The House of Representatives

Friday, December 18, 1998

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. LAHOOD).

DESIGNATION OF THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC, December 18, 1998.

I hereby designate the Honorable RAY LAHOOD to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER
The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Let us pray, using the words of Saint Francis: Lord make us instruments of Your peace.
Where there is hatred let us sow love;
where there is injury, pardon;
where there is discord, union;
where there is doubt, faith;
where there is despair, hope;
where there is darkness, light;
where there is sadness, joy.
Grant that we may not so much seek to be consoled as to console;
to be understood as to understand;
to be loved as to love.
For it is in giving that we receive;
it is in pardoning that we are pardoned; and
it is in dying that we are born to eternal life. Amen.

THE JOURNAL
The SPEAKER pro tempore. The Chair has examined the Journal of the last day’s proceedings and announces to the House his approval thereof.

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

PLEDGE OF ALLEGIANCE
The SPEAKER pro tempore. Will the gentleman from New Jersey (Mr. PALLONE) come forward and lead the House in the Pledge of Allegiance.

Mr. PALLONE led the Pledge of Allegiance as follows:

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

PRIVILEGES OF THE HOUSE—PROVIDING VOTE FOR THE DELEGATE TO CONGRESS FROM THE DISTRICT OF COLUMBIA IN CONSIDERATION OF PRESIDENTIAL IMPEACHMENT RESOLUTIONS
Ms. NORTON. Mr. Speaker, I rise to offer a privileged resolution that is at the desk.

The Clerk read the resolution, as follows:

H. RES. 613
Whereas rule IX of the Rules of the House of Representatives provides that questions of privilege shall arise whenever the rights of the House collectively or the Members individually in their representative capacity are affected;
Whereas under the precedents, customs, and traditions of the House pursuant to rule IX, a question of privilege has arisen in cases involving the constitutional prerogatives of the House and of Members of the House; and
Whereas the House is prepared to consider a resolution impeaching the President, and the Delegate to the Congress from the District of Columbia seeks to assert the constitutional prerogative to cast a vote in the consideration of the resolution: Now, therefore, be it

Resolved,

SECTION 1. PROVIDING VOTE FOR DELEGATE FROM THE DISTRICT OF COLUMBIA IN CONSIDERATION OF PRESIDENTIAL IMPEACHMENT RESOLUTIONS.

Pursuant to section 2 of article I of the Constitution and the twenty-third article of amendment thereto granting the people of the District of Columbia the right to vote in presidential elections, the Delegate to the Congress from the District of Columbia shall be permitted to cast a vote in the House of Representatives in the same manner as a member of the House in the consideration by the House of any resolution impeaching the President or Vice President of the United States.

SEC. 2. EFFECTIVE DATE.
Section 1 shall apply with respect to any resolution impeaching the President or Vice President of the United States that is considered by the House of Representatives after the adoption of this resolution.

The SPEAKER pro tempore. Does any Member wish to be heard on whether the resolution constitutes a question of the privileges of the House?

Ms. NORTON. I ask to be heard, Mr. Speaker.

Ms. NORTON. Mr. Speaker, most Americans do not know and most people in the world are unaware that the...
residents of the Nation’s Capitol do not have any representation in the Senate and cannot vote on this floor. 

But the Constitution of the United States, in its 23rd amendment, does give to the residents of the District the right to vote for President and Vice President of the United States. The same Constitution that gives the District the right to vote for President must recognize the right of District residents to representation for a vote on reducing its taxes to the President and Vice President. 

I have submitted a narrowly-tailored resolution, along with a legal memorandum, for a narrowly-tailored right. I am not here asking for the delegate vote in the Committee of the Whole at this time. I am not asking for a House vote. I am asking to vote only on impeachment, in order to perfect the rights of District residents under the 23rd amendment. The House has abundant experience in granting the right to vote to Members of the House.

Clause 2 of the 23rd amendment gives the House the power to enforce the amendment through legislation. My resolution is that legislation. The District is a body so self-reliant that the Constitution affords Congress plenary power to the people of the District of Columbia.

The Twenty-Third Amendment explicit treatment of the District as a State for purposes of District residents under the 23rd amendment. The House has abundant experience in granting the right to vote to Members of the House.

The decision to expel a President from office is as important as the decision to elect the President to office. Indeed, this decision to vote in impeachment proceedings is as momentous. There are no partial rights in the Constitution. It is unconstitutional and irrational to interpret the 23rd amendment to afford a vote for President, but no vote on impeachment.

Let this process begin on a high note of fairness. In the name of the half million American citizens who happen to live in the Nation’s Capital, I ask for the vote in these impeachment proceedings. The House is fully empowered to enact my resolution under Article I, §2, clause 5 of the Constitution (granting the House of Representatives “... shall have the sole Power of Impeachment”); the Twenty-Third Amendment affording the people of the District of Columbia the right to vote for President and Vice President.

I am seeking to protect the constitutional right of District residents to vote for President by securing a vote in the impeachment proceedings only. My resolution is narrowly tailored and would not be a grant of voting privileges to the Delegate in other proceedings of the House.

American citizens living in the District of Columbia participated in the last two presidential elections by choosing as their electors three citizens pledged to President Clinton. Unless Congress acts to remedy the situation under the Twenty-Third Amendment, the population will be the only community of American citizens who do not have a vote in presidential elections of 1992 and 1996 who will have no vote at all on impeachment or conviction.

This constitutional asymmetry not only violates the rights of more than half a million voters; it is unnecessary. Congress has sufficient authority under the District Clause and under the enforcement clause of the Twenty-Third Amendment to grant the District of Columbia the right to vote in the House impeachment process on any and all issues. The right to vote in impeachment proceedings is a broad and central constitutional purpose of securing equal voting and participation rights for all Americans.

The Twenty-Third Amendment puts the District of Columbia essentially on the same level as the states for purposes of presidential elections.

The purpose of Twenty-Third Amendment was to give Congress the power to provide the residents of the District an equal role in selecting the President and the Vice-President. The Amendment allows District residents to participate in presidential elections on an equal footing with the states.

Today, this right can be fully vindicated only by reading the Twenty-Third Amendment to permit Congress to grant the District of Columbia a vote in the Resolution Impeaching William Jefferson Clinton, President of the United States. Otherwise, the political will and sovereignty of residents of the District of Columbia in the selection of the president will be lost in violation of the Twenty-Third Amendment.

The legislative history of the Twenty-Third Amendment prevents me from contradicting this conclusion. Apparently because impeachment has been so rare, there was no discussion of this problem at the time. This is the first occasion that articles of presidential impeachment will go to the floor of the House since the Twenty-Third Amendment was added to the Constitution in 1961. This is a case of first impression.

The Twenty-Third Amendment is part of our Constitution’s progressive inclusion of all “the governed” in the processes of government. The Fifteenth Amendment secured the right of African-Americans to vote. The Nineteenth Amendment extended the right to vote to women. The Twenty-Fourth Amendment abolished the poll tax. The Twenty-Sixth Amendment gave the right to vote to 18-year-olds. All of these suffrage amendments have been interpreted to extend suffrage to former disenfranchised Americans. As the Supreme Court stated in Reynolds v. Sims in 1964: “history has seen a continuing expansion of the scope of the right of suffrage in this country. The right to vote freely for the candidate of one’s choice is of the essence of a democratic society, and any restrictions on that right strike at the heart of representative government.” 337 U.S. 533 (1964)

This reasoning applies equally to the Twenty-Third Amendment and American citizens who happen to live in the nation’s capital.

The case for the Delegate’s vote on impeachment would be harder put if such participation had to be self-executing. But section 2 of the 23rd amendment, “the Congress shall have power to enforce this article by appropriate legislation.” Since Congress is given the instrumental role in activating and enforcing the Twenty-Third Amendment, it may interpret that amendment to give the Delegate the right to cast her vote along with the representatives of all the other states that participated in the presidential electoral college.

The Supreme Court has clearly treated impeachment as a political question solely within legislative competence and control. In Nixon v. United States, 506 U.S. 224 (1993), the Court rejected an impeached judge’s attack on Senate Impeachment Rule XI, under which the presiding officer appoints a committee of Senators to “receive evidence and take testimony.” The Court found that this process of delegating to a committee was wholly within the Senate’s power, and the House has “the sole power to try all Impeachments.” Article I, Section 3, Clause 6. The Court found that the “common sense meaning of the word ‘sole’ is that the Senate alone shall have authority to determine whether an individual should be acquitted or convicted. If the courts may review actions of the Senate in order to determine whether that body ‘tried’ an impeached official, it is difficult to see how the Senate would be ‘functioning ... independently and without assistance or interference’ [from the House of Representatives] to shape and control the trial process, the House of Representatives has the ‘sole power of Impeachment’ in the first instance. Article I, Section 2, Clause 5. As the Nixon Court itself pointed out in discussing the nonreviewability of the Senate trial, “the word ‘sole’ appears only one other time in the Constitution—with respect to the House of Representatives’ sole Power of Impeachment.” Thus, like the Senate, the House of Representatives is free to structure the impeachment proceeding consistent with its own judgment of constitutional requirements.

The Delegate’s participation on the impeachment articles can thus be accomplished by way of a House rule. Article 1, Section 5 of the Constitution generally makes “Each House” both “the Judge of the Elections, Returns and Qualifications of its own Members” and the sole body to “determine the Rules of its proceedings.” As precedent, the House unilaterally granted the Delegate from the District of Columbia and other Delegates full power to participate in the Committee of the Whole on impeachment proceedings, a decision upheld against constitutional attack in Michelle v. Anderson. This case, too, presents little constitutional difficulty because the House is not acting in its bicameral legislative capacity but rather in its unilateral capacity to “have the sole power of Impeachment” under Article I, Section 2. Thus, the House must be able to design and enforce its own rules for conducting the impeachment process.

The Supreme Court has recognized an extremely broad degree of interpretive powers under congressional enforcement clauses found in the Constitution’s suffrage amendments. In Katzenbach versus Morgan it upheld the power of Congress, under Section 5 of the Fourteenth Amendment, to override a New
York law and grant the right to vote to all persons who had completed the sixth grade in Puerto Rican schools regardless of their inability to read or write English. The Court rejected the argument that Congress’ powers under the enforcement clause were limited only to what the Fourteenth Amendment itself required, stating that “It is the power of Congress which has been enlarged. Congress is authorized to enforce the prohibitions by appropriate legislation. Some legislation is contemplated to make the amendments fully effective.”

The Court emphasized that Congress was acting to protect voting rights and expressed reluctance to interfere with congressional determinations. The Court pointed out that the need of the Puerto Rican minority for the direct participation in government for the protection of civil rights and the equal protection of the laws whatever tends to enforce submission to the political will of the majority. The Court said: “It was for Congress, as the challenger of the enforcement clauses give the Congress the effective power” to remedy the situation.

The Court concluded that any legislation enacted under the enforcement clause of the Fourteenth Amendment was permissible so long as the enactment “is plainly adapted to effectuate the Equal Protection of Rights” and “is not prohibited by but is consistent with the letter and spirit of the Constitution,” regardless of whether Equal Protection itself dictates such a result.

Elsewhere, the Court has also found that enforcement clauses give Congress the discretion to enact laws that would not have been constitutional had they been adopted under Article I. Section 8, Clause 3, of the Constitution, which grants Congress “the power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing powers.”

Mr. BONIOR. Mr. Speaker, in protest of the decision to proceed while U.S. men and women are fighting abroad, I move that the House do now adjourn.

The SPEAKER pro tempore. The Chair is prepared to rule. The resolution offered by the gentleman from Michigan (Mr. Bonior) is to a prohibitory measure that Congress had in view, whatever tends to enforce submission to the prohibitions they contain, and to secure to all persons the enjoyment of perfect equality of civil rights and the equal protection of the laws against State denial or invasion, if not prohibited, is brought within the domain of congressional power.

In Oregon versus Mitchell, the Court unanimously upheld the Voting Rights Act Amendments of 1970, which banned literacy tests for any purpose. The Court said: “It is this power of Congress which has been enlarged. Congress is authorized to enforce the prohibitions by appropriate legislation. Some legislation is contemplated to make the amendments fully effective.”

The Court stated that Congress’ enforcement authority under Section 2 went beyond the strict requirements of Section 1. The Court stated that it “is clear . . . that under Section 2 of the Fifteenth Amendment Congress may prohibit practices that in and of themselves do not violate Section 1 of the Amendment, so long as the prohibitions attacking racial discrimination in voting are ‘appropriate.’”

Because the Twenty-Third Amendment is an attempt to bring voting rights to a historically disenfranchised population, its enforcement clause should be read in a very broad way consistent with the Court’s deference to congressional enforcement of suffrage rights. It is also relevant that the District Clause, contained in Article I, Section 8, Clause 17 of the Constitution, provides that Congress shall exact “exclusive Legislation in all cases whatsoever over the District.” This “plenary power” has been interpreted by the Supreme Court to give Congress complete authority over the District of Columbia.

Pursuant to Title II, section 25(a) of the United States Code, the Delegate to the House of Representatives from the District of Columbia is accorded a seat in the House, with the right to debate but not of voting.

Under rule XII of the rules of the House, the right of a Delegate to vote is limited to rules concerning the permanent standing orders of the House. Altering the right to vote of a delegate is tantamount to a change in the rules of the House and is not a proper question of privilege.

A question of the privileges of the House may not be invoked to affect a pending question, and the privilege of the House is confined to committee. The Chair will state a basic principle on proper conduct of a pending question. A question of privilege as recorded on page 366 of the House Rules and Manual is not voting 26, as follows:

Mr. BONIOR. Mr. Speaker, I demand a recorded vote.

The vote was taken by electronic device, and there were—yeses 183, noes 225, not voting 26, as follows:
H1774

CONGRESSIONAL RECORD – HOUSE

December 18, 1998

Resolved, That William Jefferson Clinton, President of the United States, has undermined the integrity of his office, has betrayed his trust as President, and has 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 laws of the United States, William Jefferson Clinton, in violation of his constitutional duty to take care that the laws be faithfully executed, has willfully corrupted the judicial process of the United States for his personal gain and exonation, 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 made by him to 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 betrayed his trust as President, and has 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 III

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, William Jefferson Clinton, 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 exonation, impeding the administration of justice, in that:

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 that proceeding, in order to corruptly influence the testimony of a witness in that proceeding.

On January 17, 1998, at his deposition in a Federal civil rights action brought against him, 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, has willfully corrupted and manipulated the judicial process of the United States for his personal gain and exonation, 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 that proceeding, in order to corruptly influence the testimony of that witness in that proceeding at a time when the truthful testimony of that witness would have been harmful to him.

(2) On January 17, 1998, at his deposition in a Federal civil rights action brought against him, 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, has willfully corrupted and manipulated the judicial process of the United States for his personal gain and exonation, impeding the administration of justice, in that:

On January 17, 1998, 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, William Jefferson Clinton, 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 exonation, impeding the administration of justice, in that:

On January 17, 1998, 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, has willfully corrupted and manipulated the judicial process of the United States for his personal gain and exonation, impeding the administration of justice, in that:

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On January 17, 1998, 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, willfully provided perjurious, false and misleading testimony in that proceeding, in order to corruptly influence the testimony of that witness in that proceeding at a time when the truthful testimony of that witness would have been harmful to him.

On January 17, 1998, 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, has willfully corrupted and manipulated the judicial process of the United States for his personal gain and exonation, impeding the administration of justice, in that:

On January 17, 1998, 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, has willfully corrupted and manipulated the judicial process of the United States for his personal gain and exonation, impeding the administration of justice, in that:

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On January 17, 1998, 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, has willfully corrupted and manipulated the judicial process of the United States for his personal gain and exonation, impeding the administration of justice, in that:
those witnesses. The false and misleading statements made by William J. Jefferson Clinton were repeated by the witnesses to the grand jury, causing the grand jury to return false and misleading 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 acting on the impeachment proceedings authorized by the House of Representatives of the Congress of the United States, William Jefferson Clinton, in refusing and failing to respond and making perjurious, false and misleading statements, assumed to himself functions and judgments necessary to the exercise of the sole power of impeachment vested by the Constitution in the House of Representatives and exhibited contempt for the inquiry.

In doing this, William J. Jefferson Clinton has undermined the integrity of his office, has brought disrepute on the Presidency, has betrayed his trust as 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 the truth seeking purpose of a coordinate investigative proceeding, in that, as President, William J. Jefferson Clinton refused and failed to respond to certain written requests for admission propounded to him. In acting on the impeachment proceedings authorized by the House of Representatives of the Congress of the United States, William Jefferson Clinton, in refusing and failing to respond and making perjurious, false and misleading statements, assumed to himself functions and judgments necessary to the exercise of the sole power of impeachment vested by the Constitution in the House of Representatives and exhibited contempt for the inquiry.

Mr. HYDE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the resolution under consideration.

The SPEAKER pro tempore. The Chair asks and expects the cooperation of the Members in maintaining a level of decorum that properly dignifies the proceedings of the House.

The gentleman from Illinois (Mr. Hyde) is recognized for 1 hour.

Mr. HYDE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HYDE. Mr. Speaker, I ask unanimous consent that during consideration of House Resolution 611, the previous question shall be considered as ordered on the resolution to final adoption without intervening motion except: First, debate on the resolution shall be limited to 4 hours, and the gentleman from Michigan (Mr. Conyers) that I have 4 hours here, but that is certainly negotiable and I would welcome any suggestions the gentleman might have on time, but for purposes of this unanimous consent request I ask that the debate be extended to 4 hours equally divided at the outset and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and second, one motion to recommit with instructions, which, if including instructions, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

The SPEAKER pro tempore (Mr. LaHood). Is there objection to the request of the gentleman from Illinois?

Mr. BONIOR. Reserving the right to object, Mr. Speaker, I thank my colleagues for his request, although I do not believe that the gentleman has just handed 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 discuss our concerns and if I could, to my distinguished colleagues, 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. This removes the time currently we have less than 30 seconds per Member. We do not think that is a reasonable amount of time for Members of this body to express themselves 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 debate 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 concern 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 thinking of censure, the gentleman 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 for their suggestions.

As to holding this for a couple of more days, that is a decision that our conference has made. We felt the quicker we could go ahead, the more we could show the world our democracy works.

Mr. BONIOR. I object, Mr. Speaker. The SPEAKER pro tempore. Objection is heard.

Mr. HYDE. Mr. Speaker, for purposes of debate only, I yield the customary half of the time to the gentleman from Michigan (Mr. CONyers), and during consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, I yield to the gentleman from Wisconsin (Mr. SENSENBRENNER).

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 61.

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

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

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 premeditated, deliberate corruption of the Nation’s system of justice. Perjury and obstruction of justice cannot be reconciled with the Office of the President of the United States.

The personal fate of the President is not the issue. The political fate of his party is not the issue. The Dow Jones Industrial Average is not the issue. The issue is perjury, lying under oath. The issue is obstruction of justice, which is the President’s sworn 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 functions 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.

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 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 would 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 than this debate today, for we sit here today under oath to reconfigure the charter of our freedom just as the Founders and Framers did. We can strengthen our Constitution by giving it content and meaning, or we can weaken and wound it by tolerating and thus encouraging lies under oath and evasion and breaches of trust on the part of our chief executive.

The President’s defenders in this House have rarely denied the facts of this matter. They have not seriously challenged the Senate’s resolution of censure, to mean any other than the citation the ultimate goal of removal from office. They have not seriously attempted to discredit the facts brought before the committee by the independent counsel. They have admitted, in effect, he did it.

But then they have argued that this does not rise to the level of an impeachable offense. This is the “so-called stuff’’ defense whereby the Chief Executive, the successor to George Washington, can cheapen the oath, and it really does not matter. They suggest that to impeach the President is to reverse the result of a national election after the Senate testified to the President. They propose novel remedies, like a Congressional censure that may appease some constituencies and certainly mollify the press, but in my judgment betray lack of seriousness of intent. The Constitution would be separated if powers and the carefully balanced relationship of checks and balances between Congress and the President that was wisely crafted by the framers. A resolution of censure, to mean anything, must punish, if only to tarnish his reputation, but we have no authority under the Constitution to punish the President. It is called separation of powers.

As my colleagues know, we have been attacked for not producing fact witnesses, but this is the first impeachment inquiry in history with the Office of Independent Counsel in place, and their referral to us consisted of 60,000 pages of sworn testimony, grand jury transcripts, depositions, statements, affidavits, video and audio tapes. We had the facts, and we had them under oath. We had Ms. Lewinsky’s heavily corroborated testimony under a grant of immunity that would be revoked if she lied; we accepted that and so did they, else why did they not call any others whose credibility they questioned as their own witnesses? Now there was so little dispute on the facts that no one called any fact witnesses and have even based a resolution for censure on the same facts.

Let us be clear. The vote that all of us are 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 sought to shape a grand jury evolve 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. We are the heirs of 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 let the hearts of 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 aid either by speech or act the violation of the laws by others. As the patriots of seventy-six did to support the Declaration of Independence, so to the support of the Constitution and laws, 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 next generation. Pray, let every little boy whoCopy the selected text into the designated field. This is the end of the selected text. No further action is required.
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 articles 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 moderates, conservatives, 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 the spirit of moderation is gone. Today, I believe the majority is pursuing a path of immoderation, disregarding even a consideration of the wishes of the people, the people opposed, the people regarding penalizing this President with censure and not impeachment.

In the Book of Isaiah in the Bible it was said, “Judgment is turned away backward and justice stands far off.” I ask the majority one last time to reconsider what you are doing. We are deeply offended, in all sincerity, from my heart; we are deeply offended by the unfairness of this process. You are asking us to consider the most important act the Constitution calls on us to do.

We are considering overthrowing the free choice and vote of over almost 50 million Americans. We are considering the majority. The Constitution allows. We are considering changing the balance of power and the proportionality of the branches of our government. You are doing this in a way that denies millions of Americans the trust and confidence that they place in you, and that we feel we deserve in our Constitution guarantees. In your effort to uphold the Constitution, you are trampling the Constitution.
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 a deadly struggle. 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 this debate. To force an impeachment vote is to completely ignore the will of the American people.

The people of this country support the President, just as they have supported him through two elections and throughout his presidency. He is doing the job they elected him to do. It is a grave mistake to rush forward with impeachment like a runaway train heading for a cliff. Why can we not just pause for a second? Why can we not stop right here and come to our senses? The American people have made it very clear they oppose impeachment. They deserve another solution, a just solution, a solution that condemn the President’s wrongdoing yet enables America to put this sorry spectacle behind us and get on with the country’s business; a solution that brings us together as a Nation, not one country’s business; a solution that divides us.

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).

Mr. FROST. Mr. Speaker, the decision we are faced with today is of singular importance. We are being asked to vote to overturn 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 unconstitutionality 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 and 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, in his initial 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 is the wrong message to send today and 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 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 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 reserve in 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.

Mr. CONYERS. Mr. Speaker, I am pleased 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, sloppiness, and mean-spirited partisanship.

From the 4-year, $40 million investigation which did nothing but turn up a private, consensual affair, the airing and publishing of the tawdry Starr report and Lewinsky tapes in which all of our children could hear and read every sexual detail, the failure of the President to have his words 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. 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 the Senate did in 1998. That is what the American public says. 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 the 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 his behavior to the Government and to the people, to 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 wants to throw stones take a good look at his own glass.

The final point is this: Members on the other side understand that people think through someone out of office is too harsh. We have been told this is illogical. 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 charges, and they are serious. Impeachment does not end the process; it simply sends it to the Senate.

But what have they already begun to do? They plan, having degraded impeachment and claimed it is not definitive judgment, once they get a partisan vote 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 it to headwaters to make a club to try to drive the President from 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 when they know that is an inappropriate sanction for his behavior.

PARLIMENTARY INQUIRY

Mr. SENSENBRENNER. Mr. Speaker, I have a parliamentary inquiry. The SPEAKER pro tempore (Mr. LAHood). The gentleman will state his parliamentary inquiry.

Mr. SENSENBRENNER. How much time was charged to the gentleman from Michigan (Mr. CONYERS) for the speech of the gentleman from Missouri (Mr. GEPHARDT)?

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 emulate the Watergate legacy sadly will leave a legacy more akin to the impeachment of Andrew Johnson.

In the name of the Constitution, Article II, this process trampled on the Constitution, Articles II and VI. In the name of the rule of law, this process ignored the fundamental principles of due process and fairness on the foundation of that rule of law. In the name of no person is above the law, this process forgot that no citizen should be treated below the law. In the name of justice, this process ignored the pillar of justice that in our Nation every citizen is innocent until proven guilty, not guilty until proven innocent. In the name of America, this process raised the ugly debate of who is a real American.

History will surely judge this process as a combination of Kafka, To Kill a Mockingbird and Keystone Kops.

Mr. Speaker, if the Golden Rule were to be our guide, who among us, who among us, Democrat or Republican in the House, would want to be a defendant in the case where the rules of law and fairness were ignored, where secret grand jury testimony against us was released to the world, where there was not one direct witness, where your defense attorney was limited to one hour of cross-examining your chief accuser, where your attorney was forced to give your final defense even before one charge had been formally presented against you, where the charges of perjury against you were finally presented at the 11th hour and failed the test of decency which statements were alleged perjurious. Surely no Member of this House would want to be judged by that process. We should not judge this President by that process.

Ms. DeLAURO. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Ms. DeLAURO).

Ms. DeLAURO. Mr. Speaker, I rise today to oppose these articles of impeachment. I oppose this action with every fiber of my body because it is an affront to our Constitution and our democracy.

In my short tenure in the House of Representatives, I can recall no other action that has so jeopardized the historic obligations that we are sworn to uphold. For me, this is no longer about the President’s actions. They were repugnant, embarrassing and immoral. But this is not a constitutional forum for judging such behavior and exacting punishment. The President’s family, the American people and maybe even the courts may eventually speak to his errors.

I might have given voice to our views in the form of a censure resolution, but this House leadership chose not to allow any but the most draconian actions, impeachment. It is wrong
and it is unfair. It denies the American people their right to representative democracy.

We have the constitutional authority to remove a President only when he or she crosses the line into treason, bribery and other crimes and things against the constitution. Benjamin Franklin spoke of impeachment as an alternative to assassination. Today this body is contemplating a constitutional assassination, driven by a naked partisanship, almost without lawful and civil bounds, and if the American majority is moving to impeach an elected President of the United States. Thwarting the public’s will, they do so even as the President commands our troops in battle against Iraq and even as he seeks to perform his constitutional responsibility with the support of the overwhelming majority of the American people.

This debate amidst those bombs more than anything else symbolizes the madness that has inflamed the partisan fires on the other side of the aisle.

This is a moment for boundaries and not license. This is a moment to allow history to have its sway. This is a moment to allow Madison, Jefferson, Franklin and Washington to be heard in the time above the partisan din. If that spirit were to prevail, I have no doubt that the provocateurs would be stilled and our Constitution preserved.

The American people, not the politicians, would have the final say, as the Founders intended.

Mr. SENSENBRENNER. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. GEKAS), a member of the Committee on the Judiciary.

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

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

Mr. GEKAS. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Speaker, there are some Members in this Chamber that seem to have forgotten history. We were at war in Vietnam when the hearings on the impeachment of President Nixon occurred. That was because of the serious offenses that were alleged against President Nixon. Today we are proceeding because of the serious offenses alleged against President Clinton.

I thank the gentleman.

Mr. GEKAS. Mr. Speaker, a loud lament has been heard about some deprivation of the right to vote one’s conscience. But that is exactly why we are here today. All of us in the ultimate must vote the ultimate sense of conscience. That is what this process is all about. We are facing indeed our moment of truth.

Now, the moment of truth for the President of the United States first faced him in December of 1997. It faced him in the nature of a legal document, legal in interrogatories that were forwarded to him in pursuit by the Paula Jones attorneys of discovery proceedings in their case, a document laid before the President to be attested to under oath to answer certain questions. The President faced his moment of truth right there and then, the first item in the legal proceedings that have become the hallmark of these proceedings, and there under oath testified falsely.

At that moment, he began the chain of events that led a month later to his appearance before the deposition lawyers and judge and, further down the line, this first major announce of August of that year. But here is the important difference that Members must take into account as they evaluate the evidence.

The evidence is that when he signed these interrogatories, this first moment of truth to which I allude, there was no parsing of definitions. There was no argument among the lawyers about meanings and definitions. There was no judge interpolating the opinion of the court into the argument of the lawyers. There was no parsing of definitions. There was no argument among the lawyers about meanings and definitions. There was no judge interpolating the opinion of the court into the argument of the lawyers. There was no parsing of definitions. There was no argument among the lawyers about meanings and definitions. There was no judge interpolating the opinion of the court into the argument of the lawyers.

In a single moment in the Oval Office or wherever he executed this set of interrogatories, he began the long chain of falsehoods that have led us to our moment of truth here today.

We must exercise that conscience to which all the Members have alluded and recognize that when the President faced this moment of truth in countless occasions, each time he swept it away and caused himself the difficulty that he brings to our Chamber here today.

Mr. Speaker, I yield to the gentleman from Tennessee (Mr. BRYANT).

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

Mr. BRYANT. Mr. Speaker, I might add that I want to again honor the gentleman from Virginia (Mr. BOUCHER), a member of the Committee on the Judiciary.

Mr. CONYERS. 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 office of the presidency 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.

Mr. Speaker, I want to address, as 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.

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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 occur. The President and the Congress will be diverted from their urgent national business while prolonged proceedings take place in the Senate.

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
presidential office. That path will bring closure and a restoration of national dignity.

Mr. CONyers. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Speaker, our friend from Illinois spoke reverently of Bunker Hill and Arlington Cemetery. We find ourselves in a debate to impeach a Commander in Chief of the successors to those brave patriots of Bunker Hill and all who served since then. We could have saved democracy and our women who stand in harm’s way in the Persian Gulf in our thoughts and in our prayers rather than trying to politically decapitate their Commander in Chief.

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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 ever 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 guidance 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 study these carefully. The word “other” is important because I believe it is crucial to our deliberation 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 specifics “treason” and “bribery.”

As members of the House of Representatives, we must try to measure the President’s actions against this high Constitutional standard, with 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 political 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 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. America is sick. Her heart is heavy. Her soul is aching. And her spirit is low. Today our Nation stands at the intersection of participatory democracy and the politics of personal destruction.

Today, my colleagues, we must choose, as Dr. Martin Luther King, Jr., wrote, between community and chaos. We must choose the courage of partisan destruction or national reconciliation. We will, in our lifetime, never cast a more important vote. The spirit of history is upon us and the future of the Republic before us.

Our obligation as citizens of the state are as old as human history and as fresh as the morning dew, to right wrong, do justice and love mercy. Our Constitution, that sacred document, is the covenant, a contract between the Government and those who are governed.

We must not, we cannot ignore the will of the people. Almost 50 million people elected Bill Clinton as our President. In spite of his problems, he has our hearts. And yet some, some even in this Chamber, have never accepted the verdict of the people. They have never accepted Bill Clinton as their President. Instead they embarked on a crusade of personal destruction.

Our Constitution was never intended to be used as a hammer to destroy our political enemies. Some of our colleagues have been too quick to pick up the hammer of impeachment and swing it with reckless abandon. So bent are they on the destruction of this President that they would knock down the very pillars which support our Constitutional system.

What President Clinton did was wrong. About that there can be no mistake. There is no disagreement, no debate. But how, how, my colleagues, should we respond? How we respond, how we act says as much about us and our character as it does about his. Let he that hath an ear listen. Who among us has not sinned?

What the President did was wrong, but it simply does not rise to the height or sink to the depths of an impeachment offense. I know it, my colleagues know it and, most importantly, the American people know it.

Will we write a chapter or be condemned to a footnote. The spirit of history is upon us. Let us do what is right, let us do what is just and love mercy.

The SPEAKER pro tempore (Mr. LAHood). The gentleman from Michigan (Mr. CONyers) has 4 minutes remaining. The gentleman from Wisconsin (Mr. SENSENBRENNER) has 5 minutes remaining and has the right to close.

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, bribery, 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 a 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 Watergate and 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 immutable minutiae that the supporters of impeachment resort to titles of offenses such as perjury, without saying 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 men and women are risking their lives to protect 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) is recognized for 2 minutes.

Mr. CONyers. Mr. Speaker, ladies and gentlemen of this body, we are confronted with an overzealous and non-
Addressing our constitutional obligation today.

We are using the most powerful institutional tool available to this body, impeachment, in a highly partisan manner. Impeachment was designed to rid this Nation of traitors and tyrants, not as a way to cover up extramarital affairs. This resolution trivializes our most important tool to maintain democracy. It downgrades the impeachment power into a partisan weapon that can be used with future presidents. 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. From 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. SENSENBRENNER. Mr. Speaker, is the time of the gentleman from Michigan (Mr. CONYERS) expired in this hour?

The SPEAKER pro tempore. The gentleman from Georgia (Mr. BARR), by permission, asked and was given permission to revise and extend his remarks.

Mr. BARR. 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), recognized for 5 minutes.

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

As extralegal 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 powerful 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 beyond which a faction, be it a single man or a 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 J. Jefferson Clinton tried 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 ears of this House, obstruction of justice might conjure up a massive frontal assault, in the word of law, and I know this as a former United States attorney who directed the prosecution of a Republican member of this body for obstructing justice before a grand jury, that obstruction of justice is much more insidious, much more implied, much quieter, but nonetheless destructive of the rule of law in this country.
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 611.

