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.

The SPEAKER pro tempore. The gentlewoman from the District of Columbia is recognized.

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 removal of the 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 authority to grant me this right at this time.

Clause 2 of the 23rd amendment gives the House the power to enforce the amendment through legislation. My resolution is that legislation. The District clause, as this body so often reminds us, gives Members full authority over the District of Columbia, and the impeachment clause gives Members unilateral authority, or the sole power of impeachment.

The 23rd amendment explicitly treats the District as a State for purposes of electing the President and the Vice President.

I ask for this right in the name of half a million people, the only Americans who pay Federal income taxes who do not have full representation in the Congress. They are a third per capita in Federal income taxes. Their one right that is explicitly mentioned in the Constitution is the right to vote for President and Vice President.

The decision to expel a President from office is as important as the decision to elect the President to office. Indeed, the decision to expel him is more 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 whether to impeach a President.

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, Mr. Speaker.

Mr. Speaker, today I introduce a resolution affording the District of Columbia Delegate a vote in impeachment proceedings. The House is fully empowered to enact my resolution under Article I, §2, clause 5 of the Constitution (stating that the "House of Representatives . . . shall have the sole Power of Impeachment"); the Twenty-Third Amendment

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affording the people of the District of Columbia the right to vote for President of the United States; and Article I, §8, clause 17 of the Constitution affording Congress plenary power over the District of Columbia.

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 District population will be the only community of American citizens who participated in the 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 Delegate to the House of Representatives a vote in the House impeachment process on the House floor. The Supreme Court has liberally construed enforcement clauses in all of the suffrage amendments to vindicate the broad and central constitutional purpose of securing equal voting and participation rights for all Americans.

The Twenty-Third Amendment put 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 Delegate a vote on 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 does not contradict 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 liberally to secure the inclusion of once disenfrachised 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 provides that, "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 powers because the Senate 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.'"

Just as the Senate has the "sole power" 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 trail, "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 vote in Committee of the Whole deliberations, a decision upheld against constitutional attack in Michel 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 1, 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 rather 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 judgement in this field. The Court said: "It was well within congressional authority to say that this need of the Puerto Rican minority for the vote warranted federal intrusion upon any state interests served by the English literacy requirement. It was for Congress, as the branch that made this judgement, to assess and weigh the various conflicting considerations . . ."

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 [the] end'" of enforcing Equal Protection 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 the Congress the power to act to vindicate voting interests even where a particular statutory result is not constitutionally required. In South Carolina versus Katzenbach, the Court upheld Congress' power under Section 2 of the Fifteenth Amendment to enact the Voting Rights Act of 1965, which included a ban on literacy tests, the requirement that new voting rules must be precleared, and the use of federal voting examiners. The Court stated that "Congress has full remedial powers to effectuate the constitutional prohibition against racial discrimination in voting." These powers are defined in these terms: "Whatever legislation is appropriate, that is, adapted to carry out the objects the [Reconstruction] amendments have 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

five years. Using a mere rationality test, the court found that Congress could rationally have found that these measures were needed to attack the perpetuation of racial discrimination. In City of Rome versus United States, the Court upheld Congress' Section 2 power to ban electoral changes that are discriminatory in effect intentional discrimination in voting. Thus, the Court found 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 1, Section 8, Clause 17 of the Constitution, provides that Congress shall exercise "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. There is thus ample constitutional basis for Congress having the final authority to define the meaning of the Twenty-third amendment, given that this is a "case" involving the District. The courts, at any rate, would, in all likelihood, treat this matter as a political question solely within the legislative competence, as impeachment is clearly a political question, as determined by the Supreme Court in *Nixon* versus *United States*, 506 U.S. 224 (1993).

The SPEAKER pro tempore. Are there other Members who wish to be heard?

The Chair is prepared to rule. The resolution offered by the gentlewoman from the District of Columbia seeks to provide the Delegate from the District of Columbia the right to vote in the House on a resolution of impeachment.

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 of debate but not of voting.

Under rule XII of the rules of the House, the right of a Delegate to vote is confined to committee. The Chair will state a basic principle on proper questions of privilege as recorded on page 366 of the House Rules and Manual.

A question of the privileges of the House may not be invoked to affect a change in the rules or 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.

MOTION TO ADJOURN

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 question is on the motion to adjourn offered by the gentleman from Michigan (Mr. BONIOR).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

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

A recorded vote was ordered.

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

[Roll No. 540]

AYES—183

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hilliard
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Kanjorski
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sánchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Thompson
Thurman
Tierney
Traficant
Turner
Velázquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Woolsey
Wynn
Yates

NOES—225

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McHale
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Morella
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Thomas
Thornberry
Thune
Tiahrt
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (FL)

NOT VOTING—26

Allen
Becerra
Brown (FL)
Crane
Emerson
Gonzalez
Gordon
Hefner
Hinchey
Johnson (WI)
Kaptur
Kennedy (MA)
Lipinski
Manton
Martinez
McDade
Miller (CA)
Oberstar
Owens
Pryce (OH)
Schaefer, Dan
Taylor (NC)
Torres
Towns
Wise
Young (AK)

□ 0927

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

Mr. BERMAN changed his vote from "no" to "aye."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

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

Mr. HYDE. Mr. Speaker, by direction of the Committee on the Judiciary, I call up a privileged Resolution (H. Res. 611) impeaching William Jefferson Clinton, President of the United States, for high crimes and misdemeanors, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 611

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

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

ARTICLE I

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

On August 17, 1998, William Jefferson Clinton swore to tell the truth, the whole truth, and nothing but the truth before a Federal grand jury of the United States. Contrary to that oath, William Jefferson Clinton willfully provided perjurious, false and misleading testimony to the grand jury concerning one or more of the following: (1) the nature and details of his relationship with a subordinate Government employee; (2) prior perjurious, false and misleading testimony he gave in a Federal civil rights action brought against him; (3) prior false and misleading statements he allowed his attorney to make 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 brought disrepute on the Presidency, has betrayed his trust as President, and has acted in a manner subversive of the rule of law and justice, to the manifest injury of the people of the United States.

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

ARTICLE II

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

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

(2) On January 17, 1998, William Jefferson Clinton swore under oath to tell the truth, the whole truth, and nothing but the truth in a deposition given as part of a Federal civil rights action brought against him. Contrary to that oath, William Jefferson Clinton willfully provided perjurious, false and misleading testimony in response to questions deemed relevant by a Federal judge concerning the nature and details of his relationship with a subordinate Government employee, his knowledge of that employee's involvement and participation in the civil rights action brought against him, and his corrupt efforts to influence the testimony of that employee.

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

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

ARTICLE 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, 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 delay, impede, cover up, and conceal the existence of evidence and testimony related to a Federal civil rights action brought against him in a duly instituted judicial proceeding.

The means used to implement this course of conduct or scheme included one or more of the following acts:

(1) On or about December 17, 1997, William Jefferson Clinton corruptly encouraged a witness in a Federal civil rights action brought against him to execute a sworn affidavit in that proceeding that he knew to be perjurious, false and misleading.

(2) On or about December 17, 1997, William Jefferson Clinton corruptly encouraged a witness in a Federal civil rights action brought against him to give perjurious, false and misleading testimony if and when called to testify personally in that proceeding.

(3) On or about December 28, 1997, William Jefferson Clinton corruptly engaged in, encouraged, or supported a scheme to conceal evidence that had been subpoenaed in a Federal civil rights action brought against him.

(4) Beginning on or about December 7, 1997, and continuing through and including January 14, 1998, William Jefferson Clinton intensified and succeeded in an effort to secure job assistance to a witness in a Federal civil rights action brought against him in order to corruptly prevent the truthful testimony of that witness in that proceeding at a time when the truthful testimony of that witness would have been harmful to him.

(5) On January 17, 1998, at his deposition in a Federal civil rights action brought against him, William Jefferson Clinton corruptly allowed his attorney to make false and misleading statements to a Federal judge characterizing an affidavit, in order to prevent questioning deemed relevant by the judge. Such false and misleading statements were subsequently acknowledged by his attorney in a communication to that judge.

(6) On or about January 18 and January 20–21, 1998, William Jefferson Clinton related a false and misleading account of events relevant to a Federal civil rights action brought against him to a potential witness in that proceeding, in order to corruptly influence the testimony of that witness.

(7) On or about January 21, 23 and 26, 1998, William Jefferson Clinton made false and misleading statements to potential witnesses in a Federal grand jury proceeding in order to corruptly influence the testimony of those witnesses. The false and misleading statements made by William Jefferson Clinton were repeated by the witnesses to the grand jury, causing the grand jury to receive false and misleading information.

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

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

ARTICLE IV

Using the powers and influence of the office of President of the United States, William Jefferson Clinton, in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in disregard of his constitutional duty to take care that the laws be faithfully executed, has engaged in conduct that resulted in misuse and abuse of his high office, impaired the due and proper administration of justice and the conduct of lawful inquiries, and contravened the authority of the legislative branch and the truth seeking purpose of a coordinate investigative proceeding, in that, as President, William Jefferson Clinton refused and failed to respond to certain written requests for admission and willfully made perjurious, false and misleading sworn statements in response to certain written requests for admission propounded to him as part of the impeachment inquiry authorized by the House of Representatives of the Congress of the United States. William Jefferson Clinton, in refusing and failing to respond and in 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 Jefferson Clinton has undermined the integrity of his office, has brought disrepute on the Presidency, has betrayed his trust as President, and has acted in a manner subversive of the rule of law and justice, to the manifest injury of the people of the United States.

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

The SPEAKER pro tempore (Mr. LAHOOD). The resolution constitutes a question of the privileges of the House and may be considered at this time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would like to read an announcement to all Members.

Today the House will embark on a resolution of impeachment of the President of the United States. The Chair would take this occasion to make an announcement regarding proper decorum during debate in the House during the pendency of the impeachment resolution.

As the Speaker announced, with the concurrence of the minority leader, on September 10, 1998, during the pendency of proceedings in an impeachment as the pending business on the floor of the House, remarks in debate may include references to personal misconduct on the part of the President.

While limited references in debate to the personal conduct of the President are allowed, the stricture against personally offensive references is not totally disabled. To the contrary, this exception to the general rule against engaging in personality, admitting references to personal conduct when that conduct is the very question under consideration by the House, is not limited. The point was well stated on July 31, 1979, in the analogous circumstances of a disciplinary resolution involving a sitting Member:

While a wide range of discussion is permitted during debate, clause 1 of rule 14 still prohibits the use of language which is personally abusive.

This is recorded in the Deschler-Brown Procedure in the House of Representatives in chapter 12, at section 2.11.

While the impeachment matter is pending on the floor, the Chair would remind Members that although the personal conduct of the President is at issue, the rules prohibit Members from engaging in generally personal abusive language toward the President and, also, from engaging in comparisons to personal conduct of sitting Members of either House of Congress.

□ 0945

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.

GENERAL LEAVE

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 extended, and I say to 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 seoncd, 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.

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 colleague for his request, although I do not thank him that much. The gentleman has just handed to us on our side of the aisle the request that he has just read, and we have just looked at it, and we have a number of concerns with it, and if I might proceed for just a second, Mr. Speaker, I would like to enumerate our concerns and then yield, if I could, to my distinguished colleague, the gentleman from Michigan (Mr. CONYERS), for any comments that he might have?

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

Secondly, Mr. Speaker, the gentleman asks for 4 hours of debate. I have just done the math briefly here. That comes out 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, goes to the question of fairness, and we will have grave, grave concerns about agreeing to this request based on the arguments that have just been made.

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

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

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

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

Mr. HYDE. Mr. Speaker, if the gentleman from Michigan (Mr. BONIOR) is yielding to me for an answer for 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 611.

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

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 willful, 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 the President has sworn the most solemn oath to uphold. That oath constituted a compact between the President and the American people. That compact has been broken. The people's trust has been betrayed. The Nation's chief executive has shown himself unwilling or incapable of enforcing its laws, for he has corrupted the rule of law by his perjury and his obstruction of justice.

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

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

"Impeachable offenses are those which demonstrate a fundamental betrayal of public trust; they suggest the federal official has deliberately failed in his duty to uphold the Constitution and laws he was sworn to enforce."

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

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

There have been many explosions in our committee hearings on the respective role of the House and the Senate. Under the Constitution, 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 Mrs. Powel that the Founders and Framers had given us a Republic "if you can keep it," perhaps he anticipated a future time when bedrock principles of our democracy 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 with the power to shape and 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 contention of the independent counsel that the President did not tell the truth in two sworn testimonies. 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 what" 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 as though Senator Dole would become President. They propose novel remedies, like a Congressional censure that may appease some constituents and certainly mollify the press, but in my judgment betray lack of seriousness about the Constitution, the separation of 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 they called no fact witnesses and have even based a resolution of 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 humanity slowly, painfully, and at great cost evolved a form of politics in which law, not brute force, is the arbiter of our public destinies.

□ 1000

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 slaves.

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 are the heirs of a 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 stands between all of us and the arbitrary exercise of power by the state. The rule of law is the safeguard of our liberties. 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 tolerate their violation 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 lisping babe that prattles on her lap, let it be taught in the schools, in seminaries, and in colleges. Let it be written in primers, spelling books and almanacs. Let it be preached from the pulpit, proclaimed in legislative halls, and enforced in the courts of justice." So said Lincoln.

My colleagues, we have been sent here to strengthen and defend the rule of law; not to weaken it, not to attenuate it, not to disfigure it. This is not a question of perfection; it is a question of foundations. This is not a matter of setting the bar too high; it is a matter of securing the basic structure of our freedom, which is the rule of law.

No man or woman, no matter how highly placed, no matter how effective a communicator, no matter how gifted a manipulator of opinion or winner of votes, can be above the law in a democracy. That is not a council of perfection; that is a rock bottom, irreducible principle of our public life.

There is no avoiding the issue before us, much as I wish we could. We are, in one way or another, establishing the parameters of permissible presidential conduct. In creating a presidential system, the framers invested that office with extraordinary powers. If those powers are not exercised within the boundaries of the rule of law, if the President breaks the law by perjury and obstructs justice by willfully corrupting the legal system, that president must be removed from office. We cannot have one law for the ruler and another law for the ruled.

This was, once, broadly understood in our land. If that understanding is lost or if it becomes seriously eroded, the American democratic experiment and the freedom it guarantees is in jeopardy. That, and not the faith of one man, or one political party or one electoral cycle, is what we are being asked to vote on today.

In casting our votes, we should look not simply to ourselves, but to the past and to the future. Let us look back to Bunker Hill, to Concord and Lexington. Let us look across the river to Arlington Cemetery, where American heroes who gave their lives for the sake of the rule of law lie buried, and let us not betray their memory. Let us look to the future, to the children of today who are the presidents and members of Congress of the next century, and let us not crush their hope that they too will inherit a law-governed society.

Let us declare, unmistakably, that perjury and obstruction of justice disqualify a man from retaining the presidency of the United States.

There is a mountain of details which are assembled in a coherent mosaic in the committee report. It reads like a novel, only it is nonfiction, it really happened, and the corruption is compelling. Read the report and be convinced.

What we are telling you today are not the ravings are some vindictive political crusade, but a reaffirmation of a set of values that are tarnished and dim these days, but it is given to us to restore them so our Founding Fathers would be proud.

Listen, it is your country. The President is our flag-bearer. He stands out in front of our people, and the flag is falling. Catch the falling flag as we keep our appointment with history.

Mr. CONYERS. Mr. Speaker, it is our plan to recognize our leadership, and then our members of the Committee on the Judiciary, and then the rest of our distinguished membership on this side.

Mr. Speaker, I am pleased to yield three minutes to the distinguished gentleman from Missouri (Mr. GEPHARDT), our minority leader.

Mr. GEPHARDT. Mr. Speaker, this vote today is taking place on the wrong day, and we are doing it in the wrong way. I am disappointed and I am saddened by the actions of the majority, in both the timing and in the method that we are considering the most important act that the Constitution asks us to perform. The actions of the majority, in my view, show a lack of common sense and decency, and is not befitting of our beloved House.

As I said yesterday, when our young soldiers, men and women, are in harm's way, we should not be debating and considering and talking about removing our Commander in Chief. If we believed that this would go on for days and days, I could understand the decision to go forward today. I do not believe it will go on for days and days, and I believe that we send the wrong message to Saddam Hussein, to the British, to the Chinese and to the Russians, to be on the floor of this House today, when we could be here Sunday or Monday or Tuesday.

I guess I am worried also that some of us do not want to be inconvenienced. Our young people are inconvenienced today who are in the Persian Gulf. They are being shot at, and they stand in danger, and with all my heart I believe the least we could do is postpone this debate to a different day. But I know I have lost that debate and the decision has been made. We are here.

Let me address the way this is being done. But before I do that, I want to say something else. The events of the last days sadden me. We are now at the height of a cycle of the politics of negative attacks, character assassination, personal smears, of good people, decent people, worthy people. It is no wonder to me and to you that the people of our country today are cynical and indifferent and apathetic about our government and about our country. The politics of smear and slash and burn must end.

This House and this country must be based on certain basic values: Respect, trust, fairness, forgiveness. We can take an important step today back to the politics of respect and trust and fairness and forgiveness.

Let me talk about the way we are doing this and how that can be that first step. We have articles of impeachment on the floor of this House. This is the most radical act that is called for in our Constitution.

In this debate, we are being denied a vote as an alternative to impeachment for censure and condemnation of our President for the wrongful acts that we believe have been performed.

We all say that this is a vote of conscience. You get to vote your vote of conscience, and I respect that right. All we are asking for is that we get to vote our conscience. And it is not just our conscience, it is the conscience of millions of Americans who share this view.

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 the committee and through 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.

□ 1015

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, 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 a vast majority of the American 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 overturning the free choice and vote of over almost 50 million Americans. We are considering the most radical act our 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 respect for our views that we afford to you, and that we feel we deserve in our Constitution guarantees. In your effort to uphold the Constitution, you are trampling the Constitution.

In Lincoln's Gettysburg Address he prayed this prayer, that this Nation shall have a new birth of freedom, and that this government of the people, by the people, for the people should not perish from this earth. I pray today that you will open up this people's house and let the people's voice come in and let fairness reign. Thank you.

Mr. HYDE. Mr. Speaker, I yield 5 minutes to the gentleman from Arkansas (Mr. HUTCHINSON).

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

Mr. Speaker, this is not easy. In fact, it is difficult, it is unpleasant, and we would all just as soon the responsibility go aside. As our Founding Fathers warned, this is an issue that divides us and stirs the passions of the great people of this country. I know my fellow Arkansans are divided on the issue of impeachment, and for these reasons it is argued that we should find an easier way out of this present trouble, that we should put it off, we should turn aside. But as we all know, the easy way is not always the right way.

The difficult path is to follow the Constitution, but that is the oath that we all took in this Chamber, and I have faith that the path James Madison marked will lead us out of these woods.

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

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

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

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

The article specifically charges the President lied about his relationship with a subordinate employee. He provided false statements about the truthfulness of his prior testimony. He falsely testified about statements made by his attorney in the previous lawsuit. False statements were made about his efforts to corruptly influence the testimony of witnesses. And so there were perjurious statements that were given.

But what is the law? Title 18 of the United States Code makes it a felony for any citizen to willfully provide false statements to the grand jury. Now, I agree this is not a criminal case, but it illustrates that these are not lies to inquiring minds at the country club, but they are to the grand jury of the United States. The President certainly understood the gravity of his testimony and the expectation of truthfulness.

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

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

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

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

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

Mr. Speaker, I ask my colleagues to support Article I, and this resolution.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Michigan (Mr. BONIOR), the minority whip of the Congress.

Mr. BONIOR. Mr. Speaker, as I rise to speak, the men and women of America's Armed Forces are engaged in battle. Halfway around the world on ships at sea, in the skies over Baghdad, they are risking their lives for us. But even as millions of Americans across our country are hoping for a quick end to this conflict, even as we are praying for

the safety of our sons and daughters, my Republican colleagues are obsessed with a different target. They are determined to impeach the Commander in Chief of America's Armed Forces, the President of the United States. Even as the bombs are falling on Baghdad, they are trying to force him from office.

What kind of signal does this send 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.

□ 1030

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 are looking for another solution, a just solution, a solution that condemns 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 that divides us.

Censure, this is the one option the Republican leadership refuses to consider. They will not even let us vote on it. President Ford supports censure, Senator Dole supports censure, Members on both sides of the aisle support censure. I dare say if it was made in order, it would pass. Yet the Republican leadership in this House is so angry, so obsessed, so self-righteous, that they are refusing us a true vote of conscience.

This is wrong, it is unfair, it is unjust. At a time when events in the world and challenges at home demand that we stand united, censure is the one solution that can bring us together.

To my colleagues across the aisle, I say, let go of your obsession. Listen to the American people. Stop hijacking the Constitution. We should not be having this debate now while our troops are in battle. But if, if they insist on ramming this matter through at any cost, give us the opportunity, give the country the opportunity, to express themselves on censure.

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 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 unfairness of this proceeding, the timing of this action, and the merits of whether or not to impeach the President.

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

Second, the Republican majority, by starting this proceeding today, while we are engaged in military action against Saddam Hussein, sends entirely the wrong message to Saddam 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, when he initiated 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. Starting this proceeding today may wind up costing American lives.

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

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

If we make every Member of this House rumored to have been involved in an affair subject to a $40 million special prosecutor, and then hold them accountable for any misstatement of fact, we may be faced with a number of empty seats in this Chamber. We should reserve impeachment for 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, sloppy procedure, and mean-spirited partisanship.

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

Somewhere along the way, some in this House forgot that Bill Clinton is our President, not their personal enemy. The Constitution is not a license to destroy a president because one does not like him.

I believe the President's actions were reprehensible and worthy of condemnation, but the clearest, most appropriate way to send a message about this President's behavior is censure. That is what our best legal scholars say, that is what 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 he had done and threatened to do to the rights, liberties, and privileges of American citizens using the CIA, the FBI, the IRS, illegally wiretapping and auditing United States citizens. But we would not have impeached Nixon alone for lying."

Yes, let us censure the President for his misconduct, let us send a message

to our children that these actions are wrong, but let us not unfairly use the Constitution as a way to send that message.

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

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

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

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

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

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

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

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

The final point is this: Members on the other side understand that people think throwing someone out of office is too harsh. We have a stunningly illogical game going on. 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, the chairman says; 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 no 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 that impeachment as 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.

PARLIAMENTARY 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 traditonally been done on both sides of the aisle.

□ 1045

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 that formed 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 this 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 allegedly perjurious. Surely no Member of this House would want to be judged by that process. We should not judge this President by that process.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 2 minutes to the gentlewoman 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.

We 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 high crimes 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. The Republican 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 this Chamber 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. 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, to the grand jury in 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 or mixing or evasion of types of definitions and words. This was a straight interrogatory to which the President of the United States added perjurious and false answers.

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. Mr. Speaker, I might add that I want to again honor the Constitution by what we do today. I think we all share that. And while the polls seem to show one thing, they also seem to show that many people would like this President to resign, in fact a majority of the people polled. But we cannot govern this country by polls. We have to be responsible today. It is not our job to create or invent solutions beyond the authority of this House. We must match our power with the authority that the Constitution gives us.

In light of that, I want to speak briefly and add on to what the gentleman from Pennsylvania (Mr. GEKAS) has said about Article II of the impeachment articles. It is clear there is compelling testimony that in addition to the interrogatories that were answered under oath by this President, falsely, there was also testimony given that was false in the deposition that was taken after those interrogatories. On numerous occasions the President lied under oath, and there is compelling evidence that this occurred. And specifically when his attorney brought up the false affidavit of Monica Lewinsky and said that the sexual relationship term referred to meant that there was no sex of any kind, in any manner, shape or form, the President sat silently, knowing that this false affidavit was being put into this sexual harassment lawsuit. He said that he was not paying attention.

The SPEAKER pro tempore. The Chair announces that the gentleman from Wisconsin (Mr. SENSENBRENNER), on behalf of the gentleman from Illinois (Mr. HYDE), has 5 minutes remaining, and the gentleman from Michigan (Mr. CONYERS) has 11 minutes remaining.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia (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 Committee on the Judiciary 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. While the President's conduct was reprehensible, it did not threaten the Nation. It did not undermine the constitutional form and principles of our government. It did not disable the proper functioning of the constitutional duties of the presidential office. These facts simply do not meet the standard.

To misuse of impeachment power in this case, as some are now prepared to do, will create a national horror. The divisions on this subject which now exist within our society will harden and deepen. A rift and a divide will occur. There will be a polarization. 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. Today we should have our men 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.

□ 1100

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 were such an attempt by my party to remove President Bush during the Persian Gulf conflict, I would have opposed it with all of my being.

We must look at the proceeding today and seek 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 there will be a need to remove or overturn a popular election. They also knew that they must not make impeachment easy or routine. To maintain separation of powers, they set the bar of impeachment high and limited the grounds to impeachment. Initially, the framers made the great crimes of treason and bribery the only offenses worthy of impeachment. Later, at the Constitutional Convention, the standard was broadened to include "other high crimes and misdemeanors."

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

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

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

Mr. CONYERS. Mr. Speaker, I am pleased to yield 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 a crossroads, 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 course 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 a 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, his shortcomings and his failings. They, the people, elected Bill Clinton President of the United States and they want him to remain the President of the United States.

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 has no sin cast the first stone. 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 consigned 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 income 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 immaterial minutiae that the supporters of impeachment resort to titles of offenses such as perjury, without stating what the perjurious statements are.

Mr. Speaker, it is an outrage that we would attempt to overturn a national democratic election on these flimsy allegations on the very day that our young 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 nonindependent counsel report combined with a totally politicized process in the committee with party line votes on nearly every issue. And so, I want to remind my colleagues that I am witnessing the most tragic event of my career in the Congress, in effect a Republican coup d'etat, in process.

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 attempts 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 ever use impeachment again after this experience.

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

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

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

Mr. SENSENBRENNER. Mr. Speaker, is the time of the gentleman from Michigan (Mr. CONYERS) expired in this hour?

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

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

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

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

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

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

Mr. Speaker, I wish to commend the Judiciary Committee for their diligent service to the House, and to the Nation, in this difficult time.

Mr. Speaker, I intend to support the resolution impeaching President Clinton for high crimes and misdemeanors.

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

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

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

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

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

Perjury is a felony, Mr. Speaker, and it is an offense which demands impeachment.

Mr. Speaker, the rule of law, and our adherence to the rule of law, have made us the great Nation that we are today.

What kind of example do we set for the future if we do not impeach the chief law enforcement officer of the land, who happens to be an attorney, because of this type of behavior in office?

If we countenance this misconduct, what are we to say to the American citizens currently serving Federal prison sentences for perjury?

How are we to answer our children when they ask us "If the President can lie and get away with it, why can't I?"

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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 best embodiment in the absolute, the unshakeable right each one of us has to walk in a courtroom and demand the righting of a wrong.

As President John F. Kennedy so eloquently put it, "Americans are free to disagree with the law but not to disobey it. For a government of laws and not of men, no man however prominent and powerful, no mob however unruly or boisterous is entitled to defy a court of law. If this country should ever reach the point where any man or group of men, by force or threat of force, could long defy the commands of our courts and our Constitution, then no law would stand free from doubt, no

judge would be sure of his writ, and no citizen would be safe from its neighbors.'' This, Mr. Speaker, is the fundamental American right which President William Jefferson Clinton 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 a lay person obstruction 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, obstruction of justice is much more insidious, much more implied, much quieter, but nonetheless destructive of the rule of law in this country.

What is obstruction and what was the pattern of obstruction in this case? I respectfully direct the attention of each Member of this body to the United States Criminal Code, title 18, to those several provisions which set forth the principle that no man, no citizen of this land, no visitor to this land shall tamper with witnesses, seek to hide witnesses, seek to hide evidence in a case, or seek to change, modify, or prevent testimony.

Yet there is in this report and in the accompanying 60,000 pages of evidence to which Chairman HYDE alluded, evidence of a clear pattern of obstruction of justice, in violation of title 18 of the United States Code, by this President; such things as making statements to his secretary after he gave sworn testimony in an effort, a very clear effort, with no other purpose than to influence the testimony of his secretary, who most assuredly would have been and was called as a grand jury witness, evidence such as the President calling and directing one of the most powerful attorneys in this city, Mr. Vernon Jordan, after it was found out that Monica Lewinsky would indeed be and had been subpoenaed as a witness to appear before the court and directed that she be found a job.

□ 1115

Evidence such as the President, the Commander in Chief, as we have heard today, picking up a telephone at 2 a.m. in the morning, not by coincidence the very day that he found out that Ms. Lewinsky was indeed a named witness and would be a witness in the court case of Paula Jones and going over with her to reaffirm in her mind the stories, the cover stories, that they indeed had agreed to if just this calamity would befall them.

These, I submit to every Member of this House, are obstruction. They are indeed a frontal assault on our Constitution.

We have here today in Article III alone three legs of a stool, if I could borrow an analogy from the chairman of the Committee on the Judiciary. We have the Constitution, we have the United States Criminal Code as violated by this President, and we have the evidence. They support a vote for Article III of impeachment of William Jefferson Clinton for obstructing justice in America.

The SPEAKER pro tempore. All time has expired.

Mr. SENSENBRENNER. Mr. Speaker, I rise to be recognized under the hour rule.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Speaker, for purposes of debate only, I yield the customary one-half hour to the gentleman from Michigan (Mr. CONYERS). All time yielded is for the purpose of debate only.

Mr. Speaker, I yield 15 seconds to the gentleman from Florida (Mr. MCCOLLUM).

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

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 chose to lie, cover 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 picture hangs 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 starvation, been released much earlier, and not missed all those years of our lives with our families and children. But we never did. Even through all the daily torture, beatings and starvation, we never once 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 would just say, again, 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 deserves no less.

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

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

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

What began 25 years ago with Watergate as a solemn and necessary process to force a President to adhere to the rule of law has grown beyond our control so that now we are routinely using criminal accusations and scandal to win the political battles and ideological differences we cannot settle at the ballot box. It has been used with reckless abandon by both parties, Democrats and Republicans, and we are now at a point where we risk, deeply risk, wounding the Nation we all love.

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

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

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

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

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

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

That is why I leave the institution that I cherish and respect with a heavy heart. I know we are better than what we have shown.

But I fear that the road that we are on will lead us to ruin. It is time to get off.

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

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

The President of the United States last night deployed ground troops to Iraq. Just imagine, just imagine what would happen if Saddam Hussein goes into Kuwait again, and the turmoil and the loss of lives, and think about how difficult it would be to bring up a resolution like this if we waited.

There has been talk about Ramadan. Well, there is another religious holiday: Christmas. Think about how hard it would be to bring up this resolution.

If this goes beyond January 6 into a next Congress, then we have a constitutional problem. And the public, they want this over. I agree they want it over, and that is why we are proceeding on, to get it over. We would have to start this process all over again. The public does not want that I say to the gentleman from Illinois (Mr. HYDE) or the gentleman from Michigan (Mr. CONYERS); they want it done.

As a matter of fact, talk about polls; in the Washington Post poll they talked about if this article goes through, almost 60 percent of the American people would ask the President to resign. It is not for the President. It is because they do not want this thing to go on, and we are going to do that.

Mr. Speaker, I have a tape here. I would love to play it for the gentleman from Michigan (Mr. CONYERS) sometime. It is 18 SAMs (surface-to-air missiles), SA-2s, going off in pairs over Vietnam.

When we talk about at a time like this, our troops are fighting. Not once did I ever worry about what was going on in Congress. I worried about the strike mission, about where the SAMs were, where the triple A (anti-aircraft artillery) was, about getting back to my carrier alive.

They do not care what is going on here. They want this over, too. That is not a factor in this. Our men and women are fighting and dying.

I have got a friend named Bug Roach. He was flying a 25-year-old aircraft, an A–4 Skyhawk. His engine quit over Whiskey 291. It is a training area in the Pacific, west of San Diego. When he tried to eject, his seat did not work. Do my colleagues have any idea what it is like to talk to his family?

Do not cut defense any more. If my colleagues want to support our troops, do not cut defense, with the Progressive Caucus that wants to cut it an additional 50 percent. Bolster our troops.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. NADLER), a distinguished member of the Committee on the Judiciary.

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.

□ 1130

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. 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 very legitimacy of our political institutions.

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

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

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

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

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

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

Benjamin Franklin called impeachment a "substitute for assassination." It is, in fact, a peaceful procedure for protecting the nation from despots by providing 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 process on any substantive question—rejected that article. That's the historical record, and it was largely based on the belief that an impeachable offense must be an abuse of Presidential power, a "great and dangerous offense against the Nation," not perjury on a private matter.

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

The effect of impeachment is to overturn the popular will of the voters as expressed in a national election. We must not overturn an election and remove a President from office except to defend our very system of government on our constitutional liberties against a dire threat. And we must not do so without an overwhelming consensus of the American people and of their Representatives in Congress on its absolute necessity. There must never be a narrowly voted impeachment, or an impeachment substantially supported by one of our major political parties and largely opposed by the other. Such an impeachment will lack legitimacy, will produce divisiveness and bitterness in our politics for years to come, and will call into question the legitimacy of our political institutions. The American people have heard all the allegations against the President and they overwhelmingly oppose impeaching him. The people elected President Clinton. They still support him. We have no right to overturn the considered judgment of the American people.

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, but 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 absent a threat to our democracy that would justify overturning the repeated expression of their will at the ballot box. Members of Congress have no right to arrogate to themselves the power to nullify an election absent that compelling case.

The Judiciary Committee also received testimony from some outstanding former prosecutors, including the former Republican Governor of Massachusetts, William Weld, who headed up the Criminal Division of Ronald Reagan's Justice Department, who compellingly explained why all the 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 guilt or even to state clearly the charges, the Judiciary Committee received answers from the President's Counsel, Mr. Ruff, and from the Committee's Minority Counsel, Mr. Lowell this morning, in which they meticulously pointed out, using Mr. Starr's own work, how the charges were not supported, and were indeed contradicted, by the evidence Mr. Starr's own office had assembled. In fact, Mr. Starr has stated in his referral to Congress, that his own "star witness" is not credible, except when her uncorroborated testimony conflicts with the President's, and then it proves his perjury.

We have received sanctimonious lectures from the other side about the "rule of law," but the law does not permit perjury to be proved by the uncorroborated testimony of one witness. Nor does the law recognize as corroboration the fact that the witness made the same statement to several different people. You may choose to believe that the President was disingenuous, 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 paralyze the government for many months while the problems of Social Security, Medicare, a deteriorating world economy, and all our foreign concerns festered without proper attention. We cannot simply punt the duty to judge the facts to the Senate if we find mere "probable cause" that an impeachable offense may have been committed. To do so would be a derogation of our constitutional duty. The proponents of impeachment have provided no direct evidence of impeachable offenses. They rely solely on the findings of an "independent" counsel who has repeatedly mischaracterized evidence, failed to include exculpatory evidence, and consistently misstated the law. We must not be a rubber stamp for Kenneth Starr. We have been entrusted with this grave and dangerous duty by the American people, by the Constitution and by history. We must exercise that duty responsibly. At a bare minimum, that means the President's accusers must go beyond hearsay and innuendo, and beyond demands that the President prove his innocence 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 inappropriate sexual relationship with Ms. Lewinsky, and his apologies to the nation, were not abject enough, that is not a reason for impeachment. Contrition is a remedy for sin, and is certainly appropriate here. But while insufficiency of contrition may leave the soul still scarred, unexpiated 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—to indictment and prosecution when he leaves office like any other citizen, whether or not he is impeached. And if the Republican leadership allows a vote, he would likely be the third President in U.S. history, and the first since 1848, to be censured by the Congress

But impeachment is intended as a remedy to protect the nation, not as a punishment for a President.

The case is not there—there is far from sufficient evidence to support the allegations, and the allegations, even if proven, do not rise to the level of impeachable offenses. We should not dignify these articles of impeachment by sending them to the Senate. To do so would be an affront to the Constitution and would consign this House to the condemnation of history for generations to come.

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 a Speaker who had just admitted lying to Congress in an official proceeding about abuse of the Tax Laws for particular purposes. The American people are watching, and they won't forget. You may have the votes, you may have the muscle, but you lack the legitimacy of a national consensus and the Constitution. This partisan coup d'etat will go down in the history of this nation in infamy.

Mr. SENSENBRENNER. Mr. Speaker, I yield six minutes to the gentleman from South Carolina (Mr. GRAHAM).

Mr. GRAHAM. Mr. Speaker, a comment and a perspective from my point of view. Thus far the debate in this House I believe has brought honor to the House and is serving the American people well. Some of the rhetoric I disagree with, but that is what a debate is all about. I choose now to not use rhetoric, but to talk about the facts.

I will talk to you about Article IV, abuse of power, and the offenses against this institution, the Congress, by the President of the United States. It is the one article that is very similar to the Watergate impeachment of President Nixon. Article IV is very similar to Article III in the Nixon case, and I will talk about that just in a moment, but first a quick summary from my perspective of what brought us here.

What brought us here is not partisanship, but the conduct of one man who happened to be the President, who happened to be elected by the people and given the most solemn responsibility in the Nation, to be the chief law enforcement officer of the land, and he failed miserably in that responsibility and he deserves to be impeached based on what he did, not what I think about him, not how I voted, but what he did.

Article I, grand jury perjury. Mr. Speaker, remember the context in which the perjury occurred. The President several months before had given false testimony in a deposition. The President was begged by members of both parties in the House and Senate, "Mr. President, do not go into the grand jury and lie again. Do not give false or misleading or perjurious testimony again, because you put your presidency at stake; you do a disservice to this country."

Unfortunately, Mr. Speaker, based on the facts, not based on my feelings, based on overwhelming facts, the President of the United States chose in August, months after being warned not to do it, he chose to lie to a Federal grand jury. He abused the 23 citizens who were trying very hard to get it right. He abused the Federal court system. It was his fault, and no one else's.

Mr. Speaker, any President of the United States, regardless of party, that goes to a Federal grand jury in the future, let it be said by as many Members of the House that can say it, you are subject to being impeached if you do that.

Article II, who is the injured party? Consensual sex, this is colored by sex, but there is a moment in time, Mr. Speaker, where the allegations about sex were anything but consensual.

The day the President gave deposition testimony in the Paula Jones case, the allegations were far from consensual. They were rude and crude. He was put under oath, he was asked questions with a Federal judge sitting in front of him, and the injured party was Paula Jones, because he chose to lie in a sexual harassment suit. That is nonconsensual sex, the topic. He chose to deny a citizen their fair day in court. The President turned the justice system upside down on many occasions for his personal gain, and that is why we are here today.

Article III, the President of the United States, while being in a litigation matter against an average, everyday 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 litigant out of a fair day and trial. Let it be said that at anytime, anywhere, regardless of party, in the future if you do that as president, 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, authorized the Committee on the Judiciary to inquire into the allegations against the President. Mr. Speaker, we can that.

Part of that inquiry, what we chose to do was submit questions to the President to flesh out the facts. 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, misleading and perjurious testimony to the Congress as part of our inquiry.

Let me tell you how that is similar to the Nixon case. Article III of impeachment 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 oversight function to provide oversight of the President. When asked for information, Richard Nixon chose not 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 comply with the things we need to provide oversight over you."

The day Richard Nixon failed to answer 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 he became the judge and jury; and the day that William Jefferson 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. Actually, I think it is worse.

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 81 questions, and he gave the same false, misleading, unbelievable answers. William Jefferson Clinton's impeachment is based on what he did, and no one else.

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. BARRETT of Wisconsin. 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 today voted to reelect our Speaker, even though he had submitted 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 every member there 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 deny 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 display itself.

Mr. SENSENBRENNER. Mr. Speaker, I yield 45 seconds to the gentleman from Florida (Mr. CANADY).

Mr. CANADY of Florida. Mr. Speaker, I want to respond to the point that has just been made concerning the conduct of the Speaker of the House. It is inaccurate to compare the situation involving the Speaker of the House with a case that is now before us. It is admitted that the Speaker submitted inaccurate information, there is no question that that was admitted. But the Committee on Standards of Official Conduct did not find that the Speaker was guilty of intentionally submitting false information. That was a finding that was not made.

