nation. Further, the American people want their elected representatives to take a stand on matters of national importance, such as the constitutional separation of powers of the President, who is the head of the executive branch of the government.

Mr. Speaker, these words and phrases are misleading. It is not the purpose of the Constitution to censure the President because that “is what the American people want.” But I believe the American people want their elected officials to honor their oath, defend the Constitution, and act in accordance with the laws of the United States.

Some Members of Congress argue that imposing the power of impeachment because that “is what the American people want.” But I believe the American people want their elected representatives to honor their oath, defend the Constitution, and act in accordance with the laws of the United States.

Ms. Waters. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Maryland (Mr. Hoyer).

Mr. Hoyer. Mr. Speaker, today’s historic and tragic vote is not about whether any of us condone the private behavior of the President. It is, however, about whether we are committed to uphold the Constitution, the touchstone of our freedom and the articulation of the genius of our democratic government’s separation of powers and adherence to the democratic transfer of power.

Nor is this vote about whether the President of the United States is above the law. He is not. Indeed, as has been amply demonstrated over the past 6 years, even the President’s fellow citizens, must respond to the demands of the law.

Moreover, it is clear that upon leaving office, the President could be held accountable in a court of law if charges were to be brought against him alleging the wrongdoing of which the Committee on the Judiciary Republicans have accused him of today.

Nor, as some claim, is this vote about process or simply moving this weighty matter from our calendar to that of the United States Senate: A Pontius Pilate-like act, presumably designed to rationalize the profoundly precedent-setting action that this House now contemplates.

Nor do I for one second believe that this vote is about setting a marker for the young on what conduct will be sanctioned or allowed to stand. Our Nation and our sustaining values will survive one man’s failings. But our democracy will be threatened if we destroy the due process and high standard that the Founding Fathers established over 2 centuries ago.

The process that the majority has pursued in this matter has been partisan, driven. I believe, by animus, and exceedingly unfair. Like so many other acts of these last two Congresses, it has been unworthy of our duty and of our responsibility.

At the beginning of this Congress, after almost 30 years of the same president of the United States, the Committee on the Judiciary, Oversight, and Reform was founded to serve the American people, to preserve the American people’s trust in the American people’s government, and to answer the call of the American people to work together.

December 18, 1998

CONGRESSIONAL RECORD — HOUSE

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elected by the people of California to this body. They spent over $1 million to do so on the expressed theory that they were simply moving the process forward. It was my contention then that there was no case at the outset, and my untenable conclusion that there was no case at the end.

Later on, because the President defined them in 1995, they shut down the government. They threatened to do so again this year, if the President defined them today. They seek to substitute, in my opinion, their judgment for the will of the American people and remove their nemesis from the position to which the American people, over their objection, elected him. If I believed that the conduct of this President had threatened our Nation's security or undermined the operation of our government, or put at risk the principles of our democracy, I would vote to impeach.

But I am absolutely convinced of the opposite. I have said that the President's conduct has defamed himself and his Presidency. But it has not amounted to treason. It is not a case of bribery. And, as so many scholars of all political and philosophical stripes have testified, it does not amount to high crimes and misdemeanors endangering our freedom or our democracy.

The President may well be accountable on another day.

But, today, I clearly see it as my duty, consistent with the oath that each of us took to preserve and protect the Constitution, and to the stability of our democracy for generations to come to reject and oppose these articles of impeachment. And, I shall, therefore, vote "no" on each of them.

Mr. SENSENBRENNER. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. ROGAN).

(Mr. ROGAN asked and was given permission to revise and extend his remarks.)

Mr. ROGAN. Mr. Speaker, I thank the gentleman for yielding.

First, I observe a bit of irony in the fact that our colleagues on the other side now are so quick to hurl charges of "shutting down the government" today, yet they ask us to shut down both the government and our constitutional process that obligates us to proceed.

The gentleman from South Carolina a few minutes ago was absolutely right. It is both false and unfair to characterize these articles of impeachment as relating solely to consensual sex. That is not the case. Lawyers did not just show up one day and begin to question the President's personal lifestyle. The President was a defendant in a civil rights sexual harassment lawsuit, and just like every other defendant in those types of cases around the country, he was ordered by a Federal judge supervising that case to answer under oath questions relating to his pattern of conduct as both governor and President to female subordinate employees. That is the context in which the questions were asked, and that is the context in which perjurious answers were given.

Now, in a desperate last-ditch attempt to insulate this President from any constitutional accountability for his conduct, his defenders are forced to trivialize felony perjury. How trivial is perjury to the person who loses a child custody case or goes to prison because perjury is offered as a truth in a court of law? What is the impact on our system of justice when perjury is marginalized or excused for embarrassment, inconvenience, or to insulate one's self as was done here in a sexual harassment lawsuit?

Listen to the words of the United States Supreme Court on the subject of perjury: "In this constitutional process of securing a witness' testimony, perjury simply has no place whatsoever. Perjured testimony is an obvious and flagrant affront to the basic concepts of judicial proceedings. Congress has made the giving of false answers a criminal act, punishable by severe penalties; in no other way can criminal conduct be fined."

This Congress must decide whether we will turn a blind eye to allegations respecting the subversion of the courts, the search for truth, and the perjurious abuse of a young woman in a sexual harassment lawsuit.

If we allow perjury to be viewed as a sign of legal finesse, we will be responsible for setting the standard that any future President may lie under oath for any personal convenience and may do it without regard to constitutional consequences. Under this perversion of the law, any President may commit perjury for reasons of self-interest and thereby trample his constitutional obligation to ensure that our laws are thereby theirs.

Mr. Speaker, our Supreme Court characterizes perjured testimony not as trivial conduct, but as criminal conduct.

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The evidence against the President on this score is overwhelming, and so too is Congress' constitutional obligation. We must keep faith with our founders' dream that a Nation could rise and be sustained where no person is above the law.

The SPEAKER pro tempore (Mr. LAHOO). The Chair announces that the gentleman from Wisconsin (Mr. SENSENBRENNER) has 9 minutes remaining, and the gentleman from California (Ms. WATERS) has 17 1/2 minutes remaining.

The gentlewoman from California (Ms. WATERS) is recognized.

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MEEHAN), a distinguished member of the Committee on the Judiciary.

Mr. MEEHAN. Mr. Speaker, as we approach the end of the House's role in this dreadful process, the words I want to leave with my colleagues are those of history. Here is how one prominent historian describes the impeachment of Andrew Johnson: "The impeachment was a great act of ill-directed passion, and was supported by little else. It was rather like an immense balloon filled with foul air, the most noisome elements of which were those most active in its elevation."

I am sick at heart today, for I fear that the words used to describe the Johnson impeachment will come to characterize what this House is about to do. Impeachment based not on real but on imaginary crimes.

Yet it is not history's verdict alone that I fear. I also fear how our actions will shape history. Will the House now have license to engage in free-wheeling speculation about how a President's private wrongs bear upon his or her capacity to govern, and then to pursue the removal of those whom it deems unfit? If so, I fear for the very concept that Presidents are to be chosen directly by the people, not by the legislature.

Will the vote over whether not to impeach the President of the United States now display the same degree of partisan division that our votes on school vouchers and environmental riders have?

If so, I fear that generations to come will view impeachment to be of no greater gravity than those lesser issues.

Will censure now be derided as unconstitutional? If so, I fear that precedent will gage the House when it desires to express its formal opinion on another subject on another day.

Will an Independent Counsel's fact-finding be the sole record upon which the House votes to impeach a president? If so, I fear for future presidents of either party whose tenure in office might be threatened by the sort of questioning that has exposed independent counsels at one time or another.

Will we now compel the ship of State in one direction while the rudder of popular opinion clearly points in the opposite direction? If so, I fear for the notion that consensus among the public counts for something when this House takes upon the gravest of matters of State.

I fear for our Republic on this dreadful day. I fear for America today.

Ms. WATERS. Mr. Speaker, I yield 3 minutes and 10 seconds to the gentleman from North Carolina (Mr. HEFNER), the respected retiring member of the Committee on Appropriations.

Mr. HEFNER. First of all, Mr. Speaker, I would like to say that the 24 years that I have spent in this House has been the greatest experience of my life. The last vote that I will be called upon to cast in this House is the most troubling vote that I have made in the 24 years that I have been in this House.

It bothers me about the venom and the hatred, and the comraderie that is nonexistent in this House anymore.
Hate is a terrible thing. Hate is a cancer that eats at us. It shows in our face, it shows in our walk, and it is something you cannot treat with chemotherapy, you cannot treat it with any drugs. You have to treat it with the love of God.

President Clinton is my friend, but the notion is that President Clinton has to go, because the word is, we have to get this done. There is no doubt about it, the President has to go. On the other hand, the Judiciary Committee spent hours after hours of Committee on the Judiciary. The members said the President has shown no contrition. He shows no contrition.

I do not know if Members saw the moment when the President of the United States stepped out from the meeting with the ministers at the White House. It was not a call thing, it was an annual thing that they have. He stood there, at the edge, before the microphones and the television cameras that were carried all over the world, and he stood by himself and said, I have sinned. The most powerful man on the face of the earth stood bare before the cameras that were carried all over the world, and he stood by himself and said, I have sinned. I have sinned, and I ask forgiveness from anyone that I have caused pain to. I ask forgiveness from Ms. Lewinsky.

I talked with him on two occasions after he made that statement. The man is contrite. I do not judge that he has had a talk with his maker, but I have tried to talk with the news media to express another opinion, and nobody wants to hear that.

If we turn on the newscasts, they start off either with the President saying, I never had sex with that woman, I never had sex with that woman, or hugging Ms. Lewinsky. I have yet to see one newscast where anywhere in it, or stated on the page that the President of the United States showing contrition; where he says, I have sinned, and I ask God's forgiveness. I have sinned, and I ask forgiveness for anybody that I have caused pain to. For those of us who believe in contrition and forgiveness, it is very important to us.

I think that this is wrong. There is no reason, there is no reason that has been explained to me, or to this House, why we cannot have a vote on censure, no reason. Vote to give us a vote to censure the President, not condemn him, but to hold him accountable.

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Michigan (Mr. DINGELL), the most senior Member of the House.

Mr. DINGELL asked and was given permission to revise and extend his remarks.

Mr. DINGELL. Mr. Speaker, what the President did was wrong, and what we are doing today is equally wrong. The process before us is unfair. The rights of the minority to offer necessary amendments or provisions are being disregarded by the majority. It is an exercise of abuse of power by the majority on the rights of the minority.

We are taking here and creating a rule of law which does not exist. The rule of law says that we should exercise our proper conscience and do what is right. It says we should impeach the President if he has done that which is wrong, and which rises to the level of an impeachable offense.

Clearly, this is not an impeachable offense, because impeachable offenses were defined to mean great and dangerous offenses by George Mason, not ordinary offenses. They were attempts to subvert the Constitution, and they are defined by the Framers, subvert the Constitution. They constituted acts which were a danger to the office, a danger to the society, a danger to the Nation, a danger to the people.

Clearly that is not so. The President’s behavior, as I said, is wrong; tardy. The best thing that could be said, it is not a great event but it is a very small and small-minded set of events. This behavior should not initiate the impeachment processes.

There are a lot of points that need to be made today. They have historical and constitutional importance. Impeachment is for matters that involve a threat to the Nation, the Constitution, and the people.

Impeachment is a constitutional act of the House, referring to the Senate a finding of most serious misbehavior, as discussed above, which initiates a trial in the Senate, possibly resulting in removal from office of the person impeached.

Impeachment is primarily a political process. It is not a judicial or a legislative act. Impeachment participates in the character of an indictment by the grand jury, but impeachment is different and imposes different responsibilities on Members of the House.

Impeachment does not involve criminal consequences. It simply initiates a process to decide whether an office holder shall continue in office or be removed. Impeachment is not a bar to subsequent criminal process, including indictment, trial, conviction, and punishment. While the President may, under the Constitution, be indicted or subject to criminal process while holding office, he may be subject to the full range of criminal law for misbehavior immediately upon his leaving office.

Parenthetically, Mr. Starr said in the Judiciary Committee impeachment hearings that there is no bar to such action in the case of the President, including the running of the sundry applicable statutes of limitations.

The Founding Fathers, and Framers of the Constitution, tried to make impeachment difficult. They especially feared constraints on the institutional power of the President or impeachment of the President, or loss of balance between the branches of government. They especially feared efforts by one party controlling the legislative branch to remove the President of a different persuasion.

The Framers of the Constitution were much concerned that the legislative branch not be empowered to easily upset an election where the people spoke and selected their President. Under these principles then, it becomes plain the question before us is whether the behavior of the President, although clearly wrong, rises to the level of an impeachable offense or offenses.

I find that the offenses do not rise to the level of impeachable offenses.

The actions of the President are wrong, arrogant, stupid, and possibly involve criminal misbehavior.

The last question, criminal misbehavior, can and should be addressed in the appropriate time and fashion.

Mr. HYDE. Mr. Speaker, the Constitution defines the basis for impeachment in the House as: ‘‘The President, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.’’

The Framers of the Constitution, in the words of George Mason, one of the leaders of the Constitutional Convention, found impeachable offenses to mean ‘‘great and dangerous offenses’’ and ‘‘attempts to subvert the Constitution.’’ In other words, they meant no ordinary offenses, but they referred to acts attacking the security of the Nation, the primacy of the Constitution, or the basic functions and well being of the office involved. They felt the behavior should be so inconsistent with the responsibilities of the office that the people required removal of the office holder for their conduct, the protection of the office, and the welfare of the Nation.

While the behavior which could trigger the impeachment process can be criminal, and although the actions may be criminal in character, they need not necessarily be so.

There are a number of points to be made which have constitutional and historical importance:

(1) Impeachment is for matters involving behavior which constitutes a threat to the office, the process of criminal law for misbehavior immediately upon his leaving office.

(2) Impeachment is a Constitutional act of the House referring to the Senate a finding of most serious misbehavior, as discussed above, which initiates a trial in the Senate possibly resulting in removal from office of the person impeached.

(3) Impeachment primarily a political process. It is not a judicial or legislative act. Impeachment participates in the character of an indictment by the grand jury, but impeachment is different and imposes different responsibilities on Members of the House.

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The last question, criminal misbehavior, can and should be addressed in the appropriate time and fashion.
We should not lightly set aside an election where the people freely chose their President. We owe it to the Founders, and to the future, to not impair the separation of powers, or the necessary and proper power, as well as the freedom, of the Presidency. We owe it to the people of the United States not to cavalierly set aside their choice of Presidents.

Lastly, I remind all that the President was elected, not once but twice, and by significant majorities.

Listen to the people. This is a political process. It was expected by the Framers of the Constitution that this same political process would function as such. Politics and political process requires involvement of the people and that we who hold this responsibility listen carefully and respectfully to their wishes.

Listen to the people of America. They do not believe impeachment is a proper remedy for President Clinton’s misbehavior. The people do not approve of Mr. Clinton’s behavior, but they do not believe that the President’s action rises to the level of impeachable offenses. They find no basis for us to take such action. My colleagues disregard the Constitution. They fabricate a rule of law which neither exists here, nor imposes on this House the action they would require. Rather, the rule of law requires us to exercise one of our highest and most important Constitutional responsibilities, deciding on whether to impeach the President with the utmost attention to the Constitution as defined for us by the Founding Fathers.

We are not acting here as a mere grand jury. We are exercising a Constitutional trust and duty of the highest order. We are deciding whether there is enough grave wrongdoing to meet the test of “high crimes and misdemeanors.” This requires intelligence, attention, and discretion.

We are now deciding whether to precipitate a Constitutional crisis. We are deciding whether to create a great public controversy where the people will be divided by a process they do not want to go forward. We must now decide whether to put at risk the powers of the Presidency, not well being a Bill Clinton.

All of you are aware of the wishes of the people who have spoken to us with clarity.

To my colleagues, I say, listen to the people. Look at your responsibilities, exercise your wide and necessary discretion, carry out your duty in voting no.

For the reasons above, I urge my colleagues to join me in voting no on the impeachment of President Clinton.

It is the right thing to do.

To my Republican colleagues and their leadership, I add, give us a process that is fair, that allows the American people to weigh in on matters the people want us to address.

The people want some action condemning the behavior of Bill Clinton. In a word they want censure of Bill Clinton for his serious misbehavior.

A careful but improper rewriting of both the Constitution and of the rules of the House by my Republican colleagues denies the people their right to have the Congress respond to their will.

Censure is a worthwhile and proper response to the conduct that has disgraced the width of the people. It is also possible under both the rules of the House and the Constitution.

There are abundant precedents that Presidents have been censured before without any question of Constitutionality or anything else. President probably will be censured again.

Censure is a fair, proper, and a legal exercise of the power of the House. It does what the people want. It vindicates both the law and the feelings of the people. It cannot be said of the impeachment of Bill Clinton proposed by the republicans under a gag rule.

To the Republicans and their leadership, I say your behavior is unfair. It does you great discredit. It does not permit the House to choose among the most appropriate actions to be used here.

My colleagues, do what is right—allow a vote on impeachment, but allow, also, a vote on censure. Given a proper choice, the House can act properly and carry out both our Constitutional responsibilities and our duty to the people.

Mr. SENSENBRENNEN. Mr. Speaker, I yield myself 4 minutes.

Mr. HYDE. Mr. Speaker, will the gentleman yield?

Mr. SENSENBRENNEN. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I ask unanimous consent that during further consideration of House Resolution 636, the previous question shall be considered as ordered on the resolution to final adoption without intervening motion except: (1) debate on the resolution for a period not to extend beyond 10 p.m., tonight, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, and one further hour of debate on Saturday, December 19, 1998, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; (2) after such first period of debate, a motion to adjourn; and (3) one motion to recommit, with or without instructions, which, if including instructions, shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent.

During consideration of a resolution appointing and authorizing managers for the impeachment trial of William Jefferson Clinton, President of the United States, the previous question shall be considered as ordered on the resolution to final adoption without intervening motion or demand for a division of the question, except 10 minutes of debate on the resolution, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary.

When the House adjourns on Friday, December 18, 1998, it adjourns to meet at 9 a.m. on Saturday, December 19.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. SENSENBRENNEN) may proceed on his 4 minutes.

Mr. SENSENBRENNEN. Mr. Speaker, I yield.

Mr. Speaker, we have heard a lot about censure. I think it is important to follow the constitutional and historical precedents of the House of Representatives in that censure is not an alternative.

We need look back in 1974, which was the last time the entire issue of impeachment of the President of the United States came up. I would like to quote from the book, How the Good Guys Finally Won, Notes from an Impeachment Summer, by Jimmy Breslin, published by Ballantine Books in 1975.

This book quoted our former distinguished Speaker, Thomas O’Neill from Massachusetts, as follows:

O’Neill went down the hall, picking his way through the tourists, to attend the meeting at which John Rhodes, the Republican leader of the House, gave it one last try for the Nixon.

Rhodes said he wanted the impeachment resolution recommitted with instructions that there should be a vote on censuring the President. “I am bitterly opposed to that,” O’Neill said. “But you wouldn’t be opposed to us having a vote on censure, would you?” Rhodes asked. “Yes, I would,” O’Neill said.

I think that my friends on the other side of the aisle should listen to their former Speaker one last time, because on this one, he is right.

Mr. Speaker, today we enter the final stage of the impeachment process. For those of us who serve on the Committee on the Judiciary, this has been a difficult and exhausting time. We have
December 18, 1998

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me first thank our American troops who are now fighting for our liberty. The Declaration of Independence is the promise of that liberty and the Constitution is the fulfillment. So now in the face of our humility and somberness that I rise on the floor of this House in strong opposition against the articles of impeachment and express my support for censure. Impeachment, Mr. Speaker, is final, it is nonappealable. And the Constitution is the only arbiter of process. Article II, section 4 is clear. Impeachment is for treason, bribery and other high crimes and misdemeanors. This President did not commit impeachable offenses under our Constitution, and today with such a vote these chambers will become the incinerator of the Constitution. There is no fairness in this process. There is no justice and there is no dignity.

This President's actions every day are a direct attack upon the rule of law in our country and a very public wrong that directly impacts the constitutional workings of our government. Mr. Speaker, impeachment is not a tool for democracy. Instead it is the only constitutional mechanism available to protect democracy when its institutions are threatened by a President's actions.

Today, based on the evidence that the President lied, obstructed justice and abused power in an effort to prevent the courts from administering justice under law, I rise in favor of impeaching William Jefferson Clinton. I take no joy in this decision but I make no apologies either.

Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Mr. Speaker, I, with great humility and somberness, rise today in strong opposition against the Articles of Impeachment and express my support for a censure resolution.

However, before we even begin this debate on the merits let me say that we are engaging in this discussion with our American troops are in harm's way in the Persian Gulf. This is the worst time to have this discussion. We are talking about impeaching our President, our Commander in Chief of the Armed Forces while he has authorized troops to engage Saddam Hussein.

My colleagues are not correct in stating that American Troops were in Vietnam during a debate in these chambers on the Impeachment of a President that did not occur in 1974. No such debate took place. American men and women are fighting to uphold the Constitution and they expect nothing less from this body. It is imperative that we uphold and follow the Constitutional process for impeachment. Anything less would be dishonorable.

The Constitution, Article II, section 4, requires removal of the President from office on "impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors." The Framers of our Constitution considered "high crimes and misdemeanors as political crimes against the state. The critical element of injury in an impeachable offense was injury to the state. This element of injury to the Commonwealth was the historical criterion for distinguishing a "high" crime or misdemeanor from an ordinary one. Impeachment is directed for "great misdemeanors against the public." The purpose of Impeachment is to curb breaches and abuses of the public trust. The Framers realized that impeachment is final and non-appealable.

At the time of the Constitution's construction, the Framers were concerned with assuring individual freedom and avoiding governmental tyranny. Their intent was to create a viable government with sufficient power to fulfill its given responsibilities. As a result, the separation of powers doctrine was instituted to prevent unfettered authority in a single branch of government. Accordingly, each branch is vested with the power to check and balance the others.

This debate is about the future of the Presidency, the Constitutional process required for the removal of a president and the importance of bipartisanship. I think every American, Republican or Democrat, or Independent,
should be concerned about the Articles of Impeachment and whether the allegations contained therein, rise to a level that would justify impeachment.

There is no concrete evidence to substantiate the allegation that President Clinton encouraged a witness to execute a false affidavit. No one should be haled before a tribunal to answer allegations that are not supported by substantial and credible evidence or threatened with a potential prosecution for perjury because of the questioner’s deficiency.

Judge Watergate, Mr. St. Clair, the President’s attorney, stated in closing summation that “a President cannot be impeached by pleading inference upon inference.”

The Articles of Impeachment drafted against President Clinton do not comport with fundamental fairness nor substantial notions of procedural due process because the alleged perjurious statements lack specificity; an independent collaborating witness and materiality. The President is neither above nor beneath the law. The Constitutional safeguards of basic constitutional law. The President is neither above nor beneath the rule of law. The Constitutional safeguards against errant testimony.

The President’s actions were wrong and his rationale for charging the defendant required under the rules of civil procedure for a plaintiff has not requested. This is our system of jurisprudence that we have utilized for over two hundred years. This really is adhering to the rule of law and the right to due process. The President’s actions were wrong and reprehensible but not impeachable because his conduct did not injure the state as required by the framers. Impeachment is a remedy of last resort, it is the atomic bomb of partisan politics.

In the Federalist Paper No. 65, Alexander Hamilton described impeachment as a mechanism to reach: “[The misconduct of public men and abuse or violation of some public trust. Impeachable offenses are political, as they relate to injuries done immediately to society itself. The Framers never intended impeachment or the threat of impeachment to serve as a device for denouncing the President for private misbehavior or for transforming the United States into a form of government in which Congress can vote ‘no confidence’ in an executive whose behavior it dislikes. The President is elected by the people of the United States and it is not the prerogative nor duty of the House of Representatives to undo that election because of partisan politics.

The records of the Constitutional Convention confirm that the Framers did not intend the President to serve at the “pleasure of the Senate.” In fact, it was suggested by Mr. Pinkney of South Carolina, a Framer of the Constitution, that “if the President opposes a favorite law, the two Houses will combine against him, and under the influence of heat and faction throw him out of office.

Hence, if we follow Mr. Pinkney’s theory to its logical conclusion, a president could be removed for any transgression, however remote in time, which the Senate may decide in its discretion warrants removal from office. This unbridled authority could establish an atmosphere that manufactures impeachable offenses where they do not exist. We should consider Mr. Pinkney’s words as we tread these dangerous waters. Therefore, it is essential that we utilize every constitutional safeguard to prevent the truth from being “twisted by knives to make a trap for fools.” On February 8, 1998, Mr. Starr wrote to James Madison about the impeachment of Senator Blount, stating, “I see nothing in the mode of proceeding by impeachment but the most formidable weapon for the purposes of [a] dominant faction that ever was contrived. It would be the most effectual one of getting rid of any man whom they consider as dangerous to their views * * * impeachment has been an engine more of passion than of justice.”

The Constitution imposes a grave and serious responsibility on Congress to protect its fabric and integrity. It would have been a dereliction of duty if I failed to investigate the allegations contained in the Starr Report before I began dealing with what has been called “dilatory issues of basic constitutional law.”

Imagine a justice system where a prosecutor can present charges to a grand jury, obtains an indictment and then proceeds to trial. During the trial, the prosecutor calls himself as a witness, to testify about the defendant’s prior bad acts and his rationale for charging the defendant. While testifying, he individually and collectively, the charges are insufficient to meet the standard of crime, but he believes the defendant has engaged in a pattern of abuse to obstruct justice.

Certainly, if this incident occurred in our home town, we would be outraged at the waste of financial resources. We would call for this prosecutor to end this charade, immediately because his conduct and abusive tactics would emasculate the system he is attempting to protect.

Independent Counsel Starr violated District of Columbia Rules of Professional Conduct Rule 3.7, entitled “Lawyer as witness” which provides a lawyer shall not act as advocate at a trial in which the lawyer is likely to be a necessary witness. This is our system of jurisprudence that we have utilized for over two hundred years. This really is adhering to the rule of law and the right to due process.

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with merit. If we follow this line of reasoning to its logical conclusion; postal stamps, social security, and public education are unconstitutional because there is no explicit reference to these programs in the Constitution.

Furthermore, the Constitution does not prohibit Congress from acting because of its silence. Many powers and individual rights not expressly stated in the Constitution have been recognized by this body politic. For example, the right to privacy, the right to bodily integrity and the Executive power of removal. Our Constitution is a "living and breathing" document that requires continuous interpretation by the Supreme Court to address the problems facing our Nation.

Further, there is an historical precedent for a censure resolution. A censure resolution was considered against President Nixon during the Watergate investigation because of the allegations involving his abuse of Presidential authority and misuse of the Justice Department. Richard Nixon resigned from office. In 1834, the United States Senate censured President Andrew Jackson because of actions interpreted as undermining the rule of law. More importantly, censure would not violate the Constitution's substantive restraints against the use of federal power.

Censure is a sensible historically proven solution for addressing the President's disturbing behavior. America must move forward; it is time to put this unsettlement controversy and divisiveness aside; it is time for the business of the American people to take first priority. It would benefit the entire country if the President could return to focusing on the issues at hand, as opposed to this scandal. The time to close this dishonorable chapter in our Country's history has come.

There are millions of Americans who want their voices heard on a censure resolution. It is our obligation, as our duly elected representatives, to ensure that their views be heard.

Censure is a window of opportunity for this body politic to display a bi-partisan atmosphere during these alarming moments. We must exhibit a united front for our Nation and our Constitution, which charges us as the people's representatives, to ensure that their views be heard.

In all things that are purely political we can be as separate as the fingers, yet one as the hand in all things essential to the mutual progress of America and democracy.

It is imperative that we bring this chapter to a close in a reasonable judicious and equitable manner. It is time to move forward; it is time to focus our energy on securing our shores from foreign enemies.

The Bible, Ecclesiastes Chapter 3, Verses 1 through 8 states, "To every thing there is a season; and a time to every purpose under the heaven: a time to heal; a time to break down, and a time to build up; * * * a time to love, and a time of peace." At the end of day, we should move forward, prepare for tomorrow and America's business.

I will vote "No" on these Articles of Impeachment; for to vote "yes" does subvert the Constitution! I still hold hope for the opportunity to vote for a Censure Resolution which will break this partisan divide and appropriately rebuke and reprimand the President, and finally by our collective good judgment—Heal this nation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). The Chair would remind all members to address their comments to the Chair.

The Chair will recognize managers of a President over 100 years ago. The President, in my opinion and the opinion of the American people. In Watergate, the President lied to the American people. This President committed perjury.

Either we are a Nation of laws or we are a Nation of men. If we are a Nation of laws, then the highest and the lowest are subject to the same law. There is no preferential treatment, and we and our Constitution grant none.

The President, in my opinion, obstructed justice. He attempted to cover up. To say this is just about sex is to say that Watergate was just about a third-rate burglary. Nothing is further from the truth. This President sought to cover up a crime. And if we allow this to stand without the ultimate punishment which is afforded the Constitution, which charges us as the people's body to make, we have not done our duty, and history will so remember.

I would like to quote and paraphrase in closing the words of our colleague, the gentleman from South Carolina (Mr. GRAHAM). He said earlier in the proceedings, 25 years ago, we had Watergate. This President lied to the American people. This President committed perjury.

I hope that 25 years from this day, people will think that we made the right decision.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Ms. DEGETTE).

(Ms. DEGETTE asked and was given permission to revise and extend her remarks.)

Ms. DEGETTE. Mr. Speaker, Article II, section 4 of the Constitution states that the President shall be removed from office on impeachment for and conviction of treason or bribery or other high crimes and misdemeanors.

We have heard a lot today and in the past weeks about the rule of law, but that is not the standard for impeachment. We are all sworn to uphold the rule of law, and there is still a remedy in this situation for the President's actions under the rule of law: Criminal prosecution.

The President lied to us, but this vote is neither about absolution or punishment. The only question we face is whether the President's actions, regardless of how morally criminal, rise to the standard our constitutional forefathers set for us.

We have been told by the majority of constitutional scholars that the President's actions do not fall within the meaning of high crimes or misdemeanors but yet we persist. We have divided this House with partisan politics, sowing mistrust and exposing the darkness in our own hearts. It started with the first vote of the 105th Congress to censure the President, and it has continued to this day to the vote to impeach the President.

With all of the lost opportunities in between, it is no wonder we are losing the public's trust. When the impeachment frenzy subsides, we will survey the damage to our own political system, we will have unnecessarily crippled the presidency for a generation to come. We will have weakened this House of Representatives reaching a new low in partisan rancor. We will have substantially subverted the Constitution which was designed to reflect the will of the people in a republic, not to promote a political party in what is slipping towards a parliamentary system.

We will intentionally have ignored the business of the American people both at home and abroad, and we will have changed the political climate where decency and civility have been sacrificed on the altar of political greed, cynicism and shame.

This vote is unworthy of our institution. We will pay for it in the years to come. We will undermine the ability of the next generation of Presidents to lead us through the enormous challenges that face the 21st century, just as we did after the last impeachment of a President over 100 years ago.

While this President must answer for his actions, history will judge us for our actions, too. As legislators, as representatives and as citizens, we have an enormous responsibility, and I fear that we are on the brink of disgracing the public's trust.

I urge Members to vote against impeachment on principle, mindful of our oath of office, understanding our duty to our constituents, to the Constitution and to the future.
impeachable offense under the Constitution. I remind them of the testimony of the former Democratic attorney general of the United States, Griffith Bell, who came before the House Judiciary Committee. General Bell referred to the legend: 'I am of the opinion, my conclusion, is that those crimes are high crimes within the meaning of the impeachment clause.'

Mr. McCOLLUM. Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. GALLEGLY), a member of the committee.

(Mr. GALLEGLY asked and was given permission to revise and extend his remarks.)

Mr. GALLEGLY. Mr. Speaker, this has been a very trying time for all of us, for the President, and for the country. But there are few things more important than standing up for the Constitution of the United States and for the rule of law.

There are three points I will make this morning in support of the articles of impeachment. First, I am a member of the Committee on the Judiciary. And based on months of review, it is clear to me that President Clinton could be impeached for any crime, but they chose to designate crimes only of the gravity of treason and bribery. To impeach for anything less than the highest of crimes is a distortion of the Constitution and hands a tremendous weapon to our enemies who will point to a weakened president and ultimately a weakened nation.

That is why the Founding Fathers knew this. They could have said a president could be impeached for any crime, but they chose to designate crimes only of the gravity of treason and bribery. To impeach for anything less than the highest of crimes is a distortion of the Constitution and hands a tremendous weapon to our enemies who will point to a weakened president and ultimately a weakened nation.

If my colleagues have even the slightest doubt as to whether this President's actions rise to the level of high crimes and misdemeanors, then they do a tremendous disservice to our Nation and to our standing in the world if they vote to impeach.

This impeachment vote is bigger than Bill Clinton. It is bigger than all of us. I implore my colleagues, do not weaken the presidency in an effort to punish this President. This is about that delicate balance of power that is the bedrock of our democracy. It is about safeguarding our privacy and curtailing the intrusiveness of government. It is about nothing less than our humanity.

What have we become when we impeach a president over an extramarital affair and the lies to conceal it, when we lose all sense of proportion? What have we become when we enter a new era of sexual McCarthyism, when the boundaries of people's private lives are no longer respected? Have we no sense of decency? What have we become when our partisan warring does not stop at the water's edge but spills over and bestows upon Saddam Hussein the hope of a divided America? What have we become? I fear, our own worst enemies.

Mr. MCCOLLUM. Mr. Speaker, I yield 4½ minutes to the gentleman from California (Mr. CAMPBELL).

(Mr. CAMPBELL asked and was given permission to revise and extend his remarks.)

Mr. CAMPBELL. Mr. Speaker, I have been here since the debate began, and no speaker has refuted the facts. The facts are that the President did not tell the truth under oath on August 17 and on other occasions, but specifically on August 17.

Let me address why that matters so much and why that rises to the level of high crimes and misdemeanors. The August 17 incident does rise to that level because it undermines my ability to trust this President whenever he says anything to me or to anyone else, if it is in his interest not to tell the truth. And that is what takes this conduct above the level of a common violation of law and to the level of a high crime and misdemeanor, because it incapacitates him from effectively serving as our President.

He raised his hand, he promised to God he would tell the truth, that he had his attorney by his side. He had seven months' advance notice. He could have interrupted the August 17 proceedings at any moment. The reason that humanity might allow us to understand and forgive the President's not telling the truth earlier is, and I say precisely to hide the truth from his wife and daughter, no longer was the case in August. He had already told them the truth. And having taken the oath to God and having seven months' advance notice, and having the right to stop the proceedings if it was difficult, and, unlike any other American citizen, having his attorney by his side if a question required the advice of counsel, this President chose not to tell the truth. I cannot trust him again.

Today we are engaged in war in the Persian Gulf. I was assured by Secretary Cohen and by the Director of our Central Intelligence Agency that the timing was justified. Those two are honorable men. And because of their testimony, I believe the timing was justified. But I do not believe it was justified on the basis of what President Clinton has said, because I can no longer believe him. If it is in his interest to tell the truth, he will not tell the truth.

Now, there are some who say that I should not draw that conclusion because this merely dealt with sex; and so, perhaps, I should only doubt the President's ability to tell the truth in the future—even if he is looking me in the eye, even if he has sworn to God to tell the truth—because he will only fail to tell the truth if it deals about sex. I cannot tell you how deeply that wounds me, because of the importance I have always attached throughout my public career to the fair and equal treatment of women. And to say that it only deals with sex is to denigrate, to
put at a lower level, the seriousness of the offense felt by virtually every woman in our society at least once in her working career.

Sexual harassment is not just about sex, and to say that sexual harassment and deniability of truth to a plaintiff in a sexual harassment case is somehow less important is to denigrate the harm that women in America feel every day when they go into the workplace and they are treated less because they are women. No, sexual harassment is not less than an offense.

The President raised his hand, promised to God to tell the truth, and did not. On behalf of my five sisters and my wife, I cannot say that sexual harassment makes this less. On behalf of my own oath to God, I cannot look the other way.

Mr. Speaker, I yield to my colleague, the gentleman from Arkansas (Mr. HUTCHINSON).

Mr. HUTCHINSON. Mr. Speaker, I thank the gentleman for yielding.

I just wanted to respond briefly to the gentleman from Florida (Mr. WEXLER), who preceded my colleague, who argued that we were lowering the bar from impeachment by submitting articles of impeachment on perjury. I do not believe we are lowering the bar. In fact, I have no problem in setting a standard for future presidents in official court proceedings that would jeopardize their office for repeated intentional acts of perjury. That is what we are doing, is maintaining a standard.

On the other side of the coin, if we fail to act, then we are lowering the standard of conduct that we expect from the chief executive officer of our land not to commit perjury in official proceedings.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from New Jersey (Mr. ROTHMAN), the distinguished member of the Committee on the Judiciary.

Mr. ROTHMAN. Mr. Speaker, this vote today is about one thing, the sanctity of the Constitution of the United States.

The Founding Fathers were clear. They created a strong presidency where the executive was elected for 4-year terms. They did not want a parliamentary system where the Congress could remove the people's choice unless the President's conduct had threatened the very stability of the country.

The founders specifically rejected proposals to allow impeaching the President for poor character or for morally bad behavior. They said it clearly. The President can only be impeached for treason, bribery, or other high crimes or misdemeanors against the state.

This high bar for presidential impeachment has served our country well for 221 years, since the first president in our Nation's history has ever been impeached by this House. Now, driven by their hatred and loathing of Bill Clinton and his policies, the Republican Party is about to take our constitutional balance of powers and permanently and irreparably and forever damage it.

The constitutional punishment of impeachment was not meant to substitute the law for the people in the civil and criminal courts. Impeachment was meant to address presidential behavior that threatened the republic so gravely as to require the removal of the President in the middle of his or her term.

We can all agree that the President's actions, especially with regard to the affair with the intern, were reprehensible. The President should be censured for his wrongful action. But violations of these kinds of civil or criminal laws should be handled like any other Americans, in the civil and criminal courts.

The first three words of the Constitution are, “we the people.” And in this case the views of the people are well-known, censure the President but do not impeach. But we cannot. The Republican Party will not let America's elected representatives either vote for or even debate censuring the President. It is a blatant abuse of the Republican Party's majority power in the Congress.

This Republican juggernaut, driven by the right wing of their party and aided and abetted by the so-called Republican moderates, will forever damage the constitutional balance of power in America.

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Every future President will be looking over his or her shoulder wondering if future Congresses do not like the President's veto of a controversial bill or do not like the President's policies or lifestyles, will that future Congress control a different political party appoint a special prosecutor and spend $40 million in 4 years investigating the President's private life. If this Congress impeaches the President on these grounds, today will go down as one of the saddest days in American history for our country, for our Congress and for the institution of the American presidency.

I beg the Republican majority, the one that the people put in power and that the people can remove from power, censure our President for his wrongful conduct, let the civil and criminal courts punish any of those offenses, but do not damage our Constitution by impeaching the President on these grounds.

Mr. McCOLLUM. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I simply want to respond to one of the comments the gentleman from New Jersey (Mr. ROTHMAN) just made about the level to which it has to be for before we impeach a president of the United States. It certainly does not have to be presidential only. If the President of the United States committed murder, if he committed a lot of other crimes, it seems to me that those would be perfectly impeachable, and if we are talking about perjury which rises to the virtual level of bribery, in fact under the Federal sentencing guidelines has a greater amount of sentencing in our court system, a higher level of it than bribery, which is, as my colleagues know, a higher level than high crimes and misdemeanors, it seems abundantly clear that perjury is impeachable.

Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. PETRI). Mr. Speaker, I would like to respond to the previous speaker, the gentleman from New Jersey (Mr. ROTHMAN).

While admonishing the trial court to be sensitive to demands on the President's time, the U.S. Supreme Court recently unanimously ruled that he had the same obligations as every other citizen in the Nation's courts. Testifying truthfully under oath is one of those obligations. The President did it; he did this. I believe beyond a reasonable doubt that he repeatedly committed perjury.

I do not believe our President should be held to a lower standard of accountability than other citizens who perjure themselves.

If anything, he should be held to a higher standard because of the trust proposed in his office and because he is the chief law enforcement officer in a Nation whose very foundation is the rule of law. Other Federal officials, including three judges, in the last dozen years have faced removal from office after committing perjury. So should our President.

Therefore, Mr. Speaker, I will vote to refer articles of impeachment to the Senate.

Mr. CONYERS. Mr. Speaker, I yield 3½ minutes to the gentlewoman from California (Ms. WATERS), the chairwoman of the Congressional Black Caucus and a distinguished member of the House Committee on the Judiciary.

Ms. WATERS. Mr. Speaker, how could any one of us who are speaking here today not want to respond to one of the comments the gentleman from New Jersey (Mr. WEXLER) just made about the level to which it has to be for before we impeach a president of the United States. It certainly does not have to be presidential only. If the President of the United States committed murder, if he committed a lot of other crimes, it seems to me that those would be perfectly impeachable, and if we are talking about perjury which rises to the virtual level of bribery, in fact under the Federal sentencing guidelines has a greater amount of sentencing in our court system, a higher level of it than bribery, which is, as my colleagues know, a higher level than high crimes and misdemeanors, it seems abundantly clear that perjury is impeachable.

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in denying the President notice of charges, by the abuse of power in the collecting of so-called evidence and the denial of the presumption of innocence.

President Clinton is not guilty of the trumped up charges presented in these four articles of impeachment. Yes, Bill Clinton is guilty of certain indiscretions in his private life. However, he did not commit high crimes and misdemeanors. Rather the President is guilty of the populist leadership that opened up government and access to the poor, to minorities, to women and to the working class. President Bill Clinton is guilty of not being owned by the good ole southern boys or the good ole eastern establishment. Mr. Speaker, President Clinton is guilty of being smart enough to outmaneuver the Republicans in the budget negotiations, electoral politics and the development and implementation of the people's agenda to vote for censure.

Mr. Speaker, I am an African American woman. I am accustomed to having to fight and struggle for fairness and justice. Ken Starr, I know and recognize abuse of power when I see it; he is guilty. I am greatly disappointed in the raw, unmasked, unbindered hatred and meanness that drives this impeachment coup d'etat, the unapologetic disregard for the voice of the people.

Mr. Speaker, I say to my Republican friends what they do here today will long be remembered and recorded in history as one of the most despicable actions ever taken by the Congress of the United States of America. Mr. Speaker, the Republicans of this House to allow themselves to move just one inch and give me and my colleagues the opportunity to vote for an alternative. I dare them to be fair. I dare them to allow us to vote for censure.

Mr. McCOLLUM. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Mrs. Bono), a member of the committee.

Mrs. BONO. Mr. Speaker, I rise in support of the articles of impeachment. I want to speak about this difficult issue not only to my colleagues but also to the American people. Although there is much disagreement on this issue, most Americans agree that we must resolve this matter as soon as possible. I strongly believe that our troops overseas must be reassured that the business of our Nation will not be interrupted by the actions of a tyrant who will do anything to meet the needs of his own personal gain. I am opposed to the impeachment of the President of the United States who committed perjury before a grand jury, before a Federal grand jury, lied to the American people. I am opposed to the decision not an easy one for me or, in my belief, any of my Committee on the Judiciary colleagues. Yet I firmly believe that we would not be fulfilling our oaths of office as United States Representatives if we do not follow our duty as stated in the Constitution.

We need to be realistic about what is at the heart of this vote. The central issue is whether the President is above the law and whether sexual harassment in civil rights laws remain viable in effective protections for all Americans. Despite record numbers of women working to support their families, women are all too vulnerable in our society to the power that Congress turns a blind eye to the President's behavior, then we are turning our back to those victims of sexual harassment.

Every person, including Paula J Jones, is entitled to certain rights under our Constitution. I appeal to every American to look deep into their conscience and weigh the consequences for our system of justice if we allow the President of the United States to commit perjury acts and not be held accountable for his actions.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. Fazio), a departing member of our leadership.

Mr. FAZIO of California. Mr. Speaker, this is the final moment in my 20-year career here in this House I love so much, and it is by far the saddest one. I am sad that a reckless President and a Republican Congress driven by blind animus for him have brought us to this moment in history. This is a moment where legalisms reign over human understandings and acknowledgments that we are all sinners before our Lord, and it is too unfortunate that this debate takes place when our troops are in harm's way.

My instinct is to stand here and plead with my colleagues to consider the ramifications of what we will do, but I fear this vote is a forgone conclusion. Sadly it seems to have more to do with our political affiliations and loyalties than anything else, and it must be said that what we do here today is to some degree driven by revenge.