Mr. SENSBRENNER. 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. He covered up 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.

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 the beliefs he swore to uphold. Instead of following the law, respecting the 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 starvations, been released much earlier, and not missed all those years of our lives with our families and children. But we never died. Even through all the daily torture, beating, and interrogations, we 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 go back to 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 deserve 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, and I love it, but this is a bitter-sweet day for me because it is the end of a chapter. We have broken the seal on this extreme penalty so much we will never be able to return to normalcy. 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 that Atreus serves his brother a revenge.

The President of the United States
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 and lying under oath 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 purpose of 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 will produce divisiveness and bitterness in our politics for years to come, and will call into question the 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, we meet 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 offenses which, in and of themselves, 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 despots. It is a 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 historic 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, 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, not repudiate it, and we must not propose an impeachment of the President that would justly overturn 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 loose talk about 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 guiuct 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 accusations are not 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 corroborative the fact that the witness made the same
statement to several different people. You may choose to believe that the President was dis- ingenuous, that he was not particularly helpful to Paula Jones’ lawyers when they asked him intentionally vague questions, or that he is a bum, but that does not make him guilty of perjury.

This House is not a grand jury. To impeach the President would subject the country to the trauma of a trial in the Senate. It would para- lyze the government for many months while the problems of Social Security, Medicare, a deteriorating world economy, and all our for- eign concerns festered without proper atten- tion. We cannot simply punt the duty to judge the facts to the Senate if we find mere “prob- able cause” that an impeachable offense may have been committed. To do so would be a derogation of our constitutional duty. The pro- ponents of impeachment have provided no di- rect evidence of impeachable offenses. They rely solely on the findings of an “independent” counsel who has repeatedly mischaracterized evidence, failed to include exculpatory evi- dence, and consistently misstated the law. We must not be rubber stamps for Ken Starr, and beyond demands that the President prove his inno- cence of vague and changing charges. They must provide clear and convincing evidence of specific impeachable conduct. This they have failed to do.

If you believe the President’s admission to the grand jury and to the nation of an inappro- priate sexual relationship with Ms. Lewinsky, and his apologies to the nation, were not abj- ect enough, that is not a reason for impeach- ment. Contrition is a remedy for sin, and is certainly appropriate here. But while insuffi- ciency of contrition may leave the soul still scarred, unespicted sin proves no crimes and justifies no impeachment.

Some say 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 the criminal law—no one else is. He is subject to the civil law—no one else is. He is subject to the executive law—no one else is. He is subject to the military law—no one else is. He is subject to the stump speech—no one else is.

I believe that the President’s admission to the Paula Jones grand jury and to the Federal grand jury and his admissions to the Senate that he lied under oath were sufficient to bring him to impeachment, if you accept the count of perjury. The President misled the jury. The President misled the Senate. The President misled the American people.

Mr. Speaker, any President of the United States, while being in a litiga- tion matter against an average, every- day citizen, chose to go to witnesses and try to get them to lie and provide false testimony, chose to go and plant stories about witnesses that were false, that were malicious. The President of the United States tried to cheat a liti- gant out of a fair day and trial. Let it be said that at anytime, anywhere, re- gardless of party, in the future if you have a President of the United States, you are subject to being impeached.

Article IV, who is the injured party? We are the injured party. Here is what happened in Article IV. This House by House Resolution 581, 360 votes, I believe, in the House, authorized the Judiciary Committee to inquire into the allega- tions against the President. Mr. Speak- er, we can that.

Part of that inquiry, what we chose to do was submit questions to the President. Eighty-one questions were sent to flesh out the facts in this case by Chairman Hyde, and the President was asked under oath to give answers to those questions as part of our inquiry.

Mr. Speaker, unfortunately, the President lied in January to injure Paula Jones, he lied to the Federal grand jury to injure the Federal court system in this case, and I think the facts are overwhelming that he gave false testimony and perjurious testi- mony to the Congress as part of our in- quiry.

Let me tell you how that is similar to the Nixon case. Article III of im- peachment against Richard Nixon, the article was based on the idea that Richard Nixon as president failed to comply with subpoenas of Congress. Congress was going through its over- sight function to provide oversight of the President. When asked for informa- tion Richard Nixon refused to comply, and the Congress back in that time said, “You are taking impeachment away from us. You are becoming the judge and jury. It is not your job to tell us what we need; it is your job to com- ply with the things we need to provide oversight.”

The day Richard Nixon failed to an- swer that subpoena is the day that he was subject to impeachment, because he took the power from Congress over the impeachment process away from Congress and became the judge and jury; and the day that William J efferson Clinton failed to provide truthful testimony to the Congress of the
United States is the day that he chose to determine the course of impeachment. He usurped our power, he abused his authority, he gave false information. That, to me, Mr. Speaker, is the same as giving no information at all. Actions are worse than words.

So I believe these articles will stand the test of time, they will stand a factual 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 something 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, because the underlying conduct that led to perjury in the grand jury was reasserted in the B1 questions, and he gave the same false, misleading, unbelievable answers. William J. Jefferson Clinton’s impeachment is based on what we just done.

Mr. CONYERS. Mr. Speaker, I am pleased to yield three minutes to the gentleman from Wisconsin (Mr. BARRETT), 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 defend President Clinton’s actions. He failed to tell the truth and he failed to cooperate. He must be held accountable. And although I cannot defend President Clinton’s actions, I can and must defend our Constitution. Our Constitution does not allow us, no, it does not allow you, to remove a President from office because you cannot stand him.

That is not an unfair allegation. It is not an unfair allegation, because the vast majority of the people voting for impeachment, voted against our Speaker, even though he had submitted false information, false information, to the Committee on Standards of Official Conduct of this House, the judicial branch of this House. Even though the Speaker had submitted false information, to the judicial branch of this House, the majority of people here voted to reelect him as Speaker.

It is not an unfair allegation, because when the Secretary of Defense under President Bush was duly indicted by a Federal grand jury for perjury and he was pardoned by the President of the United States, George Bush, the silence on this side of the aisle was deafening. There were no claims from this side of the aisle that this was injustice. There were no claims that somehow our military would be damaged. There were no claims that somehow the pillars of democracy were damaged by perjury by the Secretary of Defense.

There is one difference, and only one difference, between the false allegations submitted by Speaker Gingrich and the perjury allegations against the Secretary of Defense and the President of the United States, 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 that, whoever this is voting his or her conscience. I will give you that, because I trust the conscience 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 President should be held accountable. Every person here today knows that the appropriate remedy lies within this institution.

We can do it. We disagree, and there is an honest disagreement as to whether impeachment is the appropriate remedy or censure is the appropriate remedy, but it is the ultimate unfairness to any Members on this side of the aisle and Members on that side of the aisle the right to vote their conscience for censure.

If we believe in the conscience of this institution, let us let the conscience of the institution. From Wisconsin, Mr. SENSENBERNENNER. Mr. Speaker, I yield 45 seconds to the gentleman from Florida (Mr. CANADY).

Mr. CANADY of Florida. Mr. Speaker, I am pleased to yield Mr. BUYER.

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 intensions of the supporters of censure, I, nonetheless, urge Members to oppose it, because it is a fraud and assault upon the Constitution.

Censure is not an authorized alternative. It makes Congress have the express constitutional authority to censure its own Members for misconduct, but there is no expressed authority in the Constitution for Congress to censure the President. Impeachment is the only power in the Constitution granted to Congress to address presidential misconduct and dereliction in his executive duties.

The Founding Fathers set high standards for impeachment, and by providing that such resolution requires a two-thirds vote in the Senate to remove the President from office, the ensured impeachment would not become a method for Congress to harass executive or judicial officials.

A censure resolution would fly in the face of the separation of powers doctrine. Congress cannot make it up as we go along. Constitutional scholar Gary McDowell stated, "Impeachment is the only power granted by the Constitution to Congress to deal with errant executives. Had the founders intended some other means of punishment to be available to your branch they would have said so, as Chief Justice Marshall once said, 'in plain and garbled language.' That they did not do so should be your only guide in this grave and sensitive matter.'"

The temptation to do anything possible to avoid exercising the awful constitutional power of impeachment is obvious and is understandable great. But such a temptation to take the easy way out by assuming a power not granted should be shunned by this House. And should President Clinton, as a result of bad advice or political pressure, agree to such unconstituional punishment as censure by this House, that would be a breach of his constitutional obligations and his oath of office, as great as anything else for which he has been accused of by the Committee on the Judiciary. The great office he is privileged to hold deserves high protection against any ill-considered censorious assault from Congress.

President Andrew Jackson, one of our distinguished Presidents who is known as the Father of the Democrat Party, was censured by the Senate and after the election the Senate then expunged the censure.

President Jackson’s words shed great light on our challenge today even though they were penned over 150 years ago. President Jackson wrote that the very idea of censure is a “subversion” of the powers of government and “destructive of the checks and safeguards” of governmental power. President Jackson rightfully claimed that censure was “wholly unauthorized by the Constitution” and is a “derogation of its nature.”

The framers of the Constitution purposely avoided granting the legislature power to impose nonjudicial punishments. Such bills are condemned in the Constitution because they represent a legislative resolution on the powers of the judiciary. It is called a bill of attainder. It pronounces the guilt upon a party without any forms or the safeguards of a trial.
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. Boucher of Virginia, stated, "It is not our 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 and embarrass him, to discredit his standing in the American people, to 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 lessened their esteem," he "dishonored his office," he "made false statements," he "reprehensible conduct," "in plain and intelligible language." That they did not do so should be your only guide in this grave and sensitive matter. The temptation to avoid exercising the awful constitutional power of impeachment is obviously and understandably great. But such a temptation to take the easy way out by assuming a power not granted should be shunned. And should President Clinton, as a result of bad advice or political pressure, agree to such an unconstitutional punishment as a censure (by the House), that would be a breach of his constitutional obligations as great as anything else of which he has been accused. The great office he holds has the obligation to protect against any ill-considered congressional assault from Congress.

President Andrew Jackson, one of our distinguished presidents who is known as a father to the Democratic Party, was censured by the Senate after the next election, the Senate then expunged the censure. President Jackson's words shed great light on our challenge today even though they were penned over 150 years ago. President Jackson wrote that the very idea of censure is a "subversive" of government and a "destructive of the checks and safeguards" of governmental power. President Jackson rightly claimed that censure was "wholly unauthorized by the Constitution" and is a "derogation of its entire spirit."

The Framers of the Constitution purposely avoided granting the legislature the power to impose nonjudicial punishment. Such bills are condemned in the Constitution because they represent "legislative encroachment on the powers of the judiciary." A bill of attainder "pronounces upon the guilt of the party, without any of the forms or safeguards of trial."

An integral part of the censure debate in Committee was whether the purpose of censure is to punish the President. In answers to my questions regarding the intent one of the authors, Mr. Boucher of Virginia, stated: "It is not our purpose to have findings of guilt. It is not our intent to punish the President."

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, if he were to destroy the due process and high standard that the Founding Fathers established over 2 centuries ago. The process that the majority has put into play is not our 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 President's misconduct and impugn his reputation. 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 reverence to the democratic transfer of power.

Some Members of Congress argue that censoring the President is a better idea than impeachment 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 with integrity. Congress must decide against the laws of the Nation. Further, the American people want their elected representatives to take a stand on matters of national importance, such as the integrity of our justice system, and for Members of Congress and the Senate to exercise judgment in matters of statecraft based on their judgment, not the election campaign.

The facts and evidence in this case are overwhelming; the allegations are grave. Censure is not an alternative to impeachment.

While I appreciate the intentions of the supporters of censure, I nonetheless must oppose it because it is a fraud and an assault upon our challenge today even though they 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.
perjury. Hence, if the President defied him in 1995, they shut down the government. They threatened to do so again this year, if the President defied 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 leaders 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 anything but 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, 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 with respect 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 has been sufficed 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 found open where the law can deal with it.”

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

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 faithfully executed. The Congress must not insulate the American accountability those who repeatedly violate their sacred oath.

The evidence against the President on this score is overwhelming, and so too is Congress’s 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. LAHOOD). The Chair announces that the gentleman from Wisconsin (Mr. SENSENBRENNER) has 9 minutes remaining, and the gentleman from California (Ms. WATERS) has 17½ minutes remaining.

The gentleman 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 promotion.”

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 reason but on rancor.

Yet it is not history’s verdict alone that I fear. Also I 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 wrongdoing bears 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 or 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 that precedent will gag 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 speculation that we have pushed 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 up 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 your heart.

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 watched hours after hours of the 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 was in a suit and tie, 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 God and said, 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 you 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 starting with the entire world, 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, there is no reason. Vote to give us a vote to censure the President, not condemn him.

Mr. Speaker, the Constitution defines the actions of the President as wrong, as tawdry. 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 government.

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 the 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 not, under the Constitution, be indicted or subject to criminal process while holding office, he may be subject to the full process 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.

(7) 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 office, 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, arrogorious, stupid, and possibly involve criminal misbehavior.

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

Mr. Speaker, Chairman Hyde of the Judiciary Committee, has made it plain in statements on this matter that an impeachment effort not supported by the people will not succeed. I agree.
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 the 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 Republican 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, which is to decide 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 there is 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, which is to decide 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.

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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. The Framers understood the ruinous consequences of political decadence and the perils of corruption.

After examining and weighing all of this evidence and testimony, I believe that the President lied under oath, obstructed justice, and abused the power of his office by providing false statements to Congress in response to questions submitted by the Committee on the Judiciary.

On Wednesday of last week, I asked the President's very able attorney, Charles Ruff, a very simple question, did the President lie. Mr. Ruff could easily have said no. Instead, he split legal hairs, and that sealed my decision to support impeaching President Clinton.

Mr. Speaker, most Americans are repelled by the President's actions. The toughest questions I have had to answer have come from parents who agonize over how to explain the President's behavior to their children. Every parent tries to teach their children the difference between right and wrong, to always tell the truth and, when they make mistakes, to take responsibility and face the consequences of their actions. President Clinton's actions every step of the way have been contrary to those values. But being a bad example step of the way have been contrary to those values. But being a bad example to our country and a very public wrong is not a justifiable weapon, we will use the ultimate weapon, we will use the ultimate weapon, we will use the ultimate political death blow, the removal from office of this duly-elected President for acts not against the Constitution or the government. Our censure resolution does not violate the Constitution. It is not a bill of attainder. It does not extinguish a member's pension. The President, upon leaving office, will have been toppled against the will of the people of the United States.

Mr. Speaker, if you can hear me, do not resign. This is not a parliametary form of government.

Mr. Speaker, I say, to my colleagues you can heal our Nation. Rise and vote for the Articles of Impeachment. Do not pretend what is right, for it is written, Mr. Speaker, judge not and ye shall not be judged. Condemn not and ye shall not be condemned. Forgive and ye shall be forgiven.

Vote for a censure resolution and end these unseemly proceedings against our President and the Constitution. Our Nation deserves no less!

It is written in Luke 6:37, “Judge not, and ye shall not be judged; condemn not, and ye shall not be condemned: forgive, and ye shall be forgiven.”

Mr. Speaker, with great humility and somberness, I 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 a discussion with our American troops 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 state 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.

Our debate is about the future of the Presidency, the Constitutional process required for the removal of a president and the importance of bi-partisan cooperation. I think every American, Republican or Democrat, or Independent, United States.
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 hailed 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.

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

The Articles of Impeachment drafted against President Clinton do not comport with fundamental fairness or 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 laws and regulations contained in the Sixth Amendment govern these proceedings.

Monica Lewinsky’s Grand Jury testimony clearly refutes an allegation that President Clinton encouraged her to give perjury, false and misleading testimony: “[N]either the President nor Mr. Jordan asked or encouraged me to lie.” This statement by Ms. Lewinsky was made in her February 1, 1998, proffer to the Office of the Independent Counsel. Let’s take a moment to examine the hearsay between the President’s relationship with Lewinsky and the allegations put forth by Paula Jones. President Clinton’s relationship with Lewinsky was consensual but morally wrong.

On the other hand, Ms. Jones was alleging sexual misconduct. Lewinsky’s relationship with President Clinton was a tangential collateral issue that was not relevant. Therefore, the probability of its admittance during the Jones trial was unlikely because it would not have any tendency to make the existence of any fact that is of consequence to the determination of the Jones action more probable.

It is axiomatic, that perjury requires a (1) volitional act on the part of the declarant (2) about a material matter in the case. Perjury is a specific intent crime. It requires that the declarant’s knowledge to such an extent as to require the declarant to subscribe to a material matter which the declarant does not believe to be true. More importantly, because perjury requires a specific intent on the part of the declarant, the law provides several defenses to perjury.

Truth is a defense to perjury. A defendant can not be prosecuted for perjury, if he truly believes that he “spoke the truth” when asked a question under oath. The defendant would not be guilty of perjury because although his testimony was freely and voluntarily given; he does not manifest the requisite mental state necessary for perjury, a specific intent crime. Restated, perjury requires that the defendant (1) set-out to deceive and (2) know that statement’s he utters are untrue.

Another defense to perjury is materiality. The declarant’s statement must be material to the matter before the tribunal. The third defense to perjury arises where the questioner’s interrogatories are drafted in a manner that invites ambiguity. In the landmark case of Bronston v. United States, the United States Supreme Court stated:

“It is the responsibility of the lawyer to probe ** * if a witness evades, it is the law-
HEAL this nation.

and finally by our collective good judgment—
we should move forward, prepare for tomorrow, and a time of peace. At the end of the day, LAHOOD). The Chair would remind all

down, and a time to build up; * * * a time to
the heaven: a time to heal; a time to break

table manner. It is time to move forward; it is
close in a reasonable judicious and equi-

progress of America and democracy.

our troops. It is time for national unity.

must exhibit a united front for our Nation and
body politic to display a bi-partisan atmos-

heard.

resentatives, to ensure that their views be
heard on a censure resolution. It

The time to close this dishonorable chapter in
issues at hand, as opposed to this scandal.

if the President could return to focusing on the
behavior. It is time for America to move for-

against the use of federal power.

the Constitution's substantive restraints
authority and misuse of the Justice Depart-

allegations involving his abuse of Presidential
actions. The President's actions, re-
gardless of how, will be treated as criminal, rise to the standard our con-
stitutional forefathers set for us.

We have been told by the majority of constitutional scholars that the Presi-
ent's actions do not fall within the
meaning of high crimes or misde-mean-
ors 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 108th Congress to censure
the President, and 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 po-
itical system, we will have unneces-
sarily crippled the presidency for a
generation to come. We will have wan-
tonly weakened this House of Rep-
resentatives reaching a new low in par-
tisan rancor. We will have substan-
tially subverted the Constitution
which was designed to reflect the will
of the people in a republic, not to pro-
mote a political party in what is slip-
ping 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, privacy and civility have been sacrificed on the altar of po-
itical greed, cynicism and shame.

This vote is unworthy of our institu-
tion. We will pay for it in the years to
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impeachable offense under the Constitution. I remind them of the testimony of the former Democratic attorney general of the United States, Griffin Bell, who came before the House Judiciary Committee. General Bell referred to a legal opinion that one of our founders, such as Blackstone, in drafting the Constitution.

General Bell testified that Blackstone identified a series of crimes that were called ‘‘crimes against justice,’’ and those crimes included perjury. General Bell cited a legal opinion, ‘‘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 has repeatedly lied under oath, intentionally and willfully, during a civil deposition and before the Federal grand jury. He also attacked the integrity of Congress by lying under oath in response to the 81 questions submitted by the Committee on the Judiciary.

Our legal system, which protects the rights and liberties of all citizens, is dependent on telling the truth, telling the truth under oath. The President is our chief law enforcement officer and our chief law officer. When he lies under oath, he undermines the integrity of our judicial system and threatens the right and liberties of every one of us.

Second, lying under oath after swearing before God and country to tell the truth, the whole truth and nothing but the truth is, and my fellow members believe I know what ‘‘is’’ is, is an impeachable offense.

Our legal system is dependent on people telling the truth, telling the truth under oath. Lying under oath undermines the rule of law. By lying under oath, President Clinton has also violated his presidential oath of office.

Third, this is not about sex. It is about the rule of law. It is about lying under oath before a Federal judge and a Federal grand jury. Every citizen must obey the law, period. A society without laws is anarchy. Societies that ignore their laws are condemned to violence and disorder. When he lies under oath, the integrity of the judicial branch must not be violated. We must make it clear that all Americans are equal under the law.

After much painful soul searching, I have reached the conclusion that impeaching the President for repeatedly and willfully lying under oath is necessary to protect the rule of law which is the foundation of our republic.

Mr. WEXLER. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. WEXLER), a distinguished member of the Committee on the Judiciary.

Mr. WEXLER. Mr. Speaker, this Congress is on the verge of a tragic mistake that will reverberate for centuries and alter the course of American history.

Impeachment is not the ultimate censure. Impeachment is devastating. Impeachment is momentous. If we dumb-down impeachment and make it easier for future Congresses to impeach presidents, we will forever weaken the institution of the presidency.

The Founding Fathers knew this. They could have said a president could not 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 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 chose to designate crimes only of the gravity of treason and bribery. To impeach for anything less than the highest 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.

So do not think for one moment that this is a free vote, that the Senate is the real player in the impeachment drama. We have the power to stop this travesty, to pull the curtain on this theater of the absurd.

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 our ability to safeguard our privacy and curtail the intrusive reach 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 proportion? Have we no sense of reality? Will the American people 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, and 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 the President’s not telling the truth earlier arises, and only arises, 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 this man.

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 not 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
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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 denying a 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 bad. It is worse.

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. ROTHMAN. 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, 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 subjugate the powers of 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 acts of perjury, his illegal保利i and having an affair in the White House with an 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 him. 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.

Every future President will be looking over his or her shoulder wondering if future Congresses are not like the President’s veto of a controversial bill or do not like the President’s policies or lifestyles, will that future Congress controlled by 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, as 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 has not done 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 must our American soldiers feel to have their Commander in Chief under attack while they are engaged in battle? They have the right to feel betrayed and undermined. Today we are here in the people’s House debating the impeachment of the President of the United States of America while the Commander in Chief is managing a crisis and asking world leaders for support.

This is indeed a Republican coup d’etat.

Mr. Speaker, Americans all, the Republicans will couch this extremist radical anarchy and pious language which distorts the Constitution and the rule of law. Bill and Hillary Clinton are real people and the Republicans are the vehicles being used by the right wing Christian Coalition extremists to direct and control our culture. The rule of law has been violated.
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 an essentially 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.

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, unbuddled hatred and meanness that drives this impeachment coup d’état, 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, I urge 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 is a friend of the international community despite the clear and convincing evidence that the President of the United States committed perjury before a grand jury, before a Federal grand jury, lied to the American people. This is a 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 today. Yet 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 am saddened by the need for this Congress to arrive at this moment. As we debate this issue some will argue that impeachment is too harsh a punishment or too inconvenient for our nation. However, it is the only appropriate remedy given to us by the framers of our Constitution. As a member of the Committee on the Judiciary, I must say a final word in recognition of the chairman, the gentleman from Illinois (Mr. Hyde). I know that no one could have given the President a fairer hearing.

So 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 felony 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 understanding and acknowledgment that we are all sinners before our Lord, and that is why I am so 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.

Some of us are McAfee country. Some of us are 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 the most 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 legacies and that we are building upon and renewing our trust in the American people.

It is much more difficult to govern here now, to do what is right for this country at this time, to look not to legalisms and parsed interpretations but to the actions of our President in the proper context, and to consider not only our duty but a duty to the American people. Although many here have suggested that this is not about sex, that is a very convenient decision for some to make. If it is not about sex, then we might think it is less hypocritical to sit here in judgment of this President.

I might add this Nation and its people have suffered greatly from the partisan battles that have only grown stronger in recent years. Jerry Ford, upon assuming the presidency after Watergate, said our long national nightmare is now over, and when resigning his. Speaker, I say to my Republican colleagues to end what 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, unbuddled hatred and meanness that drives this impeachment coup d’état, the unapologetic disregard for the voice of the people.

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Every person, including Paula J Jones, is entitled to certain rights under our Constitution. The decision was not an easy one for me or, in my belief, any of the American people. The decision was not an easy one for me or, in my belief, any of the American people. The decision was not an easy one for me or, in my belief, any of the American people.
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 any American? 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 impeachment of the President that were forwarded by the House Judiciary Committee.

In making this decision, I upheld my constitutional 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 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 Representatives. 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 foundation of our justice system, as important as the constitutional rights of the accused.

If the President is held to be above the law, the ultimate unpredictable consequence is that achieving justice in America’s legal system will become significantly more difficult. The necessity for the truth is reflected by the appropriate 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 discharge them. To its credit, America continues to strive to preserve equality under the law as a self-evident truth. It is essential to the common consent of citizens who must abide by these laws.

I am proud to represent the impressive new George Bush Presidential Library and Museum which is located on the Texas A&M University campus in College Station, Texas. Engraved on the southern exterior wall of the library, engraved high enough to catch the late President’s eye—"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 demand from this body, but public misconduct committed by that same official deserves punishment of the fullest measure.

Based upon my solemn review of the evidence 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 became indignities against the Constitution by which we are governed.

Our history has taught us 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 the false witness under oath, and Ms. Jones’ rights 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 right of another citizen is directed by the President of the United States.

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

Let not this House grant a pardon to 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 gentleman from California (Ms. LOFGREN) a member of the Committee on the Judiciary.

Ms. LOFGREN. Mr. Speaker, the Republican 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 severely, he tried to change the rules. 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 disregard our Constitution and to threaten our future 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.

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 President does not agree. You 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 must 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 high office he has. 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. This is not fair to the President, but he does not have enough food in their bellies at night, and when we talk about balancing the budget, what do we do? We cut the food stamp program. When we talk about trying to stand up and make sure that we have decent schools in every state, we have a hellacious debate on the floor of this House. And yet, our schools are still terrible.

We make pronouncements about these wonderful new changes that we have made in laws, but at its core, the truth is that there are too many people in poverty, there are too many kids that do not have access to health care; there is a lot of immoral things about our country; there is a lot of moral things about our country; and I look around our Nation today and I see little children that do not have enough food in their bellies at night, and when we talk about balancing the budget, what do we do? We cut the food stamp program. When we talk about trying to stand up and make sure that we have decent schools in every state, we have a hellacious debate on the floor of this House. And yet, our schools are still terrible.

The President has put the wood to the Republicans time and time again. The President has put the wood to the Republicans time and time again. He has taken away the issue of crime, he has taken away the issue of taxes. He has taken away so many of the issues that my colleagues in the past have had little use for, and so they get angry at him. That is okay, they can get angry at him. But to dumb down the impeachment process and to allow
this to be used not just by my Republican colleagues, but by people that will serve after me certainly, and people that will serve after everybody in this institution and allow this to be utilized in a partisan critical manner is an innately un-American thing on the part of the Republican Party.

I am so sorry that the final vote I cast here on the House floor is going to be over an issue that is so partisan in nature. Let us come together and let us find the forgiveness that the American people have for President Clinton, that his own family has found for him, so that many millions of people across this planet want him to have. Give him forgiveness. He recognizes he did something wrong. He is trying to right it. Find in your hearts the forgiveness that he asks for.

Mr. McCOLLUM. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. SMITH), a member of the committee.

Mr. SMITH of Texas. Mr. Speaker, I thank my friend from Florida for yielding me this time.

Mr. Speaker, let us return to the Constitution. Members of this House of Representatives have a solemn task specified to us by the authors of that Constitution. Whatever happens today, whether the President is impeached or not, our Nation is going to endure. We are a strong people and we have a Constitution that works.

A quarter of a century ago, we arrived at a similar point. President Clinton's defenders say this is not Watergate. They are right to the extent that the underlying behavior does not involve the bungled break-in of a campaign headquarters; rather, it involves a reckless relationship in the White House itself with a young employee that the President hardly knew.

President Nixon did not lie repeatedly to a Federal judge and then to a grand jury of citizens charged with discovering the truth. President Clinton did. But President Clinton, like President Nixon, did obstruct justice by encouraging others to lie, and both abused their offices by violating their oath to uphold the laws of our country.

The President has escaped accountability for his actions time after time. His intelligence, pleasing personality and way with words have saved him, so far. Perhaps the most accurate description of his behavior, and that of the campaign slogan used by a New York senatorial candidate against his opponent this year: "Too many lies, too long."

Last week I listened to the President's most recent apology, and I agree with him. I cannot imagine a greater agony than being ashamed before one's family and friends. But emotions cannot change the evidence or the facts, nor should they control our actions.

If the moral and the ethical decisions we must go forward. Our entire justice system rests on the rule of law. Without it, we would not enjoy a civilized and democratic society. To carve out exceptions for anyone, particularly the chief law enforcement officer of the United States, would be to undermine this rule of law.

For the benefit of our country to set an example for our children, our grandchildren, 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, by 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 American people, respect for the office of the Court, respect for women, and ultimately, our own self respect.

During this difficult but necessary impeachment process, I've relied on several people for their ideas, does it well, and thank my perceptive wife, Beth Schaefer, and special friends, Judge Cyndi Krier, John Lammppane, 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. If one is a mayor, a police officer, a Senator or a President, one must obey the law, just like any other citizen.

American law and our system of justice relies on truth, truth presented by witnesses sworn before God. Those who choose to violate our laws are no better than the persons they have in this country know it is a daunting experience, knowing that if you stumble, if you lie, you could commit perjury and maybe wind up in jail.

Thousands of Americans have been prosecuted and have criminal records because they perjured themselves like the President. The President's own Justice Department regularly prosecutes Americans for perjury, and yes, they are prosecuted for perjury in cases of sex and power.

We are not talking politics here. In politics, a President may lie to the American people on television, in town meetings, and even in political ads. I think that is wrong, and so do most of my colleagues. But that is not against the law and that is not a reason to impeach. Voters are the ultimate judges in those cases. But here we are talking about the law.

As we search our conscience today to cast our votes, let us remember the rules and laws on which our Nation was founded. No one is above the law. Let us vote to uphold that American principle today.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from the Virgin Islands (Ms. CHRISTIAN-GREEN).

Ms. CHRISTIAN-GREEN. Mr. Speaker, I rise today with a solemn, fearful and heavy heart as I face the stark reality that this House and lame duck Congress is going to disregard the will of the American people, and, to quote this week's Hill Newspaper, "unleash 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 a future judge do? 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.

But I do not waste my time with the comments I have heard as early as this morning that this is not about the President's behavior with Monica Lewinsky, but neither is this about so-called legitimate charges of perjury, obstruction of justice, or abuse of power. It has been clearly shown time and time again that none of that occurred.

What this is about is a purely partisan attack on Bill Clinton, the man; on Bill Clinton, the people's President; on Bill Clinton, the president of his party; and I think that is wrong, and so do most of my colleagues. But that is not against the law and that is not a reason to impeach. Voters are the ultimate judges in those cases. But here we are talking about the law.

As we search our conscience today to cast our votes, let us remember the rules and laws on which our Nation was founded. No one is above the law. Let us vote to uphold that American principle today.
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 science and constitutional responsibility. Do not cover up in bar fot- m. Reject this partisan impeachment process. We should have a censure vote, but if that will not be allowed, then vote for the Constitution, vote for this country. Vote "no" on impeachment.

PARLIAMENTARY INQUIRY
Mr. ARMLEY. Mr. Speaker, I rise to a point of parliamentary inquiry.

The SPEAKER pro tempore (Mr. LaHood). The gentleman will state it.
Mr. ARMLEY. 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 have seen frankly quite caustic and harsh characterizations of 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 I have not seen on the floor of the House the rhetoric and consider the grave matter of the office of the President. Third, forgiveness does not absolve one of responsibility for actions, nor relieve one of the consequences of those actions.

Earlier I asked for unanimous consent, and at this time I will submit for the Record an article out of the Wall Street Journal entitled "Religion Should Not Be a Political Tool," signed by 85 religious scholars. In that, it says, "We challenge the widespread assumption that forgiveness relieves a person of further responsibility and serious consequences."

I commend this article to all my colleagues and introduce it here.

The material referred to is as follows:

FROM THE WALL STREET JOURNAL
RELIGION SHOULD NOT BE A POLITICAL TOOL
The following statement—Declaration Concerning Religion to the Ethics in the Clinton Presidency—was signed by 95 religious scholars, including Paul J. Achtemeier (Union Theological Seminary), Karl Paul Duerr (Yale College), Paul Dopp (Emory University), Behke Eistain (University of Chicago), Stanley M. Hauerwas (Duke University), Robert Peter Imboli (Boston College), Max L. Stackhouse (Princeton Theological Seminary), and Harry Yeide (George Washington University):

As scholars interested in religion and public life, we are concerned about the misuse of religion and the debasing of moral language in the discussion about presidential responsibility. We believe that serious misunderstandings and misunderstandings are being exploited for political advantage. The resulting moral confusion is a threat to the integrity of American religion and to the foundations of civil society. Among the things that religious and moral identity can be separated, we consider the current crisis to be a critical moment in the life of our country and, therefore, offer the following points for consideration:

MISUSE OF RELIGION
1. Many of us worry about the political misuse of religion and religious symbols that we have seen at 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 political agenda. We fear the moral confusion inherent in such an atmosphere of scholarship and integrity can lead to the abuse of power. We reject the premise that violations of these ethical standards should be excused, for the greater the harm and neglect the abuses of power.
2. We commend the efforts of the President and his administration to clarify the situation and to enable a wise judgment. Leaders are accountable to the Constitution 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 use of religious symbols to mask the corruption of his administration.
3. We are aware that certain moral qualities are central to the political 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 accept the abuse of power. We reject the premise that violations of these ethical standards should be excused, for the greater the harm and neglect the abuses of power.
4. We are concerned about the impact of this crisis on our children and on our students. Some of them feel betrayed by a person in whom they see a person who they believe is transparent. Others are troubled by his misuse of others, by which they mean that the administration, the political system, and the media were implicated in such political manipulation of religious symbols.
5. We believe that extreme dangers sometimes result from a political agenda that is so morally problematic actions. But we maintain that in general there is a reasonable threshold of behavior beneath which our public leaders should not fall. Accountability for the moral character of a person is more important than the tenure of a particular politician or the protection of a particular political agenda. While the political history indicates that violations and misunderstandings of such moral issues may have grave consequences. The widespread desire to "get this behind us" does not take into account the nature of the transgressions and their social effects.
6. 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. While the political history indicates that violations and misunderstandings of such moral issues may have grave consequences. The widespread desire to "get this behind us" does not take into account the nature of the transgressions and their social effects.