In the case before us, there is a critical distinction. In the case before us, there is overwhelming evidence that the President of the United States willfully, time after time after time, lied under oath. It is a very, very different case than the submission of inaccurate information by the Speaker.

Mr. SENSENBRENNER. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, I thank the gentleman for yielding me 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 appreciate the intentions 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 to impeachment. Congress has 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 also providing that conviction 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 intelligible language.' That they did not do so should be your only guide in this grave and sensitive matter."

□ 1145

The temptation to do anything possible to avoid exercising the awful constitutional power of impeachment is obvious and is understandably 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 unconstitutional 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 his 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 the entire spirit."

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 encroachment 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 that 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 the implicit purpose would be to shame the President, to voice disdain for his actions, which undermine the integrity of the Office of the President, to reprove his dubious, if not criminal acts, i.e., to punish.

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

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

Now, some Members of Congress are arguing that censuring the President is a better idea because it is "what the American people want." I believe the American people want their elected officials to honor their oath, defend the Constitution in accordance with the laws of this Nation. Further, the American people want their elected representatives to take a stand on matters of national importance, such as the integrity of our judicial system and for Members of the House and the Senate to exercise their judgment in matters of statecraft based upon their intellect, not their emotions of the moment.

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 the Constitution. Censure is not an authorized alternative to impeachment.

Congress has the expressed Constitutional authority to censure its own members for misconduct. But, there is no expressed authority in the Constitution for the Congress to censure the President.

Impeachment is the only power in the Constitution granted to Congress to address presidential misconduct and dereliction of his executive duties. The Founding Fathers set high standards for impeachment by providing that conviction requires a two-thirds vote in the Senate, to remove the President from office. They insured 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.

Constitutional scholar Gary McDowell testified:

Impeachment is the only power granted by the Constitution to the 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 intelligible 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 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 is privileged to hold deserves his protection against any ill-considered censorious assault from Congress.

President Andrew Jackson, one of our distinguished presidents who is known as a father to the Democrat Party, was censured by the Senate and after the next election, the Senate then expunged the censure.

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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."

However, a close examination of the wording of the censure resolution appears that the explicit and implicit purpose would be to shame the President, to voice disdain for his actions which undermine the integrity of the office of the President, to reprove his dubious if not criminal acts . . . to punish.

The censure resolution offered in the Judiciary Committee used such words and phrases as "egregiously failed," "violated the trust of the American people," "lessened their esteem," "dishonored the office," "made false statements," "reprehensible conduct," "wrongly took steps to delay discovery of the truth," and "fully deserves the censure and condemnation." The use of these words and phrases is not remedial, on the contrary, the intent is to shame and condemn the President's misconduct and impugn his reputation. It is a prohibited bill of attainder and therefore unconstitutional.

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 under and in accordance with the laws of their 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 intellect, not the emotions of the moment.

The facts and evidence in this case are overwhelming; the allegations are grave. Impeachment is the only power granted to the House to deal with the President's alleged criminal misconduct.

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

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

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

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

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

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

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

At the beginning of this Congress, after almost 30 years of House precedent, the Committee on House Oversight moved to allow a case to go forward to remove the gentlewoman from California (Ms. SÁNCHEZ), who had been elected by the people of California to this body. They spent over $1 million to do so on the expressed theory that they were simply moving the process forward. It was my contention then that there was no case at the outset, and it was the irrefutable conclusion that there was no case at the end.

Later on, because the President defied them 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. Mr. Speaker, I thank the gentleman for yielding.

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

The gentleman from South Carolina a few minutes ago was absolutely right. It is both false and unfair to characterize these articles of impeachment as relating solely to consensual sex. That is not the case. Lawyers did not just show up one day and begin to question the President's personal lifestyle. The President was a defendant in a civil rights sexual harassment lawsuit, and just like every other defendant in those types of cases around the country, he was ordered by a Federal judge supervising that case to answer under oath questions relating to his pattern of conduct as both governor and President 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 perjured testimony was offered as a truth in a court of law? What is the impact on our system of justice when perjury is marginalized or excused for embarrassment, inconvenience, or to insulate one's self as was done here in a sexual harassment case?

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 flushed into the 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 from constitutional 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 gentlewoman from California (Ms. WATERS) has 17½ minutes remaining.

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

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

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

with foul air, the most noisome elements of which were those most active."

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

Will the vote over whether 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?

□ 1200

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 overreaching that we have all accused 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 compassion and love.

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 Committee on the Judiciary, I 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 stood before the entire world, before the microphones and the television cameras that were carried all over the world, and he stood by himself and said, I have sinned. The most powerful man on the face of the earth stood bare before the world 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 we turn on the newscasts, they start off either with the President saying, I never had sex with that woman, I never had sex with that woman, or hugging Ms. Lewinsky. I have yet to see one newscast where anywhere in it, or starting with it, that shows the President of the United States showing contrition; where he says, I have sinned, and I ask God's forgiveness. I have sinned, and I ask forgiveness for anybody that I have caused pain to. For those of us who believe in contrition and forgiveness, it is very important to us.

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

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

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

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

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

Clearly that is not so. The President's behavior, as I said, is wrong; 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 office.

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 officeholder 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, under the Constitution, cannot be tried or indicted while in office, he may be subject and is subject to full process of the law upon leaving his office.

Mr. Starr, if he finds the events require indictment or action in a criminal court, may clearly take that action. I urge my colleagues to permit us to vote on something which is important, and that is censure. That is what the people want. That is what we should be doing today.

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

The Framers of the Constitution, in the words of George Mason, one of the leaders of the Constitutional Convention, found impeachable offenses to mean "great and dangerous

offenses" and "attempts to subvert the Constitution." In other words, they meant no ordinary offenses, but they referred to acts attacking the security of the Nation, the primacy of the Constitution, or the basic functions and well being of the office involved. They felt the behavior should be so inconsistent with the responsibilities of the office that the people required removal of the office holder for their well being, the proper conduct of the office, and the welfare of the Nation.

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

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

(1) Impeachment is for matters involving behavior which constitutes a threat to the office, the Constitution, and the Nation.

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

(3) Impeachment is primarily a political process, not a judicial or legislative act.

(4) Impeachment participates in the character of an indictment by a grand jury. But impeachment is different and imposes different responsibility on members of the House.

(5) Impeachment does not involve criminal consequences. It simply initiates a process to decide whether an office holder shall continue in office or be removed.

(6) 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 impairment 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, arrogantly stupid, and possibly involve criminal misbehavior.

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

My friend, Mr. HYDE, Chairman 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 their choice of Presidents.

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

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

Listen to the people of America. They do not believe impeachment is a proper remedy for President Clinton's misbehavior. The people do not approve of Mr. Clinton's behavior, but they do not believe that the President's action rises to the level of impeachable offenses. They find no basis for us to take such action.

My 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, deciding on whether to impeach the President with the utmost attention to the Constitution as defined for us by the Founding Fathers.

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

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

All this is set against the wishes of the people who have spoken to us with clarity.

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

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

It is the right thing to do.

To my Republican colleagues and their leadership, I add, give us a process that is fair, that enables us to act with dispatch on matters the people want us to address.

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

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

Censure is a worthwhile and proper response by the House here to the situation and the will of the people. It is also possible under both the rules of the House and the Constitution. There are abundant precedents that Presidents have been censured before without any question of Constitutionality or anything else. President probably will be censured again.

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

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

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

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

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

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

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

Mr. Speaker, I ask unanimous consent that during further consideration of House Resolution 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 extend beyond 10 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 adjourns to meet at 9 a.m. on Saturday, December 19.

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

Mr. CONYERS. Reserving the right to object, Mr. Speaker, I shall not object. I want to indicate the cooperation and concurrence of this side with the proposal, and I want to thank the gentleman from Illinois (Mr. HYDE), the chairman, for the cooperation in both our staffs working this out.

Mr. Speaker, I withdraw my reservation of objection.

Mr. HYDE. Mr. Speaker, I thank the gentleman from Michigan and I thank the Chair.

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

There was no objection.

PARLIAMENTARY INQUIRY

Mr. SENSENBRENNER. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SENSENBRENNER. Mr. Speaker, was all that taken out of my time?

The SPEAKER pro tempore. It was not taken out of the gentleman's time, and the gentleman may proceed for 4 minutes.

Mr. SENSENBRENNER. Mr. Speaker, we have heard a lot about the notion of censure.

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

Mr. SENSENBRENNER. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, I would say to the gentleman from Michigan (Mr. CONYERS), by mutual agreement, I would demand a division of the question by article.

The SPEAKER pro tempore. The question is divisible and will be divided for the vote by Article.

Mr. CONYERS. If the gentleman will yield, I would tell him, yes.

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

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

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

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

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

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

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

Mr. Speaker, today we enter the final stage of the impeachment process. For those of us who serve on the Committee on the Judiciary, this has been a difficult and exhausting time. We have reviewed 18 boxes of evidence. We have heard the Independent Counsel present his case. Constitutional and legal scholars have provided opinions and historical perspectives. The President's lawyers have made their case in his defense, and the gentleman from Illinois (Chairman HYDE) offered them 30 hours in which to do so. They did not use it all.

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.

□ 1215

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 is not grounds for impeachment. Undermining the rule of law is. Frustrating the courts' ability to administer justice turns private misconduct into an attack upon the ability of one of the three branches of our government to impartially administer justice. This is a direct attack upon the rule of law in our country and a very public wrong that directly impacts the constitutional workings of our government.

Mr. Speaker, impeachment is not a tool to paralyze democracy. Instead, it is the only constitutional mechanism available to protect democracy when its institutions are threatened by a President's actions.

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

America will emerge from this dark period of our history a stronger Nation because we have demonstrated once again the resiliency of our democracy and the supremacy of our Constitution.

Mr. Speaker, I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield 3½ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me first thank our American troops who are now fighting for our liberty. The Declaration of Independence is the promise of that liberty and the Constitution is the fulfillment.

So today it is was with great humility and somberness that I rise on the floor of this House in strong opposition against the articles of impeachment and express my support for censure. Impeachment, Mr. Speaker, is final, it is nonappealable. And the Constitution is the only arbiter of that process.

Article II, section 4 is clear. Impeachment is for treason, bribery and other high crimes and misdemeanors. This President did not commit impeachable offenses under our Constitution, and today with such a vote these chambers will become the incinerator of the Constitution. There is no fairness in this process. There is no justice and there is no dignity.

The charges in these articles of impeachment are meritless and not proven. Perjurious remarks have not been proven. Misleading, evasive statements are not perjurious, per the rule of law of the United States Supreme Court under Bronston. Abuse of power has not been proven. Monica Lewinsky said the President did not ask her to lie. And obstruction of justice has not been proven because the President did answer the 81 questions sent to him by the Judiciary Committee.

In light of the revelations of the last 24 hours, I believe not one of us in these chambers, not one Member would ask for the resignation of a Member so charged. But as a woman, adultery is adultery. Nevertheless, the majority is recklessly attempting to make impeachable offenses purely private acts, in direct attack on the Framers' intent that impeachment was for great and dangerous offenses against the Constitution.

How do we heal this Nation? How do we find uncommon courage? The majority must allow us to vote on a freestanding censure resolution, constitutionally allowed, that acknowledges that the President was morally wrong, misled the American people and that the President, upon leaving office, will be subject to civil and criminal penalties. To do more lays the shredding of this Constitution at our feet.

Today with the vote for the articles of impeachment, 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 restrain the property or the liberty of the President. It is constitutionally sound.

Finally this day sunset falls on this House. And as we see it fall, today our vote leads us into the darkness of a vile attack on the Constitution. We leave here today void and empty because our President will have been toppled against the will of the people of the United States.

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

Mr. Speaker, I say, to my colleagues you can heal our Nation. Rise and vote for censure. Do the just and right thing, 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 this discussion while our American troops are in harm's way in the Persian Gulf. This is the worst time to have this discussion. We are talking about impeaching our President, our Commander in Chief of the Armed Forces while he has authorized troops to engage Saddam Hussein.

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

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

The purpose of Impeachment is to curb breaches and abuses of the public trust. The Framers realized that impeachment is final and non-appealable.

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

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, 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.

During 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 nor substantial notions of procedural due process because the alleged perjurious statements lack specificity; an independent collaborating witness and materiality. The President is neither above nor beneath the law. The Constitutional safeguards 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 perjurious, 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 Office of the Independent Counsel. Let's take a moment to examine the correlation 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 harassment. 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 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 willfully and contrary to such oath 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 is 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 lawyer's responsibility to recognize the evasion and to bring the witness back to the mark, to flush out the whole truth with the tools of adversary examination * * * A potential prosecution for perjury is not the primary safeguard against errant testimony.

Under our adversarial system of jurisprudence, a defendant is not required to assist a plaintiff in bringing her suit to trial nor is a defendant required under the rules of civil procedure to volunteer specific information that the plaintiff has not requested. This is our system of jurisprudence that we have utilized for over two hundred years. This really is adhering to the rule of law and the right to due process.

The President's actions were wrong and reprehensible but not impeachable because his conduct did not injure the state as required by the framers. Impeachment is a remedy of last resort, it is the atomic bomb of partisan politics.

In the Federalist Paper No. 65, Alexander Hamilton described impeachment as a mechanism to reach: "[T]he misconduct of public men and abuse or violation of some public trust. Impeachable offenses are political, as they relate to injuries done immediately to society itself.

The Framers never intended impeachment or the threat of impeachment to serve as a device for denouncing the President for private misbehavior or for transforming the United States into a parliamentary form of government in which Congress can vote "no confidence" in an executive whose behavior it dislikes. The President is elected by the people of the United States and it is not the prerogative nor duty of the House of Representatives to undo that election because of partisan politics.

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

Hence, if we follow Mr. Pinkney's theory to its logical conclusion, a president could be removed for any transgression, however remote

in time, which the Senate may decide in its discretion warrants removal from office. This unbridled authority could establish an atmosphere that manufactures impeachable offenses where they do not exist. We should consider Mr. Pinkney's words as we tread these dangerous waters. Therefore, it is essential that we utilize every constitutional safeguard to prevent the truth from being "twisted by knaves to make a trap for fools." On February 8, 1798, Thomas Jefferson wrote a letter to James Madison about the impeachment of Senator Blount, stating, "I see nothing in the mode of proceeding by impeachment but the most formidable weapon for the purposes of [a] dominant faction that ever was contrived. It would be the most effectual one of getting rid of any man whom they consider as dangerous to their views * * * impeachment has been an engine more of passion than of justice."

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

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

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

Independent Counsel Starr violated District of Columbia Rules of Professional Conduct Rule 3.7, entitled "Lawyer as witness" which provides a lawyer shall not act as advocate at a trial in which the lawyer is likely to be a necessary witness and Virginia Code of Professional Responsibility DR5–102, entitled "Withdrawal as counsel when the lawyer becomes a witness" when he testified in front of the House Judiciary Committee.

Nowhere in the history of this Country's system of jurisprudence has a prosecutor had the ability to take the witness stand to "vouch for the credibility" of evidence presented during trial, to do so would be a miscarriage of justice. Likewise, allowing Independent Counsel Starr to testify for two hours "about a pattern to obstruct justice" eviscerates the purpose of the Independent Counsel Act.

Further, Sam Dash, Mr. Starr's ethics advisor resigned in opposition to Mr. Starr's inappropriate appearance before the House Judiciary Committee.

Section 595(c) authorizes the Office of the Independent Counsel to submit a referral to Congress to guarantee that its findings would not be thwarted by internal sources within that individual's branch of government. This concept is consistent with the separation of powers doctrine was instituted to prevent unfettered authority in a single branch of government. Accordingly, each branch is vested with the power to check and balance the others.

This Act was designed to provide a mechanism to prevent inherent conflicts of interest which could arise where the Executive branch of government must supervise or conduct an investigation of an individual associated with its office.

On October 8, 1998, the House passed H. Res. 581, which expressly authorized the committee to report: "such resolutions, articles of impeachment, or other recommendations as it deems proper." Over the past two months, the Judiciary Committee has heard testimony from several witnesses about "high crimes and misdemeanors" and alternatives to impeachment. Censure is a viable alternative to impeachment that will quickly and judiciously resolve this national issue.

Censure is neither a substitute for a federal pardon nor is it a cover-up. Therefore, the President is still subject to civil and criminal punishment for any alleged crimes he may have committed by the court system after he leaves office. The United States Constitution does not prohibit Censure.

Several critics continue to suggest that censure is unconstitutional because there is no constitutional provision that expressly authorizes censure. This rationale is flawed and without merit. If we follow this line of reasoning to its logical conclusion: postal stamps, social security, and public education are unconstitutional because there is no explicit reference to these programs in the Constitution.

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

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

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

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

Censure is a window of opportunity for this body politic to display a bi-partisan atmosphere during these alarming moments. We must exhibit a united front for our Nation and our troops. It is time for national unity.

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

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

The Bible, Ecclesiastes Chapter 3, Verses 1 through 8 states, "[T]o every thing there is a season, and a time to every purpose under the heaven: a time to heal; a time to break down, and a time to build up; * * * a time to love, and a time of peace." At the end of day, we should move forward, prepare for tomorrow and America's business.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

The Chair will recognize managers from the Committee on the Judiciary on either side of the aisle, endeavoring to maintain equality between the two sides in the consumption of time available and at the prescribed hour will determine where we are and then we will move on from there.

The Chair recognizes the gentleman from Florida (Mr. MCCOLLUM).

Mr. MCCOLLUM. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. BLILEY).

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

This is a sad day, sad day for this country. We should not have to be here. Had the President done what he should have done, we would not be here, and admitted wrongdoing right from the start.

We have heard said in this body, Mr. Speaker, that this is different from Watergate, but really, is it? In Watergate, the President lied to the American people. This President lied to the American people. In Watergate, the President did not commit perjury. This President, in my opinion and the opinion of the overwhelming majority of the people of this country, did commit perjury.

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

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

I would like to quote and paraphrase in closing the words of our colleague, the gentleman from South Carolina (Mr. GRAHAM). He said earlier in the proceedings, 25 years ago, we had Watergate and the American people today think that Congress reached the right decision. I hope that 25 years from this day, people will think that we made the right decision.

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

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

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

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

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

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

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

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

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

I urge Members to vote against impeachment on principle, mindful of our oath of office, understanding our duty to our constituents, to the Constitution and to the future.

□ 1230

Mr. MCCOLLUM. Mr. Speaker, I yield 30 seconds to the gentleman from California (Mr. ROGAN).

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

Some of our friends on the other side have indicated that perjury is not an 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 the legal authorities relied upon by 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 concluded, "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. 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 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 magistrate. 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 I 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 chaos. We must state directly and strongly that 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. CONYERS. 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 enduring. 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 be impeached for any crime, but they chose to designate crimes only of the gravity of treason and bribery. To impeach for anything less than the highest of crimes is a distortion of the Constitution and hands a tremendous weapon to our present and future enemies who will point to a weakened president and ultimately a weakened nation.

That is why the Founding Fathers knew that low crimes should wait, that the strength of our national leader, the sovereignty of our Nation trump all but the gravest of charges, those which subvert our government.

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 due process and fairness. It is about safeguarding our privacy and curtailing the intrusiveness of government. It is about nothing less than our humanity.

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

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

Mr. CAMPBELL. 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. 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 in January, namely to hide the truth from his wife and daughter, no longer was the case in August. He had already told them the truth. And having taken the oath to God and having seven months' advance notice, and having the right to stop the proceedings if it was difficult, and, unlike any other American citizen, having his attorney by his side if a question required the advice of counsel, this President chose not to tell the truth. I cannot trust him again.

Today we are engaged in war in the Persian Gulf. I was assured by Secretary Cohen and by the Director of our Central Intelligence Agency that the timing was justified. Those two are honorable men. And because of their testimony, I believe the timing was justified. But I do not believe it was justified on the basis of what President Clinton has said, because I can no longer believe him. If it is in his interest 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 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 the truth to a plaintiff in a sexual harassment case is somehow less important is to denigrate the harm that women in America feel every day when they go into the workplace and they are treated less because they are women. No, sexual harassment is not less than any other offense.

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

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

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

I just wanted to respond briefly to the gentleman from Florida (Mr. WEXLER), who preceded my colleague, who argued that we were lowering the bar from impeachment by submitting articles of impeachment on perjury.

I do not believe we are lowering the bar. In fact, I have no problem in setting a standard for future presidents in official court proceedings that would jeopardize their office for repeated intentional acts of perjury. That is what we are doing, is maintaining a standard.

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

Mr. CONYERS. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from New Jersey (Mr. ROTHMAN), a 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 210 years, so well in fact that only one president in our Nation's history has ever been impeached by this House. Now, driven by their hatred and loathing of Bill Clinton and his policies, the Republican Party is about to take our constitutional balance of powers and permanently and irreparably and forever damage it.

The constitutional punishment of impeachment was not meant to substitute for the punishment 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, lying to the American people 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.

□ 1245

Every future President will be looking over his or her shoulder wondering if future Congresses do not like the President's veto of a controversial bill or do not like the President's policies or lifestyles, will that future Congress controlled by a different political party appoint a special prosecutor and spend $40 million in 4 years investigating that 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 powers 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, treason, bribery and other 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. PETRI. Mr. Speaker, I also 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 maintains he did this. I believe beyond a reasonable doubt that he repeatedly committed perjury.

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

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

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

Mr. CONYERS. Mr. Speaker, I yield 3½ minutes to the gentlewoman from California (Ms. WATERS), the chairwoman of the Congressional Black Caucus and 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 partisan 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 the real targets, 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 being a populist leader who 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. However, I am greatly disappointed in the raw, unmasked, unbridled hatred and meanness that drives this impeachment coup d'etat, the unapologetic disregard for the voice of the people.

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

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

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

We need to be realistic about what is at the heart of this vote. The central issue is whether the President is above the law and whether sexual harassment in civil rights laws remain viable in effective protections for all Americans. Despite record numbers of women working to support their families, women are all too vulnerable in our society to sexual harassment. If 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 Jones, is entitled to certain rights under our Constitution. This includes truthful testimony from all parties, and that is why we are here, because the President thought he could provide untruthful testimony to obscure the truth first in his deposition in the Jones case and later in his testimony before a Federal grand jury.

Mr. Speaker, the President of the United States is not above the law. I am deeply disappointed that the President failed to uphold the public sacred trust and his own oath of office, but I am also 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 it is even more 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 my colleagues obsess about Slick Willie in the same way that those on my side of the aisle used to about Tricky Dick. Robert Bork, Clarence Thomas, Jim Wright, on and on; we do each other in in personal terms. Each one of us has been given a most precious gift, the right to represent some 600,000 American citizens in the House of Representatives, and yet when it comes time to be here for them we seem to lose track of the 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 legalistic word games, or it will lay the foundation, I believe, for a growing permanent divide in this Nation where there is a left and a right while those in the center, the great majority of our people, do not seem to matter.

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 so valued on all sides, but to place the actions of our President in the proper context, to censure those actions without undeniably and irrevocably harming our democracy by lowering the threshold of impeachment. But we will not allow that vote here today.

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 speakership Jim Wright called upon his colleagues to end what he called mindless cannibalism. But today we find our nightmares continue and political cannibalism thrives and grows stronger. Sadly it was the late Vince Foster who recognized in Washington peoples' lives are destroyed for sport.

I ask my friends to put aside the partisanship, the legalisms and, yes, the late hypocrisy. The American people deserve a clean slate for the next Congress to build upon and renew its trust and public confidence. This is our chance. Let us unite this country with a vote against impeachment today and put an end to this open-ended and mindless process of destroying the lives of good and decent people who, yes, are flawed and all too human.

Mr. McCOLLUM. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Mr. Speaker, some Americans are not watching these proceedings. Instead in hushed courtrooms across this country families slashed apart by violent crime and innocent people wrongly accused are staring intently at a witness stand, and they are praying. For many their best hope, perhaps their only hope, for justice depends upon that witness telling the truth, the full truth, under oath. Truth does matter, and if it is no longer the duty of the President to tell the truth under sworn oath, can we require it of 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 each of 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 and predictable consequence is that achieving justice in America's legal system will become significantly more difficult. The necessity for the truth is reflected by the appropriately severe punishment for those who willfully refuse to provide it—which is up to five years imprisonment for each Federal violation.

Nobody has a more sacred obligation to obey the law than those who make and 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 afternoon Brazos Valley sun each day, is an appropriate quote from our former President whom I deeply admire and respect.

It is from his 1991 inaugural presidential address, and I take inspiration from it as I deliberated on this matter: "Let future generations understand the burdens and blessings of freedom. Let them say we stood where duty required us to stand."

Duty requires us to stand here today. The burdens of freedom demand we uphold the Constitution regardless how tiring, how distasteful, how difficult.

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

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

When John Quincy Adams after his term as President of the United States ran and won a seat in this House, he was criticized by his friends because this was "beneath" his status as former President. He explained it is always the highest honor to serve in the House of the People.

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

lower, dramatically and unalterably, the bar to future impeachments.

Until now, the House has very much held a high standard for impeachment, keeping with the Constitution dictum that impeachment be reserved exclusively for high crimes and misdemeanors.

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

But there was no impeachment, Mr. Speaker, because, as serious as these allegations appeared at the time, impeachment never became a serious proposition. Collectively, our predecessors in this body understood fully both the necessity of impeachment as the ultimate bulwark against the potential tyranny of the executive, but also the very real threat impeachment presents to the structure of our government if improperly or too readily used. Impeachment was the means of last resort.

Mr. Speaker, we should not vote to impeach today because it is neither necessary nor in step with precedent. Voting to impeach today is to participate in an assault on the institution of the presidency and our delicate system of checks and balances.

I will vote "no" on all articles of impeachment for the sake of our posterity, and I urge my colleagues to do this today, for the future of the country, for the future of the United States of America.

Mr. McCOLLUM. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. HULSHOF).

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

Mr. Speaker, if the President of the United States simply committed adultery, then that indeed is a matter that should be reserved to his family. If, on the other hand, the President of the United States committed perjury or other illegal acts, then that matter must necessarily be reserved to this Congress.

I agree that the private failings of a public man deserve neither debate nor reprimand from this body, and yet 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 third branch of 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 perjury, bore 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 rights 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 not 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 gentlewoman 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 sexually, he tried to hide the affair. That was wrong too. But then the greater wrong occurred. The majority decided to give into the worst within themselves, their abiding hatred of this President. The majority has decided to discard our history, to damage 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 government. Only once in our 211 years has Congress voted to impeach a president, and, in that era of 1868, it was also radical Republicans who misused the tool of impeachment.

Much of the country is watching what we do here with anger, sorrow, fear and disbelief. I share with my constituents the feeling of unreality about these proceedings. The country is waiting for grownups to walk into this Chamber and stop this madness, but, alas, those Republicans with the maturity and judgment to ask that censure be utilized as an alternative, such as former President Ford and former Senator Dole, have been ignored by the majority in this House.

The outcome appears clear: The Republicans will vote to impeach the President, whom they could not defeat at the polls, for reasons that do not add up to treason, bribery or other high crimes and misdemeanors. As a consequence, the Senate and the Supreme Court will be tied up for most of next year.

The President will not be able to resign, no matter how you may urge it, because to do so would further destroy the precedents that have protected our country for over two centuries.

This is not fair to the President, but that should not be our main concern. It is not fair to the minority in this House, but that is not the main problem either. This is unfair to the American people.

By these actions, you would undo the free election that expressed the will of the American people in 1996. In so doing, you will damage the faith the American people have in this institution and in the American democracy. You will set the dangerous precedent that the certainty of presidential terms, which has so benefitted our wonderful America, will be replaced by the partisan use of impeachment. Future presidents will face election, then litigation, then impeachment. The power of President will diminish in the face of the Congress, a phenomena much feared by the Founding Fathers.

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

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

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

right. It is not too late to listen to them. You would 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 not whether the President has destroyed our system of government. We know that that has not happened. That is obvious. The question is whether by his conduct he has undermined the integrity of the law; whether by his conduct he has undermined the integrity of the high office that has been entrusted to him; whether he has subverted the rule of law; whether he has acted to set an example which is harmful to our system of government.

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

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

I will vote for impeachment, not because the President has human frailties, but because he has committed perjury repeatedly and willfully. Marital infidelity is not an impeachable offense. Even lying to hide sexual indiscretion is not impeachable. But the President does not have the right to lie under oath, to commit perjury.

No one is above the law, not even the President. I believe perjury does meet at least the definition of high misdemeanor. In my mind, it certainly meets the measure of high crime.

In my judgment, our democracy is far more capable of surviving a transition in power than surviving an erosion of fundamental obligations such as that to tell the truth under oath and to treat all citizens equally under the law.

Mr. CONYERS. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY of Massachusetts. Mr. Speaker, what we are doing here on the floor today and throughout the night is just wrong. It is wrong for a lot of reasons, but most fundamental is the fact that, yes, the President made mistakes; yes, in fact he misled his family, he misled the public; and, yes, he in fact tried to trick even maybe a grand jury. Whether it is perjury or not is a different question.

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

There is only one group of people that I can find that cannot find that forgiveness, and that is people that had been locked in struggle over so many questions dealing with the future of this country against President Clinton's agenda over the course of the last four years, and that is what this is all about.

□ 1315

Now, I know that there is a lot of talk about morality today, and I think that is good, I think that is healthy for our country. I think we ought to talk a little bit about morality. But I do not think that the only moral standard in America ought to be about sex. I think there is a lot of moral things about our country; there is a lot of immoral 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 our inner cities, 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 are too many families that do not have enough food in their stomachs, and those issues do not receive even close to the amount of time and effort and energy that we are now putting into trying to impeach the President.

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 leadership roles on, 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 immoral act 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 found 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 specifically assigned 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 pattern of behavior is a campaign slogan used by a New York senatorial candidate against his opponent this year: "Too many lies, for 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 President will not resign, 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 whether to impeach or accuse the President of wrongful actions. The Senate's duty is to render judgment and decide punishment. So if a sanction other than removal from office such as censure is ever considered, it should be initiated by the Senate. And, ultimately, any outcome must be supported by the American people.

This is not a decision to go forward because of a "private relationship." It involves the most public of relationships, that between a citizen and the justice system, and that between the President and the American people. It is about honor and telling the truth. It is about respect for the law, respect for the office of the presidency, respect for the American people, respect for the officers 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 helpful ideas. Although they shouldn't be held accountable for my views, I do want to thank my perceptive wife, Beth Schaefer, and special friends, Judge Cyndi Krier, John Lampmann, and Judge Tom Rickhoff, for giving me the benefit of their wise counsel.

Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. BONILLA), my friend and colleague.

Mr. BONILLA. Mr. Speaker, I thank my friend from San Antonio for yielding to me.

Mr. Speaker, this is a Nation founded on rules and laws. 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 have appeared before grand juries 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 sexual harassment.

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 history judge us?

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."

I agree 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; and make no mistake, it is also about a very popular First Lady.

By his own admission, the President has sinned. He was contrite and has asked for our forgiveness and the forgiveness of the American people. It is time for us to come together as a Nation, support our troops in the Middle East, and put this matter behind us. The American people want and need us to get back to the work on the issues that will improve their quality of life.

This is a season of peace. I hope against hope that my words and the words of others who have called for forgiveness and healing at this time can soften the hearts of my colleagues who would seek to throw our Nation into turmoil over politics. I urge my colleagues to heed the wishes of those who sent us here to tend to their concerns. Make real and true the claim of conscience and constitutional responsibility. Do not lower the bar for impeachment. Reject this partisan impeachment process. We should have a censure vote, but if that will not be allowed, then vote for the Constitution, vote for this country. Vote "no" on impeachment.

PARLIAMENTARY INQUIRY

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

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

Mr. ARMEY. 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, in House debate, make disparaging remarks or characterizations about the motives of other Members of the Chamber. I must say I am very saddened to report, Mr. Speaker, I have been listening to several speakers, and that I have seen frankly quite caustic and harsh characterizations of the motives of the Members.

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

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

Mr. BACHUS. Mr. Speaker, Congress has arrived at the time when we and the Nation must look beyond the polls, the media, and beyond the political rhetoric and consider the grave matter of voting on the impeachment of the Nation's President. We stand at a moment of defining action, one that will require each of us to state for the RECORD our commitment to the principles involved in this case.

As the gentleman from Florida, a member of the minority said earlier, our decision is not about Bill Clinton, it is not about personalities, it is not about partisanship, it is not about Republicans or Democrats. Popular opinion and polls cannot dictate our course of action. Duty, honor, and obligation must. Ageless principles must.

On this solemn occasion, I will vote for impeachment. People, politics, and polls change. Presidents come and go.

Fundamental principles do not. My vote is based on the following principles: The first, a commitment to the truth. It is essential to a just society. A commitment to the truth is the foundation of our democracy and our freedom.

□ 1330

The second is, actions and behaviors matter. Only God can search and sift the soul. Because we cannot read the heart, we must rely on actions and behaviors. Certain actions and behaviors are inconsistent with the office of 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 Used as 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, Ethics, an the Crisis in the Clinton Presidency"—was signed by 95 religion scholars, including Paul J. Achtemeier (Union Theological Seminary), Karl Paul Donfried (Smith College), Jean Bethke Elshtain (University of Chicago), Stanley M. Hauerwas (Duke University), Robert Peter Imbelli (Boston College), Max L. Stackhouse (Princeton Theological Seminary), and Harry Yeide (George Washington University):

As scholars interested in religion and public life, we protest the manipulation of religion and the debasing of moral language in the discussion about presidential responsibility. We believe that serious misunderstanding of repentance and forgiveness are being exploited for political advantage. The resulting moral confusion is a *threat to the integrity* of American religion and to the foundations of a civil society. In the conviction that politics and morality cannot 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 even as we endorse the public mission of our churches, synagogues and mosques. In particular we are concerned about the distortion that can come by association with presidential power in events like the Presidential Prayer Breakfast on Sept. 11. We fear the religious community is in danger of being called upon to provide authentication for a politically motivated and incomplete repentance that *seeks to avert serious consequences for wrongful acts*. While we affirm that pastoral counseling session are an appropriate, confidential arena to address these issues, we fear that announcing such meetings to convince the public of the president's sincerity compromises the integrity of religion.

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

CENTRAL TO SURVIVAL

3. We are aware that certain moral qualities are central to the survival of our 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 avoid the abuse of power. We reject the premise that violations of these ethical standards should be excused so long as a leader remains loyal to a particular political agenda and the nation is blessed by a strong economy. Elected 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 knowing manipulation of truth for indefensible ends. We are particularly troubled about the debasing of the language of public discourse with the aim of avoiding responsibility for one's actions.

4. We are concerned about the impact of this crisis on our children and on our students. Some of them feel betrayed by a president in whom they set their hopes while others are troubled by his misuse of others, by which many in the administration, the political system, and the media were implicated in patterns of deceit and abuse. Neither our students nor we demand perfection. Many of us believe that extreme dangers sometimes require a political leader to engage in morally problematic actions. But we maintain that in general there is a reasonable threshold of behavior beneath which our public leaders should not fall, because the moral character of a people is more important than the tenure of a particular politician or the protection of a particular political agenda. Political and religious history indicate that violations and misunderstandings of such moral issues may have grave consequences. The widespread desire to "get this behind us" does not take seriously enough the nature of transgressions and their social effects.

5. We urge the society as a whole to take account of the ethical commitments necessary for a civil society and to seek the integrity of both public and private morality. While partisan conflicts have usually dominated past debates over public morality, we now confront a much deeper crisis, whether the moral basis of the constitutional system itself will be lost. In the present impeachment discussions, we call for national courage in deliberation that avoids ideological division and engages the process as a constitutional and ethical imperative. We ask Congress to discharge its current duty in a manner mindful of its solemn constitutional and political responsibilities. Only in this way can the process serve the good of the nation as a whole and avoid further sensationalism.

EXTENDED-DISCUSSION

6. 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 extended discussion about constitutional, ethical and religious issues will be required to clarify the situation and to enable a wise decision to be made. We hope to provide an arena in which such discussion can 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 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 unbefitting 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 our government 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. Let the House go on record condemning the President in the strongest terms.

Censure is a harsh enough punishment. It expresses the profound disappointment 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 action.

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 independent counsels and based on the frenzied politics of the moment, rather than a government of immutable principles and transcendent institutions.

This is not a decision which came easy to me. It is not a position which I particularly enjoy. No one has a higher respect 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, 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, where were they during the times of Robert Bork, Clarence Thomas or John Tower?

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

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

Also, I would ask my fellow Republicans, throughout the 1980s we saw the abuses of special counsels by Lawrence Walsh and others as they went against members of the Reagan 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. MAJOR OWENS), an outstanding member of the committee.

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

Our defendant is an outstanding citizen who has done great service for his people, for his government. On the 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: "Fool 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 Northern Ireland they have hailed 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 this President is celebrated as a master of macroeconomic policy-making.

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

It is not too late for all Members to truly vote their conscience. Good men and good women can often be hypnotized momentarily by the collective fervor of the crowd. Today in this proceeding extreme punishment is the only item that is allowed on the agenda. The majority is demanding excommunication. 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 said that no reasonable prosecutor or judge would come forward on such an overwhelming case of perjury and bring this case before the court.

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

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

In my own home State of California, since Bill Clinton became president,

there have been some 16,000 prosecutions for perjury. So the suggestion that perjury charges would not be brought in an appropriate case is incorrect.

Further, the gentleman's comments go directly, once again, to the point that we are debating here: whether the standard that we set during Watergate, which was no person is above the law, will continue to be the standard for our Congress and our country, or whether we are going to make exceptions for people who happen to have high rank and privilege, 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 of United States 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 to have to combat that, and to have established that position for the year 2000 elections.

We do believe in principle. We are concerned about what is going to happen to our court system and what the message would be of failing to impeach. That is why we are so ardent about this, for no other reason.

Having seen what the President has done, the multiple crimes of perjury and obstruction of justice that I honestly believe he has committed, it would be an irresponsible act on my part to ignore it and to suggest that censure were an appropriate result and an appropriate way to address this.

Having said that, let us go over for a minute the facts of where we are with this. What we are dealing with is a President who was sworn into office, took an oath to uphold the laws of the Nation, then faced a lawsuit, a civil suit, in a civil rights sexual harassment suit by a woman named Paula Jones.

Long before that suit had any witness list published, he and Monica Lewinsky had an arrangement that they agreed to lie about the affair that they were having if anybody asked them. Then somewhere along the way, in December a year or so ago, there was a subpoena prepared and a witness list appeared for Monica Lewinsky.

The President called her and told her in a telephone conversation that she was on the witness list, and they talk about their cover stories that they had previously discussed about what they would say about what they were doing, so they did not have to reveal the relationship.

In that same phone conversation, the President suggested she could file an affidavit in order to avoid testifying. He suggested that, I submit, knowing full well that it was going to be a false affidavit.

□ 1345

What Monica Lewinsky said, and she said this under oath, and I believe very credibly, to the grand jury, she said, "It wasn't as if the President called me and said, you know, Monica, you are on the witness list, this is going to be really hard for us. We are going to have to tell the truth and you will be humiliated in front of the entire world about what we have done, which I would have probably fought him on. That was different. And by him not calling me and saying that, you know, I knew what that meant."

They knew that that affidavit was going to be false, and from that moment on is when the serious nature of this matter came before us. Because at this moment the President committed the crime of obstructing the law, obstructing justice. And the path was set for a scheme in which he engaged with Monica Lewinsky and others 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 next 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, we have a 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 I believe Ms. Lewinsky on this, that 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 Jordan, who is his good friend and counselor, and arranged for Monica Lewinsky to have an attorney to prepare that affidavit we talked about. Along the way, in the process of preparing that affidavit, finally on January 7, she signed it. And Vernon Jordan testified he informed the President of that. What do you know, the next day, on January 8, for the first time Mr. Jordan, although asked much earlier often to help get a job for Monica Lewinsky by Monica finally made a call to the head of Revlon Corporation and secured a job for Monica and reported that fact back to the President.