I think about Slick Willie in the same way that those on my side of the aisle used to about Tricky Dick. Robert Bork, Clarence Thomas, Jim Wright, on and on; we do each other in in personal terms. Each one of us has been given a most precious gift, the right to represent some 600,000 American citizens in the House of Representatives, and yet when it comes time to be here for them we see so few galvanizing and fundamental issues of our times and instead focus far too much on petty and partisan battles. This vote and this time will either unite us and show the country that we are above partisanship and legalism and racism, or the nation community despite the clear long be remembered and recorded in history as one of the most despicable actions ever taken by the Congress of the United States of America. I dare think he called mindless cannibalism. But today we find our nightmares continue and political cannibalism thrives and grows stronger. Sadly it was the late Vince Foster who recognized in Washington peoples' lives are destroyed for sport.

I ask my friends to put aside the partisanship, the legalisms and, yes, the late hypocrisy. The American people deserve a clean slate for the next Congress to build upon and renew its trust in our democracy by lowering the threshold of impeachment and placing the President a fairer hearing.

Mr. BRADY of Texas asked and was given permission to revise and extend his remarks.)

Mr. BRADY of Texas. Mr. Speaker, some Americans are not watching these proceedings. Instead in hushed courthouses across this country families slashed apart by violent crime and innocent people wrongly accused are staring intently at a witness stand, and they are praying. For many their best
hope, perhaps their only hope, for justice
depends upon that witness telling the
truth, the full truth, under oath. Truth
does matter, and if it is no longer the duty
of the President to tell the truth under
sworn oath, can we require it of anyone?
The answer is no; which is why justice, hope
and the Constitution demand that today we
vote “yes.”

After carefully studying all the facts, there
is strong and sufficient evidence to warrant
a trial in the United States Senate. I intend
to vote “yes” on the four articles of impeach-
ment of the President that were for-
warded by the House Judiciary Committee.

In making this decision, I upheld my con-
stitutional responsibility to act as a fair
and thoughtful juror. I weighed the evidence
against the charges and cast my vote without
regard to polls, party or conjecture about any
to the future presidential race.

I am sad for the Nation because none of
this needed to occur. It is only the second
time in our Nation’s history that a vote to
impeach the President of the United States has
taken place on the floor of the House of Rep-
geratives. Unfortunately, this pain could
have been prevented had the President simply
conducted himself decently and within the law
as do most Americans.

It is the duty of the President to tell the
whole truth under sworn oath, as it is for every
American. This truth is no less than the foun-
dation of our justice system, as important as
the constitutional rights of the accused.

If the President is held to be above the law,
the constitutional order will become signifi-
cantly more difficult. The necessity for the
truth is reflected by the appropriately severe punishment for those
who willfully refuse to provide it—which is up
to five years imprisonment for each Federal
violation.

Nobody has a more sacred obligation to
obey the law than those who make and dis-
charge them. To its credit, America continues
to strive to preserve equality under the law as a
self-evident truth. It is essential to the con-
mittal of citizens who must abide by
these laws.

I am proud to represent the impressive new
George Bush Presidential Library and Mu-
seum which is located on the Texas A&M Uni-
versity campus in College Station, Texas. En-
graved on the southern exterior wall of the li-
brary, engraved high enough to catch the late
afternoon Brazos Valley sun each day, is an
appropriate quote from our former President
who deeply admire and respect.

It is that legacy—leadership, presiden-
tial address, and I take inspiration from it as I delib-
erated on this matter: “Let future generations
understand the burdens and blessings of free-
dom. Let them say we stood where duty re-
quired us to stand.”

Duty requires us to stand here today. The
burden of freedom demand we uphold the
Constitution regardless how tiring, how dis-
tasteful, how difficult.

Mr. CONYERS. Mr. Speaker, I yield 3
minutes to the gentlewoman from Con-
necticut (Mrs. KENNELLY), a departing
member of our leadership.

Mrs. KENNELLY of Connecticut. Mr.
Speaker, I rise today to oppose these
articles of impeachment, and I do it se-
cure in the knowledge that this is the right
decision. This is the last issue I
will address after 17 years in this body,
after thousands of votes, only a very
few of which I regret, and I do not want
to regret this incredibly important
vote that is why I have taken it so se-
iously.

When John Quincy Adams after his
term as President of the United States ran
and won a seat in this House, he
was criticized by his friends because
this was “beneath” his status as a
former President. Adams replied that it is al-
ways the highest honor to serve in the
House of the People.

Mr. Speaker, no honor will rain on
this House today if we vote to impeach.
Let us be honest with ourselves: A vote
to impeach on the basis of the vexing
materials assembled by the Office of the
Independent Counsel is a vote to lower,
dramatically and unalterably, the bar to future impeachments.

Until now, the House has very much
held a high standard for impeachment,
keeping with the Constitution dictum
that impeachment be reserved exclu-
sively for high crimes and misdeemean-
ors.

There is so much discussion now
about what is a high crime. Let us
think about what was not. Remember
President Reagan and Iran-Contra?
Four laws, serious laws, broken; re-
member Harry Truman, taking over
the steel mills, sending troops into
Korea without letting the Congress
telling him it was okay; Herbert Hoo-
over and what happened there with
the Federal Reserve funds.

But there was no impeachment, Mr.
Speaker, because, as serious as these
allegations appeared at the time, im-
peachment never became a serious
proposition. Collectively, our prede-
cessors in this body understood fully
both the necessity of impeachment as the
ultimate bulwark against the poten-
tial tyranny of the executive, but also the very real threat impeachment
presents to the structure of our govern-
ment if improperly or too readily used.
Impeachment was the means of last re-
sort.

Mr. Speaker, we should not vote to
impeach today because it is neither
necessary nor in step with precedent.
Voting to impeach today is to partici-
uate in an assault on the institution of
the presidency and our delicate system
d of checks and balances.
I will vote “no” on all articles of im-
peachment for the sake of our poster-
ity, and I urge my colleagues to do this
today, for the future of the country, for
the future of the United States of
America.

Mr. MCCOLLUM. Mr. Speaker, I yield 3
minutes to the gentleman from Mis-
souri (Mr. HULSHOF).

Mr. HULSHOF. Mr. Speaker, I thank
the gentleman for yielding me time.

Mr. Speaker, there is a high standard
of checks and balances in our United States simply committed adul-
th, then indeed is a matter that should
be reserved to his family. If, on
the other hand, the President of the
United States committed perjury or
other illegal acts, then that matter
must necessarily be reserved to this
Congress.

I agree that the private failings of a
public man deserve neither debate nor
mand from this body, nor must pub-
lic misconduct committed by that
same official deserves punishment of
the fullest measure.

Based upon my solemn review of the
existing and historical precedents, I
am firmly convinced beyond a doubt
that William Jefferson Clinton used
every conceivable means available to
him, including perjury and obstruction,
to defeat the legal rights of another
citizen who claimed she had been
wronged and who sought redress from
our justice system, and, in that way,
the President’s private indignities be-
came indignities against the Constitu-
tion by which we are governed.

Our history has long taught that
government has rightly said no individual is above the
law, no single citizen can determine or
judge the merits of another case, save
those clothed with the cloak of judicial
interpretation, and yet the President,
under penalty of self-incrimination,
refused to test by the fire of public
false witness under oath, and Ms. Jones’
righs to due process were violated.

That result, Mr. Speaker, is bad
enough in itself, but I believe it reached constitutional proportions
when the denial of a civil rights of an-
other citizen is directed by the Presi-
dent of the United States.

Mr. Speaker, what we say here today
will be but paragraphs, perhaps even
footnotes, in the pages of history yet
written by those to come. What
we do here will be indelibly imprinted
upon the American tradition.

Let not this House grant a pardon
for the President for his criminal offenses.
Let no history look back on this day
and say there, on that date, America
surrendered the rule of law. There can
be no presidential executive privilege
to lie under oath.

Regrettably, my oath of office, my
sacred honor, requires from me a vote of
“aye” on the resolution before this
House.

Mr. CONYERS. Mr. Speaker, I am
pleased to yield 4 minutes to the gen-
tlewoman from California (Ms.
LOFGREN) a member of the Committee
on the Judiciary.

Ms. LOFGREN. Mr. Speaker, the Re-
publican Party in this House has made
a tragic decision for the Nation and a
decision that will permanently damage
our constitutional democracy.

The President of the United States
had a sexual affair. That was wrong.
Then, like many others who misbehave
sexually, he tried to hide the affair.
That was wrong too. But then the
greater wrong occurred. The majority
decided to give into the worst within
themselves, their abiding hatred of this
President. The majority has decided to
depose an innocent man to obscure our
Constitution and to threaten our fu-
ture to get the President, all the while
pompously pronouncing they are doing
the opposite.
When the Founders wrote our Constitution, they provided for the rare remedy of impeachment that the Legislative Branch could utilize if the elected President should engage in conduct that would threaten our constitutional form of government. Only once in 211 years has Congress voted to impeach a president, and, in that era of 1868, it was also radical Republicans who misused the tool of impeachment. Much of the country is watching what we do with anger, fear and disbelief. I share with my constituents the feeling of unreality about these proceedings. The country is waiting for grownups to walk into this Chamber and stop this madness, but, alas, the Republicans with the maturity and judgment to ask that censure be utilized as an alternative, such as former President Ford and former Senator Dole, have been ignored by the majority.

The outcome appears clear: The Republicans will vote to impeach the President, whom they could not defeat at the polls, for reasons that do not add up to treason, bribery or other high crimes and misdemeanors. As a consequence, the Senate and the Supreme Court will be tied up for most of next year. The President will not be able to resign, no matter how you may urge it, because to do so would further destroy the precedents that have protected our country for over two centuries. This is not fair to the President, but that should not be our main concern. It is not fair to the minority in this House, but that is not the main problem either. This is unfair to the American people.

By these actions, you would undo the free election that expressed the will of the American people and in this institutional and in the American democracy. You will set the dangerous precedent that the certainty of presidential terms so beneficial to our wonderful America, will be replaced by the partisan use of impeachment. Future presidents will face election, then litigation, then impeachment. The power of President will diminish in the face of the Congress, a phenomenon much feared by the Founding Fathers.

Our constituency in this matter includes not just the voters of today, but the future grandchildren of my own child. Misogyny and sexual obloquies not yet born to preserve and protect our wonderful system of government. In that obligation you fail your country today.

Some in the majority have told me they are entitled to their opinion about whether or not the President's misconduct meets the constitutional standard. Some Americans believe aliens will arrive in spacecraft, but it does not make it so. You say truth about sex does not destroy our system of government. Some of you have actually convinced yourselves that is true.

The capacity for self-deception is an amazing phenomena, but the public can see clearly what you are doing here today. You say that the President's dishonesty about sex has destroyed our constitutional form of government, but the people do not agree. They think that it is you who threaten our country by this cynical and political distortion of impeachment. As is generally the case, the American people have it right. It is not too late to listen to them. You should honor your own oath of office by doing so.

Mr. McCOLLUM. Mr. Speaker, I yield 30 seconds to the gentleman from Florida (Mr. CANADY).

Mr. CANADY of Florida. Mr. Speaker, I must respond to the claim that there are those of us who contend that the acts of the President have destroyed our system of government. That is far, far from the truth.

The question is: Has the President destroyed our system of government? We know that that has not happened. That is obvious. The question is whether by his conduct he has undermined the integrity of the law; whether by his conduct he has undermined the integrity of the high office that has been entrusted to him; whether he has subverted the rule of law; whether he has acted to set an example which is harmful to our system of government. One obviously is not the other.

Mr. McCOLLUM. Mr. Speaker, I yield three minutes to the gentlewoman from Connecticut (Mrs. J. JOHNSON).

Mrs. J. JOHNSON of Connecticut. Mr. Speaker, as the entrance to the Supreme Court are four powerful words: "Equal Justice Under Law." Yet there can be no equal justice without a judicial process capable of reaching to the truth. That is why when one raises the question of perjury to tell the truth, the whole truth and nothing but the truth, each one of us must do it. That is why perjury is a serious crime. It strikes at the heart of the only process that protects each one of us from false accusations.

I will vote for impeachment, not because the President has human frailties, but because he has committed perjury repeatedly and willfully. Marital infidelity is not an impeachable offense. Even lying to hide sexual indiscretion is not impeachable. But the President has misled the public; and, yes, he in fact tried to trick even maybe a grand jury. Whether it is perjury or not is a different question.

But at its core, at its core, this is about an individual, a man in our country who had a woman lie about that affair, and he has asked for forgiveness. What is incredible is the American people have looked into their conscience and found that forgiveness; people from all walks of life, from every different corner of this country, have found forgiveness.

There is only one group of people that I can find that cannot find that forgiveness, and that is people that had been locked in struggle over so many years dealing with the future of this country against President Clinton's agenda over the course of the last four years, and that is what this is all about.
We are not talking politics here. In a season of peace, I hope we can restore the faith of the American people in our legal system. This is a season of peace. I hope we can restore the faith of the American people in our legal system.

For the benefit of our country to set an example for our children, our grand-children, and future generations, we must maintain our high ideals. That the President has failed to meet the standard does not mean we should lower it.

Our constitutional duty in the House is to decide whether to impeach or accuse the President of wrongful actions. The Senate's duty is to render judgment and decide punishment. So if a sanction other than removal from office such as censure is ever considered, it should be initiated by the Senate. And, ultimately, any outcome must be supported by the American people.

This is not a decision to go forward because of a "private relationship." It involves the most public of relationships, that between a citizen and the justice system, and that between the President and the American people. It is about honor and telling the truth. It is about respect for the law, respect for the office of the presidency, respect for the American people, respect for the facts, and ultimately, our own self respect.

During this difficult but necessary impeachment process, I've relied on several people for their helpful ideas. Although they shouldn't be held accountable for my views, I do want to thank my perceptive wife, Beth Schaefer, and special friends, Judge Cyndi Krier, John Lampmann, and Judge Tom Rickhoff, for giving me the benefit of their wise counsel.

Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. Bonilla), my friend and colleague. Mr. Bonilla. Mr. Speaker, I thank my friend from San Antonio for yielding to me.

Mr. Speaker, this is a Nation founded on rule of law. We are a young country, but we are the greatest that has ever existed. America is strong and gets stronger because we are passionate about our laws, of which no one is above the law. Let us come together and let us remember the awesome power of impeachment in a blatantly partisan manner for what hardly measures up to high crimes and misdemeanors.

It is what this body is about to do, while we are at war, that comes closer to meeting that constitutional standard than anything our President is charged with. How will the sober hand of the Senate judge him?

My colleagues, the American people overwhelmingly continue to oppose the impeachment of their twice-elected President. They are no fools. They recognize the blatant unfairness of the process, and while they do not condone what the President did, they understand that he has committed no impeachable or constitutional crime.

But we do not have to just go by popular opinion. More than 400 historians and constitutional scholars have opined that the allegations put forth in the Starr report "do not cross the threshold of high crimes and misdemeanors warranting impeachment under the Constitution." Mr. Speaker, I yield to the gentleman from the Virgin Islands (Ms. Christian-Green).
would seek to throw our Nation into turmoil over politics, I urge my colleagues to heed the wishes of those who sent us here to tend to their concerns. Make real and true the claim of conscience and constitutional responsibility. Do not lower the bar for impeachment. Reject this partisan impeachment process. We should have a censure vote, but if that will not be allowed, then vote for the Constitution, the Constitution, for this country. Vote "no" on impeachment.

PARLIAMENTARY INQUIRY

Mr. ARMY. Mr. Speaker, I rise to a point of parliamentary inquiry.

The SPEAKER pro tempore (Mr. LaHood). The gentleman will state it.

Mr. ARMY. Mr. Speaker, I will be very brief.

Mr. Speaker, as I understand the Rules of the House as it governs the discourse in the House, it is very clear, and it has been a time-honored tradition that has served this House well, that we not hear harangue, make disparaging remarks or characterizations about the motives of other Members of the Chamber. I must say I am very saddened to report, Mr. Speaker, I have been listening to several speakers, and that what I have heard, I have seen frankly quite caustic and harsh characterizations of the motives of the Members.

We ask each Member to look into their heart and each Member that does so knows that only God can do so also, and I would ask the Speaker, would it be appropriate, Mr. Speaker, for me to ask on behalf of the dignity of this Chamber to exercise the authority of the Chair to remind Members of these protocols and respects, and perhaps if necessary enforce them so that on this side may not find ourselves compelled to raise it as a point on the floor during the debate. I thank the Chair.

Mr. MCCOLLM. Mr. Speaker, I yield 5 minutes to the gentleman from Alabama (Mr. BACHUS).

(Mr. BACHUS asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. BACHUS. Mr. Speaker, Congress has arrived at the time when we and the Nation must look beyond the polls, the media, and beyond the political rhetoric and consider the grave matter of voting on the impeachment of the Nation's President. We stand at a moment in determining the moral and ethical consequences of violating the Constitution in order to avoid the political advantage. The result is the degrading of the American nation and to the foundations of American religion and to the institutions of constitutional accountability. It is the responsibility of the Members to consider the current crisis to be a critical moment in the life of our country and, therefore, offer the following points for consideration:

1. Many of us worry about the political misuse of religion and religious symbols when we are at the center of issues such as church, synagogues and mosques. In particular, we are concerned about the distortion that can come by association with presidential prayer in events like the Presidential Prayer Breakfast on Sept. 11. We fear the religious community is in danger of being called upon to provide authentication for a politically motivated and incomplete repentance that seeks to avert serious consequences for wrongful acts. While we affirm that pastoral counseling session is an appropriate, confidential setting and where we, as Members of Congress, have a duty to protect the constitutional integrity of the Nation.

2. We charge leadership to reaffirm the responsibility that forgiveness relieves a person of further responsibility and serious consequences. We are convinced that forgiveness is a relational term that does not function easily within the sphere of constitutional accountability. A wronged party chooses forgiveness instead of revenge and antagonism. It does not relieve the wrong-doer of consequences. When the president continues to deny any liability for the sins he has confessed, this suggests that the public display of repentance was intended to avoid political favor.

3. We are aware that certain moral qualitites are central to the constitutional system, among which are truthfulness, integrity, respect for the law, respect for the dignity of others, adherence to the constitutional process, and a willingness to bear the abuse of power. We reject the premise that violations of these ethical standards should be excused so long as a leader remains loyal on the political agenda and the nation is blessed by a strong economy. Elected leaders are accountable to the public and to the people who elected them. By his own admission, the president has departed from ethical standards by abusing his presidential office, by his ill use of women, and by his manipulation of the established rules of political debate.

4. We are concerned about the impact of this crisis on our children and on our students. Some of they feel betrayed by a president in whom they set their hopes, while others are troubled by his misuse of others, by which many in the administration, the political system, and the media were implicated in terms of deceit and misinformation to our students or we demand perfection. Many of us believe that extreme dangers sometimes arise from political manipulation of moral problems. We are particularly troubled about the debasing of the language of public discourse with the aim of avoiding responsibility for one's actions.

5. We urge the society as a whole to take account of the ethical commitments necessary for a civil society and to seek the integrity of both public and private morality. We also believe that in this, the most dominant past debates over public morality, we now confront a much deeper crisis, whether the moral basis of the constitutional system itself will be lost. In the present impeachment discussion, we call for national courage in deliberation that avoids ideological division and engages the process as a constant and foundational discussion, we call for national courage in deliberation that avoids ideological division and engages the process as a constant and foundational discussion, we call for national courage in deliberation that avoids ideological division and engages the process as a constant and foundational discussion, we call for national courage in deliberation that avoids ideological division and engages the process as a constant and foundational discussion, we call for national courage in deliberation that avoids ideological division and engages the process as a constant and foundational discussion, we call for national courage in deliberation that avoids ideological division and engages the process as a constant and foundational discussion.
Further, our children must have positive role models; someone has said, more now than ever. There is a standard of conduct below which our leaders must not fall.

In conclusion, I commend to Members of Congress the example of George Washington at the eve of the battle of Valley Forge: “Let us raise a standard to which the wise and the honest may repair. The event is in the hands of God.”

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. TONY HALL).

Mr. HALL of Ohio. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in opposition to these articles of impeachment. The President is guilty of conduct unbecitting his office. However, despite his actions, I do not believe they rise to the level of high crimes and misdemeanors, which is the requirement the Constitution sets for removal from office.

Within this House, as throughout the Nation, there is a mood of anger and frustration and betrayal. Retribution through impeachment may feel right today, but the long-term harm it will cause to our Government and the immediate satisfaction it causes me great pain to in any way differ from him.

But I feel I have no alternative. I strongly believe that for a president to be impeached, a president of the United States to be impeached, for an election to be undone, there must be a direct abuse of presidential power. There must be a president abusing the CIA, abusing citizens with the IRS or the FBI, a crime comparable to treason or bribery.

I would say to my colleagues that my position, I believe, is rooted in Republican tradition. I listened to the Watergate hearings of 1974, when President Nixon’s most eloquent defender, subsequently appointed to the United States Court of Appeals by President Reagan, Congressman Charles Wiggins, appeared before the committee, and said that if he were a Member of Congress today, he would vote against impeachment.

But there is even a larger issue here: Where are we going as a Nation? Quite frankly, when I hear Members on the other side rise up in such opposition to this impeachment, I say, where were they during the times of Robert Bork, Clarence Thomas or John Tower?

But two wrongs do not make a right. We are a Nation consumed by investigations, by special counsels. We are a Nation consumed by scandal. We are driving good people from government. What we are talking about here in this case, the President’s conduct, was illegal, it was immoral, it was disgraceful, it was indefensible, but the fact is, I don’t believe rises to the level of treason or bribery.

The principle we are setting that in the future, all of us, anyone who assumes the office of the presidency, is subject to civil depositions, subject to lawsuits, and then to have that deposition examined and scrutinized by an Independent Counsel, how many of our former presidents would we have lost if this was the case, if this rule of law, if this principle, had prevailed in prior times, and prior times of crisis?

Also, I would ask my fellow Republicans, throughout the 1980s we saw the abuses of special counsels by Lawrence Walsh and others. If they went against members of the Republican and Bush administrations. We saw good people like Elliott Abrams brought down on the flimsiest of charges involving lying.

All of us knew it was wrong, and we railed against it. But today somehow we are willing to apply a different standard, a different principle. That is wrong.

This is a sad day for our country. It is a sad day for our Nation, because of the conduct of the President, but also because I believe that as Republicans, we have failed to rise to our obligation. As a matter of conscience I must vote against impeachment, and I rue this day.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. MAJOR OWENS), an outstanding member of the committee.

Mr. OWENS asked and was given permission to revise and extend his remarks.

Mr. OWENS. Mr. Speaker, I ask my colleagues to pardon my ignorance, but I am not a lawyer and I have not been impressed with the legal gymnastics of the Committee on the Judiciary hearings.

Like the majority of the American people, I watched and listened, and in this country concluded, out of court of common sense, this is a case that would have been immediately dismissed. No man in America is above the law. The converse should also be true, no citizen, even a feared partisan enemy, should be denied the benefits of the law, of the due process and of equal justice.

Our defendant is an outstanding citizen who has done great service for his people, for his government. On the balance of the charges before us, what prosecutor anywhere in America would press forward with this case and a demand for such a harsh punishment?

Examining the extenuating circumstances related to the outstanding performance and the exemplary accomplishments of this defendant, what ordinary judge in any court, in any county in America, would allow the trial to go forward?

This defendant has been denied his basic rights. He is not a beneficiary of the rule of law. This defendant is a victim of organized partisan persecution. It is not fair, it is not just. The majority of the American people are angry, for good reasons. The voice of Shakespeare’s king Lear is ringing in our ears: “Fool me not to bear tamely. Touch me with noble anger.”

I consider the record of the defendant. This is the education President, who has gone beyond lofty rhetoric and done more for education than any President since Lyndon Johnson. In Haiti they have cheered him as the liberator. In the Middle East and North Africa, in Kosovo, in Sarajevo, they give him thanks as a great peacemaker. In Yugoslavia, Bosnia, Sarajevo, they give him thanks as an angel of mercy who stopped the mass slaughter of innocent men and women and children. On Wall Street, President Clinton is a master of macroeconomic policy-making.

In all endeavors where it has mattered most, this defendant has done...
his duty well. Why is this defendant before us? Why is the political death penalty being demanded? Our posterity will spit upon us for allowing this madness to reach this level.

It is not too late for all Members to truly vote their conscience. Good men and good women can often be hypnotized momentarily by the collective fervor of the crowd. Today in this proceeding extreme punishment is the only item that is allowed on the agenda. The majority is demanding exoneration. The loud cry is for banishment. This is a political crucifixion. Responsible decision-makers have temporarily lost their reason.

I call upon every Member to break the spell. Forget we are under the glare of television cameras in Washington, and imagine that we are back home in a local courtroom. The defendant before us deserves equal treatment, equal justice. Let us be fair. Let us be reasonable. Let us consider the extenuating circumstances. Let us dismiss this case now.

Mr. McCOLLUM. Mr. Speaker, I yield myself 9 minutes, and I yield to the gentleman from California (Mr. Roga).

Mr. ROGAN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would like to respond very briefly to the commentary from the gentleman who preceded the gentleman from Florida in the well. The gentleman said that no reasonable prosecutor or judge would come forward on such an overwhelming case of perjury and bring this case before the court.

I have some authority to speak on this, having spent 10 years as a deputy district attorney in Los Angeles county and as a criminal trial court judge in Los Angeles county.

Under the Clinton Justice Department, since President Clinton became president, some 700 people have been tried and convicted for perjury and perjury-related crimes. As we speak today, Mr. Speaker, some 115 people sit in Federal prisons as a result of their conviction on perjury charges. Those are people that were prosecuted and convicted by the Clinton Justice Department.

In my own home State of California, since Bill Clinton became president, there have been some 16,000 prosecutions. So the suggestion that perjury charges would not be brought in an appropriate case is incorrect.

Further, the gentleman's comments go directly, once again, to the point that we are debating here: whether the standard that we set during Watergate, which was no person is above the law, will continue to be the standard for our Congress and our country, or whether we are going to make exceptions for people who happen to have high rank and public office, and share one's party affiliation.

Mr. McCOLLUM. Mr. Speaker, I think it is important today for us to understand some perspective on what we are debating.

First of all, those on this side of the aisle do not view this as a bipartisan issue. In fact, as Republicans it is not in our political interest to see the President prosecuted and removed from office. The last thing in the world we would want politically, on a rational basis, is to see Mr. Gore, Vice President Gore, assume the presidency and be in the office for a while, and then later to lie to the grand jury, to conceal the truth from the Paula Jones case and deny Paula Jones her rights and then later to lie to the grand jury, to conceal the truth from a criminal grand jury as well as from the public.

And what happened, we talk about the fact that perjury charges would not be instituted in the Paula case and that the President and he had a conversation about that shortly after Christmas, in which she suggested maybe she should hide those gifts or give them to the President's secretary to keep. The President said, 'I don't know, I have to think about that.'

A couple of hours later the evidence shows that is before us, Monica Lewinsky received a call from Betty Currie. We have the President's secretary's deposition record showing that call, even though Ms. Currie did not recollect that she made the call. She thought Monica made it to her. We have a record showing it came from Ms. Currie who said, according to Ms. Lewinsky, and believe Ms. Lewinsky when the President suggests that I call you to pick up something. And a little while later, Ms. Currie went over to Lewinsky's home, picked up gifts that Lewinsky packaged and put under her bed. Another obstruction of justice.

Then in early January, in early January the President was talking to Vernon Jordan, who is his good friend and counselor, and arranged for Monica Lewinsky to have an attorney to prepare that affidavit. That affidavit was about how, along the way, in the process of preparing that affidavit, finally on January 7, she signed it. And Vernon Jordan testified he informed the President of that. What do you know, the next day, on January 8, for the first time Mr. Jordan, although asked much earlier often to help get a job for Monica Lewinsky by Monica finally made a call to the head of Revlon Corporation and secured a job for Monica and reproached that fact back at the President.

And then what happens next? The President goes to testify. The President goes to testify in the deposition he gave in the Paula Jones lawsuit. And during that deposition, we all saw some of the television film of that deposition in the Committee on the Judiciary the other day. The President observed his attorneys referring to the affidavit that he knew was false and he affirmed the truth of that affidavit that he knew was false so as to cover the fact that he knew that affidavit. It said that he and Monica essentially were never alone, not just that they did not have particular relations. He went on to lie...
then about the specific acts that he engaged in with her. He was given a definition. And even taking his interpretation of the definition the court in that case gave him and assuming that that rather far out definition was accurate, if you talk to Monica Lewinsky, you know that she has been corroborated by 7 contemporaneously told friends and relatives who were witnesses in this under oath that what she said is correct, they engaged in sexual activity under the definition in that report and the court, and the President never really alone. You could see and hear everything. Monica came on to me and I never touched her, right? She wanted sex with me and I can't do that.

Well, Ms. Currie twice testified under oath the President said this to her. Any interpretation is ridiculous other than one that assumes the President expected her to be a witness, even if she wasn't on the witness list. That is a crime of witness tampering or obstruction of justice, and the list goes on.

The sad fact is, I do not want to be here any more than you do. I do not want to impeach this President any more than you do. This is not a happy day for me or anyone else here. But the President of the United States committed multiple felony crimes, not just one instance, not just having some relationship which we would have no business being concerned with on impeachment, but he committed multiple felony crimes of perjury, witness tampering, obstruction of justice, and the list goes on. The evidence is very clear about it.

And to fail to impeach him would send an awful message to the country-side that we have a double standard in this country, that the President, who is the chief law enforcement officer of this country, bringing additional people into our courts much less one State.

Mr. CONYERS. Mr. Speaker, I yield 3½ minutes to the gentleman from Louisiana (Mr. JEFFERSON).

Mr. Speaker, will the gentleman yield?

Mr. JEFFERSON. I yield to the gentleman from Louisiana (Mr. CONYERS). Mr. Speaker, the gentleman from California (Mr. ROGAN), a prosecutor, has indicated for the first time in all of our hearings that there were 16,000 cases of perjury in the State of California alone. I would beg him to supply at any time at his convenience any indication for the Record what source he uses for that statement.

There are some questions whether there exist 1,000 cases for all of our courts much less one State.

My friend, the gentleman from Florida (Mr. MCCOMUL) has now brought forward a matter that has been aired sufficiently in the Committee on the Judiciary that he could not possibly have known about phone incident occurred 1½ hours after the gifts were returned. Now, perhaps he has a lapse of memory. The record is clear in our hearings and why this would be introduced at this time is beyond this Member.

I thank the gentleman for yielding to me.

Mr. JEFFERSON. Mr. Speaker, at what point shall we expect the approach of danger? By what means shall we fortify against it? Shall we expect some transatlantic military giant to step the ocean and crush us at a blow? Never. All the armies of Europe, Asia and Africa combined with all the treasures of the earth in their military chest cannot by force take a drink from the Ohio or make a track on the Blue Ridge in a trial of a thousand years.

So spoke President Lincoln in 1838 about the power of America. But he coupled this declaration of our world dominance with a warning and admonition of how we could lose it, which is apropos here. He said then, at what point then is the approach of danger to be expected? I answer, if it ever reaches us, it must spring up amongst us, it cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher.

I hope as Lincoln hoped against hope, then that the President will not repeat what is occurring today about the wounds we are inflicting upon ourselves, our Constitution and our body politic by this unfair rush to judgment against our President. Like Lincoln then, I worry now about the wild and furious passions aimed to bring this President down rather than an exercise of sober judgment to lift up the true meaning of our Constitution.

Like Lincoln, I worry that even though we are the preeminent power in the world today, by this grasping this chipping away at the high ideal of impeachment leads us further down the road to constitutional death by suicide of a free society. High crimes and misdemeanors, not all crimes and misdemeanors, is what our constitution holds as grounds for impeachment. There are no high crimes shown here.

But there is a base and basic perversion of the rule of law into a rule of hot blood and a rule of political convenience by a majority bent on getting President Clinton. Today you may have the votes but you do not have the ground. But just remember, as we say in Louisiana, what goes around ultimately, unfaithfully and always comes around.

Mr. MCCOMUL. Mr. Speaker, I yield 30 seconds to the gentleman from Arkansas (Mr. HUTCHINSON).

Mr. HUTCHINSON. Mr. Speaker, I just wanted to respond to the gentleman from Michigan (Mr. CONYERS), who raised the issue about the corroboration of Monica Lewinsky's testimony in the cell phone call. In fact, Monica Lewinsky gave a statement 7 months after the December incident concerning the gifts. And in her testimony she was asked how she knew that Betty Currie was coming over. She thought there was a cell phone or a telephone call, and it was my cell phone. The records were checked that corroborated the testimony of Monica Lewinsky even though it was 7 months later. The telephone call was about 3:37. I think there is documentary corroboration of her testimony.

Mr. MCCOMUL. Mr. Speaker, I yield 6 seconds to the gentleman from Tennessee (Mr. BRYANT), a member of the committee.

Mr. BRYANT. Mr. Speaker, let me also respond regarding an inquiry that our colleague from California made on that diagnostics of perjury from that State. I too have seen those numbers. I think rather than an annual one-year listing of some 16,000, I think the more accurate statement would be that over the last 5 years some 16,000 people have been prosecuted for perjury in the State of California on a rising trend, unfortunately, for this country.

Also fortunate for this debate for the most part the facts of this case have been conceded. We have dwelt our time on higher things such as are these impeachable offenses. And that is a good statement; that is a good question. That is a good area of debate for us.

Had the President limited his conduct to the oval office and not stepped out to participate in the cover-up, I would suggest, and I think most of my colleagues would agree on the House floor, that we would not be here today. Certainly we do not agree with what he did in the oval office, but that does not rise to the level of impeachable conduct.

This is not about sex. This is about what happens when you take a poll and that poll tells you whether or not to tell the truth. That poll tells you that the President is not accurate. And the President says, well, we will just lie in court and commit perjury than they do already. And that is on the rise. It is a very, very serious matter.

Mr. CONYERS. Mr. Speaker, I yield to the gentleman from Louisiana (Mr. JEFFERSON).

Mr. Speaker, will the gentleman yield?

Mr. JEFFERSON. I yield to the gentleman from Louisiana (Mr. CONYERS). Mr. Speaker, the gentleman from California (Mr. ROGAN), a prosecutor, has indicated for the first time in all of our hearings that there were 16,000 cases of perjury in the State of California alone. I would beg him to supply at any time at his convenience any indication for the Record what source he uses for that statement.

There are some questions whether there exist 1,000 cases for all of our courts much less one State.

My friend, the gentleman from Florida (Mr. MCCOMUL) has now brought forward a matter that has been aired sufficiently in the Committee on the Judiciary that he could not possibly have known about phone incident occurred 1½ hours after the gifts were returned. Now, perhaps he has a lapse of memory. The record is clear in our hearings and why this would be introduced at this time is beyond this Member.

I thank the gentleman for yielding to me.

Mr. JEFFERSON. Mr. Speaker, at what point shall we expect the approach of danger? By what means shall we fortify against it? Shall we expect some transatlantic military giant to step the ocean and crush us at a blow? Never. All the armies of Europe, Asia and Africa combined with all the treasures of the earth in their military chest cannot by force take a drink from the Ohio or make a track on the Blue Ridge in a trial of a thousand years.

So spoke President Lincoln in 1838 about the power of America. But he coupled this declaration of our world dominance with a warning and admonition of how we could lose it, which is apropos here. He said then, at what point then is the approach of danger to be expected? I answer, if it ever reaches us, it must spring up amongst us, it cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher.

I hope as Lincoln hoped against hope, then that the President will not repeat what is occurring today about the wounds we are inflicting upon ourselves, our Constitution and our body politic by this unfair rush to judgment against our President. Like Lincoln then, I worry now about the wild and furious passions aimed to bring this President down rather than an exercise of sober judgment to lift up the true meaning of our Constitution.

Like Lincoln, I worry that even though we are the preeminent power in the world today, by this grasping this chipping away at the high ideal of impeachment leads us further down the road to constitutional death by suicide of a free society. High crimes and misdemeanors, not all crimes and misdemeanors, is what our constitution holds as grounds for impeachment. There are no high crimes shown here.

But there is a base and basic perversion of the rule of law into a rule of hot blood and a rule of political convenience by a majority bent on getting President Clinton. Today you may have the votes but you do not have the ground. But just remember, as we say in Louisiana, what goes around ultimately, unfaithfully and always comes around.
We have no authority to invent sanctions such as censure or reprimand. If anybody has that authority, it is the Senate. But we cannot do that. But let me assure all the Members of Congress, I think, of a fact that we all understand and that those who are concerned about this debate. The office of presidency is bigger than any person that occupies that office for 4 or 8 years. This office will survive. This office will stand. And what we are doing today is bringing to the point of what conduct we will accept from the President of the United States, from the office of presidency.

We have heard a lot today about we do not want to dumb-down, we do not want to lower the standards for impeachment. I submit to my colleagues that the better question that we all ought to be concerned about as Members of Congress, as American citizens, do we want to dumb-down, do we want to lower the expectation of the conduct of the chief law enforcement officer of this country, the Commander in Chief who sends our soldiers off to foreign lands in harm's way, the President of the United States? Do we really want to lower that expectation of conduct?

I say we do not. And I say at the end of this day, perhaps at the end of tomorrow's day that we vote, we will have made that final decision.

Since the inception of this inquiry, a division has been created as to what allegations rise to the Constitutional standards of "high Crimes and Misdemeanors."

To assist my own interpretation, I look to the words of Justice Louis Brandeis from 1928 which read:

"In a government of laws, existence of the government is the potent, the omnipresent teacher. For good or ill, it teaches the whole people by example. Crime is contagious. If the Government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy."

The impeachable President Clinton's deplorable conduct with our Constitution has set in motion this Inquiry of Impeachment. Each member must now match his or her action with only the authority the Constitution delegates to the House of Representatives.

No more, no less.

As such, we must not invent, for the purpose of expediency, a remedy which does not exist. The House can not and should not be able to reprimand, censure or fine the other two branches of government—the Judiciary or the Executive.

Rather, members must be prepared to vote their conscience on whether or not to impeach, that is to charge the President with an impeachable offense. This is our single role in this process.

Further, impeachment is not a part of the criminal law. It is not governed by the criminal rules of procedure, court precedents, nor necessarily, the rules of evidence. Impeachment is truly a unique Constitutional process combining elements of the legal and political systems.

Numerous scholars have come forward suggesting not every crime is impeachable. Likewise, it is clear that an impeachable offense does not require a criminal law violation. The distinguished Senator ROBERT BYRD from West Virginia stated, "An impeachable offense does not have to be an indictable offense of law."

Before we begin our evaluation of the charges, let's be clear that the standard that we must attain before we can impeach is not—I repeat—is not the same case as that against President Nixon's in 1974. Some intimate that Nixon is the magic threshold and anything less should not be considered for impeachment.

That is simply, as the President's legal team put it, "a misleading statement." Analogize this situation to the prosecutor at law who fails to indict the bank robber who robbed five banks because the prosecutor had previously only indicted a robber of 20 banks.

As for our own evaluation, our first task is to ascertain the facts. The second task is to determine if the facts support an impeachable offense.

As for the facts:

President Clinton was sued by Paula Jones in a civil sexual harassment suit. In her case, Mrs. Jones tried to establish a particular pattern and practice of behavior by the President. This was not unique to her case, most sexual harassment cases establish such a pattern.

After former White House intern Monica Lewinsky was list as a potential witness a series of illegal acts ensued. The evidence establishes the President engaged in the following misconduct, in an apparent effort to prevent Ms. Jones from recovering a monetary judgment against him and to protect his Presidency.

The facts surrounding these unlawful acts are:

Perjury. The President through a series of calculated lies over a period of months attempted to evade, mislead and provide incomplete responses to Paula Jones, the judiciary system and the American people.

Disregarding the recognized legal standard of a "reasonable man" used in all courts, the President repeatedly used verbal gymnastics to evade the words of Miss Lewinsky, such as "alone," "is" and "sexual relations." The latter interpretation, as admitted by his lawyer, results in the ridiculous conclusion that one party to a particular sex act may be involved in a sexual relation while the other party is not.

Obstruction of Justice. Once the question arose concerning an "improper affair" with Miss Lewinsky, suddenly there was another series of incidents to cover the tracks of this, including the immediate area of evidence in the Lewinsky case, including ridding the immediate area of evidence in the Jones case and Miss Lewinsky.

The President's "fingerprints" don't clearly on these actions, almost by magic the President is benefitted by physical evidence disappearing from Miss Lewinsky's apartment and reappearing under his personal security. While the President's "fingerprints" clearly on these actions, almost by magic the President is benefitted by physical evidence disappearing from Miss Lewinsky's apartment and reappearing under his personal security. While the President's "fingerprints" don't clearly on these actions, almost by magic the President is benefitted by physical evidence disappearing from Miss Lewinsky's apartment and reappearing under his personal security.

The 81 questions.

"...and ignore what the defendant knows. Not focus on the precision of a question formally say that is not right. You can parsed his words. And the courts uniformly say that is not right. You can not focus on the precision of a question and ignore what the defendant knows."

The law is clear that the perjury, the real perjury, the issue is you have to look to the defendant's intent to testify falsely and thereby mislead questioners, which has been the intent of this President consistently throughout this process.

It is unfortunate that we still have that perception of this President. Because of the very events we are involved in today, many people call into question, is he giving us complete answers about what we are doing over in the Middle East. Is he evading questions. Is he misleading? I do not know, but again that is the pattern and practice that we have had to deal with, and that is one of the concerns that brings many of us to this point where we feel it is necessary.

The office of presidency, the stature to which it is entitled has been eroded by this President and this involvement in this process, necessitated by the commission of his own conduct, not the Congress's conduct, but his own conduct with the United States Constitution.

□ 1400

If I might say, there is great stress and turmoil and angst on the floor today. This is a serious, solemn event, something that we all, all would rather not have occurred. But as a Congress, we cannot ignore our constitutional responsibility and turn our head and say let's just forget about this. We have to move forward with the authority we have. The only authority is to decide whether to impeach or not to impeach, whether to charge or not to charge.
The difference between that and lying under oath or obstructing justice in the same judicial proceeding—to say nothing of before a federal grand jury—for the same purpose? By analogy, both sorts of behavior would seem grossly to pervert, even to mock, the course of justice in a court of the United States.

And finally, when one wants to blame Congress for all of this, I issue the reminder that it was President Clinton and only President Clinton whose consistently made wrong choices instead of the right choices which has brought us to the point of national exhaustion.

Also, remember the additional words of Professor McGinnis about our forefathers’ paramount concern with the integrity of our public official:

They recognized that the prosperity and stability of the nation ultimately rest on the people’s trust in their rulers. They designed the threat of removal from office to restrain the inevitable tendency of rulers to abuse that trust.

Since these allegations were brought to the attention of the Committee, my office has been inundated with phone calls and mail. In answering the overwhelming number of calls in support of impeachment, however, I understand the concerns of both sides. I look forward to the end of this debate and getting back to the important issues of social security, health care and others. But I want my constituents to understand, I do not regret that our President has put us in this. This will be the toughest vote I will make as a Congressman and I only wish I never had to make it.

There are no winners or losers here today. America has truly suffered. The facts remain, our President has placed himself before the law and the nation.

As such, I join the more than 100 newspapers and numerous other Americans to call upon the President to do the right and honorable thing—resign from the Office of the Presidency.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. MANTON), a distinguished attorney and Member of the House.

(Mr. MANTON asked and was given permission to revise and extend his remarks.)

Mr. MANTON. Mr. Speaker, I thank the gentleman for yielding. Mr. Speaker, I rise in opposition to the articles of impeachment before the House.

Mr. Speaker, after 14 years representing the citizens of the 7th Congressional District of New York, these will likely be my last votes that I cast as a Member of the House of Representatives. They will, ironically, certainly be the most significant and the ones which will garner the most attention from historians.

Mr. Speaker, there is no question that what the President has done is reprehensible. No one condones his actions. No one excuses his conduct. We all wish that he had conducted himself in a more responsible manner. We all want him to be more forthcoming in confronting the charges against him. We cannot, however, vote to overturn the two national elections and impeach the President simply because of a perceived lack of contrition on his part.

Mr. Speaker, we must take into consideration the consequences of our actions and weigh them against the purported misdeeds of the President. While I do not agree with the President on each and every issue, I believe he has done a good job as our country’s standard bearer over the past 8 years.

Mr. Speaker, I for one am particularly proud and humbled by his unceasing efforts to bring peace to Northern Ireland and the Middle East, succeeding where many before him have failed or did not even attempt to act.

In closing, I turn to the words of one of our Founding Fathers, Thomas Jefferson, who said, “Common sense is the foundation of all authorities, of the laws themselves and of their construction.” I put to my colleagues that to vote for impeachment flies in the face of common sense and good judgment. We should avoid a dangerous precedent and vote against these articles of impeachment.