EXTENDED-DISCUSSION
While some of us think that a presidential resignation or impeachment would be appropriate and others envision less drastic consequences, we are all convinced that the current crisis is a central governmental issue. We believe that the issues of national security and political issues are required to clarify the situation and to enable a wise decision to be made. We hope to provide an atmosphere in which such an occasion may occur in an atmosphere of scholarly integrity and civility without partisan bias.
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 words 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 is not worth it. It outweighs filling the immediate satisfaction.

I also strongly object to the provision in the articles which disqualifies the President from holding any future office and it goes on to say other things. What it essentially means is almost anything that is commissioned, that has any kind of Federal monies in it, XYZ commission, a nonprofit organization, he cannot fulfill that as a result of this particular clause.

This goes too far. It is a too severe. The House does not have the moral authority to judge that the President is forever unredeemable. A strong resolution of censure is the appropriate response by the House of Representatives. The House go on record condemning the President in the strongest terms.

Censure is a harsh enough punishment. It expresses the profound disapproval of the American people, and it will stay with the President for the rest of his life and throughout history. Censure will spare the Nation the agony of a Senate impeachment trial and the possible removal of the President.

I regret that the House leadership will not permit a censure resolution from coming to the House floor for a vote. This denies the House the opportunity to work its will. Impeachment is not the answer to the challenge the House faces in responding to the President’s actions.

Mr. MCCOLLUM. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. KING).

Mr. KING. Mr. Speaker, I rise today in opposition to the articles of impeachment. My opposition to impeachment has nothing to do at all with Bill Clinton, but everything to do with the office of the presidency.

By setting a standard which goes beyond the Constitution, and, my Republican colleagues, beyond the historic position of our party, we are, however well-intentioned, continuing our spiral toward a government subject to the whims of unscrupulous and self-interested special counsel and based on the frenzied politics of the moment, rather than a government of immutable principles and transcendental institutions.

This is not a decision which came easy to me. It is not a position which I conclude is particularly respectful than I do for the gentleman from Illinois (Mr. HENRY HYDE). To me he is the conscience of this House, and 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 philosophy. I go back 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, subsequently appointed to the United States Supreme Court, came back and testified 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, 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 investigation, by special counsel. 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 it rises to the level of treason or bribery.

The principle we are setting that in the future, all of us, anyone who aspires to be president, 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 was there? If this, if this and Bush administration, 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 year 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. MAJ OR 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 the conclusion, concluded that 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, 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 basis 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, this President, 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: “Foul me not to bear tamely. Touch me with noble anger.”

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, they have cheered him as the 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 and Main Street, this President 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 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 execution. 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. ROGAN).

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 who preceded the gentleman 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 perjury-related crimes. 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 that 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 prestige, 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 impeached 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.

What happened here is fairly straightforward. During the period of the month of December, there came up the issue of gifts because Monica Lewinsky had a subpoena to produce any gifts the President had given her in the Jones case. And the President and she 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 telephone 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 they believed Ms. Lewinsky. On this subject 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 them under her bed. Another obstruction of justice.

Then in early January, in early January the President was talking to Vernon Jordon, who is his good friend and counselor, and arranged for Monica Lewinsky to have an attorney to prepare that affidavit. And during that deposition, we all saw the video film of that deposition 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 they believed Ms. Lewinsky. On this subject 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 them under her bed. Another obstruction of justice.

What happened next is fairly
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 look it up, there is testimony by Ms. Currie that she was at the hotel and the President of the United States committed perjury there. And this particular definition is clear about it.

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. 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 outside 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 it is not accurate. And the President says, well, we will just make up facts. That is about the core of impeachability. And the President says, well, we will just make up facts. And this, causing additional innocent people to commit crimes. I cite to you the filing of a false affidavit by Monica Lewinsky, the hiding of evidence, the
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 believe in our own mind. What are we 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 to establish this process is coming 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 is 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 represents this country. Is this country not 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 will be imperiled if it fails to observe the law scrupulously. Our government is the potent, the omnipresent teacher. For the country that dare not be governed by laws, respected and obeyed, will sink into despotism and degradation. This will be the curse of our country; the Commander in Chief of the armed forces of the United States. It is to impose on the country the idea that the laws are not to be obeyed by those who are placed in executive and judicial office.

The law is clear that the perjury, the real perjury, the issue is you have to formally say that is not right. You cannot focus on the precision of a question and ignore what the defendant knows.

The 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.
he allowed his government-employed White House Counsels, policy advisors, Cabinet members and communications team to defend him and perpetuate the lies. He continued to use his staff for a period of more than seven months to deny, stonewall, and lie to those investigating his actions.

We must use a common sense approach to this evidence and look at the results of this series of calculations and incidents. Washington is a "wink and nod" community, where people do not need to say exactly what they want in order to get what they want done. Nor can we judge each act in a vacuum. The context—the big picture—must also be considered. Just look at the time line, look at the actions and the results would all benefit the one person who says he had nothing to do with anything.

Throughout this process, we have had the daunting task of determining whether these charges meet the standard of "high Crimes and Misdemeanors," and whether the Rule of Law should be interpreted to include these criminal offenses.

Surely, one cannot seriously argue perjury and obstruction of justice are not impeachable. They are fraternal triplets of bribery which is spelled out in the Constitution. Each of these have the effect of thwarting the truth in our court system. As former Attorney General Griffin Bell has testified:

The statutes against perjury, obstruction of justice and witness tampering rest on vouchsafing the element of truth in judicial proceedings—civil and criminal and particularly the grand jury.

Professor Jonathan Turley of the George Washington Law School told Congress that:

"The allegations against President Clinton go to the very heart of the legitimacy of his office and the integrity of the political system. For those remaining few who persist that this is merely private or trivial conduct, I draw your attention to the testimony before this committee of John McGinnis, a Professor of Law from the Benjamin H. Cardozo School of Law at Yeshiva University, who said:

"Integrity under law is simply not divisible into private and public spheres..." It would be very damaging for this House to accept a legal definition of "high Crimes and Misdemeanors" that created a republic which tolerates "private" tax evasion, "private" perjury and "private" obstruction of justice from officials who would then continue to have the power to throw their citizens into prison for the very same offenses.

In addition, Stephen B. Presser, of the Northwestern University School of Law stated:

"They are not trivial matters having to do with the private life are thus impeachable offenses. The writings and commentary of the framers show that they would have believed that what President Clinton is alleged to have done, if true, ought to result in his impeachment and removal from office.

Harvard Law professor, Richard D. Parker, also stressed the Rule of Law in his testimony saying:

"Now, consider another hypothetical situation: Suppose the President were shown to have bribed the judge in a civil lawsuit against him for sexual harassment, seeking to cover up compromising and embarrassing evidence. As bribery, this act would be impeachable, despite its source in the President’s sex life. What is 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 who has brought to this point our 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 its 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 addition, an 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 relish voting on the impeachment of our President which we have put 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 couple of 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 of voting 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 Congress who has lived under and fought against both fascism and communism. Every day I enter this hall I do so with a feeling of gratitude that we are free and that we are not yet a police state and still enjoy 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 the majority or the minority 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 opposition 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 participated in our national 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 1½ minutes to the gentleman from Arkansas (Mr. HUTCHINSON).

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

It is important to address that issue of censure. We discussed this in the committee and there were numerous constitutional experts that addressed this. Stephen Presser, professor of legal history at Northwestern University School of Law, wrote a letter to the gentleman from Massachusetts (Mr. DELAHUNT) disagreeing about censure and saying that censure would not be constitutional. He said, "In my opinion, impeachment is the remedy for misconduct."

We go to the University of London, a similar response by Gary McDowell noted that censure was not a proper constitutional remedy and would violate the separation of powers. And on to John Harrison, University of Virginia School of Law by a letter to the gentleman from Massachusetts (Mr. DELAHUNT) saying that, "My view at this point is that censure is a constitutional remedy."

And for that reason, because of the constitutional problems, that was not presented.

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

Mr. LANTOS. Mr. Speaker, reclaiming my time, I think the gentleman's point was also on fairness. And, as has been read earlier today, going back to 1974 on this House, the Democratic Speaker refused to allow a vote on censure in reference to President Nixon; and so, there is a precedent for what he has done as well as constitutional consideration.

Mr. CONYERS. Mr. Speaker, I yield the gentleman from California (Mr. LANTOS) 1 minute.

Mr. LANTOS. Mr. Speaker, I yield to the gentleman from Michigan (Mr. CONYERS).

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. 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 demeans 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 dissatisfaction with this agreement, and I rise to give my strong opposition to the articles of impeachment that have been brought before us today.
I know what has caused this to happen; I have watched it.

It took me 129 years to get to this Congress because of some folks interpreting the Constitution. I have heard a lot about the Constitution today. But the same people that are interpreting it wrongly today were obviously there long many years ago when it was misinterpreted and when some folks were left out.

How many more good people are going to have to lose their reputation because of what I am seeing here in this Congress? Good men are losing their reputation every day here. Who will be next because of this strive, this strive for grabbing a gonad shriveling impeachment process to try and get him. It is unfair, it is tainted.

I have some familiarity with this unfairness and injustice that we see in this country. My colleagues cannot escape it. Every American knows that this impeachment process is partisan if they looked at the votes of the very good Committee on the judiciary hearings we had. I watched it. I read everything. It is partisan. It goes against the history of this country.

The Republican majority has chosen time and time again to exclude the Democrats. We are asking only for a chance for censure. That is what we are asking for. It does not mean we are going to win that, but at least they could give us that opportunity.

Mr. Speaker, our colleagues are out of touch with the people of the country, they are out of touch with the Congress. I say to the rest of them: Now is the time to try and give censure to a man who has given something for this country and give all of us who seek fairness and justice for this country. It was not only set out for certain folks for all the people.

Mr. Speaker, if my colleagues believe in the Constitution so strongly, they should act on it.

Mr. McCOLLUM. Mr. Speaker, I yield 30 seconds to the gentleman from Virginia (Mr. GOODLATTE).

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

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 not appropriate 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 be eating a new President. Being told, no, we already have a President, Jake replied: No, we do not; he lied.

As my colleagues know, such principle from the mouths of babes. As sad as this is for our Nation, this action is for our Nation, this action is necessary so that all of us can continue to not only uphold but teach those basic truths and basic right and wrong in our houses and, most assuredly, in this House.

Yes, to err is human, but to lie and deny and vilify; rather than that we need to confess and repair and repent. I just remember, the children are watching.

Mr. CONyers. Mr. Speaker, I yield 3½ minutes to the gentleman from Illinois (Mr. JACKSON).

(Mr. JACKSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. JACKSON of Illinois. Mr. Speaker, Republicans say the underlying issue is not about sex, it is about perjury. Democrats say the underlying issue is the nature of a consensual relationship, and the President lied about it, possibly committing perjury in the process. But since lying about sex is not an act involved using his official position against the state as Nixon did, Democrats say Clinton's sins do not reach the constitutional standard for impeachment. That is the essence of the arguments we have heard presented by Members of Congress to the Committee on the Judiciary, but underlying the pending Clinton impeachment is neither sex, nor perjury, but American history itself. Essentially the same economic and political forces that drove the presidential impeachment process against Andrew Johnson in 1868 are driving the impeachment process 130 years later. There has been a role reversal. The Republicans of 1998 were the Democrats of 1868, but the underlying issue was the 1868 Reconstruction. The first reconstruction was at issue in 1868; the second reconstruction is at issue in 1998.

It could not possibly be about the standard. Congress determined that Mr. Nixon's failure to pay taxes and his lying about failure to pay those taxes did not meet the constitutional standard while felonious. Mr. Clinton's actions are potentially felonious, but do not reach the constitutional standard. So we look to history for the answer.

People keep asking me every time I step outside of this Congress why does an African American community keep sticking with Bill Clinton? Bill Clinton to them was legal slavery ended, this is why. There were 9 million people in the old Confederacy which was led by the Democrat Party. Then the Democratic Party was defined in exclusive terms, as slave holders protected by States rights governments. Four million people, southerners, were uneducated, untrained former slaves who wanted to be brought into the mainstream of America, that it include poor and working women who were brought in. The identification of Lincoln and the Republican Party with ending slavery led southern Democrats to refer to Lincoln as the black President and the Republican Party as the black Republic Party. Former Confederates opposed and resisted the big centralized Republican federal government and wanted to get the government off their States' backs so they could get right back to their old States rights ways. Senator Johnson was a Tennessee Democrat who had refused to join his southern Democratic Confederates and stayed with the northern Unionists. Lincoln's concern about preserving and re-unifying the Union, the Nation following the war led him to appoint that Democrat to become Vice. When Lincoln was killed, President Johnson focused on putting the Union back together but not on building a more perfect union for all Americans. And unlike Lincoln and the Republicans, he would preserve the Union by leaving some Americans behind, sacrificing the rights and interests of the former slaves. This is why. As a result those northern angry Republicans investigated a vulnerable Johnson, who not unlike Bill Clinton had personal foibles, to try to come up with an excuse to impeach him. It was a partisan attack by Republicans on a Democratic President in order to preserve undertaking the Republicans' first Reconstruction program. Today's conservative based Republicans' target is not Bill Clinton, it is second reconstruction, especially the liberalism of Democrat President Lyndon Baines Johnson, but also ultimately including the big government economic programs of FDR.

Let us not be confused. Today Republicans are impeaching Social Security, they are impeaching affirmative action, they are impeaching women's rights, to choose. Medicare, Medicaid, Supplemental Security Income, and equal protection under the law for all Americans. Something deeper in history is happening than sex, lying about
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sex and perjury. In 1868 it was about re-
construction, and in 1998 it is still about re-
construction.

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. Prescott Bush, 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 was 38 years ago. But three of the arguments we heard presented by members of the House Judiciary Committee and voted on partisan 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 impeachment process against Bill Clinton today—a “role reversal”—the Republicans of 1868 were the Democrats of 1868—but the underlying issue is essentially the same: reconstruction. The First Reconstruction was at issue in 1868, the Second Reconstruction is at issue today.

Congress determined that Mr. Nixon’s failure 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 answer.

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

People often ask me why the black community 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 untrained former slaves who needed to be educated, trained and brought into the economic mainstream 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 preserve 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 cannot outlaw slavery anywhere in the U.S. The Confederacy—it’s 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 twin problems have not been completely fixed!

The identification of Lincoln and the Republican 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. Watts, who is being referred to generally as a Black Republican to one Black Republican. “Former” Democratic Confederates opposed and resisted the “Big Centralized Republican Federal Government” and wanted “the government off of their states’ backs” so they could go back to their old “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 about preserving the Union fol-
lowing the war led our first Republican Presi-
dent to reward Johnson’s loyalty by nominating 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 $620,000 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-
lican future 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 actually elected President by a very close House of Representatives vote for

pulling 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 Ameri-
can.

It is the same white elitist southern forces and that continue anti-Federal Government ideology—except today they are called Repub-
licans—who want, this time, not 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 rights and majority-minority distri-
tions. 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-
bama, 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-
nally Democrats, but are now Republicans.

Today’s conservative southern-based Repub-
licans’ target is the Second Reconstruc-
tion, especially the “liberalism” of Democratic President Lyndon Johnson’s Great Society, but also ultimately including many of the “Big Government” economic programs of Franklin Delano Roosevelt’s New Deal. The real under-
lining dynamic of this impeachment proceeding is not the removal of Bill Clinton, but the re-
move of the social and economic programs of the New Deal and the Second Reconstruction in the Great Society, the Big Federal Government generally, and the de-
struction of liberalism as a viable political ide-
ology in particular.

Whether these conservative anti-Federal government Republicans are successful or not will be determined by history. There will be a few pro-impeachment Democrats thrown in for good measure because, politically, they must factor in the old Democratic forces in the South, now controlled by the Republicans. The Republican impeachment strategy can only be measured by future elections. Will the Amer-
ican people be led astray again by the 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—no President Clinton or the current crop of Democrats and Repub-
licans—will render that judgment!

The political and ideological roots of this anti-reconstruction 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-
cracy 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
BOB LIVINGSTON (R-LA). There styles are different, but their substances is essentially the same. Both abdicated their leadership roles in the impeachment crisis only to have another southern conservative, Rep. Tom "The Hammer" DeLay (R-TX), fill the void. He is intimidating and forcing Republicans, not to vote against him, but to vote with him on a procedural vote—which, in essence, is a vote to kill a vote of conscience for censure.

In addition, call the roll of House leadership and committee chairmanships in the 105th Congress: Richard Armey (TX) and Majority Leader; Bill Archer (TX), Ways and Means; Bob Livingston (LA), Appropriations; Floyd Spence (SC), National Security; Thomas Bliley (VA), Commerce; Porter Goss (FL), Permanent Select Committee on Intelligence.

Add to that the 105th Republican controlled Senate: Trent Lott (MS), Senate Majority Leader; Strom Thurmond (SC), President Pro Tem (3rd in line to be President), Chairman, Armed Services; Jesse Helms (NC), Senate Foreign Relations; John Warner (VA), Rules; Richard Shelby (AL), Select Committee on Intelligence. There are people arguing on behalf of states' rights than there are people arguing on behalf of building a more perfect union.

But don't stop there. Look at who will preside as Chief Justice over an impeachment trial in the ultimate conservative states' richter, Supreme Court Chief Justice William Rehnquist. Nominated to the Court by Nixon and elevated to Chief Justice by Reagan, this intellectually gifted conservative, when clerk for Justice Robert H. Jackson between 1946 and 1949 wrote a memo arguing in favor of upholding the "separate but equal" doctrine of Plessy v. Ferguson in preparation for the 1954 decision on Brown. As a conservative Phoenix lawyer, he appeared as a witness before the Phoenix City Council in opposition to a public accommodations ordinance and took part in a program of challenging African American voters at the polls.

From 1969 until 1971, he served as assistant attorney general for the Office of Legal Counsel. In that position, he supported executive authority in ordering wiretapping and surveillance without a court order, no-knock entry by the police, preventative detention and abolishing the exclusionary rule, that is, a rule to dismiss evidence gathered in an illegal way.

As a member of the Burger Court, Rehnquist played a crucial role in reviving the debate regarding the relationship between the federal government and the states. The consequences of Rehnquist's state-centered federalism surfaced dramatically in the area of individual rights. Since the 1960s, the Court had held a provision in the Bill of Rights applies to the states through the Due Process Clause of the Fourteenth Amendment. Rehnquist voiced his disagreement with such a method of determining the constitutional requirements of state action, particularly in the context of criminal proceedings, urging a return to an earlier approach whereby the states were not required to comply with the Bill of Rights but only to treat individuals with "fundamental fairness."

Likewise, Rehnquist narrowly construed the Fourteenth Amendment's mandate to the states not to "deny to any person the equal protection of the laws. He contended that all that the framers of the Fourteenth Amendment hoped to achieve with the Equal Protection 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 decided to make social issues as 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 "Revolution of Devolution" by defeating and eliminating the two social issues "separate but equal" days of Plessy v. Ferguson and "Big Government" in the 2000 election.

The Republicans know that if the President is impeached in the House, he will not be convicted in the Senate. They don't want him convicted and out of office, with President Al Gore [1993] who can promise a solid majority hold on the White House. They want an impeached, but not convicted, President twisting in the wind for two years leading up to the 2000 election. This is a continuation of the November 3, 1998, strategy of the Republican hard right to move a "separate but equal" social values political base as a dimension from economic justice issues.

What the Republicans want out of this impeachment crisis is a "family values" issue for the 2000 presidential campaign. They want to say that Clinton'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 divided over the President, and that liberals and perjury is at issue here—just as something deeper in history than sex, lying and perjury is at issue today—is something deeper in history than the removal of a cabinet secretary was a stroke in 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 gentleman from Georgia (Mr. Linder).

Mr. LINDER. Mr. Speaker, this is the twentieth session in which I have been casting votes in legislative chambers for this status. The majority Republican stand 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 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 laws regarding prosecution of statutory crimes and constitutional violations by the President of the United States will subject all Presidents now and in the future to impeachment. No President is exempt under our U.S. Constitution and the laws of the United States from accountability for personal misdeeds 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 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 non-sense. 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 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 that you be it 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 repeated time and time again concerning the Repression of the Iraqi people and the House of Representatives is preparing to decide whether President Clinton should be impeached. The collision of the law with reality is that we have the obligation to prevent Saddam Hussein from using his country in dealing with foreign threats even as complicated domestic matters are under consideration.

First, 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 removed Saddam Hussein repeated time and time again concerning the 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 been provided for action. However, the President has steadfastly refused to address these charges.

The impeachment of a President by the House does not remove 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 of the United States. 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 my own district. In 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. The President himself now 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, this issue 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 has 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. These are not high crimes and misdemeanors. This is not Watergate. But, so committing watergate-style crimes should not be the minimum risk of removing a President. There have been only two other Presidents who have faced the serious prospect of impeachment, but other officials, primarily judges, have been impeached for actions, such as perjury, that had nothing to do with their official duties.

"Censure is the Proper Punishment" It has been suggested that impeachment, the House should censure the President. First, the Constitution does not provide for censure, and even many scholars who support President Clinton say that it would be unconstitutional for the House to do it. The House does not determine the ultimate punishment of those impeached. That is the Senate's role. Second, censure at this point really comes down to passing a meaningless resolution condemning the President either for unspecified bad behavior or for crimes that he has already admitted. Like shouting at a teenager and thinking that loudness will change his behavior. However, if the Senate should decide on other measures of removal, it might be proper. The role of the House is to ascertain whether there is enough evidence to have the Senate conduct a trial.

"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 the conviction is no more accurate than saying that the forced resignation of Richard Nixon overturned the 1972 election. When President Nixon rescinded his own hand over the offer, Mr. President, Gerald Ford, succeeded to the office.

"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 harassment case in an effort to defraud an insurance company of having an affair, but of lying in a sexual harassment case. If President Clinton is unable to produce a pattern and practice of behavior (such as giving benefits for sex), if President Clinton is accused of committing harassment, he will be criminal prosecution. If President Clinton is
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 will be老人家 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 mea culpa and non-impeachment censure resolution? (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 actions, 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 asked and was given permission to revise and extend his remarks.

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 caused by 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. 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 activity. But it destroyed him.

The House Republican leadership has said that “the President has answered Yes to all of these questions. By my vote, I will be answering each of them No.”

Mr. Speaker, for the House Republican leadership to, in effect, predetermine the outcome of this vote by refusing to allow a conscience vote on censure in this instance is a massive failure. The House Republican leadership can only win this vote by denying any alternative, it will have failed the country as much as Bill Clinton has.

Mr. Speaker, because of time limits imposed on debate today I would like to extend my remarks at this point updating the thought on the issue that I expressed earlier in the year, to place my conclusion in full context.

Mr. Speaker, three months ago, as I tried to wade through my copy of the Starr Report, and as I came again and again to gratuitously graphic and voyeuristic descriptions of “sexual encounters” contained in that report, I reached the point where I could read no more. I had voted to release that report earlier that day, but I really began to wonder whether I would have done so if I had known it was so graphic. I say I am I was continually asking myself what we had done to our own children, to the President’s privacy and dignity (and that of Monica Lewinsky) and even to the dignity of the nation itself by the placement of that report on the Internet.

Putting down the report, I turned on the TV set to see, as an unconstructed Cub fan, if I could find out if Sammy Sosa had hit another home run or not. The tube came on and within seconds I heard a CNBC reporter describing the Starr report, trying to explain how I was supposed to hear on the nation’s national news programs or what passes for them these days.

At that moment I reached the same conclusions that millions of Americans have probably reached. I have had it—not just with this story, but with something far more disturbing.

What I felt was a conclusion that has been building within me for months, even years. I was overwhelmed with the feeling that this report is a phenomenon grossly verifiable that our society and our country is faced with nothing like we have ever experienced. It is not the lies that are central to our functioning as a decent society and as a democracy that works for the way our Founding Fathers wanted it to work.

Please do not misunderstand. This is a great country. In many ways it is a good country. There is much that is good in our society, and we have had much good economic news in recent years.

Nonetheless, I believe that the most crucial institutions and institutional arrangements in this country are financing themselves in failing in their responsibilities. That failure is affecting our economy, our culture, our political system, our long-term environmental security, and even our own spirituality.

The evidence of the failure of our most important institutions is all around us—in this report and in other events. At the moment that our nation is transfixed on the most pornographic document ever produced by government, global challenges face us everywhere.

The world’s economy is in turmoil. We have almost no tool but persuasion to move the major economic institutions to accept fundamental changes of economic and fiscal impotence and incompetence that threatens the economic health of all of Asia and indirectly threatens our own as well.

International financial institutions such as the International Monetary Fund are being overwhelmed by changes in the world economy, changes in currency relationships, changes in capital flows that each day weaken the ability of the major institution the world has to stabilize economic relationships between nations.

The nation with the largest arsenal of nuclear weapons that could possibly one day be arrayed against us (Russia) is experiencing political and economic chaos. Much of Europe is focused on that chaos, but here in America we give it only intermittent attention and analysis.

The most irrational, paranoid and dangerous government in the world (North Korea) is facing military, political, and economic instability that could easily threaten the lives of 50,000 American servicemen and women stationed in South Korea and hundreds of thousands of others.

Our ability to prevent the spread of nuclear weapons has been brought to the edge of failure by events on the Indian subcontinent and elsewhere. And yet, the discourse in this country about how to deal with that issue is shallow and in some cases downright dangerous.

The best change in a generation for peace in the Middle East is slowly but surely sliding away.

This decade has produced the hottest known global temperatures in 200 years with huge potential consequences for worldwide agriculture, fisheries, economic dislocation, public health, and environmental stability. Yet commercial disputes about profit levels are to the point of war.

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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 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 individuals—responding to 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 citizens 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.

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 innocents in the process. One has only to 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.

That reporter owes his own profession, his own certitude about the will of God or their dedication to unbending individualism, their desire for tactical advantage, to get in the way of their responsibility to recognize good intentions and honest nuances of conscience. And everyone else in the modern history of the country.

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 President Mrs. Clinton down. Mr. Starr’s report 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, unquestioned fairness balance and judgement.

As President Clinton has pointed out, to this point, 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, 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 judgment 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 event which had direct substantive consequences for American citizens and their families, 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 activity that he did not want exposed 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 allegation that the President acted illegally by misleading his own staff about his sexual activity is a real stretch as it 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” and allow the Congress to act. Only the Congress can act. But I do believe we need to have 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 selflessness. 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. McCOLLUM. 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, the last President whose censure 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 an accusation if in fact it is used or attempted to be used as a substitute for impeachment.

Mr. McCOLLUM. 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 questioned by the F.B.I. They 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 have 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 it cannot weather this 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, to the extent, by violating the oath, Mr. Speaker, 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 request from the Members 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 revise and extend his remarks, and include extraneous material.)

Mr. YATES. Mr. Speaker, I was elected to the House of Representatives for the first time in 1948 and 23 times thereafter. For that reason, I sincerely ask by the press three days whether this Congress differs from the early ones to which I was elected.

I answer yes—there is a difference. There is a difference in the ambience, in the relationship between Members of the two parties. I have the impression that in the earlier Congresses Members were friendlier than now and I regret that. And they were friendlier towards the Presidency.

Nobody thought of impeaching a President. In the 81st Congress, the Republicans did not like Harry Truman; they did not think he was impeachable. They voted against his Fair Deal programs, they abjured him for firing General MacArthur, they called him a tool of the Prendergast machine in Kansas City—but there never was one mention of impeachment.

But that was prior to the special prosecutor law. That changed things and now we have a special prosecutor, Mr. Starr, who investigated and found nothing to blame on Mr. Clinton on Whitewater, Travelgate, Filegate, his original charges. Then he stumbled on Monica Lewinsky. That was his big mistake.

Starr is determined to drive Mr. Clinton out of the Presidency—and in this bill, the Republicans are taking his recommendations to impeach him—as the Chicago Tribune said—for “low crimes and misdemeanors.” There are no high crimes and misdemeanors that either Mr. Starr or the Republicans can cite. It is unfortunate that the Congress should even consider the bill.

Yesterday, the Chicago Tribune, not a liberal newspaper, but rather the paradigm of Republican over the mainstream papers it has been in existence, published an editorial entitled, “There Is No Case For Impeachment.” Its arguments were sound and well-reasoned. Its excellent editorial concludes:

But impeachment is a very different matter. It is a constitutional sword meant to be unsheathed only in the gravest, most unusual circumstances and to be wielded only to preserve the integrity and the security of the republic.

Use it in this instance, against Clinton and for these offenses, and it will instantly become tainted and discredited by those who were turned politics into a wasteland and turning our people off. Like the independent counsel law that has been in existence, published an editorial entitled, “There Is No Case For Impeachment.”

There are no “high crimes and misdemeanors” in this case. There is no basis for impeachment.

Mr. Speaker, I include the editorial from the Chicago Tribune of December 17, 1998, with my remarks. [FROM THE CHICAGO TRIBUNE, DEC. 17, 1998]

THERE IS NO CASE FOR IMPEACHMENT

From the beginning, our editorial concern in this instance has been to see a sense of proportion maintained. “What’s it worth to get Clinton?” we asked repeatedly, as Independent Counsel Kenneth Starr had said. Monica Lewinsky’s mother has been put to the squeeze on her daughter, as he subpoenaed Secret Service agents, as he challenged the posthumous validity of the lawyer-client privilege. The issue, in our view, was never simply what it was legal to do in pursuit of Clinton, but what it was wise to do. And too much that has been done has been terribly unwise. But nothing that has been done to this point is as unwise as what the House of Representatives will do if it votes to impeach the president.

That we stand this morning on the verge of a presidential impeachment—for only the second time in our history—ought to make us pause. The first president to be impeached was Andrew Johnson in 1868; it arose out of actions he took in the wake of the Civil War, actions having to do with the Reconstruction status of newly freed blacks and rebellious whites in the restored union. Even if the case ultimately was meritless, it at least was about a matter of real importance.

In the current instance, the impeachment turns on whether Bill Clinton, in a lawsuit of dubious merit but indubitably mischievous intent, lied about a tawdry, illicit— but consensual—sex affair with another adult.

The issues in the two instances are not even close to the gravity, and any member of the House who dares suggest they are deserves the contempt of his constituents today and of history in the future. There still is time for the House to escape that judgment and for the nation to escape the descent into political hell that an impeachment vote in this instance would represent. But it would undoubtedly highlight the failure of our political system to have the courage to police itself and to demand of its officials that they act with honor.

It has many, and most prominently in the House Republican leadership, which has refused adamantly to allow a vote on censure—the penalty most Americans say is appropriate for misconduct, the alternative many GOP House members would like to have, the course recommended by such party elders as Gerald Ford—and insisted instead that the only allowable vote must be one of impeachment.

In this regard, Robert Livingston, the speaker-elect of the House, already has failed in his first great test of leadership—possibly the greatest test he ever will face. We must accept that Livingston is sincere when he says he believes that the House, which routinely passes resolutions praising everything from peanuts to Ping-Pong players and condemning bad actors from all over the world, is without equal from censure Clinton. We accept Livingston’s sincerity, but question his wisdom—and marvel at how neatly this judgment coincides with the rank, particularly partisan nature of this entire proceeding.

Of course, we would not in this fix if it were not for William Jefferson Clinton, as residing in the White House ever having been barred from censure. Brilliant, charming and immensely talented, Clinton also is a pathetic creature, slave of his enormous sexual appetite and bonding with the label of two attributes that have brought him to this current, perilous pass.

Whether or not it meets the technical definition of perjury, Clinton lied under oath—first in his deposition in the Paula Jones sexual harassment lawsuit, again in his testimony to a federal grand jury. Without question, those are serious matters. Any attempt to subvert the justice system is serious, especially if made by the person charged by oath to do justly that the laws be faithfully executed.

But context is everything. Clinton lied to avoid deep personal embarrassment, not to seize, maintain or subvert the power of the state. His were the pathetic lies of a man caught in marital infidelity, not those of a man who seeks to lead a nation.

His were low crimes and misdemeanors, not the high crimes and misdemeanors that the Constitution sets as the threshold for impeachment.

Again, it’s a matter of proportion. When the House Judiciary Committee was considering whether to impeach Richard Nixon, it rejected an article citing Nixon’s perjury in signing a fraudulent income tax return. That offense, the Democart-controlled committee concluded, did not rise to the level of an impeachable offense. I ought to be likewise in this instance for Clinton and his sorry lies.