And then what happens next? The President goes to testify. The President goes to testify in the deposition he gave in the Paula Jones lawsuit. And during that deposition, we all saw some of the television film of that deposition in the Committee on the Judiciary the other day. The President observed his attorneys referring to the affidavit that he knew was false and he affirmed the truth of that affidavit that he knew was false. He affirmed the fact that in that affidavit it said that he and Monica essentially were never alone, not just that they did not have particular relations. He went on to lie then about the specific acts that he engaged in with her. He was given a definition. And even taking his interpretation of the definition the court in that case gave him and assuming that that rather far out definition was accurate, if you believe Monica Lewinsky, and she has been corroborated by 7 contemporaneously told friends and relatives who were witnesses in this under oath that what she said is correct, they engaged in sexual activity under the definition in that report and the court, and the President lied about. He lied about a lot of other things in that deposition.

He then went on after that, while he, in that deposition, referred often to his secretary Betty Currie, to then call Betty Currie to come over to visit him the following day right after he had left the deposition. And he talked to Betty Currie. Why did he call her up? He called her in his office and he said to her, to corroborate, he says, "You were always there when she was there; right? We were never really alone. You could see and hear everything. Monica came on to me and I never touched her, right? She wanted sex with me and I can't do that."

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

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

felony crimes of perjury, witness tampering, obstruction of justice. The evidence is very clear about it.

And to fail to impeach him would send an awful message to the countryside that we have a double standard in this country, that the President, who is the chief law enforcement officer, the Commander in Chief of the uniformed services of this country, is allowed to get away with perjury. I submit if we do not impeach him, we will send a message that will result in more people lying in court and committing perjury than they do already. And that is on the rise. It is a very, very serious matter.

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

Mr. Speaker, will the gentleman yield?

Mr. JEFFERSON. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Speaker, the gentleman from California (Mr. ROGAN), a prosecutor, has indicated for the first time in all of our hearings that there were 16,000 cases of perjury in the State of California alone. I would beg him to supply at any time at his convenience any indication for the RECORD what source he uses for that statement. There are some that question whether there are 16,000 cases a year in all of our courts much less one State.

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

I thank the gentleman for yielding to me.

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

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

I hope as Lincoln hoped against hope then that I am overwary today about the wounds we are inflicting upon ourselves, our Constitution and our body politic by this unfair rush to judgment against our President. Like Lincoln then, I worry now about the wild and furious passions aimed to bring this President down rather than an exercise of sober judgment to lift up the true meaning of our Constitution.

Like Lincoln, I worry that even though we are the preeminent power in the world today, that this grating, this chipping away at the high ideal of impeachment leads us further down the road to constitutional death by suicide of a free society. High crimes and misdemeanors, not all crimes and misdemeanors, is what our constitution holds as grounds for impeachment. There are no high crimes shown here. But there is a base and basic perversion of the rule of law into a rule of hot blood and a rule of political convenience by a majority bent on getting President Clinton.

Today you may have the votes but you do not have the high ground. But just remember, as we say in Louisiana, what goes around ultimately, unfailingly and always comes around.

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

Mr. HUTCHINSON. Mr. Speaker, I just want to respond to the gentleman from Michigan (Mr. CONYERS), who raised the issue about the corroboration of Monica Lewinsky's testimony in the cell phone call. In fact, Monica Lewinsky gave a statement 7 months after the December 28 incident concerning the gifts. And in her testimony she was asked how she knew that Betty Currie was coming over. She thought there was a cell phone or a telephone call, and it was my cell phone. The records were checked that corroborated the testimony of Monica Lewinsky even though it was 7 months later. The telephone call was about 3:37. I think there is documentary corroboration of her testimony.

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

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

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

Had the President limited his conduct to the oval office and not stepped 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 they will not accept your perjury. And the President says, well, we will just have to win. And this case, this impeachment proceeding is about what occurred after that, the cover-up.

One of the charges in this article, series of articles is obstruction of justice. That concerns many of us who heard the evidence. That not only involved the President but that involved this President of the United States, the chief law enforcement officer of this country, bringing additional people into 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 bringing of people, staff members, cabinet members into his office, telling them his version of the story, knowing that they would repeat that story when they were called to the grand jury. That is a serious charge, when you not only commit the crimes yourself but you bring others into that and cause them great, great distress.

Perjury is also very important in this case. This President did not have a lapse of judgment. On many occasions, through a pattern and practice he gave false testimony, in the grand jury, the deposition, in answering written interrogatories and to this very Congress in this very proceeding when he answered the 81 questions.

This President is a lawyer. He is a former law professor at the University of Arkansas. He is the former Attorney General for the State of Arkansas, and he very well knows how important people telling the truth is in our court proceedings, how it underpins our judicial system. Courts have agreed. And yet he continues to parse his words. And his own lawyers come in before the committee and say, yes, he misled, he evaded questions. He gave incomplete answers. That is their defense. He parsed his words. And the courts uniformly say that is not right. You cannot focus on the precision of a question and ignore what the defendant knows.

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

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

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

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If I might say, there is great stress and turmoil and angst on the floor today. There should be. This is a serious, solemn event, something that we all, all would rather not have occurred. But as a Congress, we cannot ignore our constitutional responsibility and turn our head and say let's just forget about this. We have to move forward within the authority we have, and our only authority is to decide whether to impeach or not to impeach, whether to charge or not to charge.

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 others that are listening who are concerned about this debate. The office of presidency is bigger than any person that occupies that office for 4 or 8 years. This office will survive. This office will stand. And what we are doing today in debating 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 as Members of Congress, as American citizens, do we want to dumb-down, do we want to lower the expectation of the conduct of the chief law enforcement officer of this country, the Commander in Chief of this country who sends our soldiers off to foreign lands in harm's way, the President of the United States? Do we really want to lower that expectation of conduct?

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

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

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

> In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. Our government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. If the Government becomes a lawbreaker; it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy.

The intersectional collision of President Clinton's deplorable conduct with our Constitution has set in motion this Inquiry of Impeachment. Each member must now match his or her action with only the authority the Constitution delegates to the House of Representatives. No more, no less.

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

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

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

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

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

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

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

As for the facts:

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

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

The facts surrounding these unlawful acts are:

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

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

Obstruction of Justice. Once the question arose concerning an "improper affair" with Miss Lewinsky, suddenly there was another series of incidents to cover the tracks of this, including ridding the immediate area of evidence in the Jones case and Miss Lewinsky. While the President's "fingerprints" aren't clearly on these actions, almost by magic the President is benefitted by physical evidence disappearing from Miss Lewinsky's apartment and reappearing under his personal secretary's bed. Ms. Lewinsky lands her long-sought job with a New York Fortune 500 Company within 24 hours of signing a false affidavit supportive of the President in the Jones Case. How lucky can one man be?

Abuse of Power. Any claim the President had that this affair was a private matter, and at worst grounds for divorce, changed when he brought the powers of his high office into play. The facts show that in the President's zeal to keep this affair from the Jones lawsuit, 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 could 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 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 us to the point of national exhaustion.

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

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

Since these allegations were brought to the attention of the Committee, my office has been inundated with phone calls and mail. In my office, I have received 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 this vote or this position our President has put us in. 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. 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 steward over the past 6 years.

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

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

Our descendants would be ill served by an impeachment vote which alters the standard for removing a president. In the end we must remember that the perfect can be the enemy of the good. The right decision, the just conclusion is a 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 humility and pride, as one who has suffered the pain of living in a police state and now enjoys the exhilaration of living in a free society.

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

What we ask is the opportunity to vote on censuring the President in addition to the opportunity to vote on impeachment. Democracy not only means the rule of the majority, it also 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 true majority 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 a real vote of a real 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 there are serious constitutional difficulties with congressional censure." 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, I appreciate my friend yielding.

The technicalities have been debated ad nauseum and ad infinitum.

Mr. HUTCHINSON. 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 Democrat Speaker refused to allow a vote on censure in reference to President Nixon; and so, there is a precedent for what has transpired 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. LANTOS. Mr. Speaker, reclaiming my time, there is not a person in this body on either side who does not clearly understand that this body has every right to censure the President, and to hide behind these phony technicalities 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 them on the idea that there is a simple, easy way to avoid our constitutional responsibility; and I think that we should stick with the Constitution.

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

Mr. RIGGS. Mr. Speaker, I just wanted to interject at this point in the debate, colleagues, that as part of my own personal deliberations, in the last 48 hours I have spoken to both former President FORD and Bob Dole. Both men emphatically told me, and of course both are former House members, that they would vote to impeach, that they felt it was the duty of the House, barring a public acknowledgement, an admission of the President that he had lied under oath and perjured himself, it was the duty of the House to vote for the articles of impeachment.

Mr. McCOLLUM. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. COOK).

Mr. COOK. Mr. Speaker, I thank the gentleman from Florida for yielding time to me.

Mr. Speaker, the argument has been made that lying about sex is different and does not qualify as a high crime and misdemeanor. I am not a lawyer, but I do not think that the law requiring us to tell the truth, the whole truth, and nothing but the truth means we can tell the truth that is convenient or the truth only about certain things.

A lie is a lie. A lie to a grand jury and a lie in a sworn deposition is equally a lie and equally a violation of the law, whether it is about sex or whether it is about national security.

Others who have lied under oath have been criminally charged. In the last 2 years, 3 people in my State of Utah have been charged, convicted and sentenced for lying under oath. They faced the consequences of their actions and they took their punishment. How can we now tell the American public that a lesser standard applies to the President of the United States, the chief administrator of the laws of this country?

Some have argued that by voting for impeachment we are lowering the bar for 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 affluence or 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.

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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. Mr. Speaker, I stand to voice my dissent and my disagreement, 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 gonadal agony?

We are going in the wrong direction here in this Congress. Because of this biased interpretation a man who has served this country very well is now up for impeachment.

Too many of my colleagues have a gotcha syndrome. They want to do their best to get Mr. President. I saw it from the very beginning with every kind of gate there was in government reform. There was a tailgate, there was a post office gate. Every gate imaginable was brought before that committee long before this impeachment

started, but it was the beginning of impeachment of William Jefferson Clinton.

My colleagues have not liked him from the very beginning. I have tried to find out why. They dislike him, but they cannot get him in the manner which they tried before, so now they are going to use this 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 I could. 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 Constitution, and 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 people; it is 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).

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 entirely 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 electing a new President, and upon 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 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.

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. Mr. Speaker, Republicans say the underlying issue is not about sex, it is about perjury. Democrats say the underlying issue is about sex, a private 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 and the Committee on the Judiciary, but underlying the pending Clinton impeachment is neither sex, nor lying, 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 is essentially the same:

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, while potentially felonious, does 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 the African American community keep sticking with Bill Clinton? When 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 class whites who wanted to be 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 Republican Party. Former Democratic confederates opposed and resisted the big centralized Republican federal government and wanted to get the government off of their States' backs so they could get right back to their old States rights ways. Senator Andrew 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 was willing to 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 reconstructive economic 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 right to choose, Medicare, Medicaid, Supreme Court Justices who believe in equal protection under the law for all Americans. Something deeper in history is happening than sex, lying about sex and perjury. In 1868 it was about reconstruction, and in 1998 it is still about reconstruction.

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

That is the essence of the argument we heard presented by members of the House Judiciary Committee and voted on along 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 130 years later. There has been a "role reversal"—the Republicans of

1998 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 in 1998.

Congress determined that Mr. Nixon's failure to pay taxes, while felonious, did not meet constitutional standards. Mr. Clinton's action while potentially felonies, 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 denied 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 keep asking 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 and 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 could not outlaw slavery anywhere in the U.S. The Confederacy—its economy, religion, family, social customs, mores and politics—was based and built on the institution of slavery. The Civil War ended slavery, but it did not create a more perfect Union because there were still two outstanding problems: (1) How to bring four million former slaves into the economic mainstream? And (2) How to politically enfranchise them? That was the goal of the First Reconstruction and it's goal has never been realized. Those twin problems have never 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' Republican Party has gone from being known as the Black Republican Party 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 and reunifying the nation following the war led our first Republican President to reward Johnson's loyalty by nominating him for Vice President in the 1864 campaign.

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 reconstruct the nation with a Republican program of economic inclusion and political enfranchisement.

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 Republicans, 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 Republicans investigated a vulnerable Johnson—who was not unlike Bill Clinton in terms of his personal foibles—to try to come up with an excuse to impeach him. It was a partisan Republican attack on a Democratic President in order to preserve undertaking the Republicans' First Reconstruction economic program. It was in this context that the historically black colleges and universities were founded.

The struggle between these radical progressive 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 finally elected President by one vote in the House, but in exchange for pulling out Federal troops protecting the newly freed slaves in the South, and agreeing to appoint 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 Congress, 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 (economic) Deal. Roosevelt defined a new more inclusive Democratic Party by offering an economic agenda that appealed to every American.

It is the same white elitist southern forces and their continuing anti-Federal government ideology—except today they are called Republicans—who want, this time, not to preserve but to undue the nation's effort at reconstruction, a Second Reconstruction begun in 1954 with Brown, continued with the 1964 Civil Rights Act and 1965 Voting Rights Act, affirmative action and majority-minority political districts. 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 Alabama, Lester Maddox of Georgia and Orville Faubus of Arkansas were all Democrats. Renowned 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 originally Dixiecrats, but are now Republicans.

Today's conservative southern-based Republicans' target is the Second Reconstruction, 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 underlying dynamic of this impeachment proceeding is not the removal of Bill Clinton, but the removal of the social and economic programs of the New Deal and the Second Reconstruction of the Great Society, a weakening of the Big Federal Government generally, and the destruction of liberalism as a viable political ideology 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 American people be led astray again by the Republicans' new sex diversion or will a strong political leader be able to get them to focus on their real economic interests of full employment, comprehensive and universal health care, affordable housing and a quality public education? History—not President Clinton or the current crop of Democrats and Republicans—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 Republican impeachment effort allows us to look at the roots, dynamic and current political structure of this conservative political movement.

Begin with the Judiciary Committee. Ten of the eighteen Republican members of the Judiciary 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 recently spoken before a white supremacist group.

Move on to the House Republican leadership. 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 censure, but to vote with their party 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), 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. Today in Congress there are more 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 Senate—the ultimate conservative states' righter, 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 1952 and 1953, wrote a memorandum 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 to order wiretapping and surveillance without a court order, no-knock entry by the police, preventive 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 that nearly every 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 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, where the individual right 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 go after Dixie, using 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 twin evil forces of "liberalism" 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 given two years to solidify his 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 liners to motivate and build their conservative "social values" political base as a dimersion from economic justic 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 closely identified with both President Clinton and liberal "Big Government" programs fits perfectly with their consistent use of race to divide the electorate in presidential campaigns. They can send the subliminal race signal while publicly denying they are using race as an issue in the campaign. So far the Republicans have gotten away with it and they have not been impeached for lying about it.

The Republican goal in 2000 is to use this strategy to retain control of the House and Senate and to gain control of the White House. They can then appoint their hardcore conservative right wing friends to the Supreme Court after 2001. We will be treated to Kenneth Starr clones as nominees to the Supreme Court. Remember, Kenneth Starr's ambition before being sullied by the Lewinsky affair was to be appointed to the Supreme Court.

Republicans in control of the executive, legislative and judicial branches of the Federal government could turn the clock back to a twenty-first century version of the good old States' Rights days of the 1850s and the 1896 "separate but equal" days of Plessy v. Ferguson.

By putting impeachment in the legislative rather than the judicial branch of government, the Constitution deliberately made it a political-legal affair. Republicans have done in 1998, what Democrats did in 1868. They have used the political-legal nature of the impeachment process to turn it into a political—political affair to further their anti-Big Government aims.

Republicans are trying to impeach reconstruction. President Clinton risked all of that history of social and economic progress by lying about an issue of personal satisfaction. He has not committed treason as defined by the Constitution as an impeachable offense. His treason is against our cause of building a more perfect union.

After economic and socially conservative Presidents Nixon, Ford, Carter (an economic conservative, but more liberal socially), Reagan and Bush, a moderate-to-conservative southern Democrat, President Clinton, has helped to prepare an economic bridge which would allow us to again begin to work on some of the unfinished and unreconstructed tasks of the Civil War. Monica Lewinsky has now reduced the defense of that agenda to a defense of him.

Today Republicans are trying to impeach Social Security, affirmative action, the right to choose, Medicare, Medicaid, Supreme Court justices who believe in equal protection under the law for all Americans, public education for all over vouchers for some, universal and comprehensive health coverage over medical savings accounts for the few, affordable housing for all, versus mansions for a select few in an effort to win elections.

Clinton launched a dialogue to talk about race, but the real race dialogue is what could potentially happen to economic reconstruction in 2001 if this reactionary Republican strategy works. Clinton has worked hard to separate the race dialogue from the economic dialogue—joining with the Republicans in 1997, and ignoring his strongest liberal supporters today, by cutting a budget deal to balance the budget with the conservative Republicans. That deal assures that there will not be enough money to fix our historic problem. He has reduced his own defense to a personal defense instead of a defense of history.

Something deeper in history than sex, lying and perjury is at issue here—just as something deeper in history than the removal of a cabinet secretary was a stake in 1868. At stake in 1868 was the First Reconstruction. At stake 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 in this status. I submit a statement 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 tax fraud by President Nixon was not an impeachable offense. The record simply does not bear that out. It is true that the

committee rejected an article of impeachment based on tax fraud against President Nixon, but it is equally clear that the overwhelming majority of the 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 now the evidence of specific 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. 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 Army. 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.

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The other point that I would make is we have heard an awful lot of talk about the repeal of the 1996 election. We have heard a lot of talk in the Shays town meeting about a coup occurring in America. This is utter nonsense. After all, the President of the United States picked his Vice President in 1992 and 1996, and he picked him for issue compatibility, and certainly Vice President GORE would have that, should the Senate vacate the office of President. I would suggest that the "repeal 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 rule of law, you violate Federal laws—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 again has blocked weapons inspections in Iraq and the House of Representatives is preparing to decide whether President Clinton should be impeached. The collision of these events should reaffirm for us that we can unite in dealing with foreign threats even as complicated domestic matters are under consideration.

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

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

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

The impeachment of a President by the House does not remove him from 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 our district. Within our district, the often passionate communications have been closely divided between those who favor and those who oppose impeachment.

Most Americans know there is powerful evidence that President Clinton deliberately testified falsely under oath in both a federal sexual harassment case and a federal criminal grand jury proceeding. They know there is substantial evidence that the President attempted to tamper with witnesses and obstruct justice.

What should be done in response to President Clinton's actions is, and should be, a matter of conscience. Despite news reports to the contrary, on this issue there has been no arm-twisting by either the White House or the Republican leadership. I respect the views of my colleagues who will vote differently, and those of my constitituns 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. Additionally, I have voted against a majority 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. There any many myths regarding the President's defense. Here are just a few of the main ones:

(1) "These are Not High Crimes and Misdemeanors" This is not Watergate. But, no committing watergate-style crimes should hardly be the minimum standard we ask of out Presidents. 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 officials duties.

(2) "Censure is the Proper Punishment" It has been said that instead of impeachment, the House should censure the President. First, the Contitituion 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 refuses to admit. Censure would be like shouting at a teenager and thinking that loudness will change his behavior. However, if the Senate should decide on other measures short of removal, then censure might be proper. The role of the House is to ascertain whether there is enough evidence to have the Senate conduct a trial.

(3) "It's a Coup Overturning the 1996 Election" If the President should actually be removed from office by the Senate, then he would be succeeded by Democratic Vice President Al Gore, not losing Republican candidate Bob Dole. President Clinton picked Gore as his running mate in 1992 and 1996. He picked Gore because he felt that they would agree on public policy. To say that this "overturns" the 1996 election is no more accurate than saying that the forced resignation of Richard Nixon overturned the 1972 election. When President Nixon resigned, his own hand-picked Vice President, Gerald Ford, succeeded to the office.

(4) "It's Just Sex" What we should not forget is that President Clinton is accused, not of having an affair, but of lying in a sexual harassment case in an effort to defraud an American citizen of her rightful day in court. Plaintiffs in sexual harassment cases are permitted by law to inquire into the behavior of defendants in order to establish a pattern and practice of behavior (such as giving benefits for sex). 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 inevitably confront these questions: (1) Do we believe that the President is above the law? (2) Do we believe that such actions

are acceptable and deserving of no more than a meaningless and nonbinding 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. 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, not to punish the President. Under our system, the proper institution to punish the President if he violated the law is the court system, a legal institution, not the Congress, a political institution.

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

To those who say censure has no bite, my response is this: I come from the State of Joe McCarthy. Tell him censure has no bite. 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 acts. If the House ignores that distinction, it fails in its obligation to put the President's acts in perspective.

Mr. Speaker, the gentleman from Illinois (Mr. HYDE) said earlier in this debate that there cannot be one law for the ruler and one law for the ruled. I agree. But I would say, respectfully, that this House should not have one standard of judgment for truth telling for the leader of the Executive Branch, and another for the leader of this institution, who was found not to have told the truth to this House. In that case there was no removal from office; there was not even censure. There was simply a reprimand and then reelection by the Republican House majority to the Speakership.

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 of fairness. If the House 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 that because while reading the report 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 t.v. set to see, as an unreconstructed 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, using language I never expected 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 phenomenally gross verification that our society and our country is faced with nothing less than the accelerating failure of institutions that are central to our functioning as a decent society and as a democracy that works 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 and in this society are 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 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 Japanese government off a course 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 in Korea. 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 threatening our ability to take even marginal action to minimize potential catastrophe.

On the home front, the Supreme Court, the institution that we, in the end, rely upon more than any other to preserve the balance of forces that protect our democratic processes and our liberty, has handed down two very different sets of decisions that have crippled the ability of our political system to function as a democracy should.

(1) The spectacularly myopic decision in the Paula Jones case that the government would not be distracted if that case went forward now rather than two years from now when the President was out of office and his private activities could be handled as a private civil matter rather than as a national governmental soap opera.

(2) The mind-bogglingly naive decisions that the constitutional rights of Americans to have a political system that functions for them would be protected by a series of naively libertarian decisions that equate money with speech, establish absurd legalisms about campaign financing that have no relationship to reality, that have turned politics into a money chase and political campaigns into the competition of dollars rather than ideas.

And other domestic institutions are also failing in their fundamental responsibilities.

Large sections of corporate America are making economic decisions, devoid of any values except the maximization of financial benefit to the management and investment elite of this country—in almost total disregard of the impact of those decisions on loyal workers, their families, and their broader communities which have nurtured them.

These decisions, and policy decisions by government, have together produced the greatest disparity between the economic well-

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

The political elite has largely debased what passes for political dialogue on many crucial issues.

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

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

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

The press itself, with all too few lonely and valiant exceptions, has fallen into the same bad habits it legitimately criticizes in the politicians it covers. The press too (especially the electronic media) drawn by the realities of the marketplace, has often become little more than the public affairs entertainment division of profit making corporations who will do almost anything to preserve market share instead of responding to the public's need to understand the substance of issues before the country. The press, driven by market surveys and polls, produces story after story that portray politicians as gladiators and celebrities rather than problem solvers—responding to and strengthening some of the most unhealthy public biases on the landscape.

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 innocent individuals in the process. One need 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 viewers, and Mrs. Kendall a public apology for his inability to resist his "Dennis the Menace" impulses which have increasingly made that reporter a caricature of himself. Is there no length to which some segments of the press will go to humiliate other human beings in the name of "news values"?

Even religious institutions have allowed themselves to fail the Nation in too many instances and have allowed politicians to manipulate religious concerns, more to find political advantage than to find spiritual answers.

Debates and discussions about the nature of humankind, our origins, our purpose, and our relationship with our creator are essentially conversations about the unknowable—at least in this life.

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

The Ten Commandments represent a guide for living and for the treatment of others. God did not give them to us to provide a roadmap for human beings and politicians to destroy each other. They are not a political program or an economic platform. As Mario Cuomo once said, "God is not a celestial party chairman." To the best of my knowledge, God has not yet taken a position on capital gains or other tax plans, but you would never know that by listening to some of the self-promoting political manipulators who pass themselves off as the "Clergy of the Tube."

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

Neither do religious leaders have any special competence to judge the specific mechanisms by which elected officials in a democracy accomplish decent public ends. Those of us in public life owe due consideration to their opinions, but we have, after all, taken an oath to uphold the Constitution in accordance with the dictates of our own—not someone else's—conscience and that is our own sacred public duty under the Constitution.

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

We have all too often allowed the substitution of moralizing for morality and have allowed the search for God to become a journey that develops hatred and contempt rather than love for our fellow searchers. Example: On abortion, perhaps the most agonizing, troubling, and divisive of all moral debates in the public realm, both sides have allowed their 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 so that debate has become more and more a political manipulation of the legislative process rather than a search for areas of agreement that would reduce the world's acceptance of abortion at the same time that it recognizes the dignity of individual conscience.

All of these institutional failures are rooted in two shortcomings.

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

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

(1) Mr. Starr: On a number of accounts Mr. Starr's report grossly represents the overreaching zealotry of a personally upright, but ideologically and politically partisan, individual who, before he was appointed special prosecutor, was already contemplating filing 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 down the President. Mr. Starr from all reports 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.

(2) President Clinton: Up 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, but often are designed to obscure rather than clarify!

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

After finishing reading Mr. Starr's submission of opinion and the response of the President's lawyers some things are clear to me and some things are not. I cannot really reach

a final judgement on this depressing matter until I have had an opportunity to evaluate the thousands of pages of backup material which are still to be released. But my first impressions of what I read are these.

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

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

Mr. Starr's allegation that the President acted illegally by misleading his own staff about his sexual activity is a real stretch as is his allegation that the President acted illegally by pursuing legitimate questions of Executive Privilege. Mr. Starr's active advocacy of impeachment, going so far as to draw up potential articles of impeachment, is, as the Washington Post has said, an "arrogant" act that claims for Mr. Starr a responsibility that is solely the prerogative of Congress. Mr. Starr's job is to lay out the facts in "Joe Friday style"—as Mr. Starr himself has on occasion pointed out. It is not to reach a conclusion about what actions Congress should take. That is our job.

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

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

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

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

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

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

In two years the millennium will draw to a close. This nation's institutions are simply not ready to lead this country into a new one.

I would never in three lifetimes call for a new Constitutional convention because this generation of political leadership is highly unlikely to improve on the work of the Founding Fathers; it is much more likely to muck it up.

But I do believe 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 who was censured, as 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 unconstitutional 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. 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 FBI." 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 corruption of its 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, and, 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 next 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. Mr. Speaker, I was elected to the House of Representatives for the first time in 1948 and 23 times thereafter. For that reason, I am frequently asked by the press these 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 criticized him. They voted against his Fair Deal programs, they abused 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 gave him his chance.

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 conservatism over the many years 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 security and integrity of the republic.

Use it in this instance, against Clinton and for these offenses, and it will instantly become one more tool, one more bludgeon, in the partisan wars that are turning our politics into a wasteland and turning our people off. Like the independent counsel law that has become Richard Nixon's revenge, 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, historically indelible resolution of censure.

Mr. Speaker, I regret very much that my last vote as a Member of this House should be on a bill like the bill under consideration. It should never have been approved in committee. It must be voted down by the House. I shall vote against the bill—there is no case 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 the Clinton-Lewinsky episode has been to see a sense of proportion maintained. "What's it worth to get Clinton?" we asked repeatedly, as Independent Counsel Kenneth Starr hauled in Monica Lewinsky's mother to put 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, we regret to say, 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 nations history—is evidence of how utterly the sense of proportion has been lost.

The first time a president was impeached—Andrew Johnson in 1968—it arose out of actions he took in the wake of the Civil War, actions having to do with the terms of Reconstruction and the political 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 moment.

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—sexual affair with another adult.

The issues in the two instances are not even close to being of the same 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 will demand a measure of courage and statesmanship that so far has been conspicuously missing.

It has been missing 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 Clinton's offense, 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 on impeachment.

In this regard, Robert Livingston, the speaker-elect of the House, already has failed 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 constitutionally barred from censuring Clinton. We accept Livingston's sincerity, but question his wisdom—and marvel at how neatly this judgment coincides with the rank, poisonously partisan nature of this entire proceeding.

Of course, we would not be in this fix if it were not for William Jefferson Clinton, as amazing a human being as has ever occupied the presidency. Brilliant, charming and immensely talented, Clinton also is a pathetic creature, slave of his enormous sexual appetite and addicted to lying. It is those last 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 "take care 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 traitor or a trader in government influence. 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 Democrat-controlled committee concluded, did not rise to the level of an impeachable offense. It 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 not, 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 security and integrity of the republic.

Use it in this instance, against Clinton and for these offenses, and it will instantly become one more tool, one more bludgeon, in the partisan wars that are turning our politics into a wasteland and turning our people off. Like the independent counsel law that has become Richard Nixon's revenge, 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, historically indelible resolution of censure.

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

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 personally participate in much of it. The investigation itself will be debated for years to come. The role of the perfidious friend, Linda Tripp, who worked in collusion with both the Independent Counsel and the civil case lawyers, shows how amateurish and unfair Kenneth 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 President 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's abuse of power. It 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 or 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 subversive of some fundamental or essential principle of government.

The allegations against President Clinton, even if proven, are not subversive 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 activities with a White House intern. Were they wrong? Undeniably. Can they be punished through the legal system? Absolutely. Should he be impeached? No.

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

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, it should not, it must not be tolerated.

We know that a right without a remedy is not a right, and if we ignore, allow or encourage lying and obstruction of justice in our legal system, then the rights promised in our laws are hollow.

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Our laws promise a remedy against sexual harassment, but if we say that lying about sex in court is acceptable and indeed, even expected, then we have made our legal harassment laws nothing more than a false promise, a fraud upon our society, upon our legal system, and upon women.

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

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. Therefore, I must vote in favor of counts one, two and three of impeachment.

The greatest challenge of free peoples is to restrain abuses of governmental power. The power of the American presidency is awesome. When uncontrolled and abused, presidential power is a grave threat to our way of life, to our fundamental freedoms. Clearly improper use of executive power by the President to cover-up and obstruct investigations of his public lying in our courts cannot be tolerated. 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, act to restraint 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 promisers, the commitments, the elements of social compact. The central promise or commitment of our compact

is that our laws will be enforced equally with respect to all, that our civil rights and civil grievances will be fairly adjudicated in our courts, and that the powers we give up to government will be used only for governmental purposes related to the common good.

When these elements of the social compact are violated, the legitimacy of the exercise of governmental powers is brought into question and the underlying compact itself is threatened. Each members of the compact—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 of some (even in a majority) over others (even a minority). 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 to our fellow citizens, and 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 the eternal search for justice for 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 humankind—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. Mr. Speaker, I rise in opposition to the resolution.

Mr. Speaker, I rise today in opposition to this resolution—not because the President did not do wrong and should not be punished—he did do wrong and should be punished. But I do not believe this rises to the level of high crimes and misdemeanors our Founding Fathers envisioned. They talked about crimes against the country—that is why they specifically cited bribery and treason. This does not rise to that level.

I believe the President should be punished and should be censured.

Mr. Speaker, I have never made a partisan speech on the floor of the House in my six years in Congress. But today, I cannot believe that the Majority party has not given me the opportunity to vote my conscience by allowing a vote of censure.

It is 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 this House, I have been handed both bitter chalices.

However, in our consideration of the Gulf War, this House rose to its very best. Full, fair and thorough debate took place, and no matter how one voted at the end 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, not the rule 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 vote on censure is 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. Mr. Speaker, I thank the gentleman for yielding to me.

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 is deeply divided on what we should do here, no thoughtful person who has visited with me about this grave question really questions the facts surrounding the President's conduct. But the decision is very difficult. How, then do I come to a decision in this matter?

Well, as I look into the eyes of my grandchildren or as I attempt to stand tall in the counsels of my own family with my adult children, I know that I can follow but one 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 American people desire this? That doesn't 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.

No other person, party, group, or body can or should accept the responsibility for this day and the four articles of impeachment before us. No one else, especially the Members of this Congress, willed or wished for this ignoble day to dawn on this great land.

The charges against the President are serious and they are substantiated—Perjury by lying under oath to a federal grand jury; perjury by lying under oath in the deposition of the Paula Jones civil lawsuit; obstruction of justice through witness tampering, relocating of evidence, and frivolous claims of executive privilege; and abuse of power by misleading his staff, cabinet, and other operatives in an effort to destroy the reputations of innocent people.

The evidence in support of these charges is clear, overwhelming, and for the most part undisputed, notwithstanding an unprecedented attempt to confuse the issue and divide the country. Those who refute this evidence would have you believe this is only about a personal sexual dalliance between consenting adults, and that it has no impact on our country—and that this is a private affair. Nothing could be further from the truth.

This is not about some seamy sexual encounter in some remote part of this urban city, but it is about our Commander in Chief and his conduct in the Oval Office—conduct that included having sexual relations with a young intern while at the same time, having a conversation with a senior member of Congress about whether or not to send our young men and women into harm's way in Bosnia.

Just take a step back and think about that. What if this was your son or daughter, your

husband or wife? If it was, would you still consider this conduct to be private?

The Oval Office is part of the "People's House," which is the symbol of American honor, of America's dedication to what is right, and to justice for our people and all people throughout the world. This is far from a private affair. Our President's conduct in many ways impacts our nation, impacts his ability to lead at a time when such leadership is needed, perhaps as much as ever in history.

While I recognize this country and yes, my legislative district in the heartland of Illinois, are deeply divided on what we should do here, no thoughtful person who has visited with me about this grave question really questioned the facts surrounding the President's conduct. Most condemn his conduct and say it was wrong, wrong, wrong. Some question the penalty that is deserved for his actions.

Many would have us think first of what the political ramifications are for the Republican majority, the first Republican majority in over half a century to last for more than two years. Some believe it is vindictiveness against our President. Others say we should decide this question based on what is easiest or expedient, what's best for the economy, what's in 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 what the polls say, no matter the most 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, in what certainly will be the most difficult vote of my political career. Yet I have been able to reach but one inescapable decison—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. 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 union. 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 Committee on the Judiciary 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 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 questioning of the President's motives in Iraq are only the beginning of a distrust and a 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 censure the President, begin the process to heal 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 who 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 that is supported by the majority of this House—were we allowed to vote on it. Yet the Republican leadership is so obsessed with getting this President, they won't even allow an alternative to be debated and voted on. Why don't we 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 questioning of the President's motives in Iraq are only the beginning of the 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 the Congress to immediately censure the President—and begin the process to heal the breach of trust that engulfs us now.

Vote "no" on this impeachment resolution.

Mr. McCOLLUM. Mr. Speaker, I yield 2½ minutes to the gentleman from North Carolina (Mr. COBLE), a member of the committee.

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

Two quotes of relevance, my colleagues. Wendell Holmes said,

> Sin has many tools, but the lie is the handle which fits them all.

Nearly a century ago, Theodore Roosevelt observed,

> We can afford to differ on the currency, the tariffing and foreign policy, but we cannot afford to differ on the question of honesty if we expect our republic permanently to endure. Honesty is not so much a credit as an absolute prerequisite to efficient service to the public. Unless a man is honest,

he said,

> we have no right to keep him in public life. It matters not how brilliant his capacity.

Some anti-impeachment proponents, Mr. Speaker, have accused those who plan to vote for the articles before us of hating the President. I have no hate toward President Clinton, but it is my belief that the President did, in fact, commit perjury, and we can ill afford to turn a blind eye to this offense. If we do so ignore it, what sort of precedent do we establish when subsequent matters involving perjury arise and must be resolved in a fair and impartial manner?

Much anxiety has been expressed, Mr. Speaker, about tying up the country if this matter is transferred to the Senate for adjudication. This, in my opinion, is not well-founded. If the House impeaches, the Senate has wider latitude and more flexibility than we in the House. The Senate is obliged to commence the trial, but it could terminate prior to conclusion. The Senate could impose a penalty, it is my opinion, without removal; or, the Senate could convict and remove. The Senate is capable of discharging the duty in one of several ways in limited time.

The people's House is the body charged with the duty of accusing, and

this is the duty we will discharge. If the impeachment articles before us fail, it will have been the will of the House. If the impeachment articles before us are passed, the Senate will then discharge its duty. The process will have been well served.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 2½ minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I have spent most of my adult life dedicated to public service. Twenty-one years ago I began my work in the Congress, first as an intern in the other body for George McGovern of South Dakota, and later as a staff member for the gentleman from Massachusetts (Mr. MOAKLEY), and now as a Member of the House from Massachusetts.

I am proud to serve my country. I have enormous respect for this institution, and I consider it a high honor and a great privilege to serve in this body. I have tried, to the very best of my abilities, to uphold the great traditions of this Congress and the Constitution of the United States.

Unfortunately, those traditions and that Constitution are under siege today. They are victims of an ill-timed, unfair and partisan process that does a great disservice not only to the President of the United States, but to the people of this country.

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. Regardless of their opinions of the President's actions, the people expect us to vote responsibly. Vote "no" on these impeachment articles.

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

Mr. TALENT. I thank the gentleman for yielding 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 is wrong.

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 act accordingly the minimum standards 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 sexual harassment lawsuit 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 up for 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. Mr. Speaker, it is with great sorrow that I take to the floor to express my support for approving these articles of impeachment of the President, sorrow because we have come to this point in our fair and wonderful country where we have to debate these articles.

Mr. Speaker, we are bound together as citizens of this great Nation, and as citizens, we are all answerable to the same laws, including President Clinton. The President is more than America's chief law enforcement officer. He is also the trustee of the Nation's conscience.

It is a fact that sworn testimony can literally mean the difference between life and death. Should we betray the rule of law by sweeping the President's activities under the rug?

If the opponents of impeachment wanted to avoid this process, they should have mounted a vigorous, vigorous defense of the President by refuting the facts in the Starr report. The Minority Leader, the gentleman from Missouri (Mr. GEPHARDT) 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. 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 would risk prosecution. Any church leader, CEO of a Fortune 500 company, high school faculty member, or community leader, would not face censure, they would be fired for similar conduct.

Impeachment does not determine the guilt or innocence of the President. We do not need to be convinced beyond a reasonable doubt in order to move forward. Our duty in the House is to decide if the available evidence indicates that the Senate should consider removing the President from office.

I believe that there is sufficient evidence to approve these articles of impeachment and to send this process to the next step. Through this vote, we shall announce how we stand on the Constitution and the rule of law. Are these outdated concepts to be ignored when convenient, or are they the guiding principles of our American civilization?

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

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 happy 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 censured. Most of the American 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 before the House with these articles of impeachment.

It is the wrong way. We are not even allowed to vote, to debate the issue of censureship. Is this a democracy, or are we moving towards a totalitarian country, where our rights are taken away from us? This is a very serious moment in our history. Let us not be trivialized, or trivialize the process.

A marketing tool? I do not think so. Censureship is what we want the opportunity to debate, censureship is what we want the opportunity to vote on. Unfortunately, the Republican majority will not let us have that opportunity.

Mr. Speaker, I ask the Members to vote no. Vote no on this ridiculous, insane affront to our Constitution.

Mr. Speaker, I rise today in strong, adamant and stern objection to the articles of impeachment of our President, William Jefferson Clinton. This recommendation to overrule not one, but two democratic elections and remove the President from office for alleged "high crimes and misdemeanors" is one of the two most grave votes that a member of Congress must cast. As other Members of Congress have erroneously stated, this is not a symbolic gesture, an expression of moral sentiments, or a "free vote" with no consequences. This is the first of a two-part process that removes the President from office. The House should unequivocally vote no on these resolutions, and end, once and for all, what has been a sordid, tawdry issue. The American people deserve better than to have a Congress consumed with the personal, not public, behavior of our President. I oppose the impeachment of our President for the following two reasons.

THE ALLEGATIONS OF THE INDEPENDENT COUNSEL DO NOT RISE TO THE LEVEL OF IMPEACHABLE OFFENSES

First of all, many experts agree that the allegations made by Independent Counsel Kenneth Starr to not rise to the level of impeachable offenses. After spending close to $50 million over four years, Judge Starr found the President innocent of any wrongdoing in the Whitewater investment debacle; innocent of any wrongdoing in the so-called "Filegate" fiasco; and innocent of any wrong doing in the unfortunate suicide of former White House aide Vincent Foster. All of these allegations were reasons the special counsel was originally deposed. There has been no demonstration that the alleged wrongdoing by the President approaches the magnitude of "treason, bribery and other high crimes and misdemeanors," as stated in our Constitution. Obviously, the framers of the Constitution intended that such "other high crimes and misdemeanors" must be in the nature of large scale abuses of public office such as treason and bribery. The President's admitted wrongdoing in his inappropriate relationship with a former White House intern simply does not measure up to this standard.