Our descendants would be ill served by an impeachment vote which alters the standard for removing a president. In the end we must remember that the perfect can be the enemy of the good. The right decision, the just conclusion is vote for censure.

Mr. MCCOLLUM. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. MCHALE).

Mr. MCHALE. Mr. Speaker, it is difficult, perhaps impossible, to salvage any sense of nobility in reviewing the allegations before us. But there is one truth. The most basic rights of the people will be preserved only so long as public officials at every level of government tremble before the law.

As a deeply disheartened Democrat, I will be voting yes on impeachment articles I, II, and III.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 4½ minutes to the gentleman from California (Mr. LANTOS), a dear friend of mine from the old Government Operations Committee.

Mr. LANTOS. Mr. Speaker, I want to thank my friend from Michigan (Mr. CONYERS) for yielding time to me.

Mr. Speaker, I rise as the only Member in the history of the House who has lived under and fought against both fascism and communism. Every day I enter this hall I do so with a feeling of humility and pride, as one who has suffered the pain of living in a police state and now enjoys the exhilaration of living in a free society.

The question I want to raise today is, what distinguishes this Congress from the legislatures of despotic countries? It certainly is not the taking of votes. Because there are always votes, plenty of them, in totalitarian parliaments. Nor is it the eloquence or the erudition or the IQ level of Members. Mr. Speaker, what distinguishes this House from...
the fake parliaments of police states is procedural fairness.

What we ask is the opportunity to vote on censuring the President in addition to the opportunity to vote on impeachment. Democracy not only means that the majority mandates respect for the minority. If our Republican colleagues allow a vote on censure and even if that vote fails, they will give respect and legitimacy to these proceedings. Should a censure vote prevail, they will allow the voice of the people to triumph.

Some of my very best friends sit on the other side of the aisle and I would defend their right to vote their conscience with my life if necessary. I find it unbelievable that they want to limit my right to vote my conscience.

The censure vote we are seeking is supported by our former Republican colleague, the former Republican President of the United States of America, Gerald Ford, who is renowned for his fairness. The censure vote we seek is supported by the former Republican leader of the United States Senate and the Republican candidate for President in 1996, Senator Bob Dole. The censure vote we seek is supported by the large majority of our fellow citizens.

Mr. Speaker, compromise is the currency of a free society. Self-righteous certitude is the antithesis of democracy. I respect all of my colleagues who will ultimately vote for impeachment. But I ask that they respect the right of those of us who wish to express our disapproval but who deeply believe that the impeachment and the removal of our President would be a travesty to the principle of proportionality, it would be unfair to him and to his family, and it would be damaging to our national interest.

When this debate is over, I hope they will allow all of us to feel that we have partially voted on our constitutional legislature. I ask that we have the opportunity to vote on a motion to censure the President. If the impeachment vote succeeds in this House, come January, President Clinton will be on trial in the Senate. But today, my friends, it is this House that is on trial.

Mr. McCOLLUM. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. HUTCHINSON).

Mr. McCOLLUM. Mr. Speaker, I yield 30 seconds to the gentleman from California (Mr. LANTOS).

Mr. CONYERS. Mr. Speaker, could I point out to my distinguished scholars and members of the Committee on the Judiciary, we are not trying to solve this problem within this debate. Let's bring up the motion and we can debate its constitutionality or its unconstitutionality. You surely must know that there have been censures in our American history.

Mr. LANTOS. Mr. Speaker, reclaiming my time, there is not a person in this body on either side who does not clearly understand that this body has every right to censure the President, and to hide behind these phony technicalities means this House.

My colleagues know as well as I do that a censure vote could be taken, would be legal, would be constitutional and would carry.

Mr. McCOLLUM. Mr. Speaker, I yield 30 seconds to the gentleman from Arkansas (Mr. HUTCHINSON).

Mr. HUTCHINSON. Mr. Speaker, I appreciate the sincerity. But censure is being used in this case as a marketing tool to the American public to sell impeachment. I disagree. I think we are instead affirming democracy as truly the cornerstone of this great country. We are saying that the American people who have, as the gentleman from Illinois (Mr. HYDE) so eloquently put it this morning, believed, fought and sacrificed this past 227 years for the rule of law, believe that all are subject to that law, not just the poor, the minorities or those without influence, as some cynics have claimed in recent years, but all, including the man who holds the most powerful and influential office in this country.

To me that does not lower the bar for impeachment; it raises the standard for democracy.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHood). The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is a violation of the House rules.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Mrs. MEEK), who has waited patiently for her turn.

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Speaker, I stand to voice my disagreement. My disagreement, and I rise to give my strong opposition to the articles of impeachment that have been brought before us today.
Mr. GOODLATTE. Mr. Speaker, I thank the gentleman for yielding this time to me, and I ask that a letter received from Senator Bob Dole dated today be placed in the record. I will read a part of that:

It is inappropriate for the U.S. House of Representatives to debate and vote on articles of impeachment at this time.

He later says, I also believe that quick positive action in the House could improve chances for a timely resolution of this matter in the U.S. Senate.

So to those on the other side who have been invoking the name of Senator Dole, I would point out that he believes that it is appropriate for us to take the action we are taking today.

Mr. McCOLLUM. Mr. Speaker, I yield 1 minute to the gentlewoman from North Carolina (Mrs. MYRICK).

Mrs. MYRICK. Mr. Speaker, just before the November 3 election my 5-year-old grandson, Jake, asked his mother if we were going to trial and if we convicted him we would get him.
sex and perjury. In 1868 it was about recon-
construction, and in 1998 it is still about recon-
struction.

Republicans say the underlying issue is not about sex, it’s about perjury. Democrats say the underlying issue is about sex—a private consensual relationship. But the President lied about it, possibly committing perjury in the process. But since lying about sex is not an act that involved using is official position against the state, as Nixon did, Democrats say, Clinton’s sins do not reach the Constitutional standard for impeachment.

That is the argument of the right-wing Republicans we heard presented by members of the House Judiciary Committee and voted on along par-
tisan party lines to impeach President Clinton. That is what the current Republicans and Democrats are saying. What will history say?

Underlying the pending Clinton impeachment
is neither sex, nor lying, nor perjury, but American history itself. Essentially the same elitist economic and political forces that drove the president impeachment process against Andrew Johnson in 1868 are driving the impe-
achment process twenty years later. There has been a “role reversal”—the Republicans of 1868 were the Democrats of 1868—but the underlying issue is essentially the same: re-
construction. The First Reconstruction was at issue in 1868, the Second Reconstruction is at issue now.

Congress determined that Mr. Nixon’s fail-
ure to pay taxes, while felonious, did not meet constitutional standards. Mr. Clinton’s action while potentially felonious, does not reach the standards so we look to history for the an-
swer.

The end of the Civil War and the adoption of the 13th Amendment to the Constitution on December 18, 1865 ended legal slavery, Slav-
ery, the Democratic Party, its geography and its ideology were all defeated. But Lincoln’s assassination five days after Appomattox de-
ned him and the Republican Party the oppor-
tunity to pursue a “Big Federal Government” policy of economic reconstruction and political en-
franchisement for all Americans, leaving no American behind.

People are asking me why the black com-
munity sticks with Bill Clinton.

When legal slavery ended, there were nine million people in the old Confederacy, which was led by the Democratic Party. Then, the Democratic Party was defined in exclusive terms—as slave holders with private property rights (slaves) which were protected legally by “States’ rights” governments. Four million of the southerners were uneducated and un-
trained former slaves who needed to be edu-
cated, trained and brought into the economic mainline, politically enfranchised with the right and ability to vote. That didn’t include poor and working class whites who had similar needs and had been exploited, manipulated, misused and politically diverted with a focus on social issues (then, perpetuating the fear of interracial sex) by the slave owners to pre-
serve and protect their elite economic system of special interests.

Just eight years earlier, in 1857, in the Dred Scott decision, the Court had ruled that blacks had no rights that a white man must respect and that Congress was not outlaw slavery anywhere in the U.S. The Confederacy—its economy, religion, family, social customs, mores and politics—was based and built on the institution of slavery. The Civil War ended slavery, but it did not create a more perfect Union because there were still two outstanding problems: (1) How to bring four million former slaves into the economic mainstream? And (2) How to politically enfranchise them? That was the goal of the First Reconstruction and it’s goal has never been realized. Those two problems have not been completely fixed!

The identification of Lincoln and the Repub-
lican Party with ending slavery led southern Democrats to refer to Lincoln as the Black President and the Republican Party as the Black Republican Party. So the Rep. J.C.
Watterson was known being known as the Black Republican Party to one Black Republican. ‘Former’ Democratic Con-
federates opposed and resisted the “Big Cen-
tralized Republican Federal Government” and wanted “the government off of their states’ backs” so they could go back to their own “States’ Rights” ways.

Senator Andrew Johnson was a Tennessee Democrat who had refused to join his fellow southern Democratic Confederates and stayed with the northern Unionists. Lincoln’s concern for the nation fol-
lowing the war led our first Republican Presi-
dent to reward Johnson’s loyalty by nominat-
ing him for Vice President in the 1864 cam-
paign.

Lincoln fought a Civil War to preserve the Union and to end slavery. He defeated the southern slave forces militarily at a national cost of $20,000 lives and was prepared to re-
construct the nation with a Republican pro-
gram of economic inclusion and political en-
franchisement.

When Lincoln was killed, President Johnson focused on putting the Union back together, but not on building a “more perfect Union” for all Americans. Unlike Lincoln and the Repub-
licans, he was willing to preserve the Union by leaving some Americans behind, sacrificing the rights and interests of the former slaves. As a result, angry northern Radical Repub-
licans investigated a vulnerable Johnson—who was not unlike Bill Clinton in terms of his per-
sonal foibles—to try to come up with an ex-
cuse to impeach him. It was a partisan Repub-
liean attack on a Democratic President in order to preserve undertaking the Repub-
licans’ First Reconstruction economic program. It was in this context that the historically black colleges and universities were founded.

The struggle between these radical progres-
sive northern Republicans and these radical conservative southern Democrats continued following the Civil War, and finally came to a head in the 1876 presidential election and Tilden-Hayes Compromise of 1877—which ended reconstruction. Rutherford B. Hayes, a Republican, was really elected President by a close vote. The House of Representatives for the first time was being used to pull out Federal troops protecting the newly freed slaves in the South, and agreeing to ap-
point conservative Democrats to the Supreme Court. New Democratic Confederates, with the help of new “black laws” of discrimination, psychological intimidation, physical violence and murder, were now on their way back to being in power in the South.

By 1896, the Supreme Court appointments resulted in Plessy, which ushered in Jim Crow, and by 1901 the first Congressional Black Caucus was completely eliminated from Con-
gress, not to return for three decades. Blacks remained loyal to the Republican Party until 1936, FDR’s second term. African Americans were attracted to his New (eco-
nomic) Deal. Roosevelt defined a New more inclusive Democratic Party by offering an eco-
nomic agenda that appealed to every Amer-
ican.

It is the same white elitist southern forces (and that continues the same economic ideology—except today they are called Repub-
licans—who want, this time, to preserve but to undue the nation’s effort at reconstruc-
tion. A Second Reconstruction begun in 1954 with Brown, continued with the 1964 Civil Rights Act and 1965 Voting Rights Act, affirm-
ing the right and majority status of minority di-
stricts. The southern Democratic Party, with the legacy of the Confederacy, generally found itself on the wrong side of history again in the 1960s. Governors George Wallace of Ala-
abama, Lester Maddox of Georgia and Orville Faubus of Arkansas were all Democrats. Re-
owned segregationists like Senator Richard Russell of Georgia and Congressman Howard Smith from Virginia were Democrats. Today’s Senators STROM THURMOND of South Carolina and RICHARD SHELBY of Alabama were origi-
nal Democratic Confederates, but such have spread beyond the South. This Repub-
licans’ new sex diversion or will a strong politi-
cal leader be able to get them to focus on their real economic interests of full employ-
ment, comprehensive and universal health care, affordable housing and a quality public education? History—not President Clinton or the current crop of Democrats and Repub-
licans—will render that judgment!

The political and ideological roots of this anti-reconstrucion and anti-more-perfect-union crowd is in the South, though its tentacles have spread beyond the South. This Repub-
lican impeachment effort allows us to look at the roots, dynamic and current political struc-
ture of this conservative political movement.

Begin with the Judiciary Committee. Ten of the eighteen Republican members of the Judi-
cacy Committee are ultra-conservatives from former Confederate states. In the middle of the impeachment hearings, one of them, BOB BARR of Georgia, was exposed for having re-
cently spoken before a white supremacist group.

Move on to the House Republican leader-
ship. The Speaker is NEWT GINGRICH (R–GA), whose history is laced with not-so-subtle new racial code words, and the Speaker-elect is...
Clause was to prevent the states from treating black and white citizens differently. The most important value for Rehnquist is his state-centered federalism, followed by private property and individual rights. In other words, his current views are consistent with the core of the states’ rights legal philosophy a century-and-a-half ago to own property (slaves) was to be protected by a states’ rights government!

To capture a new political base, Republicans abandoned the essence of Lincoln and declared the Fourteenth Amendment to be dead. Societal issues as they cover for their narrow economic interests. Barry Goldwater launched this modern conservative anti-Federal government movement with his 1964 presidential campaign. Ronald Reagan picked it up and sent the same signal by launching his southern campaign from Philadelphia, Mississippi in 1980, in the name of states’ rights, where two Jews and a Black were murdered in the name of states’ rights fighting for the right to vote. Now Republicans want to complete Mr. GINGRICH’S 1994 “Revelution of Devolution” by defeating and eliminating the traditional conservative “social values” political base as a dimension from economic justice issues.

Today Republicans are trying to impeach President Clinton to gain control of the White House. They can then appoint their hardcore conservative justices to the Supreme Court after 2001. We will be treated to Ken-ston’s sexual misconduct is the result of the “decadent values” of the 1960’s and liberalism generally. In other words, in some form, the Lewinsky matter will become a Republican “wedge issue” in the 2000 campaign. The fact that African Americans are so closely identified with President Clinton and liberal “Big Government” programs fits closely identified with both President Clinton and ignoring his strongest liberal supporters and ignoring his strongest liberal supporters and liberal “Big Government” programs. Clinton has worked hard to separate the race dialogue from the economic dialogue—joining with the Republicans in 1997, and ignoring his strongest liberal supporters today, by cutting a budget deal to balance the budget with the conservative Republicans. That deal assures that there will not be enough money to fix our historic problem. He has reduced his own defense to a personal defense instead of a defense of history.

Something deeper in history than sex, lying, and cover-ups is at issue here. Something deeper in history than the removal of a cabinet secretary was a shake at 1868. At state in 1868 was the First Reconstruction. At state in 1998 is the Second Reconstruction. The struggle taking place in Congress and nationally today is between those political forces who want to build a more perfect union for all Americans, leaving no American behind, and those who want to return an elitist economic program of more perfect “States’ Rights” for the few. That is what underlies the impeachment crisis.

Mr. MCCOLLUM. Mr. Speaker, I yield such time as he may consume to the gentlewoman from Georgia (Mr. LINDER).

Mr. LINDER. Mr. Speaker, this is the twentieth session in which I have been casting votes in legislative chambers in this status. I have served in the minority Republican party on behalf of all four articles of impeachment for my side.

Mr. MCCOLLUM. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. CANADY).

Mr. CANADY of Florida. Mr. Speaker, there is much in the statement of the gentleman from Illinois (Mr. JACKSON) to which I could respond. I do...
want to focus on one particular point that he made which we have heard repeated time and time again concerning the impeachment proceedings against President Nixon.

It is claimed that the Committee on the Judiciary decided that President Nixon was not an impeachable offense. The record simply does not bear that out. It is true that the committee rejected an article of impeachment based on tax fraud against President Nixon, but it is equally clear that the overwhelming majority of members of the committee who expressed an opinion on that subject said that they were voting against that article because there was insufficient evidence to support tax fraud.

Mr. Speaker, I would like to quote what the subsequent chairman of the Committee on the Judiciary, Mr. Brooks, a Democrat, said in that context. He said that no man in America can be above the law. It is our duty to establish and enforce laws against statutory crimes and constitutional violations. The President of the United States will subject all Presidents now and in the future to impeachment. No President is exempt under our Constitution and the laws of the United States from accountability for personal misconduct any more than he is for official misdeeds. I think that we on this committee in our effort to fairly evaluate the President’s activities will show the American people that all men are treated equally under the law.

Now that was a view that was adopted by the gentleman from Michigan (Mr. CONyers) also, who supported the tax fraud article, the gentleman from New York (Mr. Rangel) and various other Members on the Democrat side.

Mr. McCOLLUM. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HORN).

(Mr. HORN asked and was given permission to revise and extend his remarks.)

Mr. HORN. Mr. Speaker, censure did not change Andrew Jackson. We have heard a lot about censure during the Jackson administration. When the Supreme Court ruled in favor of the Cherokee Indians, Jackson was heard to say about the sitting Chief Justice, “Well, John Marshall has made his decision, let us see if he can enforce it.” Obviously the Court could not enforce the order. The Court does not have the Federal marshals. So much for censure.

Censure would have about as much effect on the behavior of Presidents as a parent yelling and shouting at a teenager. As we know, shouting does not usually change teenage behavior.

The other point that I would make is that we have heard a lot of talk about the repeal of the 1996 election. We have heard a lot of talk in the Shays town meeting about a coup occurring in America. This is utter nonsense. After all, the President of the United States picked his Vice President in 1992 and 1996, and he picked him for issue compatibility, and certainly Vice President Gore would have that, should the Senate vacate the office of President. I would suggest that the “repeat the 1996 election” argument falls.

The President must subject himself to the rule of law that effects all of our citizens. This should be a warning to all presidents, that when you break the law, you could be enforced. The rule of law must be the law of the land. You cannot be above the law. It will be perjury, suborning witnesses, whatever it is—that you might endanger yourself with impeachment.

Let us do the right thing. Let us vote for the articles of impeachment.

Mr. Speaker, I include the following for the RECORD: my weekly column entitled “Two Challenges for Our Country.”

TWO CHALLENGES FOR OUR COUNTRY

This week, our nation has been confronted with two crucial challenges—Saddam Hussein’s attacks on the United States, and the continuing inner power struggles in Iraq. The House of Representatives is preparing to decide whether President Clinton should be impeached. The challenge is the same for the nation: That we have a United States government that can unite in dealing with foreign threats even as complicated domestic matters are understated.

First, I strongly support our armed forces in current operations to reduce Saddam Hussein’s ability to produce weapons of mass destruction. Although I believe we should have ordered him out, I believe that the repeated and repeatedly thwarted United Nations efforts, it is clear that we must deter Iraqi efforts to obtain nuclear, chemical and biological weapons.

On the domestic challenges before us, the American people, and their Representatives in Congress, are confronted with one fundamental issue: Are all Americans, including the President of the United States, equal before the law? My answer to that question is Yes, and so I will be voting for the articles of impeachment.

I have reached this decision after many weeks of reviewing all the evidence. I have also waited for the President to rebut the facts that have arisen. However, the President has steadfastly refused to address these charges.

The impeachment of a President by the House does not mean office. The House judges whether or not there is “clear and convincing evidence” for the Senate to conduct a trial presided over by the Chief Justice. I have included that article.

That was the standard used by Watergate-era Judiciary Committee Chairman Rodino in 1974 and by Chairman Hyde in 1998.

I have paid close attention to the telephone calls, mail, faxes, and e-mail. I have received thousands of communications—most of which come from organized groups outside Congress’s district, the often passionate communications have been closely divided between those who favor and those who oppose impeachment.

Most Americans are powerful evidence that President Clinton deliberately testified falsely under oath in both a federal sexual harassment case and a federal criminal case. No one knows there is substantial evidence that the President attempted to tamper with witnesses and obstruct justice.

What should be done in response to President Clinton’s actions is, and should be, a matter of conscience. Despite news reports to the contrary, on this issue there has been no arm-twisting by either the White House or the Republican leadership. I respect the views of my colleagues who will vote differently, and those of constituents who will disagree with my position.

It would have been easy to vote against impeachment. According to the polls, a majority of the public is against it. Addition have voted against it. In my party a number of times—on such issues as protecting a women’s right to choose, sensible gun control, the patients’ bill of rights, campaign finance reform, and equal rights for gays and lesbians.

In this case, there is simply overwhelming evidence that the President has committed serious crimes such as perjury. I realize that the President is popular. But being popular does not excuse his breaking of the law. Any other person—a teacher, soldier, a businessperson, a newspaper editor—would long ago have lost his or her job for such actions.

The President refuses to take responsibility for his actions. That refusal has brought him, and all of us, to his point. There are some who argue that he should be censured. However, the President has steadfastly refused to admit. Censure would be like shouting at a teenager and thinking that loudness will change his behavior. However, if the Senate should decide on other measures, I believe it should do proper. The role of the House is to ascertain whether there is enough evidence to have the Senate conduct a trial.

(3) “It’s a Coup Overturning the 1996 Election” If the President should actually be removed from office by the Senate, then he would be succeeded by Democratic Vice President Al Gore, not losing Republican candidate Bob Dole. President Clinton picked Gore as his running mate in 1992 and 1996. He picked Gore because he felt that they would agree on public policy. To say that an “overturning of the electoral outcome is no more accurate than saying that the forced resignation of Richard Nixon overturned the 1972 election. When President Nixon refused to resign, his own hands, he was impeached by the House, and Gerald Ford, succeeded to the office.

(4) “It’s Just Sex” What we should not forget is that President Clinton is accused, not of having an affair, but of lying in a sexual context, and those of him for crimes that he refuses to admit. Censure would be like shouting at a teenager and thinking that loudness will change his behavior. However, the Senate should decide on other measures, I believe it should conduct a trial.

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Mr. CONYERS also, who supported the impeachment of President Clinton by the House, said in that conclusion, “The evidence shows that President Clinton has committed perjury in a federal grand jury proceeding. They know there is substantial evidence that the President at all times and in all respects, in the matters of his official duties, was dishonest and untruthful under oath.”

The role of the House is to ascertain whether there is enough evidence to have the Senate conduct a trial.

First, the Constitution does not provide for impeachment without a Senate trial. The role of the House is to ascertain whether there is enough evidence to have the Senate conduct a trial.
permitted to lie, will every other defendant in a sexual harassment lawsuit be permitted to lie?

If we fail to hold the President accountable, we inevitably confront these questions: (1) Do we believe that the President is above the law? (2) Do we believe that such actions are acceptable and deserving of no more than a memorandum and no further reprimands or restriction? (3) Do we believe that the President should be held to a lower standard than anyone else in our society?

Our nation will survive this crisis, regardless of the ultimate fate of President Clinton. I am far more worried about our future if, as a society, we give the wrong answers to the above questions.

By his action, the President has answered Yes to all of these questions. By my vote, I will be answering each of them No.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY), a ranking Member of the House.

Mr. OBEY. Mr. Speaker, I honestly believe this is the worst day for this institution in this century, and history will see it as such. The tool of impeachment was inserted in the Constitution to protect the country from irreparable harm and to punish the President. Under our system, the proper institution to punish the President if he violated the law is the court system, a legal institution, not the Congress, a political institution.

The House Republican leadership has said that this is a vote of conscience. It is denying the right to cast that vote of conscience to those of us who believe that the proper course is to censure, not impeach. That decision dooms this House to go down in history as tragically lacking in both perspective and fairness.

To those who say censure has no bite, my response is this: I come from the State of Joe McCarthy. Tell him censure has no bite if it destroyed him.

Whether the President has committed perjury or not is a legal, technical question that can be decided by a jury and a judge and our court system at the proper time.

There is no question that the President has misled the country and the Congress. That is unacceptable. But, in my view, it does not rise to the level of an impeachable offense, because the lies essentially grew out of sex, not public action. It destroyed him. It destroyed him.

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being of the wealthiest 5 percent of our people and everyone else in the modern history of the country. If we as a people are concerned with moral outcomes, should we not be just as concerned about how the nation deals with poor people and sick people as we are about how we deal with each other on matters of sexual intimacy?

The political elite has largely debased what passes for political dialogue on many crucial issues. It has allowed its reliance upon the community of pollsters and consultants to produce lowest common denominator discourse in which winning and holding power drive out any consideration of the need to educate and enlighten the public on almost every front. We should ask ourselves: Are there no lengths to which we will not go to seize or hold power? Is there no amount of pain we will not inflict on each other for political gain?

More and more, individuals are entering Congress and other political institutions who see issues not as problems to be confronted, but concerns to be manipulated and toyed with around the margins in order to seize and hold power. So many debates are split along party lines and driven by ideological enforcers (the modern day American counterparts of Michael Suslov, the old guardian of the purity of Soviet Orthodoxy) that when bipartisanship does occur, we are almost startled by its appearance.

And the focus and limits of much of that debate are set by political elites in both parties who rub shoulders with the financial and economic elites of the nation far more often than they do with every day working people.

The press itself, with all too few lonely and valiant exceptions, has fallen into the same bad habits it legitimately criticizes in the politicians it covers. The press too (especially the electronic media) drawn by the realities of the marketplace, has often become little more than the public affairs entertainment division of profit making corporations who will do almost anything to preserve market share instead of responding to the public’s need to understand the substance of issues before the country.

The press, driven by market surveys and polls, produces story after story that portrays the substance of issues before the country. The press too (especially the commercial and ideological preferences in religious beliefs) that when bipartisanship does occur, we are almost startled by its appearance. And the focus and limits of much of that debate are set by political elites in both parties who rub shoulders with the financial and economic elites of the nation far more often than they do with every day working people.

For every question I get from a reporter about the substance of an issue, I get five from other reporters about the politics of that same issue—reflecting both a laziness and a shallowness that the country cannot afford. And worst of all, some reporters cannot resist using any device to win a point, no matter how much damage they do to the country and in- nocent people in the process. One can hardly look no further than the incident last Sunday in which a report from a Sunday talk show, during his interview with the President’s lawyer, David Kendall, snidely asked Mr. Kendall what Mr. Kendall’s wife’s definition of sex was.

Even religious institutions have allowed themselves to fall the Nation in too many instances and have allowed politicians to manipulate religious concerns, more to find political advantage than to find spiritual answers. Debates and discussions about the nature of humankind, our origins, our purpose, and our relationship with our creator are essentially conversations about the unknowable—at least in this life.

And yet the certitude with which some political and religious figures attack those who have legitimate differences of belief are dishonest and are border on the sacrilegious. Too many political and religious leaders alike have allowed religion—or the superficial reference to religion—to be used for nonreligious purposes. They wrap political commercial and ideological preferences in religious ribbons and degrade both religion and politics in the process.

The Ten Commandments represent a guide for living and for the treatment of others. God did not give them to us to provide a roadmap for human beings and politicians to destroy the Ten Commandments. They are not a political program or an economic platform. As Mario Cuomo once said, “God is not a celestial party chairman.”

To the best of my knowledge, God has not yet taken a position on capital gains or other tax plans, but you would never know that by listening to some of the self-promoting political manipulators who pass themselves off as the “Clergy of the Tube.”

Politicians have no special qualifications to judge the private lives of other people. In the end, only God can do that. The Nuns at St. James taught me a long time ago that we have enough to do worrying about the stewardship of our own souls to pass judgment on the private lives of others.

Neither do religious leaders have any special competence to judge the specific mechanisms by which elected officials in a democracy accomplish decent public ends. Those of us in public life owe due consideration to their conscience and that is our own sacred public duty under the Constitution.

We—religious and political leaders alike—have allowed debates about religious truths and values to be used all too often as weapons to advance the specific political ends rather than as tools to find moral answers that take decent account of the moral values of others as well as ourselves.

We have all too often allowed the substitution of moralizing for morality and have allowed the search for God to become a journey that develops hatred and contempt rather than love for our fellow seekers. Example: On abortion, perhaps the most agonizing, troubling, and divisive of all moral debates in the public sphere, some have used their own certitude about the will of God or their dedication to abandoning individualism, their desire for tactical advantage, to get in the way of their responsibility to recognize good intentions and honest nuances of conscience. And we, the press, too, have allowed the political manipulation of the legislative process rather than a search for areas of agreement that would reduce the world’s acceptance of abortion at the same time that it recognizes the dignity of individual conscience.

All of these institutional failures are rooted in two shortcomings.

One, simply a lack of knowledge or understanding about how the world and institutional relationships are changing. The other is the triumph of a “me-first” rampant, materialistic individualism that prevents the leaders of almost all of our social, political, commercial, informational, and religious institutions from really focusing on the answer to one simple question: “In addressing whatever decisions confront us, in our willingness to reflect the needs, concerns, and interests of those who are not ‘just like us’ in social or economic standing, cultural outlook, or political or religious beliefs?” We desperately need to address our key institutional shortcomings because institutions are transferrable to any culture, to any nation, to any society to shape its future. Yet we continue to be transfixed on the Starr-Clinton-Lewinsky soap opera.

The nation has been moved to this focus because of two people:

(1) Mr. Starr: On a number of accounts Mr. Starr’s report grossly represents the over-reaching zealotry of a personally upright, but ideologically and politically partisan, individual who, before he was appointed special prosecutor, was already writing a court brief on behalf of Paula Jones and who had indicated that he was planning to join Pepperdine Law School, and institution financed in large part by a person who has contributed millions of dollars to try to bring the President of the United States is a fine, upstanding human being, but a person of his partisan and ideological mind set should never have been appointed to a position that called for, above all, unquestoned fairness balance and judgement.

President Clinton: With this point to this, he has been the most personally talented politician of his generation. He appears to be a person of good heart and courage who wants to do good things for the country. But his career has been both promoted and crippled by a tendency to manipulate language in ways that are technically in conformance with the truth, but often are designed to obscure rather than clarify!

For example: As frustrating as I feel the President’s lack of candor to be in this episode, I am even more unhappy about the lack of candor demonstrated by both the President and congressional leaders in jointly obscuring the real effect of the budget agreement they both sold to the nation last year on our ability to meet our domestic responsibilities in strengthening education, health, environment, housing, and social services. Why does that frustrate me more? Because the lack of candor in the first instance was meant to hide private, personal conduct, but the second was a public event which had direct substantive consequences for American citizens and their families.

After finishing reading Mr. Starr’s submission of opinion and the response of the President’s lawyers some things are clear to me and some things are not. I cannot really reach a final judgement on this depressing matter until I have had an opportunity to evaluate the thousands of pages of backup material which are still to be released. But my first impressions of what I read are these.

First, after four years and the expenditure of over $40 million since Mr. Starr was first appointed to review the facts surrounding the Whitewater land deal in Arkansas in the 1970s, we still have no finding of illegal conduct by the President in Whitewater, no finding
of illegal conduct by the President in the investigation of the White House travel office which Mr. Starr subsequently undertook, no finding of illegality by the President on the matter relating to the FBI file case. All we have is a document which is largely focused on what actions the President took to hide sexual activities that had not even occurred when Mr. Starr was first appointed Independent Prosecutor.

There's no doubt that some conduct cited in the allegations is indeed troubling. Many other allegations clearly overreach.

Mr. Starr's allegations that the President acted illegally by misleading his own staff about his sexual activity is a real stretch as is his allegation that the President acted illegally by pursuing legitimate questions of Executive Privilege, Mr. Starr's active advocacy of impeachment, going so far as to draw up potential articles of impeachment, is, as the Washington Post has said, an "arrogant" act that claims for Mr. Starr a responsibility that is solely the prerogative of Congress. Mr. Starr's job is to lay out the facts in "Joe Friday style," without ever commenting on occasion pointed out. It is not to reach a conclusion about what actions Congress should take. That is our job.

But, Mr. Starr's overreaching does not obscure the fact that the President appears at this moment to have provided information to the public in the Paula Jones suit and possibly to the grand jury that obscured the truth, even if it did not technically violate it. If that proves to be the case, the question we will then have to answer is: "What is the proper action for Congress to take?"

The actions taken by President Clinton, regrettable though they may be, are far different from the actions President Nixon took in Watergate. The actions in Watergate involved burglaring and wiretapping political opponents, financial payoffs to defendants in criminal cases, and other uses of the levers of governmental power to subvert the very democratic process that underlies the essence of America.

In contrast, the case is largely about actions taken by the President to obscure personal conduct. They are not in the same league as Mr. Nixon's.

That does not necessarily mean that some action by Congress may not be warranted. If it is, based on what we now know, the case of Speaker Gingrich may be instructive.

In the case of the Speaker, the House determined that the proper action for the House to take was to reprimand the Speaker for having misled the House in the ethics investigation of his actions. Because the essence of the charges against the President seem to be similar—that his actions also appear to have been designed to obscure the truth—a congressional reprimand or sanction of some sort, rather than removal from office, may prove to be the most appropriate action. It would be a special case, so if it allowed Congress to end this matter in a much shorter period of time so that the Congress and the Presidency can refocus our attention and our activities from the past private misdeeds of this President to the future public needs of the nation and the people we are supposed to represent.

I do not know how this sad chapter will end, but I do know that this episode and the way it has been handled by the leadership circles of our major institutions demonstrates a desperate need to examine how we can renew those crucial institutions.

In two years the millennium will draw to a close. This nation's institutions are simply not ready to lead in a new one. I would never in three lifetimes call for a new Constitutional convention because this generation of political leadership is highly unlikely to improve on the work of the Founding Fathers; it is much more likely to muck it up. But I do believe that to have a Millennium Conventions convened for the purpose of examining ways to reshape, redirect, and refocus almost all of our institutions—economic, corporate, political, communication, religious, and even our international institutions such as the IMF, the U.N., and NATO.

In the political area, we need special attention paid to the presidential nominating process to try to find ways to reduce the importance of candidates' media skills and increase the role of peer review by people who know them best, if both parties are to produce candidates with the qualities necessary to lead the nation.

I do not know how we can change the human heart, but we need to find ways to reshape the major institutions of this society so that there are more incentives to produce a new focus on substance. That is the major task that we each face as individuals on life's journey, and we need more help—and less hindrance—from the institutions that dominate our lives along the way.

Mr. McCOLLM. Mr. Speaker, I yield one minute to the gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. Mr. Speaker, while I sincerely doubt that those who continue to bow down before the holy grail of censure will let the historical record of precedent interfere with their support for this notion of censure, I would direct those Members who still trust historical precedent, I would direct their attention to a communication from President Andrew Jackson that has been censured: he at great length and eloquently set forth in a communication to this body, printed in the official records of this body, "Censure, although it may have a place in certain procedures in the Congress, it has no place if it is used as a substitute for impeachment."

The precedent that applied back in the 1830's, in 1834 when that took place, which was the basis for its later expungement in the very next Congress, are just as relevant today. Censure is used or attempted to be used as a substitute for impeachment.

Mr. McCOLLM. Mr. Speaker, I yield three minutes to the gentleman from Pennsylvania (Mr. GOODLING).

(Mr. GOODLING asked and was given permission to revise and extend his remarks.)

Mr. GOODLING. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I am saddened that I am witnessing something very similar today that I witnessed 25 years ago when I first ran for this office, a Vice President forced out of office and a President forced out of office. But then I am also reminded of the beauty of our system. Nothing happened seriously. The system operated beautifully. Life went on. No crisis. But, again, we are back to something very similar to what happened then.

I began the day by reading an article in a New York newspaper, and I quote: "Two more cops were arrested yesterday on Federal charges of lying when they testified before the FBI." Those were not before a grand jury. They were two highly decorated officers.

Then I turned to the sports page from one of the Washington newspapers, and I read the following: "A former Northwestern football player pleaded not guilty and denied lying to Federal grand juries." The article also said two other players had been charged with lying.

There are more than 100 people in prison today, in Federal prisons, for perjury. Some of those were prosecuted by this administration, and some of those dealt with sex. Our constitutional system of government cannot survive if we allow our judicial system to be undermined, and, again, giving you the three illustrations that I just gave, what are they to think? How are they to be treated differently than anyone else, even if it is the President of the United States?

This vote will be the most monumental I will cast in all 24 years of Congressional service. Our republic has weathered two centuries, a civil war, but we have never had it so basic tenet, the oath of office. The oath of office is that invisible bond which links the people to their elected representatives, and, upon its strength, the virtue of this republic stands.

Similarly, the virtue of our legal system rests upon a simple oath, to tell the truth, the whole truth and nothing but the truth, so help you God.

I believe the President violated this oath, I believe, by violating the oath of office, I think he has violated the oath of office, and we must proceed with these articles of impeachment. The Constitution clearly states the course for this body to follow, it clearly tells us what that course is, and it would be an abdication of our duty not to follow that course.

Our republic and its institutions must be defended, and this House must send the message that no man, not even the President, is above the law. Therefore, it is my duty to defend the rule of law and support the articles of impeachment.

Mr. CONYERS. Mr. Speaker, if I might, the requests on our side are so numerous, we still have over 40. I want to read the names of my colleagues, and, with apologies to some of the Members who have been waiting all morning, I would like to indicate that the requests on our side that will be recognized on this side of the aisle are Ms. Slaughter, Mr. Kildee, Mr. Filner, Mr. McGovern, Mr. Klink, Ms. Kilpatrick, Mr. Hastings, Mrs. Lowey,
Mr. WYNN, Mr. KUCINICH and Ms. PELOSI.

Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. YATES). (Mr. YATES asked and was given permission to extend his remarks, and include extraneous material.)

Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. YATES).

Mr. Speaker, I regret very much that my last vote as a Member of this House should be on a bill like the bill under consideration. It should never have been introduced in committee. It must be voted down by the House. I shall vote against the bill—there is no case for impeachment.

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Mr. Speaker, I regret very much that my last vote as a Member of this House should be on a bill like the bill under consideration. It should never have been introduced in committee. It must be voted down by the House. I shall vote against the bill—there is no case for impeachment.
If lying under oath in our courts and obstruction of justice undermine the rights promised in our laws are hollow. Our laws promise a remedy against sexual harassment, but if we say that lying about sex in court is acceptable and indeed, even expected, then we have made our legal harassment laws nothing more than a false promise, a fraud upon our society, upon our legal system, and upon women.

All that stands between any of us and tyranny is law. The rule of law will help ensure that this rule continue.

With a commitment to the principles of the rule of law which makes this country the beacon of hope throughout the world, I cast my vote in favor of the impeachment of the President of the United States. As a Representative in Congress, I can do no less in fulfilling my responsibility to the Constitution and to all who have preceded me in defending the Constitution from erosions of the rule of law.

Each of the impeachment counts concerns the public conduct of the President, including allegations of lying under oath in grand jury and civil judicial proceedings, obstruction of justice, and abuse of power. The supporting evidence will help us determine whether the President is guilty. The Constitution, the rule of law, and truth should be our only guides.

These allegations of lying under oath, obstruction of justice, and abuse of presidential power are not about private conduct, but instead about public conduct in our courts of law and in exercising presidential responsibilities. Public duties and public power are involved—and therefore the matters are of the greatest public concern when those public duties are violated and those public powers are abused.

Our courts of law and our legal system are the bedrock of our democracy and of our system of individual rights. Lying under oath is an ancient crime of great weight because it shields other offenses, blocking the light of truth in human affairs. It is a dagger in the heart of our legal system, and, indeed, in our democracy. It cannot and should not be tolerated.

We know that a right without a remedy is not a right. If we allow, ignore, or encourage lying and obstruction of justice in our legal system, then the rights promised in our laws are hollow. Our laws promise a remedy against sexual harassment, but if we say that "lying about sex in court" is acceptable for expected, then we have made our sexual harassment laws nothing more than a false promise, a fraud upon our society, upon our legal system, and upon women. Therefore, I must vote in favor of counts one, two and three of impeachment.

The greatest challenge of free peoples is to restrain abuses of governmental power. The power of the American presidency is awesome. When uncontrolled and abused, presidential power is a greater threat to our way of life, to our fundamental freedoms. Clearly improper use of executive power by the President to cover-up and obstruct investigations of his public lying in our courts cannot be tolerated.

In reviewing this grave matter of impeachment, we must seek guidance in first principles. These principles are basic and universal. They are based on the recognition of the social compact under which we as citizens join together in the American Republic. Each of us have given up many individual prerogatives (use of force, private punishment, etc.) in return for promises, the commitments of the social compact. The central promise or commitment of our compact is that our laws will be enforced equally with respect to all, that our civil rights and civil grievances will be fairly adjudicated in our courts, and that the powers we give up to government will be used only for governmental purposes related to the common good.

When these elements of the social compact are violated, the legitimacy of the exercise of governmental powers is brought into question and the underlying compact itself is threatened. Each citizen—each citizen—received the guarantee, received the promise from his or her fellow citizens, that the compact would be honored and that the laws would not be sacrificed on a piecemeal basis for temporary harmony or immediate gain. None of us are free, for any reason of convenience or immediate avoidance of difficult issues, to ignore our promises to our fellow citizens. Our social compact does not permit the breaches of these commitments to our fellow citizens. It would directly deprive those citizens (whatever their voting strength or numbers) of our solemn promise of the rule of law.
All that stands between any of us and tyranny is law— the rule as contemplated in our social compact—backed up by our courts. If we trivialize the role of truth in our judicial system by simply assuming that everyone will lie, then we trivialize the courts themselves, we trivialize the rule of law. In doing so, we trivialize the price we pay for justice— the weak under law, in place of exploitation of the weak under arbitrary private power of the strong. I will not be a party to such demanding of the most fundamental struggles of human— and I will not be a party to the attempt to escape the consequences of his public acts by the President through such trivialization.

The Office of Presidency is due great respect, but the President (whomever may hold the office), is a citizen with the same duty to follow the law as all of our citizens. The world marvels that our President is not above the law, and my votes will help ensure that this rule continues.

Mr. CONGERS. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. HOLDEN).

(Mr. HOLDEN asked and was given permission to revise and extend his remarks.)

Mr. CONGERS. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. KILDEE), a comrade.

Mr. KILDEE. Mr. Speaker, most Members of this House serve their country without ever being called upon to address two of the most awesome questions that could come before this body, and they are the question of war and the question of the impeachment of the President of the United States. During my time in this House, I have been handed both bitter chalices.

However, in our consideration of the Gulf War, this House rose to its very best. Full, fair and thorough debate took place, and no matter how one voted at the final vote, that debate, everyone agreed that it was one of the finest hours of this House.

Today, our deliberations lack that fundamental element of fairness. Most of us believe that the President's behavior and actions are wrong and deserve our disapproval. Unfortunately, we are not allowed to consider and vote on a resolution of censure of the President of the United States. This unfair gag rule deprives us of the right to vote for the solution which the majority of our citizens support.

Someone quoted Tip O'Neill from Breslin's book. I want to remind my colleagues that that was a private conversation. My own view is this House, a private conversation long before Tip O'Neill became Speaker. He became Speaker in 1979, the first vote I cast.

This unfairness in this rule, the unfairness in depriving us of the right to consider the consequences of our actions, is a contrast to the moment of greatness when we debated the Gulf War in 1991. This House deserves better, and the American people deserve better.

Mr. MCCLURE. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. EWING).

(Mr. EWING asked and was given permission to revise and extend his remarks.)

Mr. EWING. Mr. Speaker, I thank the gentleman for these remarks.

Mr. Speaker, I rise with a heavy heart filled with concern for our great nation. Only once before in half a century to last for more than two years. Why are we here today? Because the Republican majority or the Democrat minority willed it? I believe not. Because the majority of the American people desire it? I don't think so. It appears to be the case. For political, partisan advantage? I don't think so.

Mr. Speaker, I rise today in opposition to this resolution—not because the President did not do wrong and should not be punished— he did do wrong and should be punished. But I do not believe this rises to the level of high crimes and misdemeanors our Founding Fathers envisioned. They talked about crimes against the country—that is why they specifically cited bribery and treason. This does not rise to that level.

I believe the President should be punished and should be censured.

Mr. Speaker, I have never made a partisan speech on the floor of the House in my six years in Congress. But today, I cannot believe that the Majority party has not given me the opportunity to vote my conscience by allowing a vote of censure. It is that simple, and it is unfair.

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No other person, party, group, or body can or should accept the responsibility for this day and the four articles of impeachment before us. No one else, especially the Members of this Congress, willed or wished for this ignoble day to dawn on this great land.

The charges against the President are serious and they are substantiated—bribery by lying under oath to a federal grand jury; perjury by lying under oath in the deposition of the Paula Jones civil lawsuit; obstruction of justice through witness tampering, relocating of evidence, and frivolous claims of executive privilege; and abuse and usurpation of power, including the attempt to destroy the reputations of innocent people.

The evidence in support of these charges is clear, overwhelming, and for the most part undisputed. This country, this President, this Congress, willed or wished for this ignoble day to dawn on this great land.

The Oval Office is part of the People's House, which is the symbol of American honor, of America's dedication to what is right, and to justice for our people and all people throughout the world. Our President's conduct in many ways impacts our Nation, impacts the ability to lead at a time when leadership is needed, perhaps as much as ever in our history.