Three months ago, in the wake of the Starr report to Congress, we called on Clinton to resign as a matter of honor. He has now, however, elected to oblige us and given his character, that’s no surprise.

But impeachment is a very different matter. It is a constitutional sword meant to be unsheathed only in the gravest, most unusual circumstances and to be wielded only to preserve the integrity and the security of the republic.

Use it in this instance, against Clinton and for these offenses, and it will instantly become tainted and discredited by those who are turning politics into a wasteland and turning our people off. Like the independent counsel law that has been in existence, published an editorial entitled, “There Is No Case For Impeachment.” The promiscuous political use of impeachment will be Bill Clinton’s.

There are no “high crimes and misdemeanors” in this case. There is no basis for impeachment.

Let the House vote down these proposed articles, and vote up a stern, his torically indelible resolution of censure.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Ms. Slaughter).

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

Ms. SLAUGHTER. Mr. Speaker, most of us feel a surreal atmosphere here in America’s capital. I envision the dome of this magnificent building swathed in black, because this is truly a day of mourning, and history will not judge us well.

The process that brought us to this point was so fatally flawed that no one can reasonably feel that justice has been done. The Independent Counsel’s investigation has gone on for five years, although we find he did not per se accept the participation of Congress. The investigation itself will be debated for years to come. The role of the pernicious friend, Linda Tripp, who worked in collusion with both the Independent Counsel and the civil case lawyers, should now accommodate the Independent Counsel. Ken neth Starr’s stewardship was to the Office of Independent Counsel. The harm it has done to due process, the lawyer-client relationship. And the secrecy of
the grand jury. Will be lasting and destructive.

The Committee on the Judiciary did not fulfill its responsibility to independently hear from material witnesses to assess their credibility and to allow the executive branch the opportunity to cross-examine them. Instead, it has brought to the floor this highly-charged partisan resolution.

Impeachment has always been reserved as a last resort as the check of an executive abuse of power that was not intended to be invoked lightly.

In the Federalist Papers No. 65, Alexander Hamilton warned that the prosecution of impeachments "will connect itself with the pre-existing factions and will list all their animosities, partialities, influence and interest on one side or the other; and in such cases there will always be the greatest danger that the decision will be regulated more by the comparative strength of parties, than by the real demonstrations of innocence and guilt."

History tells us that Hamilton's fear was realized in the 1868 impeachment of Andrew Johnson, impeached because Republicans did not like his personal habits and his sympathy for the defeated Southern states. History records his real crime was disagreeing with the majority party.

I fear that history will view this 1998 impeachment inquiry similarly. A total control majority urges impeachment not for treason, bribery or other high crimes or misdemeanors, but because they disdain this President for his moral flaws, ranging from military service evasion to flagrant infidelity.

Scholars disagree on whether the Constitution requires an indictable crime. But most agree that at minimum, an impeachable high crime or misdemeanor is one, in its nature or consequences, that is subservive of some fundamental or essential principle of government.

The allegations against President Clinton, even if proven, are not subservive of our government. The President is not accused of abusing the power of his office or attacking a fundamental freedom of any American. He is accused of lying about, and attempting to prevent the revelation of, his consensual sexual practices with a White House intern. Were they wrong? Undeniably. Can they be punished through the legal system? Absolutely. Should he be impeached? Not necessarily.

Mr. MCCOLLUM. Mr. Speaker, I yield two minutes to the gentleman from Florida (Ms. ROS-LEHTINEN).

(Ms. ROS-LEHTINEN asked and was given permission to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, our courts of law and our legal system are the bedrock of our democracy and of our system of individual rights. Lying under oath in a legal proceeding and obstruction of justice undermine the rights of all citizens who must rely upon our courts to protect their rights. If lying under oath in our courts and obstruction are ignored, or they are classified as merely minor offenses, then we have jeopardized the rights of everyone who seeks redress in our courts.

Lying under oath is an ancient crime of great weight because it shields other offenses, because it blocks 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, it must 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 or 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.

All that stands between any of us and tyranny is law. The rule of law is protected in our compact and 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.

The office of the presidency is due great respect, but the President, whomever may hold that office, is a citizen with the same duties to follow the law as all of us, as all of our citizens. The world marvels that our President is not above the law, and my vote will help ensure that this rule continues.

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 four counts of impeachment of the conduct 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 is clearly sufficient to warrant impeachment. 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 our system of individual rights. Lying under oath in a legal proceeding (whether criminal or civil in nature) and obstruction of justice undermines the rights of all citizens, who must rely upon the courts to protect their rights. If lying under oath in our courts and obstruction are ignored or classified as "minor", then we have jeopardized the rights of everyone who seek redress in our courts. 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 our democracy; it cannot and should not be tolerated.

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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 great danger to the freedom of individuals, 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. If not checked, such abuses of power serve to legitimize the use of public power for private purposes. Mankind's long struggle throughout the centuries has been to develop governmental systems which limit the exercise of public power to public purposes only. Therefore, I must, in exercising the public power entrusted to me, accept for the exercise of public power to public purposes alone; and I must vote in favor of count four.

In reviewing this grave matter of impeachment, we must seek guidance in first principles. These principles are all 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 compact would be honored 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 member—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 immediately avoidance of difficult issues, to ignore our promises to our fellow citizens. Our social compact does not permit the breaches of these commitments by any citizen, for to do so 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 our right to 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-kind—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. CONYERS. 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. HOLDEN. Mr. Speaker, I rise in opposition to the resolution.

Mr. Speaker, it is not fair to say that 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 wrong and it is unfair.

Mr. CONYERS. 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 Congress, 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 close of 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 were wrong and deserve censure. 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. As Speaker of the House, a private conversation long before Tip O'Neill became Speaker. He became Speaker in 1977, the first vote I cast.

This unfairness in this rule, the unfairness in depriving us of the right to raise issues of concern in sharp contrast to our moment of greatness when we debated the Gulf War in 1991. This House deserves better, and the American people deserve better.

Mr. MCCOLLUM. 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 those remarks.

Mr. Speaker, I rise with a heart that is heavy and filled with concern for our presidency, concern for our system of basic justice, and concern for our great Nation. The charges against the President are serious, and they are substantiated. Perjury by lying to a Federal grand jury, perjury by lying in a deposition, obstruction of justice, abuse of power. The evidence in support of these charges is clear, overwhelming, and, for the most part, undisputed.

The Oval Office is a 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, have been divided in 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 councils of my own family with my adult children, I know that I must do the right course. That course allows me to put aside all fear for my own 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? Apparently, it does not appear to be the case. For political, partisan advantage? I don't think so. No, there's only one reason for this national nightmare, and that's the actions and conduct of President William Jefferson Clinton.

Now, a 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—Perjury by lying under oath to a federal grand jury; perjury by lying 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 of power by using his staff, cabinet, and other operatives in an effort to destroy the reputations of innocent people.

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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?

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each Member’s best political interest, or what the latest polls say. The answer is we should not allow any of these reasons to guide our thinking.

Instead, we must put America first, along with what’s right for our people—no matter the risk, no matter how politically popular or expedient. We must support the rule of law, one law for all our people, no matter how powerful or popular. No one else in America could retain their position and status who have committed similar acts. In fact, most would face felony criminal charges. The honor of our judicial system is at stake, and it must be upheld for sake of future generations.

How do I come to a decision in this matter? As I look into the eyes of my grandchildren, or as I attempt to stand tall and just in the counsels of my own family, with my adult children, I know that I can follow but one course. And that course allows me to put aside all fear for my own 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 William Jefferson Clinton.

As one of the leading newspapers in my district recently said, and I quote, “President Clinton should be a model for law and order, not an exception. Due process needs to be carried out and the President should stand trial before the Senate.”

I know for myself, and I would imagine for many here, we have sought guidance through prayer and many others have prayed for us. There is no doubt as to the seriousness of our actions, and what certainty will be the next difficult vote of my political career. Yet I have been able to reach but one inescapable decision—that President William Jefferson Clinton has indeed committed high crimes and misdemeanors against our nation, and therefore I must support the findings of the House Judiciary Committee and vote for impeachment.

Mr. CONyers. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. Filner).

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

Mr. Filner. Mr. Speaker, I rise today to vote “no” on impeachment. In this way, I am voting “yes” to protecting our Constitution. It is we who oppose this travesty today who are in fact supporting our Constitution.

In the view of the Framers, impeachment is reserved for those who undermine the fundamental political and constitutional structure of our nation. While President Clinton’s behavior was both reckless and indefensible, it is not impeachable. It is this Congress that is subverting the Constitution by trivializing the impeachment process.

We have heard much today about the rule of law. All of us here today respect the rule of law, but the aim of the rule of law is justice, a word that I never, ever heard from the majority members on the Judiciary Committee or a word that I never, ever heard from the majority of law is justice, a word that I never, ever heard from the majority of the Committee on the Judiciary or the rule of law, but the aim of the rule of law is justice, a word that I never, ever heard from the majority of the Committee on the Judiciary or the rule of law. All of us here today respect the rule of law. I urge the Congress to immediately discharge its duty. The process will not only produce justice, it must bring America together; it must heal America. The question of the President’s motives in Iraq are only the beginning of a distrust and suspicion that will engulf this Nation during a long impeachment trial.

We must bring closure to this sorry chapter in our history as quickly as possible so we as a Nation can move on to deal with our domestic and international problems. I urge this Congress to immediately close the breach of trust that engulfs us. Vote “no” on the impeachment resolution.

Ken Starr has already spent four years and $40 million investigating every aspect of the President’s public and private life. It is irresponsible for this process to go any further and tie up our nation for who knows how long. The world economy is collapsing, our health care system needs major reform, our whole campaign finance system is corrupt—and we will be talking for months about who touched where!

We’ve heard much today about “the rule of law.” All of us here today respect the rule of law. But the aim of the rule of law is justice—a word that I never, ever heard from the majority members on the Judiciary Committee or here today. In this case, justice demands something in between “no action” and the national agony of impeachment. That something has been called “censure” and it is a course of action which is supported by most Americans. It is a course of action supported by a majority of this House were we allowed to vote on it, yet the Republican leadership is so obsessed with getting this President, they will not even allow this alternative to be debated. Why do we not get our vote of conscience? Where is the rule of fairness?

Our vote today must not only produce justice, it must bring America together; it must heal America. The question of the President’s motives in Iraq are only the beginning of a distrust and suspicion that will engulf this Nation during a long impeachment trial.

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Sin has many tools, but the lie is the hand which fits them all.
The timing of this debate is wrong. It is wrong for this Congress to publicly and purposely attempt to weaken the Commander in Chief at the very moment the young men and women of our Armed Forces are engaged in battle. Waiting just a few days until the bombs have stopped falling would not have denied the Republican majority the opportunity to go after this President. But it would have meant a great deal to the soldiers half a world away who are putting their lives at risk for our freedom.

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, and cheapening 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 opinions of the President’s actions, the people expect us to vote responsibly. Vote “no” on these impeachment articles.

Mr. McCOLLUM. Mr. Speaker, I yield 1½ minutes to the gentleman from Missouri (Mr. TALENT).

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

Mr. Speaker, I do not think the question before the House is whether the President has acted in integrity in this matter. With all due respect, I think in our hearts we all know the answer to that. The question is whether we have the integrity to do our duty under the Constitution and laws, and to stand up for what is right, or whether by failing to do that we are going to become part of what the President wants—part of his convictions.

Public officials commit private wrongs. We know that happens. The issue is whether, when they are called to account for it in some forum, they act honorably and live up to the consequences of what they do, or at least they admit their guilt or innocence. This is the standard that we are entitled to expect and insist upon from people who occupy positions of trust.

Mr. Speaker, on this record it is impossible not to conclude that the President obstructed justice, that he perjured himself, that he flouted his oath of office, that he abused the powers of his office, that he manipulated other high officers of government, and that he did all these things, first to obstruct a serious and credible investigation against him, and then to cover up the fact that he had committed perjury.

Impeachment is a hard thing, Mr. Speaker. But again, what is at stake here is our integrity. If we do not stand and defend something that is clearly 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 them 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).

(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 purpose of 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 the Chief of the Department of Justice, 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 so, we should have mounted a vigorous, vigorous defense of the President by refuting the facts in the Starr report. The President, the Prime Minister of this country from Missouri (Mr. GEPPERT) 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. As I did in the Michigan legislature for a censure of a Fortune 500 company, a 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 to conclude that the worst in the Members of Congress will continue their partisan drumbeat of scandal, scandal, scandal? Are we to conclude that the actions outlined in these four articles of impeachment are permissible behavior for a chief executive officer? Any military officer, from general to private, would be court-martialed. Any private citizen who act honorably and live up to the consequences of what they do, or at least they admit their guilt or innocence. This is the standard that we are entitled to expect and insist upon from people who occupy positions of trust.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Michigan (Ms. KILPATRICK), whose district borders my own and who has waited very patiently.

(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 here 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 are here in the House with 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
made a false statement about a fact that was "material" to an issue that is under question. In the House of Representatives, we call this "germaneness." This means, for example, that I cannot bring up an agricultural issue when the bill in question or on the floor is a banking bill. If I make false statements about what is in the agriculture bill for the purpose of misrepresenting what is in the banking bill, just like the agriculture false statements are not germane to the banking bill, the alleged false statements about Ms. Lewinsky are not germane to the Jones inquiry.

Honesty and integrity are important, and vital, character traits of all public servants. The President has sworn to protect our Constitution against all enemies, foreign and domestic. I am in a fight to preserve what all Americans hold dear: the precepts and principles of the Constitution of the United States. In 20 minutes ago, the President, William Jefferson Clinton; I am out to save the Presidency of the United States.

Two of the most important things a Member of Congress can do are vote for war or overturn the will of the people by impeaching a President. I believe that to take place on this is no window-dressing, glorified version of a censure. A vote on impeachment is not the end, it is the beginning. If this resolution passes, there will automatically be a Senate trial, which could last for months, paralyzing the government. While the Republican leadership and major- ity in Congress were consumed by this issue, we did not finish the work of ensuring that people who need health care have it; that we have enough elementary schools to educate our children for the next millennium; that Social Security will be around to protect our nation's senior citizens; that health maintenance organizations protect patients, not profits. We need to be about the people's business, and the people have said that while they want the President impeached, they do not want Congress to usurp their choice of leader.

Some of my colleagues have compared President Clinton's behavior with President Richard M. Nixon's actions during the Watergate scandal. Nothing could be further from the truth. This is not Watergate. This is not a case of the President directing the Federal Bureau of Investigation and the Central Intelligence Agency in a cover-up. This is not a case of the President lying about the diversion of Iranian arms-sales proceeds to the contras. This is not a case of President who made a mistake in his personal life and who tried to save his family and himself from personal embarrassment. That is all.

Again, in taking into consideration the weight of the President's actions, I am mindful that twenty-three months ago, members of the 105th Congress took our collective oaths of office. In that oath, we have sworn to uphold and defend the Constitution of the United States. As such, it is not our option but our obligation to the American people to deliberate the issues and information that is presented by the independent counsel. Committee mark-ups, or defense, during floor debate, and weigh them in an unbiased and clear fashion before voting the issue of the day. The Republican leadership did not allow this non-partisan, unbiased analysis of the evidence before the Members of the House Judiciary Committee and now, the entire House of Representatives.

Let me make clear that I do not condone the President's personal conduct. I must add, however, that it would be sheer folly not to af- ford the American people the same Constitutional protections afforded every other member of our society. Our Constitution demands that we in Congress provide a fair and non-partisan venue for the consideration of impeach- ment. It was my sincere hope that we would have proceeded in the spirit of fairness so that we can focus Congressional attention to issues like education, Social Security and health care, issues which truly impact the daily lives of the American people. In the final anal- ysis, we in Congress have let the American people down with these articles of impeachment.

I am adamantly against impeachment. Im- peachment is not mere punishment for Presi- dents who have behaved badly, behavior to which President Clinton has already admitted and apologized. Impeachment is a mechanism to protect our Republic against rogue Presi- dents who threaten our nation. For me, and for many Americans, the question is this: is our President a threat to our nation? The evidence gathered by the independent counsel, and the President's scintillating public record of achievement, overwhelmingly says no. Based on the merits of the case presented to the House Judiciary Committee and before the United States House of Representatives, I cannot vote in support of any of these arti- cles for impeachment before me today.

I only pray that the wisdom of our God preva- ils upon us during this trying time of judg- ment. It is my hope that the wisdom of Con- gress prevails in rejecting these unnecessary and overreaching articles of impeachment against our President, William Jefferson Clin- ton.

Mr. McCOLLUM. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. McNINNIS).

Mr. McCOLLIN. 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 founda- tion 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 de- mands the highest public trust. Why the highest public trust? Because we have only one President.

I have read with interest the Demo- cratic censure, and I quote parts from it: "... that the President violated the trust of the American people, less- ened their esteem for the office of the President, and dishonored the office for which they have entrusted to 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 are defending, what kind of commodity, 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, 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. MARKY).

Mr. MARKY. 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 for a generation of an 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 become the lawyer for the political enemies of the President. This investigation is the high crime against the Constitution is their families being cheated out of their government’s ability to work on things that affect their families: Medicare, social security, the democratization of access to jobs and education for every family in our country.

The ultimate Republican paradox is that they dislike the government, but they have to run for office in order to make sure that the government does not work. In 1995 and 1996, they tried to shut down the executive department. In 1997 and 1998 they shut down the Congress. Now they are going for a political triple play. They are going to shut down the executive branch, the legislative branch, and the Supreme Court of the United States simultaneously.

Mr. Speaker, we have become the laughingstock of the entire world because a sexual scandal is being allowed to consume our tax dollars, our media, our judiciary, and our opportunity to deal with the problems of ordinary families.

We must censure the President for what he did wrong. We should be given the power to put this matter behind us so that we can work on the problems of every other family in America. We have worried about the President’s family for an entire year. It is about time we went back to the business of every other family.

GOP used to stand for “Grand Old Party.” Now it just stands for “Get Our President.”

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

Mr. HUTCHINSON. 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 mentions bribery and perjury. Bribery is a high crime and misdemeanor because just like bribery, perjury and bribery are unique threats to the administration of justice, and that affects our society. That affects our government.

Mr. McCOLLUM. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. FAWELL).

Mr. FAWELL. Mr. Speaker, I thank the gentleman for yielding time to me. Mr. Speaker, it may well be a myth that George Washington confessed to chopping down a cherry tree because he could not tell a lie. We do not know if Abraham Lincoln as a young man actually walked several miles to return a few pennies to a storekeeper who gave him incorrect change.

But Mr. Speaker, true or not, these stories of truth and justice hold a special and a very deep place in our Nation’s heart and psyche. There is a gift, a constitutional gift, that a President 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.
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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 believe 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 taken to date was a declaration of war. Democrats and like-minded Republicans should at least be given the opportunity to make this punishment fit the crime. And we have been blocked there.

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 this process 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 control of a process 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, whether 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 came to 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 Iraqi war. I have heard about Ken Starr. 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 not 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. He is being tried today. 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. Right now no one can 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 office. The accused is no one 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 perjury 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 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 last 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 censure. Today we have reached the zenith of our military, under the aegis of our President, is attempting to downgrade weapons of mass destruction in Iraq and we are on masse as a body degrading the institution of the presidency.

It is not sad. It is irrational. I have appended to my remarks what I think would be helpful to this body so that you will understand the dynamics that take place in the Senate. The pleadings and motions stage, the trial preparation stage, a Senate trial, all of this with the weight of the Senate, at least the 134 months that it took to remove me from office. And we are talking at least that amount of time, certainly as late as July, and probably all next year. And things regarding Social Security and matters that all of us want to take up for this Nation will be put on hold.

The President has done a good job, and you have seen it. Consider before this President going to the White House to save the world and the White House to save the country. Then there is the President's last regret. He has direct knowledge of what the Senate voted on those articles. By its vote ten years ago, the House decided to impose the burdens of Senate trial proceedings on a man. Today, the House must decide whether the charges and the evidence against the President warrant imposing the burdens of Senate trial proceedings on the Nation and the world.

All Members should understand the nature and extent of the extraordinary burdens that a decision to impeach the President would impose.

Although other Members have served as one of the House managers in proceedings before the Senate, 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 proceed.

I have appended to these remarks a statement of the "Projected Proceedings Before the United States Senate if the House Votes to Impeach." This 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
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The proceedings in the Senate on the articles of impeachment that the House exhibited against then United States District Judge Alcee L. Hastings, providing the most recent precedents to guide the Senate in the proceedings against President William J. Clinton that will take place if the House adopts articles of impeachment. The following outlines projects how the proceedings against the President have made it clear that 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. 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 House Managers identified in the Starr report. If that occurred, the Nation and the world would watch for sixty days as the Chief Justice of the United States presided, while the House managers and counsel for the President examined and cross-examined witnesses presented audio and video tapes and other evidence before the Senate in what will appear to most viewers to be a tawdry, R-rated sex drama.

The proceedings in the Senate on the articles of impeachment that the House exhibited against then United States District Judge Alcee L. Hastings, providing the most recent precedents to guide the Senate in the proceedings against President William J. Clinton that will take place if the House adopts articles of impeachment. The following outlines projects how the proceedings against the President would unfold if the House impeaches him based upon the proceedings in the Hastings case and the materials released by the J udiciary Committee during its inquiry into the President’s conduct.

The proceedings in the Senate on the articles of impeachment that the House exhibited against then United States District Judge Alcee L. Hastings, providing the most recent precedents to guide the Senate in the proceedings against President William J. Clinton that will take place if the House adopts articles of impeachment. The following outlines projects how the proceedings against the President would unfold if the House adopts articles of impeachment. The following outlines projects how the proceedings against the President would unfold if the House adopts articles of impeachment. The following outlines projects how the proceedings against the President would unfold if the House adopts articles of impeachment.

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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 ...

b. Motion to Strike. The House managers are likely to ask that the Senate, after the bill of particulars has been filed, strike specific allegations in the article that remains ...

c. The House. The House managers would be required to file a Replication to the President's Answer and Affirmative Defenses and responses to the motion. If they oppose, 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 ...

d. The Senate. Counsel for the President would file a reply and any supplemental memoranda made necessary by the House's bill of particulars ...

e. 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 Trial 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 in this case is likely to be greater 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, it did in Hastings, the committee did not call and subject to examination and cross-examination the fact-witnesses identified by the Independent Counsel or 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 who 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. The deposition would be conducted and the documents produced and examined ...

e. The House committee would enter a final pre-trial order establishing the date for and procedures to be followed at trial ...

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/or admissibility of various documents and other potential exhibits. Responses would be exchanged and negotiations would proceed ...

2. The Senate or its committee would examine the president's request and the House's response and enter the appropriate order directing the issuance of appropriate subpoenas ...

C. The Senate or its committee would enter a final pre-trial 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 1:00 p.m. The House 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 as many as all of the 120 witnesses whose statements or testimony are included in the materials transmitted by Independent Counsel Starr. Depending upon the success of pre-trial negotiations, it might have to call several more to establish necessary foundations and the like. Forty to fifty would appear to be the minimum necessary to support the allegations the proposed articles have borrowed from the Starr Report. No prior testimony will be admitted. The videotaped deposition and the video testimony would, as a matter of policy, only be played given by the president. 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 trial days before the full Senate ...

B. The President's Case. Counsel for the President would call witnesses whose conduct might have influenced the testimony of Ms. Lewinsky and other House witnesses and witnesses who had knowledge relevant to Ms. Lewinsky's credibility.

C. The Senate. The Senate would consider the articles of impeachment and, if they are adopted, would be in session for the remainder of the term.
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 duty to take care that the laws be faithfully executed by lying under oath in a duly convened judicial proceeding.

President Clinton has violated his Constitutional oath of office to preserve and protect the Constitution by obstructing 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, the fickles winds of appetite and the manipulation of public opinion.

The circumstances of history have our Nation facing two grave issues, impeachment and war, at the same moment. President Clinton decided to unleash the awesome power of war. And why did he do this? One, because Saddam Hussein has lied to the United Nations about the weapons of mass destruction. Secondly, because Saddam Hussein has obstructed justice by blocking the work of the weapons inspector, and another one is he violated the rule of law in defiance to the cease-fire resolution of the Gulf War.

I support the President of 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.)

Mrs. 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, provocation, misadventures and lies, the House has voted just once in its history to impeach a President.

Indeed the deliberate system of constitutional checks and balances established by the founders works only insofar as each branch of government 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 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, and impeachment merely serves to validate his methods and goals.

And make no mistake, my colleagues, not all cops are accompanied by the sound of marching boots and rolling tanks. Some, like today, are wrapped 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 re-hashing, 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 years 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 who 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 have not spent one minute reviewing that material; and even though arrangements...
The significance of the offenses committed by the President is not in any degree diminished by the fact that they do not directly involve the President’s official conduct. Despite their argument that the President is immune from impeachment because of the underpinning that, irrespective of his crimes was a private matter, the President’s lawyers have themselves proclaimed, and I would ask that my colleagues listen to this, these are the words of the President’s own lawyers, that even if the President’s conduct was private or official, can have substantial impact on a President’s official duties.

Perjury and obstruction of justice, even regarding a private matter, are offenses that have a 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. Perjury and obstruction of justice are not private matters, they are crimes against the system of justice, crimes for which this President must be impeached.

In today’s debate we have heard a convincing case made that the President engaged in a calculated and sustained pattern of perjury and obstruction of justice. The furious efforts of the President’s defenders cannot alter the stubborn facts of the case against the President. The facts cannot be wished away, they cannot be twisted, they cannot be trivialized. But the President’s lawyers have argued that even if the charges of perjury and obstruction of justice are true, the President’s conduct does not rise to the level of “high crimes and misdemeanors” for which he can be impeached.

Although Congress has never adopted a fixed definition of “high crimes and misdemeanors,” there is much in the background and history of the impeachment process that contradicts the position advanced by the President’s lawyers. Two reports prepared in 1974 on the history of impeachment are particularly helpful in evaluating the President’s defense. Both reports support the conclusion that the facts before us make a compelling case for the impeachment of President Clinton.

There has been a great deal of comment on the report on “Constitutional Grounds for Presidential Impeachment” 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.”

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 justice 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, no crime is more extensively pernicious to society than the crime of perjury.

Perjury and obstruction of justice clearly “undermine the integrity of office.” Their unavoidable consequence is to erode respect for the office of the 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 justice 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, no crime 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 conduct described in the report is “more extensively pernicious to society” than perjury.

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 inevitably subvert the respects 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 involved 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 federal income tax returns. Judge Claiborne 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 misconduct.

Despite their argument that the President is immune from impeachment because the underling 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 even after the Constitution itself grew 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 respect which the laws lead us from freedom to slavery.”

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. As 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 proposed here 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 1½ minutes.

Mr. WAXMAN. Mr. Speaker, reclaiming my time, and 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. The Clinton/Davidson resolution’s provisions relative to access to executive session materials and the inquiry resolution’s provisions relative to access to executive session materials have themselves elsewhere claimed: “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.”

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 process. We have not, in this House’s history, seen a process 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 bipartisanship 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, hypocrisy. Let he who is without sin 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 House. We are beholding President Clinton to his lawyers. We are beholding 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 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 misdemeanors. 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 62,000 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 in a situation of consequence; 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 that is what 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?

Justice must be applied to all equally regardless of popularity, party or profession. I sadly must support these articles.

After months of debate, a review of the evidence, and careful consideration of the bipartisanship hearings, I have determined 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 before a federal grand jury. Before the grand jury:

The President swore that he did not want Monica Lewinsky to execute a false affidavit in the Jones vs. Clinton case. 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 testified 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 talk to Betty Currie, his secretary, about the retrieval of gifts he had previously given to Monica Lewinsky. The facts show this is not true.

The President swore that he told the truth about his relationship with Monica Lewinsky to his aides who knew would likely be called to testify before the grand jury. The facts show this is not true.

The President swore that he did not have sexual relations with Monica Lewinsky. The evidence indicates that he lied, even according to his own interpretation of the Jones vs. Clinton court’s definition of the term “sexual relations.”

**ARTICLE II—CIVIL PERJURY**

Article II charges that the President lied under oath, after swearing to tell the truth, in answers to written questions asked 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. Answers to written questions asked in the Jones vs. Clinton case 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, in order to thwart that federal civil judicial proceeding.

On January 17, 1998, the President swore to tell the truth, the whole truth, and nothing but the truth in a deposition given in the Jones vs. Clinton case. In that deposition:

The President swore that he was “not sure” whether he had ever talked to Monica Lewinsky about the possibility that she might be asked to testify in the Jones vs. Clinton case. The facts show this is not true.

The President swore that he did not know whether Monica Lewinsky had been 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 Clinton 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.

ARTICLE IV—ABUSE OF POWER

Article IV charges that the President, in his constitutional role as President of the United States, lied under oath, after swearing to tell the truth, in answers to written requests for admission asked in the impeachment inquiry, assuming to himself powers reserved to the House of Representatives, in order to thwart that constitutional proceeding.

On November 27, 1997, the President signed an affidavit in which he swore to tell the truth, the whole truth, and nothing but the truth in answers to written requests for admission issued as part of the impeachment inquiry in order to ascertain the true facts regarding the President’s conduct.

In those answers:

The President swore that he had no specific recollections that he told Monica Lewinsky on the same day he told her she was a witness in the Jones vs. Clinton case that she could say to anyone inquiring about their relationship that her White House Office was for the purpose of visiting with Betty Currie or delivering papers to the President. The facts show this is not true.

The President swore that he did not give perjurious, false, and misleading testimony under oath when he stated during his deposition that he did not know if Monica Lewinsky had been subpoenaed to testify in the Jones vs. Clinton case. The facts show this is not true.

The President swore that he did not have a discussion with Monica Lewinsky at the White House regarding gifts he had given to her that were subpoenaed in the case of Jones vs. Clinton. The facts show this is not true.

The President swore that he did not discuss with Betty Currie gifts previously given by him to Monica Lewinsky. The facts show this is not true.

The President swore that he did not have knowledge that any facts or assertions contained in the affidavit executed by Monica Lewinsky in the Jones vs. Clinton case were false. 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 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.

IT IS APPARENT THAT THE INDEPENDENT COUNSEL AND REPUBLICAN MEMBERS OF THE HOUSE JUDICIARY COMMITTEE CONCLUDED THE PRESIDENT PERJURED HIMSELF, BUT WHAT HAVE THE SOME OF THE DEMOCRATS SAID?

House Judiciary Committee Democrats:

Rep. Charles Schumer: “To me, it is clear that the President testified falsely when he testified before the grand jury.” House Judiciary Committee Hearing on Oct. 5, 1998.

Rep. Robert Wexler: “The President did not tell the truth. He lied under oath. That’s something we have to deal with...his actions are indefensible.” Washington Post; September 15, 1998.

Rep. Barney Frank: “I personally believe that the President testified falsely when he said he could not remember being alone with Miss Lewinsky.” The San Francisco Chronicle; August 17, 1998.

Rep. Howard Berman: “Even if one concludes the President’s testimony is not truthful—which I have—that’s not grounds for impeachment. I think the best way for the country to move beyond this sad affair is for Congress to have some sort of formal declaration of disapproval of the President’s conduct. I think that is clear. There needs to be some public consequence for the President’s despicable behavior.” House Judiciary Committee Hearing; December 11, 1998.

White House Counsel: Gregory Craig, to Special Counsel to the President: “I am willing to concede that, in the Jones deposition, the President’s testimony was evasive, incomplete, misleading even maddening, but it was not perjury.” House Judiciary Committee Hearing; December 8, 1998.

Charles F.C. Ruff, Office of the White House Counsel: “I had no doubt that he walked up to a line that he thought he understood. Reasonable people—and you may be—and have reached that conclusion—could deter- mine that President lied when that line, and what for him was truthful but misleading, or non-responsive and misleading, or evasive, was in fact, false.” House Judiciary Committee Hearing; December 9, 1998.

ONE CAN CONCLUDE THERE IS AT LEAST SOME AGREEMENT THAT THERE WAS PROVIDED FALSE INFORMATION BEFORE THE GRAND JURY, THUS LAWS WERE BROKEN. ARE THESE OFFENSES IMPEACHABLE?

Some critics argue that perjury about sex in a civil case is trivial and not worth pursuing. In fact, prosecuting perjury vindicates the rule of law. A judicial system is in order, because it is fair and it is the settle disputes through judicial means. Perjury is a crime, because a judicial system can only succeed if citizens are required to tell the truth in judicial proceedings. If citizens are allowed to lie with impunity, the system cannot reach just results and it descends into chaos. Some say that people lie under oath all the time and are not prosecuted. To some extent, that is true, but consider how much worse the situation would be if there were no threat of a perjury prosecution.

WHAT DOES THE CONSTITUTION SAY?

The Constitution states, “The President shall be removed from office on impeachment for, and conviction of, treason, bribery or other high crimes and misdemeanors.” What constitutes “treason, bribery, or other high crimes and misdemeanors”? The Library of Congress defines this clause as follows: “Treason is defined in Article 3, Section 3, Clause 1 as follows: ‘Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort.’ It is also defined in 18 U.S.C. Sec. 2381. Bribery is not defined constitutionally, but the term appears in 18 U.S.C. Sec. 201.

High crimes and misdemeanors, “are not defined in the Constitution or by statute. U.S. precedents suggest that certain actions that are not crimes may be impeachable. Some interpreters of the impeachment clause place great importance on the words “other” and “high” when reading the phrase “or other high crimes and misdemeanors.” The Constitution suggests that “other” modifies both “crimes” and “misdemeanors,” meaning that ordinary crimes and misdemeanors are not necessarily impeachable offenses.

