

criminal trial (H. Res. 499, 100th Cong., Aug. 3, 1988, p. 20206). No trial in the Senate was had before the adjournment of the 100th Congress. In the 101st Congress, the House reappointed managers to conduct this impeachment in the Senate (Jan. 3, 1989, p. 84); the Senate began its deliberations on March 15, 1989 (p. 4219); conviction and removal from office occurred on October 20, 1989 (p. 25335). Also in the 101st Congress, the Senate convicted Federal district judge Walter L. Nixon on two of the three impeachment charges brought against him (Nov. 3, 1989, p. 27101). For further discussion of the continuance of impeachment proceedings in a succeeding Congress, see § 620, *infra*.

In 1998 the House agreed to a privileged resolution reported from the Committee on Rules, referring to the Committee on the Judiciary a communication from an independent counsel transmitting under 28 U.S.C. 595(c) evidence of possible impeachable offenses by President Clinton, and restricting access to the communication and to meetings and hearings thereon (H. Res. 525, Sept. 11, 1998, p. —). Later, the House adopted a privileged resolution reported from the Committee on the Judiciary authorizing an impeachment inquiry by that committee and investing it with special investigative authorities to facilitate the inquiry (H. Res. 581, Oct. 8, 1998, p. —). The Committee on the Judiciary filed with the House a privileged report accompanying a resolution containing four articles of impeachment against President Clinton that alleged: (1) the President gave perjurious, false, and misleading testimony to a grand jury; (2) the President gave perjurious, false, and misleading testimony in a Federal civil action; (3) the President prevented, obstructed, and impeded the administration of justice relating to a Federal civil action; and (4) the President abused his office, impaired the administration of justice, and contravened the authority of the legislative branch by his response to 81 written questions submitted by the Committee on the Judiciary (H. Res. 611, Dec. 17, 1998, p. —). The chairman of the Committee on the Judiciary called up the resolution on December 18, 1998 (p. —). A resolution offered from the floor to permit the Delegate of the District of Columbia to vote on the articles of impeachment was held not to constitute a question of the privileges of the House under rule IX (Dec. 18, 1998, p. —). To a privileged resolution of impeachment, an amendment proposing instead censure, which is not privileged, was held not germane (Dec. 19, 1998, p. —).

For further discussion of impeachment proceedings, see §§ 601–620, *infra*; § 31, *supra*, and Deschler, ch. 14.

ARTICLE III.

SECTION 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from

§ 177. The judges, their terms, and compensation.

time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

SECTION 2. ¹The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;— to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State;—between Citizens of different States;—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

Decisions of the Supreme Court involving legislative standing to bring cases in Federal court include *Coleman v. Miller*, 307 U.S. 433 (1939); *Goldwater v. Carter*, 444 U.S. 996 (1979); *Allen v. Wright*, 468 U.S. 737 (1984); *Whitmore v. Arkansas*, 495 U.S. 149 (1990); and, most recently, *Raines v. Byrd*, 521 U.S. 811 (1997), holding that Member plaintiffs must have alleged a “personal stake” in having an actual injury redressed, rather than an “institutional injury” that is “abstract and widely dispersed.”

²In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall

§ 178a. Decisions of the Court on legislative standing.
§ 179. Original and appellate jurisdiction of the Supreme Court.