While I recognize that this country and yes, my legislative district in central Illinois is deeply divided on what this is a private affair. Nothing could be further from the truth.

This is not about some seamy sexual encounter in some remote part of this urban city, but it is about our Commander in Chief and his conduct in the Oval Office—conduct that included having sexual relations with a young intern while at the same time, having a conversation with a senior member of Congress about whether or not to send our young men and women into harm's way in Bosnia.

Just take a step back and think about that. What if this was your son or daughter, your husband or wife? If it was, would you still consider this conduct to be private?

The Oval Office is part of the "People's House, which is the symbol of American honor, of America's dedication to what is right, and to justice for our people and all people throughout the world. This is far from a private affair. Our President's conduct in many ways impacts our nation, impacts his ability to lead at a time when such leadership is needed, perhaps as much as ever in history.

I recognize this country and yes, my legislative district in the heartland of Illinois, are deeply divided on what we should do here, no thoughtful person who has visited with me about this grave question really questions the facts surrounding the President's conduct. But the decision is very difficult. How, then do I come to a decision in this matter?

Well, as I look into the eyes of my grandchildren or as I attempt to stand tall in the counsels of my own family with my adult children, I know that I cannot be false to the course. That course allows me to put aside all fear for my political future or that of my party. I must vote for what I believe is right, what is fair, what is appropriate, and what is demanded to address the consequences of the actions of President Clinton. I must vote for impeachment.

Mr. Speaker, I rise with a heavy heart filled with concern for the presidency, with concern for our system of basic justice, and with concern for our great nation. Only once before in our history has this House been called to vote upon articles of impeachment against a President. That vote was some 145 years ago. We can find little guidance from that far away and very different time. Instead, we must rely on the Constitution, our system of justice, and our conscience.

Why are we here today? Because the Republican majority or the Democrat minority willed it? I believe not. Because the majority of the American people desire it? I don't think so. It appears to be the case. For political, partisan advantage? I don't think so.
I am proud to serve my country. I have enormous respect for this institution, and I consider it a high honor and a great privilege to serve in this body. I have tried, to the very best of my abilities, to uphold the great traditions of this Congress and the Constitution of the United States.

Unfortunately, those traditions and that Constitution are under siege today. They are victims of an ill-tempered, unfair and partisan process that does a great disservice not only to the President of the United States, but to the people of this country.
Mr. TALENT. I thank the gentleman for yielding time to me, Mr. Speaker.

Mr. Speaker, every American is deeply disappointed with the President’s behavior. There is no debate about that. But that is not the question before us today. The question is whether or not the President’s misconduct warrants tossing aside two national elections, ignoring the will of the people we represent, andcheapening the Constitution. I believe very strongly that it does not.

I believe the President’s behavior warrants a tough censure, but the leadership of this House, in a deliberate and cynical and partisan maneuver, has refused to allow Members of Congress to even consider a censure resolution. I want to vote my conscience, not the conscience of the political arm twisters and the Republican leadership.

Mr. Speaker, the American people want Congress to act on the real issues that face our country. A Patients’ Bill of Rights, school construction, saving Social Security. Instead, the majority in Congress will continue their partisan drumbeat of scandal, scandal, scandal. They will use the impeachment vote as a weapon to try to force the President to resign. Their goal is not to conduct the business of this country, the goal is not the pursuit of justice; the goal is the elimination of Bill Clinton by any means, and that is wrong.

This destructiveness, this vindictiveness, this blatant partisanship has to end. This entire process, by its inherent unfairness, has brought out the worst in the Members of Congress. It has made the American people feel more cynical and frustrated and powerless.

Throughout our history, this Congress has risen to enormous challenges and acted with integrity. This is not one of those moments. The American people are angry because they know this process has not been fair. Less of their options of the President’s actions, the people expect us to vote responsibly. Vote “no” on these impeachment articles.

Mr. STEARNS asked and was given permission to revise and extend his remarks.

Mr. STEARNS. Mr. Speaker, it is with great sorrow that I take to the floor for the second time for approving these articles of impeachment of the President, sorrow because we have come to this point in our fair and wonderful country where we have to debate these articles.

Mr. Speaker, we are bound together as citizens of this great Nation, and as citizens, we are all answerable to the same laws, including President Clinton. The President is more than America’s chief law enforcement officer. He is also the trustee of the Nation’s conscience.

It is a fact that sworn testimony can literally mean the difference between life and death. Should we betray the rule of law by sweeping the President’s activities under the rug? If the opponents of impeachment wanted to avoid this process, they should have mounted a vigorous, vigorous defense of the President by refuting the facts in the Starr report. The President himself, a former gentleman from Missouri (Mr. GEHRKE) mentioned trust, fairness, forgiveness, and values. But I did not hear him mention the word “truth.” Those against impeachment have not contradicted one word of testimony contained in over 60,000 pages of sworn evidence, not one scintilla.

Those against impeachment should make their case based upon the facts. They have provided us with the constitutional questions outlined in these four articles of impeachment. Are these articles of impeachment perm issible behavior for a chief executive officer? Any military officer, from general to private, would be court-martialed. Any private citizen would risk prosecution. Any church CEO of a Fortune 500 company, high school faculty member, or community leader, would not face censure, they would be fired for similar conduct.

Impeachment does not determine the guilt or innocence of the President. We do not need to be convinced beyond a reasonable doubt in order to move forward. Our duty in the House is to decide if the available evidence indicates that the Senate should consider removing the President from office.

I believe that there is sufficient evidence to approve these articles of impeachment and to send this process to the next step. Through this vote, we shall announce how we stand on the Constitution and the rule of law. Are we the kind of people who pretend a scandal is something that is not clear right when we have an inescapable obligation under the Constitution to do it, we become part of what is wrong. I am not going to vote for these articles because I want to. I am going to vote for these articles because I see no other honorable alternative for me to follow than to support these articles calling for the impeachment of the President.

Mr. McCOLLUM. Mr. Speaker, I yield 2½ minutes to the gentleman from Florida (Mr. STEARNS).

(Ms. KILPATRICK asked and was given permission to revise and extend her remarks.)

Ms. KILPATRICK. Mr. Speaker, on January 3rd, 1997, I stood in this Chamber, this wonderful House of Representatives, and took the oath of office to uphold the Constitution from both foreign and domestic aggression. I am having a hard time to say to the Members as I stand before them, entering my second term, as I did in the Michigan legislature for 18 years of upholding the Constitution.

This act that we are doing today is unconstitutional. The Constitution is very clear. This is not a high crime or misdemeanor. It bothers me that some of my colleagues on the other aisle have said we are using a marketing tool by asking for censure. Most of the American people want the President impeached. Most of the people, nearly 70 percent, do not want him impeached. Why, then, do we, who represent the people of these United States, come before the House with four articles of impeachment? I think it is a travesty.

It is the wrong day. We have troops, young men and women under 25 years of age, risking their lives on foreign soil today for us to uphold justice for all of us. It is the wrong day that we allow the House to use these articles of impeachment.

It is the wrong way. We are not even allowed to vote, to debate the issue of censure. Is this a democracy, or are
The President gave misleading statements, but they were not perjurious.

I only pray that the wisdom of our God prevails upon us during this trying time of judgment. It is my hope that the wisdom of Congress prevails in rejecting these unnecessary and overreaching articles of impeachment against our President, William Jefferson Clinton.

Mr. McCollum, Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. McNinis).

Mr. McNinis. Mr. Speaker, I thank the gentleman from Florida for yielding time to me.

Mr. Speaker, in this country we operate on what is called and our foundation is built upon what is called the rule of law. We all know our history. Our history says that we came to this country to go away from a king. Under the rule of law in this country, we say that the law is the king. The king is not the law.

We have one President. That position of President of the United States demands the highest public trust. Why the highest public trust? Because we have only one President. I have read with interest the Democratic censure, and I quote parts from it: "... that the President violated the trust of the American people, lessened their esteem for the office of the President, and dishonored the office for which they have entrusted him." It goes on, "The President made false statements concerning his reprehensible conduct with a subordinate, and took steps to delay discovery of the truth."
And they say to me, after they draft that kind of document, that that individual now qualifies for the position of the highest public trust? Any of these people there that are going to stand up and vote against this, tell me what they would stand on, what kind of letter or report they would give to a newspaper reporter if it were a local schoolteacher? There is not a schoolteacher in this country that would step into the classroom ever, ever again with this kind of misleading inaccuracy.

Take it from a schoolteacher, or take a police officer. Some Members, show me, give me a demonstration, anywhere in this country. And those are positions of public trust, not positions of the highest public trust.

We owe it to our current generation and to future generations to retain the standards of the Presidency, and those standards rise above an individual. Let us comply and stick with the rule of law. The law is the king, the king is not the law.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 3½ minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, this matter should never have been pursued by Ken Starr, it should never have been pursued by the Committee on the Judiciary, and it should never have reached the floor of the House of Representatives. This matter belongs in family court, not in the court of the United States Senate, with the Chief Justice of the United States presiding.

Yes, the President made a grievous personal error, to the detriment of his family. But no, it is not an offense against the State or our Constitution. We are now on the threshold of overturning the people's choice for President of this generation of Independent Counsel law, a runaway partisan investigation of the most intimate, private activity, having nothing, absolutely nothing to do with a real estate deal in Arkansas. Ken Starr has twisted and warped his task from one in which he was out to find the truth to one where he went out to get the President and First Lady of this country.

Now, Mr. Speaker, we are amending the Constitution of the United States on the issue of Independent Counsel. Mr. Speaker, I yield myself 1 minute, and I yield to the gentleman from Arkansas (Mr. Hutchison).

Mr. HUTCHISON. Mr. Speaker, I want to remind the gentleman from Massachusetts that it was the President's own Democrat Attorney General who appointed this Independent Counsel, believing there was credible evidence that needed to be investigated.

In regard to the high crimes and misdemeanors, the Constitution specifically lists only perjury, bribery and treason. It is possible that the President's willful and wanton violations of perjury and obstruction of justice laws, the truth-telling can resolve most of the factual controversies, and it can introduce the political penalty for altering as the impeachment resolution is forwarded to the Senate.

Mr. CONYERS. Mr. Speaker, I yield 2½ minutes to the gentleman from Pennsylvania (Mr. KLINK).

Mr. KLINK. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I have heard Member after Member get up on the other side and say this is not about sex. Let us make one thing very perfectly clear, the roots of this impeachment action are in fact in a sexual deed. I was reading Andre Maurois the other day, who said the path that leads from moral standards to political activity is strewn with our dead selves. There is a lesson in that for all for all of us.

This impeachment process is a partisan political activity. Do not make a carnival of it, and let us not want to now tell the truth about the President did wrong. His conduct was reprehensible. It was appalling and, most of all, to those of us who have worked with him, it is disappointing. But just as every crime does not justify the death penalty, neither should impeachment, the political equivalent of the death penalty, be the punishment for every presidential misdeed.

The President of the United States had a consensual extramarital sexual relationship and did not want to divulge that to the public or to his political enemies. Is the President guilty of bribery or treason or other high crimes which threaten the future of our Republic? Absolutely, positively not. We know that the President should not be above the law. However, just because he has been elected to the Office of President does not mean he should be below the law either. He should have the same treatment that every other person can have because he should face the same legal consequences any one else does, and the rule of law should judge his actions as it would any other American.
Fairness should be our guiding force when we consider impeaching the President. Unfortunately, fairness has taken a back seat to partisan politics during this very serious one-sided debate. The overwhelming majority of Americans agree that the President deserves to be punished. But the majority of Americans also agree the punishment needs to fit the crime. The President's conduct, however reprehensible, is not an act of treason, bribery or other high crimes. In this, the biggest vote in the history of the nation, we have taken a back seat to partisan politics.

Let me just say, it was once said that the test of courage comes when we are in the minority; that the test of tolerance comes when we are in the majority. And I will say, this Republican Party has failed that test of tolerance. During the last month, comparisons have been made to the Watergate hearings 24 years ago. I see only one similarity between now and during the Watergate. Back then it was a Republican President who used subterfuge and criminal activity to gain power and destroy his opponents so as to who would decide who would be the President. And today it is a Republican Congress who is using their majority and their power to decide who is going to be the President of the United States. This is the moment that the million who have died to protect the sanctity of the ballot box, I would say, may God have mercy on your souls.

Mr. McCOLLUM. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. WHITFIELD).

(Mr. WHITFIELD asked and was given permission to revise and extend his remarks.)

Mr. WHITFIELD. Mr. Speaker, while I am not a member of the Committee on the Judiciary, I amatches the budget on this debate today with the great hope that the advocates for the President would spend considerable time addressing specifically the articles of impeachment. Instead I have heard a lot about the Iraq war. I have heard about medicare, social security, but I have not heard any evidence refuting the articles of impeachment.

Now we are not here today because of the political philosophy of any political party or an obsession to impeach the President. We are here today because of the private sexual activities of anyone. We are here today because the President is charged with breaking criminal laws which for constitutional purposes are high crimes and misdemeanors. One of those crimes is perjury. And by committing perjury, the President harmed the integrity of our judicial branch of government, which is a central component of the government.

Since 1993, when President Clinton took office, the U.S. Department of Justice has prosecuted and convicted over 400 people for perjury. Many of those people are in prison today or under house arrest. We could go through a lot of individual cases. We have a psychiatrist at the Veterans Administration who was convicted of perjury; you probably do not know what she is under a jail sentence right today, and we could go on and on. But our Nation has one legal standard that applies to all of its citizens. We do not have one legal system for the President and a more harsh legal system for everyone else. High office does not allow anyone to be above or beyond the law.

For those reasons, I will vote for three of the four articles of impeachment.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. Mr. Speaker, I thank the distinguished ranking member for yielding me the time.

I would like to say to the gentleman from Kentucky (Mr. WHITFIELD) and to the gentleman from Pennsylvania (Mr. GOODLING), our distinguished colleagues, that perjury is applicable to this President as it is to all people once they leave his office. So that confused argument of what political perjury is and what perjury is in a court of law needs to be distinguished.

Let me also make it very clear for you that if the President is charged with perjury when he leaves office, you do not know anyone in this body can prove that he committed perjury. The gentleman, my distinguished colleague from Arkansas, who has been extremely studious with reference to these matters, indicated that censure was some kind of, and I apologize, some kind of fix he called it. I do not see it that way.

I would like for you to recall that in the very cases regarding judges that were cited to as examples, censure was used and also, as we know, for two presidents. Additionally, the majority whip, the gentleman from Texas (Mr. DELAY), proposed what amounted to censure of the President over campaign finance issues just this past May.

This House can work its will on censure and anything else. I was removed from office after being found not guilty, and here we are talking we cannot be above or beyond the law. I am the only Member who has experienced the burdens of developing a defense strategy and participating in its implementation. I have borne the burdens and I have observed the procedures in Senate impeachment trial proceedings. Professor Terence J. Anderson of the University of Miami School of Law represented me in the proceedings before this House and before the Senate. He has direct knowledge of what the Senate did and did not do. I asked him to prepare a schedule projecting how the proceedings in the Senate would unfold. He has reviewed the projections he prepared and believe that they are conservative. I have appended to these remarks a statement of the "Projected Proceedings Before the United States Senate If the House Votes to Impeach the President." That provides a more detailed schedule of the steps that would be required in this case. I report and discuss the conclusions here.

Under the best case scenario, the proceedings before the Senate are unlikely to be completed before late July and could extend until the end of the year.

The proceedings in the Senate would unfold in three stages—a pleadings, procedures, and...
The proceedings in the Senate on the articles of impeachment that the House exhibited against then United States District Judge Alcee L. Hastings provide most recent comparable precedents to guide the Senate in the proceedings against President William Jef-

### Projected Proceedings Before the U.S. Senate If the House Votes to Impeach the President

#### A. The First Step. The House Managers would exhibit its articles to the Senate and the Senate would issue a summons to the President requiring him to respond within fifteen to thirty days and would ask the Committee on Rules and Administra-

#### B. The Rules Committee. Since the Senate has not conducted proceedings against a President in the past century, the issues would be substantial. At least five steps would have to be taken before the committee could submit its report and recommendations to the Senate.

1. The committee holds hearings on the issues raised

2. The committee deliberates and prepares its report and recommendations and any necessary resolutions

3. Motion to Dismiss. The motion would enable the Senate to consider whether it should dismiss the articles of impeachment alleged in the articles of impeachment by classifying it as “high Crimes and Misdemeanors” under the Constitution.

**Weeks**

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**I. Preliminary Proceedings**

1. The President. It is hard to anticipate the defense strategy the President will adopt, but the House Judiciary Committee's proceedings and recommended articles of impeachment suggest that counsel for the President would file:

   a. Answer and Affirmative Defenses. Counsel for the President will raise at least one and probably two affirmative defenses—(i) the articles fail to allege facts sufficient to state an impeachable offense; and (ii) the misconduct of Independent Counsel Starr and the House's reliance upon the products of that misconduct require that the articles be dismissed.

   b. Motion to Dismiss. The motion would enable the Senate to consider whether it should dismiss the articles of impeachment alleged in the articles of impeachment by classifying it as “high Crimes and Misdemeanors” under the Constitution.
I. Preliminary Proceedings

A. Demand for Bill of Particulars. The majority on House Judiciary Committee appear to shoot themselves in the foot by refusing to specify the precise statements made by the President that they claim were perjurious. If the pending articles are adopted, counsel for the President will demand and the Senate will almost surely order the House managers to provide a bill of particulars. The real effect of the lack of specificity will further delay the case. Moreover, the Senate does not dismiss the article of impeachment. The Senate is likely to ask that the Senate, after the bill of particulars has been filed, strike specific allegations in the article that remains.

B. Discovery Proceedings. The need for discovery would be far greater in this case than it was in the Starr case. It is impossible to project the number of witnesses that the President's counsel would call for his defense with any confidence. The Starr Report was not a balanced presentation of the available evidence. It seems clear that the number would be substantial and would include many of the 120 persons identified in the Starr Report.

C. The President's Motion to Dismiss. The President’s counsel are likely to ask that the Senate, after the bill of particulars has been filed, strike specific allegations in the article that remains.

D. Proceedings Before the Full Senate. The Senate would likely be set aside two days to consider and act upon the report from the Rules Committee and to hear arguments on and decide the pending motions.

II. Trial Preparation

In Hastings, the Rules Committee recommended that the Senate appoint an Impeachment Trial Committee to regulate the preparation for evidentiary hearings and to conduct those hearings. If the House adopts articles here, the evidentiary hearings will be conducted before the full Senate. It is likely that the Senate and the Chief Justice will agree that the trial preparation duties that were performed by the Impeachment Trials Committee should be assigned to the Rules Committee (or to a special impeachment committee appointed for that purpose). Although the counsel for the President would request that trial preparation be deferred until the Senate had ruled on the President’s motion to dismiss, the Rules Committee might determine that necessary preparation should proceed concurrently with other trial matters. However, those duties were exercised, the steps would likely be the same.

A. Discovery. The need for discovery is likely to be greater in this case than it was in Hastings. Here, as it did in Hastings, the House Judiciary Committee relied primarily upon the report and materials transmitted to the House by another branch and upon the testimony of the investigator who prepared the report. Here, as it did in Hastings, the committee did not call and subject to examination and cross-examination the fact-witnesses identified by Starr to establish the President’s guilt. The 120 persons identified in the materials transmitted. It is hard to conceive that the Senate here would not afford the President the time and the use of its subpoena power to take depositions and obtain relevant documents. Based upon Hastings and the materials available here, discovery would proceed in three stages.

1. Submissions by the Parties. If any articles remained after the motions to dismiss or strike had been decided, the Senate or a committee would have to decide whether and what discovery should be permitted.
   a. Counsel for the President would promptly submit a memorandum identifying witness and sources of documents that were likely to produce relevant evidence and explaining why the President should be permitted to subpoena each witness and source to obtain that evidence. At a minimum, it seems almost certain that the counsel would seek to depose (i) lawyers for Paula Jones about their initial conversations with Linda Tripp and with members of the Office of Independent Counsel ("OIC") staff; (ii) the members of the OIC staff and FBI agents who met with or interviewed Linda Tripp and Clinton advisor Linda Tripp and Monica Lewinsky; and (iii) other technical witnesses, such as those reconstructed materials from the hard drive in Ms. Lewinsky’s computer. It also seems certain that they would want access to the documents that the Independent Counsel did not transmit with her referral.
   b. The House managers would be directed to file a response agreeing or objecting to the President’s request.
   c. The Senate or its committee would examine the President’s request and the House’s response and hold hearings and enter the appropriate order directing the issuance of appropriate subpoenas.
   d. Independent Counsel Starr, Ms. Jones’s lawyers, or others subpoenaed might object to some or all of the subpoena, in which event time-consuming enforcement proceedings would be necessary, at least three months.
   e. The depositions would be conducted and the documents produced and examined.

2. Other Trial Preparation Proceedings.
   a. The House managers and counsel for the President would propose stipulations or submit requests for admissions. The Senate or its committee would encourage the parties to stipulate at least to the authenticity and admissibility of various documents and other potential exhibits. Responses would be exchanged and negotiations would proceed.
   b. The Senate or its committee would review the President’s and the House’s evidence and, if necessary, enter a final pretrial order establishing the date for and procedures to be followed at trial.

III. The Trial of a President

Rules XII and XIII of Procedure and Practice in the Senate When Sitting on Impeachment Trials provide that, unless otherwise ordered, the proceedings shall commence at 12:30 p.m. on the first day and at 12:00 noon thereafter. In order to make it possible for the legislative and executive branches to tend to some of the government’s business and to enable the Chief Justice to participate, in the oral arguments before the Supreme Court, it seems likely that the Senate would not schedule the evidentiary proceedings to begin before 12:30 or would permit them to extend beyond 6:30 p.m. on a regular basis.

A. The Presentation of Evidence by the House Managers. The managers presented the testimony of thirty-seven witnesses in Hastings. Only twenty-seven appeared before the Impeachment Trial Committee. The managers were permitted to introduce transcripts of prior testimony for the other ten. The House managers are likely to call most if not all of the 120 witnesses whose statements or testimony are included in the materials transmitted by Independent Counsel Starr. Depending upon the success of pretrial negotiations, it might have to call several more to establish necessary foundations and the like. Forty to fifty would appear to the minimum number necessary to support the allegations the proposed article have borrowed from the Starr Report. No prior testimony will be admitted. The videotaped depositions and the videotaped testimony of witnesses whose statements are included in the materials transmitted by Independent Counsel Starr. The examination and cross-examination of the twenty-seven witnesses the House presented in Hastings consumed more than ten full days. If the President is impeached by this House, the presentation of testimony and other evidence will consume twenty (if forty witnesses called) to forty (120 witnesses) partial days before the full Senate...
Mr. McCOLLUM. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. HANSEN).

(Mr. HANSEN asked and was given permission to revise and extend his remarks.)

Mr. HANSEN. Mr. Speaker, the sole responsibility for our actions today lies with the President. Only his actions, characterized by his own supporters, are wrongful and immoral, maddening and worthy of our condemnation.

President Clinton has violated his Constitutional oath of office to preserve and protect the Constitution by obliterating the proper search for the truth and abusing the power of the presidency. His actions, deliberate and willful, have brought damage to the dignity of the office of the President and corrupted our sacred respect for the rule of law.

The question before us today is whether we, too, will turn away from our long heritage of the rule of law, the love of truth, and instead place our faith in the brutal role of power, theickle winds of appetite and the manipulation of public opinion.

The circumstances of history have characterized the United States in his rightful action and pray for the safety of our troops. If we are willing to ask the ultimate sacrifice in defense of the international rule of law, how can we not act to defend its foundations at home? Our Nation is a strong one and our Constitution is sound. Our peaceful and deliberate defense of the Constitution and its foundation in the rule of law will send a strong and clear message, testifying to the power and resilience of our democracy. Tyrants, dictators and thugs around the world will see the strength of our Nation lies not in one man but in a vast people, united in liberty and justice.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. LOWEY).

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mr. LOWEY. Mr. Speaker, I rise in strong opposition to the resolution. Our Founding Fathers viewed impeachment as a mechanism of last resort to protect the Nation from a President who threatened the Constitution or the American people. Throughout our history, Members of Congress have appreciated the enormous gravity of impeachment and that is why, despite countless disputes, provocations, misdeeds and lies, the House has voted just once in its history to impeach a President.

Indeed the delicate system of constitutional checks and balances established by the founders works only insofar as each branch exercises its prerogatives responsibly. In the case of impeachment, that means applying the most rigorous test to the use of our authority. The Constitution gives this body the ability to undo our only national elections but we must use that authority judiciously and cautiously. To do otherwise imperils the stability of our democracy, replacing the orderly transfer of power with the constant threat of political upheaval.

A great Nation does not overturn two national elections and throw a President out of office because he denied having a consensual affair. Let us instead find a suitable punishment that fits the President’s offense, censure. The President misled his family and his country and deserves the reprimand of the Congress and the enduring judgment of history.

Unfortunately, in their zeal to impeach Bill Clinton, the GOP leadership has refused to allow this House to debate a tough motion of censure, a censure that is overwhelmingly supported by the general public over impeachment.

Unfortunately, there is a determined minority in America and in this Chamber who never accepted the legitimacy of this President. To them this episode is mere pretext to accomplish what they could not during two separate elections. The majority is not here today to give the President his fair day in court. They are here to oust him. And Kenneth Starr was their instrument.

By utilizing the vast prosecutorial powers of the government, Kenneth Starr abused his authority and broke his trust with the American people. His dangerous and misguided inquiry has been unparalleled in our modern life, an impeachment that merely serves to validate his methods and goals.

And make no mistake, my colleagues, not all coups are accompanied by the sound of marching boots and rolling tanks. Some, like today, are masked in a constitutional veneer, softened by pious assertions of solemn obligation and duty. But the result is the same, defiance of the public will and rejection of the regular political process.

Mr. Speaker, what will impeachment mean? A trial in the Senate would only deepen the Nation’s wounds. Imagine the spectacle of the upper Chamber of the world’s greatest democracy, presided over by the highest judge in the land, gathered for weeks and months not to consider important affairs of state, but instead to hear the same tawdry testimony, the same tiresome details, again and again.

I am frankly amazed, Mr. Speaker, that the House stands poised today at the edge of a deep abyss. The American people, in their wisdom, have implored us to leave the slippery road of impeachment and pursue instead the measured course of censure.

Such a prolonged rehashing, illuminated by television lights and augmented by a thousand talking heads, would further alienate a public that has already sent its representatives a clear message to end this disgraceful episode in our nation’s life. It would seriously compromise our capacity to wrestle with serious policy challenges. And it would weaken our international leadership at a perilous moment in world affairs. It would shut our government down for a time when the American people are looking at us to solve the problems that affect their everyday lives.

Let us honor our Constitutional obligations, heed the call of scholars and historians, and above all, keep faith with the men and women we serve.

Mr. McCOLLUM. Mr. Speaker, I yield 30 seconds to the gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. Mr. Speaker, I thank the gentleman for yielding me time.

The other gentleman from Florida (Mr. HASTINGS) brought up an interesting point a moment ago asking rhetorically who has indeed read the material and reviewed the evidence. It is interesting to note, Mr. Speaker, that in the more than three months that the independent counsel’s material, some 60,000 pages, have been over at the Ford Building, I believe, four members of the Democrats on the Committee on the Judiciary that have not spent one minute reviewing that material; and even though arrangements...
December 18, 1998

CONGRESSIONAL RECORD – HOUSE

H11827

have been made through the gentleman from Illinois (Mr. HYDE) to have other Members of both sides of the aisle not serving on the Committee on the Judiciary to review the material so they could answer any questions or look at the material firsthand. I believe there has been some concern among some Members on the Democrat side who has gone over to review the material.

So the answer to the question posed by the gentleman from Florida is, apparently, most Members on the other side were engaged in the evidence and, therefore, have not even reviewed it.

Mr. MCCOLLUM. Mr. Speaker, I yield 3½ minutes to the gentleman from Florida (Mr. CANADY).

(Mr. CANADY of Florida asked and was given permission to revise and extend his remarks.)

Mr. CANADY of Florida. Mr. Speaker, I want to respond to the point made by the gentlewoman from New York (Mrs. LOWEY), my good friend.

This is a process that we are following under the Constitution, and I am very disappointed that there has been a failure of those who are opposing these articles to address the facts in the case before us. Now these facts are inconvenient facts, they are very compelling facts pointing to a pattern of perjury and obstruction of justice by the President of the United States. But all the passionate argument about the independent counsel, all the passionate attacks on the process here in the Congress do not alter the stubborn facts of the case before us.

Now, I would also like to bring to the attention of the Members the report on “Constitutional Grounds for Presidential Impeachment” which was prepared in February 1974 by the staff of the Nixon impeachment inquiry; and I would ask that all the Members consider this key language from that staff report describing the type of conduct which gives rise to impeachment.

The Democratic staff of the Rodino committee wrote, “The emphasis has been on the significant effects of the conduct—undermining the integrity of office, disregard of constitutional duties and oath of office, arrogance of power, abuse of the governmental process, adverse impact on the system of government.”

Perjury and obstruction of justice clearly undermine the integrity of office. Their unavoidable consequence is to erode respect of the office of President. Such offenses are in obvious “disregard of the President’s constitutional duties and oath of office.” Moreover, they are offenses which have a direct and serious adverse impact on the system of government. “Obstruction of government” is by definition as assault on the due administration of justice—which is a core function of our system of government. And as the first Chief Justice of the United States, John Jay, observed, “nothing is more extensively pernicious to Society” than perjury.

The thoughtful report on “The Law of Presidential Impeachment” prepared by the Association of the Bar of the City of New York in January of 1974 also places a great deal of emphasis on the corrosive impact of presidential misconduct on the integrity of office:

It is our conclusion, in summary, that the grounds for impeachment are not limited to or synonymous with crimes. * * * Rather, we believe that acts which undermine the integrity of government are appropriate grounds whether or not they happen to constitute offenses under the general criminal law. In our view, the personal nexus to integrity of government may be found in acts which constitute corruption in, or flagrant abuse of the powers of, official position. It need not be found in acts that are directly affecting governmental processes, but undermine that degree of public confidence in the probity of executive and judicial officers that is essential to the effectiveness of government in a free society. (emphasis added)

The commission of perjury and obstruction of justice by a President are acts which without doubt “undermine that degree of public confidence in the probity of the [President] that is essential to the effectiveness of government in a free society.” Such acts gravely subvert the respect for law which is essential to the well-being of our constitutional system.

The significance of the offenses committed by the President is not diminished by the fact that they do not directly involve the President’s official conduct.

The record is clear that federal officials have been impeached for reasons other than official misconduct. Two recent impeachments of federal judges are compelling examples. In 1989, Judge Walter Nixon was impeached and removed from office for making false statements before a federal grand jury. The conduct of Judge Nixon which occasioned his perjury before the grand jury was not official conduct. In 1986, Judge Harry E. Claiborne was impeached and removed from office for making false statements under penalty of perjury on his tax returns. While he was without doubt outside the scope of his official responsibilities. Should we today, as the opponents of those articles demand, set a lower standard of integrity for the President than we have set for federal judges?

There is nothing in the text, structure, or history of the Constitution which suggests that Presidents are subject to impeachment only for official misconduct. Greater harm to the system of government may in fact be caused by the criminal acts of a President committed outside the scope of his official responsibilities than by certain acts of official conduct.

Despite their argument that the President is immune from impeachment because the underlying conduct which gave rise to his crimes
was a private matter, the President's lawyers have themselves elsewhere claimed:

Any conduct by the individual holding the Office of the President, whether it is characterized as private or official, can have substantial impact on the President's official duties because they are grossly incompatible with his preeminent duty to "take care that the laws be faithfully executed." Regardless of their genesis, perjury and obstruction of justice are acts of public misconduct—acts which cannot be dismissed as understandable or trivial. Perjury and obstruction of justice are not private matters; they are crimes against the system of justice.

Soon after the adoption of the Constitution, Alexander Hamilton wrote that "an inviolable respect for the Constitution and the Laws" is the "most sacred duty and the greatest source of security in a Republic." Hamilton understood that the Constitution itself grows out of a general respect for the law. And he understood the essential connection between respect for law and the maintenance of liberty in a Republic. Without respect for the law, our freedom is at risk. Thus, according to Hamilton, those who "set examples which undermine the integrity of both the office of President and the judicial process. The maintenance in office of such a President is inconsistent with the maintenance of the rule of law."

In light of the historic principles regarding impeachment, the offenses committed by the President demand that this House impeach President Clinton by his persistent and calculated misconduct has set a pernicious example of lawlessness—an example which by its very nature subverts respect for the law. His persistent refusal to respond for the conduct of the high office entrusted to him is more than a violation of the law. Here in this House he is not able to avoid being tried in a court of law.

Mr. WAXMAN. Mr. Speaker, reclaiming my time, over and over again our Republican colleagues have called for the rule of law. Let me suggest that if the President has committed a crime, let him be tried in a court of law. There exists no exceptions of the law. Here in this House he is not getting the rule of law but the rule of politics.

This President has been subjected to an unprecedented and deliberate strategy to use taxpayers' funds more to investigate the President to get him impeached. Millions of dollars have been spent, many reckless charges were investigated, investigated to death, and they were found to have no basis in fact.

A matter of fact, a resolution of impeachment was introduced before anybody had ever heard of President Clinton's affair with Monica Lewinsky. There has been an impeachment in search of an impeachable offense. What has been produced today do not amount to impeachable offenses.

I call for the rule of law and the supremacy of the Constitution.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 1¾ minutes. Mr. HOUGHTON. Mr. Speaker, I think it is important to clear up the record as a result of what the gentleman from Michigan (Mr. CONYERS) had to say about access to executive session materials. Just so that all of the Members are clear, when the House passed House Resolution 525 in September, immediately after the receipt of the independent counsel's report, only members of the Committee on the Judiciary had access to the executive session material. Section 4 of that resolution was effective during the review of the referral from Independent Counsel Starr.

Pursuant to section 1 of H. Res. 525, rules relating to review by the committee would be in the order of the House. Then in October, when we passed our inquiry resolution, that superseded the previous resolution's provisions relative to access to executive session materials.

House Resolution 581, the inquiry resolution passed in October, had standard executive session rules of the House obtained; and that meant that all Members of the House of Representatives had access to those executive session materials.

That has been what the rule is since October 8, and any Member has had the legal right to go over to the Ford Building and examine the executive session materials.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. HOUGHTON).

(Mr. HOUGHTON asked and was given permission to revise and extend his remarks.)

Mr. WYNN. Mr. Speaker, I rise in strong opposition to these articles of impeachment. We are perhaps at one of the lowest points in American politics. We are in the midst of a parliamentary coups. The party in the majority want to remove an elected President. And that is the parliamentary system. That is not the democratic system. They are doing so without legitimacy.

Legitimacy demands bipartisanship. There is no bipartisan on the floor today, simply the will of this majority to drive out this President, a true parliamentary coup. This debate has brought out some of the worst features of man. I have to say it first of all, my obsession. I want to cast the first stone. Second, unfairness.

The Members of this body on both sides would like to vote on a censure resolution. The Republican majority will not allow that. The American people believe censure is an appropriate response. The Republican majority will not allow that. And third, there is a very unseemly obsession with this matter to the exclusion of what used to be called the war effort. It used to be the war behind our young men and women, we focused on what they were doing. This crowd now believes that their partisan agenda is more important.
At the bottom, this is about sex. Now, the Republicans also jump up and say, no, it is about lying. Well, even if you accept the allegations that they are making, it is about lying about sex. That is not an impeachable offense.

If, in fact, they want to make the argument that this is about the rule of law, then the President is not above the rule of law, the President can be prosecuted. Do not believe the President can escape prosecution for these offenses in a court of law.

The President can be prosecuted after he leaves office. The Founding Fathers left to us the question of impeachment, which is not legal; it is a political exercise which we are engaged in today. Unfortunately the Republicans have lost all sense of proportion of judgment. They talk about law, but they do not talk about justice. Justice looks at the situation and fits the sanction to the crime. In this instance we do not have high crimes and misdemeanors, we have low crimes and misdeeds. In truth, we ought to have the sanction option, we ought to look at another way to respond to the situation, but we do not have that opportunity.

Mr. Speaker, this crowd, this Republican leadership is forcing us to remove the President, and that is a tragedy, and that is in fact a low point in American politics.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON asked and was given permission to revise and extend his remarks.

Mr. KINGSTON. Mr. Speaker, first let me clear up a misconception of the previous speaker about the situation internationally. May 18, 1972, when over 15,000 troops were on the ground in Vietnam, the gentleman from Michigan (Mr. CONYERS), the ranking member on the Committee on the Judiciary, introduced House Resolution 989 calling for the impeachment of the President of the United States of America.

Now let me say this. As I have listened to this debate and listened to both parties, there is at least an emerging consensus that lies have been made, laws were broken and that the rule of law was undermined and subverted. If the President knew these things, then the question is a matter of consequences; is this impeachable? Some want censure, but the only constitutional remedy to the House is impeachment. Should the Senate decide, they may be able to censure. They have that option because only the Senate can decide on punishment; the House does not have that option. Our duty is to accuse, not to punish.

But since Democrats and Republicans have decided they were made, is it a high crime or a misdemeanor? Lying under oath on a material matter is perjury, and, under these circumstances, a felony. It has been serious enough that 700 people under the Clinton-Reno Justice Department have been tried and convicted of it; 115 are, in fact, in jail today. What would happen to the court system if this were not the case?

J ustice must be applied to all equally regardless of popularity, party or position. I sadly must support these articles.

After months of debate, a review of the evidence, and careful consideration of the bipartisan hearings, we are prepared to support all four Articles of Impeachment. Not to do so would send a message to every court and every trial in America that truth is relative, even optional. In short, America is a nation of laws and, as such, the law must apply equally to all people, regardless of position, should be able to determine if laws were broken.

Here are the facts with respect to the Articles of Impeachment which were reported out of the House Judiciary Committee on December 16, 1998:

ARTICLE I—GRAND JURY PERJURY

Article I charges that the President told a series of calculated lies under oath, after swearing to tell the truth, before a federal grand jury that was investigating his alleged misconduct.

On August 17, 1998, seven months after being deposed in the Jones vs. Clinton case, the President swore to tell the truth and nothing but the truth in a deposition given in the Jones vs. Clinton case.

The President swore that he did not recall understanding what the facts were when he retracted to Betty Currie a false account of his interactions with Monica Lewinsky.

The facts show this is not true.

The President swore that he did not allow his attorney to refer to an affidavit before the judge in the Jones vs. Clinton case that the President knew to be false. The facts show this is not true.

The President swore that he did not believe Monica Lewinsky’s affidavit was false. The facts show this is not true.

The President swore that he was trying to determine whether his “recollection was right,” and he was “trying to get the facts down” and “understand what the facts were” when he retracted to Betty Currie a false account of his interactions with Monica Lewinsky. The facts show this is not true.

The President swore that he did not give false testimony in his deposition in the Jones vs. Clinton case. The facts show this is not true.

The President swore that he did not have sexual relations with any federal employee. The facts show this is not true.

The President also swore that he had not proposed nor sought to have sexual relations with any federal employees. The facts show this is not true.

The President told a series of calculated lies under oath, after swearing to tell the truth, in a deposition given in the Jones vs. Clinton case, in order to thwart that federal civil judicial proceeding.

On December 23, 1997, the President signed an affidavit in which he swore to tell the truth, the whole truth, and nothing but the truth, in a deposition asked questions in the Jones vs. Clinton case. Such questions are permissible under current law in civil rights lawsuits in order for the court and the parties to ascertain the true facts of a case.

In those answers:

The President swore that he had not had sexual relations with any federal employees. The facts show this is not true.

The President also swore that he had not proposed nor sought to have sexual relations with any federal employees. The facts show this is not true.

The President told a series of calculated lies under oath, after swearing to tell the truth, in a deposition given in the Jones vs. Clinton case. The facts show this is not true.

The President swore that he did not know whether Monica Lewinsky was served a subpoena to testify in the Jones vs. Clinton case when he last saw her in December 1997. The facts show this is not true.

The President swore that the contents of an affidavit executed by Monica Lewinsky in the Jones vs. Clinton case in which she denied they had a sexual relationship, were “absolutely true.” The facts show this is not true.

The President swore that he did not know that his personal friend, Vernon Jordan, had met with Monica Lewinsky, a federal employee and subordinate, and a witness in the Jones vs. Clinton case in which the President was named defendant, and talked about the case. The facts show this is not true.

The President swore that he could not recall being alone with Monica Lewinsky. The facts show this is not true.

The President swore that he could not recall giving gifts to Monica Lewinsky. The facts show this is not true.

The President swore that he could not recall ever being in the Oval Office hallway with Ms. Lewinsky except perhaps when she was delivering pizza. The facts show this is not true.

The President swore that Monica Lewinsky gave him gifts “once or twice.” The facts show this is not true.

The President swore that the last time he spoke to Monica Lewinsky was when she stopped by before Christmas 1997 to see Betty Currie or at a Christmas party. The facts show this is not true.

The President swore that he did not have an extramarital affair or sexual relations with Monica Lewinsky. The facts show this is not true.

ARTICLE III—OBSTRUCTION OF JUSTICE

Article III charges that the President engaged in a pattern of obstruction while the Jones vs. Clinton case was pending, and while a federal criminal investigation into his
alleged misconduct was pending, in order to thwart those proceedings.

The President encouraged Monica Lewinsky to file a sworn affidavit that he knew would be false in the Jones vs. Clinton case.

The President encouraged Monica Lewinsky to lie under oath if called personally to testify in the Jones vs. Clinton case.

The President related to Betty Currie, a potential witness in the Jones vs. Clinton case, a false account of events relevant to testimony she may provide in the Jones case.

The President told lies to White House aides who knew he would likely be called as witnesses before the grand jury investigating his misconduct which these officials repeated to the grand jury, causing the grand jury to receive false information.

The President intensified an effort to provide job assistance to Monica Lewinsky, and succeeded in his efforts, at a time when her truthful testimony in the Jones vs. Clinton case would have been harmful to him.

The President engaged in a plan to conceal evidence that had been subpoenaed in the Jones vs. Clinton case.

The President, at his deposition, allowed his attorney to make a false representation to a federal judge in order to prevent questioning about Monica Lewinsky.

The President swore that he did not have a sexual relationship with Miss Lewinsky.

The President swore that he did not discuss the President's conduct.

The President swore that he did not have a sexual relationship with Miss Lewinsky.

The President swore that he did not have a sexual relationship with Betty Currie.

The President swore that he did not give false testimony in his deposition in the Jones vs. Clinton case when he stated that he did not recall giving gifts to Monica Lewinsky. The facts show this is not true.

The President swore that he did not give false testimony in his deposition in the Jones vs. Clinton case when he responded “once or twice” to the question “has Monica Lewinsky ever given you any gifts?” The facts show this is not true.

The President swore that he did not attempt to influence the testimony of Betty Currie. The facts show this is not true.

The President swore that he did not testify falsely when he said he could not remember being alone with Miss Lewinsky. The San Francisco Chronicle; August 17, 1998.

The President related to Betty Currie, a potential witness in the Jones vs. Clinton case, an affidavit executed by Monica Lewinsky.

The President, at his deposition, allowed his attorney to state inadmissible evidence to the grand jury.

The President encouraged Monica Lewinsky to lie under oath.

The President related to Betty Currie, a potential witness in the Jones vs. Clinton case, false information.

The President related to Betty Currie, a potential witness in the Jones vs. Clinton case, false information.

The President intensified an effort to provide job assistance to Monica Lewinsky.

The President encouraged Monica Lewinsky to lie under oath if called personally to testify in the Jones vs. Clinton case.

The President related to Betty Currie, a potential witness in the Jones vs. Clinton case, false information.

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The President swore that he did not give false testimony in his deposition in the Jones vs. Clinton case when he responded “once or twice” to the question “has Monica Lewinsky ever given you any gifts?” The facts show this is not true.

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The seriousness of perjury is reflected in the Federal Sentencing Guidelines, which classify perjury in the same category as bribery (2J1.3).

Congress has reaffirmed the Supreme Court’s words through the impeachment process. All three of the federal judges who were impeached in the last twenty years (Ciafardone, Nixon, and Stokes) were impeached for some form of lying under oath.

The United States Department of Justice prosecutes perjury occurring in civil cases. There are many cases similar to the one faced by President Ford in 1974. As Commander in Chief of the Armed Forces, he was in charge of punishment and had flexibility in deciding how to punish crimes. Two clear precedents for treatment of President Nixon were set by the Senate’s decision to not impeach the President.