WHAT DO THE SCHOLARS THINK?

Eminent constitutional scholars testified before the House Judiciary Committee about the meaning of impeachment, the impeachment standard as applied throughout American history, and what the Founders said about impeachment when the issue was debated in Philadelphia in the summer of 1787. Professor Stephen Presser of Northwestern University testified that criminal trials that criminal trials that are not crimes may be impeachable. Some interpreters of the impeachment clause place great importance on the words “other” and “high” when reading the phrase “or other high crimes and misdemeanors.” The Constitution suggests that “other” modifies both “crimes” and “misdemeanors,” meaning that ordinary crimes and misdemeanors are not necessarily impeachable offenses.
WHAT IS THE SUPREME COURT’S VIEW?

In this constitutional process of securing a witness’s testimony, perjury simply has no place whatsoever. Perjured testimony is an obvious and flagrant affront to the basic concepts of judicial proceedings. Effective restraints against the type of egregious offense are therefore imperative. The power of subpoena authorizes it, and the threat of contempt for refusing to answer drastic as that is—and the solemnity of the oath—cannot ensure truthful answers. Hence, Congress has made the giving of false answers a criminal act punishable with penalties. In no other way can criminal conduct be flushed in the open where the law can deal with it.

Similar have constituted, indeed without exception—allowed sanctions for false statement or perjury; they have done so even in instances where the perjurer complained that the government exceeded its constitutional powers making the inquiry—United States vs. Mandurano. 425 U.S. 564, 623-625 (1976).

The seriousness of perjury is reflected in the Federal Sentencing Guidelines, which classify perjury in the same category as bribery (2)(J-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 (Ciaborne, Nixon, and Mandurano) 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 before our President today. For example, the Justice Department recently charged Veterans Administration psychiatrist Barbara Ballatino with obstruction of justice based on her denial in a civil case of a sexual relationship. United States vs. Ballatino.

Diane Parker, a former employee of the U.S. Postal Service was sentenced to thirteen months in prison and three years parole for lying in a civil case about a sexual relationship that she had with a subordinate. Ms. Parker was charged perjury. United States vs. Parker.

In fact, the President and the Attorney General’s Department of Justice has tried and convicted over 700 people for perjury. Of those 700 people, 115 are now serving a prison sentence.

The President is the chief law enforcement officer in the United States. If the President has committed perjury, should Congress allow him to do so without consequences, no other citizen can be expected to tell the truth under oath. He sets an example that all Americans are expected to follow. If every American feels that he can lie because of what the President represents, then the judicial system for settling disputes will fail.

WHY SHOULD THE PRESIDENT BE IMPEACHED AND NOT CENSURED?

Many support censure, yet, the Constitution neither gives the House authority to censure the President nor does it prohibit such action. What do the arguments against censure? The short answer is that there is no Constitution basis for it. One could perhaps make the argument that the Senate has the Constitutional authority for such a measure, because they are in charge of punishment and have flexibility to decide what punishment is appropriate. But there are no initiatives to give the House of Representatives any other option in the case of Presidential misconduct aside from the provision of impeachment which sends the matter to the Senate. The job of the House is not to punish but to accuse. The Senate must review the accusation and make a final decision.

Furthermore, should the House pass a censure resolution, it would set a dangerous precedent. There would be no temptation for refusing to answer, drastic as that is—and the solemnity of the oath—cannot ensure truthful answers. Hence, Congress has made the giving of false answers a criminal act punishable with penalties. In no other way can criminal conduct be flushed in the open where the law can deal with it.

Sen. Sam Ervin had agreed to chair the hearings 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 unan-

imeously approved a resolution calling for an investigation of the Watergate affair. Senate Majority Leader Mike Mansfield noted that Sen. Sam Ervin had agreed to chair the hearings. Mansfield also released letters he had sent to the Senate committee chairman the previous November calling for committee investigations saying: “The question is not political but 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 preliminary 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 resolutions (2 by Rangel) were introduced in the House seeking either for the appointment of a special prosecutor or for Senate investigations by the House. On May 1, the Senate passed a resolution calling for an outside prosecutor and Sen. Ervin began his Wa-

terge 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 the shores of Cambodia or Laos by U.S. forces.” At the time, over 6,000 military and civilian DOD 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, 390]

Furthermore, do Washington pundits believe that business will not function during an impeachment 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-

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 free citizens 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 the ruler and another for the ruled?

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.

Mr. SENSENBRENNER. Mr. Speaker, Mr. Speaker pro tempore (Mr. LaHood), in my opinion, this rule of law will state his parliamentary inquiry.

Mr. SENSENBRENNER. Mr. Speaker, is the word "hypocrisy" in order on this floor?

The SPEAKER pro tempore (Mr. LaHood). The gentleman yields 30 seconds.

Ms. PELOSI. Mr. Speaker, today the SPEAKER pro tempore (Mr. LaHood) will state his parliamentary inquiry.

Mr. SENSENBRENNER. Mr. Speaker, today the Republican majority is not judging the President with fairness but impeaching him with a vengeance. In the investigation of the President fundamental principles which Americans hold dear, privacy, facts, checks and balances, have been seriously violated, and why? Because we are here today because the Republicans in the House are paralyzed with hatred of President Clinton, and until the Republicans free themselves of this hatred, our country will suffer.

I rise to oppose these unfair motions which call for the removal of the President of the United States from office, and in doing so wish to point out some difference between the investigation of the President and the investigation of the gentleman from Georgia (Mr. Gingrich).

The first principle in our investigation of the gentleman from Georgia (Mr. Gingrich) was that at the moment RICH). The gentleman will state his parliamentary inquiry.

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The first principle in our investigation of the gentleman from Georgia (Mr. Gingrich) was that at the moment RICH). The gentleman will state his parliamentary inquiry.
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 overthrew that case because in fact that was not perjury by being dishonest, misleading, not having 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 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 wounded are not in the nominations. Are they part of the conspiracy that they allege? Are the 30 countries that are part of the UNCOM team that did the investigation in terms of chemical and biological weapons in Iraq as part of this conspiracy as well? Obviously not.

The irresponsible actions will be checked at the ballot box and by history.

Mr. SENSENBRNNER. 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 taking on this challenge in this 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 deposition he intended to mislead his answer. 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 preclusion 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. SENSENBRNNER. Mr. Speaker, I yield one minute to the gentleman from Pennsylvania (Mr. GREENWOOD).

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

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. 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, not 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 maligning this process. It has been alleged that he is twisting arms. I spent 3½ hours in the company of the gentleman from Louisiana (Mr. LIVINGTON), the gentleman from Texas (Mr. ARMET), 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 convened 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 first occasion, 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 a 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. LIVINGTON, 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. SENSENBRNNER. 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 made a choice to listen to the testimony of Betty Currie, Monica Lewinsky or anyone else in the factual situation that we have had before us.

Mr. SENSENBRNNER. Mr. Speaker, I yield such time as he may consider.

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 this 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 the President as a direct result 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 rightfully 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 his presidency 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. SENSENBRUNNER. Mr. Speaker, I yield 2½ minutes to the gentleman from Ohio (Mr. BOEHNER).

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 just that 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, there God 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 or the burden 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 extend and 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 controlled by Democrats, drafted articles of impeachment against President Nixon based upon fraudulent tax returns. But the Committee on the Judiciary in a bipartisan fashion determined that it did not rise to the level of an impeachable offense because it was private as opposed to public misconduct.

Well, then, what is this all about, if it is not really about perjury? If it is just about punishing and holding the President accountable and retribution, we can do that, short of punishing the country as well and paralyzing this government for the next six to eight months, we can punish President Clinton through censure and through private prosecution when the President leaves office. But we do not even get a vote on censure, which is fundamentally unfair.

I do not believe the Founders intended impeachment to be used as a tool of punishment, but, rather, to preserve and protect the country against a rogue president, who, through his public duties, is jeopardizing the very structure and functioning of our government. No one can claim that that is happening here today.

Mr. Speaker, I have two young boys who are not old enough yet to comprehend the gravity of this situation. My only hope is when they are old enough and are reading about this in the history books, that they are going to have confidence that every vote cast was done in the best interests of the country, rather than short-term political gain. I am not confident that is the story they will read.

In fact, the one person in this country that probably has the best realistic assessment of what is really going on is the young mother of two young children who told me, “I can educate my own children, I can teach them not to lie. But I can’t protect them against the destruction of the presidency.” Only we in this body can do that. I am afraid we are going to fail him in the next 24 hours.

Please, do not destroy the 210 years of history in this country.

Mr. Speaker, seldom in the course of our nation’s history is a congressional representation and piracy of our constitutional significance than the possible impeachment of the President of the United States. Short of declaring war, there is not greater constitutional obligation. It is a responsibility I do not take lightly.

After thorough review of the historical evidence of the intent of the framers of our Constitution, the standard of impeachable offenses, prior precedents and the evidence so far collected surrounding the allegations against President Clinton, I have concluded that the President’s conduct, as deplorable and indefensible as it is, does not rise to the level of impeachable offenses. Such conduct does not justify paralyzing our government indefinitely nor is impeachment needed to hold him accountable. I will vote against all four articles of impeachment.

Just once before in our 210 year history has the House of Representatives passed 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 of the process is overturning 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 delegates to the Constitutional Convention objected to including the power to impeach in the Constitution. Others were concerned that there was not a process 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 returns are filed 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 with respect to impeachment. 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 of the Framers, I am convinced that 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.

If I also do not believe our Founding Fathers meant for this country's elected representatives to disregard the will of the 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 should make these decisions. Only Congress 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 have to make decisions based on the opinion of the people. 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 should make these decisions. Only Congress 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.

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. From Social Security and Medicare reform to Saddam Hussein in the Persian Gulf and Slobodan Milosevic in Kosovo, from a 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 court of last resort. There are other means of punishing Bill Clinton the person. One option is a censure resolution from the House and Senate which
Mr. SENSENBRENNER. Mr. Speaker, I yield 15 seconds to the gentleman from Florida (Mr. CANADY) for rebuttal.

Mr. CANADY of Florida. Mr. Speaker, I yield five minutes to the gentleman from Ohio (Mr. CHABOT), a member of the Committee on the Judiciary.

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

Mr. CHABOT. Mr. Speaker, every Member of the House now recognizes what members of the Committee on the Judiciary have come to realize over the last few months: This is likely the most important vote that we as Members of Congress will ever cast. It also marks the first time when our Nation’s brave sons and daughters are actively defending our Nation’s freedom overseas.

I share many of my colleagues’ concerns about this unfortunate timing. But, just as we have a responsibility to our troops, now we have a responsibility to keep our word to the American people and put this matter behind the country as soon as possible.

Throughout the Committee on the Judiciary’s consideration of this very serious matter, I worked to uphold my constitutional duty to fairly and thoroughly investigate the charges brought against the President. Throughout the proceedings, I tried to keep an open mind, giving the President every opportunity to refute the evidence. But the President made a calculated decision to avoid the facts. Instead, he presented witnesses that could offer little more than excuses, insults and historical perspectives tainted by partisan politics.

The President’s attorneys did not fare much better. They, too, decided to hide from the truth, consistently adhering to the company line. “The President did not really lie under oath,” they testified. “It depends on how one defines the word ‘alone.’”

The President was not paying attention when his attorney offered false evidence to this effect. The President has continued to rely on these absurd explanations and linguistic contortions for one reason and one reason alone: he cannot dispute the facts.

The evidence against President Clinton is conclusive. The President lied under oath before a Federal grand jury. He lied under oath in a sexual harassment case. He obstructed justice, and he abused his constitutional authority.

Standing alone, each individual offense is extraordinary. Collectively, they are overwhelming.

After months of painstaking review, it has become apparent to me that impeachment is the only remedy that adequately addresses the President’s illegal and unethical acts. The President’s actions have gravely damaged the office of the presidency, our judicial system, and our country.

This was not a easy decision to reach. Impeaching a President cannot be taken lightly. But in this case, our constitutional duty is clear.

Some of my colleagues have come to the floor today using inflammatory rhetoric and attacking Members for conducting their investigation. This 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 gentlewoman 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 gentlewoman for yielding.

Could I point out to my friend, the gentleman from Florida (Mr. CANADY),
who took exception to why the income tax charge was not brought against Mr. Nixon in 1974, if he would read our report of the minority at page 10, he would learn that it was not for lack of evidence, it was because we determined that there was not a high crime or misdemeanor. And we were joined by Repub-

Mr. WOOLSEY. Mr. Speaker, this past Sunday, while attending church in my hometown of Petaluma, California, I was struck by how utterly sad I am. Sad about the President's behavior, sad about the Committee on the Judiciary's unfair decision to not allow censure as an alternative, and the fact that all of this will have on our Nation.

Today, my heart is even heavier, because we are conducting this debate while our troops are in harm's way. My heart aches for the division separating us from our soldiers. The destruction from the work of government that we were elected to do, the threat of this unfair process on our democratic system, and I am heartbreak about the shame and waste of this impeachment process.

Mr. SENSENBERGER. Mr. Speaker, I yield 15 seconds to the gentleman from Florida (Mr. CANADY) for rebuttal. Mr. CANADY of Florida. Mr. Speaker, I thank the gentleman for yielding. I would yield to the gentleman from Michigan for a question. Is it not true, I ask of the gentleman from Michigan, that the gentleman voted in favor of the tax fraud article against President Nixon?

Mr. SENSENBERGER. Mr. Speaker, I yield 15 seconds to the gentleman from Florida (Mr. CANADY) for rebuttal. Mr. CANADY of Florida. Mr. Speaker, I thank the gentleman for yielding. I would yield to the gentleman from Michigan for a question. Is it not true, I ask of the gentleman from Michigan, that the gentleman voted in favor of the tax fraud article against President Nixon?

Mr. CONyers. 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. 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 to which 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 this matter 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 for the institutional stability of our Government that is built upon the bedrock of predictable and consistent actions taken with the support of our people.

Aside from my bias for "law and order," it deeply disturbs me that the House of Representatives has allowed a flawed process in its impeachment proceedings that fails to meet the principles I noted at the outset of this statement for "fairness, due process and substantial justice." The events of the last few days have especially convinced me that all pretense toward fairness, due process and substantial justice has now been abandoned and this whole matter is set to be resolved on the basis of partisan political alignment. No one has suggested to me, let alone attempted to convince me, that this is right or good for our country as a whole.

While my natural inclination to rely upon law and fact as the direction of opposing impeachment, 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.

Mr. Speaker, I would remind all of my colleagues who are listening to this debate that references to the word "entrapment" are rather misplaced. There is no such thing as entrapment for perjury or obstruction. It is a legal impossibility that the President could obtain a document in federal courts and state courts as well, and it in fact is the learned testimony of several witnesses that appeared before the Committee on the Judiciary.

Mr. SENSEBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. Bereuter).

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

Mr. Bereuter. Mr. Speaker, I rise in support of articles 1, 2, and 3.

Mr. Speaker, this Member approaches these proceedings of the House with sadness for what has befallen our country and solemnly, but with a firm conviction that we must discharge our responsibilities under Article I, Section 2, Clause 5 of the U.S. Constitution by considering articles of impeachment against the President of the United States of America. This Member intends and will act in a manner required by and consistent with his oath of office to preserve, protect, and defend the Constitution of the United States.

Many people and leaders from other countries have spoken on the matter before us today in a manner which reveals that they probably do not understand the absolutely central role the Constitution and the constitutional processes play in the governance of our country and their role in maintaining the very fabric of the American society. Indeed, even some of our citizens may not have focused on that central role. Drawn from every corner of the globe, with a total diversity of creeds, ethnicity, race, and heritage, America is the anthesis of a nation state. More than any other country on earth, we Americans are bound together and can function as a nation only because of our shared ideals and ideas of governance as embodied in the Constitution and the Declaration of Independence. That is why, upholstery and defending the Constitution, even with the controversies, inconveniences, and possible effects on the nation's economic affairs, our foreign responsibilities, and our domestic affairs and tranquility, must come before all other considerations.

Mr. Speaker, I deeply regret the partisan fervor that has marked the proceedings of the impeachment inquiry and this debate. As an elected Representative from what is by practice and nature undoubtedly the most nonpartisan state in our nation, I am confident in my state's unique state legislature, which surely functioned in an almost totally nonpartisan fashion. This Member once again finds it particularly difficult to fathom or justify the highly partisan course that this process of impeachment is taking the President has taken. It does not serve this nation well nor reflect well on this institution.

None of my Republican colleagues should be reaching a decision to impeach the President for partisan reason. Indeed, there are many substantial reasons why progressing with the impeachment process is in the best interest of our party. None of us should misunderstand that point and neither should the American people believe that we do not
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 perform 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 unseemly 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, this 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 duty he owes 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 to the President’s involvement in influencing other witnesses to provide false testimony in the Paula Jones case. The material in the referral from the Independent Counsel 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 discretions 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 Federal grand jury, in a perjury and contempt suit 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 subservient 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 Article II. 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 standard of misconduct—do meet the test 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 I, 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, the constitutional oath faithfully to execute the office of President of the United States and, to the best of his abilities, 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 frustrate, impede, or otherwise obstruct 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 subsersive 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 requests from the President and the Judiciary Committee is not sufficiently convincing to warrant a vote for Article IV.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consider 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 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 falsehoods 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 the President’s political pressure 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.

Title II 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
(known) to contain any false declaration." Perjury is punishable by a monetary fine and up to five years in federal prison, and perjury certainly rises to the level of high crimes and misdemeanors necessary for a charge of impeachment.

After reviewing the over 60,000 pages of evidence submitted to the House Judiciary Committee by Judge Starr, I find it obvious that there is indisputable evidence that the President lied under oath, aided and allowed others to lie under oath and obstructed justice. There is no doubt that these instances occurred, there is no doubt that these instances are illegal and there is no doubt that they undermine the integrity of the Constitution and the office of the Presidency.

Even as the highest-ranking official in the country, President Clinton is not above the law. I am proud of the House for honoring the Constitution and taking such a courageous stand in its vote for impeachment. I have no doubt that the Senate will responsibly take on this matter and I trust that justice will be served.

Mr. SENSENBRENNER. Mr. Speaker, I yield 30 seconds to the gentleman from Florida (Mr. Goss).

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

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 perjury—lying to a grand jury about a sexual escapade, to protect a recently 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 just, and I will 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 dealing in 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 folks in my district have taken the time to call and write and demonstrate the seriousness with which the country approaches this debate and vote.

Short of declaring war, there is not more solemn duty of this House than to fairly and thoughtfully consider a judgment on impeachment when the President stands accused of violations of law and his oath of office. We must remember that it was this President’s own actions that have brought us to this point today.

We must vote on whether or not President Clinton committed impeachable offenses in his conduct. After careful review of the Judiciary Committee’s work, I am convinced the President’s conduct warrants impeachment by this House. The President’s perjury and obstruction of justice are serious breaches of law and this House has a duty to say so. I refuse to submit to a “dumbing down” of our principles and the standards of conduct for a President of the United States, just because the specifics of this case are embarrassing and distasteful. Perjury and obstruction of justice in a legal proceeding are always wrong—there’s no room for situational ethics when it comes to respect for the rule of law by the Nation’s Commander in Chief. We squirm about this entire matter because it began with a case of sexual misconduct. But what began there has grown into much more, a case involving very serious breaches of law. I take this position having lived through a case many years ago—a case in which a county commissioner went to jail for a single count of perjury in conjunction with a sex scandal—a scandal that did not even involve him, but about which he lied in order to protect a friend. Such lies were wrong then and they are wrong in this case today.

The conundrum that many people see in this matter comes from wishing to rebuke the President for his behavior but being hesitant about using the ultimate sanction of impeachment to do so. But censure is not an option for this House—and even if it were, in my view it would not be enough of a sanction. History shows that censure can be fleeting since it can be reversed by a succeeding Congress—after all, Andrew Jackson was censured and then had his record expunged and now his face adorns each and every American $20 bill in tribute to his memory. Clearly, censure was not a permanent statement of rebuke in that case. The President today must be unmistakable and enduring. The President has stepped over the line and we must uphold our responsibility to call him on it. Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

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

Mr. GREEN. Mr. Speaker, I thank my friend from Texas for allowing me 2 minutes, but being from Texas, to just exchange greetings in 2 minutes will take plenty of time.

Mr. Speaker, overturning an election in a democracy should not be taken lightly. And history light presidential impeachment inquiries is limited, due to the seriousness of overturning an election. This current process smacks of partisanship and just unfairness.

The presidential personal conduct cannot be defended and I am not going to do so. My concern is I am disappointed in his personal conduct, but this process has been based on partisanship, and elected officials should not be removed from office just because they won an election or won reelection. Without an alternative to vote on, a censure resolution, this whole process is unfair.

One of our Founding Fathers, George Mason, said the phrase “high crimes and misdemeanors” refers to “Presidential actions that are great and dangerous offenses, or attempts to subvert the Constitution.” Alexander Hamilton, who you will not hear me quoting very often, said, “If you do not immediately to society itself.” An impeachment should only be undertaken for serious abuse of official power. The impeachment process should never be used as a legislative vote of no confidence on the President’s conduct or policies.

Not only our Founding Fathers, but, Mr. Speaker, I have a Christmas card that I received in my mailbox from a constituent that says, “I just want you to know that my prayers have been answered.” Mr. Speaker, this House sends today the message this House sends today is not a permanent statement of rebuke in that it is not a permanent statement of rebuke in that it is not a permanent statement of rebuke in that it is not a permanent statement of rebuke in that it is not a permanent statement of rebuke in that it is not a permanent statement of rebuke. But censure is not an option for this House—and even if it were, in my view it would not be enough of a sanction. History shows that censure can be fleeting since it can be reversed by a succeeding Congress—after all, Andrew Jackson was censured and then had his record expunged and now his face adorns each and every American $20 bill in tribute to his memory. Clearly, censure was not a permanent statement of rebuke in that case. The President today must be unmistakable and enduring. The President has stepped over the line and we must uphold our responsibility to call him on it.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. BRYANT) for rebuttal.

Mr. BRYANT. Mr. Speaker, let me respond briefly to the Constitution itself talks about impeachment as well as election. The two are compatible, according to our forefathers, since they completely understood that you had first to be elected in order to be subjected to the impeachment proceedings.

As to the polls and newspapers around the country, more than 100 major newspapers have called on the President to resign. If this President would put the country in front of himself for one time and follow the advice of the same, or many of the same newspapers to resign, and the polls show a majority of the Americans would like to see the President resign, I think we would all be better suited.
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 that the President is guilty of perjury 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 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 renegade Army 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, office assignments, age, perform oral sex on him while he was on the phone and his wife and daughter were upstairs.

If it were about sex, you would be subjected to the same horrible hearings that Clarence Thomas was to because of the accusations of Anita Hill. The only accusation he would make against her, he didn’t even leave semen stains on her dress. No, it’s not about sex. It’s about character. It’s about lying. It’s about arrogance. It’s about about abuse of power and pattern of lying.

When a leader’s actions defame and emasculate our country as profoundly as yours have, it’s no longer a personal matter, as you claim. It’s no longer a matter among you, your family and your God.

Remember the sign over James Carville’s desk during the 1992 campaign? It said, “It’s the economy, stupid!” Place this sign over your desk: “It’s about character, stupid!” No, it’s not about sex, Mr. President. If it were, you would be long gone. It’s about character; but we have to live with your lies and arrogance for a while longer. Your lies, amorality and lack of character have been pervasive as they have never been before, so we have no reason to believe that you will quietly resign and go away. You’ll count on having the truth and spin doctors to lead you through, the confidentines. It has always worked before. We excused you and looked the other way.

No more, we’ve had enough. You betrayed us enough. You have made every elected official, minister, teacher, diplomat, parents and grandparent in the country apologize for you and explain away your actions. Now go away, and let us show them that our country was not without morals. It was just that you were so smart, so we let you show them that America was not the problem. William J. Jefferson Clinton was. Go away, Mr. President. Leave us alone.

When you leave, know that your legacy to the American people will be a stain on the Office of the President that is as filthy as the stain on Monica’s dress.
take a lot of scrubbing to make it clean again.

ERIC JOWERS.

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 serious steps to redress 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. Some "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 former White House intern Monica Lewinsky. This was an intentional and calculated falsehood meant to mislead us, the public, and Congress.

How can we trust this man who is supposed to be the moral and political leader of our country? The fact is we can't. Anyone who can go on national television and without blinking an eye deny what he knows is the truth is a liar and an unfit moral leader. 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 all always known. A good example like Clinton surely knew he was lying to every single day, for we have been taught that oral sex is sexual relations. What if he found out that his own daughter was having oral sex with her boyfriend? As a dad, I'm sure that he would consider it sexual relations. Although he has twisted all his lies around like he was telling the truth, we all know that he can never be trust again.

Another reason for impeaching Clinton is that he has to be the role model which 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 if his own daughter said it was wrong to lie and that he should be punished. Some of the things the president has done are so disgusting and irresponsible that just in war if the children need to cover their ears. When the president is sworn into office, it is his responsibility to act appropriately and be the kind of role model that can look up to.

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 shall be a horrifying example to the younger generation. It is telling children that it's okay to lie. If we don't

impeach him, they will think you can get away with it, also.

Mr. SENSENIBRNER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Alabama (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 for his last several months because I strongly believed that it was improper to do so before the process secured evidence through a rigorous investigation where both sides presented their cases. That process is now complete, and we are now in receipt of the results of that investigation, as well as the specific recommendations made through the articles of impeachment. Today Congress is not standing in judgment of President Clinton, he is a character, nor are we debating the issue of his affair with Monica Lewinsky. Rather, we are being asked to determine whether or not he broke the law.

As many know, I have had great respect for the presidency on foreign policy. I recognize the Constitution gives foreign policy to him, and even though I have disagreed with him on many issues, respecting the presidency, I have gone along with him.

It would make no difference to me if it were Ronald Reagan being tried today or George Bush. If evidence is submitted to this Congress through the proper Committee on the Judiciary channels 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 voting 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 goes with the presidency, if indeed we in our hearts believe that the committee reports are substantial, that they utterly cut the Sessions and send a 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. CONYERS. 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 Ninth Circuit Court of Appeals 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."

Ms. ESHOO asked and was given permission to revise and extend her remarks.

Ms. ESHOO. Mr. Speaker, today, Dec. 18, 1998, is a day of infamy in the House of Representatives. History will record that this 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 overwhelming voice 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 what the Framers intended by opening the presidency, but diminishing our Constitution.
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 that is, he, the President. ‘He 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 or perjure 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 during the affidavit of Ms. Lewinsky. The President’s defenders, including his attorney, Mr. Ruff, have said he was not paying attention at the time Mr. Bennett raised the affidavit, but the videotape of the deposition directly contradicts that. 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 to lie.

Third, in the deposition, after reading to him 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. The 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 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 bribery, and that means 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 a person 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 voting against the four articles of impeachment, and I request that my colleagues vote against it, and that we start the healing process for our country.

Mr. Speaker, throughout this whole unseemly matter of impeaching a President who lied about deplorable conduct, I have clung to the dignity of the instruction of the Constitution to guide my actions. I re-examined all the evidence offered to the House: the referral from the Office of Independent Counsel (OIC), the President’s taped testimony, the reams of evidence in support of the OIC referral, testimony (limited though it was) before the Judiciary Committee, and the Committee’s deliberations.

As the equivalent of a judicial and legislative grand juror in this process, evaluating this evidence carefully, and privately, is consistent with my constitutional role. As a Member of the House of Representatives in the United States Congress, I am acutely aware that our actions today represent half the precedent in our entire history with regard to the sacred duty associated with impeachment, as this is but the second time in U.S. history that the full House has been asked to act on articles of impeachment.

Our constitutional process is not one that can be suspended or taken lightly. Once it begins, it must be brought to judgment about stopping a bad case when the evidence is not there to fortify it legally. In our role today, we have the added weight of exercising good constitutional, democratic, and political common sense.

Our country’s Founders put the impeachment clause in our governing document for a very specific reason, to have a democratic mechanism for the removal of a President who has grievously injured the United States. President Clinton certainly injured the national trust, as does any public official when they lie; but he has not injured the U.S. Constitution, our democracy, our government, or any political movement in our country. His actions were outrageous. His lies about it were dishonorable and alarming. But his behavior itself, even when compounded with lies under oath, was not impeachable.

We should take a lesson from this long and difficult drama. No lie from a public official is acceptable. It is all the more troubling when it is the chief executive, under oath, about an affair in the White House. Those who seek the public trust of the presidency must be ever vigilant to conduct themselves truthfully. Those who seek the presidency should be on notice that the rules are forever changed: the impeachment bar has been lowered and can be invoked far easier than our Founders intended.

Those in Congress must be a careful watchdog of executive behavior, and today’s vote is a strong message that this body will not shy from our duty, but we are not willing to let impeachment become a partisan endeavor. I hope this exercise, while difficult and unnecessary, shows the world the ultimate strength of our constitutional system is significant. The President’s ability to unwind the constitutional system is significant. If he did not,” that is, he, the President, “would not be able to exercise good constitutional, democratic, and political common sense.

Our country’s Founders put the impeachment clause in our governing document for a very specific reason, to have a democratic mechanism for the removal of a President who has grievously injured the United States. President Clinton certainly injured the national trust, as does any public official when they lie; but he has not injured the U.S. Constitution, our democracy, our government, or any political movement in our country. His actions were outrageous. His lies about it were dishonorable and alarming. But his behavior itself, even when compounded with lies under oath, was not impeachable.

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I urge my colleagues to join me in opposing these articles of impeachment.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 1½ minutes to the gentleman from Illinois (Mr. Evans).

Mr. EVANS. Mr. Speaker, I rise in opposition to the four 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 Honorable 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 do 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 1 1/2 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 all those who have suffered a dark night of soul, 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 will have committed an offense more grievous, because we will 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 did they impeach a president when it was clearly unfair? Why, when it was less than a high crime? Why, when they knew it would fail in the Senate? Why, when they knew a trial in the Senate would shut down the government? Why, when they had a clear alternative of censure? Why, did they choose the harsh judgement and condemnation of impeachment over the forgiveness and redemption of censure?

And they will conclude that, in impeaching a President, this House chose partisanship under the cover of patriotism and sanctimonious salutations to the tawdiest 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 character of the proceedings. The Republican obsession to impeach President Clinton on the flimsiest of constitutional grounds and against the will of
most Americans will cause long lasting divisions in America.

The Republicans know that they cannot get 67 votes in the Senate to remove the President from office so this is a purely partisan exercise in this House designed to humiliate and weaken a twice-elected President of the United States.

To my Republican colleagues, by your efforts today, you show the American people and for all that you should not be in the majority in this Congress, and that, I believe, will be your reward.

Mr. Speaker, this is a totally prejudged and partisan process that denies a majority of the Members of Congress, and the majority of Americans, a vote on a bipartisan compromise—a vote of conscience to censure the President.

Mr. Speaker, every one of us submits every 2 years to the collective, electoral wisdom of the people we serve.

Mr. Speaker, the American people in their collective, electoral wisdom have twice elected President William Clinton. The American people support the President's performance of his official duties, and they do not want him removed and nor do I.

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 impeachment. No such thing appears in the Starr report.

Instead, I found evidence gathered at great public cost—in dollars, $50 million, and in the destruction of privacy that Americans cherish—evidence of a consensual sexual relationship of the President of the United States with an adult, consenting volunteer.

Weeks of Judiciary Committee hearings have uncovered nothing more except the partisans, closed-mindedness of the proceedings.

The Republicans' obsession to impeach President Clinton on the flimsiest of constitutional grounds and against the will of most Americans will cause long-lasting divisions in America.

The Republicans know they cannot get 67 votes in the Senate to remove the President from office. So, this is a purely partisan exercise in this House designed to humiliate and weaken the twice-elected President of the United States.

To my Republican colleagues, by your efforts today you show the American people and for all that you should not be the majority in Congress and I believe that will be your reward.

Mr. SENSENBRENNER. 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 alterative to impeachment, yet how much more preferable, if you will, is the vote today? However, 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 removed a President 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 before the House today is whether the 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

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: To decide guilt or innocence. The House serves as the 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 decision. That is 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. The Constitution does not say that. The powers relating to impeachment are an essential check in the hands of this body, the legislature, against and upon the encroachment of the executive. In establishing the division of power between the three branches of government, the House and the Senate, assigning to the one the right to accuse and to the other the right to judge, the framers of the Constitution were very astute. They did not make the accusers and the judges the same persons.

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 powers of his office. 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 he does not resign, 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 didn'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 basic rule 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—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 decision to impeach.

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 Congresswoman 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.
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. SENSEBRENNER. 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 district that I love is more Democratic than Republican. And not once, not once has any leader of this House even so much as asked me how I would 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. I will not do that.

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. I expect the long history of this evening. We have still a lot of Members, and our time is running shorter. I am going to have to reduce to 2½ 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. 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 reprehensible. This President’s 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 must be guided 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. The question presented to Congress is not whether his conduct is reprehensible, but 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 than acting on the possible impeachment of our President. I was never so proud to be a member of the House as when we debated and acted on the U.S. participation in Operation Desert Storm. That debate helped bring our nation together. Regardless of what side we were on, however, the democratic process used by Congress to debate our involvement was healing for Congress and for the American people.