Historical precedent regarding impeachment clearly illustrates that for offenses to be impeachable, they must arise out of a President's public, not private, conduct. Former President Andrew Johnson was impeached for his public duty regarding the termination of a member of his cabinet, not for his private conduct of previously owning slaves.

THE PRESIDENT GAVE MISLEADING STATEMENTS, BUT THEY WERE NOT PERJURIOUS.

While I am not an attorney, I have reviewed the record as provided by the Independent Counsel and the House Judiciary Committee. From what I understand, in order to prove perjury, it must be proven that the President 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, that has nothing to do with 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.

Honestly and integrity are important, and vital, character traits of all public servants. The President has repeatedly admitted to this affair and to misleading the American public about it. The President has apologized to God, his family, and the American people for his misbehavior. Like my colleagues in the House and Members of the Armed Services, I have 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. I am not out to save 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 poeple by impeaching a President. The vote that is expected 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 lasts for months, paralzying Congress and our nation.

While the Republican leadership and majority 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 to be punished, 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 simply about a 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 before us in hearings, Committee mark-ups, or 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 fo afford the leader of this great nation 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 impeachment. 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 analysis, we in Congress have let the American people down with these articles of impeachment.

I am adamently against impeachment. Impeachment is not mere punishment for Presidents who have behaved badly, behavior to which President Clinton has already admitted and apologized. Impeachment is a mechanism to protect our Republic against rogue Presidents 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 on any of these articles for impeachment before me today.

I only pray that the wisdom of our God prevails upon us during this trying time of judgment. It is my hope that the wisdom of Congress prevails in rejecting these unnecessary and overreaching articles of impeachment against our President, William Jefferson Clinton.

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

Mr. McINNIS. Mr. Speaker, I thank the gentleman from Florida for yielding time to me.

Mr. Speaker, in this country we operate on what is called and our foundation is built upon what is called the rule of law. We all know our history. Our history says that we came to this country to go away from a king. Under the rule of law in this country, we say that the law is the king. The king is not the law.

We have one President. That position of President of the United States demands the highest public trust. Why the highest public trust? Because we have only one President.

I have read with interest the Democratic censure, and I quote parts from it: ". . . that the President violated the trust of the American people, lessened their esteem for the office of the President, and dishonored the office for which they have entrusted 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 would do in their community, what side they would stand on, what kind of letter or report they would give to a newspaper reporter if it were a local schoolteacher? There is not a schoolteacher in this country that would step into the classroom ever, ever again with this kind of conduct, 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 far above an individual. Let us comply and stick with the rule of law. The law is the king, the king is not the law.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 3½ minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, this matter should never have been pursued by Ken Starr, it should never have been pursued by the Committee on the Judiciary, and it should never have reached the floor of the House of Representatives. This matter belongs in family court, not in the court of the United States Senate, with the Chief Justice of the United States presiding.

Yes, the President made a grievous personal error, to the detriment of his family. But no, it is not an offense against the State or our Constitution. We are now on the threshold of overturning the people's choice for President through a perversion of the Independent Counsel law, a runaway partisan investigation of the most intimate, private activity, having nothing, absolutely nothing to do with a real estate deal in Arkansas. Ken Starr has twisted and warped his task from one in which he was out to find the truth to one where he went out to get the President and First Lady of this country.

Now, Mr. Speaker, we are amending the Constitution of the United States on the floor of the House of Representatives here today. Make no mistake about it, this is a constitutional amendment that we are debating, not an impeachment resolution. The Republicans are crossing out the impeachment standard of high crimes and misdemeanors, and they are inserting the words "any crime or misdemeanor."

We are permitting a constitutional coup d'etat which will haunt this body forever. A constitutional clause intended to apply to a Benedict Arnold selling out his country will now be expanded to cover every personal transgression. Every future President, Democrat or Republican, will be subject to harassment by his political enemies, who can credibly threaten impeachment for the slightest misconduct.

This is wasteful, it is foolish, it is dangerous. When we talk to people in the supermarkets, on the streets, they believe that 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 right to vote to censure him, 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. Perjury 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, however, that accompanies the President's problems. It is the opportunity to now tell the truth about the violations of perjury and obstruction of justice laws. The truth-telling can resolve most of the factual controversies, and it can introduce the potential for healing as the impeachment resolution is forwarded to the Senate.

□ 1515

I urge the President to tell the truth about his multiple perjuries and his efforts to obstruct justice, and I urge the Congress to deliver this message of impeachment to the Senate in the knowledge that we are all victims, including

the President himself. I support the impeachment resolution. It was a tough decision for me. I do not know, however, otherwise how I can explain especially to my 8 grandchildren and to the younger generation of this Nation why the President's willful and wanton violations of perjury and obstruction of justice of laws can be ignored.

Mr. CONYERS. Mr. Speaker, I yield 2½ minutes to the gentleman from Pennsylvania (Mr. KLINK).

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

Mr. Speaker, I have heard Member after Member get up on the other side and say this is not about sex. Let us make one thing very perfectly clear, the roots of this impeachment action are in fact in a sexual deed. I was reading Andre Maurois the other day, who said the path that leads from moral standards to political activity is strewn with our dead selves. There is a lesson in that for all for all of us.

This impeachment process is a partisan political activity. Do not make a mistake about it. What the President did was wrong. His conduct was reprehensible. It was appalling and, most of all, to those of us who have worked with him, it is disappointing. But just as every crime does not justify the death penalty, neither should impeachment, the political equivalent of the death penalty, be the punishment for every presidential misdeed.

The President of the United States had a consensual extramarital sexual relationship and did not want to divulge that to the public or to his political enemies. Is the President guilty of bribery or treason or other high crimes which threaten the future of our Republic? Absolutely, positively not. We all agree the President should not be above the law. However, just because he has been elected to the Office of President does not mean he should be below the law either. He should have the same treatment that every other American does. The President should face the same legal consequences anyone else does, and the rule of law should judge his actions as it would any other American.

Fairness should be our guiding force when we consider impeaching the President. Unfortunately, fairness has taken a back seat to partisan politics during this very serious one-sided debate. The overwhelming majority of Americans agree that the President deserves to be punished. But the majority of Americans also agree the punishment needs to fit the crime. The President's conduct, however reprehensible, is not an act of treason, bribery or other high crimes. In this, the biggest vote that Congress can take next to 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 activities 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. In the name of the millions 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. 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 for lying in a civil suit. She is under a jail sentence right today, and we could go on and on. But our Nation has one legal standard that applies to all of its citizens. We do not have one legal system for the President and a more harsh legal system for everyone else. High office does not allow anyone to be above or beyond the law.

For those reasons, I will vote for three of the four articles of impeachment.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. Mr. Speaker, I thank the distinguished ranking member for yielding me the time.

I would like to say to the gentleman from Kentucky (Mr. WHITFIELD) and to the gentleman from Pennsylvania (Mr. GOODLING), our distinguished colleagues, that perjury is applicable to this President as it is to all people once he leaves office. So that confused argument of what political perjury is and what perjury is in a court of law needs to be distinguished.

Let me also make it very clear for you that if the President is charged with perjury when he leaves office, I predict for you that 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 censure was some kind of, and I apologize, some kind of fix he called it. I do not see it that way.

I would like for you to recall that in the very cases regarding judges that were cited to as examples, censure was used and also, as we know, for two presidents. Additionally, the majority whip, the gentleman from Texas (Mr. DELAY), proposed what amounted to censure of the President over campaign finance issues just this past May.

This House can work its will on censure and anything else. I was removed from office after being found not guilty, and here we are talking we cannot censure. Today we have reached the zenith of unfairness. Our military, under the aegis of our President, is attempting to downgrade weapons of mass destruction in Iraq and we are en 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 certainly will take at least the 14 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 you vote what you might be doing to tie this entire Nation up. Our Nation is divided, and the House tomorrow will exacerbate that division. We are being unfair and unwise. We are being harsh to the institution of the presidency, harsh to our troops in harm's way, harsh to each other as colleagues and extremely harsh to this great country of ours.

This is not a debate for the ages. Rather, it is a debate of the stages, partisan political stages. I ask you, how many of us have read this report that came to my office last night after the close of business? How many of us have read, other than Committee on the Judiciary, the evidence that supports the conclusion that the Republicans ask us to reach? Most of us will be voting in an uninformed, unintelligent manner. This Nation deserves better.

You may win today, but the Nation will lose today and tomorrow.

Mr. Speaker, I include for the RECORD the information to which I referred:

Ten years ago, on August 9th, 1988, this House voted to impeach a federal judge from the southern district of Florida. It was not until October 20th, 1989, fourteen months later, that the Senate voted upon 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 there. I asked him to prepare a schedule projecting how the proceedings in the Senate might unfold. I have reviewed the projections he prepared and believe that they are conservative. I have appended to these remarks a statement of the "Projected Proceedings Before the United States Senate if the House Votes to Impeach the President." That Projection 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 motions stage; a trial preparation stage; and a trial and judgment stage.

The pleadings and motions stage in my case lasted seven months—from August 1988 through mid-March 1989. That first stage would take at least three months here.

The second, the trial-preparation stage, took three-and-a-half months in my case; it would take three here.

A Senate trial in this case, the final stage, would last at least seven weeks and could last for more than fourteen.

The similarity between the way in which the House Judiciary Committee conducted the inquiry in my case and the way in which it conducted the inquiry here will require the Senate to accord to the President and his counsel, at a minimum, pretrial rights comparable to those that it accorded me and my counsel. The principal similarity between the two cases is that in neither did the House Judiciary Committee examine or cross-examine the witnesses upon which the articles of impeachment depended. In neither, did it call witnesses for the defense or seek documents that will be necessary to the defense. Instead, it relied primarily upon a report and materials transmitted by officials in another branch and upon the testimony of the author of that report, in my case John Doar and here Kenneth Starr. As a result, the Senate permitted my counsel to conduct limited discovery proceedings to obtain testimony and documents necessary to my defense. The Senate will, perforce, accord an accuse President liberal opportunities to use its subpoena power to depose witnesses and gather documents that his counsel seek as necessary for a fair trial.

The two cases would be different in ways that would also influence the conduct of the proceedings that the House seems prepared to launch today. In my case, the Senate appointed an Impeachment Trial Committee and delegated to it the power to control the pretrial proceedings and to conduct the evidentiary hearings. That would not happen in proceedings against the President. The Rules Committee might be asked to guide the pretrial proceedings, but either side would have the right to insist that any decision be reviewed de novo by the full Senate.

The Impeachment Trial Committee appointed in my case heard live testimony from fifty-seven witnesses and received more than 374 exhibits. Those hearings took eighteen full, eight-hour days. The Senate rules for the trial of an impeachment provide that the full Senate shall convene as a court of impeachment at noon during the trial of an impeachment; they, in effect, provide for half-day trial hearings. It is unlikely that the Senate could hear, on average, more than two witnesses a day. And it should be clear that witnesses such as Monica Lewinsky are likely to occupy the stand for several days.

The materials submitted by Mr. Starr identify more than 120 potential trial witnesses and some 390 trial exhibits. Those materials do not identify, as witnesses, the FBI agents or OIC staff members who participated in the investigation and whose testimony will clearly be necessary. For example, each of the OIC staff and FBI agents who participated in the initial and each subsequent interview of Ms. Lewinsky had the opportunity to influence and shape her testimony in ways that bear upon her credibility and the relevance of the so-called "corroborating" detail offered by the Independent Counsel Starr. Those materials give little indication of the additional witnesses and exhibits the President would present in his defense.

The debate in the Judiciary Committee makes it clear that the prospective House Managers would be unlikely to exercise restraint in presenting the case against the President. The presentations by counsel for the President have made it clear that the defense will be commensurately vigorous. Although the appended projections provide a more conservative estimate, it seems unlikely that the number of witnesses called to testify will be less that the 120 potential witnesses 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.

Those who would vote to impeach the President should consider carefully the consequences. Over the next eight months, the attention of the Nation, of the full Senate, and of the Chief Justice of the United States would be devoted to hearing the evidence and arguments in this tawdry affair on at least thirty-five days. For at least eight months, a sword of Damocles would hang over the Nation, indeed over the world.

Over the past two years, the Nation has seen its President play an active and intensive role in mediating a peace accord in Northern Ireland, in brokering the Wye accords, in working with the Congress to produce a balanced budget and reforming the welfare system, in protecting the Nation's economy and addressing the threats posed by collapse of economies elsewhere, and in acting to assure that Iraq's ability to make war against its neighbors is degraded.

Those who would vote to impeach the President should consider, before they vote, what might have, or have not, happened had the President, the Senate, and the American people been preoccupied with protracted impeachment trial proceedings when any of those events occurred. Those who would vote to impeach the President should consider, before they vote, what may, or may not, happen if all are similarly preoccupied for the next eight months or more.

PROJECTED PROCEEDINGS BEFORE THE U.S. 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 Jefferson 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 Judiciary Committee during its inquiry into the President's conduct.

I. Preliminary Proceedings	Weeks Min.	Weeks Max.
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	1	1
B. The Rules Committee. Since the Senate has not conducted proceedings against a President in the past century, the issues would be substantial. At least five steps would have to be taken before the committee could submit its report and recommendations to the Senate..		
1. The committee meets and authorizes the Chair and Ranking Minority Member to send a letter asking the parties to file memoranda addressing issues identified by the Committee and other issues that either believes the committee should consider, probably allowing twenty to thirty days for initial memoranda and ten to twenty days for responses	1	2
2. Each of the parties file memoranda	4	6
3. Each of the parties file memoranda responding to the other	6	9
4. The committee holds hearings on the issues raised	7	11
5. The committee deliberates and prepares its report and recommendations and any necessary resolutions	9	13
C. Pleadings and Motions.		
1. The President. It is hard to anticipate the defense strategy the President will adopt, but the House Judiciary Committee's proceedings and recommended articles of impeach suggest that counsel for the President would file:		
a. *Answer and Affirmative Defenses.* Counsel for the President will raise at least one and probably two affirmative defenses—(i) the articles fail to allege facts sufficient to state an impeachable offense; and (ii) the misconduct of Independent Counsel Starr and the House's reliance upon the products of that misconduct require that the articles be dismissed	3	4
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	6	10
c. *Demand for Bill of Particulars.* The majority on House Judiciary Committee appear to shoot themselves in the foot by refusing to specify the precise statements made by the President that they claim were perjurious. If the 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	6	10
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 has been filed, strike specific allegations in the article that remains	6	10
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	8	14
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	10	16
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	12	18

II. Trial Preparation

In *Hastings*, the Rules Committee recommended that the Senate appoint an Impeachment Trial Committee to regulate the preparation for evidentiary hearings and to conduct those hearings. If the House adopts articles here, the evidentiary hearings will be conducted before the full Senate. It is likely that the Senate and the Chief Justice will agree that the trial preparation duties that were performed by the Impeachment Trials Committee should be assigned to the Rules Committee (or to a special impeachment committee appointed for that purpose). Although the counsel for the President would request that trial preparation be deferred until the Senate had ruled on the President's motion to dismiss, the Rules Committee might determine that necessary preparation should proceed concurrently with other trial matters. However those duties were exercised, the steps would likely be the same.

A. Discovery Proceedings. The need for discovery would be far greater in this case than it was in *Hastings*. Here, as it did in *Hastings*, the House Judiciary Committee relied primarily upon the report and materials transmitted to the House by another branch and upon the testimony of the investigator who prepared the report. Here, as it did in *Hastings*, the committee did not call and subject to examination and cross-examination the fact-witnesses identified by the Starr referral or those who might testify on behalf of the accused or obtain from the Independent Counsel or elsewhere documents other than those included in the materials transmitted. It is hard to conceive that the Senate here would not afford the President the time and the use of its subpoena power to take depositions and obtain relevant documents. Based upon *Hastings* and the materials available here, discovery would proceed in three stages.		
1. Submissions by the Parties. If any articles remained after the motions to dismiss or strike had been decided, the Senate or a committee would have to decide whether and what discovery should be permitted.		
a. Counsel for the President would promptly submit a memorandum identifying witness and sources of documents that were likely to produce relevant evidence and explaining why the President should be permitted to subpoena each of the witnesses and other source to obtain that evidence. At a minimum, it seems almost certain that the counsel would seek to depose (i) lawyers for Paula Jones about their initial conversations with Linda Tripp and with members of the Office of Independent Counsel ("OIC") staff; (ii) the members of the OIC staff and FBI agents who met with or interviewed Linda Tripp and Monica Lewinski; and (iii) other technical witnesses, such as those reconstructed materials from the hard drive in Ms. Lewinski's computer. It also seems certain that they would want access to the documents that the Independent Counsel did not transmit with his referral	12	20
b. The House managers would be directed to file a response agreeing with or objecting to the President's requests	14	22
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	16	23
d. Independent Counsel Starr, Ms. Jones's lawyers, or others subpoenaed might object to some or all of the subpoena, in which event time-consuming enforcement proceedings would be necessary, at least three months	.....	36
e. The depositions would be conducted and the documents produced and examined	16–24	36–44
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	12	20
2. The Senate or its committee would direct the parties to file and exchange ten days after the close of discovery, pretrial memoranda identifying witnesses each intended to call and exhibits each intended to introduce	25	45

	Weeks Min.	Max.
I. Preliminary Proceedings		
3. The Senate or its committee would enter a final pre-trial order establishing the date for and procedures to be followed at trial	26	46
III. The Trial of a President		
Rules XII and XIII of Procedure and Practice in the Senate When Sitting on Impeachment Trials provide that, unless otherwise ordered, the proceedings shall commence at 12:30 p.m. on the first day and at 12:00 noon thereafter. In order to make it possible for the legislative and executive branches to tend to some of the government's business and to enable the Chief Justice to participate, in the oral arguments before the Supreme Court, it seems likely that the Senate would not schedule the evidentiary proceedings to begin before 12:30 or would permit them to extend beyond 6:30 p.m. on a regular basis.		
A. The Presentation of Evidence by the House Managers. The managers presented the testimony of thirty-seven witnesses in *Hastings*. Only twenty-seven appeared before the Impeachment Trial Committee. The managers were permitted to introduce transcripts of prior testimony for the other ten. The House managers are likely to call most if not all of the 120 witnesses whose statements or testimony are included in the materials transmitted by Independent Counsel Starr. Depending upon the success of pre-trial negotiations, it might have to call several more to establish necessary foundations and the like. Forty to fifty would appear to the minimum number necessary to support the allegations the proposed article have borrowed from the Starr Report. No prior testimony will be admitted. The videotaped deposition and the videotaped grand jury testimony will be shown in their entirety, and many of the Tripp tapes will 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	27–30	47–50
B. The President's Case. It is impossible to project the number of witnesses that the President's counsel would call for his defense with any confidence. The Starr Report was not a balanced presentation of the available evidence. It seems clear that the number would be substantial and would include many of the 120 persons whom were identified in the Starr Report, but were not called by the managers. They would present all of the Tripp tapes that the managers did not introduce. They would call witnesses whose conduct might have influenced the testimony of Ms. Lewinski and other House witnesses and witnesses who had knowledge relevant to Ms. Lewinski's credibility. Twenty witnesses and ten days seems a safe minimum	31–32	51–52
C. The House Rebuttal. Given the passion and vigor displayed by Republican members of the Judiciary Committee, it seems likely the House managers would want to try to rebut the President's case, no matter how tired and angry the American people may have become. Might we hope for only a day or two	33	53
D. Argument, Deliberations, and The Vote. Given the nature of the issues and the length of the projected trial, it seems likely that Senate would allot at least four hours to each side for closing arguments. Past precedent dictates that the Senate would close its doors to deliberate in executive session until its members have expressed their views. The vote would follow. With luck, the denouement might be completed in less than a week	34	54

Mr. MCCOLLUM. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. HANSEN).

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 fickle 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. Another 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. 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, misdeeds and lies, the House has voted just once in its history to impeach a President.

Indeed the delicate system of constitutional checks and balances established by the founders works only insofar as each branch 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 only national election, 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 he 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.

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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 coups 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 at a time when the American people are looking at us to solve the problems that affect their everyday lives.

Let us honor our Constitutional obligations, heed the call of scholars and historians, and above all, keep faith with the men and women we serve.

Mr. McCOLLUM. Mr. Speaker, I yield 30 seconds to the gentleman from Georgia (Mr. BARR).

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

The other gentleman from Florida (Mr. HASTINGS) brought up an interesting point a moment ago asking rhetorically who has indeed read the material and reviewed the evidence. It is interesting to note, Mr. Speaker, that in the more than three months that the independent counsel's material, some 60,000 pages, have been over at the Ford Building there remain, I believe, four members of the Democrats on the Committee on the Judiciary that have not spent one minute reviewing that material; and even though arrangements have been made through the gentleman from Illinois (Mr. HYDE) to have other Members of both sides of the aisle not serving on the Committee on the Judiciary to review the material so they could answer any questions or look at the material firsthand, I believe there has been at most one Member on the Democrat side who has gone over to review the material.

So the answer to the question posed by the gentleman from Florida is, apparently, most Members on the other side are not interested in the evidence and, therefore, have not even reviewed it.

Mr. McCOLLUM. Mr. Speaker, I yield 3½ minutes to the gentleman from Florida (Mr. CANADY).

Mr. CANADY of Florida. Mr. Speaker, I want to respond to the point made by the gentlewoman from New York (Mrs. LOWEY), my good friend.

This is a process that we are following under the Constitution, and I am very disappointed that there has been a failure of those who are opposing these articles to focus on the facts of the case before us. Now these facts are inconvenient facts, they are very compelling facts pointing to a pattern of perjury and obstruction of justice by the President of the United States. But all the passionate argument about the independent counsel, all the passionate attacks on the process here in the Congress do not alter the stubborn facts of the case before us.

Now, I would also like to bring to the attention of the Members the report on "Constitutional Grounds for Presidential Impeachment" which was prepared in February of 1974 by the staff of the Nixon impeachment inquiry; and I would ask that all the Members consider this key language from that staff report describing the type of conduct which gives rise to impeachment.

The Democratic staff of the Rodino committee wrote, "The emphasis has been on the significant effects of the conduct—undermining the integrity of office, disregard of constitutional duties and oath of office, arrogation of power, abuse of the governmental process, adverse impact on the system of government."

Perjury and obstruction of justice clearly undermine the integrity of office. Their unavoidable consequence is to erode respect of the office of president. Such offenses are in obvious disregard of the President's constitutional duties and oath of office. Moreover, they are offenses which have a direct and serious adverse impact on the system of government.

Obstruction of justice is by definition an 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.

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 underlying conduct which gave rise to 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, they said, and I quote, "Any conduct by the individual holding the Office of the President, whether it is characterized as 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 ignored, they cannot be treated as trivial. 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 background and 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. Those who assert that the charges against the President do not rise to the level of "high crimes and misdemeanors" have pulled some phrases from that report out of context to support their position. In fact, the general principles concerning grounds for impeachment set forth in that report indicate that perjury and obstruction of justice are impeachable offenses. Consider this key language from the staff report describing the type of conduct which gives rise to impeachment:

The emphasis has been on the significant effects of the conduct—*undermining the integrity of office, disregard of constitutional duties and oath of office*, arrogation of power, abuse of the governmental process, *adverse impact on the system of government*. (emphasis added)

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 essential nexus to damaging the integrity of government may be found in acts which constitute corruption in, or flagrant abuse of the powers of, official position. It may also be found in act which, without directly affecting governmental processes, *undermine that degree of public confidence in the probity of executive and judicial officers that is essential to the effectiveness of government in a free society*. (emphasis added)

The commission of perjury and obstruction of justice by a President are acts which without doubt "undermine that degree of public confidence in the probity of the [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 his income tax returns. His misconduct 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 underlying conduct which gave rise to his crimes was a private matter, the President's lawyers have themselves elsewhere claimed:

Any conduct by the individual holding the Office of the President, whether it is characterized as private or official, *can have substantial impact on a President's official duties*. (emphasis added)

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." 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 respect for the Constitution itself grows out of a general respect for the law. And he understood the essential connection between respect for law and the maintenance of liberty in a Republic. Without respect for the law, our freedom is at risk. Thus, according to Hamilton, those who "set examples which undermine or subvert the authority of 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. His perverse example has the inevitable effect of undermining the integrity of both the office of President and the judicial process. The maintenance in office of such a President is inconsistent with the maintenance of the rule of law.

In light of the historic principles regarding impeachment, the offenses committed by the President demand that this House impeach William Jefferson Clinton. Our Constitution requires that this President who has shown such contempt for the law and for the dignity and integrity of the high office entrusted to him by called to account before the Senate for his high crimes and misdemeanors.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. WAXMAN), ranking member of the former Government Operations Committee, and ask that he yield to me briefly.

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

Mr. CONYERS. Mr. Speaker, I have just been advised that the chairman of the House Committee on the Judiciary has unilaterally permitted other Members other than committee members to visit the Ford Building to read other materials unbeknownst to me and we had not allowed any Democratic Members to go over there because we did not know that they were permitted to attend if they were not members of the Committee on the Judiciary. And I thank the gentleman from Georgia (Mr. BARR) for pointing that out to us. It is an incredible violation of our democratic rights, and I am deeply offended by it.

Mr. WAXMAN. Mr. Speaker, reclaiming my time, over and over again our Republican colleagues have called for the rule of law. Let me suggest that if the President has committed a crime, let him be tried in a court of law. There even he will have the protections of the law. Here in this House he is not getting the rule of law but the rule of politics.

This President has been subjected to an unprecedented and deliberate strategy to use taxpayers' funded money to investigate him in order to get him impeached. Millions of dollars have been spent, many reckless charges were investigated, investigated to death, and they were found to have no basis in fact.

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 presented to us 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 1¼ minutes.

Mr. Speaker, I think it is important to clear up the record as a result of what the gentleman from Michigan (Mr. CONYERS) had to say about access to executive session materials.

Just so that all of the Members are clear, when the House passed House Resolution 525 in September, immediately after the receipt of the independent counsel's report, only members of the Committee on the Judiciary had access to the executive session material. Section 4 of that resolution was effective during the review of the referral from Independent Counsel Starr.

Pursuant to section 1 of H. Res. 525, rules relating to review by the committee was effective until there was a further order of the House. Then in October, when we passed our inquiry resolution, that superseded the previous resolution's provisions relative to access to executive session material.

House Resolution 581, the inquiry resolution passed in October, had standard executive session rules of the House obtained; and that meant that all Members of the House of Representatives had access to those executive session materials.

That has been what the rule is since October 8, and any Member has had the legal right to go over to the Ford

Building and examine the executive session materials.

Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. HOUGHTON).

Mr. HOUGHTON. Mr. Speaker, I am going to take a little different tack here. I stand here as a Republican. I am proud of my party. But I am opposed to impeachment, and have proposed my own censure motion, which sadly will die with this session.

But this is today. What about tomorrow? Today we deal with the law. Tomorrow we deal with people's lives. The famous parliamentarian which we have all read, Edmund Burke, once said, "The law sharpens the mind by narrowing it. But in a few, law has lifted the mind to a level of comprehension and humanity."

So, Mr. Speaker, when all the arguments are done and when the votes are taken, this is what we must work for, the humanity, the healing of this Nation.

Mr. CONYERS. Mr. Speaker, I am delighted to yield 3½ minutes to the gentleman from Maryland (Mr. WYNN), and I ask him to yield a few seconds to me.

Mr. WYNN. Mr. Speaker, I certainly yield back to the ranking member.

Mr. CONYERS. Mr. Speaker, I thank the gentleman from Wisconsin, who is the ranking Member on the Judiciary, for his explanation.

The one thing it did not include, of course, was that only Members who were trying to have their minds made up were the only ones that came over to the Ford Building that were not members of the Committee on the Judiciary two days before this proceeding on the floor. And I am glad to know now that everybody could have come over but nobody apparently availed themselves until this last minute twisting of arms took place.

Mr. WYNN. Mr. Speaker, reclaiming my time, I thank the ranking member for yielding.

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 coup. The party in the majority want to remove an elected president. And that is the parliamentary system. That is not the democratic system. They are doing so without legitimacy.

Legitimacy demands bipartisanship. There is no 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 war effort. It used to be we got behind our young men and women, we focused on what they were doing. This crowd now believes that their partisan agenda is more important.

At the bottom, this is about sex. Now, the Republicans also jump up and say, no, it is about lying. Well, even if you accept the allegations that they are making, it is about lying about sex. That is not an impeachable offense.

If, in fact, they want to make the argument that this is about the rule of law, then the President is not above the rule of law, the President can be prosecuted. Do not believe the President can escape prosecution for these offenses in a court of law.

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The President can be prosecuted after he leaves office. The Founding Fathers left to us the question of impeachment, which is not legal; it is a political exercise which we are engaged in today. Unfortunately the Republicans have lost all sense of proportion of judgment. They talk about law, but they do not talk about justice. Justice looks at the situation and fits the sanction to the crime. In this instance we do not have high crimes and misdemeanors, we have low crimes and misdeeds. In truth, we ought to have the sanction option, we ought to look at another way to respond to the situation, but we do not have that opportunity.

Mr. Speaker, this crowd, this Republican leadership is forcing us to remove the President, and that is a tragedy, and that is in fact a low point in American politics.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. 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. The question diverges on the matter of consequences; is this impeachable? Some want censure, but the only constitutional remedy to the House is impeachment. Should the Senate decide, they may be able to censure. They have that option because only the Senate can decide on punishment; the House does not have that option. Our duty is to accuse, not to punish.

But since Democrats and Republicans have agreed that lies 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 position. I sadly must support these articles.

After months of debate, a review of the evidence, and careful consideration of the bipartisan hearings, I have decided 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.

Throughout this debate, the first question that must be considered is, what are the facts? Based on 60,000 pages of testimony, affidavits, and tapes taken under oath, honest people regardless of party, 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 Lewisky'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 recited 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 he 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

Artlce 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 in answers to written questions asked in the Jones vs. Clinton case. Such questions are permissible under current law in civil rights lawsuits in order for the court and the parties to ascertain the true facts of a case.

In those answers:

The President swore that he had not had sexual relations with any federal employees. The facts show this is not true.

The President also swore that he had not proposed nor sought to have sexual relations with any federal employees. The facts show this is not true.

The President told a series of calculated lies under oath, after swearing to tell the truth, in a deposition given in the Jones vs. Clinton case, 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 has 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 fact 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 might provide in the case.

The President told lies to While House aides who he knew 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 visits to the Oval Office were 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 request, instruct, suggest to or otherwise discuss with Betty Currie that she take possession of gifts he had previously given 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 lied 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 Counsels:

Gregory Craig, 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—have reached that conclusion—could determine that he crossed over that line, and what for him was truthful but misleading, or nonresponsive 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 THE PRESIDENT 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 civil to 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 the following:

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." They suggest that "other" means that the crimes and misdemeanors contemplated by the Framers must be of similar magnitude to treason or bribery. They also suggest that "high" 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 interference in the legal process was an obvious ground for impeachment. Indeed, Professor Presser argued that failure by the President to live up to the standards of honesty, virtue, and honor thought necessary for the office was precisely what the Founder intended the impeachment provision of the Constitution. When a President uses his office for personal rather than public ends, he has betrayed his constitutional obligations to the Nation.

Other scholar made arguments before the committee supporting this view. Professor John McGinnis of Yeshiva University Cardozo School of Law pointed out that this matter is not about the President's private life. It is about someone else's rights, rights which the President is sworn to protect. It is about a private citizen's civil rights and an effort to corruptly influence that citizen's due process rights. In the United States, civil rights, the right to a fair trail, and equity before the bar of justice are cherished rights, and the last person in the Republic we should accept as a violator of them is the man charged with enforcing them. Perjury and obstruction of justice in a civil case are a threat to the civil rights of every citizen, especially when that citizen if confronted with a vast apparatus of government power.

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 restrains against the type of egregious offense are therefore imperative. The power of subpoena, broad as it is, and the power 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 by severe penalties, in no other way can criminal conduct be flushed in the open where the law can deal with it.

Similarly, our cases have consistently—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, 576–77 (1976)

The seriousness of perjury is reflected in the Federal Sentencing Guidelines, which classify perjury in the same category as bribery (2J1.3).

Congress has reaffirmed the Supreme Court's words through the impeachment process. All three of the federal judges who were impeached in the last twenty years (Claiborne, Nixon, and Hastings) 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 Battalion with obstruction of justice based on her denial in a civil case of a sexual relationship. United States vs. Battalino.

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 and Congress allows 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 falter.

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 are 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 the Constitution does not 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 for future Congresses, who will surely be tempted to use this act as a weapon against a President of an opposing party whenever Congress has serious disagreements with the administration's policy. The Founders did not believe that the House should have such a role, unless presidential misconduct were so egregious as to warrant impeachment.

If censureship is not an option, what exactly is the House voting on? Again, the Constitution interprets impeachment as an indictment. That is, does the House find probable evidence to send the matter to the Senate for a full trial and to make the final decision? Based on the facts presented, the answer is "yes" if one believes the charges are impeachable.

Outside of the legal realm, many argue that impeachment is against the will of the people. However, Members of congress have to make this decision based on the Constitution and the oath of office, not political polls, party, or politics. But, to examine this idea of polling, should polls also be conducted on the government's policy in Bosnia, the Middle East, on the government's income tax, on the Internal Revenue Service, on school choice? Those who insist on using polls for impeachment decisions are selectively oblivious to the "will of the people" on other matters which may or may not be in sink with their own political philosophies.

SHOULD THE HOUSE OF REPRESENTATIVES PROCEED WITH AN IMPEACHMENT VOTE AT THIS PARTICULAR TIME?

Another argument against an impeachment vote is that it will disrupt the nation while troops are being deployed to Iraq. Here is an example of what our nation was going through while President Nixon was in office:

As Henry Kissinger was engaged in negotiating a peace agreement with the North Vietnamese in Paris in May 1972, 3 resolutions (H. RES. 975, 976, & 989) were introduced in

the House calling for Nixon's impeachment based on Indochina military actions taken as part of an effort to strengthen the U.S.'s hand in the negotiations.

On May 18, while there were still over 62,000 troops on the ground in Vietnam, Mr. Conyers (who is now ranking Member on the House Judiciary Committee) introduced H. Res. 989—together with Mr. Dellums, Rangel, and Stokes (also Members of the Judiciary Committee)—a resolution which called for:

Impeaching Richard M. Nixon, for abuse of the office of the President and of his powers as Commander in Chief of the Armed Forces by ordering the mining of all North Vietnamese ports and the massive aerial bombardment without discrimination as to the lives of civilians in Indochina, and for other high crimes and misdemeanors within the meaning of article II, section 4, of the Constitution of the United States.

On Oct. 12, 1972, four months after the break in, less than a month before the Presidential election, and while the United States was still bombing Hanoi and 32,000 troops remained in Vietnam, House Banking Chairman Wright Patman attempted to have his committee initiate a Congressional probe of Watergate and announced that the GAO had acceded to a request for a "full scale investigation" of Watergate.

On Jan. 11, 1973, while Henry Kissinger was in the final stages of negotiating the peace agreement that was signed in Paris on Jan. 27 and 21,500 troops remained in Vietnam, the Senate Democratic Caucus unanimously approved a resolution calling for an investigation of the Watergate affair. Senate Majority Leader Mike Mansfield announced 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, it is constitutional."

On February 7, 1973, as the U.S. bombing in Laos was increased to help force a wider peace in Indochina and just one week before the first planeload of American POWs were sent home by North Vietnam, the Senate voted to establish a select Committee to probe Watergate. The Senate acted based on a 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 calling either for the appointment of a special prosecutor or authorizing Watergate investigations by the House. On May 1, the Senate passed a resolution calling for an outside prosecutor and Sen. Ervin began his Watergate hearing on May 17. Archibald Cox was appointed Special prosecutor the next day. The Senate and House also voted in May to prohibit the use of funds to "finance combat activities [bombing] in, over, or from off the shores of Cambodia or Laos by U.S. forces." At the time, over 6,000 military and civilian 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, 391]

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 experienced Vice-President to take over as President Ford did in 1974.

CLOSING REMARKS

The House voted on a bipartisan basis to proceed with an impeachment inquiry by the Judiciary Committee. Procedures were modeled after the Democratic-designed Watergate rules and time was given to all parties for witnesses, thus making this investigation fair and equitable.

Our actions will stand the test of time. They must. This vote is not for today or the next election, but for the next generation. We are a nation of laws and upholding those laws is the duty of all citizens, or, as it has been asked, should we be a nation that has one law for the ruler and another for the ruled?

This is a sad and serious situation, but to vote "no" would send a message that oaths to tell the truth mean little and a cancer would spread throughout our courts and eventually our nation itself.

Mr. CONYERS. Mr. Speaker, I yield 3½ minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, today is a tragic day for our country because, while our young people are fighting in the Persian Gulf and bringing honor to our country, we are bringing dishonor to it with our hypocrisy here in this Chamber. Today the Republican Party is not judging our President with fairness but is impeaching our President.

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

The SPEAKER pro tempore. The gentlewoman from California would have to yield.

Ms. PELOSI. I do not have enough time to yield, Mr. Speaker.

The SPEAKER pro tempore. The gentlewoman may proceed.

Ms. PELOSI. 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, fairness, 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 we found exculpatory information it would be reported immediately to the accused and be made public. The independent counsel knew that the President was exonerated in Travelgate, Whitewater and Filegate, and he held that information until the hearing, indeed until after the election. This was not fair. Indeed, it is the responsibility of any prosecutor to immediately release information that is exculpatory.

So it is not about Whitewater, it is not about Travelgate, and it is not about Filegate. It is about sex. It is about a punishment searching for a crime that does not exist.

In the Gingrich probe we drew every inference in favor of the accused, but in this case it took a closing question from a member of the grand jury to Monica Lewinsky to say: "Is there anything you would like to add to your prior testimony?" for Monica Lewinsky to respond, and I quote:

"No one ever asked me to lie, and I was never promised a job for my silence."

The point is why did the independent counsel not elicit that important testimony?

In the Gingrich case we spent a major part of our report explaining the laws which were violated. The Committee on the Judiciary has not proven perjury, it has not even defined perjury. Instead, it has kept the subject intentionally vague. Whether one is violating a marital vow or some other aspect of his personal behavior, it is not an impeachable offense. Our colleagues have not proven perjury.

In the Gingrich probe we had a bipartisan unanimous vote in our subcommittee and an almost unanimous vote on the floor because we built consensus and we tried to bring the matter to closure, and I will submit the rest to the RECORD where I say that censure is closure, censure is constitutional. John Marshall, the Supreme Court Chief Justice of the United States testified that it was. How can the Republicans, as we come to punishment, how can the

Republicans exalt the gentleman from Georgia (Mr. GINGRICH) to the highest post of Speaker after he admitted lying to Congress and try to impeach the President of the United States for lying about his personal affairs?

I urge my colleagues to vote no, stop this hatchet job on the presidency, stop this hypocrisy, stop this hatred and vote no on all four counts.

RESPONSIBILITY IN THE GINGRICH MATTER

We had a bipartisan unanious vote of our subcommittee and a near unanimous vote on the floor because we build consensus and brought the matter to closure. We have that opportunity today with a motion of censure. Censure is constitutional. In 1800 Representative Livingston introduced a motion of censure against President John Adams. The President was successfully defended by Congressman John Marshall of Virginia who would soon become Chief Justice of the United States. Marshall is the father of much of our constitutional law and he never argued in the Adams case that censure was unconstitutional.

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

Mr. HUTCHINSON. Mr. Speaker, I have been taking notes on my colleagues on the other side of the aisle, and I would just ask them to talk about the facts in the articles, four. We would love them to talk about those. If anyone disputes the allegations of perjury, obstruction of justice, we would like to hear some specific allegations. The Committee on the Judiciary conducted an independent review of this matter. We are not bound by Kenneth Starr. All the exculpatory material was made available to the President's counsel. He had an opportunity to call witnesses. We urged him to. All the time was not taken by the President's counsel, and I think that is important to be noted.