Outside of the legal realm, many argue that impeachment is against the will of the people. However, Members of Congress have to make this decision based on the Constitution and the oath of office, not political polls, party, or politics. The idea of polling, should polls also be conducted on the government’s policy in Bosnia, the Middle East, on the government’s income tax, on the Internal Revenue Service, on school choice? Those who insist that impeachment decisions are selectively oblivious to the “will of the people” on other matters which may or may not be in sink with their own political philosophies.

SHOULD THE HOUSE OF REPRESENTATIVES PROCEED WITH AN IMPEACHMENT VOTE AT THIS PARTICULAR TIME?

Another argument against an impeachment vote is that it will disrupt the nation while troops are being deployed to Iraq. Here is an example of what our nation was going through while President Nixon was in office:

As Henry Kissinger was engaged in negotiating a peace agreement with the North Vietnamese in Paris in May 1972, 3 resolutions (H. RES. 975, 976, & 988) were introduced in the House calling for Nixon’s impeachment based on Indochina military actions taken as part of an effort to strengthen the U.S.’s hand in the negotiations.

On May 18, while there were still over 62,000 troops on the ground in Vietnam, Mr. Conyers (who is now ranking Member on the House Judiciary Committee) introduced H. Res. 989—together with Mr. Dellung, Rangel, and Stokes (also Members of the Judiciary Committee)—a resolution which called for:

Impeaching Richard M. Nixon, for abuse of the office of the President and of his powers as Commander in Chief of the Armed Forces by ordering the mining of all North Vietnamese ports and the massive aerial bombardment without discrimination as to the lives of civilians in Indochina, and for other high crimes and misdemeanors within the meaning of article II, section 4, of the Constitution.

On Oct. 12, 1972, four months after the break in, less than a month before the Presidential election, and while the United States was still bombing Hanoi and 32,000 troops remained in Vietnam, House Banking Chairman Wright Patman attempted to have his committee initiate a Congressional probe of Watergate and announced that the GAO had acceded to a request for a “full scale investigation” of Watergate.

On Jan. 11, 1973, while Henry Kissinger was in the final stages of negotiating the peace agreement that was signed in Paris on Jan. 27 and 21,500 troops remained in Vietnam, the Senate Democratic Caucus unani-
mously approved a resolution calling for an investigation of the Watergate affair. Senate Majority Leader Mike Mansfield led that effort.

Mansfield also released letters he had sent to the Senate committee chairman the previous November calling for committee investigations saying: “The question is not politi-
cal; it is constitutional.”

On February 7, 1973, as the U.S. bombing in Laos was increased to help force a wider peace in Indochina and just one week before the first planeload of American POWs were sent home by North Vietnam, the Senate voted to establish a select Committee to probe Watergate. The Senate acted based on a pre-liminary study and a report was released Feb. 1 by Sen. Kennedy which was the result of an investigation by his Judiciary subcommittee into Watergate. Over 10,000 troops were still in Vietnam at the time.

During the first week of May, 1973, 14 resolu-
tions (2 by Rangel) were introduced in the House calling for the appointment of a special prosecutor to investigate Watergate inves-
tigations by the House. On May 1, the Senate passed a resolution calling for an outside prosecutor and Sen. Ervin began his Watergate hearing on May 17. Archibald Cox was appointed Special prosecutor the next day. The Senate and House also voted in May to prohibit the use of funds to “finance combat activities [bombing] in, over, or from off the shores of Cambodia or Laos by U.S. forces.”

At the time, over 6,000 military and civilian personnel were still on the ground in Vietnam and the U.S. was bombing in Laos to force Hanoi to abide by the Laotian peace agreement and in Cambodia to halt a North Vietnamese-backed assault on the Cambodian government.—[H. Res. 367, 368, 369, 373, 374, 376, 377, 378, 380, 381, 384, 385, 386, 391]

Furthermore, do Washington pundits believe that business will not function during an impeach-
ment trial? Would they have us believe America will quit buying and selling houses and cars? Will farmers stop producing and consumers stop consuming? Those who fear disrupting the country’s business either misunderstand or underestimate the American people. Or, are they saying the Constitution is flawed? When it is interrupted in a manner with which they disagree, then it becomes a Constitutional crisis. If this is in fact the case, then perhaps the President should consider doing what over 200 publications have called on him to do (including The Savannah Morning News, The Brunswick News, The Statesboro Herald, The Atlanta Constitution, The Augusta Chronicle, The Marietta Daily Journal, The Waycross Journal Herald, The USA Today, and The Florida Times Union)—resign. This would allow the capable and ex-
perienced Vice-President to take over as President Ford did in 1974.

CLOSING REMARKS

The House voted on a bipartisan basis to proceed with an impeachment inquiry by the Judiciary Committee. Procedures were modeled after the Democratic-designed Watergate
rules and time was given to all parties for witnesses, thus making this investigation fair and equitable.

Our actions will stand the test of time. They must. This vote is not for today or the next election, but for the next generation. We are a nation of laws, and those laws are the duty of all citizens, or, as it has been asked, should we be a nation that has one law for the ruler and another for the ruled?

This is a sad and serious situation, but to vote ‘no’ would send a message that oaths to tell the truth mean little and a cancer would spread throughout our courts and eventually our nation itself.

Mr. CONYERS. Mr. Speaker, I yield 3½ minutes to the gentlewoman from California (Ms. Pelosi).

Ms. PELOSI. Mr. Speaker, today is a tragic day for our country because, while our young people are fighting in the Persian Gulf and bringing honor to our country, we are bringing dishonor to it with our hypocrisy here in this Chamber. Today the Republican Party is not judging our President with fairness but is impeaching our President.

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Mr. CONYERS. Mr. Speaker, I yield 3½ minutes to the gentlewoman from California (Ms. Pelosi).

Ms. PELOSI. I do not have enough time to yield, Mr. Speaker.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. Deutch).

Mr. DEUTSCH. Mr. Speaker, with all due respect, we have a responsibility to ensure that justice is done. We cannot ignore the facts and we must hold accountable those who break the law.

Mr. CONYERS. The gentleman from Georgia (Mr. GINGRICH) to the highest post of Speaker after he admitted lying to Congress and trying to impeach the President of the United States for lying about his personal affairs. I urge my colleagues to vote no, stop this hypocrisy, stop this hatred and vote no on all four counts.

RESPONSIBILITY IN THE GINGRICH MATTER

We had a bipartisan unanimous vote of our subcommittee and a near unanimous vote on the floor because we build consensus and brought the matter to closure. We have that opportunity today with a motion of censure. Censure is constitutional. "I pray heaven to bestow the best of blessings on this House and on all that shall hereafter inhabit it. May none but honest and wise men ever rule this roof."

Mr. Speaker, it is with great regret that I conclude the current occupant of the White House has utterly failed to live up to this standard. I cast my vote for impeachment to protect the long-term national interest of the United States, to affirm the importance of truth and honesty, and to uphold the rule of law in our Nation.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. Deutch).

Mr. DEUTSCH. Mr. Speaker, the Republican leadership’s irresponsible actions today on impeachment is only met by the irresponsible behavior yesterday questioning the military action in Iraq.

The President’s conduct has been deplorable, indefensible, but his behavior by any objective analysis does not rise to the level of impeachment as defined by our Constitution. So do you want the President do? He misled, he manipulated and he lied to two specific questions under oath. The first question was whether he was ever alone with Ms. Lewinsky.
The leading Supreme Court case on perjury I think really points out the fact that that issue was not perjury. As distasteful as that might be, that is the facts of the law. The leading Supreme Court case talked about someone who testified under oath that he did not have, his company did not have a Swiss bank account. He, in fact, did, but his company did not. He was prosecuted, convicted for perjury. The Supreme Court overturned that case because in fact that was not perjury by being an honest mistake. Is this misleading? No, his answer. That is exactly what the President did.

But even if it were perjury, even if it were perjury, our Constitution talks about subversion of government as issues for impeachment. Can anyone objectively say that the answers to those questions were an attempt to subvert our government? Can anyone say that objectively? Honestly? Obviously not. These misrepresentations were not lies, but absolutely not a subversion of our government.

Clearly this is not an impeachable offense. Clearly again the conspiracy that my Republican colleagues say occurred in terms of the actions in Iraq; the Bush Administration's functions of government. Are they part of the conspiracy that they allege? Are the 30 countries that are part of the UNSCOM U.N. team that did the investigation in terms of chemical and biological weapons are they part of this conspiracy as well? Obviously not.

The irresponsible actions will be checked at the ballot box and by history.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. CANADY) for rebuttal.

Mr. CANADY of Florida. Mr. Speaker, I thank the gentleman for yielding this time to me, and I want to compliment my colleague from Florida for at least making the challenge on the factual case, but I feel compelled to respond to the points he has made about perjury.

I think what we are hearing here are more of the legalisms, more of the legal gymnastics, more of the hair splitting that we should not be hearing in this context, and I would also point out that the President's own lawyer in his presentation to the Committee on the Judiciary admitted that when the President answered the questions in the case he intended to mislead by his answers. That was his intention.

Let me read to my colleagues from a recent decision of the Sixth Circuit Court of Appeals. It says a perjury inquiry which focuses only upon the precision of the question and ignores what the defendant knew about the subject matter of the question at the time it was asked misses the very point of perjury. That is the defendant's intent to testify falsely and thereby mislead his interrogators. Such a limited inquiry would undermine the rule of law as a whole, as truth seeking is the critical component which allows us to determine if the laws are being followed, and it is only through the requirement that a witness testify truthfully that a determination may be made as to whether the laws are being followed.

Mr. Speaker, the gentleman from Michigan (Mr. CONYERS) made reference earlier in the debate to last-minute arm twisting of the undecided, and I feel compelled to comment.

I made a commitment to myself and my colleagues, an unusual one, and that is to come to this debate with my mind still available to persuasion. I am one of the last few holdouts undecided in this debate, and it needs to be said that not once, not once in this entire ordeal, has a single member of my leadership, has a single colleague, has a single member of the Committee on the Judiciary, not only not asked me to vote one way, but never even inquired as to how I would vote.

We have big differences of opinion here, but it does the process an injustice to argue that there has been arm twisting.

I think the Whip has been malign in this process. It has been alleged that he is twisting arms. I spent 3½ hours in the company of the gentleman from Louisiana (Mr. LIVINGSTON), the gentleman from Texas (Mr. ARMY), the gentleman from Texas (Mr. DeLAY) and the entire elected leadership this week, and not once did any of them say a word to me about impeachment.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 2½ minutes to the gentleman from Texas (Mr. DOGGETT), a former member of the Supreme Court of his state.

Mr. DOGGETT. Mr. Speaker, as a former judge and an attorney, I have seen firsthand the corrosive effect on the justice system of lying. Lying under oath is just as wrong when it is committed by your allies as when committed by your adversaries. I agree that no Republican made this President lie, just as no Democrat influenced NEWT Gingrich.

When the House reconvened after the August recess, after the President's testimony to the grand jury and his statement to the Nation, I was the first Member of this House on either side of the aisle to come to this floor and condemn the President's lying and ask that he be promptly punished.

Then, as today, this Republican leadership had a choice: It could either bring us together in a collective condemnation of this conduct, or it could split us apart. Unfortunately, on the President's re-election, I took the latter course, and, in an unsuccessful effort, it tried to exploit this situation to its maximum political advantage. It arrogantly rejected Democratic suggestions for how to conduct this inquiry, and it delayed for weeks getting the inquiry underway.

When it finally convened, this same committee that comes today and tells us this is the right decision of this House, short of declaring war, failed to meet its burden of proof by calling one single witness who had firsthand knowledge of the facts involved. Instead, it relied almost exclusively on a fellow named Ken Starr, who is obsessed with getting the Clinton, no matter what the cost, in either wasted taxpayer dollars or in violated civil liberties and rights of privacy.

So, I find myself today I think like many Americans, disgusted with the whole situation. I find a situation that is so shameful, a situation so shameful that neither Republican Speaker, either Mr. Gingrich or Mr. Livingston, will even preside over this proceeding today.

A new year that begins in this country with all three branches of our government embroiled in the first Senate trial in 130 years will not be a prosperous and productive new year for our people. The poison of division that infects this House today spreads throughout the American population. It is a poison that invades our body politic and thwarts our ability to come together as a Nation to resolve our problems.

Do not rip our Nation asunder. Bring us together. Punish the President with a punishment that fits the offense. Do not punish the American people by prolonging this dreadful episode. Censure and move on.

Mr. SENSENBRENNER. Mr. Speaker, I yield 10 seconds to the gentleman from Tennessee (Mr. BRYANT).

Mr. BRYANT. Mr. Speaker, with over 60,000 documents, in the presentation of the White House lawyer, Mr. Ruff, he makes no challenge to the testimony of Betty Currie, Monica Lewinsky or anyone else in the factual situation that we have had before us.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. Lewis).

Mr. LEWIS of California. Mr. Speaker, it is with a heavy heart that I rise in support of the articles of impeachment before the House today.

Tomorrow, the House of Representatives will make one of the most solemn decisions it can make—whether to indict, or impeach, the President of the United States.

The historical significance of this week's action does not escape me. This is only the second time in our nation's history that Congress has voted on an impeachment inquiry. As we approach the votes that will occur later this week, I feel a burden of responsibility as never before during my years in public affairs.

Like most people in public service, President Clinton serves as a mentor to young people who come to the nation's capital with idealism and hope that they might learn the functions of government and participate in the legislative process. It is quite clear that the
President grossly violated his responsibility as a mentor to a young woman working in the White House. As a parent, I find his behavior immoral and highly offensive. It shows a fundamental lack of judgment and a total disregard for human decency.

Truth is the cornerstone of our legal system; it must be upheld if our legal system is to endure. Lacking truth, our legal system means nothing. No man, not even the President, is above the truth or above the law. From the very beginning, I have wanted to give the President every benefit of the doubt. I have wanted to believe that he was telling the truth. But it is now clear that he repeatedly lied to the American people, to the Congress, to his staff, and to his own wife and family. The time this investigation has taken, and the toll it has taken on the President, is a direct result of the President’s efforts to deny and evade the truth. He could have—and should have—told the truth from the very beginning but instead he chose to lie.

Anyone who has served in a court proceeding knows the significance of raising one’s hand and taking an oath to tell the truth, the whole truth, and nothing but the truth. A violation of that oath is perjury. It is now evident that the President has lied—repeatedly lied—while under oath. The first lie begot the second and the third lie which became a pattern intended to obscure the truth. He has also clearly violated the oath of office he took upon becoming President.

To maintain the fundamental integrity of our system of government, the President, like every other citizen, must be held accountable for his actions. His actions, detailed by the Judiciary Committee, provide sufficient evidence of obstruction of justice and represent an abuse of power. For this reason, I will vote to impeach this President, as do each of the four articles of impeachment when this matter comes before the full House.

President Clinton is an American President who has every political gift and who at one time had every opportunity to be one of the truly great presidents. Like most presidents, he could rightly take credit for the many good things that have occurred under his watch—a robust economy, relative peace at home and abroad, and so much more. Unfortunately, he will not be remembered for these things but for his inability to speak the truth. The verdict of history will cast a shadow upon this once promising presidency. While history remembers that George Washington could not tell a lie, it now appears that history may well remember Bill Clinton for his inability to tell the truth. Imagine the difference telling the truth would have made upon the historical legacy of William Jefferson Clinton.

Mr. SENENBRENNER. Mr. Speaker, I yield 2½ minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. BOEHNER. Mr. Speaker, every Member of Congress takes an oath of office to uphold and defend the Constitution, and today we are challenged to do so for our oath.

No person in this House is without fault or without sin, but the question before us is not whether the President has sinned. The question before us is whether the President has committed illegal acts, including perjury, obstruction of justice and abuse of power.

Under the Constitution that we swore to defend, these are serious crimes, crimes that our constituents would go to prison for, and do we hold the President, the top-ranking law enforcement official in our country, to a lower standard?

John Locke once wrote, “Where the law ends, tyranny begins.” Mr. Speaker, if we believe in our Constitution, then the law does not stop at 1600 Pennsylvania Avenue.

In our constitutional democracy, no one, not even the President, is above the law. The burden of proof of impeachment when we ran for this office, but every one of us raised our right hand and swore to support and defend the Constitution of the United States. Who are we to ignore that obligation by turning a blind eye to crimes by the leader of our government?

I have no choice but to honor my oath of office. I have no choice but to impeach this President and send this matter to the Senate, as my oath of office requires.

Mr. CONYERS. Mr. Speaker, I yield two minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND asked and was given permission to revise and extend his remarks.

Mr. KIND. Mr. Speaker, I rise in strong opposition to these articles of impeachment. As a former prosecutor and special prosecutor, if the rule of law and this process of impeachment is going to have any credibility, it has to be applied fairly and consistently. But I am afraid the double standard against the President today is anything but fair, anything but consistent.

In 1974, the House Committee on the Judiciary, when Congress was considering the Articles of Impeachment, Impeachment is a constitutional provision that has seldom been used and for good reason, impeaching the President is the atomic bomb of American politics. Besides paralyzing our government during an impeachment trial, the process causes, by its very nature, great acrimony and division throughout the country and within Congress. Ultimately, the end result could mean over-turning a national election and the will of the people.

I am convinced, after a thorough review of history and analysis of our founding fathers’ intent, that impeachment was never meant to be easily or frequently used. That is why our founders established a very high standard of misconduct and placed the judgement of that misconduct in the forum of representative democracy, the United States Congress, rather than in the political vacuum of the Supreme Court.

STANDARD OF IMPEACHMENT

It is evident that our Founding Fathers intended impeachment to be a limited, last resort remedy reserved for misconduct that affects the structure of our government and our democratic process or for misconduct so egregious that society needs to be protected against the individual. At the outset, some deleges to the Constitutional Convention objected to including the power to impeach in the Constitution. Others were concerned that the process was needed to protect the country against misconduct by the President that would damage our government. The classic example was cited by George Mason who
President Nixon had knowingly committed tax fraud when filing his federal income tax returns for the years 1969 through 1972 (tax return filings under penalty of perjury). All seventeen Republicans were joined by nine Democrats to defeat this article by a vote of 21 to 12. The primary reason for rejection was that the tax fraud involved the President’s private, rather than public, conduct. As a former prosecutor, I know that if the rule of law is to have any credibility it must be applied consistently and fairly. The same is true for the impeachment process. I believe there is a double standard being applied to President Clinton. How can we justify impeaching President Clinton based on alleged perjurious statements about his private life when a Democratically controlled Congress concluded, in a bipartisan fashion, that President Nixon’s perjured tax returns constituted private, as opposed to public, misconduct, and were, therefore, not impeachable? Based on this very high standard of impeachable conduct and the historical precedents, President Clinton’s personal misconduct and his attempt to lie about having a consensual sexual affair do not rise to the level of impeachable offenses.

**FORUM OF DEMOCRACY**

It also do not believe our Founding Fathers meant for this country’s elected representatives to make decisions about American people regarding such an important decision. If the Framers intended an impeachment decision to be immune from public pressure, they would have placed the process in the Supreme Court where unelected, life-tenured justices would read them. Or they could have placed the initiation of impeachment in the House of Representatives. “the People’s House”, so the American people could have a say, through their representatives, on the disposition of their President and consequences for the future of their country.

There are some who say that we should pay little regard to the opinion of the American people on this important matter. I believe they do so at their own peril. Nowhere in the Constitution does it state that members of Congress exist to represent the American people. I submit that it will be extremely difficult to impeach and convict a President unless there is some consensus throughout the country and bipartisan support in Congress to do so. Such a consensus has failed to materialize. In fact, since the beginning of this investigation, public opinion regarding the President has not changed. Opinion polls show by a 2 to 1 margin that the American people oppose impeachment and think the President is performing his duties well. How can I believe the American people have made the distinction between the President’s personal wrongdoing and his conduct in discharging the duties of his office. Unlike Watergate, when a consensus eventually materialized throughout the country and within Congress regarding President Nixon’s public misconduct, most Americans feel that the President’s personal conduct, however disgusting and inexcusable, doesn’t threaten our form of government or the process of our democracy.

Those who defy the public will and vote for impeachment should understand that in their fervor to punish this President they will violate a sacred covenant with the American people: this government is still the people’s government. They will betray a promise that nothing of enormous consequence in the life of our Republic will happen without the consent and approval of the American people. A vote to uphold the confidence of the American people in the democratic process will be a vote to impeach. Such a decision will be remembered as one that appeased some times forgotten founding principle of our democracy that this government should be “of the people, by the people and for the people.”

Without the support of the American public, how can we justify placing the country in a constitutional quagmire over a tortuous definition of sexual relations, one that even the presiding judge in the case thought was confusing?

How can we justify passing articles of impeachment which would require a lengthy trial in the Senate, presided over by the Chief Justice of the Supreme Court, about the sordid details of a consensual affair and whether the President lied about it?

How can we justify calling a young woman to testify before one hundred United States Senators and the Chief Justice about the intimate matters that transpired in a consensual relationship?

When you envision what a trial in the Senate will look like—Monica Lewinsky, Linda Tripp and Lucianna Goldberg all sworn in as witnesses—one has to wonder: What in the world are members of Congress really trying to accomplish?

**CONCLUSION**

The votes we are about to cast will be among the most important votes any of us will ever cast to make certain that in the world are members of Congress really trying to accomplish?

The decisions we make today and throughout this process will set a precedent for future Congresses and future Presidents. We must guard against making impeachment too easy or we could disrupt the important balance of power that exists between the three separate but coequal branches of our government. Just as Watergate has served as a model for our current proceedings, this impeachment proceeding will serve as a model in the future.

One of the fundamental questions that each member of Congress must answer is whether the President’s personal conduct, as deplorable as it was, justifies paralyzing our government for months and potentially damaging our country in the process. There are many issues in which Congress needs to be engaged. Other domestic and international concerns? the Russian economic meltdown to financial crises throughout the globe, how will history record Congress’ performance at this time of great domestic and international challenges?

A failed reading of our decisions should lead to the conclusion that they placed country above personalities, the preservation of the union above personal retribution. Impeachment was never meant to be a form of punishment; it was intended to preserve and protect our country.

There are other means of punishing Bill Clinton the person. One option is a censure resolution from the House and Senate which...
would require the President’s signature to acknowledge the condemnation. Such an alternative form of punishment has bipartisan support. Former President Gerald Ford and, most recently, former Senator Bob Dole have spoken in favor of this resolution. They recognize the terrible cost our country would face if a trial goes forward and effectively shuts down the government. I would even favor imposing a fine to compensate the American people for the costs of the Lewinsky investigation. If there is to be any fairness in this process, the Republic would allow a vote on censure. Many members believe in good conscience that a censure is the appropriate rebuke. To deny a vote on censure would be the height of partisan politics.

Furthermore, the President can still be indicted and prosecuted as a private citizen once he leaves office in two years. The President has already indicated that he will neither pardon himself nor accept a pardon from any future President. As a former prosecutor, I would hope that this remains enough in America of criminal wrongdoing by the President to prove a case beyond a reasonable doubt before an unbiased jury, a prosecutor would have the courage to indict and prosecute him in a court of law, not as a private citizen, but as the President, as so many of my decisions are, based as so many of my decisions are, for the sake of our country rather than for short-term political gain. My decision will be regulated more by the comparative strength of the parties than by the real democratic process. That too is unfortunate and does not reflect the dignity that we owe this debate. It is the President, by breaking his oath to preserve, protect and defend the Constitution of the United States, who has violated the trust bestowed upon him by the American people.

As to those who mistakenly claim that this body is seeking to overturn an election or we are involved in a coup d’etat, let me remind my friends on the other side of the aisle that it is the Democratic Vice President, Al Gore, who would become President if the Senate decides to remove President Clinton because of his crimes and remove him from office.

I ask every Member of the House to consider the question I posed to my colleagues on the Committee on the Judiciary last week: What message are we sending to the youth of America if we abdicate our constitutional duty and condone perjury, obstruction of justice and abuse of power by the President of the United States? I have two children at home, a daughter and a son. With the help of their teachers and their church, my wife and I have tried to teach them about honesty and integrity. We have tried to instill in them a belief that character does indeed matter. We have taught them to obey the law. Sadly, they have seen these principles corrupted by the chief law enforcement officer of this land, the President of the United States. William Jefferson Clinton has disgraced his sacred office, he has cheapened the oath, he has disillusioned an entire generation of young Americans, and he refuses to accept responsibility for his actions.

Abraham Lincoln, perhaps our Nation’s greatest President, once said, “Let us have faith that right makes might, and, in that faith, let us dare to do our duty as we understand it.” Today, we must fulfill our constitutional duty and vote to impeach the President.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from California (Ms. Woolsey), and I would ask her to yield to me.

Ms. WOOLSEY. Mr. Speaker, I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Speaker, I thank the gentleman for yielding.

Could I point out to my friend, the gentleman from Florida (Mr. Canady),
Mr. CONGERS. Mr. Speaker, that is absolutely correct, and it does not contradict what I corrected the gentleman about.

Mr. CANADY of Florida. Mr. Speaker, I thank the gentleman very much.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes and 15 seconds to the gentleman from New York (Mr. LAZIO).

Mr. LAZIO of New York. Mr. Speaker, I think that nearly all that could be said has been. Across party lines we stand shoulder to shoulder with the principles and the values that brought us here.

This should be neither personal nor a partisan decision. Its difficulty lies in the rare, but important, conflict between what is expedient and short term and what resonates as a guiding principle for all time. It is not about the fate of one man, but the value of truth itself, the principle that no man, no matter how rich or how powerful, is above the law. It is about the notion of accountability. It is about the values of duty, honor, trust and sacrifice.

When I was a Suffolk County prosecutor, my entire duty was based on the integrity and the conduct of the courtroom and women who took an oath to tell the truth. In many cases, it was difficult for these people to testify honestly, sometimes even disastrous. But when they were sworn in, they understood that this was different, that here the truth was required; that upon their respect for their oath would ride many things, including justice, our government of laws, equality of one citizen with another, and not the least their own honor.

These were ordinary people, Mr. Speaker. They understood. In many cases, they sacrificed. In many cases, they suffered. But they told the truth. If an anonymous citizen can abide by his oath, what about a President? When a President fails in his duty as an ordinary citizen does not, the failure is catastrophic. Should less be expected of the President than of you or me?

Here, the trustee of the greatest of world powers knows that he will be in a sworn legal proceeding, consults with advisors and lawyers for many months, has full notice, appears voluntarily before a criminal grand jury, and can stop questions at any time, and still cannot convince the government he heads insists upon every day from the people who take an oath: Tell the truth.

With this vote we will help set a standard of acceptable presidential behavior. Will we judge presidential perjury to be acceptable? Is it asking too much of the President that when he takes an oath he tell the truth? With our votes we will send a compelling message one way or the other to the billions of people across this country who are watching their democracy at work. We are going to teach them through our words and through our deeds either to respect or to have contempt for the truth. This will be the timeless legacy of this Congress.

Mr. CONGERS. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. SISISKY). (Mr. SISISKY asked and was given permission to revise and extend his remarks.)

Mr. SISISKY. Mr. Speaker, I am opposed to impeachment, and I am for censure.

Mr. Speaker, I rise today to express my strong opposition to this resolution. I can tell you that this was not an easy decision, in fact, it was one of the most difficult decisions I have ever made.

I believe the President’s conduct was wrong.

Absolutely wrong! However, after having watched the Judiciary Committee hearings carefully, I remain unconvincing that the President’s conduct, however deplorable, rises to the level of impeachable offenses as intended by the Framers of the Constitution.

I have concluded that the President did not commit high crimes and misdemeanors against the integrity of the state. Rather, the President committed low crimes against the integrity of his marriage.

Reprehensible? Yes!

But, not impeachable.

The Constitution dictates that impeachment be used to remove a President only when there is clear and convincing evidence of wrongdoing, and it must be related to large-scale abuses of public office.

It is clear that such a standard has not been met in this case.

Today, we stand at the edge of a dangerous precipice.

The votes we cast today will decide whether we send this great country over the edge, tumbling out of control, threatening our economy as well as the very system of government we hold dear.

I am extremely concerned about the consequences for our country if we vote to impeach the President and the Senate undertakes a long impeachment trial. I believe it will do untold damage to our country.

An impeachment trial will divide this Nation deeply, so much so that we may not be able to heal the divide for a long time after the trial concludes.

However, I am most concerned that a trial will threaten America’s position in the context of international relations and national security. Given the many volatile political situations that exist across the globe, we can ill afford to be distracted by a lengthy and divisive impeachment trial.

While I believe the President should be held accountable for his actions, I believe censure is the appropriate response.

I am saddened that the Republican leadership denied this body the opportunity to vote on censure.

This country was built on the principles of democracy and fairness. I regret that the majority in Congress chooses to ignore those principles and to dismiss the intent of our Nation’s Founding Fathers.

I beseech my colleagues to put aside partisanship and personalities, and to consider the gravity of the actions we take today.
Mr. CONYERS. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. PICKETT).

(Mr. PICKETT asked and was given permission to revise and extend his remarks.)

Mr. PICKETT. Mr. Speaker, I rise in opposition to the articles of impeachment.

Mr. Speaker, it has taken me a while to digest the myriad and voluminous data relevant to the impeachment proceedings involving President Clinton, and even longer to arrive at a decision as to how I feel at ease.

When I started in this process, I wrote constituents: "This (impeachment) is a grave and daunting issue that has the potential to do great harm to our system of government if not prudently and correctly managed. Every aspect of the process must adhere scrupulously to constitutional requirements and meet established principles of fairness, due process and substantial justice. I intend to carefully and conscientiously review and weigh all facts relevant to the charges before arriving at a final decision, and assure you of my commitment to bring the process to a conclusion as expeditiously as possible." I have not deviated from these principles.

Beginning for historical reference with the Federalist Papers, and their antecedents, and continuing through the Nixon proceedings to the events of 1998, I have studiously and meticulously studied the facts and determined what I believe to be the law applicable to an impeachment proceeding under the U.S. Constitution. There are many paths and side roads along the way, both factually and legally, that honest and inquiring minds might follow to different conclusions which for me has made the final decision of whether to support or oppose an impeachment a close call. With the tending alternatives so relatively balanced in my mind, prudence dictated that I err on the side of historically established constitutional principles and support the institutional stability of our Government that is built upon the bedrock of predictable and consistent actions along the way, both factually and legally, that constitutional requirements and meet established principles of fairness, due process and substantial justice.

While my natural inclination to rely upon law and fact to the exclusion of opposership, the failure of the House in its proceedings to follow established principles of fairness, due process and substantial justice has for me removed any doubt and convincingly tipped the scales in favor of opposing impeachment.

For my conscience, for my country, and to support the institutional underpinnings of our constitutional democracy, I will vote against impeachment.

Mr. Speaker, I, yield 30 seconds to the gentleman from Georgia (Mr. BARR) for rebuttal.

Mr. BARR of Georgia. Mr. Speaker, I appreciate the gentleman yielding.
understand those immediate and long-term political consequences. Nevertheless, we must pursue these impeachment proceedings and make our individual decisions as Representatives in order to discharge our constitutional responsibilities.

Mr. Speaker, we ought to feel a particular sympathy for our Democrat colleagues, for their natural instinct almost certainly is to defend a President of their own party. They must, and undoubtedly do, struggle to overcome those instincts in order to conscientiously fulfill their constitutional responsibilities as demanded by our oath of office. However, if the impeachment inquiry has been, and this debate is, extremely partisan, if the partisan lines are very sharply drawn, it is not one side which is to blame. Surely many of our Democrat colleagues by their actions and the votes which they will cast bear at least half of the burden for this uniquely and inappropriate partisan divide. To maintain the trust of the American citizenry and to responsibly discharge our constitutional duties we need to rise above such partisan considerations. Indeed, that is especially true in a matter of this great import and precedent.

Mr. Speaker, in concluding these introductory remarks before directly addressing the articles of impeachment before us, this Member wants his constituents to know that he received absolutely no pressure from party leaders in the House or elsewhere in deciding how to vote on the articles of impeachment before us. Nor did this Member receive inappropriate pressure from any quarter. Rather this Member has been able to conscientiously address the debate on impeachment. Furthermore, this Member has attempted to avail himself of the views of numerous distinguished Americans and especially of the arguments, views, and sentiments of the constituents he represents in Nebraska.

Obviously this has become a very decisive issue in America, made even more so, no doubt, by the strong, conflicting views about the President’s performance and conduct and by the timing of intervening events related both to the impending end to the 105th Congress and to the conflict with Iraq which began less than two days ago. Nevertheless, it is important to say, this Member believes, that polls and the size, changes, and mixture in the tides of public sentiment should have no effect upon whether this Member and the House faithfully discharge their constitutional responsibilities related to impeachment or any other matter.

Mr. Speaker, as for the specific matter before us in these proceedings, much emphasis in the public discussion of the President’s actions and conduct is placed upon the level of misconduct which would justify impeachment. Mr. Speaker, the matter before us is emphatically not just about sex and no person should be confused about that point.

Certainly, the President has appropriately been condemned by perhaps all of my colleagues on both sides of the aisle and by most Americans for his sexual conduct in the White House. He has intentionally deceived the American public. Most would agree that it was reprehensibly exploitative, reckless, and morally and ethically inappropriate; that it discredited the President and the presidency; that it soiled the reputation of the White House which Most America’s revere as a symbol of our nation; and that it damaged abroad the reputation of our country. As totally unacceptable as that conduct is, most Members of Congress and most of the American people, and indeed, our colleagues, find sexual misconduct does not justify impeachment.

Mr. Speaker, of course, what is at issue here today is whether the President’s actions or conduct constitute “high crimes and misdemeanors” which would justify impeachment. The material referred to by Mr. SENSENBRENNER and the investigative proceedings of the House Judiciary Committee made it abundantly clear to most reasonable persons that the President lied under oath to a Federal grand jury. In the words of Impeachment Article I before us, he “willfully provided perjurious, false, and misleading testimony to the grand jury” on several important matters. The President’s perjurious statements thus means that his sexual indiscretions are no mere private manner.

Similarly, it should be clear to most reasonable persons that the President in sworn answers to written questions asked as part of a Federal civil rights actions brought against him, as stated in Impeachment Article II, “willfully provided perjurious, false and misleading testimony in response to questions deemed relevant by a grand jury concerning conduct and proposed conduct with a subordinate employee.” Accordingly, his testimony can be seen as a possibly important factor in denying that citizen, Paula Jones, her legal rights as a citizen.

More importantly, however, for the purposes of both of these articles of impeachment, one must consider that the President is in effect the chief law enforcement official in our nation, charged by his oath of office to take care that the laws be faithfully executed. By his perjurious statements the President, as charged by Impeachment Article I, “impeded the administration of justice” and “acted in a manner subversive of the rule of law and justice, to the manifest injury of the people of the United States.” The same language and relevance is found in the circumstances. No one in this country is more important than the law or above the law, not even, indeed certainly not, the President of the United States. If the President can lie under oath it does, by example, great damage to the very basic element in the foundation of the American justice system. In light of these conclusions of the House Judiciary Committee, my own reasoning and understanding of the facts, and as the elected Representative of my constituents, I believe the President’s perjurious statements do meet the standards of misconduct—of being a “high crime and misdemeanor”—which require a vote to impeach the President under each of these two articles.

Mr. Speaker, a review of the facts and testimony related to the matter of the President’s conduct and actions now before us, in part as provided in the findings for Impeachment Article III, have convinced this Member that in order to conceal the perjurious nature of his sworn statement in a Federal civil rights case, the President, in the words of Impeachment Article III, “violated or attempted to violate constitutional duties by falsely executing the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has prevented, obstructed, and impeded the administration of justice, and has to that end engaged personally, and through his subordinates and agents, in a course of conduct or scheme designed to further that end.” It is the existence of evidence and testimony related to a Federal civil rights action brought against him in a duly instituted judicial proceeding.” By these actions, this Member concludes, that the President, in the words of Article III, “acted in a manner subversive of the rule of law and justice to the manifest injury of the people of the United States,” despite his oath of office to take care that the laws be faithfully executed. Mr. Speaker, for these reasons this Member feels compelled, in voting to discharge our constitutional responsibilities in these impeachment proceedings, to vote in favor of Impeachment Article I, Impeachment Article II, and Impeachment Article III, while concluding that the case for impeachment under Article IV regarding the President’s responses to certain other requests from the House Judiciary Committee is not sufficiently convincing to warrant a vote for Article IV.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may concur to the gentleman from Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, I rise in support of all 4 articles of impeachment.

I will stand by my oath of office to uphold this nation’s laws and vote to impeach President Clinton on the charges of perjury.

The evidence presented in this House has demonstrated that President Clinton knowingly, willfully and repeatedly lied not only to a federal judge and grand jury, but directly to the American people. This act of perjury is a criminal and impeachable offense and directly violates the oath taken by the President to serve the country within the legal boundaries set forth by the Constitution. Just as troublesome is the President’s involvement in influencing other witnesses to provide false testimony in the Paula Jones case and his attempts to refer to these known falsities as the truth, the whole truth and nothing but the truth.

Upon entering the office of President of the United States, William Jefferson Clinton took the following oath: “I do solemnly swear that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States.”

Now, I ask these questions: Do actions such as lying under oath and to the American people, as well as suborning perjury from other witnesses help to faithfully execute the Office of President of the United States? Do these actions represent the best of Mr. Clinton’s abilities to preserve, protect and defend the Constitution of the United States? I believe they do not. I simply do these actions not help the President fulfill his duty and faithfully execute his office, but they directly lead to a failure to uphold this solemn oath and a direct betrayal of the American people.

Title 18 of the U.S. Code designates perjury as the act of anyone who, while under oath, “knowingly makes any false material declaration or makes uses of any other information
from Florida (Mr. GOSS).

Mr. GOSS. Mr. Speaker, we are all public servants here today representing our constituents and doing our duty. My beginning in public service outside the bounds of my immediate hometown began when I was appointed to a vacant county commission seat. The seat was vacant because a good commissioner committed a single act of personal misconduct with a sexual escapade, to protect a married friend. He lost his job, his reputation, his paycheck, his pension, his rights, and his freedom. He went to jail.

The judge noted that those in public service have a higher standard of behavior and that telling the truth is fundamental to public service in our free land. The sentence was considered severe: He would serve time in jail.

I rise today to support the articles of impeachment. Mr. Speaker, sadly, some of our colleagues on the other side are, in the interest of avoiding the issues at hand, seeking to deflect this debate. Let me be clear: the work of this House in fulfilling our constitutional obligation regarding the impeachment inquiry in no way detracts from or diminishes our absolute support for the men and women of our Armed Forces doing their jobs in the Persian Gulf. Those of us whose responsibilities in Congress involve ensuring that the national security arena continue to keep our eyes carefully on the ball of the mission in Iraq.

The truth is that every one of us here today would rather not be debating articles of impeachment against this President. The American people would rather not be faced with this scenario. It is an exceedingly unpleasant set of events. I am most grateful for the significant, extremely thoughtful input I have received from hundreds of southwest Floridians who come down on both sides of this debate.

The fact is that we have taken the time to call and write demonstrates the seriousness with which the country approaches this debate and vote.
Impeaching the President is an awesome responsibility, and one that I do not take lightly. After careful review of the Independent Counsel's Report to Congress, and in accordance with the findings of the Committee on the Judiciary, I will support all four articles of impeachment that are before us. The evidence is overwhelming, the perjury is deliberate, and the abuse of power is clear and convincing.

We owe it to each and every American, especially those who have fought and died for our freedoms, to restore the integrity of Office of the Presidency. If we do not take this action, our democracy will become hollow and the rule of law meaningless.

Some have suggested that we should withhold action until Operation Desert Fox is completed in Iraq for the sake of our men and women in uniform. Our military is doing its job of protecting our Democracy, and therefore we must also do our job to uphold the integrity of the Constitution and the foundation of our Democracy. That means a vote for impeachment.

I cannot articulate the pain and sorrow that this President has subjected the Nation any better then two of my constituents. I have an open letter to the Chair of the Armed Services, Colonel Eric Jowers and an Op Ed piece by high school junior Kimberly Gilley that ran in the Dothan Eagle, and ask that they be included in the RECORD at this point.

The material referred to is as follows:

Dear Mr. President: It's not about sex. If it were about sex, you would be long gone. Just like a doctor, attorney or teacher who had sex with a patient, client or student half his age, you should have violated the ethics of your office and would be long gone. Just like a Sergeant Major of the Army, Gene McKinney, who though found not guilty, was forced to resign amid accusations sexual abuse.

Remember the Air Force General you wouldn't nominate to be Chairman of the Joint Chiefs of Staff because he freely admitted to an affair almost 15 years before, while he and his wife were separated? Unlikely you, he was never accused of having a starry-eyed affair. The only accusation against you to because of the accusations sexual abuse.

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Thank you for your service to our Nation and the world.

Chairman HENRY HYDE and the Judiciary Committee have gathered substantial evidence and presented a strong case for which the President or the Congress must act.

The integrity of the Presidency and our judicial system by not allowing anyone, including the President, to subvert or destroy the rule of law in the greatest country on Earth. I believe that voting for impeachment of the President is the only reasonable course of action for the House to take in the current grave situation in which the President has placed us.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. CHAMBLISS).

(Mr. CHAMBLISS asked and was given permission to revise and extend his remarks.)

Mr. EVERETT. Mr. Speaker, I rise in support of the articles of impeachment.

Mr. Speaker, I intend to vote for the rule of law and against this partisan attack on the Constitution of the United States. In America, the rule of law is above any man and above politics. We don't have kingships in this country, we have public officials. We cannot have one set of laws for our rulers, and another for the ruled. No one, most especially the President, can escape the rule of law.
take a lot of scrubbing to make it clean again.

TO SAVE AMERICA—IMPEACHING CLINTON IS A MUST

On June 13, 1996, William Jefferson Clinton, president of the United States of America, said, “One thing we have to do is to take seriously the moral role in this problem of older men who prey on under-age women. There are consequences to decisions, and one way or the other, people always wind up being accountable.”

A year and a half later, Clinton himself is being held accountable for actions he meant to keep secret so that these “secrets” are why Mr. Clinton should be impeached. Impeachment—the constitution states that high officials may be removed from office on impeachment “for, and conviction of, treason, bribery, and other high crimes and misdemeanors.” High crimes and misdemeanors can mean anything but one thing for sure is that with the charges against Clinton, morally and politically, he is not fit to be the leaders of our country and therefore should be impeached.

Jan. 26, 1998, is a day I’m sure we all will never forget. On that day Clinton had the audacity to wag his finger in our faces and declare, “I did not have sexual relations with that woman, Monica Lewinsky.”

While the president may say that he through “sexual relations” meant having actual intercourse, the Bible and other sources say differently. They state that “sexual relations is when a person knowingly engages in or causes contact with the genitalia, anus, groin, breast, inner thigh or buttocks of any person with the intent of gratify the sexual desire of any person.”

This graphic definition is one that we have always known. A graphic like Clinton surely knew he was lying to everyone that day, for we have been taught that oral sex is sexual relations. What if he found out his own daughter was having oral sex with here boyfriend? As a dad, I’m sure that he would consider it sexual relations. Although he has twisted all his lies away he was telling the truth, we all know that he can never be trust again.

Another reason for impeaching Clinton is that he is apt to be the role model of standing officers are meant to be. What does this tell our children? That it’s okay to lie because the president does.

“...I remember when President Clinton gave that swearing-in and promised to tell the truth,” says Philip Sperry, 10, of Clifton, Va. “Well, he lied to us that time and he lied to us again. Even his own daughter don’t want him to be the role model because he is lying.”

How many children do you think are going around wanting to be the next president? In this time of scandal, I’m sure that the numbers are up. A hero is a horrible example to the younger generation. It is telling children that it’s okay to lie. If we don’t, they will think you can get away with it, also.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. CALLAHAN).

Mr. CALLAHAN asked and was given permission to revise and extend his remarks.

Mr. CALLAHAN. Mr. Speaker, until now I have declined to pass judgment on the president. It is a sad day for me to have to do so. The president’s lies are thinning fast. This time of scandal, I’m sure that the number of people, through searing, brutal partisanship, disallowed the right of each Member, and this Member, to express their own conscience.

Today impeachment and only impeachment counts. It is a day when the voices of the American people are turned away. It is a day when the Framers’ intent for removal of the chief executive of our Nation, treason, bribery, high crimes against the people, is ignored.

I shall vote against the articles of impeachment, because I believe that the case that has been brought against the President has not been proven by the Committee on the Judiciary. I do not believe that the charges rise to the level of the Framers intent.

Mr. Speaker, the flag is the symbol of our Nation, but the Constitution, as Barbara Jordan invoked over and over again in 1974, the Constitution is the soul of our Nation. Today this House is sending a message to the Senate that compels me to vote up or down when there is substantial, justifiable evidence to send a message to the Senate to make a determination of punishment, I would vote the same way I am going to vote on this particular Clinton without for these articles of impeachment.