More recently, I had the responsibility to serve on the House Committee on Standards of Official Conduct during the investigation of Speaker GINGRICH. The members of the Investigatory Subcommittee in that process took great pains to proceed in a bipartisan manner. We specifically defined and limited the charges against the Speaker, and extended every opportunity to the Speaker to respond to our work. The fairness and bipartisanship nature of that process was confirmed by the overwhelming vote of the House, 395 to 28, to fine and censure the Speaker.

Unfortunately, the process used in the House impeachment inquiry has brought about just the opposite result. The Judiciary Committee has proceeded in a very partisan manner. The Committee has denied the President basic fairness in the proceedings. As a result, the recommendation has broken down along party lines.

Last January, Chairman HENRY HYDE observed that for this process to succeed, it was absolutely essential that the process be bipartisan. That has not happened. Now, whatever action Congress takes will be viewed by the public as disingenuous. We are unable to bring our nation together. I believe Congress has greatly disappointed our country.

What the committee has done cannot be undone. It is now time for the full House to act. In making my decision as to whether to vote for or against an Article of Impeachment, I must be guided solely by what the Constitution requires. Our decision will affect not only this President, but the future of the Presidency. Therefore I must make that judgment regardless of the actions of the Judiciary Committee. I will not turn from the truth and the evidence.

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 voted by the Committee, 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 Jones case, that he perjured himself in his deposition in the Jones case, and that he perjured himself in his grand jury testimony. 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 process used by Congress to recommend the President for impeachment, and to the Judiciary Committees. 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.

If we set aside that judgment, however, and assume that the President in fact lied under 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 be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high crimes and misdemeanors.” The historical record of these words
makes clear that the Framers of the Constitution intended them to apply only to fundamental offenses against the system of government. The delegates to the Constitutional Convention approved James Madison’s suggestion that the language read “...high Crimes and Misdemeanors.” After this language was approved, it was referred to the Committee on Style, which had instructions to make no substantive changes. In removing the words “against the United States,” the Committee on Style was clearly making sure that the words were unnecessary because they were redundant. Thus, it is clear that the Framers intended that the President should only be impeached for offenses against the structure of our government.

President Clinton’s misleading statements had 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 impeachable offenses.

Our recent historical experience supports this view. In 1974, the Judiciary Committee considered an Article of Impeachment based on President Nixon’s tax fraud. President Nixon had filed tax returns that failed to report certain income and claimed deductions that were not authorized by law. The President had signed his tax returns under penalty of perjury. There was credible evidence that President Nixon had committed perjury.

The Committee on the Judiciary, by a bipartisan vote of more than a 2–1 margin, rejected the tax fraud article. By that vote, the Committee held that even if President Nixon had committed perjury in the filing of his personal tax returns, that conduct did not rise to the standard of an impeachable offense under the Constitution.

Mr. Speaker, the question of impeachment of a President of the United States is a grave constitutional matter. It is designed to address circumstances in which the President has violated the trust of the American people through fundamental abuses of his office and serious misconduct.

Mr. Speaker, nothing in the articles approved by the Judiciary Committee approaches the nastiness and constitutionality of the articles for impeachment of a President. Even if one assumes that the strained interpretation imposed by the committee on the facts of this case is reasonable, the sad efforts of a President to avoid getting caught having a consensual extramarital affair does not threaten our system of government. It does not justify the impeachment of the President by the House.

Therefore, I will vote against each of the four articles approved by the Judiciary Committee. Mr. CONYERS. Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. 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 today will be soon forgotten but what we do will be remembered throughout history. We are considering articles of impeachment of a President of the United States based on standards of personal preference, selected interpretation of the law and partisan politics. Yet we use the Constitution, the rule of law for our recklessness.

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, 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 inscription that appears above the United States Supreme Court says, “Equal Justice under Law.” It should read, “Equal Law under Justice.” 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.

The inscription that appears above the United States Supreme Court Building states, “Equal Justice Under Law.”

It should state, “Equal Law Under Justice.”

Justice is a higher authority. This 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?

At one time in this Nation, women could not vote. Blacks could be enslaved and young people could fight and die in wars, but 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, 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.

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 17 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 day 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 coup.

This is not only the wrong day, this is also the wrong way. Mr. Speaker, we claim that a 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.

And what he has done does not move to an impeachable offense.

That was Bill Clinton, President of the United States, in an apology to his fellow citizens—

the people who elected him.
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 to be 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 and counsel. I have reviewed all 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. There are not decisions to be taken lightly and I wanted to be sure of all the facts of the matter before declaring a position.

Having held my tongue 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 the 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—his 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 personal foibles of a man regardless of his position. It should not be a bludgeon on one's 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 personal foibles. It was not a wisdom or prudent decision.

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 justice 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.

In the record, Mr. Speaker, is a statement from David Latimer, a lawyer who served in the Administration of President Reagan. He is a highly respected and experienced litigator who is a member of the general counsel for the Solicitor General of the United States, Mr. Charles J. Cooper. Mr. Latimer's statement is provided for the record.

Mr. Speaker, in the record is an excerpt from an article in The Washington Post which states that an internal White House attorney advised Mr. Clinton to plead guilty to obstruction of justice to avoid future legal exposure. This was all before the Paula Jones civil rights case.

The Latimer statement, Mr. Speaker, will be available for the record. I will include it if the gentleman so desires.
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. This vote is a signal to 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 this solemn vote approaches, it is important for the world to realize 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.

Mr. ADERHOLT. Mr. Speaker, it gives me no pleasure to rise this afternoon in support of impeaching our President, William Jefferson Clinton. But make 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 and 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 with action that can only be characterized as stonewalling.

There are many who say that the President, what he has done, is no big deal and that anyone would do the same. As a relatively young man, I remember a time in this great Nation when those endowed with public trust and those that were elected to public office were held to a higher standard. Today, with this vote, we take a step toward restoration of honor and responsibility.

Mr. CONyers. Mr. Speaker, once again the exigencies of time have required me to apologize in advance to my colleagues because I am now going to have to limit all of them to 1 minute. I recognize my friends that have been with us for a long time.

Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. ADERHOLT).

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

Mr. WEGAND. About two months ago, Mr. Speaker, I rose with 30 of my 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 that 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 U.S. Constitution, the supreme law of the land. They have tried to make the case that if we do not impeach 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 our Constitution, they established the procedures 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. The Constitution rejected— 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
Mr. Speaker, I have decided it is my constitutional duty to oppose the Articles of Impeachment that are before the House. The potential impeachment of Mr. William Jefferson Clinton, by the House, would be the most pointless of all actions. The people have determined that, in my mind, it does not rise to the level of "high crimes and misdeeds" against the President. In my opinion, the matter that does not involve an abuse of power, but simply to charge him, warrants impeachment only if the President’s actions would be a strongly convincing enough of the American people, and the House has determined that, in my mind, it does not rise to the level of "high crimes and misdeeds." Therefore, I will cast my votes against impeachment even if I did, it would not matter. 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 partisanship, and to bring to this House a bipartisan censure resolution with which we can lay the matter to rest and get on with the business of the American people.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Speaker, I have never said that I would not vote to impeach the President if he were impeachable. But I do not believe that his actions, or his personal behavior, or his lies and his lies under oath, or look away?" At that time, I voted to look further, because I believed the allegations of perjury and obstruction of justice were serious enough to warrant the President’s own lawyer acknowledge that a reasonable person could conclude the President did, indeed lie under oath.

Some witnesses have testified that, even true, the alleged offenses of President Clinton are not as serious as the alleged offenses of President Nixon. I do not believe that, but even if I did, it would not matter.

We need to ask ourselves whether the President is only required to avoid abusing the power of his office to avoid impeachment? Should we allow the President to avoid impeachment even if substantial evidence indicating he has committed multiple felonies? Should we allow the President to avoid impeachment even if these felonies go to the very heart of our judicial system? And how do I know whether the President’s own lawyer acknowledge that a reasonable person could conclude the President did, indeed lie under oath.

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 preparations.

Mr. SENSBRENNER. Mr. Speaker, I yield myself 15 seconds.

We are all tire of this process. There are so many issues out there needing our attention. But we can’t just wish this away. All the evidence we have before us clearly indicates the President’s conduct demon- strates a willful contempt of the judicial system of the United States, the essential foundation of our democracy. The President’s conduct demonstrates a willful contempt of the House of Representatives. The President’s conduct demonstrates a willful contempt of the people of the United States. The President’s conduct demonstrates a willful contempt to the office he holds. It is for these reasons that I
must vote to support all four Articles of Impeachment.

Mr. SENSENBRENNER. 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 observe.

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 insure 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 failed. The primary threat to stability on the Balkan peninsula, for example, has been lack of respect for the rule of law. I believe such respect starts from the top. If a President is permitted to say “what the hell is wrong, if I can afford to do it on the currency, the tariff, and foreign policy; but we cannot afford to do so on the question of honesty” if we expect our republic permanently to endure. Honesty is “an absolute prerequisite to efficient service to the public. Unless a man is honest we have no right to keep him in public life, it matters not how brilliant his service to the government is. Without honesty the brave and able man is merely a civic wild beast who should be hunted down by every lover of righteousness. No man who is corrupt, no man who condones corruption in others, can possibly do his duty to his community. If a man lies under oath or procures the lie of another under oath, if he perjures himself or perjures others under oath, he is guilty under the statute law. Under the higher law, under the great law of morality and righteousness, he is precisely as guilty if instead of lying in a court, he lies in a newspaper on the stump; and in all probability the evil effects of his conduct are infinitely more widespread 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 dead man as it is to tell untruth about one who is not decent.” (from The Strenuous Life).

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. PAPPAS).

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

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 press.

This 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 issue and vote the “politically popular” way, but that would be contrary to what I believe is the principle and upholding the Constitution. I will do just that today. Some have said that those who cast votes in favor of impeachment...
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 saving Social Security, improving our education system or seeking additional tax relief. But let me make it very clear that there is one person who is ultimately responsible for where we are today and the person is the President himself. He violated the Constitution, as our nation's Constitution clearly states. He failed to follow the Constitution in public court of law.

As I said, my decision is not based on sex and not based on the President's private life. There are elected officials in both parties that have committed indiscretions. The difference however is very clear. In the case before us the President lied under oath in court. What if he had lied about another issue? Would that and should that make a difference? I maintain that lying under oath is lying under oath no matter the subject matter. An elected official's private life and actions are just that—private. But an elected official's public actions are just that as well—they are public.

Some have suggested that the House should censure the president. What then would we say to the American citizens that this very day are in jail for committing perjury in civil cases? I am sure that they too would like to have had censure as an option. But as I said before, we are a nation of laws that each and every one of us must abide by.

I think that most Americans, including many of my colleagues on both sides of the aisle agree that the President did in fact lie under oath. If he had lied about another issue? Would that and should that make a difference? I maintain that lying under oath is lying under oath no matter the subject matter. An elected official's private life and actions are just that—private. But an elected official's public actions are just that as well—they are public.

I have made my share of errors and will make more in my life. However, it is important to come to terms with our shortcomings, apologize, admit wrongdoings and learn from them. I can and should forgive each other because no one is perfect and we all make mistakes. Yet, there are consequences of our actions. We are a nation of laws—laws that must be followed by each of the citizens of our nation. Realizing that there is not one law for the elected and one for the non-elected, one for those with power and another for those without, I have concluded that I have no choice but to support the articles of impeachment.

Mr. SENSENBRENNER. Mr. Speaker, I yield 4 minutes to the gentleman from Tennessee (Mr. JENKINS), a member of the Committee on the Judiciary. Mr. JENKINS. Mr. Speaker, the gentleman from Florida (Mr. STEARNS) and others in this House tonight have made a very good point about the defense that has been made in this case.

In the committee and again here today, the defense employed does not consist of a denial of the charges or an explanation of the behavior that is involved but rather it is an admission of the acts by many defenders and it is coupled with almost certainly attacks on the special counsel, attacks on the Committee on the Judiciary, and attacks on the Constitution. And today that defense has been expanded to plead that our military forces would not want us to consider this matter at this time.

A great Air Force officer, our colleague the gentleman from Texas (Sam JOHNSON), who spent 7 years as a prisoner of war in Vietnam, who surely earned the right to speak to and refute that defense, refuted it very capably here today.

Let us hear from another great American soldier who uttered these words. And these words were reprinted in Roll Call magazine today. "Duty. Honor. Country. These three hallowed words reverently dictate what you ought to be, what you can be, what you will be. The unbelievers will say they are but words, but a slogan, but a flamboyant phrase. Every demagogue, every cynic, every hypocrite, every troublemaker will try to downgrade them to the level of a trick and mockery. But they build your basic character. They mold you for your future roles as the custodians of the Nation's defenses. The long, gray line has never failed us. Were you to do so, a million ghosts in olive drab, in brown khaki, in blue and gray would rise from their white crosses thundering 'duty, honor, country.'"

These are excerpts from General of the Army Douglas MacArthur's farewell to the Cadets at West Point on May 12, 1962.

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 such time as he may consume to the
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gentleman from Wisconsin (Mr. KLECK-KA).

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

Mr. KLECKZA. 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 that, we are no longer dealing with clear and present danger to our constitutional order, but instead with a functionally crippling disrepute of 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 exacted 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, honored and revered. I have taken pride in being able to speak from this well-worn and 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 those of the Constitution believe that they could entrust to 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, never envisioned 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 any law because 100 Senators are sitting in a room trying to impeach the President of the United States from January through June or July of next year.

The people in my congressional district are angry and enragéd 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 due process with a notion that if we do not feel that he has harmed them or this Nation, by what he did. In their opinion, his actions did not meet the constitutional standard for impeachment of bribery, high crimes, or misdemeanors. Through every means of communication, they have said to me, we are embarrassed and ashamed of the House of Representatives. They do not want their President impeached. Many constituents deem the act of a special prosecutor spending $40 million to bring impeachment charges based upon sexual activities to be loathsome and reprehensible. It defies everything this Nation stands for.

Lastly, as I cast my last votes in this Chamber and end my career as a Member of Congress, I am mindful that history will record forever both what we say and do here today. Neither history nor the American people will look kindly upon those who here today shunned the American people and the U.S. Constitution. As I vote to oppose the impeachment of the President, my conscience is clear. It is important to me that history record me as a Member of Congress who did not do what was expedient, but what was right.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. KENNEDY).

(Mr. KENNEDY of Rhode Island asked and was given permission to revise and extend his remarks.)

Mr. KENNEDY of Rhode Island. Mr. Speaker, we have taken this step to stand here and debate the rule of law if we cannot even extend to the President of the United States that same right of due process as required by our Constitution.

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 an action that does not even rise to the level of 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 day. 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 asked 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.

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 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 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 predicament 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 munitions for covert foreign aid and Presidential lying about personal federal income taxes. But no such impeachment inquiries were 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 campaigns yielded by $40 million spent by the Office of Special Council, tens millions of 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 relentless pressure to make do with the $60 million scandal—to fit the scandal 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 exercise of executive 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 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.

Undoing 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 honor, outrage and disbelief of America, this Congress is about to molest, to assault, the 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 defund 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 attempts to divide us on this sensitive issue.

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; lifetime 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 how 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.”

PROJECTED PROCEEDINGS BEFORE THE UNITED STATES SENATE IF THE HOUSE VOTES TO IMPEACH THE PRESIDENT

The proceedings in the Senate on the articles of impeachment that the House exhibited against then United States District Judge Alcee L. Hastings provide the most recent and comparable precedents to guide the Senate in the proceedings against President William J. Jefferson Clinton which will take place if the House adopts articles of impeachment. The following outlines projects how the proceedings against the President would unfold if the House impeaches him based upon the proceedings in the Hastings case and the materials released by the Judiciary Committee during its inquiry into the President’s conduct.

December 18, 1998

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CONGRESSIONAL RECORD — HOUSE

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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 Senate. 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 may wish to assign cases to the House managers, who may wish to file memoranda to the other.

4. The committee holds hearings on the issues raised.

5. 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 J udiciary 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 would 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 J udiciary 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 parties are obliged to file a demand for a bill of particulars, it is likely that the Senate will request the House Managers to provide a bill of particulars. The real effect of the lack of specificity would be to delay, thereby allowing the President to claim that the Senate has failed to meet its constitutional obligation to conduct a "fair and impartial" trial.
   d. Alternative Motion to Strike Particular Allegations. If the Senate does not dismiss the articles in their entirety, counsel for the President are likely to ask that the Senate, after the bill of particulars is filed, strike specific allegations in the articles that remain.

2. The House. The House managers would be required 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.

D. 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 would be conducted before the full Senate. It is likely that the Senate and the Chief J ustice will agree that the trial preparation duties that were performed by the Impeachment Trial Committees should be assigned to the Rules Committee (or to a special impeachment committee appointed for that purpose). The committee would need to establish the process that the Senate would follow if it determined that the President should be permitted to continue to hold office during the trial. Under the Constitution, the Senate would have to "referral." 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 of the witnesses and other sources to obtain that evidence. At a minimum, it seems almost certain that the counsel would seek to depose (i) lawyers for Paula J ones 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 ones' lawyers, or others subpoenaed might object to some or all of the subpoenas. In such cases, the Senate, in its capacity as court, would hear the objections and rule upon them.
   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 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 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. It is not just about Bill Clinton, 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 unity and practice division—we talk about morality and commit the immortal 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.

Ms. CARSON asked and was given permission to revise and extend her remarks.

Mr. Speaker, I yield 1 minute to the gentlewoman from Indiana (Ms. CARSON).

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 hold of.

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, the gentleman 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. KENNEDY of Rhode Island. Mr. Speaker, will the gentleman yield?

Mr. Speaker, the gentleman has named me and my—

Mr. SENSENBRENNER. Mr. Speaker, I have the floor.

Mr. KENNEDY of Rhode Island. Is not perjury a legal term? Has the gentleman defined perjury in a court of law, or is it just his constant repetition that the President has lied?

The Speaker pro tempore. The gentleman from Rhode Island is out of order.

Mr. SENSENBRENNER. Mr. Speaker, the President’s lawyers had up to 30 hours to present their defense. Mr. Starr had 12½ hours.
ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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. DIAZ-BALART), 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. BOEHLERT).

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

Mr. BOEHLERT. 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 at least 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, even tormenting, decision I have had to make in my 16 years in Congress. I have spent a great deal of time assuring myself that in the case we are using the Constitution as a shield, not a sword. The purpose of impeachment is to protect the institutions of our Government—and through them, the people—not to attack or punish a particular political figure. I am convinced that in this case we do indeed need impeachment as a shield to protect the integrity of our institutions.

I simply have not found the means to rationalize—we are not contesting any fact allegations. The fact is there were no specific perjury quotes, no specific alleged lies cited in the articles, and I ask the Republicans do they deny the President admitted to an inappropriate relationship to the grand jury? Is their beef that he was not graphic enough about who touched him where?

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. SKAGGS).

Mr. SKAGGS. Mr. Speaker, censure of a President as a remedy available to us to deal with the misconduct of a President was used in 1800 against President Adams. Representative John Marshall, a future chief justice, made an argument against its constitutionality. If it was good enough for him, it should be good enough for us. In denying us that option the majority undermined its claim of conscience because the essence of conscience is the freedom to choose among reasonable alternatives. This is a political solstice with a cold darkness to match the winter solstice. I pray that a new and better season of our politics will come.

I want nothing more than for this House to fulfill the aspiration of its Members and the people that it be a great and decent deliberative body serving in honor the great purposes of a democratic nation.

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 the 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 enormity of the decisions we will make.

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. But 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.

Probab[ly] 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 about the 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 and conviction on a 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 perjurious 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 respects the law, there’s your answer. 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 stage ratification 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. And it’s clear 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.

The debate we’ve had about what’s an impeachable offense has been only marginally helpful, because it’s seemed to assume—wrongly, I think—that impeachability 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 shows our responsibility under it is 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 and appropriately condemning the wrongful acts of the President. And given it, and so moot 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 accepted the resolution 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 lose the chance of approving 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 happened when the House was comprised primarily of many Members politically active at the time the Constitution was drafted only 13 years earlier, including several Members who had been members of their states’ ratifying conventions. This is as close as you can come to an object lesson in “original intent.” If John Marshall accepted the constitutionality of censuring a President, even as he worked to defeat it, who are we to object?

This gets us to the matter of “conscience”: Conscience is best exercised through freedom in turn suggests choices and alternatives. The denial of freedom to choose among legitimate alternatives is a denial of full freedom of conscience.

Now, we are told that it would be wrong to have the freedom of making a choice—yet that freedom is the essence of conscience. Stripped of its pretenses to constitutionalism and conscience-mindedness, the majority’s manipulation of the impeachment process is revealed an unfair act of raw majoritarianism by which they are determined to exact their own ends, by which they are determined to exact their own ends, by which they are determined to exact their own ends, by which they are determined to exact their own ends, by which they are determined to exact their own ends, by which they are determined to exact their own ends, by which they are determined to exact their own ends, by which they are determined to exact their own ends, by which they are determined to exact their own ends.

I leave my colleagues with a plea to be good representatives of the people of this country, to consider how of the taint of this wrongful conduct. So, diminishing the concept of conscience.

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.

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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 respects the law, there’s your answer. 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 stage ratification 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. And it’s clear 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.

The debate we’ve had about what’s an impeachable offense has been only marginally helpful, because it’s seemed to assume—wrongly, I think—that impeachability 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 shows our responsibility under it is 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 and appropriately condemning the wrongful acts of the President. And given it, and so moot 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 accepted the resolution 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 lose the chance of approving 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 happened when the House was comprised primarily of many Members politically active at the time the Constitution was drafted only 13 years earlier, including several Members who had been members of their states’ ratifying conventions. This is as close as you can come to an object lesson in “original intent.” If John Marshall accepted the constitutionality of censuring a President, even as he worked to defeat it, who are we to object?

This gets us to the matter of “conscience”: Conscience is best exercised through freedom in turn suggests choices and alternatives. The denial of freedom to choose among legitimate alternatives is a denial of full freedom of conscience.

Now, we are told that it would be wrong to have the freedom of making a choice—yet that freedom is the essence of conscience. Stripped of its pretenses to constitutionalism and conscience-mindedness, the majority’s manipulation of the impeachment process is revealed an unfair act of raw majoritarianism by which they are determined to exact their own ends, by which they are determined to exact their own ends, by which they are determined to exact their own ends, by which they are determined to exact their own ends, by which they are determined to exact their own ends, by which they are determined to exact their own ends, by which they are determined to exact their own ends, by which they are determined to exact their own ends, by which they are determined to exact their own ends.

I leave my colleagues with a plea to be good representatives of the people of this country, to consider how
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 fruits of the 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 standard—e.g., criminal misconduct—and the High Crimes and Misdeavors 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 asked and was given permission to revise and extend his remarks.)

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 it this way, 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 with 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 in 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 to put the President's behavior in the corner. I yield 1 minute to the gentleman from Illinois (Mr. HASTERT). (Mr. HASTERT asked and was given permission to revise and extend his remarks.)

Mr. HASTERT. Mr. Speaker, I am saddened that there is clear and convincing evidence that the President lied under oath, obstructed justice and abused the powers of his office in an attempt to cover up his wrongdoing. I realize that 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 we demand is not a sovereign who is 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. ROEMER) 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 443, disaproving the President's conduct with respect to campaign financial.

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. ROEMER).

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 two Houses."

Thomas Jefferson said principles, opinions and purposes could be expressed in the form of resolutions.
What better person to go to than Thomas Jefferson?

Mr. CONYERS. Mr. Speaker, I yield ¼ 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 advisor 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, censure; the justice 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, I know a majority of the American public, the right to vote on censure as an alternative to impeachment.

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.

Mr. DEFAZIO. Mr. Speaker, the majority party has tried since January to an all-consuming removal process. 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 disagreed with his policies or found his morals repugnant.

The Republican majority has not raised and proven offenses that meet the standards required by the Constitution for impeachment.
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 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, “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 removed from office at any time. A strong and independent Presidency is vital to our Constitutional order.

Now the leaders of the Republican majority have puffed up with a booming voice much like the puny wizard in the Wizard of Oz in an attempt to raise the President’s outrageous, reckless, and morally offensive behavior to the level of High Crimes and Misdemeanors. He lies to the American people and offered misleading and possibly perjurious testimony in a civil trial and a grand jury proceeding. These are not trivial matters. The question is simply whether the special Constitutional remedy of impeachment should be invoked for these particular offenses.

The Wizards on the other side have puffed up these offenses to Abuse of Power and Obstruction of Justice, and Perjury in their Articles of Impeachment.

The Republican Majority has not raised and proven offenses that meet the standards set by our founders. Rather they have met the standard uttered by Former President Ford a quarter of Century ago—that impeachable offenses are whatever 218 Members of the House of Representatives say they are. That is an incredibly cynical and unconstitutional standard, yet that is what is revealed when we rip the curtain of puffery from the rhetoric of the other side.

The Alternative of Censure would serve us well in this matter. A near unanimous House could deliver a stinging and historic rebuke to the President with a motion of censure.

But, after cutting the Constitutional legs out from under impeachment the Republican leaders would have the House believe that the Constitution’s silence on the issue of Censure means it is Constitutionally barred from consideration. It is not Constitutionally barred it is politically precluded because the Republican leaders feared that had the option of censure been before this House along with the option of impeachment Censure would have garnered more support.

The procedures followed in bringing these Articles of Impeachment to the floor at this time, in this manner with no option for censure lesbian and Mrs. Garand of the Majority. This is a tragic day in the history of the United States House of Representatives and a tragic turn of events for our sacred system of government. The repercussions will reverberate in our society for decades to come.

Mr. CONGERS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from North Carolina (Mr. ETHERIDGE).

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

Mr. ETHERIDGE. Mr. Speaker, at this very moment, halfway around the world, our troops are engaged in battle, at a time that we are here talking about doing in the commander-in-chief. I deplore that, because they are trying to do away with a dictator who has weapons of mass destruction that he will use. As a Vietnam veteran, a veteran of the Vietnam era, I know what it means to serve and have the Commander in Chief under siege.

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Mr. CONGERS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. Mr. Speaker, I rise in support of Articles I, II and III. These votes today are defining votes—cast not for political position or popularity but for purposes of confirming the integrity of the most precious and essential element of a free society—the right of all citizens to trust and rely upon a system of justice which is blind to influence and oblivious to position or status. It is also a vote that has implications for a modern society—that inextricably links our American justice system with our political system. Justice and politics should be linked. Our votes reflect our values and those of our constituents.

The evidence is persuasive to me that President Clinton’s offenses justify my vote in support of articles 1, 2 and 3. The President’s lies were not breaches of the law, rather a breach of the trust that citizens should have, not only in the President’s standards, but in our own. My vote will be true to my Constitutional oath, and I pray to God that my judgment is right.
Mr. SENSENBRENNER. 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 Clinton swore to uphold and defend the Constitution of the United States and the laws of this nation. He has failed to keep his promise, 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 William Jefferson 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. Just as 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 those, must be approached with respect for all involved and the institutions which we cherish.

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; 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, such travesties 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 deputies have been asked 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. 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. SENSENBRENNER. 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 those, 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 of the investigations to which my district 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 our impeachable importance, 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 discussion 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. SENSENBRENNER. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. OXLEY).

Mr. OXLEY. 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 impeachment. I will cast my vote for Democracy.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut (Mr. GEJ DENSIGN) asked and was given permission to revise and extend his remarks).

Mr. GEJ DENSIGN. Mr. Speaker, I would 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's decision to hide personal shame. He stonewalled. He admitted and otherwise continues to stonewall.

This perjury is an impeachable offense and not simply a moral failure. These were premeditated. He knowingly acted not lies told under sudden pressure. They were premeditated. He knowingly acted when he was unexpectedly asked embarrassing questions. The President's statement was given. He knowingly acted.

The Framers of the Constitution, anticipating the political vulnerability of the Presidency to opposing factions in Congress, established a threshold for impeachment which is very high—"treason, bribery, or other high crimes and misdemeanors." This high threshold should be maintained, and as I have said before, the President's actions have never compromised the security of this nation; so what we're really talking about is private activity which reflects on moral character. That is not what our Founding Fathers intended to be impeachable offenses—unforgivable perhaps, but not impeachable.

The threshold which is the basis for the Judiciary Committee's recommendation of impeachment—perjury, and related actions regarding personal sexual misconduct—is not of the same legal magnitude as the crimes set forth in the Constitution. There is no credible evidence that the President's actions undermined the integrity of our Democratic institutions, cost him his loyalty to the country, or prevented his ability to execute his duties as President. Again, while his offenses are real, they are not impeachable.

To impeach the President for the offenses charged by the Judiciary Committee would be to lower the threshold for impeachment for all future Presidents, and lowering the threshold in this way would pose a threat to the system of checks and balances and separation of powers that form the foundation of our system of Democratic governance. This would indeed be grave.

I said at the onset of this investigation that I would base my actions on the evidence of record. Based on the evidence, a Congressional action short of impeachment—such as censure for unacceptable conduct—seems to strike the right balance and to best serve the interests of our nation and its people.

To not allow a vote on a censure resolution amounts to only one thing—a decision by the Republican leadership to ignore the will of the American people. That is wrong. It is an example of the tyranny our forefathers sought to escape when they founded this great nation.

I will vote my conscience today. I will vote against partisanship and against impeachment. I will cast my vote for Democracy.
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 impeachment.

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. The 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 to vote today is a reasonable alternative that was emphasized by the gentleman from Illinois (Mr. Hyde) and Tip O'Neill is a travesty.

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.

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. 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 the same day. 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. The 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 to vote today is a reasonable alternative that was emphasized by the gentleman from Illinois (Mr. Hyde) and Tip O'Neill is a travesty.
Mr. Speaker, I rise today with a heavy heart, but with a solemn sense of duty, and that is to vote in favor 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 how last-minute apologies or legal hairsplitting can change that. I remain convinced that a President cannot lead without the trust of the American people, and he cannot govern where he commands no respect.

My first wish is that the President take responsibility for his actions and put a stop to this process. He should resign and allow us all 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 polling erased 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. McCOLLUM, Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Speaker, I rise today with a heavy heart, but with a solemn sense of duty, and that is to vote in favor of impeachment against the President of the United States. I want to keep my promise to have the most ethical administration in history. He did not.

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Mr. Speaker, failing to hold the President accountable for his actions would create a dangerous double standard and no how last-minute apologies or legal hairsplitting can change that. I remain convinced that a President cannot lead without the trust of the American people, and he cannot govern where he commands no respect.

My first wish is that the President take responsibility for his actions and put a stop to this process. He should resign and allow us all 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 polling erased 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. McCOLLUM, Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Speaker, I rise today with a heavy heart, but with a solemn sense of duty, and that is to vote in favor of impeachment against the President of the United States. I want to keep my 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.

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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 they do, and 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 impeachable offenses 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 serious offenses against 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. Through this process, my constituents made impassioned arguments both for and against impeachment. I spoke with many local residents who offered me 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 democracy.

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 trial. This is not a trial. No 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 has 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 of impeachment today, we will demean the institution of Congress. We will have turned the most serious proceeding that Congress can undertake into a vicious example of obsessive politics.

These articles do not represent the views of the American people. They do not represent the judgment of the majority of American people, and they certainly are not the best
way for us to act as a jury. We demean the actions of a jury, the instructions that any jury must follow, and certainly as a jury, we will be judged into the future.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentlewoman from the District of Columbia (Ms. NORTON).

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

Ms. NORTON. 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, allowing the District of Columbia to have two Members, who also represent millions of our fellow Americans to vote for censure?

Mr. Speaker, I say to my friends in the majority, and they are my friends, that when this is over, with blood all over this floor, my friends in the majority will have poured 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 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.

Some twenty-four years ago Congress moved toward the impeachment of President Richard Nixon. In that case, President Nixon directed the FBI and CIA to coverup 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 would have been afforded the courtesy of voting, as a matter of conscience, to censure the President of the United States. They have the votes to impeach, but for the sake of fairness, why are Members so adamant for the majority who also represent millions of our fellow Americans to vote for censure?

Mr. Speaker, I say to my friends in the majority, and they are my friends, when all of this is over, with blood all over this floor, my friends in the majority will have poured and hammered some 218 nails on the flesh of this man without even an ounce of blood as a cure.

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, I yield such time as he may consume to the gentleman from Louisiana (Mr. MCCREERY).

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

Mr. MCCREERY. Mr. Speaker, I rise in support of the articles of impeachment. Mr. Speaker, private acts between consenting adults should be just that—private. If President Clinton had simply been revealed to have had an extramarital affair, 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...there is also no express impediment" 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. 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?

Mr. Speaker, I say to my friends in the majority—and you are my friends—when all of this is over, with blood all over this floor, my friends in the majority will have poured and hammered some 218 nails on the flesh of this man, without even an ounce of blood as a cure.

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Mr. MCCRERY. Mr. Speaker, I rise in support of the articles of impeachment. Mr. Speaker, private acts between consenting adults should be just that—private. If President Clinton had simply been revealed to have had an extramarital 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 being pursued 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. Perjury would not be a crime 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. President Clinton testified to 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 other witnesses who were involved in perjury made 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, no matter how popular he might be, is above the law.

Mr. McCOLLUM. Mr. Speaker, I yield 15 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 legal action of perjury in a civil discovery phase of a civil lawsuit that concerned not sex! It is about attempts to thwart the discovery phase of the Paula Jones lawsuit years ago, and it is not about 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, the President of the United States. He is the chief executive officer of the United States. He is the chief executive officer of the United States, under the Constitution when they do it. At the end of the day, it is the President, his office, his actions that are at stake.

