

arrived in Nashville later that evening and went directly to the hospital. His son was born the next morning.

It was at this point that Hal D. Hardin, the United States Attorney in Nashville, stepped up to the plate. Hardin, a "yellow dog" Democrat, had been appointed United States Attorney by President Jimmy Carter in July 1977. Prior to that appointment, he had been the widely respected presiding judge on the Circuit Court for Davidson County. In fact, Governor Blanton himself had placed Mr. Hardin on the bench in 1975. Despite Governor Blanton's protestations that the "clemency for cash" investigation was a partisan Republican conspiracy, Hardin had been involved with the investigation for more than a year.

Mr. Hardin had learned from a confidential source that Governor Blanton was preparing to issue clemencies for 18 to 20 more prisoners who were implicated in the ongoing "clemency for cash" investigation. Rather than waiting for events to unfold, Mr. Hardin, without the knowledge of the FBI or his staff, telephoned Lamar Alexander on the morning of January 17, 1979. He told Alexander that he was calling as a Tennessean and explained that he had received reliable information that Governor Blanton was preparing to issue additional clemencies, and he recommended that the Governor-elect consider taking office three days early in what Lamar Alexander later described as a "swift and secret coup."

Lamar Alexander had high regard for Hal Hardin. However, rather than acting on his own, he asked Hardin relay the information to Speaker McWherter, Lieutenant Governor Wilder, and General Leech. Hardin placed separate telephone calls to Speaker McWherter and Lieutenant Governor Wilder. He suggested a meeting among the three of them. Speaker McWherter and Lieutenant Governor Wilder decided against the meeting because they were concerned that a private meeting might violate the Sunshine Law. Instead, they asked him to meet with General Leech. Mr. Hardin telephoned General Leech, and a short time later, General Leech and two senior members of his staff met with Mr. Hardin in a hotel room across the street from the federal courthouse that Hardin had rented under an assumed name. Both Hardin and Leech understood that they had been given the responsibility to chart a course of action for the leaders of state government. The discussion was tense and sometime heated despite their close personal and professional relationship. For several hours, they reviewed Opinion No. 79-3 and eventually determined that the original opinion was correct. They also discussed how Governor Blanton might react and formulated contingency plans. When the meeting concluded, both General Leech and Mr. Hardin agreed to advise the state officials that the only way to prevent Governor Blanton from issuing more clemencies would be for Lamar Alexander to take the oath of office immediately.

Mr. Hardin returned to his office following the meeting in the hotel room. General Leech telephoned Lamar Alexander. He told the Governor-elect that despite his earlier misgivings about Opinion No. 79-3, he was now convinced that state law permitted the Governor-elect to assume office before the inauguration and that removing Governor Blanton from office was not only appropriate but necessary. Then General Leech met with Speaker McWherter and Lieutenant Governor Wilder and reiterated what he had told the Governor-elect. The legislative leaders were convinced that Governor Blanton should be removed from office, and Speaker McWherter telephoned Lamar Alexander and told him, "It's time for leadership . . . We will support you."

Numerous telephone conversations involving Lamar Alexander, Speaker McWherter, Lieutenant Governor Wilder, and General Leech followed.

They agreed that bipartisanship was essential and that Tennessee's citizens should understand that Tennessee's elected leaders were united in this decision. They decided that the legislative leaders, the constitutional officers, and the Attorney General—all Democrats—should be present at the ceremony, and they agreed on a statement that Alexander would read before he took the oath of office. They also decided that the ceremony should take place in the courtroom at the Supreme Court Building in Nashville and that Chief Justice Joseph Henry, also a Democrat, should be invited to administer the oath of office.