It is a sad day for me, it is a sad day for the President, it is a sad day for the country. It is a responsibility that we must face, if we indeed feel in our hearts we believe that the committee reports are substantial, that they justify returning a message or sending a message to the Senate. We have absolutely no alternative but to send that message to the Senate so they can sit in judgment of his punishment.

We are not removing the President from office today, we are sending a message to the Senate. Mr. CONYER. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, the gentleman from Georgia (Mr. BARR) announced a moment ago that the perjury trap is a legal impossibility. I refer him to the United States Court of Appeals for the Third Circuit decision, which said in 1991 that a perjury trap is created “...when the government calls a witness to testify for the primary purpose of obtaining testimony from him in order to prosecute him later for that which he did.”

Mr. Speaker, I yield 1 minute and 40 seconds to the gentleman from California (Ms. ESHOO).

Ms. ESHOO asked and was given permission to revise and extend her remarks.

Ms. ESHOO. Mr. Speaker, today, December 18, 1998, is a day of infamy in the House of Representatives. History will record that we, as a House of the people, through searing, brutal partisanship, disallowed the right of each Member, and this Member, to express their own conscience.

Today impeachment and only impeachment counts. It is a day when the voices of the American people are turned away. It is a day when the Framers’ intent for removal of the chief executive of our Nation, treason, bribery, high crimes against the people, is ignored.

I shall vote against the articles of impeachment, because I believe that the case that has been brought against the President has not been proven by the Committee on the Judiciary. I do not believe that the charges rise to the level of the Framers intent.

By his actions, Bill Clinton has brought shame as president. But today this body has set itself in a treacherous course where it is not only weakening the presidency, but diminishing our Constitution.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHood). The Chair notes a disturbance in the gallery, in contravention of the law and rules of the House. The Sergeant at Arms will remove those persons responsible for the disturbance and restore order to the gallery.

Mr. SENSENBRENNER. Mr. Speaker, I yield 30 seconds to the gentleman from Georgia (Mr. BARR) for rebuttal.

Mr. BARR of Georgia. I thank the gentleman for yielding time to me.

Mr. Speaker, I would say to the distinguished ranking member on the Committee on the Judiciary that when President Clinton or any person appears before a grand jury or before a court, they have three, count them, and only three choices: They can tell the truth, they can take the fifth amendment, or they can lie. President Clinton chose the last option, he lied.

It is a legal impossibility for somebody to be forced to lie before a grand jury or in court, and that is the essence of what entrapment is. The President chose voluntarily to tell a lie; to conduct perjurious, misleading, and untruthful statements. He cannot be forced to do that. That is what he did.

Ms. ESHOO. Mr. Speaker, I yield 5 minutes to the gentleman from Utah (Mr. CANNON), a member of the Committee on the Judiciary.
(Mr. CANNON asked and was given permission to revise and extend his remarks.)

Mr. CANNON. Mr. Speaker, I am going to speak to a couple of key points. First, I would like to create the context by sharing with my colleagues two statements, one by Founding Father John Jay and the other by President Kennedy.

John Jay said, "When oaths cease to be sacred, and most valuable rights become insecure."

Four days before his death, President Kennedy visited Florida. There he made the following statement: "In this country I, referring to the presidency, "carry out and execute the laws of the United States. I also have the obligation of implementing the orders of the courts of the United States. I can assure you that whoever is president of the United States will do the same, because if he is, he, the President, would begin to unwind this most extraordinary constitutional system of ours."

The President’s ability to unwind the constitutional system is significant. The President is the only individual charged with ensuring that our laws are faithfully executed. He is one of the few Americans who always is an example for good or ill. If a president can lie before a grand jury during a civil deposition, engage in obstruction of justice, and abuse power, others will follow.

Article III sets forth that the President willfully and deliberately allowed his attorney to make false statements to the grand jury. As the affidavit of Ms. Lewinsky. The President’s defenders, including his attorney, Mr. Ruff, have said he was not paying attention at the time when Mr. Bennett raised the affidavit, but the videotape of the deposition does not show otherwise. He was alert, attentive, and engaged.

The President’s official defense was that he thought Ms. Lewinsky thought her affidavit was true, and he was just affirming her belief. First, the affidavit was not a statement of beliefs. It was a statement of the facts under oath. The President’s response was evasive.

Second, in the affidavit Ms. Lewinsky stated she had not received any benefit from her relationship with the President. The facts are indisputable. There was an intense effort by Mr. Jordan on behalf of the President to get her a job. Third, in the deposition, after reading the affidavit, Mr. Bennett asked the President, "Is that a true and accurate statement, as far as you know it?" The President answered, "That is absolutely true."

We know today that it was absolutely false. President Clinton’s deliberate effort to mislead Judge Wright is a clear obstruction of justice. Others have been prosecuted for less. Under the Constitution, the President is held accountable by the mechanism of impeachment. Impeachment is serious and weighty.

My friends on the other side have repeatedly argued that the President’s offenses do not rise to the level of high crimes and misdemeanors. The essence of their argument is that perjury, obstruction of justice, and the abuse of power are not equivalent to treason or bribery.

That is wrong. Perjury and obstruction of justice are akin to bribery in many ways. Perjury and obstruction go to the corruption of the judicial system. Bribery amounts to the corruption of a bureaucrat. Both prevent citizens from enjoying their rights under the rule of law.

Their treatment by the United States Sentencing Commission, the only thing that helps set forth penalties for Federal crimes, supports the comparison. Under the guidelines, bribery of or by a public official is an offense of base level 10. For a first-time offender, that would translate to 6 to 12 months in a Federal penitentiary.

Under the guidelines, perjury and obstruction are base level 12, two levels beyond that for a first-time offender a sentencing range of 10 to 16 months. Someone convicted of perjury, and remember, there are 100 Americans sentenced every year for perjury, can face up to 10 months more in jail than someone convicted of bribery. Based on the U.S. sentencing guidelines, not only are perjury and obstruction of justice in the same ballpark as bribery, they are treated as more grave.

I appeal to my colleagues. Let us not allow the President to begin unwinding our constitutional system. Let us protect the integrity of the oaths that underpin our judicial system. Let Congress protect our dearest and most valuable rights by impeaching this president, who has demeaned the sacredness of his oaths.

Mr. CONyers. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. Ortiz).

Mr. ORTIZ. Mr. Speaker, I will be pleased to yield 1½ minutes to the gentleman from California (Mr. Conyers).

Mr. CONyers. Mr. Speaker, I yield again.

Mr. ORTIZ. Mr. Speaker, I appeal to my colleagues. Let us not go on record today with the president who has repeatedly lied to the American people, who has demeaned the sacredness of his oaths. Mr. Speaker, I yield.

Mr. CONyers. Mr. Speaker, I am pleased to yield ½ minutes to the gentleman from Illinois (Mr. Evans).

Mr. EVANS. Mr. Speaker, I note the passage in opposition to the articles of impeachment against President Clinton, because I do not believe that such a
grave step is in the best interests of our country.

All of us in public life have to be accountable for our actions, and there is no question that the President's conduct was deplorable. Having reviewed the evidence, however, I do not believe that the case has been made with sufficient clarity that the President's conduct warrants impeachment, trial, and removal from office.

Heavily weighing in my decision are the charges made in greatest detail by the Independent Counsel, Mr. Starr, addressing conduct unrelated to the President's public and official duties. During the impeachment proceedings against President Nixon, my predecessor, Tom Railsback, noted that there was "a serious question as to whether something involving the President's personal tax liability has anything to do with his conduct in the office of the president." Later, the Committee on the Judiciary rejected the article of impeachment against the President on those grounds.

Today a majority of the public continues to approve of President Clinton's ability to perform his duties, and does not wish for him to be impeached by the House and tried by the Senate. I do not believe we should impeach President Clinton based on misconduct not clearly related to the President's official duties.

Let me be clear, a decision by the House not to impeach will not exonerate the President. He will remain subject to indictment and prosecution for his conduct in the court of law when he leaves office.

I believe that the Congress should fashion an appropriate response to his actions, which places the national interest first. I am greatly disappointed that excessive partisanship on the part of the Committee on the Judiciary prevents us from discussing censure.

Mr. CONYERS. Mr. Speaker, I yield 1½ minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, in the name of the American people, who oppose this impeachment as being manifestly unfair, behold the prophetic power of the Biblical injunction: "... Judge not, that ye not be judged." In the name of the American people who oppose this impeachment as being manifestly unfair, behold the prophetic power of the Biblical injunction: "... Judge not, that ye not be judged." In the name of all those people who have suffered a dark night of assault, feel the might of the warning, let he who is without sin cast the first stone.

In the names of Washington, of Jefferson, of Lincoln, and all those who fought to create one Nation indivisible, do not cleave this Nation with a partisan impeachment, for a House of Representatives divided against itself shall not stand. We speak of one Nation under God. In God's name do not tear apart this House and this Nation with a low rent impeachment. There is much misunderstanding about just what impeachment means. It is not a form of censure. Impeachment is not a punishment. It is part of a process for removing a President. It has been reserved for the highest crimes, not low crimes. And I submit that if we vote to impeach President Clinton for his offenses, we have committed an offense more grievous because we have nullified the votes of 97 million Americans. Do not take away the people's voice. Do not nullify the people's choice. Punish the President with censure if you must, but do not punish the American people by canceling their vote.

Some day a generation far into the future will look at this moment and ask why and they will conclude that in impeaching a President, this House chose partisanship under the cover of patriotism and sanctimonious salutations to that all hallowed and selectively perceived rule of law. And that cloak of shame prepared for the President will also cover those carrying the cloak. For at this moment we are troubling our America. We are troubling our common bond. We are troubling our American community. We are troubling our American unit.

The sun will rise, and the year 2000 will soon be here. And those who troubled their own House will have inherited the wind.

The die is cast. The President is about to be impeached. His offenses not high crimes, but low. His conduct, yes, beneath the dignity of the office but also beneath the requirements of what the Founders intended to rise to a standard of impeachment. His shortcomings for all the world to see, we must correctly review our own. The shortcomings of the investigation by the Independent Counsel, the shortcomings of the partisan Judiciary proceedings, the shortcomings of a day where impeachment, which is no alternative, is the only alternative. We have entered Wonderland with Alice and we have seen the Queen proclaim: "... Sentence first—Verdict afterwards." In the name of the American people who oppose this impeachment as being manifestly unfair, behold the prophetic power of the Biblical injunction: "... Judge not, that ye not be judged." In the name of all those people who have suffered a dark night of assault, feel the might of the warning: "... Let he who is without sin cast the first stone." In the names of Washington, of Jefferson, and of Lincoln, and of all who fought to create one nation, indivisible, do not cleave this Nation with a partisan impeachment, for a House of Representatives divided against itself shall not stand. We speak of one nation, under God. In God's name do not tear apart this House and this Nation with a low rent impeachment. There is much misunderstanding about just what impeachment means. It is not a form of censure. Impeachment is not a punishment. It is part of a process for removing a President. It has been reserved for the highest crimes, not low crimes. And I submit that if we vote to impeach President Clinton for his offenses, we have committed an offense more grievous because we have nullified the votes of 97 million Americans. Do not take away the people's voice. Do not nullify the people's choice. Punish the President with censure if you must, but do not punish the American people by canceling their vote.

Mr. CONYERS. Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Speaker, this is a totally prejudged and partisan process that denies the majority of the Members of this House of Representatives and the majority of Americans a vote on a bipartisan compromise, a vote of conscience to censure the President.

When Speaker Dicks, the majority leader, the minority leader, in their collective electoral wisdom that we all submit to, have twice elected President Clinton. The American people support the President's performance of his official duties, and they do not want him removed from office. Three months ago when I first reviewed the Starr report, I looked for evidence of treason, bribery or high crimes and misdemeanors, the only constitutional grounds for impeaching a President. Nothing appears in the Starr report. Instead I found evidence, gathered at great public cost, in dollars $50 million, and in destruction of privacy that Americans cherish, evidence of a consensual sexual relationship of the tawdriest nature which the participants tried to hide for its tawdriess. Weeks of hearings in the Committee on the Judiciary have uncovered nothing more except the partisan clasped-end of the Independent Counsel. The Republican obsession to impeach President Clinton on the flimsiest of constitutional grounds and against the will of
Barbara Jordan, Members will recall, was a Democrat member of the House Judiciary Committee during the impeachment of President Nixon. She made the point that the Constitution gives each House of Congress a specific duty. As the primary accuser, the Senate serves as a judge.

Barbara Jordan understood the difference between the House having the role of filing the indictment and not bringing the evidence to an ultimate conclusion, while in the purpose of a jury trial, which would be held in the Senate.

Congresswoman Jordan said during the Nixon hearing, "It is wrong, I suggest, it is a misreading of the Constitution, for any member here to assert that for a member to vote for an article of impeachment means that the member must be convinced that the President should be removed from office. It is my hope that President Clinton will endure after its present occupants leave. But these offices will only have meaning if the basic rule of law is sustained. This is not personal, it transcends that. In fact, it is impossible to enter the Supreme Court building in Washington, DC, without being struck by four words above the entrance: "Equal Justice Under Law." Those words, more than any other, have guided my decision.

After all, since its founding more than two centuries ago, ours has been a government of laws and not of men—which means, in essence, that unlike most other countries, here in the United States no man or woman is above the law. Not you. Not me. Not this President. Not any President.

This ordeal has gone on long enough. The President has had his say, and his critics have had theirs. Now, the rule of law means the law must rule.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.

Mr. HASTINGS of Washington. Mr. Speaker, I am in favor of the articles of impeachment.

I ran for Congress in order to pass laws—not to pass judgment. But events have transpired over the past year that have put me in a position to decide whether President Clinton lied under oath, obstructed justice and violated the Constitution. There is no question that this is the most difficult decision I will have to make as a Member of Congress.

In my judgment, Bill Clinton has disgraced the Presidency and is no longer fit to hold the highest office in the land. For that reason, I will vote in favor of all four articles of impeachment to be considered today by the House of Representatives.

If impeached, it is my hope that President Clinton would spare the Nation a trial in the Senate by resigning as soon as possible. In the event the vote today is not to remove President Clinton from office, I am hopeful that the Senate would quickly complete his trial and vote to remove him from office.

Like most Americans, I wish the President had not lied under oath and had not urged others to do so—but he did. Unfortunately, he couldn't simply wish that away, and neither can I.

Our system of justice is built on the principles of truth and honesty. That's why charges of lying under oath and obstruction of justice are so serious. They are an assault on the basis of law that cuts to the very core of our system of government.

Some suggest that lying under oath and obstructing justice by the President under certain conditions are different—and even acceptable—than lying under oath and obstructing justice by an ordinary citizen. In my mind, there are not certain conditions that meet this test. Nobody is above the law, including the President of the United States. That goes to the heart of the deciding the rule of law.

That decision should not be one that is judged 25 or 50 days from now. Instead, it should stand the test of time to be favorably judged 25 or 50 years from now because the decision sends a message that either supports or compromises the rule of law.

Let's remind ourselves that we are only here temporarily and the President is only here temporarily. The office of the 4th District Congressman from Washington and the office of the President will endure after its present occupants leave. But these offices will only have meaning if the basic rule of law is sustained. This is not personal, it transcends that.

In fact, it is impossible to enter the Supreme Court building in Washington, DC, without being struck by four words above the entrance: "Equal Justice Under Law." Those words, more than any other, have guided my decision.

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This ordeal has gone on long enough. The President has had his say, and his critics have had theirs. Now, the rule of law means the law must rule.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. CALVERT).

Mr. CALVERT asked and was given permission to revise and extend his remarks.

Mr. CALVERT. Mr. Speaker, I rise in favor of impeachment.

Mr. Speaker, today I will join a majority of my colleagues in the House of Representatives and vote in favor of impeaching the 42nd President of the United States, William Jefferson Clinton. I did not reach this decision lightly.

After reviewing the documents and articles of impeachment put forth by the House Committee on the Judiciary, I reached the unhappy but necessary conclusion that there is enough evidence to warrant forwarding these articles to the Senate. I do so with the best interests of California's 43rd congressional district, and all Americans, foremost in my mind.

We have heard from the other side of the aisle the constant plea for censure as an alteration of the vote today. But, however, that censure is an option for the House. The Framers of the Constitution did not provide for censure as an alternative to impeachment, therefore it would be irresponsible and unconstitutional to bring such a motion to the full House for consideration. The House has already considered a censure motion before, and it would be a horrible precedent to set. It is the responsibility of the United States Senate to decide President Clinton's guilt or innocence and punishment.

The heart of the issue President has twice taken an oath to uphold the Constitution of the United States. He also took an oath before a Federal grand jury to tell the truth, the whole truth, and nothing but the truth. And then he broke both of
these oaths. The President is the nation’s chief law enforcement officer and is subject to the same rules and laws as every American. Without a clear and strong rule of law, the United States would be nothing more than a banana republic. Simply put, the evidence is clear that William Jefferson Clinton committed perjury and obstruction of justice while serving as the President. In the best interest of our nation, the rule of law should be upheld and this President should be impeached, and face trial in the Senate.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON. Mr. Speaker, I had not planned to talk today. I have made my decision and told my constituents. But some of the comments made on the floor have caused me to reconsider my silence.

It appears that some of our Members believe or would have others believe that those of us who will vote to impeach the President are driven by some kind of blind partisanship or are doing it because our arms are being twisted. I am the junior Member of this House. The choice I love is more Democrat than Republican. And not once, not once has any leader of this House even so much as asked me how I will vote.

I read the evidence. I must admit that I was looking for some explanation, a rebuttal of the facts, some justification to spare the country from impeachment. I could not find it. I cannot turn from the truth and the evidence, so I support it.

I have reached my decision with a profound sense of sadness. I am constantly reminded of the symbol of justice in America. Justice holding the scales is not blind because she looks away or because she will not see. Justice is blind so that every citizen, regardless of race or creed or station in life, will be treated equally under the law. And that includes the President of the United States. It is a powerful symbol. And today it is one we must live up to, even when it would be easier to look away.

You may challenge the facts, you may challenge my reasoning, but do not challenge the integrity of my purpose.

Mr. CONYERS. Mr. Speaker, I profoundly apologize to those of my colleagues on this side of the aisle who have been waiting so very long to be recognized. And to the exigency of the evening. We have still a lot of Members, and our time is running shorter. I am going to have to reduce to 1½ minutes many of my colleagues whom I had intended to give a much larger amount of time. I apologize for it.

Mr. Speaker, I yield 1½ minutes to the gentleman from Maryland (Mr. CARDIN).

(Mr. CARDIN asked and was given permission to revise and extend his remarks.)

Mr. CARDIN. Mr. Speaker, by the President’s own admission, his conduct was wrong. He misled his family and our Nation. The President has gravely disappointed and embarrassed our country.

The question presented to Congress is not whether the President’s conduct is impeachable under the Constitution. The question is whether his actions warrant his impeachment and removal from office. Short of a declaration of war, there is no more solemn responsibility for a Congressman in acting on the possible impeachment of the President.

I was never so proud to be a Member of this House during our debate of our participation in Operation Desert Storm. That debate helped bring our Nation together. Regardless of what side one was on that issue, the debate consolidated our country, and everyone felt good with the results.

Unfortunately, the process used in the House impeachment inquiry has brought about just the opposite result in our Nation. However, each of us was bound by what the Constitution dictates as far as impeachment. Our decision will not only affect this President but will affect the future of our presidency.

The Constitution and the historical record indicates that the words in the Constitution were clear to our framers of the Constitution, that they apply only to fundamental offenses against the system of government. President Clinton’s misleading statements have nothing to do with the official duties of his office. They were designed to conceal an embarrassing, highly inappropriate personal relationship. As such, they do not rise to the level of an impeachable offense.

I urge my colleagues to reject each of the four articles of impeachment. Mr. Speaker, by the President’s own admission his conduct in the Lewinsky matter was wrong; he misled his family and our nation. The President has gravely disappointed and embarrassed our country. He misled his family and our nation.

In order to vote for an Article of Impeachment, I must be convinced first that the record establishes the offenses alleged, and second, that the offense rises to the standard prescribed for impeachment under the Constitution. Having reviewed much of the material included in the Starr referral and having read much of the testimony of witnesses before the Judiciary Committee, I have reached the following conclusions:

Of the four articles of impeachment, one alleges obstruction of justice. The record of evidence presented by the Independent Counsel—which the Judiciary Committee failed to examine through testimony of material witnesses—in my opinion does not support this article. The charge of obstruction of justice rests on an interpretation of events, surmises and speculations that the evidence does not support.

The three remaining articles allege that the President committed perjury in his testimony in the Lewinsky deposition, an act as a grand jury, and to the Judiciary Committee. In my opinion these articles raise more serious questions. As the President has conceded, it is without question that his responses to questions in the deposition were misleading and incomplete. He did not offer direct and clear answers to the questions.

But proof of perjury requires more than misleading, incomplete, or evasive statements. During the Judiciary Committee’s hearings, numerous expert witnesses, including legal scholars and former prosecutors, testified on the issue. There was no disagreement in their testimony that the record compiled in this case would not, in the hands of a responsible prosecutor, justify a perjury charge.

Even if we set aside that judgment, however, and assume that the President in fact lied on oath, we must answer a second question. Do the false and misleading statements in question rise to the level of an impeachable offense under the Constitution?

Article II, Section 4 of the Constitution provides that “the President shall not be impeached for, and convicted of, Treason, Bribery, or other high crimes and misdemeanors.” The historical record of these words.
The Constitution clearly states what constitutes an impeachable offense, and we must not here attempt to substitute our personal views. We are establishing a dangerous precedent when we move to lower the standards below treason, bribery or other high crimes and misdemeanors. The President should follow the Constitution, not use it as a tool for public execution, but we should use it to extol the high virtues and the greatness of this Nation.

Much is said about the rule of law and that the President is not above the law. The rule of law, however, must be based on justice, if it is to survive. The Constitution, not use it as a tool for public execution, but we should use it to extol the high virtues and the greatness of this Nation.

Justice is a higher authority. The process of impeachment that we are now undertaking is permitted by law, but each of us must ask the question, what does justice require of us? The law says we indeed can impeach the President. Justice says we must consider the greatness of this country. And what he has done does not move to an impeachable offense. We are breaking the law. We are violating our oath when we do not consider the Constitution.

Mr. Speaker, today is a very sad day for this House and this Country. I rise in opposition to these Articles of Impeachment.

What we say will soon be forgotten. But what we do will be remembered throughout history.

We are considering Articles of Impeachment of the President of the United States based upon standards of our personal preference, selective interpretation of law and partisan politics. Yet, we use the Constitution and the Rule of Law for our reckless actions.

The Constitution clearly states what constitutes an "impeachable offense." And, we must not here attempt to substitute our personal views.

We are establishing a dangerous precedent when we move to lower the standards below treason, bribery or other high crimes and misdemeanors. We should follow the Constitution and not use it for a public execution, but use it as an instrument to extol the greatness of our nation. Much is said about the Rule of Law and that the President is not above the Law. The Rule of Law, however, must be based on Justice if it is to survive.

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Justice is a higher authority. The process of impeachment that we are now undertaking is permitted by law.

But, what does justice require of us? At one time in this Nation, women could not vote, blacks could be enslaved and young people could fight and die in wars, but we could not elect those who sent them to war. That was the law.

But what does justice require of us? At one time in this Nation, women could not vote, blacks could be enslaved and young people could fight and die in wars, but we could not elect those who sent them to war. That was the law.

But, the question to us is simply this—Does what the President has done rise to the level of treason or bribery? Should we remove a President from office because he was not faithful to his wife, lied about it and was admittedly not truthful to his Country.

His acts are reprehensible and should be sanctioned.

Mr. Speaker, this Congress has the power to impeach our President, and the majority has the votes to do it.

That is the law. But, what does justice require of us? The oath each of us has taken requires us to put the interest of the Nation above our partisan politics. History will record what we do here today, and history will judge us harshly.

Mr. CONYERS. Mr. Speaker, I yield 15 minutes to the gentleman from California (Mr. FARR).

(Mr. FARR of California asked and was given permission to revise and extend his remarks.)

Mr. FARR of California. Mr. Speaker, today is the wrong way and this is the wrong way. When our side asked this morning why are we doing this today, the Republican leadership responded, because we want to demonstrate democracy at work. Democracy at work? I served this country in the United States Peace Corps. I know how to demonstrate democracy at work. And this is not it.

No one, anywhere in the world today, can explain why a Congress would impeach the most popular elected President in the world at a time when that President is engaged in a conflict in Iraq. What you see here today is not a demonstration of democracy; it is a demonstration of a partisan political coups.

This is not only the wrong day, this is also the wrong way. Mr. Speaker, we claim that democracy is working when we deny the minority a voice. There are no options here today. There will be no vote for censure. That is not even allowed nor offered. There are absolutely no alternatives, no nothing, just plain meanness. It was not just.

Throughout the proud history of this Nation, rigid thinking has yielded to conscience and adamant attitudes have yielded to compromise. That is the greatness of our Country.

And, I believe, Mr. Speaker, in this instance, this Resolution of Impeachment should yield to the compromise and conscience of censure.

The impeachment of a President is a grave and serious matter.

When this debate ends, and the dust clears, and we vote, we must each reach deep inside of ourselves and ask the question, what does justice require of us?

The President will be judged, both for his greatness and failures, when he leaves office.

And, if he has violated the law of committed perjury, the courts will decide his fate for his deeds.

But, the question to us is simply this—Does what the President has done rise to the level of treason or bribery? Should we remove a President from office because he was not faithful to his wife, lied about it and was admittedly not truthful to his Country.

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But, what does justice require of us? At one time in this Nation, women could not vote, blacks could be enslaved and young people could fight and die in wars, but we could not elect those who sent them to war. That was the law.

But, it was not just.

Throughout the proud history of this Nation, rigid thinking has yielded to conscience and adamant attitudes have yielded to compromise.

That is the greatness of our Country.
And, generally, it seems, the people who elected him accept that apology and want to move on. They do not favor impeachment. They do not favor removing him from office.

The Framers of our Constitution were wise men. They rightly constructed the House of Representatives to be the legislative body most reflective, most responsive and most connected to the citizens. This is the reason why House members have very short terms and face re-election every two years. This is the reason why the Framers required House members, directly elected by the people, not Senators (who originally were elected by state legislatures) or the President (who even today is affirmed by the Electoral College).

The Framers wanted to strongly impress upon House members that they held the power of the people in their hands and were responsible for representing it faithfully and truthfully. I must be true to this obligation. I have listened to the impeachment hearings. I have read the Starr report. I have sought out legal experts and constitutional scholars for guidance on the different aspects of the impeachment conundrum. I have noted the national polls. But mostly, I have listened hard and long to persons in this Central Coast community on their views of the Clinton-Lewinsky affair.

I will not vote for impeachment because I believe the majority of people living in our area do not want it.

Since August, when the President appeared before the Grand Jury, I have been accused of being silent on this matter. Silent, no. Keeping my counsel, yes. I have been reticent until just recently to commit myself on the matter because we are dealing with grave constitutional matters that impact the very fabric of our government. These are not decisions to be taken lightly and I wanted to be sure of all the facts of the matter before declaring a position.

Holding my tongue now for these many months I must relate to you that I believe as almost everyone, that what Mr. Clinton did was wrong. But impeachable? No. Impeachment is a punishment to be used only in the most extreme cases when the action of the President is such that it undermines our government. It is a punishment to be used in cases when the action of the President is such that he has turned the institutions of our government against the very people that it is supposed to serve. It is a punishment to be used when the people of the country must be relieved of the President’s—the President, the President they elected—leadership because his continued tenure would be harmful to the citizenry.

Impeachment is not a tool to be used to express one’s displeasure in the private foibles of a man regardless of his position. It should not be a tool to embroil political opponents or used for political gain. It is not the way to treat the American people who have chosen their leader—not once, but twice—a leader in whom they have placed their confidence, knowing even then of his propensities to untoward personal behavior.

The crimes of which Mr. Clinton is accused do not rise to the level that demand he be removed from office. They are such that in the normal world, it is unlikely they would be prosecuted. Common crimes call for common justice. They do not call for extraordinary means outside the traditional judicial system.

Our country was founded on the principles of fairness. This whole investigation and impeachment proceeding has not been fair and it has not been founded on a search for real justice. I cannot condone Mr. Clinton’s actions in the Lewinsky affair. But neither can I condone abuse of a hallowed constitutional procedure that makes a mockery of all our nation stands for. I will vote no on the impeachment.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. Davis).

Mr. DAVIS of Virginia. Mr. Speaker, I include for the RECORD a statement. It will be available on my web page for constituents and the press as well.

Inspired by Providence, our Nation’s Founders foresaw today’s awesome circumstances. They provided a fail-safe mechanism in the Constitution to peacefully resolve the crisis created by a President’s reckless and illegal actions. As a Member of Congress I feel deeply the weight of history and the need to provide additional guidance to future generations.

After painstakingly reviewing the testimony and the documentary evidence, after giving the President every reasonable benefit short of suspending common sense itself, I have decided that I will vote for impeachment. As explaining further there is no escaping the conclusion that President Clinton “willfully provided perjurious, false and misleading testimony to the grand jury” and “in sworn testimony to written questions asked as part of a Federal civil rights action brought against him, willfully provided perjurious, false and misleading testimony”, as stated in the impeachment articles.

The Declaration of Independence, which Abraham Lincoln at Gettysburg informed us was the “Declaration of Human Rights”, was adopted by the States in order to have a “decent respect” for the “opinions of mankind”, which we today call public opinion. A “decent respect”, not slavish pandering, not abdication of our Oath of Office to uphold the Constitution, and not relinquishment of our solemn obligation to filter opinion through our own value systems. I have that decent respect, and am grateful to all those who have taken the trouble to communicate their views to me and my office.

As difficult a task as it is, we must take this issue outside the realm of current public opinion. What we are struggling to insures is that we have an objective standard of public conduct for public officials. We would descend into chaos if we had one standard of conduct when the economy is good and another when the economy is not good—one standard for a popular president, another for an unpopular one.

The Constitution of the United States provides in Article 1 that “The House of Representatives shall determine the Impeachment, and the Senate when sitting as a Court of Impeachment shall try the same.” That “The Senate shall have the sole Power to try all impeachments”, and that “Judgment in Cases of Impeachment shall extend further than to removal from office and disqualification to hold and enjoy any Office of civil or military Trust or Place under the United States: But the Party convicted shall nevertheless be liable and subject to indictment, Trial, Judgment and Punishment, according to Law.” As is now well known, the Constitutional standard for judges and the president alike is treason, bribery, and other “High Crimes and Misdemeanors.”

It is a matter of great concern to me that the process appears to be breaking down along partisan lines. This is not healthy, and I believe the Framers would not want it so. But that does not diminish one iota my own responsibility to stand and be counted.

I reject categorically the argument that there are different standards for impeachment where the President is concerned. We cannot be guided by situational ethics that can destroy one constitutional officer and absolve another from the consequences of destructive conduct. Over the past decades at least 2 federal judges have been impeached for perjury committed in their judicial duties. The constitutional standards for impeachment are not lower for the President and we must not allow them to become lower for the President. My reading of the case law does not support the conclusion that we have a double standard for federal judges who are appointed, and another for the President, who carries an election mandate with him.

My vote will reflect my conclusion that the President committed perjury before a federal grand jury, and that this is an impeachable offense. The President’s statements were perjurious, not just misleading. Moreover, many of the President’s defenders who have argued in effect that he has been there is not true.

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CONGRESSIONAL RECORD — HOUSE

H11849

President as much as for the current occupant of the White House. This vote reaches across the generations, across the barriers of time and place to let that future president know that there are consequences for illegal conduct and parameters of illegal activities. We are setting that example as we light that constitutional torch for a new generation. I would also note that the President’s private conduct is not the issue. Private conduct between consenting adults is in no way the business of congressional impeachment action. It is his public conduct that is at issue.

This vote is a signal to our armed forces, whose Commander-in-Chief the President is, that we the peoples representatives are holding the President himself to the same standard of conduct that we expect from them.

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Mr. ADERHOLT. Mr. Speaker, it gives me no pleasure to rise this afternoon in support of impeaching our President, William Jefferson Clinton.

But no mistake about it, it is Bill Clinton who has brought us to where we are today. And the issue here is not the relation that Bill Clinton had with Monica Lewinsky but rather the credibility of the honor under oath that must exist within the institution of the Presidency and which has been squandered by the current occupant of this high office.

There are absolute applicable standards by which we all must live. If we do not live up to those standards, we will no longer be that nation which stands as a beacon of hope for all the world. This President has backed up his words as a beacon of hope for all the world.

This vote is a signal to the civilians, that we the representatives will uphold their rights as we hold the President to the high standard the country expects from all its free citizens.

As a relatively young man, I recognize that the underlying stability of our free Nation is stronger than ever. I am confident that history will view our actions as consistent with the high ideals so many generations have struggled to achieve.

Nothing could be further from the truth. Whether or not the Congress votes to impeach or convict him, President Clinton will be subject to both civil and criminal prosecution when he leaves office. In addition, the Constitution explicitly states that a person who is impeached and convicted “shall nevertheless be liable and subject to indictment, Trial, Judgment and Punishment, according to Law.” Regardlss of what action the Congress does or does not take, President Clinton—like every other citizen—will be held accountable in court for his alleged violations of the law.

When the Founding Fathers were drafting the Constitution, they carefully laid the provisions for impeachment. In fact, in the Federalist Papers No. 65, Alexander Hamilton talks about the concern that a House of Representatives dominated by one political party would impeach a president of the other political party without sufficient cause or proof. He expressed concern about the shock and disruption such an act would cause to our political system.

The Framers set a very high threshold for presidential impeachment. They considered—and rejected—several lesser standards for impeachment, including “maladministration” and failure to display “good behavior.” Instead, as we all know, they defined impeachable offenses as “treason, bribery, or other high crimes and misdemeanors.”

Impeachment of the President is a profound action. It should be reserved for the most serious of cases, where the wrong-doing by the President represents an abuse of the power of the office. The matter at the root of this situation is a private one, not related to the President’s conduct of his official duties. I am convinced that the Framers’ intent in developing the standards for impeachment was to limit impeachable offenses to those that represent a threat to the republic. I do not believe that standard has been met in this case.

When Independent Counsel Starr presented his report to the Congress, I supported moving forward with a focused inquiry. While I did not endorse the precise resolution that passed the House, I agreed that this was a serious matter that should be further considered by the Judiciary Committee.

Since the beginning, I have said that above all, we must conduct our inquiry in a fair and

Democratic colleagues to support the Republican request for an inquiry. I did so because I really had grave reservations about what the President had done. I truly believed that there may be indeed an impeachable offense. I listened with an open mind and hoped for fairness and openness in the hearings.

Unfortunately, I was very disappointed because I looked for clear-cut evidence that would show me and my people in Rhode Island that indeed there was an impeachable offense. We did not come to a conclusion.

So I researched and looked back, and back just 211 years Alexander Hamilton said in regard to impeachment, “in many cases it will connect itself with preexisting factions and will enlist all the animosities, the partialities, the influence and the interest in one side or the other. And in such cases it will always be dangerous that the decision will be regulated more by a comparison of strength of the parties rather than the demonstration of innocence or guilt.”

Mr. Speaker, I ask all of you to consider that because today it is the impartiality of partisanship and we should be really considering the evidence. It is not there. Please do not vote for these articles of impeachment.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Maine (Mr. BALDACCI).

(Mr. BALDACCI asked and was given permission to revise and extend his remarks.)

Mr. BALDACCI. Mr. Speaker, my colleagues, the majority has sought to claim for themselves the mantle of the rule of law. In fact, however, I believe they have strayed far from the mandates of the United States Constitution, the supreme law of the land. They have tried to make the case that if we do not impeach President Clinton, we will be sending the message that the President represents an abuse of the power of his office.

In addition, the Constitution explicitly states that a person who is impeached and convicted “shall nevertheless be liable and subject to indictment, Trial, Judgment and Punishment, according to Law.” Regardlss of what action the Congress does or does not take, President Clinton—like every other citizen—will be held accountable in court for his alleged violations of the law.

This week, the House of Representatives will vote on four Articles of Impeachment that the House Judiciary Committee, on party-line votes, has adopted concerning the actions of President Clinton with respect to his improper relationship with Monica Lewinsky.

This is an important matter. What President Clinton did was wrong. He was wrong to have an affair with an intern and he was wrong to lie to the Grand Jury and lie to the American people about his conduct with Miss Lewinsky. He must be punished appropriately.

I say this because I firmly agree with the assertions that have been made that no one is above the law. My colleagues in the Majority have sought to claim for themselves the mantle of the rule of law. In fact, however, I believe that they have strayed far from the mandates of the U.S. Constitution, the supreme law of the land. They have tried to make the case that if we do not impeach President Clinton, we will be sending the message that the President represents an abuse of the power of his office.

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When Independent Counsel Starr presented his report to the Congress, I supported moving forward with a focused inquiry. While I did not endorse the precise resolution that passed the House, I agreed that this was a serious matter that should be further considered by the Judiciary Committee.

Since the beginning, I have said that above all, we must conduct our inquiry in a fair and
deliberate manner that is worthy of the seriousness of the situation and that will not set precedents that will weaken the Office of the President in the future. I regret that did not happen. The party-line votes on the Articles of Impeachment expose the partisanship that has been present throughout this case. When the full House Articles, one political party is seeking to impeach the popularly elected President who is of another party on partisan grounds. The Majority, while claiming to embrace the rule of law, is in fact going against the highest law of the land, the Constitution. They are also ignoring the clearly articulated wish of the American people: that President Clinton be condemned for his wrong-doing, but that he not be impeached. I do not expect that history will look kindly on the Majority's handling of this matter.

I have examined the evidence in this case carefully. I have read the grand jury testimony and the report of the Independent Counsel. I have spoken to many of my constituents personally, and have read the letters, e-mail messages and records of phone calls from hundreds more. I have studied the Constitution and legislation that address both sides of the issues. I have weighed the matter in my own mind and wrestled with it in my own conscience.

I have reached the conclusion that I must oppose the Articles of Impeachment that are before the House. The potential impeachment and removal from office of a popularly elected President is a very serious matter. I have carefully considered the President's conduct, and have determined that, in my mind, it does not rise to the level of "high crimes and misdemeanors." What President Clinton did was wrong, and I believe that he should be punished. But I do not believe that his mistakes warrant his removal from office.

I believe that a more rational response to the President's actions would be a strongly worded censure. It is often said that the punishment must fit the crime. I simply do not believe that impeachment, which nullifies the vote of the people in a popular election, is an appropriate punishment for a matter that does not involve an abuse of power.

For those reasons, I will cast my votes against impeachment. I would once again urge my colleagues in the Majority to put aside partisan politics and removal from office of a popularly elected President is a very serious matter. I have carefully considered the President's conduct, and have determined that, in my mind, it does not rise to the level of "high crimes and misdemeanors." What President Clinton did was wrong, and I believe that he should be punished. But I do not believe that his mistakes warrant his removal from office.

Mr. CONYERS. Mr. Speaker, I yield 15 seconds to the gentleman from New York (Mr. NADLER) a member of the committee.

Mr. NADLER. Mr. Speaker, the gentleman from California (Mr. ROGAN) a few moments ago said that an impeachment vote is not a vote to remove the President but simply to charge him. I read from the resolution: "Wherefore, William Jefferson Clinton, by such conduct, warrants impeachment and trial and removal from office"; in words which are already being told to should resign rather than face a trial.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 15 seconds.

We have heard all of these prophets of economic doom and gloom if the House discharges its constitutional duty today in impeaching the President. The Nasdaq hit an all-time high. I think the markets are smarter than some of the people who are making these predictions.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. BARRETT). (Mr. BARRETT of Nebraska asked and was given permission to revise and extend his remarks.)

Mr. BARRETT of Nebraska. Mr. Speaker, I thank the gentleman for yielding.

I rise in support of all four Articles of impeachment.

Mr. Speaker, after careful consideration of the facts reported by the Judiciary Committee, I have decided it is my constitutional duty to cast my vote in support of all four Articles of impeachment. I have not reached this decision lightly, but with the full understanding of the effect my vote will have on the future of our country. I am not pleased to cast these votes. I regret it has come to this.

The polls overwhelmingly show political support for the President. Only a few of the House is going to vote to send to the Senate for a trial to go on month after month after month to discuss where Bill Clinton touched Monica Lewinsky.
Mr. SENENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS. Mr. Speaker, I include for the RECORD the following statement supporting the articles of impeachment:

Mr. Speaker, I rise today in support of the impeachment of President William Jefferson Clinton as recommended by the House Committee on the Judiciary. This is a decision that I have not reached lightly. I have carefully reviewed the evidence against the President, and I am convinced that he perjured himself in the Paula Jones deposition and before the grand jury. Furthermore, the President has lied to this House and to its Members and continues to mislead the American people in a clear attempt to subvert and obstruct justice under the very laws that every American President takes an oath to uphold.

The President has violated his oath and has violated federal law. If Congress turns away and does nothing, the meaning of the Presidential oath and the strength of the rule of law in this country will be permanently diminished. The oath will in effect be reduced to a casual commitment to administer and enforce the laws only when they serve the President's personal and political ends. The law will apply only to those who do not have the political power and influence to escape its requirements.

I have spent six years in the house working to assure that the laws that are applied to every American taxpayer and business are applied equally to the Congress and agencies of the federal government. This was a central idea in the Contract with America, and I am not prepared to abandon it today.

It is also important to note that we have troops stationed around the world to protect peace and civil order in nations in which the rule of law has been lack of respect for the rule of law. It is clear to me that the President has done and continues to do everything in his power, both legal and otherwise, to derail the legal process and to obstruct the pursuit of justice. Now, the House must decide if it will legitimize the President's actions or condemn them in the only manner provided by the Constitution, by impeaching and removing the President if he is found guilty of an impeachable offense. This is precisely as guilty if instead of lying under the higher law, under the statute law. Under the higher law of morality and righteousness, he is precisely as guilty if instead of lying under the oath, if he perjures himself or suborns perjury, he is guilty under the statute law. Under the higher law, under the very laws that every American President is honest. Otherwise I have no right to keep him in public life, it matters not how brilliant his service to the American people and more pernicious. We need absolute honesty in public life, and we shall not get it until we remember that truth-telling must go hand in hand with it, and that it is quite as important not to tell untruth about a desconspiring of a man who is not decent.” (From The Strenuous Life)

Mr. SENENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. PAPPAS).

Mr. PAPPAS. Mr. Speaker, I stand in support of the four articles of impeachment.

Mr. Speaker, over the past few months I have paid careful attention to the testimony, statements and reports regarding the charges against the President of the United States. After reviewing all of the information available, I have come to the conclusion that in fact the President did commit perjury by lying under oath and he did obstruct justice and abuse his power by allowing White House officials to perpetuate his inaccurate statements to the Congress.

By no means was an easy decision for me. It is a decision based on principle and facts and not on poll numbers. It troubles me that the Congress is forced to deal with these issues instead of working on issues that would improve the quality of life for the people of my district in Central New Jersey and of our nation.

This issue has had quite a stir in my district and I am sure almost every other district around the nation. It would be easy to poll the public and the “politically popular” way, but I believe the “constitutional way” and I stand committed to cast votes based on principle and upholding the Constitution. I will do just that today. Some have said that those who cast votes in favor of impeachment may be misunderstood, but I believe the division we are experiencing is a true reflection of the differences in Republican and Democratic approaches to the Federal Government. As a Republican, I believe in a Federal Government of sharply limited powers. The limits to these powers are clearly expressed in the Constitution. Each of the three branches is granted clear, limited powers to serve specific governmental functions.

With respect to impeachment, the Article I of the Constitution provides both the House and the Senate the open-ended authority to “punish its Members for disorderly behavior.” Members for “maladministration” for “high crimes and misdeeds.” The provisions for impeachment are much more strictly limited. Article I states “Judgment in Case of Impeachment shall not extend further than the removal from office, and disqualification to hold and enjoy any Office of Honor, Trust or Profit under the United States.” Unlike the provision dealing with Members of Congress, this provision specifically limits Congressional sanctions to removal and disqualification. Therefore, it seems clear to me that censure is a valid option for punishing Member of Congress, but it should not apply to the President. If this House, as a result of resolution, there is no guarantee that it would not be expedied by a future Congress (as well as done in the case of Andrew Jackson) or overturned by the Supreme Court. They only action that this House can take that will be both permanent and impeachment.

Many of us on both sides of the aisle agree that the President has not been honest in answering legitimate questions asked under oath. In spite of the President's dishonesty, some Members, lawyers, and professors suggest that because the President's statements may not meet the strict legal standard for perjury, he should not be impeached. I disagree.