Mr. Speaker, I yield the floor to the gentleman from New York.

Mr. NADELER. 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 would be 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 unseat an elected president without a broad consensus of the necessity for doing so against the resistance of the American people. That describes a coup d’etat.

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 take upon us 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 it is not about the President at the same time over the years, including the 18 months under investigation, while under investigation by the Independent Counsel’s office.

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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. You have not allowed a timely and fair consideration of the Starr Report and then jamming this into two weeks after the election. You have not kept the Senate busy with this and have not done the job that is expected of you.

Mr. Speaker, I rise in strong opposition to the Articles of Impeachment before the House.

Mr. Speaker, the Constitution is at stake and the average citizen is putting forth by the Republican Majority.

This does not stand the constitutional 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 do set new precedents such as this with regard to impeachment, we are going to keep the Senate awful busy.

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 1, 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 serious investigation of 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 without 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 $30 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. They saw fit to give 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 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 few weeks. It is evident 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 Congress in January 1999, they set upon a scheme to jam through the lame-duck 105th Congress an impeachment vote before the next 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 weeks, a week of recess weeks relevant 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 concerning these instances is unlawful—a point which has not been proven—this matter does not rise to the level of an impeachable offense. It is not treason, bribery, or other high crimes and misdemeanor. It does not involve the official duties and role of the President. It is a private matter as are the hopes and fears of other public officials that do not touch upon their official duties. Certainly, this behavior and the subsequent questionable conduct in giving testimony merits our strong reprimand and censure, not impeachment. Unfairly, a censure action will not be allowed by the Republican Majority to the President. It is important to note that these weak questionable Articles of Impeachment prevail, the GOP Majority Leadership has steadfastly refused the opportunity to permit a censure vote on the floor, intent upon using its power to frustrate and thwart the will of the American people who believe censure—not impeachment—to be the appropriate penalty.

Mr. Speaker, the President should be fully subject to the law. Indeed, when the court permitted the private civil suit to proceed in 1997, President Clinton was subject to the law for alleged actions before he was even elected to his current office in 1992. Furthermore, if the participation in such legal process is improper, it can and should be fully adjudicated with the full rights exercised by all networking privileges accorded every citizen. The President isn't above the law, neither should he be considered below the law. The debate about the so-called legalisms employed in this instance are the essence of the "rule of law" even as some venerate the "rule of law." Republicans seem all too willing to deny the President the opportunity to defend himself.

The proceedings before the House Judiciary Committee have made a mockery of the important Constitutional role accorded the Congress 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 must now compound 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 judgement and now examine. The House must now compound 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.

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.)

Mr. Speaker, the Constitution provides for the election of Congressmen and Senators from each State. The states are not a part of the Federal Government. The Constitution does not provide for direct election of Presidents. The President is elected by the state legislatures. The President is elected by the states and not by the people. The President is not a member of Congress, and Congress does not have the right to impeach the President. The President is not a member of Congress, and Congress does not have the right to impeach the President.

In this case, the House of Representatives has been presented with a choice: either to impeach the President or to allow him to remain in office. The choice is clear. The House of Representatives must impeach the President in order to ensure that he is held accountable for his actions.

Ms. CONYERS. Mr. Speaker, I am deeply concerned about the implications of this action. The President of the United States is the Commander in Chief of the armed forces, the head of state, and the leader of the nation. It is a position of great responsibility and honor, and it is one that must be respected.

The Republican minority, in their rush to impeach the President, have ignored the need for fair and impartial proceedings. They have failed to provide sufficient evidence to support their claims, and have instead resorted to political grandstanding.

In conclusion, I urge my colleagues to reject this outrageous action and to instead focus on the welfare of the American people. The country needs a President who can lead us forward, not one who will be constantly under investigation and trial.

Mr. Speaker, the President should be fully subject to the law. Indeed, when the court permitted the private civil suit to proceed in 1997, President Clinton was subject to the law for alleged actions before he was even elected to his current office in 1992. Furthermore, if the participation in such legal process is improper, it can and should be fully adjudicated with the full rights exercised by all networking privileges accorded every citizen. The President isn't above the law, neither should he be considered below the law. The debate about the so-called legalisms employed in this instance are the essence of the "rule of law" even as some venerate the "rule of law." Republicans seem all too willing to deny the President the opportunity to defend himself.

The Republican minority, in their rush to impeach the President, have ignored the need for fair and impartial proceedings. They have failed to provide sufficient evidence to support their claims, and have instead resorted to political grandstanding.

Ms. BROWN. Mr. Speaker, I rise in strong opposition to the Articles of Impeachment before the House.

Mr. Speaker, the Constitution is at stake and the average citizen is putting forth by the Republican Majority.
are hypocrites. What a shame that while the troops are fighting for us in the Persian Gulf, we are having this silly and stupid debate because of your hatred of the President. The President is like David from the Bible. He is the favorite one. He is the favorite one because he does the people's work. The Republicans hate him because he beat them on every single issue. Let me tell you what the real crime and high misdemeanor is, my fellow Americans. In 1994, the leaders announced their Contract on America. And today is the final amendment of that contract. They began their contract by attempting to cut school lunch, Head Start, food stamps, health care and Medicare for the elderly. These are the crimes that should be punished.

This is a modern day coup d'état, Mr. Speaker. It is the final piece of their contract. You can fool some of the people some of the time, but you cannot fool all of the people all of the time. And let me tell you, the American people are not fooled by your motives.
December 18, 1998

CONGRESSIONAL RECORD — HOUSE

H11871


12362. A letter from the Deputy Director for Policy and Programs, Community Development, Housing, and Homeownership Programs, United States Department of the Treasury, transmitting the Department’s final rule—Notice of Funds Available (NOFA) Inviting Applications for the Community Development Financial Institutions Program—Core Component—received November 16, 1998, pursuant to 5 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

12363. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Chile, pursuant to 12 U.S.C. 635(b)(3)(ii); to the Committee on Banking and Financial Services.


12372. A letter from the Assistant Secretary for Employment Standards, Department of Labor, transmitting the Department’s final rule—Claims for Compensation Under the Energy Employees’ Compensation Act; Compensation for Disability and Death of Noncitizen Federal Employees Outside the United States (RIN: 1215-AB07) received December 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

12373. A letter from the Secretary of Agriculture, transmitting the annual Horse Protection Enforcement Report, pursuant to 15 U.S.C. 1830; to the Committee on Commerce.

12374. A letter from the Acting Director, Office of Rulemaking Support, Department of Energy, transmitting the Department’s final rule—Acquisition Regulation; Technical and Administrative Amendments (RIN: 1901-AB60) received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12375. A letter from the Acting Director, Office of Rulemaking Support, Department of Energy, transmitting the Department’s final rule—Occupational Radiation Protection (RIN: 1004- AA59) received November 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12376. A letter from the General Counsel, Department of Transportation, transmitting the Department’s final rule—Insurer Reporting Requirements; List of Insurers Required to File Report (RIN: 2127-AH05) received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12377. A letter from the General Counsel, Department of Transportation, transmitting the Department’s final rule—Federal Motor Carrier Safety Regulations; Waivers, Exemptions, and Pilot Programs—received November 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12378. A letter from the General Counsel, Department of Transportation, transmitting the Department’s final rule—Air Bag Warning Label for Rear-Facing Child Seats (RIN: 2127-AG82); Additional Warning for Warning Labels for Child Restraints (RIN: 2127-AH-02) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12379. A letter from the General Counsel, Department of Transportation, transmitting the Department’s final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revisions; South Coast Air Quality Management District, San Diego County Air Pollution Control District and Kern County Air Pollution Control District [CA—198—0099; FRL-6105-7] received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12380. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency’s final rule—Approval and Promulgation of Implementation Plans; Maryland; State II Vapor Recovery Comparability Plan [MD055-5021; FRL-6105-6] received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12381. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency’s final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revisions; Kern County Air Pollution Control District, Placer County Air Pollution Control District, San Joaquin Valley Unified Air Pollution Control District, Sacramento Metropolitan Air Quality Management District and Alameda County Air Quality Management District [CA-198-0099a; FRL-6104-4] received November 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12382. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency’s final rule—Reportable Quantity Determinations; Removal from the list of CERCLA Hazardous Substances [FRL-6202-4] (RIN: 2050-AE48) received December 10, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.


12384. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency’s final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revisions; Sacramento Metropolitan Air Quality Management District and San Joaquin Valley Air Pollution Control District [CA 198-0099a; FRL-6184-4] received December 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12385. A letter from the Assistant Secretary for Employment Standards, Department of Labor, transmitting the Agency’s final rule—Approval and Promulgation of Implementation Plans; State of Pennsylvania; Environmental Protection Agency, transmitting the Agency’s final rule—Approval of Emission Standards for Hazardous Air Pollutants for Ethylene Oxide Commercial Sterilization and Fumigation Operations [AD-FRL-6202-8] (RIN: 2050-AC28) received November 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12386. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency’s final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revisions; Orange County, Contra Costa County, and Santa Barbara County Air Pollution Control Districts, and San Diego County Air Pollution Control District [CA-205-0099a; FRL-6127-9] received December 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

Administration's final rule—Over-the-Counter Drug Products Containing Analgesic/Antipyretic Active Ingredients for Internal Use; Required Alcohol Warning [Docket No. 2000-AH002-AH004] pursuant to 5 U.S.C. 801(a)(1); to the Committee on Commerce.

12418. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Medical Devices; Exemptions From Premarket Notification; Class II Devices [Docket No. 98-0015] received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Commerce.

12419. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives; Adjuvants, Production Aids, and Sanitizers [Docket No. 98F-0012] received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Commerce.

12420. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a report on the nondisclosure of safeguards information; Final Report: Environmental Revisions Ending September 30, 1998, pursuant to 42 U.S.C. 2167(e); to the Committee on Commerce.


12422. A letter from the Director, Defense Security Agency, transmitting a notification to Congress regarding the United States military action against Iraq in response to the obligations of the Iraqis under resolutions of the United Nations Security Council, pursuant to Public Law 102-1, section 3 (105 Stat. 4); (H. Doc. No. 105-355); to the Committee on International Relations, and ordered to be printed.

12423. A letter from the Director, Defense Security Agency, transmitting a notice of the Department of Defense’s proposed Letter(s) of Offer and Acceptance (LOA) to Turkey for defense articles and services (Transmittal No. 99-04), pursuant to 22 U.S.C. 2459; to the Committee on International Relations.

12424. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a recommendation for notification for use of section 506(a)(2) authority to draw down articles, services, and military education and training from the Department of Defense, pursuant to Public Law 101-513, section 547(a) (104 Stat. 2019); to the Committee on International Relations.

12425. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States through 1998 by the U.S.C. 112b(a); to the Committee on International Relations.

12426. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that effective July 19, 1998, the danger pay rate for the Belgrade, Serbia, Signatory at the 15% level, pursuant to 5 U.S.C. 5928; to the Committee on International Relations.

12427. A letter from the Chief Counsel, Office of the General Counsel, Department of the Treasury, transmitting the Department's final rule—Irregular Transactions Regulations: Reporting on Foreign Affiliates' Oil-Related Transactions—received November 10, 1998, pursuant to 5 U.S.C. 801(a)(1); to the Committee on International Relations.

12428. A letter from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule—Foreign Republic of Yugoslavia (Serbia & Montenegro) and Bosnian Serb-controlled Areas of the Republic of Bosnia and Herzegovina Sanctions Regulations: Resolution of Claims Regarding Blocked Montenegro Vessel Accounts—received November 10, 1998, pursuant to 5 U.S.C. 801(a)(1); to the Committee on International Relations.

12429. A letter from the Acting Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Exports to the Federal Republic of Yugoslavia (Serbia & Montenegro); Imposition of Foreign Policy Sanctions—November 9, 1998, pursuant to 5 U.S.C. 801(a)(1); to the Committee on International Relations.

12430. A letter from the Chief Counsel, Office of the General Counsel, Department of the Treasury, transmitting the Department’s final rule—Iraqi Sanctions Regulations—November 9, 1998, pursuant to 5 U.S.C. 801(a)(1); to the Committee on International Relations.

12431. A letter from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule—Fiscal Year 1999 Foreign Transactions Regulations—October 8, 1998; to the Committee on International Relations.

12432. A letter from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule—Fiscal Year 1999 Foreign Transactions Regulations—February 17, 1998; to the Committee on International Relations.

12433. A letter from the Acting Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Iraqi Transactions Regulations—received December 2, 1998, pursuant to 5 U.S.C. 801(a)(1); to the Committee on International Relations.

12434. A letter from the Office of Management and Budget, transmitting Accounts containing unwatched expenditures potentially subject to Congress’s review; Proposed Accounting Office, pursuant to 31 U.S.C. 3524(b); to the Committee on International Relations.


12436. A letter from the Inspector General, General Accounting Office, transmitting a list of all reports issued or released by the GAO in October 1998, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform and Oversight.


12438. A letter from the Director, Peace Corps, transmitting the semiannual report for the period ending September 30, 1998; to the Committee on Government Reform and Oversight.

12439. A letter from the Chief Counsel, Office of the General Counsel, Department of Justice, transmitting the consolidated report to meet the requirements of the Inspector General Act and the Federal Managers' Financial Integrity Act, pursuant to Public Law 100–504, section 104(a) (102 Stat. 2525); to the Committee on Government Reform and Oversight.


12441. A letter from the Manager, Benefits Management, CoBank, transmitting the semiannual report disclosing the financial condition and results of operations of the Federal National Mortgage Association for the period ending September 30, 1998; to the Committee on Government Reform and Oversight.

12442. A letter from the Chief Executive Director, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting the semiannual report to the Congress from the District of Columbia Financial Responsibility and Management Assistance Authority; to the Committee on Government Reform and Oversight.

12443. A letter from the Executive Director, Federal Credit Union Administration, transmitting the Authority's final rule—Nondiscrimination in NCUA's Administration of Programs; to the Committee on Government Reform and Oversight.

12444. A letter from the Office of the General Counsel, Bureau of Investigation, Department of Justice, transmitting the semiannual Management report for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Government Reform and Oversight.


12446. A letter from the General Counsel, Federal Labor Relations Authority, transmitting a report concerning a vacancy that has occurred in the OMB office of Controller, who is the head of the Office of Federal Financial Management; to the Committee on Government Reform and Oversight.

12447. A letter from the Manager, Benefits Communications, Farm Credit System Insurance Corporation, transmitting its annual report for calendar year 1997, pursuant to 12 U.S.C. 2277a–13; to the Committee on Government Reform.

12448. A letter from the General Counsel, Federal Labor Relations Authority, transmitting the Authority’s final rule—Unfair Labor Practice Procedures; to the Committee on Government Reform and Oversight.

12449. A letter from the Executive Director, Federal Labor Relations Authority, transmitting the Authority’s final rule—Memo- randa of Agreement; to the Committee on Government Reform and Oversight.

12450. A letter from the Chairman, National Credit Union Administration, transmitting the semianual report for the period ending December 31, 1998; to the Committee on Government Reform and Oversight.


12454. A letter from the Independent Counsel, Office of Independent Counsel, transmitting the Office's Statement Regarding Adequacy of Management Controls Systems; to the Committee on Government Reform and Oversight.

12455. A letter from the Director, Office of Personnel Management, transmitting the semiannual report for the fiscal year 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

12456. A letter from the Independent Counsel, Office of Independent Counsel, transmitting the Office's Statement Regarding Adequacy of Management Controls Systems; to the Committee on Government Reform and Oversight.

12457. A letter from the Director, United States Trade and Development Agency, transmitting a consolidated report covering both audits and internal management activities, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

12458. A letter from the Secretary, Department of the Interior, transmitting the Department's final rule—Protection of Individual Privacy in Records (RIN: 1290-AA16) received October 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

12459. A letter from the Director, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the St. Andrew Beach House (RIN: 1010-AA05) received January 1, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

12460. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Rule to List the Toppelina Shiner as Endangered (RIN: 1018-AE41) received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

12461. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Rule to List the Toppelina Shiner as Endangered (RIN: 1018-AE42) received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

12462. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Pot Gear in the Bering Sea and Aleutian Islands [Docket No. 971208298-8055-02; I.D. 802798A] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.


12464. A letter from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands [Docket No. 971208298-8055-02; I.D. 1112962] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

12465. A letter from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific cod in the Bering Sea and Aleutian Islands [Docket No. 971208298-8055-02; I.D. 1112962] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

12466. A letter from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands [Docket No. 971208298-8055-02; I.D. 1112962] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

12467. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands [Docket No. 971208298-8055-02; I.D. 1112962] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

12468. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the Department's annual report on the Asset Forfeiture Program Fiscal Year 1994, pursuant to 28 U.S.C. 524(c)(16)(A); to the Committee on the Judiciary.

12469. A letter from the Independent Counsel, Office of Independent Counsel, transmitting the annual report for the Office of Independent Counsel-Barrett, pursuant to 28 U.S.C. 595(a)(2); to the Committee on the Judiciary.

12470. A letter from the Director, Federal Bureau of Prisons, Department of Justice, transmitting the Department's final rule—Designation of Offenses Subject to Sex Offender Release Notification [BOP--1009-1] (RIN: 1120-AA85) received December 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

12471. A letter from the Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Visas: Grounds of Ineligibility [Public Notice 29100] received October 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

12472. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Documentation of Immigrants under the Immigration and Nationality Act—International Organization and Nato Civilians Pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

12473. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—VISAs: Passports and Visas Not Required for Certain Final Rulemaking—WVP [Public Notice 2939] received November 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

12474. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Visas: Grounds of Ineligibility [Public Notice 29100] received October 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

12475. A letter from the Senior Attorney, Federal Register Certifying Officer, Financial Management Service, transmitting the final rule revising the Department's regulations for liquidating the obligations of the Government of the People's Democratic Republic of China and the Governments of the People's Republic of Vietnam and the Socialist Republic of Cambodia; to the Committee on Government Reform and Oversight.

12476. A letter from the Commissioner, Immigration and Naturalization Service, transmitting the final rule revising the Department's regulations for liquidating the obligations of the Government of the People's Democratic Republic of China and the Governments of the People's Republic of Vietnam and the Socialist Republic of Cambodia; to the Committee on Government Reform and Oversight.

12477. A letter from the Chief Justice, Judicial Conference of the United States, transmitting the biennial report to Congress on the continuing need for all authorized bankruptcy judgeships; to the Committee on the Judiciary.

12478. A letter from the Corporation Agent, Legion of Valor of the United States of America, Inc., transmitting the annual audit of the Corporation's records for the years ending June 30, 2000, and June 30, 2001; to the Committee on Transportation and Infrastructure.

12479. A letter from the Secretary, Department of the Army, transmitting a recommendation by the Secretary of the Army to authorize a flood damage reduction project for Rio Nigua

12512. A letter from the General Counsel, Department of Transportation, transmitting the Department’s final rule—Federal Aviation Administration; Airworthiness Directives; Boeing Model 767 Series Airplanes [Docket No. 97-NM-39-AD; Amendment 39-10868; AD 96-23-05] (RIN: 2120-AA64) received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12522. A letter from the General Counsel, Department of Transportation, transmitting the Department’s final rule—Federal Aviation Administration; Standard Instrument Approach Procedures; Miscellaneous Amendments; [Docket No. 29380; Amdt. No. 1989] (RIN: 2120-AA65) received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12523. A letter from the General Counsel, Department of Transportation, transmitting the Department’s final rule—Federal Aviation Administration; Standard Instrument Approach Procedures; Miscellaneous Amendments; [Docket No. 29381; Amdt. No. 1990] (RIN: 2120-AA65) received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12524. A letter from the General Counsel, Department of Transportation, transmitting the Department’s final rule—Federal Aviation Administration; Airworthiness Directives; Airbus Model A321-111, -112, and -115 Helicopters [Docket No. 98-SW-44-AD; Amendment 39-10924; AD 98-25-02] (RIN: 2120-AA65) received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12525. A letter from the General Counsel, Department of Transportation, transmitting the Department’s final rule—Federal Aviation Administration; Airworthiness Directives; General Electric Aircraft Engines Series Turbofan and Turbojet Engines [Docket No. 98-ANE-60115 (RIN: 2120-AA66) received November 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12526. A letter from the General Counsel, Department of Transportation, transmitting the Department’s final rule—Federal Aviation Administration; Revision to Class E Airspace: Unalakleet, AK [Airspace Docket No. 98-AA10] received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12527. A letter from the General Counsel, Department of Transportation, transmitting the Department’s final rule—Federal Aviation Administration; Revision to Class E Airspace: Reno, NV [Airspace Docket No. 98-AWP-23] received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12528. A letter from the General Counsel, Department of Transportation, transmitting the Department’s final rule—Federal Aviation Administration; Airworthiness Directives: Enterprise Brasileira de Aeronautica [Docket No. 98-NM-666-05] (RIN: 2120-AA66) received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12529. A letter from the General Counsel, Department of Transportation, transmitting the Department’s final rule—Federal Aviation Administration; Airworthiness Directives: Empresa Brasileira de Aeronautica [Docket No. 98-NM-666-05] (RIN: 2120-AA66) received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12530. A letter from the General Counsel, Department of Transportation, transmitting the Department’s final rule—Amendment to Class E Airspace: Wellington, KS [Airspace Docket No. 98-AEC-42] received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.
12571. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Department's final rule—Unemployment Insurance Program Letter No. 3-98, Change 2 (RIN: 12571-0277) received December 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.


12573. A letter from the Assistant Secretary of Labor, Department of Labor, transmitting the Department's final rule—Unemployment Insurance Program Letter No. 3-96, Change 2 (RIN: 12572-0275) received December 7, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.


FIRST LADY HILLARY RODHAM CLINTON DELIVERS ELEANOR ROOSEVELT LECTURE AT GEORGETOWN UNIVERSITY—ADDRESS FOCUSES ON THE 50TH ANNIVERSARY OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

HON. TOM LANTOS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, December 18, 1998

Mr. LANTOS. Mr. Speaker, just a few days ago, our First Lady, Hillary Rodham Clinton, delivered the first of the Eleanor Roosevelt Lectures sponsored by the Eleanor Roosevelt Center at Val-Kill at Hyde Park, New York. The address was given here in Washington, D.C., at Georgetown University, and I had the honor of being present on that occasion. It was particularly appropriate, Mr. Speaker, that our outstanding First Lady should pay tribute to her predecessor, Eleanor Roose-velt, whose active involvement in civil rights, human rights and other worthy causes set the standard for first ladies who followed her.

Mr. Speaker, it was particularly appropriate that Mrs. Clinton devoted much of her lecture to the issue of human rights. The speech was given on December 4—less than a week before the 50th anniversary of the signing of the Universal Declaration of Human Rights. Eleanor Roosevelt was the chair of the United Na-tions Human Rights Commission, which drafted the Universal Declaration over half a decade ago. Most appropriately in her address, Hillary Clinton has put the struggle for human rights into a contemporary context. She reviewed her own extensive experience in dealing with child labor, religious persecution, the sexual ex-propriation of women and children, hunger and malnutrition, the abuse and murder of street chil-dren, and other serious issues. I commend our First Lady for her commitment to fight for human rights. Mr. Speaker, I submit her lecture at Georgetown University to be placed in the RECORD, and I urge my col-leagues to give it the thoughtful and careful at-tention that it deserves.

REMARKS BY HILLARY RODHAM CLINTON, GEORGETOWN UNIVERSITY, ELEANOR ROOSEVELT LECTURES, WASHINGTON, DC—DECEMBER 4, 1998 (AS DELIVERED)

I am delighted to be here at this wonderful university. I want to thank my friend and your president, Father O’Donovan, for his introduction, for his leadership, for his many contributions. Not only here to this university but to the much broader American community as well.

I am delighted to be here with others, from whom you will hear as the program goes on. Dr. Glen Johnson from Val-Kill and Dr. Dorothy Brown and Dr. Sue Martin, Ambas-sador Betty King and Dr. McGrath and Dr. Miltnik . . . and your own Dr. Jo Ann Moran Cruz and Tracy Roosevelt.

This is a very important first lecture and a very significant series that was undertaken by the Eleanor Roosevelt Center at Val-Kill at Hyde Park in New York. I am very hon-ored to be taking part in this extraordinary undertaking, but to be a part of something that preserves the legacy of Eleanor Roosevelt. That gives new genera-tions of all of us, men and women, here in America and around the world, an oppor-tunity to know more about this extraor-dinary woman.

What I wish to discuss this afternoon is how Eleanor Roosevelt’s legacy as a person, as a leader, as someone who in her own way makes human rights part of our everyday ex-perience and vocabulary, how she can help today to continue to guide us in protecting the human rights of all people, and, in par-ticular, of children. I believe that this is an important piece of unfinished business in our century and one of the challenges of the new millennium. It is of course more than fitting to have this firstconversation about human rights as this great university and commu-nity—one which has always responded to the call of service, God, and humanity. It is the home, as Father O’Donovan just reminded us, of a student community that sends more than one thousand a year into Peace Corps work worldwide. To the schools and neighborhoods bringing math, and reading, and role model-ing, and friendship, and a hug to some of our nation’s most vulnerable children. It is the home of a brilliant faculty that has devoted their lives to their students, to scholarship, to service, to the university, and in some other activity, Georgetown continues to make an important mark on what we are as a people, how we define ourselves now and in the future. It is not I who have heard of the many distinguished women who have used the Jesuit ethos of service in this world, from Mark Gearan who sends Peace Corps volunteers to every corner of the Earth, to George Mitchell who helped bring peace to Northern Ireland, from my husband, to my Chief of Staff Melanne Verveer who is with me here today.

Now, as you might imagine, being some-what in awe of this great university which has produced so many important people and whose traditions, its contributions to our country, I thought I needed to discuss this speech with Eleanor Roosevelt. (laughter and applause) When I first told her that I would hold some of these imaginary conversations with Mrs. Roose-velt, there were some—particularly, I must say, in the journalistic community—who thought they finally had irrefutable evidence that I’d gone off the deep end. (laughter) Well, I only can commend to you this imagi-nary conversation technique—whether it is with the parent, a grandparent or a beloved former teacher or a famous person—it does help to get your ideas straight because you say, “What would my grandmother say about this?” or “What would my favorite author say about this?” or “What would a des-parately tried to prevent me from dangling particiles, have to say about this?” So talk-ing to Mrs. Roosevelt, even in my imagin-a- tion, has been a source of strength and inspiration. You can imagine some of the situations I find myself in when I say, “Oh my good gracious, what would Mrs. Roosevelt think about this?”

As anyone can tell you, particularly my daughter, I am technologically challenged. But I decided in preparation for this speech to try a more modern, more acceptable way of communicating. So, first I tried to email her at eroosevelt@heaven.com, but I think the server was down. I tried calling on her home phone, but she was not home. Then I tried paging her but was told she had trav-eled to another part of Heaven to work with a group of angels on strike, and that I would need a universal skypage to get through to her.

So there I was last night, I got home from New York late, worried about what I was going to say, staring at some print when I realized that her life has already given us the guidance we need on today’s topic so many times over. Not just some in-spirational words that we might hear in our minds, in our imaginary conversations such as, “The thing to remember is to do the thing you think you cannot do.” But also in her example, in the path that she created, in the life that she lived. Wherever I go as First Lady, I am always reminded of one thing: that usually, Eleanor Roosevelt has been there before. I’ve been to farms in Iowa and factories in Michigan, welfare offices in New York, where Mrs. Roosevelt paid a visit more than half a century ago. When I went to India and Pakistan and India, Eleanor Roosevelt had been there in 1952, and had written a book about her experiences.

So I was particularly honored when I re-ceived the Eleanor Roosevelt Center Gold Medal at Val-Kill. A beautiful wooded re-treat where she went to entertain friends and to think and to write. And I walked through her home and I tried to imagine again how she worked tirelessly there for what she believed in. And I was told a story that I’ve never forgotten. It was a day in the 1950s and she had a speech to give in New York. She was so sick that her throat was literally bleeding. Everyone wanted her to cancel, but she refused. She drove from Hyde Park to 125th Street in Harlem. And when she got out of the car, a young girl with her face bandaging her handed her a bouquet of flow-ers. Eleanor Roosevelt turned to the person with her and said, “You see, I had to come. She was expecting me.”

Well, they were always expecting her and she always came. She always supported and to give a voice to those without either. To the migrant workers who watched her march through fields that had been newly plowed. They would just matter-of-factly greet her by say-ing, “Oh Mrs. Roosevelt, you’ve come to see us.” As if it were the most natural thing in the world. To the Jappen-American Americans dur-ing World War II and to African Americans every day during her long life, she would help support people who faced discrimination and challenges.

And another of my favorite stories is of an Af-rican American child, a first grader, whose mother worked in a laundry mat. His father was a truck driver who worked odd jobs. They lived in a tin shack without any foun-dation so every time it raned their house slid down the hill. They told me to Elea-nor Roosevelt telling her that his house was literally falling down a hill. So she went to Kentucky, set up a meeting with the heads of the realty association and the banks, and said, “Look, I am not only helping getting his house on much firmer footing, but also eventu-ally integrated housing in Lexington, Kentucky. The next year in the mail, he sent her second story saying, “with a passion Mrs. Roosevelt
and she carried it with her to remind her of the power of the Declaration of Human Rights. She always signed her name, "Eleanor Roosevelt," on the Declaration. She believed that the Declaration was a worldwide response to evil, and she always tried to give credit where credit was due. She also believed that every human being had the right to vote. She worked tirelessly from 1946 to 1948 to achieve this goal. Today, we must remember the power of the Declaration and the importance of human rights. We must continue to work towards a world in which all people are treated with dignity and respect. The Declaration is not just a piece of paper; it is a living document that guides our actions and decisions. The rights it outlines are fundamental to our humanity, and we must always strive to uphold them. The Declaration is a powerful tool that can be used to bring about change and to protect the rights of all people. We must continue to work towards a world in which the Declaration is upheld and respected, and where every person is treated with dignity and respect. 
doing very well at all. There are old foés like malnutrition and malaria and new foés like trafficking and child prostitutes and laborors. There is still a long distance for us to travel.

Over the last few weeks I randomly had pulled headlines from around the world. From somewhere in Ethiopia it was "Fearful Pilgrimage." In Bangladesh, "The Plight of Street Children." In Nairobi, "Poverty Blamed for Child Labor." Eleanor Roosevelt certainly did not point to children's rights going far beyond simply responding to the images we see on TV, or that reach us through the Internet or the newspaper. She asked us, "What is it I can do? Is it only that I can ask others to do? How can I move my government, my church, my friends forward to do more for the children?"

I think there are some very specific ways we can bear witness and things we can do to support those children whose lives are much better today than they were 50 years ago, or who face new challenges—like being kidnapped, or being forced into combat—that we didn't even dream of 50 years ago. We have to understand that we can't just be satisfied by giving children help and nutrition for emergencies. We have to look at root causes, and the role played by our government, by our development agencies like USAID, by international organizations such as UNICEF. And it is particularly important that we respond to the needs of the children here in our country, at this time of prosperity and peace. Americans have so many blessings, but there are even those among us who are being left out.

If we talk about human rights and freedoms we have to ask ourselves, "What does that mean to the 7 million children who still die every year because of malnutrition?" What does it mean to the 585,000 women who still die of childbirth complications or the girls who are fed last and fed least because they are not valued as much as their brothers?

What meaning can it have for a child who does not have access to school or for one who is shut out at school? We know that education, especially for girls, is the single best investment any country can make. It is what will give children a better future, keep them out of the labor market before they're ready, and keep them off the streets. And if 140 million primary school age children are not in school—60 percent of that 140 million are girls. We have seen first-hand the obstacles, the cultural and economic obstacles that stand in the way of sending girls to school. In a small village outside of Lahore, Pakistan I visited with mothers who had sent their daughters to local primary school, and now they had daughters who had graduated who wanted to go on with their education, but there was no secondary school. I've met with families in Bangladesh, where in return for food and money permitted their daughters to go to school. It was a bribe, but it was a bribe for a good reason.

I've also visited places where child labor is the norm not the exception and, as Eleanor Roosevelt said when she championed the Child Labor Act, "If you own your own property, you have the right to use it as you like. If not, it is a problem of the past. It should not be excused by saying that parents need money. And we should not close our eyes to children that are not given the beautiful carpets or comfortable running shoes because the fact remains that one quarter of the children in the developing world, 120 million, work full time. It's a very difficult problem because many of them are the sole support of their families often with many other siblings, or they're helping to supplement the hard earned income of a father.

The new face of child labor also includes things that I don't think Eleanor Roosevelt even thought to worry about. Girls are being sold as part of an international trade in human beings from the Middle East to Central America. It is estimated that there are 250,000 children in Haiti alone who are virtually enslaved as domestic servants and are forced to work for the house and there is a source of cheap labor. The types of labor children are subjected to in this new global economy have not been confined to these feet. The children are being used as instruments of war. The children are being used as human shields. The girls are sent into slave labor environments. We've met in Uganda—Janet, Issac and Betty. When we met in Uganda—Janet, Issac and Betty recently in Uganda they have been kidnapped by perpetrators who are forced into doing whatever it is that they're being forced into doing. Those children who are being used as instruments of war? From the young girls systematically raped in Bosnia, to the quarter of a million children soldiers around the world.