Shortly after 5:00 p.m., Speaker McWherter, Lieutenant Governor Wilder, the constitutional officers, and the members of the media walked from the Legislative Plaza to the Supreme Court. They were joined there by Lamar Alexander, his family, and several of Alexander's senior advisors. Chief Justice Henry administered the oath. The somber ceremony lasted six minutes. The press conference that followed lasted much longer. It was not lost on the media that the new governor was a Republican while most of the other officials involved in the ceremony were Democrats. One television reporter attempted to obtain a partisan comment from Speaker McWherter. However, Speaker McWherter, who would later serve as Governor with distinction, cut the reporter short saying, "Let me say to you. First, I'm a Tennessean, and I think this is in the interest of Tennessee regardless of the party."

Just before the ceremony began, General Leech telephoned Governor Blanton to inform him he was no longer Governor. Following the call, Governor Blanton complained that "there was no courtesy extended to me today." Agents of the FBI circulated through the Capitol serving grand jury subpoenas on Governor Blanton's staff. Hal Hardin decided not to attend the ceremony. Rather than remaining in his office, he went for a long drive to be alone with his thoughts and to reflect on the events of the day.

As soon as the ceremony ended, several senior members of now Governor Alexander's staff made their way to the Capitol to secure the Governor's office. They found Governor Blanton's lawyer in his office preparing clemency papers for 30 more prisoners. Lewis R. Donelson, a Memphis lawyer who had already been named as the new Commissioner of Finance and Administration, refused to permit the lawyer to leave the building with the papers. When Governor Blanton telephoned to question his authority, Mr. Donelson replied that he was acting "by the authority of the new governor." In response to Governor Blanton's assertion that he was still the governor, Mr. Donelson replied, "Not anymore."

A full discussion of the aftermath of the events of January 17, 1979 must await another day. Governor Alexander appointed Fred Thompson as special counsel to oversee his Administration's response to the clemency crisis. Governor Alexander's formal inauguration took place as planned on January 20, 1979. For the second time, Governor Alexander took the oath administered by Chief Justice Henry in the presence of Speaker McWherter, Lieutenant Governor Wilder and the constitutional officers. While litigation in the federal and state court would follow, the transition of governmental power proceeded with bipartisan dignity. Governor Alexander announced that "today ought to be a happy one because the people and their government are back together again."

Courage does not always draw attention to itself. Hal Hardin did not attend the inauguration. Bill Leech was present but did not play a prominent role in the ceremonies. While Lamar Alexander, Ned Ray McWherter, and John Wilder deserve credit for their personal courage and decisive demonstration of bipartisanship, the principal figures in this political drama agree that the events of January 17, 1979 would not have unfolded the way they did had it not been for Hal Hardin and Bill Leech. These lawyers placed the rule of law and governmental integrity ahead of political expediency and personal reputation. In the words of Speaker McWherter, they were Tennesseans first and their actions sprang from their desire to protect the interests of all Tennesseans, regardless of party.

Mr. ALEXANDER. I thank the Senator from Washington. I yield the floor.

MORNING BUSINESS

Mrs. MURRAY. I ask unanimous consent the Senate now proceed to Morning Business with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LIEBERMAN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPPLEMENTAL APPROPRIATIONS

Mr. LIEBERMAN. Madam President, I rise to speak in support of the amendment to strike section 1315 of the supplemental appropriations bill now before the Senate. The motion to strike was proposed earlier today by the Senator from Mississippi, Mr. COCHRAN. I am honored to be a cosponsor of it. I wish to explain to my colleagues why I am cosponsoring it.

This is a bill that is quite necessary to the funding of our military effort in Iraq and more broadly. The bill has kind of grown like Topsy and has a lot of other stuff in it. Maybe I am reflecting on the fact that I am going to see my grandchildren soon. One of my favorite Dr. Seuss books is about Thidwick the moose. Thidwick is a glorious moose with large antlers. Various creatures in the forest begin to occupy, ultimately quite unjustifiably, Thidwick's antlers until they fall off. There are parts of this supplemental appropriations bill that in my opinion, respectfully, do not belong there. Most significant of those is section 1315, which our motion would strike.

Section 1315 would order a withdrawal of American troops in Iraq to begin 120 days after passage, regardless of conditions on the ground, regardless of the recommendations of General Petraeus, regardless of the opinions of our partners in Iraq and throughout