While I may not be a lawyer or a history professor, I do have a fair share of common sense. Common sense tells me that if some is dishonest while giving legal testimony under oath, that person has violated the spirit, if not the letter. If the perjury law, the law is there to provide for the fair administration of justice by insuring he legal process is based on accurate information. There is no doubt in my mind that the President has gone by consistently providing incomplete and inaccurate information after promising explicitly “to tell the whole truth and nothing but the truth.”

In 1974, the Arkansas Gazette quoted then Congressional candidate Clinton saying there was “no question that an admission of making false statements to government officials and interfering with the FBI and CIA is an impeachable offense.” He did not say false statements were impeachable only if they met the strict standard of perjury. He did not say that every one of the answers addressed issues of public policy. He said that making false statements to government officials is impeachable, and he was right.

Speaking of President Nixon, Candidate Clinton argued, “there’s not any point in his putting the country through an impeachment since he isn’t making any pretense of innocence now.” Today, even some of the President’s strongest supporters in Congress no longer make the pretense that the President has been honest in his sworn testimony. The President should admit he has his own standard and resign. We know, however, that the President does not intend to do so, so Congress must do its duty.
pay a political price in the future. While that may in fact be true, our nation, our Constitution and the rule of law will pay an even greater and lasting price if we do not do the right thing.

Time spent on this could have been spent on solving some of our nation’s most pressing problems. Perhaps those matters could have been addressed more effectively and efficiently if we had not been distracted by this process.

President Clinton and those in Congress who support him have pursued an impeach or destroy strategy to remove the President from office. The strategy is to keep the nation guessing as to what will happen next time and to take away the power that the American people have every four years in voting for a new President. The President’s critics, by pursuing an impeachment strategy, have removed the power of the American people to vote for a new President.

The President’s critics have wasted precious time that could have been spent on growing our economy, providing fiscal relief to those in need, or protecting our borders.

I do want to take exception to the statements from both sides that this is the most difficult vote a Member of Congress will ever cast. I completely disagree. I believe voting whether we send young Americans to face an enemy on distant shores is far worse. A vote for war is much more grave. I would urge all of my colleagues to consider before voting for an inflammatory statement to keep things in proper perspective.

A vote for impeachment is very serious but the Constitution creates the outline for this vote. It creates a process of success. If Bill Clinton is removed, his vice president Al Gore assumes the responsibilities of the presidency. This is peaceful. During World War II we lost our president and still won the war. After a terrible civil war, our presidency survived the loss of President Lincoln. This was peaceful. Our Constitution and the American people’s resolve to see an orderly transition vitiates any argument I have heard about how disruptive a potential impeachment would be.

It is clear that our three-branch form of government established by the Constitution was done so in order to establish a set of checks and balances. The framers did not want a King. We created lots of checks on the President in order to ensure this. If we give in to the line of argument that a President who commits perjury above the line of polling, we have completely destroyed the framers’ intent and done irreparable damage to the future of our nation and the rule of law. Today some argue that perjury and obstruction of justice do not rise to impeachable offenses, but if we let this slide, then what will we let slide the next time and the time after that. This is a slippery slope that a nation of laws cannot tolerate.

Across the nation, lawyers and legal scholars are watching how we proceed. They are watching to find out if it is acceptable to lie under oath. If it is alright for the President then how can we possibly hold anyone else to a higher standard?

I am one of the few members whose voters sent someone else back for the 106th Congress. I sincerely believe that the majority of New Jersey’s 12th district residents do not wish our President to be above the law or given special treatment. If we did what the President did, would we be treated the same?

I do not think so. The constituency that worries me the greatest is the membership of the Army Douglas MacArthur’s farewell address on May 12, 1962. He spoke of the cour-

Eleven years earlier, he was invited to address a joint session of Congress, ending his 52 years of distinguished military service. He spoke of the courage and the sacrifice of so many Americans who did not fail us, including those who gave their lives defending our values and our way of life.

I would ask my colleagues, please remember the words of this great soldier as they consider the merits of the allegations and the defenses to the allegations of this case.

Mr. CONyers, Mr. Speaker, I yield this time as he may consume to the
gentleman from Wisconsin (Mr. KLECZKA).

(Mr. KLECZKA asked and was given permission to revise and extend his remarks.)

Mr. KLECZKA. Mr. Speaker, I rise in opposition to the articles of impeachment.

Mr. Speaker, like all my colleagues, I have spent a great deal of time carefully reviewing the Judiciary Committee testimony and evidence. Let me make absolutely clear that I do not in any way condone the President's behavior. He lied to his family, his Cabinet, and the American people.

But the Framers made clear that the constitutional act of impeachment is not meant to punish a president for deplorable behavior but to protect our Nation from acts which jeopardize our democratic system. What the President did was wrong, both personally and morally, but his acts did not threaten our democracy and thus do not rise to the level of impeachable offenses as defined by our founding fathers in the Constitution.

As Mr. Bruce Ackerman, a constitutional law and impeachment expert at Yale University, testified before the Judiciary Committee, "Once we lower the impeachment standard to include conduct that does not amount to a clear and present danger to our constitutional order, we risk damaging the independence of the Presidency. There can be little doubt that the present case falls short of the standard set by the Framers when they insisted on 'high crimes and misdemeanors' against the state."

I do believe that the President should be held accountable for his actions, and support an alternative to impeachment that would both condemn his actions and fine him. The Judiciary Committee considered a censure resolution which we in the full House are being denied the opportunity to debate and vote on.

Many of my constituents have called and been resolute in their belief that the President should be held accountable for his actions, and I could not agree more. President Clinton is not above the law and is still subject to indictment, trial, and sentencing in the same manner as all other citizens who do wrong. He will be fully subject to criminal prosecution for his wrongful acts when he leaves office.

Our founding fathers designed impeachment specifically to protect the nation from grave harm from a Chief Executive who clearly endangers our constitutional democracy. I do not believe the President's actions meet this test. The penalty for his misconduct should be executed not through impeachment, but through indictment in our criminal court system and a stern rebuke from the Congress.

Mr. CONYERS. Mr. Speaker, with apologies to my colleagues, I am now reduced to only 1 minute for each of them.

Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. STOKES).

Mr. STOKES. Mr. Speaker, for 30 years I have served in this institution. It is an institution which I have always loved, honor and revered. I have taken pride in being able to speak from this well-stocked, historic occasion. But it is no honor today to speak and cast the last votes of my career against a resolution to remove from office the President of the United States. This is, in my opinion, the saddest day in the history of the House of Representatives. It is also a sad day for America.

As one who long before coming to Congress practiced and studied constitutional law, I am convinced that the constitutional test for impeachment is not whether one believes that they could entrust this elected body the responsibility of determining what constitutes treason, bribery, or other high crimes and misdemeanors. I firmly believe that they trusted us to place the interest of the American people on such an exalted plane that they never envisioned this House removing a President from office except for grievous transgressions against the government which elected him.

I believe the Founders never envisioned this provision of our Constitution being used in such an unconstitutional and unfair manner as to overthrow an election where the American people have gone to the polls to vote and elect their President.

The action being taken in the "People's House" today makes a mockery of the Constitution and the electoral process which the American people have fought and died to preserve. Those esteemed Founders, those architects of our Constitution, did not envision what is being done here today. I caution you that the act of impeaching this President today, while perhaps serving some narrow political purpose, will have consequences far beyond the comprehension of any of us here today. The impeachment of this President by the House and his subsequent trial in the Senate will be tantamount to once again shutting down the American government. This is the message that you send the American people today. The gridlock, disarray, chaos and paralysis which will envelop this government while the U.S. Senate tries a United States President is going to be wrenching and appalling. The American economy and world markets are going to be affected by a Congress which will be stalemated in its inability to pass even the most basic of laws, such as those 100 Senators are sitting in a room trying the President of the United States from January through June or July of next year.

The people in my congressional district are angry and enraged over what is happening to their President. They are good, decent, hard-working people who love this country and care deeply about a President who has shown contempt for them and others. They have said to me, we are ashamed of the House of Representatives. It is also a sad day for America.

The majority has replaced the notion of due process with a notion that if we just say something long enough it will become true. Today we will be remembered for impeaching a president for deplorable behavior that does not amount to a crime. Today we will be remembered for a political mutiny of our Commander in Chief when our troops are in the field. And today this Congress sends a message that the constitutional scales of justice can be tipped to one side if it suits the purpose of one political party.

Four hundred respected historians have said that the presidency will be permanently disfigured and diminished by this vote. Over 200 constitutional scholars have argued that the sentiment of these offenses does not rise to the level of impeachment. And two-thirds of the American public have said the same thing.

Mr. Speaker, Republicans, put our country before your party.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. Davis).

Mr. DAVIS of Illinois. Mr. Speaker, I ask and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, I call this the nightmare before Christmas. And the American people find it difficult to believe that here we are on this day talking about impeaching a president who just came back from the Middle East almost with a peace accord.

This is not about impeaching Bill Clinton. This is about trying to roll back the clock. This is about impeaching affirmative action, impeaching women's rights. This is about taking America back rather than moving it forward.

I know how I am going to vote. My people have told me. I will not disregard the people who elected me. Seventy percent of them have said to me, protect the President, vote to keep this President in office.

So, Mr. Speaker, I will not vote for this nightmare before Christmas, I will not vote for this lynching in the people's House. I will vote against these resolutions.
Mr. Speaker, this is a serious time for our country. I urge my colleagues to do what is right and I ask that history be kind to us. I rise in strong opposition to the articles of impeachment presented by my colleagues from the Judiciary Committee. This is a well-informed and accurate attempt to do through parliamentary means what could not be done in the last two elections: unseat the President of the United States of America.

I ask my fellow colleagues, is this a high crime and misdemeanor which lacks moral judgment? Did he really abuse his power?

Let me state here on the floor of the House what most Americans already know.

The impeachment of a sitting President of the United States of America is an ominous and sober predicate that we as Members of Congress face. This formal expression of the United States of Representatives should not be about sexual indiscretion. We have allegations of Presidential sexual indiscretions, some going back 200 years and involving slave women who certainly had no defense against predatory relationships. But no such impeachment inquiry has been initiated before.

This is not about lying. We have had allegations of Presidential lying about the trading of loyal support to the American People. But no such impeachment inquiry was initiated in response.

Mr. Speaker, there are some in this House who have campaigned for the impeachment of this President for more than six years. Their campaignyielded by $40 million spent by the Office of Special Council, tens of millions of dollars spent by private sources, and millions more spent by assorted Congressional Committees, and the inevitable accompanying leaks have yielded us only a sad, sordid marital infidelity and an endless supply of headlines.

These relentless campaigns to impeach the President now hold their sponsors hostage to their own rhetoric. Having failed to find an impeachable offense, there is now a relentless pressure to make do with the $60 million scandal—to make the scandal fit the bill.

Mr. Speaker, our Constitution contains a number of examples of purposely ambiguous language in addition to the phrase "high Crimes and Misdemeanors." Consider such language as "due process." It is precisely such elegant and flexible language which has enabled our democracy to develop, to encompass ever broader sectors of Americans, in ever deeper and more empowering ways.

It is reasonable to expect that as the process of electing our chief executive has become more and more democratic, enfranchising more Americans, more and more directly, that the process for removing that chief executive, of undoing the will of the people, would demand higher and higher standards. It is reasonable to expect that the Congress should not take unto itself the power to limit a President, in James Madison's words "... to a tenure during the pleasure of the Senate."

When we "dumb down" the Constitution to meet the needs of partisan politics we inflict deep and lasting harm on our political and Constitutional system. This is the real Constitutional crisis. I do not believe it is accidental that all of our nation's encounters with Presidential impeachment come following periods of great national turbulence, the exertion or legislative branch attempting to use extra-constitutional means of imposing its will on the policy of the nation.

Like the attempt to impeach President Johnson in the wake of the Civil War and the debate over how to incorporate African Americans into the body politic or the attempt of President Nixon to undermine his political opponents in the closing days of the War in Vietnam; current attempts to undo the results of two Presidential elections will leave deep, lingering wounds on our nation, but, in the long run, will fail in their attempt to make an end run around the will of the people.

Undoin our Constitution will not advance the search for solutions to the great national and international problems facing America: global economic crisis and growing economic inequality, the undoing of decades of struggle for racial equality in America, the resurgence of national strife around the world, the need to address fundamental problems in health care, education, environment and housing, preserving social security and a host of other critical issues.

I urge my colleagues to oppose this insidious attempt to use, or rather misuse, the power of impeachment.

Mr. Speaker, to the horror, outrage and disbelief of America, this Congress is about to molest, at a central pillar of our Democracy, the right of the people to choose their representatives in government, and vote to remove the President of the United States. Why? I am convinced, and the American People are convinced, that there are those who want to impeach the President as a means of containing, delaying or terminating his efforts to carry out the mandate which the American People have twice given him. Those driving the process to remove him are frustrated by his mandate, and obsessed with their fanatical desire to block programs from affirmative action to energy assistance, to denude programs from summer jobs to one hundred thousand new teachers.

I reject, and more importantly, the American People reject, the pious hand wringing and pitiful musing about the crime of perjury. Read the articles of impeachment as closely as you want. You won't find the actual words alleged as perjury with a divining rod.

Why? The American People know that the allegations do not rise to the level of impeachment.

We do not allow such unspecified charges on the floor of this House. Any Member of this body who would accuse another would have his words taken down for judgment by the body. Why weren't the President's words taken down so they could be judged? Because the process is not meant to be fair. The process is meant to destroy. Every month, every week, indeed every day, brings new examples of the hypocrisy of these charges.

When, in the name of this House, secret grand jury testimony was released, in contradiction to every understanding we have of individual rights and due process, the claim was made that we had to inform and involve the American People about the process.

But now, when the American People demand an end to the outrage of this impeachment process, their voices are ignored. Suddenly their informed opinion is no longer relevant.

Why? Because the process was never meant to be fair or democratic. The process was meant to destroy.

I reject, and the American People reject, the pathetic whining about upholding the rule of law. An unchecked prosecutor, accountable to no one, with an unlimited budget, and a witch-hunting committee have shredded any semblance of rule of law. They have undermined, in a few short years, the protections that have taken our nation over two hundred years to perfect.

And in using and abusing the law on sexual harassment, the witch hunters have created gaping holes in the law protecting women from harassment.

How ironic that President Clinton who brought together the people of Northern and Southern Ireland, who brought together the people of Israel and Palestine is a victim of rending and division of the American political system.

But he is not the only victim. We are perverting and destroying the American constitutional system, based on the wisdom of the people—a system we should be using to solve our real problems: saving social security; creating jobs with a living wage; lifelong education; accessible health care for all.

This is our last chance to stop the "Nightmare Before Christmas."

Some 50 years ago in the last days of Joe McCarthy, Senator Fulbright stood in the Senate and reflected on the fact that a small group had set a prairie fire which rapidly grew out of their control and destroyed everything in its path.

Today, we have a chance to stomp out another prairie fire, another witch hunt, which threatens to grow rapidly out of control.

Mr. Speaker, the American People are calling on this Congress, on every member of this Congress, to rise above the shrill voices of partisanship. Therefore, if I might paraphrase Winston Churchill, let us feel the wisdom of the people, and the strength of our ancestors.

Let us stop the madness of those who seek to use impeachment to impose their political will. Let us undertake our duty, and so bear ourselves, that if America lasts for a thousand years, men and women will still say, "This was their finest hour."
I. Preliminary Proceedings

A. The First Step. The House Managers would exhibit its articles to the Senate and the Senate would issue a summons to the President requiring him to respond within fifteen to thirty days and would ask the Committee on Rules and Administration to consider and report issues that need to be addressed and special rules that should be adopted for the conduct of the proceedings.

B. The Rules Committee. Since the Senate has not conducted proceedings against a President in the past century, the issues would be substantial. At least five steps would have to be taken before the committee could submit its report and recommendations to the Senate.

1. The committee meets and authorizes the Chair and Ranking Minority Member to send a letter asking the parties to file memoranda addressing issues identified by the Committee and other issues that either believes the committee should consider, probably allowing twenty to thirty days for initial memoranda and ten to twenty days for responses.

2. Each of the parties file memoranda.

3. The Rules Committee holds hearings on the issues raised.

4. The committee deliberates and prepares its report and recommendations and any necessary resolutions.

C. Pleadings and Motions.

1. The President. It is hard to anticipate the defense strategy the President will adopt, but the House Judiciary Committee's proceedings and recommended articles of impeachment suggest that counsel for the President would file:

   a. Answer and Affirmative Defenses. Counsel for the President will raise at least one and probably two affirmative defenses—(i) the articles fail to allege facts sufficient to state an impeachable offense; and (ii) the misconduct of Independent Counsel Starr and the House's reliance upon the products of that misconduct require that the articles be dismissed.

   b. Motion to Dismiss. The motion would enable the Senate to consider whether it should dignify the President's improper conduct alleged in the articles of impeachment by classifying it as "High Crimes and Misdemeanors" under the Constitution.

   c. Demand for Bill of Particulars. The majority on House Judiciary Committee appear to shoot themselves in the foot by refusing to specify the precise statements made by the President that they claim were perjurious. If the perjury articles are adopted, counsel for the President is likely to ask that the Senate, after the bill of particulars has been filed, strike specific allegations in the articles that remain.

2. The House. The House managers would be directed to file a Replication to the President's Answer and Affirmative Defenses and responses to the motions. If they opposed the demand for a bill of particulars, there would be a second round of briefing and further argument before the Senate after the House had complied with the Senate's order, adding an additional two weeks to the process.

3. The President's Reply. Counsel for the President would file a reply and any supplemental memoranda made necessary by the House's bill of particulars.

4. Proceedings Before the Full Senate. The Senate would be likely to set aside two days to consider and act upon the report from the Rules Committee and to hear arguments on and decide the pending motions.

II. Trial Preparation

In Hastings, the Rules Committee recommended that the Senate appoint an Impeachment Trial Committee to regulate the preparation for evidentiary hearings and to conduct those hearings. If the House adopts articles here, the evidentiary hearings will be conducted before the full Senate. It is likely that the Senate and the Chief Justice will agree that the trial preparation duties that were performed by the Impeachment Trials Committee should be assigned to the Rules Committee (or to a special impeachment committee appointed for that purpose). The conduct of the House at the last impeachment is instructive. In Hastings, the House concluded that the Senate had ruled on the President's motion to dismiss, the Rules Committee might determine that necessary preparation should proceed concurrently with other matters. However those duties were exercised, the steps would likely be the same.

A. Discovery Proceedings: The need for discovery would be far greater in this case than it was in Hastings. Here, as it did in Hastings, the House Judiciary Committee transmitted the report and materials to the Senate. The Senate or a committee would have to decide whether and what discovery should be permitted.

   a. Counsel for the President would promptly submit a memorandum identifying witness and sources of documents that were likely to produce relevant evidence and explaining why the President should be permitted to subpoena each of the witnesses and other source to obtain that evidence. At a minimum, it seems almost certain that the counsel would seek to depose (i) lawyers for Paula Jones about their initial conversations with Linda Tripp and with members of the Office of Independent Counsel ("OIC") staff; (ii) the members of the OIC staff and FBI agents who met with or interviewed Linda Tripp and Monica Lewinsky; and (iii) other technical witnesses, such as those reconstructed materials from the hard drive in Ms. Lewinsky's computer. It also seems certain that they would want access to the documents that the Independent Counsel did not transmit with his referral.

   b. The House managers would be directed to file a response agreeing with or objecting to the President's requests.

   c. The Senate or its committee would examine the President's request and the House's response and hold hearings and enter the appropriate order directing the issuance of appropriate subpoenas.

   d. Independent Counsel Starr, Ms. J. Jones' lawyers, or others subpoenaed might object to some or all of the subpoenas, in which event time-consuming enforcement proceedings would be necessary, at least three months.

   e. The depositions would be conducted and the documents produced and examined.

B. Other Trial Preparation Proceedings:

1. The House managers and counsel for the President would propose stipulations or submit requests for admissions. The Senate or its committee would encourage the parties to stipulate at least to the authenticity and admissibility of various documents and other potential exhibits. Responses would be exchanged and negotiations would proceed.

2. The Senate or its committee would direct the parties to file and exchange ten days after the close of discovery, pretrial memoranda identifying witnesses each intended to call and exhibits each intended to introduce.
I call the nightmare before Christmas and Mr. Speaker, it is difficult to believe that we are here today; but we are debating whether or not to bring charges of impeachment against the President who has just returned from the Middle East where he was able to bring together Palestinians and Israelis, where he was able to bring together Netenyahu and Arafat. This President who was able to bring together Northern and Southern Ireland, India and Pakistan. A President who has opened up new avenues and relationships with the African Continent, with China, and with other nations throughout the world.

During these proceedings, we have heard a great deal of legal argument but I submit to you that this is as much about politics as it is about law. It's not just an attempt to impeach the President, it is an attempt to undermine and dismantle the policies and programs of this administration. This is an attempt to impeach and hold back Affirmative Action, women's health rights, new teachers, summer jobs for disadvantaged youth, energy assistance for low income people, community health centers, treatment programs for victims of aids and HIV, clean air, and raising the minimum wage.

No Mr. Speaker, this is not just about Bill Clinton it is about dashing the dreams and the hopes of one growing up in a small state, an average citizen, in an average family, no pedigree, no straight path, but growing up with hope, drive and determination, growing up with the idea that you can rise to the top and that you can make a difference. This vote today is a prime example of the contradictions with which we operate.

We talk forgiveness and operate in an unfair and unjust manner. We talk democracy and disregard the will of the people.

We talk forgiveness and practice retribution.

We talk unification and practice division—we talk about morality and commit the immoral act of fundamental unfairness.

Mr. Speaker, I am not prepared to disregard the will of the people. I am not prepared to say that their feelings are irrelevant. I am going to vote my conscience. I am going to vote against impeachment. I am going to vote against this nightmare before Christmas.

I am going to vote against this attempted lynching in the people's house.

Mr. Speaker, I yield 1 minute to the gentlewoman from Indiana (Ms. CARSON).

(MS. CARSON asked and was given permission to revise and extend her remarks.)

Ms. CARSON. Mr. Speaker, we have dispatched and asked some of America's women and men to place themselves in harm's way and degrade Saddam Hussein's capacities in weapons of mass destruction. Simultaneously, we placed the citizens of America in harm's way by utilizing political weapons of mass destruction to degrade and destroy the President of the United States. Lyndon Johnson said, 'The difference between Democrats and Republicans is that we don't hate your President.'

Some say this is not about sex; it is about lying under oath. Lying under oath about sex is still about sex, and the only reason it is about sex is that our colleagues could not find anything else to get on him.

Any extramarital affair, whether by a president or a Member of Congress, is lying under oath, the most sacred of oaths, the marriage vow. Any lie told by a president about the people's business is under oath, the presidential oath of office.

It is not just one poll, but in all polls, by a two to one margin the American people say that when it comes to people's sex lives even presidents' sex lives, government should mind its own business.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, from Rhode Island (Mr. KENNEDY) says the President was not given due process, and exactly the opposite is true. The chairman, the gentleman from Illinois (Mr. Hyde), gave the President a standing invitation to appear before the Committee on the Judiciary. He did not accept that offer.

Mr. SENSENBRENNER. Mr. Speaker, the gentleman has named me and my colleague from Rhode Island (Mr. KENNEDY) of Rhode Island. Is that correct?

Mr. SENSENBRENNER. Mr. Speaker, the gentleman has named me and my—

Mr. SENSENBRENNER. I have the floor.

Mr. SENSENBRENNER. Mr. Speaker, the gentleman has named me and my colleague from Rhode Island (Mr. KENNEDY) of Rhode Island. Is that correct?

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Mr. SENSENBRENNER. Mr. Speaker, the gentleman has named me and my colleague from Rhode Island (Mr. KENNEDY) of Rhode Island. Is that correct?
The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is to violate the rules of the House.

The gentleman may proceed.

Mr. SENSENBRENNER. Mr. Speaker, the Democrats had almost two-thirds of the witnesses before the committee. They called 28 witnesses, the Republicans called 25, and they shared two. The chairman, the gentleman from Florida (Mr. WITTMER), asked the White House to present evidence that would exonerate the President, and they did not.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. BOEHLENT).

(Mr. BOEHLENT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLENT. Mr. Speaker, I rise in support of that enduring document, the Constitution that has stood the test of time.

When this debate is concluded, I will reluctantly vote for or against one article to impeach President Clinton.

I make this announcement with profound sorrow, and with deep concern about the consequences for our country, but, in the final analysis, with firm conviction that this is the only fitting and proper course for me to take.

This has been by far the most difficult, ever tormenting, decision I have had to make in my 16 years in Congress. I have spent a great deal of time assuring myself that this is the only fitting and proper course for me to take.

I love this House. This is my last speech here. I leave my colleagues with the plea to be good to each other so that they may do their best for the country that we love.

I love this House. This is my last time to speak here. How I wish it were not such a sad occasion. And how I wish we were able to conduct this grave business at a better time, in a better way.

The dishonorable and reprehensible behavior of the President of the United States deserves our strong condemnation. We have a responsibility to act in this matter, and to act with a dignity and fairness and soberness fitting the importance of the occasion. And how I wish we were able to conduct this business at a better time, in a better way.

The President got himself into this awful fix by having a tawdry sexual affair and then almost certainly lying about it under oath. In both respects, his conduct is immoral and indefensible. It is also understandable that he tried to save himself from shame, embarrassment and humiliation by lying to cover it up. In all this, his behavior was abominable, self-indulgent, incredibly reckless and altogether human.

Probably no American other than the President could or would have been subjected to the extraordinary circumstances of multiple testimony about a sexual affair. First, he was compelled to testify in a civil deposition about this sexual affair, about facts themselves immaterial in a lawsuit later found to be without merit. Then, he testified before a grand jury investigating deposition about this same, legally immaterial sexual affair. This grand jury process would not be used to investigate any ordinary American regarding
such civil deposition testimony; it is only available against someone like the President, subject to a special prosecutor like Ken Starr. Nonetheless, he should have told the truth. And, depending on some technical but legally important considerations, he may have committed perjury.

Now, what do we do about it? The Constitution makes a President who’s committed “Treason, Bribery, or other high Crimes and Misdemeanors” liable to impeachment by this House of Representatives, trial by the Senate and possible removal from office. Each house of Congress also has plenary and unrestricted power to express its views and sentiments about any matter by the passage of resolutions.

The law would subject the ordinary American charged with violations such as the President’s to some civil fine or forfeiture in connection with the civil deposition testimony. Recall that the President has already paid a substantial amount to settle the Paula Jones case. And the ordinary American would face the fairly unlikely possibility of criminal prosecution in connection with grand jury testimony. Prosecution would be unlikely because the case turns fundamentally on a swearing contest between witnesses and because the subject of the possibly perjurous testimony was not itself criminal conduct, but rather a tawdry, though not unlawful sexual affair.

So, if the objective is to treat the President as other Americans would be treated, there’s your answer. If the objective is to insure that the President does not abuse the law, there’s your answer and. And if the objective is to vindicate the rule of law, there’s your answer.

Of course, the President is not an ordinary American. His wrongful conduct occurred in the White House and implicates his high office. The responsibilities and authority and stature of the Presidency require their own vindication and deserve to be cleansed somehow of the taint of this wrongful conduct. So, it is entirely appropriate to consider sanctions that go beyond what an ordinary American would face. But how much beyond?

Consider impeachment. From the words of the impeachment clause, it’s obvious this remedy was intended for serious offenses. The historical context, the debates at the Constitutional Convention, Alexander Hamilton’s explanation in “The Federalist”, and the debates during the drafting generally support the proposition that impeachment is to be reserved for very serious offenses that are themselves destructive of the government or constitutional order, and that any decision to impeach necessarily calls for a sober political judgment, not a legalistic one. It’s inherent from the same sources that impeachment is not to be used as a device to get rid of a President whom a sufficient majority in Congress happens to disapprove of, however adamant their disapproval.

We’ve had about what’s an impeachable offense has been only marginally helpful, because it’s seemed to assume—wrongly, I think—that impeachment requires impeachment. In the abstract, no doubt perjury may qualify as an “impeachable” offense. It’s a serious crime. However, a proper reading of the Constitution and our responsibility under it leads, I believe, to a sober judgment that while perjury may be impeachable, the perjury in this case (if it occurred) does not warrant impeachment. That judgment recognizes the important moral space between “impeachability” and “impeachment” and fills it with a reasoned and principled application of historically grounded standards for impeachment to the facts and circumstances of this case.

Impeachment were the only choice, the only way to hold the President to account as President, there would be a greater temptation to risk its use in this case. But there’s another choice. It is censure. A strongly worded censure resolution was offered in the Judiciary Committee. Appropriately condemning the wrongful acts of the President, and given it, and so most any issue of passing a bill of attainder, censure could move beyond words to include a fine. Congress has the plenary authority to pass resolutions about any subject. Serious people nevertheless argue that impeachment states the exclusive remedy available to us.

That argument quickly bumps into history and practice to the contrary. The most compelling example is the first. In 1800, the House took up an article of censure against President John Adams.

One Representative argued that Congress didn’t have the power to censure, but only to impeach. Others saw no such problem, and raised the point that it would be unfortunate to have the charge of misconduct not serious enough to justify impeachment. Representative John Marshall, the future Chief Justice, was in charge of Adams’ defense, and he did not challenge the constitutionality of censure.

This House has not condemned the President for perjury. The President is accused of degrading the office. We must ask ourselves if the proper response to degrade the process by lowering the standard of impeachment?

Our biggest responsibility is to the American people. The American people elected this President, and they have made it clear that they would like to keep him, warts and all. I join my Democrat colleagues in calling for a lesser punishment than a political death penalty. It is unfair, it is partisan, it is wrong.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. Andrews).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Speaker, I oppose the articles of impeachment because I believe although the President’s behavior was deplorable, I believe he did not commit a high crime and misdemeanor. So this decision is wrong for today.

But, Mr. Speaker, this decision is wrong for the ages because let me predict what is going to happen. Last year the United States Supreme Court said: “You can now proceed with a civil suit against a sitting President.” The next time we have a polarizing President and a Congress from a different party, here is what is going to happen: There is going to be a civil suit launched against the President and he is going to be dragged into discovery, and his or her opponents in this Congress are going to try to categorize anything
they can as perjury and obstruction of justice. Articles of impeachment will be pursued, and the country will be weakened.

It is my sincere prayer here tonight that our children will not bear the bitter fruit of the reckless seeds that our colleagues are sowing here today. The Constitution has worked well for over 200 years. I leave it alone.

Mr. Speaker, allow me to explain my reasoning in voting against the impeachment of the President. The Constitution recognizes a different kind of offense—ever criminal misconduct—and the High Crimes and Misdemeanors that are required for impeachment.

My judgment is that the President's misconduct, though deplorable, does not rise to the level required by the Constitution for impeachment.

And my judgment is that we will set a dangerous precedent if the majority in the House disagree with me, and decide to vote for these articles of impeachment which are before us. We will have lowered the bar to impeachment, and that action, coupled with the Supreme Court's decision to allow sitting Presidents to be sued in a civil lawsuit while in office, will lead to more partisan mischief in coming years, which could gravely harm our government and our nation.

The country would be best served by a return to the important business at hand: education, health care, Social Security, and international problems.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Speaker, John Page wrote a letter to Thomas Jefferson on July 20, 1776, which reads and I quote: "We know the race is not to the swift nor the battle to the strong. Do you not think an angel rides in the whirlwind and directs this storm?"

I put that, Providence is with this body, this country and our Constitution for fairness and justice and honor today, and I fear my prayers will go unanswered. I voted with my Republican friends 68 days ago to initiate this investigation, to look at the facts and corroborate the evidence for a high crime and misdemeanor, and George Mason, who wrote that phrase, said, and I quote: "It ranged from a great and dangerous offense to subverting the Constitution."

This does not pierce that high threshold, and when it comes to punishment, yes, the President did something reprehensible and immoral and sinful, and he should be punished by censure by this body and by prosecution like every other American would be when he leaves office.

Now finally, Mr. Speaker, this is our rule book. This is our sacred scripture in this body. That Providence is nothing in here, Mr. Speaker, that prohibits a censure; there is no impediment in our Constitution to a censure. In fact we have censured and rebuked and criticized Presidents three times, in 1834, in 1842, and 1860, and we have impeached a President once.

There is precedent, Mr. Speaker. There is no prohibition or prevention to censure, and it is unfair and against our own Constitution if the President's behavior puts me in the position of having to vote in favor of articles of impeachment and pass this matter on to the U.S. Senate for final judgment.

In facing this solemn duty, I look to the wisdom of our Founding Fathers. According to Alexander Hamilton in Federalist 65, impeachment concerns "offenses which proceed from the misconduct of public men, or in other words from the abuse of violation of some public trust."

The evidence in President Clinton's case is overwhelming, that he has abused and violated the public trust. In this Nation, all men are created equal. Simply put, the President in our representation, and I demur that the majority in the House, the Congress, and the American people are above the law. Tomorrow I shall cast a difficult vote.

The President's inability to abide by the law, the Constitution and my conscience have all led me to the solemn conclusion that impeachment articles must be passed.

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the gentleman from New York (Mr. NADLER), a member of the committee.

Mr. NADLER. Mr. Speaker, the gentleman from Indiana (Mr. BUYER) says that a censure resolution would be unconstitutional. The Congressional Research Service says that a censure resolution is an exercise of the implicit power of a deliberative right to express its views. The gentleman from Texas (Mr. DELAY) offered House Resolution 433, disapproving the President's conduct with respect to campaign financial disclosure. What is the distinction, why did the gentleman from Illinois (Mr. HYDE) make the censure resolution offered in committee in order? Was he exercising an unconstitutional prerogative? I yield to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, I say that the censure resolution that was offered has specific findings of guilt and therefore makes it unconstitutional in its form.

Mr. NADLER. Mr. Speaker, reclaiming my time, what about the resolution of the gentleman from Texas (Mr. DELAY)?

Mr. CONYERS. Mr. Speaker, I yield 15 seconds to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Speaker, I thank my good friend from Michigan for yielding me time. Mr. Speaker, in our House rules manual, it explicitly states, "In the modern practice, concurrent resolutions have been developed as a means of expressing principles, opinions and purposes of the House." Thomas Jefferson said principles, opinions and purposes could be expressed in the form of resolutions.
Mr. CONyers. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from New York (Mr. LAFALCE). (Mr. LAFALCE asked and was given permission to revise and extend his remarks.)

Mr. LAFALCE. Mr. Speaker, today is a very sad day in America's history, especially because everything leading up to today has been so unfair. Ken Starr's investigation was unfair. He even tried to entrap the President. His report was unfair, for he left out important exculpatory evidence. His presentation to the House Committee on the Judiciary was so unfair that his own ethics adviser resigned as a result.

The Speaker-designate's decision to deny the House and the American people the right to vote on censure as an alternative is unfair. That decision constitutes an obstruction of the justice that the American people believe is warranted; that former President Gerald Ford, who knows something about impeachment, believes is warranted; that former Republican presidential candidate Robert Dole advised this body; censure, not impeachment.

You may have followed your conscience in deciding to vote for impeachment, but you cannot be considered just if you deny those of us, I believe a majority of this body, that we know something about impeachment, believe it is fair so be fair to us and to the American people by allowing a vote on censure, which I agree with him, and the legislative majority is independent of the Judiciary.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Minnesota (Mr. OBERSTAR).

(Mr. OBERSTAR asked and was given permission to revise and extend his remarks.)

Mr. OBERSTAR. Mr. Speaker, the constitutional scholars testifying before the Committee on the Judiciary made it clear that there is a high threshold for impeachment.

Not all impeachable offenses. The impeachment power is limited to treason, bribery and other high crimes and misdemeanors. The word "other" means impeachment is limited to crimes similar to bribery and treason, threatening the basic integrity of government.

The charges against President Clinton fall well below this standard. When we cut through the rhetoric about rule of law, abuse of power, civil rights cases, we have the allegation that the President tried to conceal an embarrassing private relationship. These efforts at concealment came in the Paula Jones lawsuit, a civil lawsuit. The relationship being concealed was that between the President and Ms. Lewinsky, and it was only tangentially relevant to the lawsuit, which was subsequently dismissed.

In any event, in his grand jury testimony, the President admitted that he had an improper, intimate relationship. At worst, the President lied about the exact nature of some of his intimate actions. It is hard to see how these alleged lies could constitute "great and dangerous offenses" or "attempts to subvert the constitution" which should be the basis for an impeachment, according to George Mason, one of our founding fathers.

When I say that not all crimes warrant impeachment, I am not saying that I approve of a President committing crimes. What I am saying is that the purpose of the impeachment process is not to punish crimes, but to remove a President who has misused the powers of his office. If President Clinton committed the crimes alleged here, these crimes should be dealt with in a criminal proceeding or a judicial proceeding, not in the executive office.

I emphasize that it is not clear that crimes were in fact committed. Many of the scholars and prosecutors who testified before the Judiciary Committee concluded that the evidence presented against President Clinton would not have resulted in the prosecution of an ordinary citizen.

There are other means for the Congress to deal with misconduct by the President which falls short of the impeachment standard. Congress has the power to pass a censure resolution, expressing our condemnation. The impeachment process, which requires removal from office, must be reserved for extraordinary cases. If we lower the bar for impeachment, we seriously weaken the Presidency by giving a Congress controlled by the opposition party virtually unlimited power to subject a President to an all-consuming removal process.

The majority party has tried since January to convince the people that the President should be removed from office. Two thirds of the public remains unconvinced despite being bombarded daily with false charges. I am astonished and deeply distressed by the procedural travesty to which the minority has been subjected: denial of our right to offer and have a vote on a motion of censure. What does the majority fear of a vote on censure? Are they afraid that it might pass, with some of their own members voting for censure, rather than impeachment? Apparently fear of failing short of their objective of removing President Clinton from office is driving the procedural unfairness to which we have been subjected.

The majority still has time to be fair so fare fair to us and to American people by allowing a vote on censure, which I would support.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Oregon (Mr. DEFazio).

(Mr. DEFazio asked and was given permission to revise and extend his remarks.)

Mr. DEFazio. Mr. Speaker, Member after Member has risen on the other side and said the President should not be above the law. He is not. Ken Starr is free to prosecute the President, indict him, perhaps while in office, but definitely after.

It is not ordinary criminal or civil law in question in this debate, it is Article II, Section 4 of the Constitution regarding impeachment. Impeachment is a special punishment reserved for the President of the United States and other Federal civil officers.

The founders set an incredibly high bar for impeachment. Constitutional scholars all agree, the framers of the Constitution did not want a President to be impeached simply because a majority of the Members of Congress disagree with his policies or found his morals repugnant.

The Republican majority has not raised and proven offenses that meet
December 18, 1998

CONGRESSIONAL RECORD – HOUSE

H11861

those standards. Rather they have met the standards met by Gerald Ford 25 years ago. He said an impeachable offense is anything 218 Members of the House will vote for.

That is an unconstitutional and cynical standard. The alternative of censure would serve as well in this matter. A near unanimous House could deliver a stinging and historic rebuke to the President with a motion of censure, and we will be denied that vote, and we are denied sufficient time to speak on the floor.

Member after Member on the Republican side has stood to plead the force of law—that no citizen no matter how powerful should be above the law.

There is total agreement on that point. The President should not be above the law for purposes of criminal prosecution. Mr. Starr is free to attempt to indict the President for criminal wrongdoing—if not while the President sits in office he could certainly be prosecuted in 2 years after leaving office.

It is not about criminal or civil law in question during this debate. The law that binds the House of Representatives in this proceeding is the Constitution of the United States article 2 Section 4 regarding Impeachment for Treason, Bribery, or Other High Crimes and Misdemeanors.

Impeachment is a special punishment reserved for the President and other federal civil officers.

The Founders set an incredibly high bar for impeachment: At the time of the Constitutional Convention, the “High Crimes and Misdemeanors” had 400 years of precedent in English law—it meant serious official misconduct and abuse of the powers of the government by the King or one of his officers.

Alexander Hamilton characterized impeachable offenses as “political” actions that involve injuries done to the society itself. George Mason spoke of “attempts to subvert the Constitution.”

Constitutional Scholars all agree that the framers of the Constitution did not want a President to be impeached simply because a majority of Members of Congress disagreed with his policies or found his morals repugnant. We do not have a parliamentary system of government where a Prime Minister can be voted out of power by a majority of Members of Parliament.

President Clinton failed in that simple obligation of any President, and any person. The President’s offenses justify my vote in support of articles 1, 2 and 3. The President’s offenses are abuse of power by the leaders of the Majority of Members of Congress and the American people.

I yield 1 minute to the distinguished gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. Mr. Speaker, I rise in support of articles 1, 2 and 3. The President’s offenses are abuse of power by the leaders of the Majority of Members of Congress and the American people.

I yield 1 minute to the distinguished gentleman from New Jersey (Mr. PAYNE).
Mr. SENSENBERRENN. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. OXLEY).

(Mr. OXLEY asked and was given permission to revise and extend his remarks.)

Mr. OXLEY. Mr. Speaker, I rise in support of the four articles of impeachment.

As a former law enforcement official, I have helped put people in jail based on the strength of witness testimony. Our entire judicial system must rest on the sure and solid foundation that witnesses tell the truth, the whole truth, and nothing but the truth, under solemn oath.

Beyond a reasonable doubt, William Jefferson Jefferson Clinton willfully and purposefully committed perjury. He did so with alarming forethought, frequency, and disregard for the law.

In a separate solemn oath, his oath of office, William Jefferson Jefferson swore to uphold and defend the Constitution of the United States and the laws of this nation. He has failed to keep his oath, which has brought us to this sad and historic day.

If you believe that President Clinton perjured himself, and I do, and if you believe that perjury is a serious matter, and we must, then we have a duty to pass these painful but necessary articles of impeachment.

President Clinton and apologists for him have tried to make this a debate about anything other than the rule of law. They want to make it a debate about the man and the circumstances surrounding his actions. But we are a nation of laws, and the fundamental question remains: Did President William Jefferson Clinton violate the law?

The facts of this case are well known. Neither the President nor his defenders have countered them effectively. Indeed, on this fundamental question, the President’s team has presented no real defense. They have said that it is just about sex. They have said that he misled, but he did not lie. They have said that a reasonable person might conclude that he lied, but he did not commit perjury. They have said that even if you believe that he committed perjury, it is not an impeachable offense. They have attempted to change the subject any number of times.

However, Mr. Speaker, you cannot explain away that fact that there are people sitting in prison now for making perjurious statements under oath. I have to ask my liberal friends if they have an elitist view of the Constitution. Why should the President be treated differently? Is he, alone, above the law?

I have yet to meet the Democrat who believes that Republican Presidents are above the law. I do not have an abundance of those who believe that this President should be able to lie under oath and get away with nothing more than a stern lecture.

That is what a resolution of censure would amount to—a stern lecture from Congress with no legal underpinning. It would be an extra-constitutional effort and designed to make its proponents feel better while doing absolutely nothing.

Censure may be an easy way out, but it is not a real option. The Constitution gave us no middle ground, which is as it should be. Either the House votes to impeach and put the matter to the Senate, or it does not. It is a bright line, and I know on which side I must cast my votes.

We have seen a lot of bright lines blurred in our society in recent years. Moral relativism abounds. In this case, I have heard the most amazing rationalizations: That it is wrong to lie under oath, unless you are lying about sex. That it is wrong to lie about sexual harassment, unless the woman in question was asked for sex in exchange for perjury, but if you are really, really sorry, we can forget about it. This kind of logic only makes sense to those bent on defending the indefensible.

The scandals of recent years have desensitized our culture and denigrated our society. Beyond the White House scandals, each travesty as a celebrity former athlete literally getting away with murder and a physician killing a patient on national television have contributed to the notion that those with adequate legal defense funds are not accountable to the law.

President Clinton lied repeatedly, with forethought, in civil litigation, before a federal grand jury, and in response to questions posed by the House Judiciary Committee. He obstructed justice in numerous ways. His deputized aides have attempted to destroy those who dare to oppose him. He has shown contempt for the truth, the law, the Congress, and his fellow citizens.

Section 4, Article II of the U.S. Constitution states that the President “shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.” The threshold question is whether the President, at a minimum, committed a high misdemeanor. Who can seriously doubt that he has?

President Clinton should be impeached by the House of Representatives and the matter referred to the U.S. Senate. It is our solemn responsibility, and we must not flinch from it.

Mr. SENSENBERRENN. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. PEASE), a member of the Committee on the Judiciary.

Mr. PEASE. Mr. Speaker, as a member of the Committee on the Judiciary, I have spent the greater part of the last several months reviewing the terms which were assigned to us by action of the House. It has not been an easy task, especially as I struggled to maintain objectivity in the face of intense pressures from across the political spectrum.