Mr. Speaker, I believe it is critical that we were fair through the Committee on the Judiciary process, and I believe we accomplished that.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. WICKER).

Mr. WICKER. Mr. Speaker, I am glad we keep coming back to the rule of law question. I think standing for the rule of law includes the following: that the Nation's chief law enforcement officer cannot commit perjury and remain in office. The rule of law means that the Commander in Chief of our Armed Forces should not be held to a lower standard than are his subordinates. The rule of law means that even the most ordinary and humble citizens are entitled to their day in court, and they are entitled to expect sworn testimony in that court to be truthful, even testimony from the President of the United States. The rule of law means recognizing that felonious criminal conduct by the President of the United States cannot be tolerated. The rule of law is more important than the tenure in office of any elected official.

During John Adams' second night in the White House he wrote these words: "I pray heaven to bestow the best of blessings on this House and on all that shall hereafter inhabit it. May none but honest and wise men ever rule this roof."

Mr. Speaker, it is with great regret that I conclude the current occupant of the White House has utterly failed to live up to this standard. I cast my vote for impeachment to protect the long-term national interest of the United States, to affirm the importance of truth and honesty, and to uphold the rule of law in our Nation.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. DEUTSCH).

Mr. DEUTSCH. Mr. Speaker, the Republican leadership's irresponsible actions today on impeachment is only met by the irresponsible behavior yesterday questioning the military action in Iraq.

The President's conduct has been deplorable, indefensible, but his behavior by any objective analysis does not rise to the level of impeachment as defined by our Constitution.

What did the President do? He misled, he manipulated and he lied to two specific questions under oath. The first question was whether he was ever alone with Ms. Lewinsky.

The leading Supreme Court case on perjury I think really points out the fact that that issue was not perjury. As distasteful as that might be, that is the facts of the law. The leading Supreme Court case talked about someone who testified under oath that he did not have, his company did not have, a Swiss bank account. He, in fact, did, but his company did not. He was prosecuted, convicted for perjury. The Supreme Court overthrew that case because in fact that was not perjury by being deceitful, by being misleading in 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 British are involved in those actions. Are they part of the conspiracy that they allege? Are the 30 countries that are part of the UNSCOM U.N. team that did the investigation in terms of chemical and biological weapons in Iraq, are they part of this conspiracy as well? Obviously not.

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

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

Mr. CANADY of Florida. Mr. Speaker, I thank the gentleman for yielding this time to me, and I want to compliment my colleague from Florida for at least touching on the facts of the 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 by his answers. That was his intention.

Let me read to my colleagues from a recent decision of the Sixth Circuit Court of Appeals. It says a perjury inquiry which focuses only upon the precision of the question and ignores what the defendant knew about the subject matter of the question at the time it was asked misses the very point of perjury. That is the defendant's intent to testify falsely and thereby mislead his interrogators. Such a limited inquiry would not only undermine the perjury laws, it 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.

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Mr. SENSENBRENNER. 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, and it needs to be said that not once, not once in this entire ordeal, has a single member of my leadership, has a single colleague, has a single member of the Committee on the Judiciary, not only not asked me to vote one way, they have never even inquired as to how I would vote.

We have big differences of opinion here, but it does the process an injustice to argue that there has been arm twisting.

I think the Whip has been maligned in this process. It has been alleged that he is twisting arms. I spent 3½ hours in

the company of the gentleman from Louisiana (Mr. LIVINGSTON), the gentleman from Texas (Mr. ARMEY), the gentleman from Texas (Mr. DELAY) and the entire elected leadership this week, and not once did any of them say a word to me about impeachment.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 2½ minutes to the gentleman from Texas (Mr. DOGGETT), a former member of the Supreme Court of his state.

Mr. DOGGETT. Mr. Speaker, as a former judge and an attorney, I have seen firsthand the corrosive effect on the justice system of lying. Lying under oath is just as wrong when it is committed by your allies as when committed by your adversaries. I agree that no Republican made this President lie, just as no Democrat influenced NEWT GINGRICH.

When the House reconvened after the August recess, after the President's testimony to the grand jury and his statement to the Nation, I was the first Member of this House on either side of the aisle to come to this floor and condemn the President's lying and ask that he be promptly punished.

Then, as today, this Republican leadership had a choice: It could either bring us together in a collective condemnation of this conduct, or it could split us apart. Unfortunately, on the eve of an election, it 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 that this is the most important 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 Bill Clinton, no matter what the cost, in either wasted taxpayer dollars or in violated civil liberties and rights of privacy.

So, I find myself today I think like many Americans, disgusted with the whole situation. I find a situation that is so shameful, a situation so shameful that neither Republican Speaker, either Mr. GINGRICH or Mr. LIVINGSTON, will even preside over this proceeding today.

A new year that begins in this country with all three branches of our government embroiled in the first Senate trial in 130 years will not be a prosperous and productive new year for our people. The poison of division that infects this House today spreads throughout the American population. It is a poison that invades our body politic and thwarts our ability to come together as a Nation to resolve our problems.

Do not rip our Nation asunder. Bring us together. Punish the President with a punishment that fits the offense. Do not punish the American people by prolonging this dreadful episode. Censure and move on.

Mr. SENSENBRENNER. Mr. Speaker, I yield 10 seconds to the gentleman from Tennessee (Mr. BRYANT).

Mr. BRYANT. Mr. Speaker, with over 60,000 documents, in the presentation of the White House lawyer, Mr. Ruff, he made no challenge to the testimony of Betty Currie, Monica Lewinsky or anyone else in the factual situation that we have had before us.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Mr. Speaker, it is with a heavy heart that I rise in support of the articles of impeachment before the House today.

Tomorrow, the House of Representatives will make one of the most solemn decisions it can make—whether to indict, or impeach, the President of the United States.

The historical significance of this week's action does not escape me. This is only the second time in our nation's history that Congress has voted on an impeachment inquiry. As we approach the votes that will occur later this week, I feel a burden of responsibility as never before during my years in public affairs.

Like most people in public service, President Clinton serves as a mentor to young people who come to the nation's capital with idealism and hope that they might learn the functions of government and participate in the legislative process. It is quite clear that the President grossly violated his responsibility as a mentor to a young woman working in the White House. As a parent, I find his behavior immoral and highly offensive. It shows a fundamental lack of judgment and a total disregard for human decency.

Truth is the cornerstone of our legal system; it must be upheld if our legal system is to endure. Lacking truth, our legal system means nothing. No man, not even the President, is above the truth or above the law. From the very beginning, I have wanted to give the President every benefit of the doubt. I have wanted to believe that he was telling the truth. But it is now clear that he repeatedly lied to the American people, to the Congress, to his staff, and to his own wife and family. The time this investigation has taken, and the toll it has taken on our country, 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 on each of the four articles of impeachment when this matter comes before the full House.

President Clinton is an American President who has every political gift and who at one time had every opportunity to be one of the truly great presidents. Like most presidents, he could 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, this president 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. SENSENBRENNER. Mr. Speaker, I yield 1½ 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 our duty under 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, tyranny begins." Mr. Speaker, if we believe in our Constitution, then the law does not stop at 1600 Pennsylvania Avenue.

In our constitutional democracy, no one, not even the President, is above the law. None of us sought 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 me to do.

Mr. CONYERS. Mr. Speaker, I yield two minutes to the gentleman from Wisconsin (Mr. KIND).

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 once 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, "Listen, 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 her 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 representative called upon to cast a vote of greater 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 a 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 could mean 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 some process was needed to protect the country against misconduct by the President that would damage our government. The classic example was cited by George Mason who was concerned about a President selling state secrets to an enemy during time of war. Some process was needed to remove that person from office in order to save the Republic.

Some delegates, such as James Madison, objected to the use of broad impeachment language. Madison noted that impeachment was only necessary to "defend the community against the incapacity, negligence or perfidy of the chief magistrate." George Mason objected to the draft language, concerned that it was limited to "treason or bribery." He sought to add the term "maladministration." Madison objected to this vague language and substituted "or other High Crimes and Misdemeanors against the State" (emphasis added). The narrow scope of the phrase "other High Crimes and Misdemeanors" was confirmed by the addition of the language "against the State." This language reflects the Convention's view that only offenses against the political order should provide a basis for impeachment. Although the phrase "against the State" was deemed redundant and eventually deleted by the Committee of Style, its deletion was not intended to have any substantive impact. I wonder how differently we would be debating President Clinton's conduct today if its was within the written context of misconduct committed "against the State."

The interpretation that "other high Crimes and Misdemeanors" should be limited to serious abuses of official power is further confirmed by the commentary of both the framers of the Constitution and prominent constitutional experts, contemporary and past. For instance, Alexander Hamilton wrote in Federalist No. 65 that impeachable offenses "proceed from the misconduct of public men, or in other words from the abuse or violation of some public trust." He stressed that those offenses "may with peculiar proprietary be denominated political, as they relate chiefly to injuries done immediately to the society itself".

Impeachment precedents also demonstrate that offenses should arise out of a President's public, not private conduct. In 1868, Andrew Johnson was impeached by the House Republicans after he removed Secretary of War Edwin Stanton. Those members disagreed with President Johnson's post-Civil War reconstruction plans, which were merely the continuation of President Lincoln's policies of moderation and leniency toward the Southern States. The impeachment articles related to alleged public misconduct only, and the Senate failed to convict President Johnson by one vote.

The proposed impeachment of President Nixon also supports the view that impeachment should be limited to threats that undermine the Constitution, not possible criminal misbehavior unrelated to a President's official duties. All three articles of impeachment passed by the House Judiciary Committee involved misuse of the President's official duties. They included using the CIA to obstruct an FBI investigation, using the IRS to target political opponents, ordering break-ins of private offices of political opponents, using slush money to silence witnesses, using slush money to influence the outcomes of federal elections, and engaging in a course of conduct to obstruct the Watergate investigation.

The Judiciary Committee actually rejected articles of impeachment against President Nixon relating to allegations of income tax evasion. There was credible evidence that 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 26–12. The primary reason for rejection was that the tax fraud article related to 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 the standards of 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, 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.

FORUM OF DEMOCRACY

II 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 could determine the case. Instead they 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 are the embodiment of all the wisdom in this country. I submit that it will be extremely difficult to impeach and convict a President unless there is some consensus throughout the country and bipartisan support in Congress to do so. Such a consensus has failed to materialize. In fact, since the beginning of this investigation, public opinion regarding the President has not changed. Opinion polls show by a 2 to 1 margin that the American people oppose impeachment and think the President is performing his duties well.

How can this be explained? I believe the American people have made the distinction between the President's personal wrongdoing and his conduct in discharging the duties of his office. Unlike Watergate, when a consensus eventually materialized throughout the country and within Congress regarding President Nixon's public misconduct, most Americans feel that the President's personal conduct, however disgusting and inexcusable, doesn't threaten our form of government or the process of our democracy.

Those who defy the public will and vote for impeachment should understand that in their fervor to punish this President they will violate a sacred covenant with the American people: this government is still the people's government. They will betray a promise that nothing of enormous consequence in the life of our Republic will happen without the consent and approval of the American people. A vote to uphold the confidence of the American people in the democratic process will be a vote against impeachment. Such a decision will be a vote of confidence in the simple but sometimes forgotten founding principle of our democracy that this government should be "of the people, by the people and for the people."

Without the support of the American public, how can we justify placing the country in a constitutional quagmire over a tortured definition of sexual relations, one that even the presiding judge in the case thought was confusing?

How can we justify passing articles of impeachment which would require a lengthy trial in the Senate, presided over by the Chief Justice of the Supreme Court, about the sordid details of a consensual affair and whether the President lied about it?

How can we justify calling a young woman to testify before one hundred United States Senators and the Chief Justice about embarrassing and intimate matters that transpired in a consensual relationship?

When you envision what a trial in the Senate will look like—Monica Lewinsky, Linda Tripp and Lucianna Goldberg all sworn in as witnesses—one has to wonder: What in the world are members of Congress really trying to accomplish?

CONCLUSION

The votes we are about to cast will be among the most important votes any of us will be asked to make. Our decisions should be dictated by our conscience and what each of us feel is in the best long-term interest of our country, rather than for any short-term political gain. I pray that we protect the impeachment process from being politicized and defined downward.

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 fair reading of our founders' intent will lead to the conclusion that they placed country above personalities, the preservation of the union above personal retribution. Impeachment was never meant to be a form of punishment; it was intended to preserve and protect our country.

There are other means of punishing Bill Clinton the person. One option is a censure resolution from the House and Senate which would require the President's signature to acknowledge the condemnation. Such an alternative form of punishment has bipartisan support. Former President Gerald Ford and, most recently, former Senator Bob Dole have spoken in favor of this resolution. They recognize the terrible cost our country will face if a trial goes forward and effectively shuts down the government. I would even favor imposing a fine to compensate the American people for the costs of the Lewinski investigation. If there is to be any fairness in this process, the Republican leadership should allow a vote on censure. Many members believe in good conscience that a censure is the appropriate rebuke. To deny a vote on censure would be the height of partisan politics.

Furthermore, the President can still be indicted and prosecuted as a private citizen once he leaves office in two years. The President Has already indicated that he will neither pardon himself nor accept a pardon from any future President. As a former prosecutor, I would hope that if there is enough evidence of criminal wrongdoing by the President to prove a case beyond a reasonable doubt before an unbiased jury, a prosecutor would have the courage to indict and prosecute him in a court of law. The President can and should be treated like any other individual, neither above nor below the law, and the Constitution ensures that will happen.

We don't need to invoke the atomic bomb of impeachment to hold President Clinton accountable for any misconduct. We can spare the nation of the ordeal while still delivering the message to all our children that no matter who you are, whether a second grader at Roosevelt Elementary school or the President of the United States, there will be consequences to lying.

What we do today will serve as a lesson for future generations. I hope it is the right lesson. Churchill once said: "We must learn the lessons of the past. But we must not remember today the hatreds of yesterday." It is time to begin the process of reconciliation in American politics and find ways to restore civility and mutual respect to the democratic process. For too long now, the national political scene has been dominated by the politics of personal destruction and partisan bickering. That too is reflected in this impeachment process and it confirms Alexander Hamilton's worst fear when he wrote in Federalist No. 65: "In many cases it will connect itself with the preexisting factions, and will enlist all their animosities, partialities, influence and interest on one side or on 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 the parties than by the real demonstrations of innocence or guilt."

As we move forward with this vote, let us all hope that our decisions will be made in good conscience for the sake of our country rather than for short-term political gain. My decision is based as so many of my decisions are, through the eyes of my two young sons, who are not old enough to appreciate the gravity of the situation. Like so many other Members, we all have to justify our decisions to our children and grandchildren. We can teach our children not to lie. But we must protect them from the destruction of the Presidency. My hope is that years from now, when they are reading about this in their history books, they will be proud of our conduct and they will conclude: "They got it right."

Mr. SENSENBRENNER. Mr. Speaker, I yield 15 seconds to the gentleman from Florida (Mr. CANADY) for rebuttal.

Mr. CANADY of Florida. Mr. Speaker, I want to make the point again which I made earlier today that in 1974 the Committee on the Judiciary did not, did not, determine that tax fraud is a unimpeachable offense. They simply determined that there was insufficient evidence that the President of the United States was in fact guilty of tax fraud.

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

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 comes at an especially difficult time, a 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, we now 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 the court. 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 extremely serious. 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 an 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 voting their conscience. 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.

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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 this was not a high crime or misdemeanor. And we were joined by Republican Lawrence Hogan, Maryland, Wiley Mayne, Republican—Iowa, and others.

Ms. 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 impact 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 in this House, the distraction from the work of government that we were elected to do, the threat of this unfair process on our democratic system, and I am heartsick about the shame and waste of this impeachment process. Shamed because the President's conduct, while reprehensible, does not fit the definition under the Constitution. Waste, because while we carry on, we are not working for the important business of our Nation, and we ignore our young men and women fighting abroad.

With these thoughts in mind and these feelings, I would like to share with my colleagues the prayer that I prayed Sunday in my church: Please, Lord, give wisdom, strength, and compassion to every Member of the House so that we do not turn against our country and our need to punish one man. Please help every Member of this House see that the real mistake would be to push forward without the alternative of censure to punish our Nation for one man's personal weakness. And please, help us to remember the difference between partisan politics and leadership. So that we will not make a decision against the people of this country, we will make a decision for Americans based on fairness, based on forgiveness, not against one person, our President. Dear Lord, help us, through compromise and conscience, heal our Nation. Amen.

Mr. SENSENBRENNER. 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 (Mr. CONYERS), as a member of the Committee on the Judiciary in 1974, that the gentleman voted in favor of the tax fraud article against President Nixon?

Mr. CONYERS. Yes, Mr. Speaker, absolutely true.

Mr. CANADY of Florida. Mr. Speaker, so the gentleman believes that tax fraud was an impeachable offense?

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. SENSENBRENNER. Mr. Speaker, I yield 2 minutes and 15 seconds to the gentleman from New York (Mr. LAZIO).

Mr. LAZIO of New York. Mr. Speaker, I think that nearly all that could be said has been. Across party lines we stand shoulder to shoulder with the principles and the values that brought us here.

This should be neither personal nor a partisan decision. Its difficulty lies in the rare, but important, conflict between what is expedient and short term and what resonates as a guiding principle for all time. It is not about the fate of one man, but the value of truth itself, the principle that no man, no matter how rich or how powerful, is above the law. It is about the notion of accountability. It is about the values of duty, honor, trust and sacrifice.

When I was a Suffolk County prosecutor, my entire duty was based on the integrity and the conduct of the men and women who took an oath to tell the truth. In many cases, it was difficult for these people to testify honestly, sometimes even disastrous. But when they were sworn in, they understood that this was different, that here the truth was required; that upon their respect for their oath would ride many things, including justice, our government of laws, equality of one citizen with another, and not the least their own honor.

These were ordinary people, Mr. Speaker. They understood. In many cases, they sacrificed. In many cases, they suffered. But they told the truth.

If an anonymous citizen can abide by his oath, what about a President?

When a President fails in his duty as an ordinary citizen does not, the failure is catastrophic. Should less be expected of the President than of you or me?

Here, the trustee of the greatest of world powers knows that he will be in a sworn legal proceeding, consults with advisers and lawyers for many months, has full notice, appears voluntarily before a criminal grand jury, and can stop questions at any time, and still cannot bring himself to do what the government he heads insists upon every day from the people who take an oath: Tell the truth.

With this vote we will help set a standard of acceptable presidential behavior. Will we judge presidential perjury to be acceptable? Is it asking too much of the President that when he takes an oath he tell the truth? With our votes we will send a compelling message one way or the other to the children in classrooms across this country who are watching their democracy at work. We are going to teach them through our words and through our deeds either to respect or to have contempt for the truth. This will be the timeless legacy of this Congress.

Mr. CONYERS. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. SISISKY).

Mr. SISISKY. Mr. Speaker, I am opposed to impeachment, and I am for censure.

Mr. Speaker, I rise today to express my strong opposition to this resolution.

I can tell you that this was not an easy decision, in fact, it was one of the most difficult decisions I have ever made.

I believe the President's conduct was wrong.

Absolutely wrong!

However, after having watched the Judiciary Committee hearings carefully, I remain unconvinced that the President's conduct, however deplorable, rises to the level of impeachable offenses as intended by the Framers of the Constitution.

I have concluded that the President did not commit high crimes and misdemeanors against the integrity of the state.

Rather, the President committed low crimes against the integrity of his marriage.

Reprehensible?

Yes.

But, not impeachable.

The Constitution dictates that impeachment be used to remove a President only when there is clear and convincing evidence of wrongdoing, and it must be related to large-scale abuses of public office.

It is clear that such a standard has not been met in this case.

Today, we stand at the edge of a dangerous precipice.

The votes we cast today will decide whether we send this great country over the edge, tumbling out of control, threatening our economy as well as the very system of government we hold dear.

I am extremely concerned about the consequences for our country if we vote to impeach the President and the Senate undertakes a long impeachment trial.

I believe it will do untold damage to our country.

An impeachment trial will divide this Nation deeply, so much so that we may not be able to heal the divide for a long time after the trial concludes.

However, I am most concerned that a trial will threaten America's position in the context of international relations and national security.

Given the many volatile political situations that exist across the globe, we can ill afford to be distracted by a lengthy and divisive impeachment trial.

While I believe the President should be held accountable for his actions, I believe censure is the appropriate response.

I am saddened that the Republican leadership denied this body the opportunity to vote on censure.

This country was built on the principles of democracy and fairness.

I regret that the majority in Congress chooses to ignore those principles and to dismiss the intent of our Nation's Founding Fathers.

I beseech my colleagues to put aside partisanship and personalities, and to consider the gravity of the actions we take today.

Mr. CONYERS. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. PICKETT).

Mr. PICKETT. 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 with 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 contending alternatives so relatively balanced in my mind, prudence dictated that I err on the side of historically established constitutional principles and support the institutional stability of our Government that is built upon the bedrock of predictable and consistent actions 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 has led me in 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. CONYERS. Mr. Speaker, I am delighted to yield 2½ minutes to the gentleman from Ohio (Mr. SAWYER).

Mr. SAWYER. Mr. Speaker, our challenge today is one of fairness and wisdom. A century ago, Justice Holmes advised the graduating class of the Harvard Law School that the greatest service that one can do in a democracy is to see the future as far as one may, to feel the force behind the details of that future, and then to make clear and sound and compact decisions to make them first-rate, and to let the results speak for themselves. He was counseling them and us to be wise and far-seeing, and to understand the consequences of our actions.

Perhaps no figure in our tradition of English law and history so well portrays an impeachment on the charge of perjury as Sir Thomas More. The author of A Man for All Seasons wrote that he was asked to testify in a form that required him to state that he believed what he did not believe and it required him to state it under oath.

Oliver Cromwell, accusing More of accepting a small gift in return for a favor said, "He is going to be a slippery fish. We need a net with a finer mesh. We will weave him one. It must be done by the law. It is just a matter of finding the right law. Or making one."

Cromwell, in words too familiar to us today, in seeking to entrap him, accused More of "perverting the law, of making smokey what should be clear light to discover his own wrongdoing." More replied, "The law is not a light for you or any man to see by, it is not an instrument of any kind; the law is a causeway upon which a citizen may walk safely."

But that was not to be the way of the court, and in his closing, More may have prefigured Holmes when he said, "What you have hunted me for is not my actions, but for the thoughts of my heart. It is a long road you have opened. God help the people whose statesmen walk your road."

It matters little whether the motive was base or high. An entrapment is an entrapment. It is a road that More knew was contrived and unfair, and it is a road that Holmes knew was unwise.

Future historians will judge this Congress largely on this vote. Let us not go down in history as a deeply divided, vindictive Congress, but as a body that took an action that brought the country together and resolved this unhappy matter.

It is a long road we open today. If we take it, it will change our lives and those of our children in lasting ways. God help the people whose statesmen walk your road.

Mr. SENSENBRENNER. 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 is well-settled law 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. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. BEREUTER).

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 antithesis 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 upholding 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 and having served previously 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 of 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 very substantial reasons why progressing with these impeachment proceedings is not 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, that is especially true in a matter of this great import and precedent.

Mr. Speaker, in concluding these introductory remarks before directly addressing the articles of impeachment before us, this Member wants his constituents to know that he received absolutely no pressure from party leaders in the House or elsewhere in deciding how to vote on the articles of impeachment before us. Nor did this Member receive inappropriate pressure from any quarter. Rather this Member has been able to conscientiously address the decisions before us on impeachment. Furthermore, this Member has attempted to avail himself of the views of numerous distinguished Americans and especially of the arguments, views, and sentiments of the constituents he represents in Nebraska.

Obviously this has become a very decisive issue in America, made even more so, no doubt, by the strong, conflicting views about the President's performance and conduct and by the timing of intervening events related both to the impending end to the 105th Congress and to the armed conflict with Iraq which began less than two days ago. Nevertheless, it is important to say, this Member believes, that polls and the size, changes, and mixture in the tides of public sentiment should have no effect upon whether this Member and the House faithfully discharge their constitutional responsibilities related to impeachment or any other matter.

Mr. Speaker, as for the specific matter before us in these proceedings, much emphasis in the public discussion of the President's actions has emphasized that impeachment is inappropriate, for it is argued that this is really only about sex and that as such it either is strictly a private matter or does not rise to the level of misconduct which would justify impeachment. Mr. Speaker, the matter before us is emphatically not just about sex and no person should be confused about that point.

Certainly, the President has appropriately been condemned by perhaps all of my colleagues on both sides of the aisle and by most Americans for his sexual conduct in the White House and his intentional deception of the American public. Most would agree that it was reprehensibly exploitative, reckless, and morally and ethically inappropriate; that it discredited the President and the presidency; that

it soiled the reputation of the White House which Most American's revere as a symbol of our nation; and that it damaged abroad the reputation of our country. As totally unacceptable as that conduct is, most Members of Congress and most of the American people understand that sexual misconduct does not justify impeachment.

Mr. Speaker, of course, what is at issue here today is whether the President's actions or conduct constitute "high crimes and misdemeanors" which would justify impeachment. The material 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 judge concerning conduct and proposed conduct with a subordinant employee." Accordingly, his testimony can be seen as a possibly important factor in denying that citizen, Paula Jones, her legal rights as a citizen.

More importantly, however, for the purposes of both of these articles of impeachment, one must consider that the President is in effect the chief law enforcement official in our nation, charged by his oath of office to take care that the laws be faithfully executed. By his perjurious statements the President, as charged by Impeachment Article I, "impeded the administration of justice" and "acted in a manner subversive of the rule of law and justice, to the manifest injury of the people of the United States." The same language and relevance is found in Impeachment 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 standards 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 III, have convinced this Member that in order to conceal the perjurious nature of his sworn statement in a Federal civil rights case, the President, in the words of Impeachment Article III, "in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has 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 delay, impede, cover up, and conceal the existence of evidence and testimony related to a Federal civil rights action brought against him in a duly instituted judicial proceeding." By these actions, this Member concludes, that the President, in the words of Article III, "acted in a manner subversive of the rule of law and justice to the manifest injury of the people of the United States," despite his oath of office to take care that the laws be faithfully executed.

Mr. Speaker, for these reasons this Member feels compelled, in voting to discharge our constitutional responsibilities in these impeachment proceedings, to vote in favor of Impeachment Article I, Impeachment Article II, and Impeachment Article III, while concluding that the case for impeachment under Article IV regarding the President's responses to certain written requests from the House Judiciary Committee is not sufficiently convincing to warrant a vote for Article IV.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. BARTON).

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 falsities as the truth, the whole truth and nothing but the truth.

Upon entering the office of President of the United States, William Jefferson Clinton took the following oath: "I do solemnly swear that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

Now, I ask these questions: Do actions such as lying under oath and to the American people, as well as suborning perjury from other witnesses help to faithfully execute the Office of President of the United States? Do these actions represent the best of Mr. Clinton's abilities to preserve, protect and defend the Constitution of the United States? I believe that it is painfully obvious that not only do these actions not help the President fulfill his duty and faithfully execute his office, but they directly lead to a failure to uphold this solemn oath and a direct betrayal of the American people.

Title 18 of the U.S. Code designates perjury as the act of anyone who, while under oath, "knowingly makes any false material declaration or makes uses of any other information (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. 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 in my district. 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 diminshes 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 oversight 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 fact that so many people have taken the time to call and write demonstrates 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 warrant's impeachment by this House. Lying, perjury and obstruction of justice are serious business 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 care 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 message this House sends 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. Mr. Speaker, I thank my colleague from Michigan 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. Our country's history in presidential impeachment inquiries is limited, due to the seriousness of overturning an election. This current process smacks of partisanshipness 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 partisanshipness, 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, "Injuries done 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 family from a constituent that says, "I just want you to know that my prayers have been with you and your colleagues and also the President at this awful time in history. I am praying that God will bring an end to this soon."

The American people have recognized this, not only our Founding Fathers, but in all of the polls that we have seen. And around the country, Mr. Speaker, the newspaper articles, the Lexington Herald Leader:

> It would mean, quite simply, the President, duly elected and reelected by a majority of voters, can be drummed out of office by the vehement hatred of his political and personal enemies.

The Owensboro, Kentucky Messenger-Inquirer:

> Voting for impeachment when the wrongdoing is personal rather than a crime against the country would weaken the office much more than anything Bill Clinton has ever done so far.

□ 1630

Also the Billings Gazette, and I can go on and on, Mr. Speaker. I ask a no vote on all articles of impeachment.

Mr. SENSENBRENNER. Mr. Speaker, I yield 30 seconds to the gentleman from Tennessee (Mr. BRYANT) for rebuttal.

Mr. BRYANT. Mr. Speaker, let me respond briefly that the Constitution itself talks about impeachment as well as election. The two processes 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.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. CHAMBLISS).

Mr. CHAMBLISS. Mr. Speaker, I rise in support of the articles of impeachment.

Mr. Speaker, I rise today in support of the resolution to impeach William Jefferson Clinton, the President of the United States for providing perjurious, false, and misleading testimony to a Federal grand jury and in a Federal civil rights action, for obstructing justice, and for abusing the Office of the Presidency by providing false and misleading statements to the Congress as the House of Representatives attempted to conduct a fair and thorough investigation of the President's actions. With the exception of voting to commit the nation to war, this is the most solemn and serious action which Members of the Congress must take.

This action is not taken lightly. The rule of law and respect for the sanctity of our judicial system are two of the foundations upon which American society and our system of government depend. While I find the President's personal conduct offensive and disgusting, it is clear to me that on legal grounds, the President's campaign of lies, half-truths, and evasiveness have demonstrated a cavalier and flagrant disregard for the rule of law in our society. The President stands accused of serious offenses which he has failed to refute.

Chairman HENRY HYDE and the Judiciary Committee have gathered substantial evidence and presented a strong case for which the President must answer. It is the constitutional duty of the House of Representatives to decide whether the body of evidence against the President merits a trial. Based on my 25 years of experience as an attorney, I firmly believe that the overwhelming evidence showing perjury and obstruction of justice provide sufficient grounds to support impeachment of the President. The President's actions certainly do not reflect the respect that the office deserves. Indeed, he must be held to a standard of conduct that is consistent with the rule of law.

We must preserve the integrity of the Presidency and our judicial system by not allowing anyone, including the President, to subvert or destroy the rule of law in the greatest country on Earth. I believe that voting for impeachment of the President is the only reasonable course of action for the House to take in the current grave situation in which the President has placed us.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Alabama (Mr. EVERETT).

Mr. EVERETT. Mr. Speaker, I rise in support of the articles of impeachment.

Mr. Speaker, I intend to vote for the rule of law and against this partisan attack on the Constitution of the United States. In America, the rule of law is above any man and above

politics. We don't have kingships in this country, we have publicly-elected officials. We cannot have one set of laws for our rulers, and another for the ruled. No one, most especially the President, can escape the rule of law.

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 of perjury, obstruction of justice and the abuse of power is clear and convincing.

We owe it to each and every American, especially those who have fought and died for our freedoms, to restore the integrity of Office of the Presidency. If we do not take this action, our democracy will become hollow and the rule of law meaningless.

Some have suggested that we should withhold action until Operation Desert Fox is completed in Iraq for the sake of our men and women in uniform. Our military is doing its job of protecting our Democracy, and therefore we must also do our job to uphold the integrity of the Constitution and the foundation of our Democracy. That means a vote for impeachment.

I cannot articulate the pain and sorrow that this President has subjected the Nation any better then two of my constituents. I have an open letter to the President from retired 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 would 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 office assistant my daughter's 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 then was that he talked dirty to 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 abuse of power. It's about dodging the draft and lying about it. When caught in a lie by letters you wrote, you concocted a story that nobody believed. But we excused it and looked away.

It's about smoking dope and lying about it. "I didn't inhale," you said. Sure, and when I was 15 and my buddies and I swiped a beer from an unwatched refrigerator, we drank from it, but we didn't swallow. "I broke no laws for the United States," you said. That's right, you smoked dope in England or Norway or Moscow; where you were demonstrating against the U.S.A. You lied, but we excused it and looked away.

It's about you selling overnight stays in the White House to any foreigner or other contributor with untraceable cash. It's about Whitewater and Jim and Susan McDougal and Arkansas Gov. Jim Guy Tucker and Vincent Foster and Gennifer Flowers and Paula Jones and Kathleen Willey and nearly countless others. It's about stealing the records from Forster's office while his body was still warm and putting them in your bedroom and "not noticing them" for two years. It's about illegal political contributions.

It's about you and Al Gore soliciting contributions and selling influence at Buddhist temples and in the same Oval Office where Abraham Lincoln and Frank Roosevelt led their countries through the dark days of wars that threatened the very existence of our nation. But we excused you and looked away.

It's about hiding evidence from Ken Starr, refusing to testify, filing legal motions, coaching witnesses, obstructing justice and delaying Judge Starr's inquiry for months and years, and then complaining that it has gone on too long. The polls agreed. Thank goodness that Judge Starr didn't read the polls, play politics or excuse you and look away. He held on to the evidence like a tenacious bulldog.

Your supporters say that you've confessed your wrongdoings and asked for our forgiveness. Listen, what you said on TV the night you testified to the grand jury was not a confession. Confession in the face of overwhelming evidence is not a confession at all. Not that it would make a lot of difference. A murderer who contritely confesses his crime is still a murderer. When your "confession" didn't sell, even to your friends, you became more forthcoming.

Maybe someday you'll confess more, but probably not. You've established such pattern of lying that we can't believe you anymore. Neither can your cabinet, the Congress or any of the leaders of the nations of the world.

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.

By the way, I don't believe for a minute that Hillary was unaware of your sexual misadventures, abuses of power and pattern of lying. She has been a party to your wrongdoings since Whitewater and Gennifer Flower just as surely as she lied about the Rose law firm's billings and hid the Vincent Foster evidence in your bedroom for two years. Why? So she could share in the raw power that your office carries. The two of you probably lied to Chelsea but that is 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 as pervasive as they have been despicable, so we have no reason to believe that you will quietly resign and go away. You'll count on half truths and spin doctors to see you through, the country be damned. 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.

Let us show them that America was not the problem. William Jefferson Clinton was. Go away, Mr. President. Leave us alone. And when you leave, know that your legacy to the United States of America will be a stain on the Office of the President that is as filthy as the stain on Monica's dress. It will 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 seriously the role in this problem of older men who prey on under-age women. There are consequences to decisions, and one way or the other, people always wind up being accountable."

A year and a half later, Clinton himself is being held accountable for actions he meant to be kept secret. These "secrets" are why Mr. Clinton should be impeached. Impeachment—the constitution states that high officials may be removed from office on impeachment "for, and conviction of, treason, bribery, and other high crimes and misdemeanors." High crimes and misdemeanors can mean anything but one thing for sure is that with the charges against Clinton, morally and politically, he is not fit to be the leaders of our country and therefore should be impeached.

Jan. 26, 1998, is a day I'm sure we all will never forget. On that day Clinton had the audacity to wag his finger in our faces and declare, "I did not have sexual relations with that women," meaning 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 always accepted and known. A grown man like Clinton surely knew he was lying to everyone that day, for we have been taught that oral sex is sexual relations. What if he found out that Chelsea, his own daughter, was having oral sex with here boyfriend? As a dad, I'm sure that he would consider it sexual relations. Although he has twisted all his lies around to sound like he was telling the truth, we all know that he can never be trust again.

Another reason for impeaching Clinton is that he is not to be the role model high 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 the children know it is 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 watching reports of it on the news young 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 leader that kids 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 are slim. His behavior is a horrible 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. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Alabama (Mr. CALLAHAN).

Mr. CALLAHAN. Mr. Speaker, until now I have declined to pass judgment on the President over these 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's 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 matter in 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 gives us no alternative; that if indeed in our hearts we believe that the committee reports are substantial, that they justify returning a message or sending a message to the Senate. We have absolutely no alternative but to send that message to the Senate so they can sit in judgment of his punishment.

We are not removing the President from office today, we are sending a message to the Senate.

Mr. 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 perjury."

Mr. Speaker, I yield 1 minute and 40 seconds to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, today, December 18, 1998, is a day of infamy in the House of Representatives. History will record that on this day the 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 voices of the American people are turned away. It is a day when the Framers' intent for removal of the chief executive of our Nation, treason, bribery, high crimes against the people, is ignored.

I shall vote against the articles of impeachment, because I believe that the case that has been brought against the President has not been proven by the Committee on the Judiciary. I do not believe that the charges rise to what the Framers intended.

Mr. Speaker, the flag is the symbol of our Nation, but the Constitution, as Barbara Jordan invoked over and over again in 1974, the Constitution is the soul of our Nation. Today this House is set on a course that tears at the very soul of our Nation. It is wrong, it is imprudent, it is not wise, and it is harmful to the Nation.

By his actions, Bill Clinton has brought shame as president. But today this body has set itself on a treacherous course where it is not only weakening the presidency, but diminishing our Constitution.

□ 1636

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). The Chair notes a disturbance in the gallery, in contravention of the law and rules of the House. The Sergeant at Arms will remove those persons responsible for the disturbance and restore order to the gallery.

Mr. SENSENBRENNER. Mr. Speaker, I yield 30 seconds to the gentleman from Georgia (Mr. BARR) for rebuttal.

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

Mr. Speaker, I would say to the distinguished ranking member on the Committee on the Judiciary that when President Clinton or any person appears before a grand jury or before a court, they have three, count them, and only three choices: They can tell the truth, they can take the fifth amendment, or they can lie. President Clinton chose the last option, he lied.

It is a legal impossibility for somebody to be forced to lie before a grand jury or in court, and that is the essence of what entrapment is. The President chose voluntarily to tell a lie; to conduct perjurious, misleading, and untruthful statements. He cannot be forced to do that. That is what he did.

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

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, our dearest and most valuable rights become insecure."

Four days before his death, President Kennedy visited Florida. There he made the following statement: "In this country I," referring to the presidency, "carry out and execute the laws of the United States. I also have the obligation of implementing the orders of the courts of the United States. I can assure you that whoever is president of the United States will do the same, because if he did not," 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 before a grand jury during a civil deposition, engage in obstruction of justice, and abuse power, others will follow.

Article III sets forth that the President willfully and deliberately allowed his attorney to make false statements to the court about the affidavit of Ms. Lewinsky. The President's defenders, including his attorney, Mr. Ruff, have said he was not paying attention at the time when Mr. Bennett raised the affidavit, but the videotape of the deposition shows otherwise. He was alert, attentive, and engaged.

The President's official defense was that he thought Ms. Lewinsky thought her affidavit was true, and he was just affirming her belief. First, the affidavit was not a statement of beliefs. It was a statement of the facts under oath. The President's response was evasive.

Second, in the affidavit Ms. Lewinsky stated she had not received any benefit from her relationship with the President. The facts are indisputable. There was an intense effort by Mr. Jordan on behalf of the President to get her a job.

Third, in the deposition, after reading from the affidavit, Mr. Bennett

asked the President, "Is that a true and accurate statement, as far as you know it?" The President answered, "That is absolutely true."

We know today that it was absolutely false. President Clinton's deliberate effort to mislead Judge Wright is a clear obstruction of justice. Others have been prosecuted for less. Under the Constitution, the President is held accountable by the mechanism of impeachment. Impeachment is serious and weighty.

My friends on the other side have repeatedly argued that the President's offenses do not rise to the level of high crimes and misdemeanors. The essence of their argument is that perjury, obstruction of justice, and the abuse of power are not equivalent to treason or bribery.

They are wrong. Perjury and obstruction of justice are akin to bribery in many ways. Perjury and obstruction go to the corruption of the judicial system. Bribery amounts to the corruption of a bureaucrat. Both prevent citizens from enjoying their rights under the rule of law.

Their treatment by the United States Sentencing Commission, the only thing that helps set forth penalties for Federal crimes, supports the comparison. Under the guidelines, bribery of or by a public official is an offense of base level 10. For a first-time offender, that would translate to 6 to 12 months in a Federal penitentiary.

Under the guidelines, perjury and obstruction are base level 12, two levels beyond 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 someone convicted of bribery. Based on the U.S. sentencing guidelines, not only are perjury and obstruction of justice in the same ballpark as bribery, they are treated as more grave.