Who will speak today for the two million children that have been in conflict in the last two decades, with six million seriously injured or permanently disabled, the one million left without parents or the twelve million left without homes? The majority of these children are women, and children, and civilians—people who are picked on as victims, who are kidnapped by perpetrators, who are forced into being forced and those children who are being used as instruments of war? From the young girls systematically raped in Bosnia, to the quarter of a million child soldiers around the world.

When we think about what is happening with these tens of millions of children around the world, we can only forget that there are still children here in Washington, DC and throughout America that need their human rights protected as well. We should not, for example, condemn the violence that these children in Kosovo and turn away from it on the streets of Washington. We cannot morn the death of those children killed in war, and simultaneously allow childless children here, or raise our voices about children out of school in Guatemala and close our mouths when young people who don't have money, food, and education then have money so they could be housed, and fed and given food, and educated—children who have been the subject of a raid by the rebels who crossed the Sudanese border, who had taken the school, tied the girls up, beaten them, and killed them. And then you see how even those children who are picked on as victims, are protected by the voice of the people.

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Another story from Eleanor Roosevelt. She once talked about receiving a letter from an African American boy who had taken a drink out of what was then considered the wrong water fountain because he was beaten up for it. He sent her the cup he had used to get the water and explained what happened. She not only kept that cup, she carried it around with her. All of all the work yet to be done. I wish we each had some little talisman that we could carry around with us, that would remind us everyday of the work still to be done. I remember all the children who are victims and desertion. We try not to put them here at Georgetown. We try to protect the rights of others by standing against stereotyping of any person or group of people.

I hope we remember the children toiling in glass and shoe factories as we work to fulfill the promises and one day ratify the United Nations Convention on the Rights of the Child. I hope we continue to do all that we can to help promote democracy around the world to make sure that all children have a voice that will be heard from the ballot box, and even the soap box, so they can speak out on behalf of the needs of their children. We know they can accomplish more than we do, even implement new laws. We have to teach people that they do have rights, and how to exercise them.

I was particularly pleased by an American-funded project I saw recently in Senegal. Where out in the villages they’re learning about democracy, they’re acting out skits. Someone stands up and expresses an opinion and then another stands up and they discuss it and take a vote on it. The rudiments of democracy. And in this skit are both men and women standing up, and as a result of that democracy skit one small village, after talking about issues that affected them—health, the education of their children—to put an end to female circumcision. That was a very brave decision. They convinced people in the village that it should be done, and they put it to a vote and they voted for it. And then, two men in their village went from their village to other villages and started talking to the people in the other villages and explaining that they had read the Koran and there was nothing in it that talked about this. It was nothing but growing up to give us a chance to think and live up to their own God-given potential.

As we look forward to the next fifty years, we will face many challenges and opportunities. It was almost 50 years ago that Eleanor Roosevelt spoke about this. She spoke about democracy and human rights to a group of students, both high school and college students, in New York. As I listen to the words still ring true today. She said, “Imagine it’s you people gathered here in this room who are going to do a great deal of the thinking and the actual doing because a good many of us are not going to see the end of this period. You are going to live in a dangerous world for quite a while I guess, but let’s go on with the job.” She went on to say, “God interests, in New York. As we listen to her those words still ring true today. She said, “Imagine it’s you people gathered here in this room who are going to do a great deal of the thinking and the actual doing because a good many of us are not going to see the end of this period. You are going to live in a dangerous world for quite a while I guess, but let’s go on with the job.”

Those words are just as true for this generation of students as they were fifty years ago for the ones that Eleanor Roosevelt spoke to. I go back to that first story, despite how sick she was, she showed up and took that bouquet of flowers from that young girl. “You see,” she said, “I had to come, she wanted me to come.” I wish you courage to face yourselves and when you know what you really want to fight for, in order to gain a peace, then I wish for you imagination and understanding. God bless you. May you win.”

Think about, as we go forward into Advent and celebrate this Christmas season, about a grandmother left all of us and that any one of us could carry it around. The same kind of lines are found at stores all over—particularly when Krispy Kremes are hot off the conveyor belt that moves them along as they are frosted and prepared for customers. Nowhere are Krispy Kremes more prominent than in the chic Chelsea area of Manhattan, the home of some of America’s most rich and famous doughnut lovers. New York Yankee owner George Steinbrenner is a customer. So is actress Lauren Bacall and flamboyant talk-show host known as Rupaul. Mr. McAleer led a group of franchise owners to buy Krispy Kreme from Beatrice Food Co. in 1982, and in the late 1980s the business began an aggressive expansion program that transformed it from a regional icon to an emerging national chain. His sons now operate the company from corporate headquarters in Winston Salem, North Carolina, although Krispy Kreme remains an inextricable part of American culture.

Indeed it’s said that when mourners visited the funeral home this week to pay their respects, they were served—what else?—Krispy Kreme doughnuts. Stories like this will only enhance Mr. McAleer’s sweet legacy for years to come.

TRIBUTE TO RAYMOND “KENT” RICHARDSON, SR.

HON. JERRY WELLER
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES
Friday, December 18, 1998

Mr. WELLER. Mr. Speaker, I come to the well today with the sad news of the passing of
Raymond “Kent” Richardson, Sr. of Streator, Illinois on December 8, 1998. Born 81 years ago in Tonica, Illinois, Mr. Richardson was a life long resident of the 11th Congressional district and was active in many community activities.

Mr. Richardson graduated from Tonica High School in 1934. He worked as a truck driver for Melvin Trucking in Streator, Illinois and was elected as the President for the Teamsters Local #722, where he served in the interest of local workers for 15 years until his retirement.

Mr. Speaker, perhaps more importantly, Mr. Richardson served his country with honor in the Pacific Theatre during World War II as a Sergeant with the United States Marine Corps 11th Amphibious Tractor Battalion. Because of his service to his country, Mr. Richardson was a life member of the VFW Post #1492 in Streator. Additionally Mr. Richardson was a member of American Legion Post #217 in Streator, a life member of the Marine Corps League and a 50 year member of the Masonic Lodge #364 in Tonica.

Mr. Speaker, on behalf of the entire House I offer my heart felt condolences to Kent’s wife Marjorie and the entire Richardson family and I wish them the best this holiday season.

EXPRESSING UNEQUIVOCAL SUPPORT FOR MEN AND WOMEN OF OUR ARMED FORCES CURRENTLY CARRYING OUT MISSIONS IN AND AROUND PERSIAN GULF REGION

SPEECH OF
HON. JOHN CONYERS, JR. OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, December 17, 1998

Mr. CONYERS. Mr. Speaker, last night the president ordered an American missile attack on Iraq. Going to war is one of the most serious decisions that Congress can make, and that is why I chose to not take this vote lightly. As a veteran and a Member of Congress, I will honor our troops by working to keep them out of harm’s way and the world at peace.

I am convinced that the effect of H. Res. 612 will be for Congress to abandon its proper role on deciding when to go to war, one of the greatest issues of Constitutional importance. This act of war being undertaken raises many questions in my mind. How long does the bombing need to go on before the executive will obtain congressional authority? At what point will we deem the bombing a success? What are our goals in the bombing? If the stated goal of the bombing is to destroy weapons of mass destruction, then that is what this resolution should have declared.

The United Nations must remain a central component of our policy toward Iraq. I believe it is extremely dangerous to carry out this bombing without the full support of our allies. Failing to do so not only undermines our trust internationally, it also denies our troops the additional military support they deserve. In addition, I do not believe that it is up to the United States to unilaterally determine what constitutes a violation of United Nations Security Council Resolutions. That role properly resides with the UN Security Council. China, Russia and France are already outraged with the American decision to interpret the resolution unilaterally.

I am also concerned because this bombing campaign will in effect, if not intent, abandon UNSCOM, the special commission created after the Gulf War to carry out weapons inspections. What will our new disarmament policy be? And how will we conduct inspections, since, as the Pentagon has pointed out, much of the inspection equipment will be destroyed? UNSCOM is an imperfect tool, but it is a necessary tool.

This resolution affirms that it should be the policy of the United States to overthrow Saddam Hussein. Members of Congress need to know if this means that our troops will remain engaged in combat until that happens.

If overthrowing the government is a reference to a massive covert operation, I would point out that the record of such undertaking in Iraq is not comforting. The New York Times has called the proposed operation an “expensive fantasy,” and I think there are a lot of serious problems to consider. For one, we’re not sure if the opposition in Southern Iraq actually controls any territory or how united they are. I also doubt that we will be able to get our allies in the region to endorse the overt overthrow of the Government of Iraq, however unpopular that government may be among our friends and the Iraqi people. Kuwait has insisted that any covert action should be part of a larger policy, including one that better addresses the humanitarian crisis in Iraq. Otherwise it is unsustainable.

Most critically, when we get down to life or death decisions during a covert action, how far will U.S. support be willing to go? Can I imagine some horrible scenarios if the U.S. is asked to help the Iraqi resistance if their rebellion appears to be failing. Haven’t we been down this road before?

We need to keep the United Nations at center stage, and reinvent a vigorous weapons inspection regime that facilitates disarmament in the Middle East. We need to build political support in Iraq and in the region by revisiting the economic sanctions that have caused a great humanitarian disaster. Most importantly, all of these efforts must be the product of a clear and strong international consensus.

COMMUNITY SERVICE LEADER CYNTHIA ECKHART

HON. ILEANA ROSLEHTINEN OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Friday, December 18, 1998

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to pay a tribute to an outstanding citizen; a leader who places others before herself and a fine lady who has dedicated her life to community service and to improving the lives of others, Ms. Cynthia Eckhart.

For the past eight years, Cynthia has expressed and demonstrated genuine concern for various social issues affecting South Florida and has committed herself to improving the quality of life for many South Floridians. Although her presence is not always highly visible, her efforts for the Miami community are strongly felt. Cynthia has devoted herself to raising funds for charities such as improving the health care for our community, where she has assisted in the allocation of funds for leukemia and various cancer research. She has had the grand opportunity to serve as the Chair of a school’s auction, where she was able to raise $87,000 to provide quality, private school tuition for many of South Florida’s underprivileged and less fortunate children.

On November 6th, 1998, I was privileged to speak at the 45th annual gala for Beaux Arts of the Lowe Art Museum at The University of Miami. There I witnessed first-hand Cynthia’s dedication and contributions to our community. The beautifully conducted gala that Cynthia organized raised generous funds to provide permanent acquisitions for the Lowe Art Museum. As Chairman of this gala, Cynthia raised an additional charitable amount to be used to fund visits to the museum and educational art programs for children of low-income families. It is Cynthia’s unselfish and loving nature that has enabled many underprivileged youth to be introduced and encouraged in pursuing culture in the world of the arts.

Cynthia’s involvement in our community is exemplary of a committed and concerned individual who seeks to extend a helping hand to those in need. In giving much of her time, her energy and herself, Cynthia continues to be a true leader, an inspiration to many, and an example to all. South Florida is grateful and proud of her many accomplishments and service to our community. We wish her the very best for continued success!

TRIBUTE TO J. REESE PHIFER

HON. SONNY CALLAHAN OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Friday, December 18, 1998

Mr. CALLAHAN. Mr. Speaker, I rise today to pay tribute to one of Alabama’s most outstanding business leaders, the late J. Reese Phifer, who recently passed away in his hometown of Tuscaloosa. With your permission, I would like to enter into the CONGRESSIONAL RECORD an article that appeared in the New York Times which noted Mr. Phifer’s many contributions, not only to America, but in service to the greater community as a whole. Mr. Phifer was a noted civic leader and philanthropist, and his death leaves a void, not only to his family, but to his beloved state and nation. The article is entitled: “J. Reese Phifer, 82, Founder of Aluminum Screen Empire”;

J. Reese Phifer, who turned a tiny aluminum screen factory into a business that dominates its worldwide market, died on Sunday at DCH Regional Medical Center in Tuscaloosa. He was 82.

Phifer Wire Products Inc., which was stated in 1952 in an old warehouse by Mr. Phifer, a lawyer with no previous manufacturing experience, now employs more than 1,000 people to produce more than half the world’s aluminum insect screening and more than 60 percent of the world’s fiberglass insect screening.

The company that Mr. Phifer founded also produces Sunscreen, which block out solar rays and reduce heat, and Phifertex, a vinyl coating used on outdoor furniture.
He earned a bachelor's degree in commerce and a law degree from the University of Alabama. He also learned to fly airplanes which would later play an important role in his business. "He set up a law practice and trained French and British Pilots in Tuscaloosa County when World War II broke out," said his brother, Joseph Tyler Phifer, of Tuscaloosa. Later Mr. Phifer ferried airplanes needed in the war effort from the United States to Europe.

After the war, he resumed his law practice, but he sought new challenges. "He told me that he wanted to get into manufacturing," his brother said. "He said that's where the money was. He looked all over for something that wasn't manufactured in the South. He came up with screen because we use more screen in the south than anywhere else."

Once he started the Phifer Aluminum Screen Company in 1952, Mr. Phifer did a little of everything. "He was doing the selling himself," Joseph Phifer said. "He'd get in the plane and sell the wire and then come home and help make it. He had a little bitty office with one secretary and the guy who helped him set up the looms."

The company was renamed Phifer Wire Products in 1956. In 1973, the company moved to its current site, and has experienced almost constant expansion.

Though he preferred to keep a low profile, Mr. Phifer was also widely known as a civic leader and philanthropist. In honor of his contributions to the University of Alabama, the university's trustees renamed the old student union building Reese Phifer Hall in 1991. It now houses the School of Communication. He also received an honorary doctorate from the university in 1984.

In 1964, Mr. Phifer established the Reese Phifer, Jr. Memorial Trust, a charitable arm of the university in 1984.

In addition to his brother, Mr. Phifer is survived by his wife, Sue Clarkson Phifer of Tuscaloosa, three daughters, Beverly Clarkson and her children, Hailey and Skyler, now have a home. This year, I was privileged to lend my support to three houses in my district, but without this support, assistance and generosity of the above-mentioned individuals, the lives of the new homeowners, Julie, Hailey and Skyler Hartig, are haunted. We cannot sit idly by and do nothing. Judge Higginbotham believed that the law was the vehicle to right the wrongs he experienced growing up under segregation. Accord- ing to Judge Higginbotham, the battles that Judge Higginbotham often recounted, the President of Purdue University flatly told him in his freshman year of college that the school was not required under law to provide black students with heated dormitories and, therefore, never would. The Judge said that particular experience persuaded him to become a lawyer.

Judge Higginbotham was committed to a practice of law which he viewed as a commitment to social justice. He held deep convictions and continually fought for the underdog. He argued for justice and fairness. Judge Higginbotham was a friend to members of the Congressional Black Caucus. He was always available with an analysis of the issue that only he could articulate. Judge Higginbotham helped us with many projects after his retirement from the bench. The most notable was in the operation of an appeal brief in the voting rights case *Shaw v. Reno*.

Judge Higginbotham was a frequent witness here on Capitol Hill. His most recent testimony was two weeks ago, Tuesday, December 1, 1998, in front of the House Judiciary Committee.

As Judge Higginbotham often did, Judge Higginbotham provided clear, insightful testimony. In his opening statement, he asked the Members to listen to “Luther Standing Bear, a member of the Lakota Tribe, who said, ‘Thought comes before speech’ when dealing with one of the most important constitutional issues which this committee will ever have, to pause and to give thought before you speak and before you vote,” true words have never been spoken. "I am pleased to have broken protocol at the end of Judge Higginbotham’s opening statement to give him a rousing round of applause. Who would have thought this would be the last time I would see this great man alive?"

Recently Judge Higginbotham has stated that he felt many of the advances he had applauded over his long legal career were endangered by the cutbacks in affirmative action and reduced opportunities for black lawyers and judges. He further stated in an article in The New York Times Magazine, “I witnessed the birth of racial justice in the Supreme Court and here now, after 45 years as a lawyer, judge and law professor, I sometimes feel as if I am watching justice die.”

When I read today that Judge Higginbotham’s first meeting with former Supreme Court Justice, Thurgood Marshall was during the ominous *Sweatt vs. Paine* Supreme Court case, I realized his previous statement was hauntingly true. The 1950 case was about whether the court should compel the state of Texas to admit a black student to the University of Texas for admission above their affirmative action rules. It scares me, as it scared Judge Higginbotham to see this happen right before my eyes.

I have long been a proponent of affirmative action, but I am even more resolute in my fight to ensure the continuation of affirmative action to make Judge A. Leon Higginbotham’s legacy is never abandoned. We cannot sit idly by and allow affirmative action in the United States to thor, historian and professor in addition to his stellar twenty-nine year career on the federal bench.
Mr. VENTO. Mr. Speaker, I rise today to honor and commend the work of a tireless brother from the House of Labor in my district, Louie Greengard. Mr. Greengard recently retired as the president of the Saint Paul Trades and Labor Assembly, the AFL–CIO central body my district.

In 1969, Louie Greengard began his trades career as a carpenter. Elected Recording Secretary of the Carpenters and Joiners Local 87 in 1977, Greengard advanced to the position of Business Agent in 1982. In 1988, his carpenter sisters and brothers elected him as Executive Secretary of the Carpenters District Council. One year later, in 1989, Louie Greengard was elected President of the Saint Paul Trades and Labor Assembly. He served in this capacity until his recent retirement late this year.

I’ve been pleased to work with Louie Greengard on a wide variety of issues, all advancing the working people’s interests and concerns. I know Greengard as a hard-working, strong, fair, effective servant of labor in all walks of life and work; advocating for working families’ wages, benefits, and an innovative service network; leading the Trades and Labor Assembly through good times and bad. Highlights include organizing innumerable Saint Paul Winter Carnival Parade units for the Assembly; coordinating labor’s participation in the United Way campaigns; drawing Minnesota’s oldest labor newspaper, The Union Advocate, under the trades and Labor Assembly’s aegis; successfully lobbying for Saint Paul’s half-cent sales tax, creating a fund for community reinvestment and redevelopment; guiding the Assembly’s participation in challenging election cycles; advocating strongly and forcefully for working families; and always working to bring people together for the common good.

With Mr. Greengard’s retirement on November 11, 1998, he has, no doubt, plans to use his richly-deserved free time to restore a few more classic cars; spend more time with his wonderful family, his spouse Jan, his 5 children and 12 grandchildren; spend more time with his faithful basset hound, Jake; and bask in the friendship and warm sunshine of southern winters chasing fish and golf balls.

Louie Greengard is a great example of those who ably, confidently and successfully lead the house of labor. We are all richer for those who ably, confidently and successfully lead the house of labor. We are all richer for the leadership and tireless advocacy of working women and men. I’m honored to represent him and earn the support of working men and women in our state. It is with heartfelt thanks and gratitude that I wish him the best of health and a well deserved retirement.

Mr. Lockman generously volunteered his construction expertise to guide volunteers with varying degrees of experience to construct the home. Not only did Jerry donate his vast knowledge, but his time and tools too.

Families selected to receive a Habitat for Humanity home are required to contribute many hours of their “sweat equity” to the construction of their future home. Mr. Lockman’s sweat equity, his dedication, hard work and long hours are what I recognize and honor today. His investment in this home, neighborhood, Charlotte community. Eaton Area Habitat for Humanity, and perhaps most importantly, the lives of the new homeowners, Julie, Hailey and Skyler Hartig, is to be commended.

Many of my colleagues have been involved in the construction of a Habitat for Humanity home. This year, I was privileged enough to lend my support to three houses in my district. I could not have attempted to help build these homes without the drive, support and assistance of good people like Mr. Jerry Lockman.

The Honorable Speaker of the House, Newt Gingrich, perhaps summed it up best when we kicked off the “House That Congress Built” project last year. “When you help a family grow, as well as build a house—when you watch the sense of ownership—you understand why this is a great program.”

The Theology of the Hammer, a guiding principle of Habitat, is an appropriate way to describe Jerry’s efforts. This theology emphasizes partnerships, bringing people together from all different social, racial, religious, political, and education backgrounds, to work together for a common goal. This was never more apparent than working at the Charlotte home site. People were brought together in the spirit of friendship and teamwork, and personal differences didn’t matter. Mr. Lockman embodies the spirit of volunteerism and caring that fuel so many organizations like Habitat for Humanity, allowing them to do all the good things they do for others in need in our communities and around the world.

Habitat is founded on the conviction that every man, woman and child should have a simple, decent, affordable place to live, grow and raise their families. Because of Jerry Lockman and others, the Julie Hartig family now has such a place to call home.

My wife Bonnie and I would like to offer Jerry our most sincere thanks for his dedicated volunteerism and assistance in helping build the Eaton Area Habitat for Humanity’s the “House That Congress Built,” at 521 Monroe, Charlotte.
and criticism from our government and the United Kingdom, Germany, and the United Nations. The world realizes that introducing sophisticated antiaircraft missiles and powerful air surveillance radar into the fragile Cyprus peace would dangerously raise tensions between Greek and Turkish Cypriots, and between Greece and Turkey.

Even though Russia is a permanent member of the United Nations Security Council, it seemingly flouts numerous Security Council resolutions and United Nations efforts to defuse the tensions in Cyprus. Indeed, just last Friday, U.N. Security General called 300 sales in his report to the Security Council recommending renewal of the U.N. peacekeeping force in Cyprus.

Even Greece argued for an alternative; place the S-300s on the Greek island of Crete instead of Cyprus. Although not an optimal solution, this alternative at least would have kept the missiles out of the immediate crisis zone.

United States Ambassador Kenneth Brill endorsed such an idea, stating in the press that the United States would like to see the missiles removed from Cyprus.

President Clerides of the Republic of Cyprus rejected the Greek plan. In press statements, he tried to downplay the missile crisis, calling it but one issue of many regarding security. This is quite an understatement, as the missiles could reach as far as Israel. The introduction of these missiles creates a real risk of wider conflict in the eastern Mediterranean.

More disappointing was Russia’s reaction to the United States. Russia’s reaction was more defensive, more ominous—and insulting. Russia condemned Mr. Brill’s statement as “unfriendly”, and formally rebuked our diplomats in Moscow for interfering in what Russia labels an exclusively commercial and bilateral deal. The Russian Ambassador to Cyprus responded by saying that Russia is “nobody’s colony.”

The Russians appear to have mistaken diplomacy for interference, and arms sales for acts of sovereignty. International prestige comes from settling crises, not provoking them. With power comes responsibility. The best way for Russia to show it remains important on the world stage is to act responsibly, to work for a solution to the military tension on Cyprus rather than inflame it for financial gain.

It is unclear why Russia has taken this course at a time when it hopes for foreign aid to help ease its deep financial crisis. Russia risks damaged ties with the U.S., international condemnation, and the disruption of commerce in the Mediterranean. What is the motive? From the missile sale: trying to divide NATO members; posturing against Israel and its expanding ties to Turkey; or asserting a bold Russian presence abroad to divert attention from problems at home? Certainly none of these reasons should be worth damaging relations with the international community—or provoking instability in Cyprus.

We should expect higher standards of conduct from Russia, a permanent member of the U.N. Security Council. Further, its treatment of United States diplomats, who are working to find solutions to a crisis which everyone except the Greek Cypriots and Russia want to resolve, is unacceptable.

The Administration needs to more forcefully persuade the Russian leadership to halt the sale. The President must take a hard line against Russia’s treatment of United States diplomatic efforts and personnel, and their efforts to thwart the will of the international community. The U.S. and international community must not take sides in the Cyprus matter, but work for an honest and fair solution for both sides of the island.

Stry sales to one party can only lead to further deterioration and a more difficult road for peace-makers in the international community.

BIOMEDICAL RESEARCH COULD SAVE MEDICARE

HON. RANDY “DUKE” CUNNINGHAM
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1998

Mr. CUNNINGHAM. Mr. Speaker, I rise once again to encourage my colleagues to continue supporting increased funding levels for the National Institutes of Health (NIH). This funding is critical for biomedical research that benefits all Americans. It improves quality of life.

San Diego County is a leader in the field of biomedical research. One of our local champions for medical research is Dr. Lawrence Goldstein, an investigator in the Howard Hughes Medical Institute and a professor in the Division of Cellular and Molecular Medicine and Department of Pharmacology at the UCSD School of Medicine. I submit an article from the San Diego Union Tribune in which Dr. Goldstein suggests that biomedical research could save the Medicine Trust Fund from bankruptcy.

[From the San Diego Union Tribune, Dec. 11, 1998]

MEDICARE CURE: BIOMEDICAL RESEARCH?

(By Lawrence S. Goldstein)

While not obvious, part of the solution to the impending Medicare crisis may be greater federal investment in biomedical research. This surprising conclusion was recently suggested by a series of studies from Dr. Kenneth Manton and colleagues at Duke University. They analyzed the incidence of disability among the elderly between 1982 and 1994 and found that it fell steadily every year.

One of the major factors driving these consistent declines in disability appears to be biomedical research, which ultimately leads to improved health care for elderly and other patients. Effectively, this means that biomedical research helps us to do a little bit better every year at keeping the elderly productive, active and healthy and often helping to keep them out of institutions.

The story, however, gets better since keeping the elderly actively engaged in daily life not only keeps them, their children and grandchildren happier, but also saves our country large amounts of money that would otherwise pay for physical support and nursing homes.

Little wonder that the federal government, with the strong bipartisan leadership and support of members of our local congressional delegation—"Duke" Cunningham, Brian Bilbray and Bob Filner—increased biomedical research funding for the National Institutes of Health by 15 percent this past year.

There are important long-term implications of these studies for our society and the benefits it may reap from biomedical research. Imagine for a moment that the incidence of disability among the elderly in 1994 had been that of 1982. Manton and colleagues estimate that this would have meant that millions more elderly could have been living in nursing homes in 1994 than actually were.

This would cost $17 billion more in 1994 than was actually spent (assuming that typical nursing home care cost in 1994 was $40,000). Compared to the actual 1994 Medical expenditures of 167 billion dollars, this is a significant savings, just by keeping these seniors out of nursing homes. These estimated annual savings, per diem costs and the residence alone are also larger than the National budget for all biomedical research supported through the NIH (15 billion dollars this coming year).

Imagine, on the other hand, that we could slightly improve the annual rate of decline in disability. Manton estimates that if we could increase the rate of decline from the current 1.2 percent per year to 1.5 percent per year, this small change could completely change future projections for Medicare expenditures and lead to solvency in 2028 instead of bankruptcy.

Although part of the puzzle to reducing health care costs for the elderly and every one else is by more efficient delivery of medical care, most of our physicians are already working as hard as they can. Indeed, at this point, I think that the potential for increasing the efficiency can be wrung out of the delivery side of the medical system without sacrificing quality.

A better and more cost-effective route for reducing health care costs in the long run is biomedical research. Such research is the best way to understand the causes of disease, to ensure that the most appropriate treatments are delivered and that we find the best methods of support for the ill. Better understanding of the causes of acute or chronic diseases leads to better prevention, treatment and even cure. Important improvements in lifestyle and diet are also guided by research, which tells us what changes matter the most and what changes are unnecessary or even damaging.

Finally, research can tell us what therapies are most valuable in each situation, and it can tell us how to apply them in the best and most cost-effective manner. Combined, improvements in health care directly from research can lead to significant declines in disability among the elderly.

Last year, the Senate unanimously passed a resolution in favor of doubling the budget of the NIH in the next five years, even in a time when government reduction is widely supported. The House has been entertaining a similar resolution, and most of our local representatives have signed on as co-sponsors.

They have done so for good reason. What these members realize is that increased biomedical research will not only help us solve our health problems and save Medicare, but, it is one of the most cost-effective long-term investments to achieve these goals.

Let us encourage our representatives in this quest and make biomedical research our No. 1 priority as we enter the next millennium. Our children and grandchildren, as they enjoy our healthier company in the years to come.

Goldstein is an investigator in the Howard Hughes Medical Institute and a professor in the Division of Cellular and Molecular Medicine and Department of Pharmacology at the UCSD School of Medicine.
I think it is good that this body of leaders have individually and collectively committed to do something about our problem, on a local basis in a positive way. These are the people that stand for what is right, even if it isn’t cool.

How did we get where we are today, we ask. All too often we believe as do the experts, the secular humanists, who believe that we are our own God, who have told us throughout sixty and seventies that we are entitled, each individual to do whatever we please, and that it doesn’t feel good, do it until it does. Let me tell you about those kind of experts. These are the intelligentsia, the people of our heritage and spiritual underpinnings as old fashioned, out of date and out of step with the current politically correct thinking. These are the Hollywood icons, the so-called prophets by Godless, shameless, money mongers who would sell their mother to Satan for money. They are masters of the glitz and the glamour and deceit. They fill their television and movie screens with the images of lifestyles and behaviors, always without consequences, that feeds our prideful spirits. A treemly active and supportive in the maintenance of the Ronald McDonald House of West Georgia, of which he is Chairman.

It was because of his concern over the content of broadcast programming for children that Mr. Pezold bought his first television station. In the ensuing years, he worked to provide a high quality of viewing from this media which has such an impact on growing children. Although he no longer owns his stations, he continues his efforts in support of actions and programs which will build character and integrity, self-discipline, and a love for one’s family as well. Therefore, it was particularly appropriate for Jack Pezold to provide the keynote address to the adults and young people involved in “Red Ribbon Week.” Because his remarks which uphold the need for character, honor and integrity are so pertinent to our debate in Congress today, I submit them for the record so that we may all be free to do the right thing.”

Mr. Jack Pezold was chosen to be the keynote speaker. Mr. Pezold has been an extremely active member of the Columbus community and has set an example which should be an inspiration to young people.

Although Mr. Pezold has been very successful in his business endeavors, it is his altruistic activities for which he will longer be appreciated and remembered. Mr. Pezold has been a major contributor to the “Drug Free You and Me” program in the Muscogee County schools for many years. He also has contributed his time and plane to fly for the “Angel Flights” program, an organization which flies sick children and their families to different cities for medical treatment. In addition, he is Honorary Chairman of the Children’s Miracle Network. He is involved with the Partners in Education Program, and this year purchased a portable classroom for the school, in addition to the other things he does for the school throughout the year. Mr. Pezold is extremely active and supportive in the maintenance of the Ronald McDonald House of West Georgia, of which he is Chairman.

The event brings together and encourages the community, but particularly in our schools. It allows the students to see and hear what others have to offer as well. It is a powerful and beautiful and gifted and smart and admired and loved and one of the marvellous positive adjectives that our vocabulary can command.

The event brings together and encourages the community, but particularly in our schools.
The choice is ours. Our freedom demands the choice be made. We need to be bigger than our individual selves in the here and now and look at what is best for our children’s future. What legacy are we going to leave for them, that we stood up for the Biblical standards of moral character, of right from wrong, of honesty, integrity, and righteousness and pass on this high threshold of absolute standards. Are we going to pass on to our children the slippery slope of a declining empire whose inhabitants are so consumed in themselves that they fail to recognize the worth of our heritage, the very moral fabric which sustains our freedom in this country. Can we long endure this slide? Is there not a bottom to every fall? Are there not consequences?

Ladies and Gentlemen, I want to challenge each of you today, to go out of this facility committed to embrace the faith of our forefathers and share the standards and ideals of rightness with our children, grandchildren, students, employees, and co-workers. I truly believe that God will honor our efforts by blessing and rewarding us and our community. Your reward will surely be exceeded by many, many magnitudes, the small sacrifices which you have made. Thank you for the opportunity to be with you today and may God continue to bless you and your family.
Friday, December 18, 1998

Daily Digest

Senate

Chamber Action

The Senate was not in session today. It is next scheduled to meet on Wednesday, January 6, 1999 at 12 noon.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Bills Introduced: 1 resolution, H. Res 613, was introduced.

Reports Filed: Reports were filed as follows:

Filed on December 17, 1998, Summary of Legislative and Oversight Activities of the Committee on Transportation and Infrastructure for the 105th Congress (H. Rept. 105-831); and

Legislative and Oversight Activities of the Committee on Ways and Means During the 105th Congress (H. Rept. 105-832).

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative LaHood to act as Speaker Pro Tempore for today.

Question of Privilege: The Chair ruled that H. Res. 613, submitted by Representative Holmes Norton, did not constitute a question of the privileges of the House.

Motion to Adjourn: The House rejected the Bonior motion to adjourn by a yea and nay vote of 183 yea and 225 nays, Roll No. 540.

Impeaching William Jefferson Clinton, President of the United States: The House began consideration of H. Res. 611, Impeaching William Jefferson Clinton, President of the United States, for high crimes and misdemeanors. Pursuant to the order of the House, consideration will resume on Saturday, December 19.

Unanimous Consent Order: Agreed that during further consideration of House Resolution 611, 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 exceed beyond 10:00 p.m. tonight, equally divided at the outset 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 adjourn to meet at 9 a.m. on Saturday, December 19.

Division of the Question: Agreed to a division of the question by Article of Impeachment contained in House Resolution 611.

Quorum Calls—Votes: One yea and nay vote developed during the proceedings of the House today and
appears on pages H 11773–74. There were no quorum calls.

**Adjournment:** The House met at 9 a.m. and adjourned at 10 p.m.

**Committee Meetings**

No committee meetings were held.
Next Meeting of the SENATE
12 noon, Wednesday, January 6
Senate Chamber
Program for Wednesday: To be announced.

Next Meeting of the HOUSE OF REPRESENTATIVES
9 a.m., Saturday, December 19
House Chamber
Program for Saturday: Complete consideration of H. Res. 611, Impeaching William Jefferson Clinton, President of the United States, for high crimes and misdemeanors.

Extensions of Remarks, as inserted in this issue

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