It seemed that everyone had an opinion, usually very firmly held, and that anyone of any other opinion was not only wrong, but wrongly motivated as well.

I accepted that, though I was discouraged with my own inability to convey to others an understanding that people could hold strong convictions without questioning the motives of those who differed with them, and that all matters, but especially those as momentous as the President’s, must be approached with respect for all involved and the institutions which we cherish.

As I have drawn the conclusions which my position on the committee requires me to address, the level of recency has increased, and again it has been across the political spectrum. Everything from my judgment, to my patriotism, to my motives, to my professional and personal life have been attacked by people who obviously feel passionately about the issues before us.

I understand that too, but feel deeply my failure to persuade others that issues of high importance, perhaps most especially my personal, can and should be debated, not free of passion, but certainly free of vilification and personal attack.

I have tried at all times to conduct myself accordingly. If nothing else, I hope I have made that contribution to this conversation.

Members of the committee have worked, I believe, honestly, sincerely and under extraordinarily difficult circumstances to do their jobs. We have differed on many things, from the role of the committee, to the standard of proof, to the definition of high crimes and misdemeanors. On several of them there was agreement, but I have never questioned the motives of my colleagues or my constituents.

Among the issues the committee addressed was that of censure. As we went into that discussion, I did not know whether this was an appropriate option for us to consider, but I felt the instructions of the House allowed us to review it. As one who hoped to find both the right answer and one that most of us could support, I felt that we must.

We did, and through the course of the debate it became clear that the meaning of censure and its place in a constitutional construct was unclear. Aside from the constitutional discussion of whether either the House or the Senate, neither or both, could impose a censure, there was not even agreement on whether a resolution of censure was intended to punish or not.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. HINOSA).

Mr. HINOSA. Mr. Speaker, this is a sad day in our Nation’s history. I say this because the stage has been set today to impeach our President against the will of the American people. This action is partisan, this action is wrong, this action is unconscionable.

How can we say this is a political democracy when an overwhelming majority of the American people have clearly stated they want our President to remain in office? How can we say this is a political democracy when an overwhelming majority of the American people have said they want to see us...
I will vote my conscience today. I will vote to reflect the will of the people. I will vote against partisanship and against impeach-ment. I will cast my vote for Democracy.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut (Mr. GEJDENSON). (Mr. GEJDENSON asked and was given permission to revise and extend his remarks.)

Mr. GEJDENSON. Mr. Speaker, I hope the Republicans no longer come to the floor to tell us they are for small government, because they are involved in the ultimate big government act. They are attempting to take away from the president of the united States who will preside over this great country. When we saw Khruschev removed by the Politburo, no one ran tears. He was not elected by the people; he was appointed by an unelected body. When we see coups d'etat, the removal of elected presidents in Third World countries, we are saddened that they have not developed to a stage where they have the institutional instincts to curb debate to criminalize the process of differing views.

But here in this House today, the Republican Party ignores what the Constitution asks us to do. The President, for his criminal acts, if they exist, is left to the normal criminal process. We are here to judge if he undermined the United States in his office. Did he indeed take actions that were deemed necessary for removal? The answer is no. Vote against this proposal.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. HINCHEY).

(Mr. HINCHEY asked and was given permission to revise and extend his remarks.)

Mr. HINCHEY. Mr. Speaker, in our recent history, Barbara J ordan gave us the best short definition of an impeachable offense during the impeachment hearings on President Nixon when she said she would not tolerate the diminu- tion, the subversion, the destruction of the Constitution. President Clinton stands accused of something far short of that standard.

By now I think most Americans have concluded that the President has not subverted the Constitution. He has not undermined our system of government. This impeachment punishes the coun-try. It robs us of the time and attention that we should be devoting to other matters. It subverts the official duties of the President. It forces us to endure a trauma that serves no prac-tical purpose. It opens up the possibil-ity that the country will be forced to endure similar suspensions of the Nation's business again and again if future Presidents face penalties for any charges that a hostile prosecutor or a congressional majority can find.

Let us preserve impeachment for high crimes that betray the American peo-ple and our system of democracy. The charges against the President do not meet that threshold.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Ten-nessee (Mr. CLEMENT).

Mr. CLEMENT. Mr. Speaker, I have heard a lot of talk today about the rule of law. I wish I could have heard talk about the rule of fairness. Why could we not have debated and voted on Monday after the bombing ceased in Iraq? Why could we not have had a majority party let us vote on a censure proposal where all of us in the United States House of Representatives could have voted our conscience?

Mr. Speaker, when I listen to the majority party, it makes me wonder if we think the President has not been punished at all yet. The President has been punished. He has been humiliated. He has paid a high price at home, as well as with the American people, as well as the people all across the world.

Mr. Speaker, where our finest hour has been is when we have known how to compromise. That is our finest hour in the United States House of Representa-tives. But how do we com-promise when we just have one point of view?

Vote against impeachment, and give us the opportunity to vote on censure.

Mr. MCCOLLUM. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma (Mr. ISTOOK).

(Mr. ISTOOK asked and was given permission to revise and extend his remarks.)

Mr. ISTOOK. Mr. Speaker, the President was given the opportunity to present witnesses or evidence which would dispute the facts. He did not. His legal hair-splitting defense could not alter the simple truth: The President lied, and lied under oath.

Here is what convinced me that this perjury is an impeachable offense and not simply a moral failure. These were not lies told under sudden pressure when he was unexpectedly asked embarrassing questions. The President's lies were planned well in advance. They were not immediately acted to block justice, even after a Federal judge ruled his behavior was relevant and material. He orchestrated a deliber-ate scheme to tell multiple lies under oath on multiple occasions many months apart. Even today, he has ad-mitted only what he has been forced to admit and otherwise continues to stonewall.

This was not a spur-of-the-moment decision to hide personal shame. He had ample time to correct his course. But he chose to defy the laws of our land.

Mr. Speaker, I will vote to impeach.

Mr. MCCOLLUM. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Speaker, I rise in support of the resolution. We have before us the evidence as presented by all responsible parties, as well as the thoughts of so many con-stituents who feel strongly that their voices should be reflected in the votes we cast.

After reviewing so much of the evidence, I believe it is now clear that the
President has violated both his oath of office and the oath he took to tell the truth. In doing so, Bill Clinton not only committed perjury, he violated the public trust. I will, therefore, vote in favor of his impeachment.

What Mr. Hyde and Mr. Conyers will disagree, and strongly so, with my decision, I reached it after much thought, deliberation and soul-searching. When this sad chapter in our history is closed, I will have voted the way I did because I have shared with my two teenage daughters, thousands of other school children the fact that the truth still matters and always will and, finally, that a vote of conscience is always the right vote.

The SPEAKER pro tempore (Mr. Lahoood). The Chair announces that since beginning the debate at 12:15, the Republican side has used 2 hours and 16 minutes, and the Democratic side has used 2 hours and 26 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. Meehan), a member of the Committee on the Judiciary.

Mr. MEEHAN. Mr. Speaker, I would just like to respond. The gentleman from Oklahoma (Mr. Istook) just said that we gave the President an opportunity to call witnesses, to prove his innocence. Since when is the burden of proof in this country on the person being accused?

You have the obligation to provide a case before the Committee on the Judiciary, and you did not provide a single material witness in this case. Not one witness. And then they get up before this House and say the President had an opportunity to bring witnesses to prove his innocence. You had the obligation to provide the witnesses that would have proved the charges before this House, and you did not provide one witness.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Hawaii (Mr. Abercrombie).

Mr. ABERCROMBIE asked and was given permission to revise and extend his remarks.

Mr. ABERCROMBIE. Mr. Speaker, I think I am perhaps the only Member here who won an election and lost an election on the same day. I won a special election in 1986 and lost a primary on that same day. As a result, I was the last person to be sworn into this body by Tip O'Neill before he retired.

What I remember from that short time that I was here, not knowing whether I would come back, is remarks from Tip O'Neill and remarks from the gentleman from Illinois (Mr. Hyde). Both of them said to me in the short time I was here, whether you are here 3 weeks, as I was, or whether you are here for 30 years, this is the people's House. This is the House of democracy. That lesson is given to me by Tip O'Neill and the gentleman from Illinois (Mr. Hyde). To not have the availability to us today to vote on a censure motion is to take away the fundamental sense of fairness that made me so proud to have been able to come to Hawaii 40 years ago, never knowing that I would have the chance to serve in this House and to be denied the opportunity now the President has committed impeachable offenses, and that is the reason for me to support the resolution today.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. Gutierrez).

Mr. GUTIERREZ. Mr. Speaker, the gentleman from Georgia (Mr. Gingrich) was always proud to remind us that he was a professor of history, so he could tell us about the Constitutional Convention, where it was decided that a President could be removed from office for high crimes and misdemeanors, or he could tell us that censure was weighed and exercised against chief executives in the 19th century.

Let me just tell you that I am not condoning the President's behavior, and if we had the chance, we would vote to condemn it. To take poetic license from Mark Anthony's words from Julius Caesar, I do not come here to praise Bill Clinton, but I do not want to see him either, buried under an avalanche of insinuando and salacious scandal. Nor do I wish to see this Congress play the role of Brutus, reaching across the centuries to stab in the back the founders of our democracy who entrusted us with their legacy.

No one is attempting to defend the President. We are trying to defend a historical precedent. The voters spoke and they said they were sick of this partisan political process, sick of this extraordinarily expensive exhaustive examination of an extramarital affair.

History tells us what to do. Vote against impeachment of the President of the United States.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Ms. McKinney).

Ms. MCKINNEY. Mr. Speaker, today I rise with sadness in my heart. It is a sad day for our republic.

Today, the Republican leadership in the House has proven that they are, in fact, the minority party. The Republican leadership represents the minority view on impeachment, on healthcare reform, on tax cuts to benefit the wealthy, and on protecting and preserving the environment.

Today, the Republican leaders have chosen to trample the Constitution with partisan arrogance in order to strike a political blow against President Bill Clinton. Today, the American people clearly oppose impeachment.

But the Republican leaders, blind above their own sanctimonious piety and hypocrisy, have chosen to push our Nation to the brink, the brink of a constitutional crisis for their own political benefit.

Today, House Republicans held Bill Clinton to a standard that neither the current Speaker, nor the Speaker-elect could meet. Today, our last best hope is that the Senate will be a place where reason takes the place of revenge.

I cast my vote against impeachment today because that is what my constituents want, and because I know that that is the right thing to do.

Today, the Republicans decided that in order to save America, they had to destroy it.

Mr. McCOLLUM. Mr. Speaker, I yield 30 seconds to the gentleman from Arkansas (Mr. Hutchinson).

Mr. HUTCHINSON. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I want to respond to the gentleman from Massachusetts. He did have one thing right, and that is the burden of proof is on those going forward. Mr. Hyde asked and was given permission to revise and extend his remarks.

The evidence has been established and not refuted. We have made our case on that. Today, any dispute about that today—

Mr. MEEHAN. Everything was challenged in the report.

The SPEAKER pro tempore (Mr. Lahoood). The gentleman from Massachusetts (Mr. Meehan) is out of order.

Mr. McCOLLUM. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. Duncan).

Mr. DUNCAN. Mr. Speaker, I asked and was given permission to revise and extend my remarks.

Mr. DUNCAN. Mr. Speaker, I rise in support of these articles of impeachment because of the very serious allegations of felonies contained in them. I spent 7½ years as a criminal court judge trying felony criminal cases prior to coming to Congress. Many experts have pointed out that the role of the House is really that of a grand jury. A grand jury is required to indict any time there is a reasonable possibility that a crime has been committed.

Like a grand jury, I believe the House has no choice but to impeach and to have a full and official report of felony offenses having been committed. Jerome Siefman, the former Democratic chief counsel of the Committee on the Judiciary, wrote recently that in his view, “There is now more than substantial evidence to consider that the President has committed impeachable offenses, and that the Congress has a moral, ethical, and constitutional responsibility to vote to impeach in this situation.”

A Speaker earlier this morning mentioned the Justice Department during this administration has prosecuted 700 people for perjury type offenses. One of our leading syndicated...
columnists summed up by asking, are we people of the Constitution? Mr. Speaker, I rise in support of these Articles of Impeachment because of the very serious allegations of felonies contained in them.

Before coming to Congress, I spent 7½ years as a criminal court judge trying felony criminal cases.

Unfortunately, I believe some Members of Congress are forgetting, ignoring, or perhaps do not understand the proper role of the House in an impeachment proceeding.

Also I have seen with former Senator Howard Baker this week, and he said many people are missing a very key difference between the impeachment proceedings today and at the time of the Watergate hearings.

Senator Baker said those who wishfully talk about the bipartisan nature of Watergate are forgetting or overlooking the fact that many Republicans came forward then and put aside their partisanship even though it went against a President of their own party.

Today, not only are almost all Democratic Members siding with the President, they are adopting his strategy of attacking his attackers in a very partisan, very aggressive manner.

Republicans have been criticized by many on the national media for being partisan. However, we would take lessons from the Democratic members of the Judiciary Committee on how to be partisan.

We cannot hold a candle to the other party when it comes to partisanship. Democrats, almost in lockstep fashion, are saying they find the President's behavior reprehensible, But . . .

This “but” is about as big as “but” can be and essentially means the President should once again get away with things no one else could get away with.

As to the House’s proper role in an impeachment, it is really that of a grand jury. Jonathan Turley, a law professor at George Washington University, said in his testimony before the Judiciary Committee:

The roles of the House and Senate roughly resemble the classic grand jury and petit jury models. Under the Constitution, the House functions much like a grand jury. Like a grand jury, the House does not rule on the merits of impeachment allegations, a function given exclusively to the Senate.

The Washington Times wrote:

The Constitutional system of impeachment gives the House the role of grand jury. The only decision to make is whether the bulk of unproven information presents a prima facie case that needs to be tried by the Senate.

The Atlanta Constitution stated that:

The U.S. Constitution makes the House of Representatives a grand jury and the Senate a trial court for impeachment proceedings, but it does not spell out how each body should handle its responsibilities.

I do not think the grand jury system is fair, and I believe it should be changed or eliminated.

However, unless or until the law is changed, a grand jury is required to indict someone if there is any reasonable possibility that a crime has been committed.

Our Founding Fathers envisioned that even some misdeemers might require impeachment. Does anyone really believe they would have said we should ignore or overlook felonies?

We now have a report from the independent counsel, appointed by the President’s own Attorney General, saying that the President has committed felony offenses.

Jerome Ziefman wrote recently in the Wall Street Journal:

As a lifelong Democrat and chief counsel of the House Judiciary Committee at the time all four Articles of Impeachment were voted upon by the House, I believe I have a personal responsibility to speak out about the current impeachment crisis. And I believe my fellow Democrats on today’s Judiciary Committee have moral, ethical, and constitutional responsibility to vote to impeach President Clinton. Like most traditional Democrats—like most Americans—I have grave reservations about Mr. Clinton’s morality and ethics. In my view there is now more than substantial evidence to consider our President a felon who has committed impeachable offenses.

As one of our leading syndicated columnists summed up:

Are we people of the Constitution? Are we a nation of laws? Do Americans believe that perjury, obstruction of justice and lying to a federal grand jury—all felonies for a private citizen are not felonies when done by a president? Is a president above the laws that bind other men?

Senator Baker also told me at our lunch that the Senate could conclude this matter in one day if they really wanted to.

I hope that if the House votes to impeach, the Senate moves quickly and that the President and his lawyers and supporters do not use the stall and delay tactics that have dragged this matter on too far already.

Mr. McCollum. Mr. Speaker, I yield 30 seconds to the gentleman from California (Mr. Packard).

Mr. Packard asked and was given permission to review and extend his remarks.

Mr. Packard. Mr. Speaker, it is with heavy heart that I rise today in support of impeachment. I took an oath to uphold the Constitution and defend it against all enemies, and I would betray my conscience and my country if I were to ignore this oath. I rise in favor of impeachment because we all swore an oath, and I take my oaths very seriously, even though the President does not.

My first wish is that the President resign. Unfortunately, he has chosen to place his legacy ahead of our Nation’s interest. Mr. Speaker, I will vote to send these articles of impeachment to the Senate.

Mr. Speaker, it is with a heavy heart that I rise today in support of these articles of impeachment. Voting to impeach the President of the United States is not a responsibility I enjoy, and it is not one I take lightly. But I took an oath to uphold the Constitution and defend it against all enemies, both foreign and domestic, and I would betray my conscience and my country if I were to ignore this oath.

I am not a lawyer. Nor am I an enemy of the President. I have no axe to grind, and I do not wish to create a political party, or to put this matter behind us. Unfortunately, he has chosen to place his “legacy” ahead of our Nation’s interests. As a result, Mr. Speaker, we are bound by our oaths to fulfill our constitutional duty and vote to impeach him.

The President of the United States broke the law, violated his oath, and dishonored himself and our country. No poll or posturing erases that fact. We must send a message that no one, no matter how powerful or how popular, is above the law.

Mr. Speaker, I will vote to send these articles of impeachment to the U.S. Senate for disposition. I do so because I swore an oath, and I take my oaths very seriously. I do so because the President, unfortunately, does not.

Mr. Speaker, failing to hold the President accountable for his actions would create a dangerous double standard and no honest last-minute apologies or legal hairsplitting can change this. This has been a nation of laws? Do Americans believe that perjury, obstruction of justice and lying to a federal grand jury—all felonies for a private citizen are not felonies when done by a president? Is a president above the laws that bind other men?

Mr. Speaker, I rise today with a heavy heart, but with a solemn sense of duty, and that is to support all four articles of impeachment against the President of the United States. I want to believe my president. I cannot. I hoped he would keep his promise to have the most ethical administration in history. He did not.

I want to accept his explanation that he did not lie under oath, commit perjury, obstruction of justice, or abuse the power of his office. However, his actions and comments over the past 11 months have shaken my confidence in his ability to distinguish truth from fiction.

If you can’t convince them, confuse them, President Harry Truman once quipped. Like many Americans, I have been confused by the President’s denials, admissions, declarations, and apologies over the past year. I have no doubt, however, that the President has engaged in a clear and calculated pattern of deception. The integrity of the presidency, Mr. Speaker, must always take priority over the self-interest of the current occupant of that office.

Mr. Speaker, failing to hold the President accountable for his actions would create a dangerous double standard and no honest last-minute apologies or legal hairsplitting can change this. This has been a nation of laws.

Leaders should be worthy of the trust placed in them. President Clinton betrayed this trust and no howling last-minute apologies or legal hairsplitting can explain this.

Like most Americans, I have closely followed the Judiciary Committee’s proceedings in recent weeks. Over the past few days, I
have carefully studied the Committee's findings and again reviewed the available evidence. After serious consideration of these issues, I am convinced that the President committed perjury, obstructed justice, and abused the power of his office.

The Constitution of the United States empowers the House of Representatives to impeach public officials who engage in "treason, bribery, or other high crimes and misdemeanors." Impeachment is not a punishment. It is a process established by the Constitution to protect our democracy and preserve the rule of law.

Historical writings on impeachment clearly define its role as a democratic safeguard. In Federalist Paper Number Sixty-Five, Alexander Hamilton wrote that a President may be impeached for "offenses which proceed from the misconduct of public men, or in other words, from the abuse of violation of some public trust."

James Madison explained the impeachment power in the 1787 Constitutional Convention by stating that "some provision should be made for defending the community against the incapacity, negligence, or perjury of the chief magistrate." Our government is founded on the simple premise that "all men are created equal." Equal justice under the law is more than a slogan. It is the bedrock principle that supports our democracy. It is too important to set aside simply to avoid unpleasant or inconvenient consequences.

Our President violated the public trust. His offenses arose from reckless personal misconduct, but they were very clearly public in nature. Perjury, obstruction of justice, and abuse of power can hardly be described as "private" or anything else. We do not have the option of simply "forgiving" the President's unlawful behavior. Failure to hold the President accountable for his actions would seriously undermine the rule of law. Under these circumstances, the Constitution compels us to follow the impeachment process to its conclusion.

I want to believe my President. I cannot. I hoped he would keep his promises to have "the most ethical administration in history." He did not. He failed to accept his explanation that he did not lie under oath, commit perjury, obstruct justice, or abuse the power of his office. However, his actions and comments over the past eleven months have shaken my confidence in his ability to distinguish truth from fiction.

"If you can't convince them, confuse them," President Harry Truman once quipped. Like many Americans, I have been confused by the President's denials, admissions, declarations, and "apologies" over the past year. I have no doubt, however, that the President has engaged in a clear and calculated pattern of deception.

On January twenty-sixth, the President wagged his finger at the American people and said: "I did not have sexual relations with that woman, Ms. Lewinsky."

On August seventeenth, the President stared us in the eye and said: "I did have a relationship with Ms. Lewinsky that was not appropriate."

Last weekend, the President again took to the airwaves to state that he "could not admit to doing something that I am quite sure I did not do." He said all he can do now is "the work of the American people."

I disagree. He can tell "the truth, the whole truth, and nothing but the truth." He swore to do so in the Paula Jones civil deposition and in his federal grand jury testimony. The evidence demonstrates, however, that he knowingly lied under oath.

While President Clinton claims to be remorseful, he continues to ignore the evidence and to deny his unlawful actions. His reliance on legalisms and absurd grammatical constructions is an insult to the common sense of the American people.

The President's defense was similarly unconvincing. Instead of refuting the Independent Counsel's charges, the President's lawyers claimed that his transgressions do not rise to the level of impeachable offenses. I believe, however, that the Constitution directs Congress to make that determination.

The President's lawyers argued that his conduct, even if admitted, would never result in criminal prosecution. However, constitutional scholar Bruce Fein summarized studies of impeachment by concluding that "impeachable offenses were envisioned as political crimes against the nation, which might or might not be indictable under the criminal code."

I believe the weight of the evidence is overwhelming. It leads me to conclude that the President committed perjury, obstructed justice, and abused the power of his office. He committed impeachable offenses by breaking the very laws he twice swore to "preserve, protect, and defend." He knowingly subverted the judicial process and intentionally deceived the courts, federal officials, his friends and family, and the American people.

As our nation's senior law enforcement official, the President must be held responsible for his misdeeds under the rule of law. It cannot be overlooked or ignored. Over one hundred people are currently incarcerated in federal prisons for committing perjury in civil cases. How can we demand responsibility from them while judging the President by a different standard?

The answer, of course, is that we cannot. The integrity of the presidency must always take priority over the self-interests of the current occupant of that office.

Former Justice Felix Frankfurter wrote in 1946 that "If one man can be allowed to determine for himself what is law, every man can. That means first chaos, then tyranny. Legal process is an essential part of the democratic process."

Mr. Speaker, failing to hold the President accountable for his actions would create a dangerous double standard. To borrow a phrase from George Orwell's novel Animal Farm, we would be establishing the principle that some Americans are "more equal than others."

This is one of the most difficult decisions I have ever made, or will ever make. Throughout this process, my constituents made impassioned arguments both for and against impeachment. I spoke with many local residents who offered heartfelt opinions on how to resolve this matter.

In the final analysis, however, I alone must make this momentous decision. After carefully reviewing all of the available evidence and legal precedents, and after much soul-searching, I have decided to support the constitutionally prescribed remedy of impeachment.

Webster's Dictionary defines the term "impeach" as follows: "to bring an accusation against; to charge with a crime or misdemeanor; and to charge . . . with misconduct in office." The evidence demonstrates that the President must be charged with perjury, obstruction of justice, and abusing the power of his office. He has exhibited gross misconduct in office. He should now be held accountable for his actions and stand before the Senate in judgment.

When I was sworn in as a member of the House of Representatives, I took a solemn oath to "support and defend the Constitution of the United States against all enemies, foreign and domestic . . . ." I am confident that history will judge my vote to impeach the President as one borne not from malice, but out of love for my country, and in defense of our shared hope.

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the gentleman from Massachusetts (Mr. Meehan).

Mr. MEEHAN. Mr. Speaker, to respond to the gentleman from Arkansas (Mr. Hutchinson), every single charge that is made by the majority was responded to in our minority report. That is number one. Secondly, only under this system, with the majority railroading this president, could we have a system where someone is accused of perjury, and they will not even tell us which words are perjurious. Nowhere in America could they ever charge someone with perjury and not tell them what they said.

Finally, there is no judicial proceeding anywhere in this country where we do not have a written material witness, come before the bar; nowhere but under their majority.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. Becerra).

(Mr. BECERRA asked and was given permission to revise and extend his remarks.)

Mr. BECERRA. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, that is what we have been reduced to. We are reduced to 1 minute on perhaps the most important vote we will ever cast.

Mr. Speaker, more than the President, we are on trial today. As we debate whether to impeach the President, our actions will be judged by the American people, not only today but for generations to come.

The standard for impeachment is high: treason, bribery, high crimes, and high misdemeanors. These articles of impeachment degrade what our forefathers meant by high crimes and high misdemeanors. While the President's actions were reprehensible, they were wrong, and certainly they deserve punishment, they do not rise to the level of offenses which meet the historical judicial standard of impeachment.

If we approve these articles, a President, which against; to charge with a crime or misdemeanor; and to charge . . . with misconduct in office." The evidence demonstrates that the President must be charged with perjury, obstruction of justice, and abusing the power of his office. He has exhibited gross misconduct in office. He should now be held accountable for his actions and stand before the Senate in judgment.

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Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.

Mr. Speaker, although I am denied the privilege of voting on the floor of this great institution, on behalf of the thousands of Samoan Americans men and women who proudly wear with pride and honor the uniforms of our armed services wherever they are in the world, I am grateful for at least the privilege to express an opinion on this most serious issue that is now before this body.

Mr. Speaker, if we proceed to vote on the articles of impeachment, as mandated or forced upon the Democratic Members by our friends in the majority, I find it difficult to comprehend why procedurally the Members on this side of the aisle are given for at least an hour of floor time to debate outside of the presence of the Senate. The people acting offically on November 3rd, repudiated impeachment, yet the majority has denied a vote on the public preference for censure, defying its own announced standard that no impeachment could occur without bipartisanship. The majority is headed for an incredible partisan party line vote to impeach the President. This impeachment is raw with unfairness.

We are converting a solemn constitutional process into a petty political proceeding. The people, acting officially on November 3rd, repudiated impeachment, yet the majority has denied a vote on the public preference for censure, defying its own announced standard that no impeachment could occur without bipartisanship. The majority is headed for an incredible partisan party line vote to impeach the President. This impeachment is raw with unfairness.

Mr. Speaker, this impeachment is unfair on three counts. It is unfair to the President, whose admitted misconduct in covering-up a private sexual affair cannot compare to the Nixon precedent, where high State crimes were not in doubt; it is unfair to the country, because the preference of the voters for censure of the President is being barred even from consideration; it is unfair to the people who live in this city, whose 23rd amendment赋予 the right to vote for the President has been denied, because they cannot vote for removal of the President.

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The framers sought to make partisan impeachment a contradiction in terms; the majority is making it a reality. The people acting officially on November 3rd, repudiated impeachment, yet the majority has denied a vote on the public preference for censure, defying its own announced standard that no impeachment could occur without bipartisanship. The majority is headed for an incredible partisan party line vote to impeach the President. This impeachment is raw with unfairness.

Some twenty-four years ago Congress moved toward the impeachment of President Richard Nixon in 1974. That action was directed by the FBI and CIA to cover up illegal activity, used the IRS to investigate political enemies, and cheated on his personal income taxes. Those actions were grave enough that it was expected that more than a two-thirds majority of the Senate would vote to convict. In contrast, the actions taken by President Clinton were of a personal nature and his attempts to save himself and his family from personal embarrassment are not, in my opinion, impeachable.

Some have argued that a resolution of censure is unconstitutional. I am not persuaded by that argument. For one reason, such resolutions have been pursued on several occasions in the past, including a Senate censure of Andrew Jackson in 1834, resolutions and statements of censure of President John Adams in 1800, against President John Tyler in 1842, against President James Polk in 1848, and against President James Buchanan in 1860 and 1862. In more modern times, two censure resolutions were brought against President Richard Nixon, one in 1973 and one in 1974.

The actions the Congress cannot take against a President, such as reducing his salary during a current term in office, are spelled out in our Constitution. No where does it say the Congress cannot express its opinion of actions taken by a sitting President. Mr. Jack Maskell, author of a recent CRS report on this issue notes that although there is "no express constitutional provision regarding censure... this does not mean that there is no express congressional power to impeach." Instead, he concludes that a "resolution of censure'' for Congress to adopt a resolution expressing censure. It is also being argued that censure is no more than a slap on the wrist. In fact, strongly-worded resolution of censure is sure punishment which would have greater impact, in current terms and in the future, than this doomed-to-fail effort to remove the President from office.

In addition to being disproportionate to the wrongs committed, a trial in the Senate based on articles of impeachment adopted by the U.S. House of Representatives will distract the Nation for months and make it more difficult for the Congress to attend to its legislative duties. Such an action at this time lowers the standard for future impeachments, and will encourage future Congresses to bring articles of impeachment against future Presidents for offenses other than "high crimes and misdemeanors.”

As a practical matter, a trial in the Senate on articles of impeachment against President Clinton will likely not result—in my opinion—in a conviction by a two-thirds majority vote as required by the constitution.

Mr. Speaker, if we proceed to vote on the articles of impeachment as mandated or forced upon the Democratic Members by our friends in the majority, I find it difficult to comprehend why, procedurally, the Members on this side of the aisle are not at least afforded the courtesy of voting—as a matter of conscience, to censure the President of the United States. The majority has the votes to impeach, but for the sake of fairness, why are Members so adamant in not allowing other members, who also represent millions of our fellow Americans, to vote for censure?

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Mr. Speaker, I say to my friends in the majority—and you are my friends—when all this is over, with blood all over this floor, my friends in the majority will have pounded and hammered some 218 nails on the flesh of this man without even an ounce of blood as a cure.

Mr. Speaker, although I am denied the privilege of voting on the floor of this great institution, on behalf of the thousands of Samoan-American men and women who proudly wear with pride and honor the uniforms of our armed services wherever they are in the world, I am grateful for at least the privilege to express an opinion on this most serious issue that is now before this body.

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Mr. Speaker, this is a sad day for our American democracy. Instead of acting according to the highest principles of compromise, consensus and bipartisanship, the American people are witnessing the worst example of how we, as representatives of the people, are acting in a most pathetic, mean-spirited, adversarial, partisan process.

Mr. Speaker, I submit—God definitely needs to bless America.

Mr. MCCOLLUM. Mr. Speaker, if we proceed to vote on the articles of impeachment as mandated or forced upon the Democratic Members by our friends in the majority, I find it difficult to comprehend why, procedurally, the Members on this side of the aisle are not at least afforded the courtesy of voting—as a matter of conscience—to censure the President of the United States. You have the votes to impeach, but for the sake of fairness, why are you so adamant in not allowing other members, who also represent millions of our fellow Americans, to vote for censure?

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Mr. MCCOLLM. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. McCrery).

Mr. McCrery asked and was given permission to revise and extend his remarks.

Mr. McCrery. Mr. Speaker, I rise in support of the articles of impeachment. Mr. Speaker, private liaisons between consenting adults should be just that—private. If President Clinton had simply been revealed to have had an extra-marital affair,
the U.S. House of Representatives would not be considering articles of impeachment. Unfortunately, the President’s troubles arise from a number of actions quite different from private, consensual sexual encounters.

Before the President even knew Monica Lewinsky was involved in a civil lawsuit filed by Paula Jones, a former Arkansas state employee, who claimed that, while she was a state employee, the governor of Arkansas, Bill Clinton, made a crude and unwanted sexual request of her. Ms. Jones claimed in the lawsuit that she was emotionally upset by the governor’s action and that she suffered in her job as a state employee as a result of her refusal to grant the governor’s request for her to perform a particular sex act with him. The subject of this lawsuit was not a consensual sex act, but an unwanted sexual advance by the male employer of a female.

In any civil lawsuit, the plaintiff has the right to call witnesses to testify under oath as to the truthfulness of the claims being made in the lawsuit. Central to our civil justice system is the requirement that witnesses under oath tell the truth, that their testimony would not be used to incriminate them, in which case the witness can claim the 5th Amendment to the Constitution and refuse to testify.

President Bill Clinton was called to testify in the discovery phase of the Paula Jones lawsuit. Between President Clinton and Ms. Jones, there were a number of statements which have since been shown to be false. Taken together, these lies under oath were clearly calculated to thwart the Jones v. Clinton federal civil judicial proceeding.

Upon the discovery of evidence indicating the President may have committed perjury, a federal criminal grand jury was charged with investigating the matter. President Clinton testified under oath before that grand jury and, once again, told a series of calculated lies. Good lawyers may quibble over whether the President’s lies under oath constitute perjury, but I believe no reasonable, unbiased person would conclude that the President did not lie under oath. I am convinced that the lies under oath do constitute perjury, a felony criminal offense.

In addition to the perjurious testimony given by the President, I am convinced, after carefully studying the evidence, that the President engaged in a pattern of obstruction while the Jones v. Clinton case was pending, and while a federal criminal investigation was pending, in order to thwart those proceedings. The pattern of obstruction consisted primarily of tampering with witnesses whom the President knew would likely be called to testify before the criminal grand jury. Those witnesses included Monica Lewinsky, his secretary, Betty Currie, and numerous White House aides.

In summary, this impeachment proceeding is not about sex! It is about attempts to thwart proceedings in our civil and criminal justice systems. It is about the President committing perjury in a civil lawsuit which concerned not consensual sex, but a crude and inappropriate sexual advance made by an employer toward an employee. It is about the President committing perjury before a criminal grand jury. And it is about the president having so little regard for the rule of law that he even sought to have others commit the crime of perjury in order to protect himself. Those acts constitute an attack by the President on our justice system, serve to undermine the orderly administration of justice in this country, and are therefore impeachable offenses. As a lawyer, had I committed the offenses the President committed, I would be disbarred. Should the President be held to a lower standard than that expected of lawyers in this country? Surely not.

It is important, if not critical, for the U.S. House of Representatives to approve articles of impeachment against President Clinton in order to send the message to the citizens of our Nation that the rule of law is a crucial part of the foundation of our society, and that no one, not even the President, no matter how popular he might be, is above the law.

Mr. MCCOLLUM. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. ROGAN).

Mr. ROGAN. Mr. Speaker, I thank the gentleman for yielding time to me. Mr. Speaker, some now suggest that holding a President, accountable after committing perjury in a criminal grand jury proceeding amounts to a coup d’etat. In my book, blood on the floor demeanes the level of this debate. I quote from Dr. Larry Arnn:

Electors have no higher standing under our Constitution than the impeachment process. Both are by provisions of the Constitution. The people elect the President to do a constitutional job. They act under the Constitution when they do it. At the same time, Congress is in a constitutional relationship to do a different constitutional job. The President swears an oath to uphold the Constitution. So does the Congress. Everyone concerned is acting in ways subordinate to the Constitution, both in elections and in the impeachment process.

If a President is guilty of acts justifying impeachment, then he and not the Congress will have “overturned the election.” He will have acted in ways that betray the purpose of his election. He will have acted not as a constitutional representative, but as a monarch, subversive of, or above the law.

Mr. McCOLLUM. Mr. Speaker I yield 4 minutes to the gentleman from New Jersey (Mr. ROUKEMA).

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Mr. ROUKEMA. Mr. Speaker, we are all, all, all deeply saddened to be here in the midst of this constitutional crisis. But I am convinced that it is my constitutional duty to vote for the articles of impeachment as presented by the Committee on the Judiciary.

Let us first be very clear. The case against the President is not about sex or the privacy of the President and the first family. It is about the very public legal action of perjury in a civil disposition and before a Federal criminal jury and the implementation of an economic policy and the law, along with the questions of obstruction of justice and abuse of power.

In this respect, I have determined that the evidence brought before us by the Committee on the Judiciary is credible and substantial, and warrants sending, and listen to this, sending these articles to the Senate for trial. This is our constitutional obligation, and one that all of us Members of the House owe to the people, to fight for the rights we ourselves when we took our own oath of office.

I would stress, and this is, I think, very important for all our colleagues to remember, and for the public to remember, this House did not arbitrarily choose to do this. This case was forced upon us as a consequence of the President’s failure to deal directly with the Paula Jones lawsuit years ago, and the President at the same time over the years, including the 18 months under investigation, while under investigation by the Independent Counsel’s office.

This issue before us today is, can the House fulfill its constitutional obligation and not yield to the spinmeisters or the talk shows. This is not a matter of a popularity or an uninformed poll. It is a matter of our constitutional obligation, and how we can turn this over to the Senate for trial.

Mr. Speaker, I bear no animosity towards the President. I do not wish him ill. Clearly, any sins that may have been committed are between him and the Lord, and any infidelities must remain between him and his family.

But we cannot deny the damage that has been done to his office and to our Nation. He is the chief executive officer and our chief law enforcement officer of the United States of America. It is the obligation of this Congress and the Committee on the Judiciary to make this case to the people so that they will understand that the bottom line issue is that no one is above the law. That has to be determined with a full trial in the Senate.

Mr. Speaker, history will judge us. Our children and our grandchildren will know whether we voted to endorse and buttress the rule of law and allow our constitutional process to work. That is our obligation under the law. That is the oath we took as Members of Congress.

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, it is a coup d’etat when you impeach a President for allegations that even if true the overwhelming majority of constitutional scholars say are not impeachable offenses. It is a coup d’etat when most of the prosecutors who testified in front of the committee said no prosecutor would seek an indictment because no jury would convict on the evidence we have. And it is a coup d’etat when you seek to upset an election, to remove the chief executive officer of the United States of America, without a broad consensus of the necessity for doing so against the majority of the American people. That describes a coup d’etat.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. VENTO).

(Mr. VENTO asked and was given permission to revise and extend his remarks.)

Mr. VENTO. Mr. Speaker, I rise in strong opposition to these articles of impeachment. Indeed I think it is time that we uphold our constitutional responsibilities, not debase them. In fact,
we have a solemn duty and judgment that we are to make. I think that the report that has come back and the duty charged to the Committee on the Judiciary has been lacking. You have not done the job that is expected of you, and then jamming this into two weeks after the election obviously gives strong suspicion to the reasons that we are doing this.

This does not stand the legal test. This does not stand the constitutional test. This is turning this Congress upside down. This is partisanship carried to an extreme. It is now attacking the basic fundamental document, the law of the land, our Constitution and process.

There is a reason that there have not been impeachments in the past of the President. The only time we can look to is after the Civil War when this country was in upheaval. The fact is, if this is the direction that we are going, if you are going to lower the bar and set new precedents such as this with regard to impeachment, we are going to keep the Senate awful busy.

This is an outrage, Mr. Speaker. Mr. Speaker, I rise in strong opposition to the Articles of Impeachment before the House.

These articles and conclusions are unfair and demonstrate very poor judgment and rank partisanship on the part of the Republican Majority, the House Committee and Leadership. The House, on September 11, 1998, sent the Starr report to the Judiciary Committee with the charge to investigate and determine the validity of such assumptions. The Starr report, unlike the investigatory work from previous Special Counsels, went beyond a report on the proceedings before the Grand Jury and actually put forth conclusions. Rather than presenting the evidence and permitting the Congress to make its own judgment, the Starr Report superimposed the views of the Special Counsel upon the House. In fact, Kenneth Starr's outspoken advocacy for impeachment resulted in the resignation of Sam Dash, the famed 1970's Watergate Counsel, whom Starr had personally engaged as the Ethics Advisor for the Office of Independent Counsel.

The Judiciary Committee, with the authority of the House vote, had the responsibility to fully evaluate this 450-page report, the seventeen boxes of testimony and the additional materials. The final product presented today as Articles of Impeachment has failed significantly to achieve an independent, credible, bipartisan and objective conclusion concerning the conduct of the President. The standard of evidence is second hand and is far short of the Watergate criteria of clear, convincing evidence.

The Judiciary Committee and the Republican Majority permitted this major Constitutional role to languish, spending most of the limited time debating which material should be made public. Unfortunately, throughout the time period from September 11 until today, the Judiciary Committee did not hear from a single direct witness and never subjected any witness to cross examination. Rather, this report rubber stamped allegations of the Starr report and sees fit to manufacture a further Article of Impeachment from the 81 questions put forth by the Republican Majority.

The Republican Majority motivations to rush to judgment today are transparent. In mid-October, when the Democrat Minority sought to limit the scope and timetable for the consideration of this Starr Report, the Republican Majority refused. Subsequently, the Starr Report and the Judiciary Committee investigation languished with not a single substantive hearing before the November 3 elections. In fact, the Congressional Republicans sought to employ the Starr Report to their advantage in this election cycle. Despite the House spending more than $40 million on investigations on varied topics and the Office of the Independent Counsel expending in excess of $40 million, the American electorate spoke loud and clear on November 3. They want a Congress that will use its powers and time to address the concerns and the problems that affect the American people rather than a GOP Congress which wields their power to undercut their political opponents as they have since winning control in 1995. Most notably, Democrats and President Clinton have been the primary focus of most investigations. The Starr Report has shown this unfair abuse of power and harassment and have become fed up with such antics. In an historic November 3, 1998 election, this year the GOP majority lost significant ground and specifically lost on the issue of the Starr Report and the relentless abuse of power by the Starr and the Congressional GOP counterparts.

As Speaker GINGRICH announced his intent to step down, light shone through the partisan clouds that have loomed over the Congress these past two years. The public expected that this Congress would accept the people's judgment. Instead, the GOP leadership quickly reverted to unfair partisan action. Recognizing that more Democrats would be in the Congress in January 1999, they set upon a scheme to jam through the lame-duck 105th Congress an impeachment vote before the new 106th Congress is sworn into office and seated. Within the Judiciary Committee due process and fairness were cast aside, perfunctory testimony and time limits were the order of the day and within a short period of two or three weeks the process was irrelevant to the accounts of the Starr report and trumped up allegations concerning questions the Majority Republicans asked President Clinton. The end product—these four Articles of Impeachment are grossly unfair, and that was insured by the manner and lack of deliberation that shaped their substance.

That the President was evasive, unclear and uncooperative regards his representations concerning an extramarital affair is clear. However, even assuming that President Clinton's testimony was perjury or that perjury constituted a crime or misdemeanor, this does not rise to the level of an impeachable offense. It does not involve the President in any way in regards to our impeachment role. The President was required to defend himself against unknown Articles of Impeachment, the Articles were composed and presented after his defense was completed. Furthermore, no material witnesses testified or were subject to cross-examination. The House now also compounds the unfairness that has characterized this process. This proposed action today on the Articles of Impeachment is an abuse of fundamental responsibility and duty of this House. Today's action indeed spells out a new order and degraded role, cheapening the historic meaning and purpose of the impeachment of a president.

This important impeachment role and responsibility of the House should be based on our best effort, not a matter to be compressed into a political timetable with questionable substance and motives. The House, with this proposed action, risks significant harm to the historic role and duties accorded the elected Members by the Constitution should we act today to impeach. I urge the Members to vote no, to step back from the rush to judgment and allows leanings that have dominated this House and permit the Committees of this House to properly do their job. The standard must be clear and convincing evidence—not second hand information, conjecture and a schedule of convenience for the Members of the House. If such allegations have merit, then take the time to do the task and exercise the responsibility properly. Vote no on these articles and against this unfair procedure and process.

Ms. CONYERS, Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. Brown).

(Ms. BROWN of Florida asked and was given permission to revise and extend her remarks.)

Ms. BROWN. Mr. Speaker, the Bible says, let him that sin cast the first stone.

Let me tell you in this Chamber, it is full of sinners. I am here on behalf of my constituents who want me to tell the President that they love him and they are praying for him and the country.

The Republicans say that their sin is different from the President's.
Congressional Record – House

December 18, 1998

H11870

AD JOINTMENT

Mr. SENSENBRENNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; according (at 10 o'clock p.m.), under its previous order, the House adjourned until tomorrow, Saturday, December 19, 1998, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:


12343. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Solid Wood Packing Material From Canada [Docket No. 98-084-F] received December 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.


12345. A letter from the Administrator, Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting the Department's final rule—Fees for Official Inspection and Weighing Services [RIN: 0565-AA66] received December 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.


12349. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Imidacloprid; Extension of Tolerance for Emergency Exemptions [Correction—OPP-300745; FRL-6043-6] (RIN: 2070-AB78) received November 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.


12353. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Hydramethylnon; Extension of Tolerance for Emergency Exemptions [OPP-300754; FRL-6041-4] (RIN: 2070-AB78) received November 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.


12358. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Exports of High Performance Computers; Post-shipment Verification Reporting Procedures [RIN: 0579-AB76] received November 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

12359. A letter from the Assistant Secretary to the Board, Board of Governors of the Federal Reserve System, transmitting the System's...