I appeal to my colleagues. Let us not allow the President to begin unwinding our constitutional system. Let us protect the integrity of the oaths that underpin our judicial system. Let Congress protect our dearest and most valuable rights by impeaching this president, who has demeaned the sacredness of his oaths.

Mr. CONYERS. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. ORTIZ).

Mr. ORTIZ. Mr. Speaker, I will be 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 U.S. 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 begun, it must be completed. This process began when the OIC referred its findings to the House. I voted earlier this year to have the Judiciary Committee conduct a hearing to discover if these offenses were indeed, as the OIC alleges, sufficient for impeachment of a President. I agreed with Judiciary Committee Chairman HENRY HYDE who, when he spoke of impeachment in September, said that if the effort to impeach President Clinton were not bi-partisan then it would be ultimately unsuccessful. That is where we are now. The effort has been unsuccessful.

As the rough equivalent of a grand juror, I exercised the real strength of the United States grand juror: the common sense to let prudence guide my actions. What the President did was immoral, first the behavior then the lie. But this is not a vote on morality; it is setting dangerous new constitutional precedent in a partisan setting. Grand jurors in our judicial system today have to exercise good 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 country. 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 disheartening 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 appalling 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 the U.S. Constitution and the innate common sense of the American people in the world's most sophisticated democracy.

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 Independent Counsel, Mr. Starr, addressing conduct unrelated to the President's public and official duties. During the impeachment proceedings against President Nixon, my predecessor, Tom Railsback, noted that there was "a serious question as to whether something involving the President's personal tax liability has anything to do with his conduct in the office of the president." Later, the Committee on the Judiciary rejected the article of impeachment against the President on those grounds.

Today a majority of the public continues to approve of President Clinton's ability to perform his duties, and does not wish for him to be impeached by the House and tried by the Senate. I do not believe we should impeach President Clinton based on misconduct not clearly related to the President's official duties.

Let me be clear, a decision by the House not to impeach will not exonerate the President. He will remain subject to indictment and prosecution for his conduct in the court of law when he leaves office.

I 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 1¾ 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 you not be judged." In

the name of all the people who have suffered a dark night of assault, feel the might of the warning, let he who is without sin cast the first stone.

□ 1645

In the names of Washington, of Jefferson, of Lincoln, and all those who fought to create one Nation indivisible, do not cleave this Nation with a partisan impeachment, for a House of Representatives divided against itself shall not stand. We speak of one Nation under God. In God's name do not tear apart this House and this Nation with a low-rent impeachment.

There is much misunderstanding about just what impeachment means. It is not a form of censure. Impeachment is not a punishment. It is part of a process for removing a President. It has been reserved for the highest crimes, not low crimes. And I submit that if we vote to impeach President Clinton for his offenses, we have committed an offense more grievous because we 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 and they will conclude that in impeaching a President, this House chose partisanship under the cover of patriotism and sanctimonius salutations to that all hallowed and selectively perceived rule of law. And that cloak of shame prepared for the President will also cover those carrying the cloak. For at this moment we are troubling our America. We are troubling our common bond. We are troubling our American community. We are troubling our American unit.

The sun will rise and the year 2000 will soon come. And those who troubled their own House will have inherited the wind.

The die is case. The President is about to be impeached. His offenses not high crimes, but low. His conduct, yes, beneath the dignity of the office but also beneath the requirements of what the Founders intended to rise to a standard of impeachment. His shortcomings for all the world to see, we must correctly review our own. The shortcomings of the investigation by the Independent Counsel, the shortcomings of the partisan Judiciary proceedings, the shortcomings of a day where impeachment, which is no alternative, is the only alternative. We have entered Wonderland with Alice and we have seen the Queen pronounce "Sentence first—Verdict afterwards."

In the name of the American people who oppose this impeachment as being manifestly unfair, behold the prophetic power of the Biblical injunction: ". . . Judge not, that ye not be judged." In the name of all those people who have suffered a dark night of soul, feel the might of the warning: ". . . Let he how is without sin cast the first some." 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.

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Let me talk for a moment about high crimes. It is a high crime that forty three-million Americans are without health care. It is a high crime that forty-four million Americans must worry about their Social Security. It is a high crime that wealth is being distributed upward. That the top 1% of the people hold more wealth than the bottom 90% of the people. And this act today redistributes the political wealth of the country. The Founders did not put impeachment in the Constitution so that a majority party some day could topple a President of the opposite party just because they had the votes. This process, when it is partisan, becomes an ad hoc, back-door transition to a parlimentary form of government.

Someday a generation far into the future will look back on this moment and ask: "Why?" Why did they impeach a president when it was clearly partisan? 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 that all hallowed and selectively perceived Rule of Law. And the cloak of shame prepared for the President will also cover those carrying the cloak. For at this moment we are troubling our America. We are troubling our common bond. We are troubling our American community. We are troubling our American unity. The sun will rise and the year 2000 will soon come. And those who troubled their own House will have inherited the wind.

Mr. CONYERS. Mr. Speaker, I yield 1¾ minutes to the gentleman from Massachusetts (Mr. OLVER).

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

Mr. Speaker, the American people, in their collective electoral wisdom that we all submit to, have twice elected President Clinton. The American people support the President's performance of his official duties, and they do not want him removed from office. Three months ago when I first reviewed the Starr report, I looked for evidence of treason, bribery or high crimes and misdemeanors, the only constitutional grounds for impeachment. No such thing appears in the Starr report.

Instead I found evidence, gathered at great public cost, in dollars $50 million, and in destruction of privacy that Americans cherish, evidence of a consensual sexual relationship of the tawdriest nature which the participants tried to hide for its tawdriness. Weeks of hearings in the Committee on the Judiciary have uncovered nothing more except the partisan close-mindedness 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 once 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 this House, 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 from office.

Three months ago when I first reviewed the Starr report, I looked for evidence of treason, bribery, or high crimes and misdemeanors—the only constitutional grounds for impeachment. No such thing appears in the Starr report.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. ROGAN) for purposes of a rebuttal.

Mr. ROGAN. Mr. Speaker, a few minutes ago my dear friend from California made commentary in her argument as to why she would vote against articles of impeachment. In doing so she invoked the name of our venerated late former colleague, the gentlewoman from Texas, Democrat Barbara Jordan.

I wanted to share a quote of Barbara Jordan's from the Nixon impeachment hearing that directly replies to the very issue which the gentlewoman from California raised a few minutes ago.

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. The House serves as an accuser; the Senate serves as a judge.

Barbara Jordan understood the difference between the House having the role of filing the indictment and not bringing the evidence to an ultimate conclusion in trial. 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 between the two branches of the legislature, 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 person.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. HASTINGS).

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's 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 can'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—and even acceptable—than lying under oath and obstructing justice by an ordinary citizen. In my mind, there are not certain conditions that meet this test. Nobody is above the law, including the President of the United States. That goes to the heart of the decision we will make today.

That decision should not be one that is judged 25 or 50 days from now. Instead, it should stand the test of time to be favorably judged 25 or 50 years from now because the decision sends a message that either supports or compromises the rule of law.

Let's remind ourselves that we are only here temporarily and the President is only here temporarily. The office of the 4th District Congressman from Washington and the office of the President will endure after its present occupants leave. But these offices will only have meaning if the basic rule of law is sustained. This is not personal, it transcends that.

In fact, it is impossible to enter the Supreme Court building in Washington, DC, without being struck by four words above the entrance: "Equal Justice Under Law." Those words, more than any others, have guided my decision.

After all, since its founding more than two centuries ago, ours has been a government of laws and not of men—which means, in essence, that unlike most other countries, here in the United States no man or woman is above the law. Not you. Not me. Not this President. Not any President.

This ordeal has gone on long enough. The President has had his say, and his critics have had theirs. Now, the rule of law means the law must rule.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Speaker, I rise in favor of impeachment.

Mr. Speaker, today I will join a majority of my colleagues in the House of Representatives and vote in favor of impeaching the 42nd President of the United States, William Jefferson Clinton. I did not reach this decision lightly. After reviewing the documents and articles of impeachment put forth by the House Committee on the Judiciary, I reached the unhappy but necessary conclusion that there is enough evidence to warrant forwarding these articles to the Senate. I do so with the best interests of California's 43rd congressional district, and all Americans, foremost in my mind.

We have heard from the other side of the aisle the constant plea for censure as an alternative to the vote today. I do not believe, however, that censure is an option for the House. The Framers of the Constitution did not provide for censure as an alternative to impeachment, therefore it would be irresponsible and unconstitutional to bring such a motion to the full House for consideration. The House has never censured 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 President has twice taken an oath to uphold the Constitution of the United States. He also took an oath before a Federal grand jury to tell the truth, the whole truth, and nothing but the truth. And then he broke both of these oaths. The President is the nation's chief law enforcement officer and is subject to the same rules and laws as every American. Without a clear and strong rule of law, the United States would be nothing more than a banana republic. Simply put, the evidence is clear that William Jefferson Clinton committed perjury and obstruction of justice while serving as the President. In the best interest of our nation, the rule of law should be upheld and this President should be impeached, and face trial in the Senate.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON. Mr. Speaker, I had not planned to talk today. I have made my decision and told my constituents. But some of the comments made on the floor have caused me to reconsider my silence.

It appears that some of our Members believe or would have others believe that those of us who will vote to impeach the President are driven by some kind of blind partisanship or are doing it because our arms are being twisted. I am the junior Member of this House. The district that I love is more Democrat than Republican. And not once, not once has any leader of this House even so much as asked me how I will vote.

I read the evidence. I must admit that I was looking for some explanation, a rebuttal of the facts, some justification to spare the country from impeachment. I could not find it. I cannot turn from the truth and the evidence that supports it.

I have reached my decision with a profound sense of sadness. I am constantly reminded of the symbol of justice in America. Justice holding the scales is not blind because she looks away or because she will not see. Justice is blind so that every citizen, regardless of race or creed or station in life, will be treated equally under the law. And that includes the President of the United States. It is a powerful symbol. And today it is one we must live up to, even when it would be easier to look away.

You may challenge the facts, you may challenge my reasoning, but do not challenge the integrity of my purpose.

Mr. CONYERS. Mr. Speaker, I profoundly apologize to those of my colleagues on this side of the aisle who have been waiting so very long to be recognized. We have the exigencies of the evening. We have still a lot of Members, and our time is running shorter. I am going to have to reduce to 1½ minutes many of my colleagues whom I had intended to give a much larger amount of time. I apologize for it.

Mr. Speaker, I yield 1½ minutes to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. 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 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 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 Congress 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 of the debate one believed was right, 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 bipartisan 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 strictly 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 with disdain. We will not be able 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, my party affiliation or the popular sentiment of the people of my district.

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 his deposition in the Jones case, to the grand jury, and to the Judiciary Committee. In my opinion these articles raise more serious questions. As the President has conceded, it is without question that his responses to questions in the deposition were misleading and incomplete. He did not offer direct and clear answers to the questions.

But proof of perjury requires more than misleading, incomplete, or evasive statements. During the Judiciary Committee's hearings, numerous expert witnesses, including legal scholars and former prosecutors, testified on the perjury issue. There was no disagreement in their testimony that the record compiled in this case would not, in the hands of a responsible prosecutor, justify a perjury charge.

Even if we set aside that judgment, however, and assume that the President in fact lied 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 * * * of the United States 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 against the United States." 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 the judgment 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 historical and constitutional tests 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 gentlewoman 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 our personal preference, selected interpretation of the law and partisan politics. Yet we use the Constitution, the rule of law for our reckless action.

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 upon 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.

We should have the option of censure to consider if we are about fairness and justice.

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 down 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 1½ minutes to the gentleman from California (Mr. FARR.)

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 coups.

□ 1700

This is not only the wrong day, this is also the wrong way. Mr. Speaker, we cannot 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.

"There is no fancy way to say I've sinned." 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 be directly elected by the people but not Senators (who originally were elected by state legislatures) or the President (who even today is affirmed by the Electoral College). The Framers wanted to strongly impress upon House members that they held the power of the people in their hands and were responsible for representing it faithfully and truthfully.

I must be true to this obligation. I have listened to the impeachment hearings. I have read the Starr report. I have sought out legal experts and constitutional scholars for guidance on the technical aspects of the impeachment conundrum. I have noted the national polls. But mostly, I have listened hard and

long to persons in this Central Coast community on their views of the Clinton-Lewinsky affair.

I will not vote for impeachment because I believe the majority of people living in our area do not want it.

Since August, when the President appeared before the Grand Jury, I have been accused of being silent on this matter. Silent, no. Keeping my counsel, yes. I have been reticent until just recently to commit myself on the matter because we are dealing with grave constitutional matters that impact the very fabric of our government. These are not decisions to be taken lightly and I wanted to be sure of all the facts of the matter before declaring a position.

Having held my tongue now for these many months I must relate to you that I believe as almost everyone, that what Mr. Clinton did was wrong. But impeachable? No. Impeachment is a punishment to be used only in the most extreme cases when the action of the President is such that it undermines our government. It is a punishment to be used in cases when the action of the President is such that he has turned the institutions of 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—their 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 used to rain retribution 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 propensities to untoward personal behavior.

The crimes of which Mr. Clinton is accused do not rise to the level that demand he be removed from office. They are such that in the normal world, it is unlikely they would be prosecuted. Common crimes call for common justice. They do not call for extraordinary means outside the traditional 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.

Inspired by Providence, our Nation's Founders foresaw today's awesome circumstances. They provided a fail-safe mechanism in the Constitution to peacefully resolve the crisis created by a President's reckless and illegal actions. As a Member of Congress I feel deeply the weight of history and the need to provide additional guidance to future generations.

After painstakingly reviewing the testimony and the documentary evidence, after giving the President every reasonable benefit short of suspending common sense itself, I have decided that I will vote for impeachment. As excruciating as this has been, there is no escaping the conclusion that President Clinton "willfully provided perjurious, false and misleading testimony to the grand jury" and "in sworn testimony to written questions asked as part of a Federal civil rights action brought against him, willfully provided perjurious, false and misleading testimony", as stated in the impeachment articles.

The Declaration of Independence, which Abraham Lincoln at Gettysburg informed us was the Nation's birth, calls upon us to have a "decent respect" for the "opinions of mankind", which we today call public opinion. A "decent respect", not slavish pandering, not abdication of our Oath of Office to uphold the Constitution, and not relinquishment of our solemn obligation to filter opinion through our own value systems. I have that decent respect, and am grateful to all those who have taken the trouble to communicate their views to me and my office.

As difficult a task as it is, we must take this issue outside the realm of current public opinion. What we are struggling to insure is that we have an objective standard of public conduct for public officials. We would descend into chaos if we had one standard of conduct when the economy is good and another when the economy is not good—one standard for a popular president, another for an unpopular one.

The Constitution of the United States provides in Article 1 that "The House of Representatives shall have the sole Power of Impeachment", that "The Senate shall have the sole Power to try all impeachments", and that "Judgment in Cases of Impeachment shall not extend further than to removal from office and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to indictment, Trial, Judgment and Punishment, according to Law." As is now well known, the Constitutional standard for judges and the president alike is treason, bribery, and other "High Crimes and Misdemeanors."

It is a matter of great concern to me that the process appears to be breaking down along partisan lines. This is not healthy, and I believe that the Framers would not want it so. But that does not diminish one iota my own responsibility to stand and be counted.

I reject categorically the argument that there are different standards for impeachment where the President is concerned. We can not be guided by situational ethics that can destroy one constitutional officer and absolve another from the consequences of destructive conduct. Over the past decades at least 2 federal judges have been impeached for perjury unconnected to their judicial duties. The constitutional standards for impeachment are not lower for the President and we must not allow them to become lower for the President. My reading of the case law does not support the conclusion that we have a double standard for federal judges who are appointed, and another for the President, who carries an election mandate with him.

My vote will reflect my conclusion that the President committed perjury before a federal grand jury, and that this is an impeachable offense. The President's statements were perjurious, not just misleading. I have read and re-read the President's testimony before the grand jury and in the Paula Jones civil rights case. There is no blinking at the fact that the President lied under oath. Ironically, this conclusion is supported by many of the President's defenders who have argued in effect that a full admission cannot be made for fear of legal exposure. Moreover, many of the President's supporters concede the President perjured himself, but argue that such perjury didn't rise to the standard of impeachment.

Moreover, the President was appropriately admonished by Senator ORRIN HATCH, Chairman of the Senate Judiciary Committee, that whatever false statements were made in the Paula Jones case would be forgiven, if he merely told the truth in his Grand Jury appearance. Despite this "second chance", the President failed to do so.

I have given the most serious consideration to the suggestion that censure is a more appropriate punishment for the president and a better outcome for the nation. It is in my nature to find common ground where compromise is possible. The Constitution simply does not permit the House to take a convenient way out, nor should we. Under the Separation of Powers mandate we are forbidden to impose sanctions on the President short of impeachment. Also, strictly from a common sense standpoint, a resolution of censure would carry all the legal weight of a congressional designation of "National Sweet Potato Week". And historically, the House has never passed a censure resolution against a President. With no sanction, as censure resolution is a toothless tiger.

What about a sanction the President agrees to? At this stage in the process the House can not permit the President to be in effect his own judge, and to set the terms of his own punishment and the amount of his own fine. That would be the very height of cynicism. By voting for impeachment the matter will be moved to the Senate for what I hope will be an expeditious resolution, and one that will be fair to the Nation and the Chief Executive.

This is a vote for the children and for the future. Somewhere in America today is a young person just becoming interested in government who will one day be President of the United States. This vote is for that future 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 the 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 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. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from Alabama (Mr. ADERHOLT).

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 of repentance 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 waiting so long.

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

Mr. WEYGAND. 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. Mr. Speaker, my colleagues, the majority has sought to claim for themselves the mantle of the rule of law. In fact, however, I believe they have strayed far from the mandates of the United States Constitution, the supreme law of the land. They have tried to make the case that if we do not impeach President Clinton, we will be sending a message that the President will not be held responsible for his actions.

Nothing could be further from the truth. Whether or not Congress votes to impeach or convict President Clinton will be subject to both criminal and civil prosecution when he leaves office.

In addition, the Constitution explicitly states that a person who is impeached and convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment according to the law.

Regardless of what action the Congress does or does not take, President Clinton, like every other citizen, will be held accountable in court for his alleged violations.

Forget not that when President Nixon stepped down from office he still had to be pardoned because of the crimes he committed. He could have been held responsible for it. The President, under the Constitution, is the only one that is allowable for double jeopardy.

I ask my colleagues that this matter is so important that we do not want to lessen the standard for future generations.

This week, the House of Representatives will vote on four Articles of Impeachment that the House Judiciary Committee, on party-line votes, has adopted concerning the actions of President Clinton with respect to his improper relationship with Monica Lewinsky.

This is am important matter. What President Clinton did was wrong. He was wrong to have an affair with an intern and he was wrong to mislead the Grand Jury and to lie to the American people about his conduct with Miss Lewinsky. He must be punished appropriately.

I say this because I firmly agree with the assertions that have being made that no one is above the law. My colleagues in the Majority have sought to claim for themselves the mantle of the rule of law. In fact, however, I believe that they have strayed far from the mandates of the U.S. Constitution, the supreme law of the land. They have tried to make the case that if we do not impeach President Clinton, we will be sending the message that the President will not be held responsible for his actions.

Nothing could be further from the truth. Whether or not the Congress votes to impeach or convict him, President Clinton will be subject to both civil and criminal prosecution when he leaves office. In addition, the Constitution explicitly states that a person who is impeached and convicted "shall nevertheless be liable and subject to indictment, Trial, Judgment and Punishment, according to Law." Regardless of what action the Congress does or does not take, President Clinton—like every other citizen—will be held accountable in court for his alleged violations of the law.

When the Founding Fathers were drafting our Constitution, they considered carefully the provisions for impeachment. In fact, in the Federalist Papers No. 65, Alexander Hamilton talks about the concern that a House of Representatives dominated by one political party would impeach a president of the other political party without sufficient cause or proof. He expressed concern about the shock and disruption such an act would cause to our political system.

The Framers set a very high threshold for presidential impeachment. They considered—and rejected—several lesser standards for impeachment, including "maladministration" and failure to display "good behavior." Instead, as we all know, they defined impeachable offenses as "treason, bribery, or other high crimes and misdemeanors."

Impeachment of the President is a profound action. It should be reserved for the most serious of cases, where the wrong-doing by the President represents an abuse of the power of the office. The matter at the root of this situation is a private one, not related to the President's conduct of his official duties. I am convinced that the Framers' intent in developing the standards for impeachment was to limit impeachable offenses to those that represent a threat to the republic. I do not believe that standard has been met in this case.

When Independent Counsel Starr presented his report to the Congress, I supported moving forward with a focused inquiry. While I did not endorse the precise resolution that passed the House, I agreed that this was a serious matter that should be further considered by the Judiciary Committee.

Since the beginning, I have said that above all, we must conduct our inquiry in a fair and deliberate manner that is worthy of the seriousness of the situation and that will not set precedents that will weaken the Office of the Presidency in the future. I regret that did not happen. The party-line votes on the Articles of Impeachment expose the partisanship that has been present throughout this case. When the full House votes on the Articles, I expect that it will be one of the most partisan and divisive votes we will have had on any controversial issue in this Congress.

In fact, we seem to be right back at the place feared by the authors, of the Federalist

Papers, where one political party is seeking to impeach the popularly elected President who is of another party on partisan grounds. The Majority, while claiming to embrace the rule of law, is in fact going against the highest law of the land, the Constitution. They are also ignoring the clearly articulated wish of the American people: that President Clinton be condemned for his wrong-doing, but that he not be impeached. I do not expect that history will look kindly on the Majority's handling of this matter.

I have examined the evidence in this case carefully. I have read the grand jury testimony and the report of the Independent Counsel. I have spoken to many of my constituents personally, and have read the letters, e-mail messages and records of phone calls from hundreds more. I have studied the Constitution and listened to scholars argue both sides of the issues. I have weighed the matter in my own mind and wrestled with it in my own conscience.

I have reached the conclusion that I must oppose the Articles of Impeachment that are before the House. The potential impeachment and removal from office of a popularly elected President is a very serious matter. I have carefully considered the President's conduct, and have determined that, in my mind, it does not rise to the level of "high crimes and misdemeanors." What President Clinton did was wrong, and I believe that he should be punished. But I do not believe that his mistakes warrant his removal from office.

I believe that a more rational response to the President's actions would be a strongly worded resolution of 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 this 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 fully appreciated before just how out of touch this institution is with the needs of the American people.

Forty-three million Americans have no health insurance. Millions of senior citizens cannot afford their prescription drugs. And this House is going to vote to send to the Senate for a trial to go on month after month after month to discuss where Bill Clinton touched Monica Lewinsky.

The global economy is volatile. The average American today is working longer hours for lower wages. We have the widest gap between the rich and the poor, and we are voting today perhaps to paralyze our government as the Senate explores the President's extramarital relations and his lies and his cover-up of that relationship.

Mr. Speaker, Bill Clinton acted deplorably in his personal behavior. But what the American people are saying loudly and clearly is, let's get on with the business of the American people.

Mr. Speaker, I rise today as the only Independent in the House—someone who is not a Democrat or a Republican.

There is a great political instability in the world—wars and famine in Africa, tensions in the middle-east, in Bosnia, in Latin America, in Ireland—and a war being fought as we speak in Iraq. There are weapons of mass destruction in place all over the world—nuclear weapons, biological and chemical weapons—all of which can destroy the world.

And we are voting today to impeach a President has extra-marital sexual relations, lied about them and attempted to cover them up.

Mr. Speaker, Bill Clinton acted deplorably in his personal behavior with a 22 year old intern. What he did was wrong—and he should be censured. He should not be impeached, however, and the United States Congress should get on with the business of the American people.

Mr. CONYERS. Mr. Speaker, I yield 15 seconds to the gentleman from New York (Mr. NADLER) a member of the committee.

Mr. NADLER. Mr. Speaker, the gentleman from California (Mr. ROGAN) a few moments ago said that an impeachment vote is not a vote to remove the President but simply to charge him.

I read from the resolution: "Wherefore, William Jefferson Clinton, by such conduct, warrants impeachment and trial and removal from office"; in addition to which we are already being told he should resign rather than face a trial.

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

We have heard all of these prophets of economic doom and gloom if the House discharges its constitutional duty today in impeaching the President. The Nasdaq hit an all-time high. I think the markets are smarter than some of the people who are making these accusations.

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

Mr. BARRETT of Nebraska. Mr. Speaker, I thank the gentleman for yielding.

I rise in support of all four articles of impeachment.

Mr. Speaker, after careful consideration of the facts reported by the Judiciary Committee, I have decided it is my constitutional duty to cast my vote in support of all four Articles of Impeachment. I have not reached this decision lightly, but with the full understanding of the effect my vote will have on the future of our country. I am not pleased to cast these votes. I regret it has come to this.

The polls overwhelmingly show political support for the President, but I cannot be governed by the polls in this matter. The constitutional framers did not place this decision in the hands of the pollsters; they placed the question of impeachment in the hands of the House of Representatives, and ultimately the decision to let the President remain in office with the Senate. In their phone calls, letters, e-mail, and in personal conversations, my constituents are overwhelmingly in favor of a vote to impeach the President. But even if they were not, I would still be duty bound to support all four Articles of Impeachment.

At the beginning of the process, Judiciary Chairman HENRY HYDE asked, "Based on what we now know, do we have to look further, or look away?" At that time, I voted to look further, because I believed the allegations of perjury and obstruction of justice were serious and credible. Nothing we have heard or seen since has changed my mind about those allegations.

Since the actual impeachment hearings began, I have heard many witnesses engage in legal hairsplitting over the meaning of the words "is" and "alone." I have also heard 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 if 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 with 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?

Although I am disappointed by the personal conduct of the President, I want to make it clear I am not voting to impeach the President for having an extramarital affair, or even for lying about having an extramarital affair.

But a president does not have the right to lie under oath. A president does not have the right to obstruct justice. A president does not have the right to obstruct a congressional inquiry. A president does not have the right to lie to the Ameican people who elected and trusted him. We have the obligation to send a clear message to the President, to the American people, and to the world that no one is above the law.

We are all tired 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 demonstrates 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 a solemn oath to execute.

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 hey 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 nation's leaders will not abide by the law, why should the rest of that nation do so? I find the President's hypocrisy striking. The President seems to find it acceptable to send Americans to fight for the rule of law around the world, but he will not even respect it at home.

Some Members have made the responsible argument that this impeachment is a partisan "witch hunt," but I believe the division between Members supporting impeachment and those supporting censure is about much more than partisan politics. Honestly, this proceeding is not about overthrowing the government. We are not discussing taking power from the hands of one party and giving it to another. If President Clinton is removed from office, he will be succeeded by Vice President GORE—not exactly stunning Republican victory. Furthermore, I'm sure that most of us on the Republican side of the aisle understand politics well enough to know that President GORE will be much more difficult to defeat in 2000 than Vice President GORE would be. Therefore, describing the actions of those who support impeachment as politically motivated just does not make sense. There is no political advantage to be gained by unseating the President.

I believe the division we are experiencing is a true reflection of the differences in Republican and Democratic approaches to the Federal Government. As a Republican, I believe in a Federal Government of sharply limited powers. The limits to these powers are clearly expressed in the Constitution. Each of the three branches is granted clear, limited powers to serve specific governmental functions.

With regard to the powers of the legislative branch relative to the executive branch, the Constitution is clear. While Article I of the Constitution provides both the House and the Senate the open-ended authority to "punish its Members for disorderly Behavior," the provisions for impeachment are much more strictly limited. Article I states "Judgment in Case of Impeachment shall not extend further than the removal from office, and disqualification to hold and enjoy any Office of Honor, Trust or Profit under the United States." Unlike the provision dealing with Members of Congress, this provision specifically limits Congressional sanctions to removal and disqualification. Therefore, it seems clear to me that censure is a valid option for punishing Member of Congress, but should not apply to the President.

If this House were to pass a censure resolution, there is no guarantee that it would not be expunged by a future Congress (as well as done in the case of Andrew Jackson) or overturned by the Supreme Court. They only action that this House can take that will be both permanent and Constitutional is impeachment.

Many of us on both sides of the aisle agree that the President has not been honest in answering legitimate questions asked under oath. In spite of the President's dishonesty, some Members, lawyers, and professors suggest that because the President's statements may not meet the strict legal standard for perjury, he should not be impeached. I disagree.

While I may not be a lawyer or a history professor, I do have a fair share of common sense. Common sense tells me that if some is dishonest while giving legal testimony under oath, that person has violated the spirit, if not the letter. If the perjury law. The law is there to provide for the fair administration of justice by insuring he legal process is based on accurate information. There is no doubt in my mind the President has frustrated this goal by consistently providing incomplete and inaccurate information after promising explicitly "to tell the *whole truth* and nothing but the truth."

In 1974, the Arkansas Gazette quoted then Congressional candidate Clinton saying there was "no question that an admission of making false statements to government officials and interfering with the FBI and CIA is an impeachable offense." He did not say false statements were impeachable only if they met the strict standard of perjury. He did not say that they were impeachable only if the answers addressed issues of public policy. He said that making false statements to government officials is impeachable, and he was right.

Speaking of President Nixon, Candidate Clinton argued, "there's not any point in his putting the country through an impeachment since he isn't making any pretense of innocence now." Today, even some of the President's strongest supporters in Congress no longer make the pretense that the President has been honest in his sworn testimony. The President should hold himself to his own standard and resign. We know, however, that the President does not intend to do so, so Congress must do its duty.

It is clear to me that the President has done and continues to do everything in his power, both legal and otherwise, to derail the legal process and to obstruct the pursuant of justice. Now, the House must decide if it will legitimize the President's actions or condemn them in the only manner provided by the Constitution—impeachment. The demands of both my conscience and my constituents re clear. I will cast may vote in favor of impeachment.

I would like to close by again submitting for the RECORD the following words of President Theodore Roosevelt.

We can afford to differ on the currency, the tariff, and foreign policy; but we cannot afford to differ 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 mattes not how brilliant his capacity. 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 suborns perjury, 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 or 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 decent man as it is to tell the truth 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. 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 them.

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 I was elected to cast votes based on principle and upholding the Constitution. I will do just that today. Some have said that those who cast votes in favor of impeachment may 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.

It was President Clinton who misled the people of our country, his cabinet and the Congress since last January. It was the President himself who chose to commit perjury while under oath. So let me be very clear on why I have come to my decision. It is not about sex.

The President's personal behavior—albeit reprehensible and inappropriate—is not the issue at hand nor is itself an impeachable offense. Rather, my decision to support the articles of impeachment revolves around the President's public behavior. The President made his private life and private inappropriate actions public when he lied about them under oath in a 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 and commit perjury. With that as the conclusion, there is no choice but to support impeachment.

It has been said that history will judge our actions. Before history judges us though we must ensure that the youth and citizens of our nation respect the principle that that no one is above the law. I spend a great deal of time speaking with young people who often ask me about this. I tell them that we can and should forgive each other because no one is perfect and we all make mistakes. Yet, there are consequences of our actions.

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 our wrongdoings and ask to be forgiven. A cleansing from within can then begin and healing can occur.

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.

I do want to take exception to the statements from both sides that this is the most difficult vote a Member of Congress will ever cast. I completely disagree. I believe voting whether we send young Americans to face an enemy on distant shores is far worse. A vote for war is much more grave. I would urge all of my colleagues to refrain from this inflammatory statement to keep things in proper perspective.

A vote for impeachment is very serious but the Constitution creates the outline for this vote. It creates a process of succession. If Bill Clinton is impeached and removed, his vice president AL GORE assumes the responsibilities of the presidency. This is peaceful. During World War II we lost our president and still won the war. After a terrible civil war, our presidency survived the loss of President Lincoln. This was peaceful. Our Constitution and the American people's resolve to see an orderly transition vitiate any argument I have heard about how disruptive a potential impeachment would be.

It is clear that our three-branch form of government as created by the Constitution was done so in order to establish a set of checks and balances. The framers did not want a King. We created lots of checks on the President in order to ensure this. If we give in to the line of argument that a President who commits crimes is above the law, simply on the basis of polling, we have completely destroyed the framers' intent and done irreparable damage to the future of our nation and the rule of law. Today some would argue that perjury and obstruction of justice do not rise to impeachable offenses, but if we let this slide then what will we let slide the next time and the time after that. This is a slippery slope that a nation of laws cannot tolerate.

Across the nation, lawyers and legal scholars are watching how we proceed. They are waiting to find out if it is acceptable to lie under oath. If it is alright for the President then how can we possible hold anyone else to a higher standard?

I am one of the few members whose voters sent someone else back for the 106th Congress. However, I sincerely believe that the majority of New Jersey's 12th district residents do not want our President to be above the law or given special treatment. If we did what the president did, would we be treated the same? I do not think so.

The constituency that worries me the greatest in this debate is the school-aged children. Recently, a student from the Montgomery Middle School reminded me of the story about George Washington never telling a lie, cutting down the cherry tree and then taking responsibility for it. What will the meaning of that story be if President Clinton lies, is caught and is then excused for it? How should I answer these students?

As such, I reluctantly rise today to say I will vote for impeachment. I am hopeful that Mr. Clinton will still resign before this vote is counted; however, should he not, I refuse to allow my last vote in this Congress to be a vote to allow a man in charge with enforcing the laws, from being above the very same laws.

I want to close with a quote from Abraham Lincoln. He said, "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 reverence for the laws be breathed by every American,—let it be taught in schools, in seminaries and in colleges—let it be preached from the pulpit and proclaimed in legislative halls and enforced in courts of justice. And, in short, let it become the political religion of the nation * * *."

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 entire Congress. 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.

Now 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, even to the extent of ridicule 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 Corp of 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 allegation and the defenses to the allegation of this case.

Mr. CONYERS. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. KLECZKA).

Mr. KLECZKA. Mr. Speaker, I rise in opposition to the articles of impeachment.

Mr. Speaker, like all my colleagues, I have spent a great deal of time carefully reviewing the Judiciary Committee testimony and evidence. Let me make absolutely clear that I do not in any way condone the President's behavior. He lied to his family, his Cabinet, and the American people.

But the Framers made clear that the constitutional act of impeachment is not meant to punish a president for deplorable behavior but to protect our Nation from acts which jeopardize our democratic system. What the President did was wrong, both personally and morally, but his acts did not threaten our democracy and thus do not rise to the level of impeachable offenses as defined by our founding fathers in the Constitution.

As Mr. Bruce Ackerman, a constitutional law and impeachment expert at Yale University, testified before the Judiciary Committee, "Once we lower the impeachment standard to include conduct that does not amount to a clear and present danger to our constitutional order, we will do grievous damage to the independence of the Presidency. [T]here 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 censure by the Congress.

Mr. CONYERS. Mr. Speaker, with apologies to my colleagues, I am now reduced to only 1 minute for each of them.

Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. STOKES).

Mr. STOKES. Mr. Speaker, for 30 years I have served in this institution. It is an institution which I have always loved, honor and revered. I have taken pride in being able to speak from this well on many historic occasions. But it is no honor today to speak and cast the last votes of my career against a resolution to remove from office the President of the United States. This is, in my opinion, the saddest day in the history of the House of Representatives. It is also a sad day for America.

As one who long before coming to Congress practiced and studied constitutional law, I am convinced that the Framers 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, crisis 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 legislation into law because 100 Senators are sitting in a room trying the President of the United States from January through June or July of next year.

The people in my congressional district are angry and enraged over what is happening to their President. They are good, decent, hard-working people who love this country and care deeply about a President who has shown concern for them. The people in my district have heard the same evidence you have heard and while they do not approve of what he did, they 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. Mr. Speaker, we have no right 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 punishment that does not fit the 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 today's vote. Over 200 constitutional scholars have argued that the sentiment of these offenses does not rise to the level of impeachment. And two-thirds of the American public have said the same thing.

Mr. Speaker, Republicans, put our country before your party.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I 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.

□ 1715

So, Mr. Speaker, I will not vote for this nightmare before Christmas, I will not vote for this lynching in the people's House, I will vote against these resolutions.

Mr. Speaker, this is a serious time for our country. I urge my colleagues to do what is right and I ask that history be kind to us.

I rise in strong opposition to the articles of impeachment presented by my colleagues from the Judiciary Committee.

This resolution is an 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 or just an act which lacks moral judgement? 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 campaign, fueled 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 make the scandal fit the bill.

Mr. Speaker, our Constitution contains a number of examples of purposely ambiguous language in addition to the phrase "high Crimes and Misdemeanors." Consider such language as "due process."

It is precisely such elegant and flexible language which has enabled our democracy to develop, to encompass ever broader sectors of Americans, in ever deeper and more empowering ways.

It is reasonable to expect that as the process of electing our chief executive has become more and more democratic, enfranchising more Americans, more and more directly, that the process for removing that chief executive, of undoing the will of the people, would demand higher and higher standards. It is reasonable to expect that the Congress should not take unto itself the power to limit a President, in James Madison's words ". . . to a tenure during the pleasure of the Senate."

When we "dumb down" the Constitution to meet the needs of partisan politics we inflict deep and lasting harm on our political and Constitutional system. This is the real Constitutional crisis. I do not believe it is accidental that all of our nation's encounters with Presidential impeachment come following periods of great national turmoil—either the 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 to incorporate African Americans into the body politic or the attempt of President Nixon to undermine his political opponents in the closing days of the War in Vietnam; current attempts to undo the results of two Presidential elections will leave deep, lingering wounds on our nation, but, in the long run, will fail in their attempt to make an end run around the will of the people.

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 horror, 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 piteous mutterings about the crime of perjury. Read the articles of impeachment as closely as you want. You won't find the actual words alleged as perjury with a divining rod.

Why? The American People know that the allegations do not rise to the level of impeachment.

We do not allow such unspecified charges on the floor of this House. Any Member of this body who would accuse another would have his words taken down for judgment by the body. Why weren't the President's words taken down so they could be judged? Because the process is not meant to be fair. The process is meant to destroy. Every month, every week, indeed every day, brings new examples of the hypocrisy of these charges.

When, in the name of this House, secret grand jury testimony was released, in contradiction to every understanding we have of individual rights and due process, the claim was made that we had to inform and involve the American People about the process.

But now, when the American People demand an end to the outrage of this impeachment process, their voices are ignored. Suddenly their informed opinion is no longer relevant.

Why? Because the process was never meant to be fair or democratic. The process was meant to destroy.

I reject, and the American People reject, the pathetic whining about upholding the rule of law. An unchecked prosecutor, accountable to no one, with an unlimited budget, and a witch-hunting committee have shredded any semblance of rule of law. They have undermined, in a few short years, the protections that have taken our nation over two hundred years to perfect.

And, in using and abusing the law on sexual harassment, the witch hunters have created gaping holes in the law protecting women from harassment.

How ironic that President Clinton who brought together the people of Northern and Southern Ireland, who brought together the people of Israel and Palestine is a victim of rending and division of the American political system.

But he is not the only victim. We are perverting and destroying the American constitutional system, based on the wisdom of the people—a system we should be using to solve our real problems: saving social security; creating jobs with a living wage; 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 the fact that a small group had set a prairie fire which rapidly grew out of their control and destroyed everything in its path.

Today, we have a chance to stomp out another prairie fire, another witch hunt, which threatens to grow rapidly out of control.

Mr. Speaker, the American People are calling on this Congress, on every member of this Congress, to rise above the shrill voices of partisanship.

Therefore, if I might paraphrase Winston Churchill, let us feel the wisdom of the people, and the strength of our ancestors.

Let us stop the madness of those who seek to use impeachment to impose their political will. Let us undertake our duty, and so bear ourselves, that if America lasts for a thousand years, men and women will still say, "This was their finest hour."

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 Jefferson 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 Judiciary Committee during its inquiry into the President's conduct.

	Weeks Min.	Weeks Max.
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	1	1
B. The Rules Committee. Since the Senate has not conducted proceedings against a President in the past century, the issues would be substantial. At least five steps would have to be taken before the committee could submit its report and recommendations to the Senate.		
1. The committee meets and authorizes the Chair and Ranking Minority Member to send a letter asking the parties to file memoranda addressing issues identified by the Committee and other issues that either believes the committee should consider, probably allowing twenty to thirty days for initial memoranda and ten to twenty days for responses	1	2
2. Each of the parties file memoranda.	4	6
3. Each of the parties file memoranda responding to the other.	6	9
4. The committee holds hearings on the issues raised.	7	11
5. The committee deliberates and prepares its report and recommendations and any necessary resolutions.	9	13
C. Pleadings and Motions.		
1. The President. It is hard to anticipate the defense strategy the President will adopt, but the House Judiciary Committee's proceedings and recommended articles of impeach suggest that counsel for the President would file:		
a. *Answer and Affirmative Defenses.* Counsel for the President will raise at least one and probably two affirmative defenses—(i) the articles fail to allege facts sufficient to state an impeachable offense; and (ii) the misconduct of Independent Counsel Starr and the House's reliance upon the products of that misconduct require that the articles be dismissed.	3	4
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.	6	10
c. *Demand for Bill of Particulars.* The majority on House Judiciary Committee appear to shoot themselves in the foot by refusing to specify the precise statements made by the President that they claim were perjurious. If the 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.	6	10
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 has been filed, strike specific allegations in the article that remains.	6	10
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.	8	14
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.	10	16
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.	12	18

II. Trial Preparation

In *Hastings*, the Rules Committee recommended that the Senate appoint an Impeachment Trial Committee to regulate the preparation for evidentiary hearings and to conduct those hearings. If the House adopts articles here, the evidentiary hearings will be conducted before the full Senate. It is likely that the Senate and the Chief Justice will agree that the trial preparation duties that were performed by the Impeachment Trials Committee should be assigned to the Rules Committee (or to a special impeachment committee appointed for that purpose). Although the counsel for the President would request that trial preparation be deferred until the Senate had ruled on the President's motion to dismiss, the Rules Committee might determine that necessary preparation should proceed concurrently with other trial matters. However those duties were exercised, the steps would likely be the same.

	Min.	Max.
A. Discovery Proceedings: The need for discovery would be far greater in this case than it was in *Hastings*. Here, as it did in *Hastings*, the House Judiciary Committee relied primarily upon the report and materials transmitted to the House by another branch and upon the testimony of the investigator who prepared the report. Here, as it did in *Hastings*, the committee did not call and subject to examination and cross-examination the fact-witnesses identified by the Starr referral or those who might testify on behalf of the accused or obtain from the Independent Counsel or elsewhere documents other than those included in the materials transmitted. It is hard to conceive that the Senate here would not afford the President the time and the use of its subpoena power to take depositions and obtain relevant documents. Based upon *Hastings* and the materials available here, discovery would proceed in three stages.		
1. Submissions by the Parties. If any articles remained after the motions to dismiss or strike had been decided, the Senate or a committee would have to decide whether and what discovery should be permitted.		
a. Counsel for the President would promptly submit a memorandum identifying witness and sources of documents that were likely to produce relevant evidence and explaining why the President should be permitted to subpoena each of the witnesses and other source to obtain that evidence. At a minimum, it seems almost certain that the counsel would seek to depose (i) lawyers for Paula Jones about their initial conversations with Linda Tripp and with members of the Office of Independent Counsel ("OIC") staff; (ii) the members of the OIC staff and FBI agents who met with or interviewed Linda Tripp and Monica Lewinsky; and (iii) other technical witnesses, such as those reconstructed materials from the hard drive in Ms. Lewinsky's computer. It also seems certain that they would want access to the documents that the Independent Counsel did not transmit with his referral	12	20
b. The House managers would be directed to file a response agreeing with or objecting to the President's requests.	14	22

	Weeks Min.	Max.
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.	16	23
d. Independent Counsel Starr, Ms. Jones' lawyers, or others subpoenaed might object to some or all of the subpoena, in which event time-consuming enforcement proceedings would be necessary, at least three months.		36
e. The depositions would be conducted and the documents produced and examined.	16–24	36–44
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.	12	20
2. The Senate or its committee would direct the parties to file and exchange ten days after the close of discovery, pre-trial memoranda identifying witnesses each intended to call and exhibits each intended to introduce.	25	45
3. The Senate or its committee would enter a final pre-trial order establishing the date for and procedures to be followed at trial.	26	46

III. The Trial of a President

Rules XII and XIII of Procedure and Practice in the Senate When Sitting on Impeachment Trials provide that, unless otherwise ordered, the proceedings shall commence at 12:30 p.m. on the first day and at 12:00 noon thereafter. In order to make it possible for the legislative and executive branches to tend to some of the government's business and to enable the Chief Justice to participate in the oral arguments before the Supreme Court, it seems likely that the Senate would not schedule the evidentiary proceedings to begin before 12:30 or would permit them to extend beyond 6:30 p.m. on a regular basis.

A. The Presentation of Evidence by the House Managers. The managers presented the testimony of thirty-seven witnesses in *Hastings*. Only twenty-seven appeared before the Impeachment Trial Committee. The managers were permitted to introduce transcripts of prior testimony for the other ten. The House managers are likely to call most if not all of the 120 witnesses whose statements or testimony are included in the materials transmitted by Independent Counsel Starr. Depending upon the success of pre-trial negotiations, it might have to call several more to establish necessary foundations and the like. Forty to fifty would appear to the minimum number necessary to support the allegations the proposed article have borrowed from the Starr Report. No prior testimony will be admitted. The videotaped deposition and the videotaped grand jury testimony will be shown in there entirety, and many of the Tripp tapes will 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.	27–30	47–40
B. The President's Case. It is impossible to project the number of witnesses that the President's counsel would call for his defense with any confidence. The Starr Report was not a balanced presentation of the available evidence. It seems clear that the number would be substantial and would include many of the 120 persons whom were identified in the Starr Report, but were not called by the managers. They would present all of the Tripp tapes that the managers did not introduce. They 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. Twenty witnesses and ten days seems a safe minimum.	31–32	51–52
C. The House Rebuttal. Given the passion and vigor displayed by Republican members of the Judiciary Committee, it seem likely the House managers would want to try to rebut the President's case, no matter how tired and angry the American people may have become. Might we hope for only a day or two?	33	53
D. Argument, Deliberations, and The Vote. Given the nature of the issues and the length of the projected trial, it seems likely that Senate would allot at least four hours to each side for closing arguments. Past precedent dictates that the Senate would close its doors to deliberate in executive session until its members have expressed their views. The vote would follow. With luck, the denouement might be completed in less than a week	34	54

I call this the nightmare before Christmas and Mr. Spaker, it is difficult to believe that we are here today; But we are debating whether or not to bring charges of impeachment against the President who has just returned from the Middle East where he was able to bring together Palestinians and Israelis, where he was able to bring together Netenyahu and Arafat. This President who was able to bring together Northern and Southern Ireland, India and Pakistan. A President who has opened up new avenues and relationships with the African Continent, with China, and with other nations throughout the world.

During these proceedings we have heard a great deal of legal argument but I submit to you that this is as much about politics as it is about law. It's not just an attempt to impeach the President, it is an attempt to undermine and dismantle the policies and programs of this administration. This is an attempt to impeach and hold back Affirmative Action, women's health rights, new teachers, summer jobs for disadvantaged youth, energy assistance for low income people, community health centers, treatment programs for victims of aids and HIV, clean air, and raising the minimum wage. No Mr. Speaker, this is not just about Bill Clinton it is about dashing the dreams and the hopes of one growing up in a small state, an average citizen, in an average family, no pedigree, no major wealth, 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 justice and operate in an unfair and unjust manner. We talk democracy and disregard the will of the people.

We talk forgiveness and practice retribution.

We talk unification and practice division—we talk about morality and commit the 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 with my people. I am going to vote against impeachment. I am going to vote against this nightmare before Christmas.

I am going to vote against this attempted lynching in the people's house.

Mr. CONYERS. 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 Presidents."

Some say this is not about sex; it is about lying under oath. Lying under oath about sex is still about sex, and the only reason it is about sex is that our colleagues could not find anything else to get on him.

Any extramarital affair, whether by a president or a Member of Congress, is lying under oath, the most sacred of oaths, the marriage vow. Any lie told

by a president about the people's business is under oath, the presidential oath of office.

It is not just one poll, but in all polls, by a two to one margin the American people say that when it comes to people's sex lives even presidents' sex lives, government should mind its own business.

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

Mr. Speaker, 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. SENSENBRENNER. No.

Mr. KENNEDY of Rhode Island. 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 (Mr. LAHOOD). 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 in violation of 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 15, and they shared two. The chairman, the gentleman from Illinois (Mr. HYDE), 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. 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 this 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 away the fact that our President lied under oath; that he has tried repeatedly to game the judicial system. Whatever the origins of this case, whatever the motives of his questioners, the President had an obligation—a legal and Constitutional obligation—to tell the truth under oath. No voter ever elected to exempt the President from the demands of our system or to weaken the Judiciary established in Article III of the Constitution.

I regularly visit high schools in my district, and I keep asking myself, "How am I to answer the high school student who asks me why he was expelled for cheating, or what do I say to the average citizen who is punished for lying in a court proceeding or the West Point cadet who must live under the honor code?" The answers I come up with all seem like thin and transparent excuses that would appease no one, least of all me.

And let me say that this is not about determining whether the President has been sufficiently contrite, although contrition is certainly in order. Congress was not established as a body of clerics or therapists. This is about how to keep a system intact that is based on law and trust, a system that cannot countenance attacks on those foundations regardless of how sorry one is after having been found out.

Much time has been spent during this prolonged ordeal comparing the situation to Watergate, only for most to conclude correctly that the two scandals have little in common. But they do have one aspect in common that I think has been overlooked. In a rare moment of personal insight, Richard Nixon concluded that he had destroyed himself by hating his enemies back. I am afraid that President Clinton fell into the same, all too human, trap. Blinded by his contempt for people who he thought were out to get him, the President forgot his larger obligations to his Office, to the Constitution and to the American people. He let his personal feelings interfere with fulfilling his Constitutional obligations.

In making my decision, I have tried hard to put personal feelings and political concerns aside and to focus solely on my Constitutional obligation. And I have come to the difficult, heart wrenching, almost unbearably sad conclusion that I am obligated to vote to impeach the President.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DIAZ-BALART).

Mr. DIAZ-BALART. Mr. Speaker, this is a very sad and difficult day, but those of us elected to lead in this great representative democracy must act and vote based upon our consciences even in the most difficult of situations. I would like to make just a few points.

First of all, the founders of the republic did not create the remedy of impeachment to change the results of presidential elections but rather as a great check and balance to redress patterns of delinquent conduct by chief executives.

Secondly, all democratic governments must have both the legitimacy of origin and the legitimacy of conduct. President Clinton obviously enjoys the legitimacy of origin, having been elected to the Presidency. His serious violations of the law, however, including his breaking of oaths in judicial proceedings to tell the whole truth and nothing but the truth, have lost for him the legitimacy of conduct.

Thirdly, the matter before us today has nothing to do with the President's private life, which should be of interest to no one. This has to do with perjury, obstruction of justice and abuse of power, violations of the law. Failure to impeach President Clinton would increase the likelihood that perjury would be committed in future legal proceedings, it would increase the likelihood that future Congresses would hesitate to impeach Federal judges for perjury or obstruction of justice. In short, it would do grave harm to the integrity of the judicial system and the United States.

The essential point of the action that we are now taking is that no one in the United States is above the law, not even the President.

Mr. CONYERS. Mr. Speaker, I yield 15 seconds to the gentleman from New York (Mr. NADLER), a member of the committee.

Mr. NADLER. Mr. Speaker, the Republicans say we are not contesting any fact allegations. The fact is there were no fact witnesses brought before the committee, 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 as a precedent as a remedy available to us to deal with the misconduct of a President was used in 1800 against President Adams. Then Representative John Marshall, a future chief justice, made no 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 so want the speakership of my friend, the gentleman from Louisiana (Mr. LIVINGSTON) to succeed and to nurture

a renewal of this House. We owe him and ourselves and the country that opportunity. 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 great 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 this grave business at a better time, in a better way.

The dishonorable and reprehensible behavior of the President of the United States deserves our strong condemnation. We have a responsibility to act in this matter, and to act with a dignity and fairness and soberness fitting the 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 that he tried to save himself and his family from shame, embarrassment and humiliation by lying to cover it up. In all this, his behavior was abominable, self-indulgent, incredibly reckless and altogether human.

Probably no American other than the President could or would have been subjected to the extraordinary circumstances of multiple testimony about a sexual affair. First, he was compelled to testify in a civil deposition about this sexual affair, about facts themselves immaterial in a lawsuit later found to be without merit. Then, he testified before a grand jury about this deposition testimony about this same, legally immaterial sexual affair. This grand jury process would not be used to investigate any ordinary American regarding such civil deposition testimony; it is only available against someone like the President, subject to a special prosecutor like Ken Starr. Nonetheless, he should have told the truth. And, depending on some technical but legally important considerations, he may have committed perjury.

Now, what do we do about it?

The Constitution makes a President who's committed "Treason, Bribery, or other high Crimes or 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 for perjury in connection with the 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 is not above 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 state 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. It's apparent 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 and of our responsibility under 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.

If 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 by Mr. BOUCHER, 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 took up a 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 have no way to express disapproval of misconduct not serious enough to justify impeachment. Representative John Marshall, the future Chief Justice, was in charge of Adams' defense, and he did not challenge the constitutionality of censure.

This 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. 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 one desired outcome: ending, or at least hobbling, the Clinton Presidency. I regret that the behavior of the majority leadership in handling this matter contradicts their claims of dispassion and nonpartisanship.

Let me say that my charge is against the majority leadership who have engineered the process today. I acknowledge and credit the sincerity of the many who will vote for impeachment as an act of conscience. But do not think that your definition of conscience can rightly be imposed on others without, in doing so, diminishing the concept of conscience.

Can there be a more compelling instance in which the people of the country, acting through their elected representatives, should be able to find a conclusion by letting a consensus emerge; by letting the preference of the greatest, not the smallest, majority prevail?

This a political solstice with a cold darkness to match the winter solstice. I pray that a new and better season for our politics will come as spring will follow this winter. I so want the speakership of my friend, BOB LIVINGSTON, to succeed and to nurture a renewal of this House. We owe him and ourselves and the country that opportunity.

I want nothing more for this House than to fulfill the aspirations of its Members and the people that it be a great and decent deliberative body, serving in honor the great purposes of a great nation. This is my last address here. I leave my colleagues with a plea to be good to each other so that you may do your best for the country we love.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, if an action by a President poses a threat to our government, then

he may be impeached for that action. The President's behavior was reprehensible, insensible, even unimaginable, but it is not impeachable. The punishment does not fit the crime. The authors of the Constitution never intended this result.

Even the chairman, the gentleman from Illinois (Mr. HYDE), said that he intended to conduct bipartisan hearings. We have watched as these intentions have eroded into an unnecessary partisan battle.

The President is accused of degrading his office. We must ask ourselves is the proper response to degrade the process by lowering the standard of impeachment?

Our biggest responsibility is to the American people. The American people elected this President, and they have made it clear that they would like to keep him, warts and all. I join my Democrat colleagues in calling for a lesser punishment than a political death penalty. It is unfair, it is partisan, it is wrong.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, I oppose the articles of impeachment because I believe although the President's behavior was deplorable, I believe he has not committed a high crime and misdemeanor. So this decision is wrong for today.

But, Mr. Speaker, this decision is wrong for the ages because let me predict what is going to happen. Last year the United States Supreme Court said: "You can now proceed with a civil suit against a sitting President." The next time we have a polarizing President and a Congress from a different party, here is what is going to happen: There is going to be a civil suit launched against that President. He or she is going to be dragged into discovery, and his or her opponents in this Congress are going to try to categorize anything they can as perjury and obstruction of justice. Articles of impeachment will be pursued, and the country will be weakened.

It is my sincere prayer here tonight that our children will not bear the bitter fruits of the reckless seeds that our colleagues are sowing here today. The Constitution has worked well for over 200 years. Leave it alone.

Mr. Speaker, allow me to explain my reasoning in voting against the impeachment of the President. The Constitution recognizes a difference between misconduct—even criminal misconduct—and the High Crimes and Misdemeanors that are required for impeachment.

My judgment is that the President's misconduct, though deplorable, does not rise to the level required by the Constitution for impeachment.

And my judgment is that we will set a dangerous precedent if the majority in the House disagree with me, and decide to vote for these articles of impeachment which are before us. We will have lowered the bar to impeachment, and this action, coupled with the Supreme Court's decision to allow sitting Presidents to be sued in a civil lawsuit while in office, will lead to more partisan mischief in coming years, which could gravely harm our government and our nation.

The country would be best served by a return to the important business at hand: education, health care, Social Security, and international problems.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Speaker, John Page wrote a letter to Thomas Jefferson on July 20, 1776, which reads and I quote:

"We know the race is not to the swift nor the battle to the strong. Do you not think an angel rides in the whirlwind and directs this storm."

I pray that Providence is with this body, this country and our Constitution for fairness and justice and honor today, and I fear my prayers will go unanswered.

I voted with my Republican friends 68 days ago to initiate this investigation, to look at the facts and corroborate the evidence for a high crime and misdemeanor, and George Mason, who wrote that phrase, said, and I quote:

"It ranged from a great and dangerous offense to subverting the Constitution."

This does not pierce that high threshold, and when it comes to punishment, yes, the President did something reprehensible and immoral and sinful, and he should be punished by censure by this body and by prosecution like every other American would be when he leaves office.

Now finally, Mr. Speaker, this is our rule book. This is our sacred scripture in this body. There is nothing in here, Mr. Speaker, that prohibits a censure; there is no impediment in our Constitution to a censure. In fact we have censured and rebuked and criticized Presidents three times, in 1834, in 1842, 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 rules not to let us vote.

Finally, let me quote from Benjamin Franklin, who said after the Convention when he was asked what have you wrought with this Constitution? And he said:

"A republic, if you can keep it."

Mr. Speaker, the Constitution is sacred scripture, and it applies evenly and fairly to all of its people, all of its institutions, including the presidency.

Mr. SENSENBRENNER. Mr. Speaker, I yield 30 seconds to the gentleman from Indiana (Mr. BUYER) for rebuttal.

Mr. BUYER. Mr. Speaker, I have great respect for my colleague from Indiana (Mr. ROEMER) and I would only respond by saying impeachment is the only power in the Constitution granted to Congress to address presidential criminal misconduct in the derelict exercise of his duties. The censure resolution that was offered the Committee on the Judiciary in fact has findings of guilt with a punishment. It is prohibitive then of a bill of attainder and is therefore unconstitutional. A temptation to take the easy way out by assuming a power not specifically granted in the Constitution should be shunned.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from New Hampshire (Mr. BASS).

Mr. BASS. Mr. Speaker, I rise in support of the resolution before us. This debate is not about the President, it is about the presidency. It is not about marital infidelity or contrition, as tragic as that might be, but it is about lying under oath, and it is not about contorted legalese to create the appearance of truth, it is about facing the underlying facts, facing the reality of what we all know has happened here.

Mr. Speaker, no citizen should ever be above the law, and if my colleagues believe, as I do, that President Clinton knowingly made perjurious, false and misleading statements under oath to a grand jury and in sworn affidavits, that he attempted to corruptly influence the testimony of witnesses and potential witnesses, then we must support this resolution.

□ 1730

Let us pray that 1998 not be the year that we create a sovereign ruler; rather, let it be the moment when we reaffirm the principle of equal justice for all. I urge support of the pending resolution.

Mr. SENSENBRENNER. Mr. Speaker, I yield one minute to the gentleman from Illinois (Mr. HASTERT).

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 regret 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 representative democracy 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. BUYER) says that a censure resolution would be unconstitutional. The Congressional Research Service says that a censure resolution is an exercise of the implicit power of a deliberative right to express its views. The gentleman from Texas (Mr. DELAY) offered House Resolution 433, disapproving the President's conduct with respect to campaign financial.

What is the distinction, why did the gentleman from Illinois (Mr. HYDE) make the censure resolution offered in committee in order? Was he exercising an unconstitutional prerogative?

I yield to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, I say that the censure resolution that was offered has specific findings of guilt and therefore makes it unconstitutional in its form.

Mr. NADLER. Mr. Speaker, reclaiming my time, what about the resolution of the gentleman from Texas (Mr. DELAY)?

Mr. CONYERS. Mr. Speaker, I yield 15 seconds to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Speaker, I thank my good friend from Michigan for yielding me time.

Mr. Speaker, in our House rules manual, it explicitly states, "In the modern practice, concurrent resolutions have been developed as a means of expressing principles, opinions and purposes of the 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 1¼ minutes to the distinguished gentleman from New York (Mr. LAFALCE).

Mr. LAFALCE. Mr. Speaker, today is a very sad day in America's history, especially because everything leading up to today's vote has been so unfair. Ken Starr's investigation was unfair. He even tried to entrap the President. His report was unfair, for he left out important exculpatory evidence. His presentation to the House Committee on the Judiciary was so unfair that his own ethics adviser resigned as a result.

The Speaker-designate's decision to deny the House and the American people the right to vote on censure as an alternative is unfair. That decision constitutes an obstruction of the justice that the American people believe is warranted, 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. 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 crimes are impeachable offenses. The impeachment power is limited to treason, bribery and other high crimes and misdemeanors. The word "other" means impeachment is limited to crimes similar to bribery and treason, threatening the basic integrity of government.

The charges against President Clinton fall well below this standard. When you cut through the rhetoric about rule of law, abuse of power, civil rights cases, at bottom the allegations are that the President tried to conceal an embarrassing private relationship. These efforts at concealment came in the Paula Jones lawsuit, a civil lawsuit. The relationship being concealed was that between the President and Ms. Lewinsky, and it was only tangentially relevant to the lawsuit, which was subsequently dismissed.

In any event, in his grand jury testimony, the President admitted an improper intimate relationship. For that, he deserves censure.

As the majority in the House marches in lock-step to thwart the will of a majority of the electorate, it is worth recalling that the House Republicans came to power claiming that the Congress was out of touch with the real America. How hollow this claim rings today, when two-thirds of the electorate opposes removal of the President through impeachment.

If the Republican majority were truly concerned about the views of the real America, they would support the remedy which a majority of the people support, a censure resolution permitting the President to stay in office. But the Republican leadership, which in the past complained vociferously about limitations on the amendment process, is so determined to win, that it is unwilling to allow even a vote on censure. Apparently they fear that they would lose this vote and that the will of a majority of the electorate would prevail.

What could be more contrary to the rhetoric of the Reagan and Bush Administrations than this vote, in which Republican "Washington insiders" will decide that they know better than the public outside the beltway. Indeed, the Republicans' zeal to remove the President is so intense that they are willing to ignore not only the wishes of the people, but the morale of our troops in combat, and even the letter and the spirit of the Constitution.

Under the separation of powers which is fundamental to our Constitution, the President and the Congress are separate and independent. Ours is not a parliamentary system in which the legislative and executive functions are merged. In a parliamentary system the legislature removes the executive when it disagrees with him, and the legislative majority is expected to enact the executive's program without question. Under our system, the two branches are separate, and only in extraordinary circumstances can the legislature breach the independence of the executive and remove the President by impeachment.

The Constitutional scholars testifying before the Judiciary Committee made it clear that there is a high threshold for impeachment. Not all crimes are impeachable offenses; the impeachment power is limited to "treason, bribery and other high crimes and misdemeanors." The term "other" indicates that impeachment is limited to crimes which are similar to bribery and treason in threatening the basic integrity of government.

The charges against President Clinton fall well below this standard. When we cut through all the high flown rhetoric about the rule of law, abuse of power and civil right cases (incidentally, when was the last time the Republicans called a sexual harassment case a civil rights case) we have, at bottom, allegations that the President tried to conceal an embarrassing private relationship. The first efforts at concealment came in the civil lawsuit by Paula Jones. The relationship which was being concealed, that of the President and Ms. Lewinsky, was only tangentially relevant to Paula Jones' lawsuit. In any event, Ms. Jones' lawsuit was subsequently dismissed.

In his grand jury testimony, the President admitted that he had an improper, intimate relationship with Ms. Lewinsky. At worst, the President lied about the exact nature of some of his intimate actions. It is hard to see how these alleged lies could constitute "great and dangerous offenses" or "attempts to subvert the constitution" which should be the basis for an impeachment, according to George Mason, one of our founding fathers.

When I say that not all crimes warrant impeachment, I am not saying that I approve of a President committing crimes. What I am saying is that the purpose of the impeachment process is not to punish crimes, but to remove a President who has misused the powers of his office. If President Clinton committed the crimes alleged here, these crimes should be dealt with in a criminal proceeding or a judicial contempt proceeding after he leaves office. I emphasize that it is not clear that crimes were in fact committed. Many of the scholars and prosecutors who testified before the Judiciary Committee concluded that the evidence presented against President Clinton would not have resulted in the prosecution of an ordinary citizen.

There are other means for the Congress to deal with misconduct by the President which falls short of the impeachment standard. Congress has the power to pass a censure resolution, expressing our condemnation. The impeachment process, which requires removal

from office, must be reserved for extraordinary cases. If we lower the bar for impeachment, we seriously weaken the Presidency by giving a Congress controlled by the opposition party virtually unlimited power to subject a President to an all-consuming removal process.

The majority party has tried since January to convince the people that the President should be removed from office. Two thirds of the public remains unconvinced despite being bombarded daily with the facts of this case. I am astonished and deeply distressed by the procedural travesty to which the minority has been subjected: denial of our right to offer and have a vote on a motion of censure. What does the majority fear of a vote on censure? Are they afraid that it might pass, with some of their own members voting for censure rather than impeachment? Apparently fear of falling short of their objective of removing President Clinton from office is driving the procedural unfairness to which we have been subjected.

The majority still has time to be fair so be fair so be fair to us and to the American people by allowing a vote on censure, which I would support.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, Member after Member has risen on the other side and said the President should not be above the law. He is not. Ken Starr is free to prosecute the President, indict him, perhaps while in office, but definitely after.

It is not ordinary criminal or civil law in question in this debate, it is Article II, Section 4 of the Constitution regarding impeachment. Impeachment is a special punishment reserved for the President of the United States and other Federal civil officers.

The founders set an incredibly high bar for impeachment. Constitutional scholars all agree, the framers of the Constitution did not want a President to be impeached simply because a majority of the Members of Congress disagreed with his policies or found his morals repugnant.

The Republican majority has not raised and proven offenses that meet 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 ordinary 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 lied 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 standards for 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 are abuse of power by the leaders 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. CONYERS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from North Carolina (Mr. ETHERIDGE).

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.

I voted in October for the committee to move forward. I am ashamed that they did not come back with a joint resolution without it being partisan and unfair and politicized, and I am ashamed of this body. I came here to do the people's business. Tonight we are not doing the people's business, we are doing partisan business, and that is unfair. The American people will recognize it is unfair, and they are going to make us pay the price for being unfair and for being partisan.

I say if we could vote our conscience, we would vote for censure. The Speaker-elect said we should vote our conscience, and you are not allowing us to do it, and you ought to be ashamed of yourselves.

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

Mr. PAYNE. Mr. Speaker, I rise in strong opposition to this very unfair attack on President Clinton and our Constitution. The partisan assault which we are witnessing today is especially painful to me, because when I was elected to Congress I had the privilege of taking over the seat which had, up until that time, been held by the Honorable Peter Rodino.

During the Watergate hearings in 1974, Chairman Rodino won the respect and admiration of the entire Nation for his insistence on fairness, his profound respect for the U.S. Constitution and his impeccable sense of decorum. The Committee on the Judiciary and the Congress at this time have not done the job, and it has been done in a partisan way.

Mr. Speaker, I think the American people see this action for what it is today. Is it not remarkable when a Democratic President engages in a secret affair, the Republicans leap to impeach him, but when a Republican

leader engages in the same conduct, they leap on their feet to give him a standing ovation?

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. NETHERCUTT).

Mr. NETHERCUTT. 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 legal breaches have a greater negative impact on our society than the inherent damage of his moral lapses. This is because our system of justice relies on the collection of evidence that leads ultimately to the truth in legal proceedings. Only with truth and reliable facts can justice under the law be fairly dispensed. And a free people must have faith in our legal system if we are to have an orderly and lawful society.

Presidents have a high standard of conduct to uphold. By their deeds and words, they should encourage the rest of us to reach for that standard, too. High standards include and embrace respect for the law. Telling the truth in a legal setting should be the unquestionable obligation of any President, and any person. President Clinton failed in that simple obligation too frequently for his actions to be considered an oversight or misunderstanding. His conduct should not be allowed to become the new standard for our nation which historically has revered those who personify dignity, truth, self-sacrifice and honor.

We have no choice but to make this difficult judgment. To do otherwise would be 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. 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 Clinton willfully and purposely 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 Clinton swore to uphold and defend the Constitution of the United States and the laws of this nation. He has failed to keep his word, 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 must be whether William Jefferson Clinton violated the law.

The facts of this case are well known. Neither the President nor his defenders have countered them effectively. Indeed, on this fundamental question, the President's team has presented no real defense. They have said that it is just about sex. They have said that he misled, but he did not lie. They have said that a reasonable person might conclude that he lied, but he did not commit perjury. They have said that even if you believe that he committed perjury, it is not an impeachable offense. They have attempted to change the subject any number of times.

However, Mr. Speaker, you cannot explain away that fact that there are people sitting in prison now for making perjurious statements under oath. I have to ask my liberal friends if they have an elitist view of the Constitution. Why should the President be treated differently? Is he, alone, above the law?

I have yet to meet the Democrat who believes that Republican Presidents are above the law, yet we seem to have an abundance of those who believe that this President should be able to lie under oath and get away with nothing more than a stern lecture.

That is what a resolution of censure would amount to—a stern lecture from Congress with no legal underpinning. It would be an extraconstitutional concoction designed to make its proponents feel better while doing absolutely nothing.

Censure may be an easy way out, but it is not a real option. The Constitution gave us no middle ground, which is as it should be. Either the House votes to impeach and refer the matter to the Senate, or it does not. It is a bright line, and I know on which side I must cast my votes.

We have seen a lot of bright lines blurred in our society in recent years. Moral relativism abounds. In this case, I have heard the most amazing rationalizations: That it is wrong to lie under oath, unless you are lying about sex. That it is wrong to lie about sexual harassment, unless the woman in question was asking for it. That it is wrong to commit perjury, but if you are really, really sorry, we can forget about it. This kind of logic only makes sense to those bent on defending the indefensible.

The scandals of recent years have desensitized our culture and denigrated our society. Beyond the White House scandals, 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 systematically attempted to destroy those who dare to oppose him. He has shown contempt for the truth, the law, the Congress, and his fellow citizens.

Section 4, Article II of the U.S. Constitution states that the President "shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors." The threshold question is whether the President, at a minimum, committed a high misdemeanor. Who can seriously doubt that he has?

President William Jefferson 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 these, 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 required me to address, the level of rancor here and in 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 issues of high 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.

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After long debate, my conclusion on that subject is simply this: If censure is intended as a punishment of the President, it is specifically constitutionally prohibited as a bill of attainder. If censure is not intended as a punishment of the President, it is meaningless.

I have not researched the options available to the Senate, but for the House, I am convinced that this option is not available.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. 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 negotiate a compromise? How can we undo the last two presidential elections and say to the American people, your votes do not matter? Are we a democracy or are we not?

I do not intend to stand by idly and be a party to what I will again say is quite obviously an unfair process. I was elected to this Congress to represent the people, and that is precisely what I intend to by casting my vote against impeachment.

Compromise! Conscience! Censure! That is what must be the order of the day. It is the only fair way the American people can be represented.

Formal censure by the entire Congress is the only way to express the disdain of the American people for the President's actions. It is a fitting and constitutionally valid punishment, and one, I should add, that polls show a majority of the public prefers.

Those who claim otherwise rely on the argument that the Constitution does not mention censure. There are those who say it's "impeachment or nothing," when, in fact, a score of Constitutional experts called as witnesses by both Republicans and Democrats on the Judiciary Committee agreed in writing—by a margin of almost 4 to 1—that the Constitution does not prohibit censure.

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 left 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 conduct 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, cast doubt on 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 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. GEJDENSON).

Mr. GEJDENSON. 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 people the decision of who will preside over this great country.

When we saw Khruschev removed by the Politburo, no one ran tears. He was not elected by the people; he was appointed by an unelected body. When we see coups and coups d'etat, the removal of elected presidents in Third World countries, we are saddened that they have not developed to a stage where they have the institutional instincts for debate without trying to criminalize the process of differing views.

But here in this House today, the Republican Party ignores what the Constitution asks us to do. The President, for his criminal acts, if they exist, is left to the normal criminal process. We are here to judge if he undermined the United States in his office. Did he indeed take actions that were deemed necessary for removal? The answer is no. Vote against this proposal.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Speaker, in our recent history, Barbara Jordan gave us the best short definition of an impeachable offense during the impeachment hearings on President Nixon when she said she would not tolerate the diminution, the subversion, the destruction of the Constitution. President Clinton stands accused of something far short of that standard.

By now I think most Americans have concluded that the President has not subverted the Constitution. He has not undermined our system of government. This impeachment punishes the country. It robs us of the time and attention that we should be devoting to other matters. It subverts the official duties of the President. It forces us to endure a trauma that serves no practical purpose. It opens up the possibility that the country will be forced to endure similar suspensions of the Nation's business again and again if future Presidents face penalties for any charges that a hostile prosecutor or a congressional majority can find.

Let us reserve impeachment for high crimes that betray the American people and our system of democracy. The charges against the President do not meet that standard.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. CLEMENT).

Mr. CLEMENT. Mr. Speaker, I have heard a lot of talk today about the rule of law. I wish I could have heard talk about the rule of fairness. Why could we not have debated and voted on Monday after the bombing ceased in Iraq? Why could not the majority party let us vote on a censure proposal where all of us in the United States House of Representatives could have voted our conscience?

Mr. Speaker, when I listen to the majority party, it makes me wonder if they think the President had not been punished at all yet. The President has been punished. He has been humiliated. He has been embarrassed. He has paid a high price at home, as well as with the American people, as well as the people all across the world.

Mr. Speaker, where our finest hour has been is when we have known how to compromise. That is our finest hour in the United States House of Representatives. But how do we compromise when we just have one point of view?

Vote against impeachment, and give us the opportunity to vote on censure.

Mr. McCOLLUM. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma (Mr. ISTOOK).

Mr. ISTOOK. Mr. Speaker, the President was given the opportunity to present witnesses or evidence which would dispute the facts. He did not. His legal hair-splitting defense could not alter the simple truth: The President lied, and lied under oath.

Here is what convinced me that this perjury is an impeachable offense and not simply a moral failure. These were not lies told under sudden pressure when he was unexpectedly asked embarrassing questions. The President's lies were planned well in advance. They were premeditated. He knowingly acted to block justice, even after a Federal judge ruled his behavior was relevant and material. He orchestrated a deliberate scheme to tell multiple lies under oath on multiple occasions many months apart. Even today, he has admitted only what he has been forced to admit and otherwise continues to stonewall.

This was not a spur-of-the-moment decision to hide personal shame. He had ample time to correct his course, but instead chose to defy the laws of our land.

Mr. Speaker, I will vote to impeach.

Mr. McCOLLUM. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Speaker, I rise in support of the resolution. We have before us the evidence as presented by all responsible parties, as well as the thoughts of so many constituents who feel strongly that their views should be reflected in the votes we cast.

After reviewing so much of the evidence, I believe it is now clear that the President has violated both his oath of office and the oath he took to tell the truth. In doing so, Bill Clinton not only committed perjury, he violated the public trust. I will, therefore, vote in favor of impeachment.

While I know that some will disagree, and strongly so, with my decision, I reached it after much thought, deliberation and soul-searching. When this sad chapter in our history is closed, I will have voted the way I did because I have shared with my two teenage daughters and thousands of other school children the fact that the truth still matters and always will and, finally, that a vote of conscience is always the right vote.

The SPEAKER pro tempore (Mr. LAHOOD). The Chair announces that since beginning the debate at 12:15, the Republican side has used 2 hours and 16 minutes, and the Democratic side has used 2 hours and 26 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the gentleman from Massachusetts (Mr. MEEHAN), a member of the Committee on the Judiciary.

Mr. MEEHAN. Mr. Speaker, I would just like to respond. The gentleman from Oklahoma (Mr. ISTOOK) just said that we gave the President an opportunity to call witnesses, to prove his innocence. Since when is the burden of proof in this country on the person being accused?

You have the obligation to provide a case before the Committee on the Judiciary, and you did not provide a single material witness in this case. Not one witness. And then they get up before this House and say the President had an opportunity to bring witnesses to prove his innocence. You had the obligation to provide the witnesses that would have proved the charges before this House, and you did not provide one witness.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. 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. As a result, I was the last person to be sworn into this body by Tip O'Neill before he retired.

What I remember from that short time that I was here, not knowing whether I would come back, is remarks from Tip O'Neill and remarks from the gentleman from Illinois (Mr. HYDE). Both of them said to me in the short time I was here, whether you are here 3 weeks, as I was, or whether you are here for 30 years, this is the people's House. This is the House of democracy.

That lesson was given to me by Tip O'Neill and the gentleman from Illinois (Mr. HYDE). To not have the availability to us today to vote on a censure motion is to take away the fundamental sense of fairness that made me so proud to have been able to come to Hawaii 40 years ago, never knowing that I would have the chance to serve in this House and to be denied the opportunity now to vote on an alternative, 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.

Let me be clear. No one is condoning the President's behavior, and if we had the chance, we would vote to condemn it. To take poetic license from Mark Anthony's words from Julius Caesar, I do not come here to praise Bill Clinton, but I do not intend to see him buried either, buried under an avalanche of innuendo and salacious scandal. Nor do I wish to see this Congress play the role of Brutus, reaching across the centuries to stab in the back the founders of our democracy who entrusted us with their legacy.

No one is attempting to defend the President. We are trying to defend a historical precedent. The voters spoke and they said they were sick of this partisan political process, sick of this extraordinarily expensive exhaustive examination of an extramarital affair. History tells us what to do. Vote against impeachment of the President of the United States.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentlewoman from Georgia (Ms. MCKINNEY).

Ms. MCKINNEY. Mr. Speaker, today I rise with sadness in my heart. It is a sad day for our republic.

Today, the Republican leadership in the House has proven that they are, in fact, the minority party. The Republican leadership represents the minority view on impeachment, on health care reform, on tax cuts to benefit the wealthy, and on protecting and preserving the social safety net.

Today, the Republican leaders have chosen to trample the Constitution with partisan arrogance in order to strike a political blow against President Bill Clinton. Today, the American people clearly oppose impeachment.

But the Republican leaders, blind above their own sanctimonious piety and hypocrisy, have chosen to push our Nation to the brink, the brink of a constitutional crisis for their own political benefit.

Today, House Republicans held Bill Clinton to a standard that neither the current Speaker, nor the Speaker-elect could meet. Today, our last best hope is that the Senate will be a place where reason takes the place of revenge.

I cast my vote against impeachment today because that is what my constituents want, and because I know that that is the right thing to do.

Today, the Republicans decided that in order to save America, they had to destroy it.

□ 1800

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

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

Mr. Speaker, I want to respond to the gentleman from Massachusetts. He did have one thing right, and that is the burden of proof is on those going forward with impeachment. But that burden of proof was met with 60,000 pages of documents, an independent review by the Committee on the Judiciary, and the key point is that there has not been one challenge to the evidence in the Committee on the Judiciary, nor challenge to the facts today. Also, in addition to providing the testimony of the witnesses, the President's counsel did not dispute it.

The evidence has been established and not refuted. We have made our case on that. Today, any dispute about that today——

Mr. MEEHAN. Everything was challenged in the report.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Massachusetts (Mr. MEEHAN) is out of order.

Mr. McCOLLUM. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Speaker, I rise in support of these articles of impeachment because of the very serious allegations of felonies contained in them.

I spent 7½ years as a criminal court judge trying felony criminal cases prior to coming to Congress. Many experts have pointed out that the role of the House is really that of a grand jury. A grand jury is required to indict any time there is a reasonable possibility that a crime has been committed.

Like a grand jury, I believe the House has no choice but to impeach when we have a report, an official report of felony offenses having been committed. Jerome Siefman, the former Democratic chief counsel of the Committee on the Judiciary, wrote recently that in his view, "There is now more than substantial evidence to consider that the President has committed impeachable offenses, and that the Congress has a moral, ethical, and constitutional responsibility to vote to impeach in this situation."

As a speaker earlier this morning mentioned, the Justice Department during this administration has prosecuted 700 people for perjury type offenses. One of our leading syndicated columnists summed up by asking, are we people of the Constitution?

Mr. Speaker, I rise in support of these Articles of Impeachment because of the very serious allegations of felonies contained in them.

Before coming to Congress, I spent 7½ years as a criminal court judge trying felony criminal cases.

Unfortunately, I believe some Members of Congress are forgetting, ignoring, or perhaps do not understand the proper role of the House in an impeachment proceeding.

Also, I had lunch with former Senator Howard Baker this week, and he said many people are missing a very key difference between the impeachment proceedings today and at the time of the Watergate hearings.

Senator Baker said those who wishfully talk about the bipartisan nature of Watergate are forgetting or overlooking the fact that many Republicans came forward then and put aside their partisanship even though it went against a President of their own party.

Today, not only are almost all Democratic Members siding with the President, they are adopting his strategy of attacking his attackers in a very partisan, very aggressive manner.

Republicans have been criticized by many on the national media for being partisan. However, in reality, we should take lessons from the Democratic members of the Judiciary Committee on how to be partisan.

We cannot hold a candle to the other party when it comes to partisanship.

Democrats, almost in lockstep fashion, are saying they find the President's behavior reprehensive, But . . .

This "but" is about as big as "but" can be and essentially means the President should once again get away with things no once else could get away with.

As to the House's proper role in an impeachment, it is really that of a grand jury.

Jonathan Turley, a law professor at George Washington University, said in his testimony before the Judiciary Committee:

> The roles of the House and Senate roughly resemble the classic grand jury and petit jury models. Under the Constitution, the House functions much like a grand jury. Like a grand jury, the House does not rule on the merits of impeachment allegations, a function given exclusively to the Senate.

The Washington Times wrote:

> The Constitutional system of impeachment gives the House the role of grand jury. The only decision to make is whether the bulk of unproven information presents a prima facie case that needs to be tried by the Senate.

The Atlanta Constitution stated that:

> The U.S. Constitution makes the House of Representatives a grand jury and the Senate a trial court for impeachment proceedings, but it does not spell out how each body should handle its responsibilities.

I do not think the grand jury system is fair, and I believe it should be changed or eliminated.

However, unless or until the law is changed, a grand jury is required to indict someone if there is any reasonable possibility that a crime has been committed.

Our Founding Fathers envisioned that even some misdemeanors might require impeachment. Does anyone really believe they would have said we should ignore or overlook felonies?

We now have a report from the independent counsel, appointed by the President's own Attorney General, saying that the President has committed felony offenses.

Jerome Ziefman wrote recently in the Wall Street Journal:

> As a lifelong Democrat and chief counsel of the House Judiciary Committee at the time of the Nixon impeachment inquiry, I believe I have a personal responsibility to speak out about the current impeachment crisis. And I believe my fellow Democrats on today's Judiciary Committee have a moral, ethical, and constitutional responsibility to vote to impeach President Clinton. Like most traditional Democrats—like most Americans—I have grave reservations about Mr. Clinton's morality and ethics. In my view there is now more than substantial evidence to consider our President a felon who has committed impeachable offenses.

As one of our leading syndicated columnists summed up:

> Are we people of the Constitution? Are we a nation of laws? Do Americans believe that perjury, obstruction of justice and lying to a federal grand jury—all felonies for a private citizen are not felonies when done by a president? Is a president above the laws that bind other men?

Senator Baker also told me at our lunch that the Senate could conclude this matter in one day if they really wanted to.

I hope that if the House votes to impeach, the Senate moves quickly and that the President and his lawyers and supporters do not use the stall and delay tactics that have dragged this matter on too far already.

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

Mr. PACKARD. Mr. Speaker, it is with heavy heart that I rise today in support of impeachment. I took an oath to uphold the Constitution and defend it against all enemies, and I would betray my conscience and my country if I were to ignore this oath. I rise in favor of impeachment because we all swore an oath, and I take my oaths very seriously, even though the President does not.

My first wish is that the President resign. Unfortunately, he has chosen to place his legacy ahead of our Nation's interest. Mr. Speaker, I will vote to send these articles of impeachment to the Senate.

Mr. Speaker, it is with a heavy heart that I rise today in support of these articles of impeachment. Voting to impeach the President of the United States is not a responsibility I enjoy, and it is not one I take lightly. But I took an oath to uphold the Constitution and defend it against all enemies, both foreign and domestic, and I would betray my conscience and my country if I were to ignore this oath.

I am not a lawyer. Nor am I an enemy of the President or a member of any "right wing conspiracy." I am a father, a grandfather, and a public servant. As a public servant, I cannot look away when those entrusted to enforce and uphold our laws choose instead to place their personal interests ahead of the Nation's. And as a father and grandfather, I cannot allow this President to escape accountability for violating the laws he swore to uphold. To issue a "slap on the wrist" to a leader who commits perjury, obstructs justice, and abuses his power would send a terrible message to American children. It would teach them that promises may be broken, that solemn oaths are no more than mere words.

Leaders should be worthy of the trust placed in them. President Clinton betrayed this

trust, and no hollow last-minute apologies or legal hairsplitting can erase this betrayal. 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 posturing erases that fact. We must send a message that no one, no matter how powerful or how popular, is above the law.

Mr. Speaker, I will vote to send these articles of impeachment to the U.S. Senate for disposition. I do so because I swore an oath, and I take my oaths very seriously. I do so because the President, unfortunately, does not.

Mr. 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 support all four articles of impeachment against the President of the United States. I want to believe my president. I cannot. I hoped he would keep his promise to have the most ethical administration in history. He did not.

I want to accept his explanation that he did not lie under oath, commit perjury, obstruction of justice, or abuse the power of his office. However, his actions and comments over the past 11 months have shaken my confidence in his ability to distinguish truth from fiction.

If you can't convince them, confuse them, President Harry Truman once quipped. Like many Americans, I have been confused by the President's denials, admissions, declarations, and apologies over the past year. I have no doubt, however, that the President has engaged in a clear and calculated pattern of deception. The integrity of the presidency, Mr. Speaker, must always take priority over the self-interest of the current occupant of that office.

Mr. Speaker, failing to hold the President accountable for his actions would create a dangerous double standard. To borrow a phrase from George Orwell's Animal Farm, we would be establishing a principle that some Americans are more equal than others.

Mr. Speaker, I rise today with a heavy heart—but with a solemn sense of duty—to support all four articles of impeachment against the President of the United States.

Like most Americans, I have closely followed the Judiciary Committee's proceedings in recent weeks. Over the past few days, I have carefully studied the Committee's findings and again reviewed the available evidence. After serious consideration of these issues, I am convinced that the President committed perjury, obstructed justice, and abused the power of his office.

The Constitution of the United States empowers the House of Representatives to impeach public officials who engage in "treason, bribery, or other high crimes and misdemeanors." Impeachment is not a punishment. It is a process established by the Constitution to protect our democracy and preserve the rule of law.

Historical writings on impeachment clearly define its role as a democratic safeguard. In Federalist Paper Number Sixty-Five, Alexander Hamilton wrote that a President may be impeached for "offenses which proceed from the misconduct of public men, or in other words, from the abuse of violation of some public trust."

James Madison explained the impeachment power at the 1787 Constitutional Convention by stating that "some provision should be made for defending the community against the incapacity, negligence, or perfidy of the chief magistrate."

Our government is founded on the simple premise that "all men are created equal." Equal justice under the law is more than a slogan. It is the bedrock principle that supports our democracy. It is too important to set aside simply to avoid unpleasant or inconvenient consequences.

Our President violated the public trust. His offenses arose from reckless personal misconduct, but they were very clearly public in nature. Perjury, obstruction of justice, and abuse of power can hardly be described as "private conduct."

We do not have the option of simply "forgiving" the President's unlawful behavior. Failure to hold the President accountable for his actions would seriously undermine the rule of law. Under these circumstances, the Constitution compels us to follow the impeachment process to its conclusion.

I want to believe my President. I cannot. I hoped he would keep his promises to have "the most ethical administration in history." He did not. I want to accept his explanation that he did not lie under oath, commit perjury, obstruct justice, or abuse the power of his office. However, his actions and comments over the past eleven months have shaken my confidence in his ability to distinguish truth from fiction.

"If you can't convince them, confuse them," President Harry Truman once quipped. Like many Americans, I have been confused by the President's denials, admissions, declarations, and "apologies" over the past year. I have no doubt, however, that the President has engaged in a clear and calculated pattern of deception.

On January twenty-sixth, the President wagged his finger at the American people and said: "I did not have sexual relations with that woman, Ms. Lewinsky."

On August seventeeth, the President stared us in the eye and said: "I did have a relationship with Ms. Lewinsky that was not appropriate."

Last weekend, the President again took to the airwaives to state that he "could not admit to doing something that I am quite sure I did not do." He said all he can do now is "the work of the American people."

I disagree. He can tell "the truth, the whole truth, and nothing but the truth." He swore to do so in the Paula Jones civil deposition and in his federal grand jury testimony. The evidence demonstrates, however, that he knowingly lied under oath.

While President Clinton claims to be remorseful, he continues to ignore the evidence and to deny his unlawful actions. His reliance on legalisms and abrsurd 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 impeachment by concluding that "impeachable offenses were envisioned as political crimes against the nation, which might or might not be indictable under the criminal code."

I believe the weight of the evidence is overwhelming. It leads me to conclude that the President committed perjury, obstructed justice, and abused the power of his office. He committed impeachable offenses by breaking the very laws he twice swore to "preserve, protect, and defend." He knowingly subverted the judicial process and intentionally deceived the courts, federal officials, his friends and family, and the American people.

As our nation's senior law enforcement official, the President must be held responsible for his actions. Perjury undermines the rule of law. It cannot be overlooked or ignored. Over one hundred people are currently incarcerated in federal prisons for committing perjury in civil cases. How can we demand responsibility from them while judging the President by a different standard?

The answer, of course, is that we cannot. The integrity of the presidency must always take priority over the self-interests of the current occupant of that office.

Former Supreme Court Justice Felix Frankfurter wrote in 1946 that "If one man can be allowed to determine for himself what is law, every man can. That means first chaos, then tyranny. Legal process is an essential part of the democratic process."

Mr. Speaker, failing to hold the President accountable for his actions would create a dangerous double standard. To borrow a phrase from George Orwell's novel Animal Farm, we would be establishing the principle that some Americans are "more equal than others."

This is one of the most difficult decisions I have ever made, or will ever make. Throughout this process, my constituents made impassioned arguments both for and against impeachment. I spoke with many local residents who offered their 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 my sworn oath.

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 would not have a witness, a 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. Mr. Speaker, I thank the gentleman for yielding time to me. Mr. Speaker, that is what we have been reduced to. We are reduced to 1 minute on perhaps the most important vote we will ever cast.

Mr. Speaker, more than the President, we are on trial today. As we debate whether to impeach the President, our actions will be judged by the American people, not only today but for generations to come.

The standard for impeachment is high: treason, bribery, high crimes, and high misdemeanors. These articles of impeachment degrade what our forefathers meant by high crimes and high misdemeanors. While the President's actions were reprehensible, they were wrong, and certainly they deserve punishment, they do not rise to the level of offenses which meet the historical judicial standard of impeachment.

If we approve these articles 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 justice, 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. 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 constitutional right to vote for president has been denied, because they cannot vote for removal of the President.

We are converting a solemn constitutional process into a petty political proceeding. The people, acting officially on November 3rd, repudiated impeachment, yet the majority has denied a vote on the public preference for censure, defying its own announced standard that no impeachment could occur without bipartisanship. The majority is headed for an incredible partisan party line vote to impeach the President. This impeachment is raw with unfairness.

Mr. Speaker, this impeachment is unfair on three counts. It is unfair to the President whose admitted misconduct in covering-up of a private sexual affair cannot compare to the Nixon precedent where high stake 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, who have a 23rd amendment constitutional right to vote for President but have been denied a vote on removal of the President.

We are converting a solemn constitutional process into a petty political proceeding. The framers raised the bar as high as possible allowing impeachment not even for crimes, but only for high crimes. The Republicans have lowered the bar as low as they can to reach tawdry private consensual sex.

The framers sought to make partisan impeachment a contradiction in terms; the majority is making it a reality. The people acting officially on November 3rd repudiated impeachment. Yet, the Majority has denied a vote on the public preference for censure. Defying its own announced standard that no impeachment could occur without bipartisanship, the Majority is heading for an incredible partisan, party line vote to impeach the President.

This impeachment is unfair to the people of the District of Columbia. The Majority has relegated them to the functional equivalent of partial citizens—good enough to vote for president, but not good enough to decide whether to remove him.

This impeachment is raw with unfairness. Only a repudiation of all articles can save us now.

Mr. CONYERS. Mr. Speaker I yield 1 minute to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. Mr. Speaker, although I am denied the privilege of voting on the floor of this great institution, on behalf of the thousands of Samoan Americans men and women who proudly wear with pride and honor the uniforms of our armed services wherever they are in the world, I am grateful for at least the privilege to express an opinion on this most serious issue that is now before this body.

Mr. Speaker, if we proceed to vote on the articles of impeachment, as mandated or forced upon the Democratic Members by our friends in the majority, I find it difficult to comprehend why procedurally the Members on this side of the aisle are not at least 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 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 they are my friends, when all of this is over, with blood all over this floor, my friends in the majority will have pounded and hammered some 218 nails on the flesh of this man without even an ounce of blood as a cure.

Mr. Speaker, although I am denied the privilege of voting on the floor of this great institution, on behalf of the thousands of Samoan-American men and women who proudly wear with pride and honor the uniforms of our armed services—wherever they are in the world—I am grateful for at least the privilege to express an opinion on this most serious issue that is now before this body.

Some twenty-four years ago Congress moved toward the impeachment of President 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 of the Senate would vote to convict. In contrast, the actions taken by President Clinton were of a personal nature and his attempts to save himself and his family from personal embarrassment are not, in my opinion, impeachable.

Some have argued that a resolution of censure is unconstitutional. I am not persuaded by that argument. For one reason, such resolutions have been pursued on several occasions in the past, including a Senate censure of Andrew Jackson in 1834, resolutions and statements of censure against President John Adams in 1800, against President John Tyler in 1842, against President James Polk in 1848, and against President James Buchanan

in 1860 and 1862. In more modern times, two censure resolutions were brought against President Richard Nixon, one in 1973 and one in 1974.

The actions the Congress cannot take against a President, such as reducing his salary during a current term in office, are spelled out in our Constitution. No where does it say the Congress cannot express its opinion of actions taken by a sitting President. Mr. Jack Maskell, author of a recent CRS report on this issue notes that although there is "no express constitutional provision regarding censure . . . there is also no express constitutional 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 this is over, with blood all over this floor, my friends in the majority will have pounded and hammered some 218 nails or more on some 218 pounds of this man's flesh with your hands, 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. McCRERY).

Mr. McCRERY. Mr. Speaker, I rise in support of the articles of impeachment.

Mr. Speaker, private sexual relations between consenting adults should be just that—private. If President Clinton had simply been revealed to have had an extra-marital affair, the U.S. House of Representatives would not be considering articles of impeachment. Unfortunately, the President's troubles arise from a number of actions quite different from private, consensual sexual encounters.

Before the President even knew Monica Lewinsky, he was the defendant 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, unless such testimony would tend 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. Under oath, President Clinton made a number of statements which have since been shown to be false. Taken together, these lies under oath were clearly calculated to thwart the *Jones v. Clinton* federal civil judicial proceeding.

Upon the discovery of evidence indicating the President may have committed perjury, a federal criminal grand jury was charged with investigating the matter. President Clinton testified under oath before that grand jury and, once again, told a series of calculated lies. Good lawyers may quibble over whether the President's lies under oath constitute perjury, but I believe no reasonable, unbiased person would conclude that the President did not lie under oath. I am convinced that the lies under oath do constitute perjury, a felony criminal offense.

In addition to the perjurious testimony given by the President, I am convinced, after carefully studying the evidence, that the President engaged in a pattern of obstruction while the *Jones v. Clinton* case was pending, and while a federal criminal investigation was pending, in order to thwart those proceedings. The pattern of obstruction consisted primarily of tampering with witnesses whom the President knew would likely be called to testify before the criminal grand jury. Those witnesses included Monica Lewinsky, his secretary, Betty Currie, and numerous White House aides.

In summary, this impeachment proceeding is not about sex! It is about attempts to thwart proceedings in our civil and criminal justice systems. It is about the President committing perjury in a civil lawsuit which concerned not consensual sex, but a crude and inappropriate sexual advance made by an employer toward an employee. It is about the President committing perjury before a criminal grand jury. And it is about the president having so little regard for the rule of law that he even sought to have others commit the crime of perjury in order to protect himself. Those acts constitute an attack by the President on our justice system, serve to undermine the orderly administration of justice in this country, and are therefore impeachable offenses. As a lawyer, had I committed the offenses the President committed, I would be disbarred. Should the President be held to a lower standard than that expected of lawyers in this country? Surely not.

It is important, if not critical, for the U.S. House of Representatives to approve articles of impeachment against President Clinton in order to send the message to the citizens of our Nation that the rule of law is a crucial part of the foundation of our society, and that no one, not even the President, no matter how popular he might be, is above the law.

Mr. McCOLLUM. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. ROGAN).

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

Mr. Speaker, some now suggest that holding a President, accountable after committing perjury in a criminal grand jury proceeding amounts to a coup d'etat or will bring blood on the floor demeans the level of this debate.

I quote from Dr. Larry Arnn:

> Elections have no higher standing under our Constitution than the impeachment process. Both stem from provisions of the Constitution. The people elect the President to do a constitutional job. They act under the Constitution when they do it. At the same time they elect a Congress to do a different constitutional job. The President swears an oath to uphold the Constitution. So does the Congress. Everyone concerned is acting in ways subordinate to the Constitution, both in elections and in the impeachment process.
>
> If a President is guilty of acts justifying impeachment, then he and not the Congress will have "overturned the election." He will have acted in ways that betray the purpose of his election. He will have acted not as a constitutional representative, but as a monarch, subversive of, or above the law.

Mr. McCOLLUM. Mr. Speaker I yield 4 minutes to the gentlewoman from New Jersey (Mrs. ROUKEMA).

Mrs. ROUKEMA. Mr. Speaker, we are all, all deeply saddened to be here in the midst of this constitutional crisis. But I am convinced that it is my constitutional duty to vote for the articles of impeachment as presented by the Committee on the Judiciary.

Let us first be very clear. The case against the President is not about sex or the privacy of the President and the first family. It is about the very public legal action of perjury in a civil disposition and before a Federal criminal grand jury. These are matters of public policy and the law, along with the questions of obstruction of justice and abuse of power.

In this respect, I have determined that the evidence brought before us by

the Committee on the Judiciary is credible and substantial, and warrants sending, and listen to this, sending these articles to the Senate for trial. This is our constitutional obligation, and one that all of us Members of the House took 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 then of course at the same time over the years, including the 18 months under investigation, while under investigation by the Independent Counsel's office.

The 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, under the Constitution. It is the obligation of this Congress and the Committee on the Judiciary to make this case to the people so that they will understand that the bottom line issue is that no one is above the law. That has to be determined with a full trial in the Senate.

□ 1815

Mr. Speaker, history will judge us. Our children and our grandchildren will know whether we voted to endorse and buttress the rule of law and allow our constitutional process to work. That is our obligation under the law. That is the oath we took as Members of Congress.

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, it is a coup d'etat when you impeach a President for allegations that even if true the overwhelming majority of constitutional scholars say are not impeachable offenses. It is a coup d'etat when most of the prosecutors who testified in front of the committee said no prosecutor would seek an indictment because no jury would convict on the evidence we have. And it is a coup d'etat when you seek to upset an election, to overturn an election without a broad consensus of the necessity for doing so against the majority of the American people. That describes a coup d'etat, Mr. Speaker.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. VENTO).

Mr. VENTO. Mr. Speaker, I rise in strong opposition to these articles of impeachment. Indeed I think it is time that we uphold our constitutional responsibilities, not debase them. In fact, we have a solemn duty and judgment that we are to make.

I think that the report that has come back and the duty charged to the Committee on the Judiciary has been lacking. You have not done the job that is expected. Refusing a timetable and then jamming this into two weeks after the election obviously gives strong suspicion to the reasons that we are doing this.

This does not stand the legal test. This does not stand the constitutional test. This is turning this Congress upside down. This is partisanship carried to an extreme. It is now attacking the basic fundamental document, the law of the land, our Constitution and process.

There is a reason that there have not been impeachments in the past of the President. The only time we can look to is after the Civil War when this country was in upheaval. The fact is, if this is the direction that we are going, if you are going to lower the bar and set new precedents such as this with regard to impeachment, we are going to keep the Senate awful busy.

This is an outrage, Mr. Speaker.

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

These articles and conclusions are unfair and demonstrate very poor judgment and rank partisanship on the part of the Republican Majority, the House Committee and Leadership. The House, on September 11, 1998, sent the Starr report to the Judiciary Committee with the charge to investigate and determine the validity of such assumptions.

The Starr report, unlike the investigatory work from previous Special Counsels, went beyond a report on the proceedings before the Grand Jury and actually put forth conclusions. Rather than presenting the evidence and permitting the Congress to make its own judgement, the Starr Report superimposed the views of the Special Counsel upon the House. In fact, Kenneth Starr's outspoken advocacy for impeachment finally 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 consensus concerning the conduct of the President. The standard of evidence is second hand and is far short of the Watergate criteria of clear, convincing evidence.

The Judiciary Committee and the Republican Majority permitted this major Constitutional role to languish, spending most of the limited time debating which material should be made public. Unfortunately, throughout the time period from September 11 until today, the Judiciary Committee did not hear from a single direct witness and never subjected any witness to cross examination. Rather, this report rubber stamps numerous 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 Judiciary Committee investigation languished with not a single substantive hearing before the November 3 elections. In fact, the Congressional Republicans sought to employ the Starr Report to their advantage in this election cycle. Despite the House spending $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. The American voters saw through 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 years. A ray of hope existed that this Congress would accept the people's judgment. Instead, the GOP leadership quickly reverted to unfair partisan action. Recognizing that more Democrats would be in the Congress in January 1999, they set upon a scheme to jam through the lame-duck 105th Congress an impeachment vote before the new 106th Congress is sworn into office and seated. Within the Judiciary Committee due process and fairness were cast aside, perfunctory testimony and time limits were the order of the day and within a short period of two weeks, without one direct material witness 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 in 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 crime or misdemeanor. It does not involve the official duties and role of the President. It is a personal matter as are the relations 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 today in this House. In an effort to insure 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 activities 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 ability to exercise all rights and 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 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 not 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 partisan leanings that have dominated this House and permit the Committees of this House to properly do their job. The standard must be clear and convincing evidence—not second hand information, conjecture and a schedule of convenience for the Members of the House. If such allegations have merit, then take the time to do the task and exercise the responsibility properly. Vote no on these articles and against this unfair procedure and process.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Speaker, the Bible says, let he without sin cast the first stone.

Let me tell you in this Chamber, it is full of sinners. I am here on behalf of my constituents who want me to tell the President that they love him and they are praying for him and the country.

The Republicans say that their sin is different from the President's. They 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 agenda 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'etat, 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). The Chair reminds all persons in the gallery that they are here as guests of the House. Any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. MASCARA).

Mr. MASCARA. Mr. Speaker, I come to the well today to express my disappointment at the impeachment proceedings that are taking place on the House floor today. I am deeply disappointed and disillusioned. As debate continues tonight, I would like to ironically quote President Nixon who said the Nation needs a sense of history more than a sense of histrionics.

As I listened to the Clerk reading the articles of impeachment today, I was both saddened and ashamed to be a part of these proceedings. It is an emotional time for me, to participate in this dark period of our history impeaching the President of the United States. I have consistently defended the integrity of public service generally and service in this House, specifically saying that in spite of the cynicism and the low regard, oftentimes, and hatred for elective office, I am proud and honored to be a Member of the United States House of Representatives. Regrettably, those feelings have been somewhat diminished and tainted as a result of these unfair proceedings.

While the President's behavior was reprehensible, most constitutional scholars believe these charges do not rise to a level of impeachment.

I oppose the House Resolution 611.

Mr. Speaker, I seldom come to the House floor to speak unless I have something important to say. And I have never made disparaging remarks about any Member of this House—Republican or Democrat.

I come to the well today to express my disappointment at the impeachment proceedings that are taking place on the House floor today. I am deeply disappointed and disillusioned. As the debate continues tonight I would like to ironically quote President Nixon who said "The nations needs a sense of history more than a sense of historonics. As I listened to the clerk reading the articles of impeachment this morning, I was both saddened and ashamed to be a part of these proceedings. It was an emotional time for me to participate in a dark period of our history—Impeaching the President of the United States.

I have consistently defended the integrity of public service generally, and service in this House specifically, saying that in spite of the cynicism out there regarding elective office, I am proud and honored to be a Member of the House of Representatives. Regrettably, those feelings have been somewhat diminished and tainted as a result of these unfair proceedings.

While the President's behavior was reprehensible most constitutional scholars, believe the charges here today do not rise to the level of impeachable offenses.

We have been asked to vote our conscience, yet the majority is denying Members, both Democrats and Republicans, the right to vote their conscience in favor of censure. That is patently unfair. A majority of the American people are being denied an opportunity for their voice to be heard on an issue overturning their electoral will. This is deeply dividing our Nation. Polarizing our citizens.

I ask our Republican friends to be fair! To do the right thing! Permit a vote on censure.

I oppose House Resolution 611.

Mr. MCCOLLUM. Mr. Speaker, I yield myself 40 seconds.

I just want to respond to the charges of the coup d'etat again and what the gentleman from New York (Mr. NADLER) said a while ago, that all the scholars we had before our committee said that these were nonimpeachable offenses, that prosecutors would not indict, that this would overthrow an election.

The fact is, there is a wide division over the impeachment question. We had just as many scholars who said these are impeachable.

I happen to believe deeply perjury is equally grave or more grave than bribery and we in fact punish it more severely. As far as prosecutors, there are

a lot of prosecutors who indict. We had one panel of the President's witnesses saying that.

We are not about to overthrow an election. We are simply about to send a matter to a trial in the Senate who might choose to do that if they find the President guilty of perjury and obstruction of justice.

Mr. Speaker, I yield 5 minutes to the gentleman from South Carolina (Mr. INGLIS), a member of the committee.

Mr. INGLIS of South Carolina. Mr. Speaker, this is the last time I will be able to speak to the House of Representatives.

I rise in support of the articles of impeachment because here tonight we have to answer three questions: First, are we a people of convenience or of conviction? Second, are we a constitutional Republic or a democracy? Third, are we a Nation based on truth or a Nation based on moral relativisim?

The first of those questions, a people of convenience or a people of conviction. I have heard a lot of discussion about how the stock market may do this or that. We have heard refuting evidence that actually NASDAQ went up. We have heard about the disruption this may cause. So the question is, has our instant gratification come to the place where we need a microwave solution rather than a lasting solution based on principle and sound understanding of the Constitution?

The second question that really has been fascinating to hear here today is whether we are a democracy or a constitutional Republic. I must say that some of our friends on the Democratic side of the aisle have misunderstood the name of their party with the basis of our government.

We are not a democracy. This is a constitutional Republic. If it were a democracy, then if Baptists outnumbered Roman Catholics, Baptists could decide legitimately in a pure democracy to ban masses on Sunday. But thank goodness we are not a democracy. We are a constitutional Republic. And therein lies the rub here today on the floor.

Here on the floor today we are dealing with a Constitution, and we are dealing with the principles contained in the Constitution. And those principles must hold sway over last night's overnight poll. That poll is insignificant compared to the lasting words of the Constitution.

The third question we must answer is, are we a Nation based on truth or a Nation based on moral relativisim? This, I think, is the nub of the question. Does the truth matter or is everything relative? Is there any truth or is my truth different than your truth? And we can have inconsistent truths, and there is really no truth.

I hope that America will always be a place of commitment to essential truths, the essential truths that Mr. Jefferson wrote about in the preamble to the Declaration of Independence: I hope that it will always be a place of freedom coupled with responsibility. And that is what we are seeing here in the case of the President.

I hope that it will always be a place of caring through families and local communities, a place of free enterprise within the context of fair competition, and a place of strength capable of defending freedom. Those things are what is at stake here tonight.

I hope that the House of Representatives here tonight will vote to uphold the rule of law and to say that whenever our conduct, any of us, or any President's conduct contravenes the Constitution of the United States, that the people's House will rise up and say, no matter what party you are from, the Constitution must hold sway there rather than last night's overnight poll or any temporary affection that the people may hold for any particular officeholder.

That is my hope. That is why I hope we pass articles of impeachment here tomorrow.

Ms. LOFGREN. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. MOAKLEY).

Mr. MOAKLEY. Mr. Speaker, I thank my colleague for yielding me the time.

I was not planning to speak on this matter until tomorrow, but I heard repeated references to my old friend, Speaker O'Neill. And I feel compelled to respond.

Some Members have mentioned the impeachment of President Nixon and said that former Speaker O'Neill refused to consider a resolution censuring him. Mr. Speaker, I was here back in 1974, when Richard Nixon was being considered for impeachment. Thomas O'Neill was not the speaker. Carl Albert was.

Furthermore, Mr. Speaker, no resolution to impeach President Nixon ever came to the House. President Nixon resigned before that happened.

Robert Healy, the noted Boston Globe writer, in an excellent op-ed piece which ran in the Boston Globe yesterday, compares the possible impeachments of President Nixon and President Reagan and the country's responses to them.

His piece quotes a book by Robert Timberg which says, "There were similarities between Watergate and Iran-Contra: abuse of authority, bunker mentality, cover-up, oval office tapes, National Security Council messages, televised hearings, world class stupidity."

But there was a difference. Tip O'Neill knew it. We all knew it. Mr. Speaker, Speaker O'Neill knew the weight of impeachment. With Nixon, Healy says, "a great majority of Americans had accepted the notion that Nixon had to go. They believed he had committed high crimes because he had used agencies such as the CIA and the IRS against the citizenry."

Some 12 years later, in the White House, Speaker O'Neill and President Ronald Reagan were alone in a meeting. Impeachment was in the air in Washington. The Iran-Contra story had broken with charges of arms sold to Iran. The profit directed to the Contra movement in Nicaragua. Healy says, and I quote, O'Neill cared only about two things that day with regard to the Reagan presidency. First, the Nation had been through a presidential trauma for 2 years with Nixon and it was not going to happen again.

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And second, O'Neill believed strongly in the proposition put forth by James Madison in the 1787 debates at the convention that framed the Constitution, the people were king in America. Therefore, one should be extraordinarily circumspect about turning out a President who had twice been elected by an overwhelming majority.

Mr. Speaker, I would advise my Republican colleagues to be extraordinarily circumspect about what they are about to do to a popular President who has been twice elected and should be censured and not impeached.

Mr. Speaker, I include for the RECORD Mr. Healy's op-ed piece.

[From the Boston Globe, Dec. 17, 1998]

GOP COULD LEARN FROM TIP O'NEILL

(By Robert Healy)

On a hot, still night in August 1974, young and old walked around the White House, carrying flickering candles. Two uniformed guards stood watch outside the gates on Pennsylvania Avenue. There were no tanks, no show of guns.

Earlier that day, in a one-sentence letter to Secretary of State Henry Kissinger, Richard Nixon had resigned, the first president to do so. He would officially announce it the next day. Copies of the letter had been sent to House Speaker Thomas O'Neill and Senate Majority Leader Mike Mansfield.

Inside the White House, Chief of Staff Alexander Haig was trying to hold things together. Nixon's behavior was irrational: bouts of paranoia and drinking in the morning. Haig recalled later at a background dinner that he and Secretary of Defense James Schlesinger had talked to the commanding officer of the presidential Army troops stationed at Fort McNair, a short distance from the White House on the Potomac, and ordered him not to respond to any last-minute directions from the president.

It was over. The candle bearers outside the White House, some of whom had opposed Nixon at Vietnam demonstrations and had been smoked with tear gas, knew it was over. Republicans and Democrats in Congress who were prepared to vote for articles of impeachment knew it was over. Kissinger, Haig, and Schlesinger knew it was over. After months of the Watergate storm, a sense of inevitability had settled in.

It did not mean everyone in the world understood what was going on. At a Georgia Air Force base, Prince Bandar bin Sultan, later to be ambassador to the United States from Saudi Arabia, was training to fly jets and had been alerted by his government that

the president would resign. He said he could not sleep that night because he thought at some time planes would be taking off from the base in support of a coup to retain the president.

It didn't happen because the people in America, a great majority at least, had accepted the notion that Nixon had to go. The case had been made that he had committed "high crimes" by using agencies such as the CIA and the IRS to war against the citizenry.

The scene shifts to the White House 12 years later. It is late 1986, Speaker O'Neill and President Ronald Reagan are alone in a meeting. Impeachment is in the air in Washington. The Iran-Contra story had broken: arms sold to Iran, the profits diverted to the Contra movement in Nicaragua.

O'Neill cared about only two things that day with regard to the Reagan presidency. First, the nation had been through a presidential trauma for two years with Nixon and it was not going to happen again. And, second, O'Neill believed strongly in the proposition put forth by James Madison in the 1787 debates at he convention that framed the Constitution: The people were king in America. Therefore, one should be extraordinarily circumspect about turning out a president who had been twice elected by an overwhelming majority.

O'Neill's reasoning was a totally political decision, as Madison and the other framers intended. In fact, in Madison's notes on the Constitutional Convention, Governor Robert Morris, the host Pennsylvania governor, argued that should a president be reelected while under impeachment fire, "that will be a sufficient proof of his innocence."

Robert Timberg's book, "The Nightingale's Song," an exquisite profile of five Annapolis men shaped by Vietnam, including three Iran-Contra principals (North, Poindexter, and Robert McFarlane), draws a portrait of a coup in Reagan's National Security Council led and carried out by these three freebooters.

It seemed, Timberg wrote, to be "something out of 'Seven Days in May,' a right-wing military cabal trying to take over the government" with the military all over the terrain when, in reality, it was even more complex than that. "There were similarities between Watergate and Iran-Contra. Abuse of authority. Bunker mentality. Coverup. Oval office tapes/National Security Council messages. Televised hearings. World class stupidity." Nixon, he noted, was smart and paranoid. "Reagan, not nearly so smart, was charming and made a slicker getaway."

And the Annapolis men who served Reagan were different from the University of Southern California men who surrounded Nixon.

But the real difference was the endgame. In his heart, O'Neill knew the popular Reagan would never be removed from office, and the speaker didn't want to put the country through a House impeachment and Senate trial that would close down the government for months.

The lesson is there in the case of the impeachment of President Clinton. The Nixon and Reagan cases were distinctive, yet they both bowed to the public perception of the gravity of the facts and the president's involvement in those facts.

Do the Republicans really want to put the nation through the agony of impeachment if, in the end, Clinton wins acquittal in the Senate?

Mr. MCCOLLUM. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. NEUMANN).

Mr. NEUMANN. Mr. Speaker, I want to be very clear on why it is that I am voting for impeachment. I would like to bring this whole discussion back to the facts in the case.

What do we know here? We know we have a 50-year-old married man, the most powerful man in the world, who had repeated sexual relations with a woman, a subordinate, 27 years his junior. We know that he came on national television and shook his finger in our face and said, I did not have any such affair. We know that under oath in January he was asked, and I quote, "Have you ever had sexual relations with Monica Lewinsky?" To which he responded, and again I quote, "I never had sexual relations with Monica Lewinsky. I never had an affair with her."

We know that in August, after careful consideration, he was asked that question again and he again stated under oath, and I quote, "My recollection is that I did not have sexual relations with Monica Lewinsky and I am standing on my former statement about that." And we know the stain on Monica Lewinsky's dress proved beyond any shadow of a doubt that he did have sexual relations with this woman.

There is no walk of life in the United States of America where this behavior would be accepted. A college professor having consensual sex with one of his students would be dismissed. A CEO guilty of an office affair with an intern would be fired. A physician, a counselor, a pastor would lose their right to practice. A military officer would be dishonorably discharged.

Finally, there is one last thing that needs to be brought out here. For all of those that say that this is partisan politics and partisan bickering, I would like to read some quotes directly out of the draft Democrat resolution for censureship. It says, and I quote, "William Jefferson Clinton made false statements concerning his reprehensible conduct with a subordinate," and continues to say, "William Jefferson Clinton wrongly took steps to delay the discovery of the truth." It was read by my colleague from Wisconsin and I heard it on the radio and verified in writing afterwards. These are President Clinton's defenders.

I have listened carefully to this debate today. The words used by the other side, not the Republicans, by the people defending him that quote, "reprehensible, deplorable, liar, misleading, manipulative and immoral."

I sincerely hope that my vote sends a strong message to every young person in America that extramarital affair, coupled with perjury, is not acceptable behavior in this great Nation.

Mr. MCCOLLUM. Mr. Speaker, I yield 5 minutes to the gentleman from Arkansas (Mr. DICKEY).

Mr. DICKEY. Mr. Speaker, I represent the Fourth District of Arkansas, the district that includes Hope and Hot Springs, the birthplace and the boyhood home of President Bill Clinton.

When I first decided that I would not declare my intentions on the question of impeachment, it was mainly for the reason that I wanted to make sure of the charges and I wanted to encourage my constituents to assist me in this decision. Even though a substantial majority of the people who have made contact with me are in favor of impeachment or resignation, almost all have a heavy heart.

Why is this? Because so many people in my district have their own self-esteem intertwined with the well-being of their friend, Bill Clinton. So while they have reason to be embarrassed, disappointed and even disgusted, they are in large part in denial.

Abraham Lincoln has a story that illustrates this dilemma. There was a farmer who had a tree by his house. It was a majestic looking tree and apparently perfect in every part, tall, straight and immense in size, the grand old sentinel of his forest home. One morning, while at work in his garden, he saw a squirrel run up the tree into a hole and thought the tree might be hollow. He proceeded to examine it carefully. And much to his surprise, he found that the stately tree that he had valued for its beauty and grandeur to be the pride and protection of his little farmhouse was hollow from top to bottom. Only a rim of sound wood remained, barely sufficient to support its weight.

What was he to do? If he cut it down, it would do great damage with its great length and its spreading branches. If he let it remain, his family was in constant danger. In a storm it might fall or the wind might blow the tree against his house and crush his house and his children. What should he do? As he turned away he said sadly, "I wish I had never seen that squirrel."

Reasons for me to vote against impeachment are legion. But maybe the most significant is that Arkansans have suffered enough and our young people need for me, one more time, to stand up for the reputation of our State, to say to the rest of the world there are law abiding, church going, hard working people in Arkansas and our State does not like what has had to be revealed by the harsh application of the mandates of the independent counsel statute.

However, what I am about to do today is done because it has brought home to me that I am first to represent America and not Arkansas. But as I state that I am an American first, I must tell my colleagues that the issue today is no longer about the character of Bill Clinton, it is about the character of our Nation.

We must not let President Clinton hinder us as a nation in maintaining the standards of conduct that we

should expect from our leaders, especially as it relates to the rule of law. As he has been obsessed to keep his job, he has blindly asked us to bring our Nation's standards down. He is a person of enormous gifts of communication and leadership, but we have to say sadly "no" to what he wants us to do in this regard.

The law is king. The king is not the law. Though I have done this before and in my own way the good folks of Arkansas have directed me to forgive President Clinton for the mistakes he has confessed to and those he has not admitted yet, I have shown him this individually and now do this as a Representative of my constituents.

I stand here today much like the schoolboy who wrote to the fabled and beloved Shoeless Joe Jackson of the Chicago White Sox of old. He wrote when he found out that Shoeless Joe was taking money to lose the 1919 World Series, saying, "Say it ain't so, Joe."

That young man was not bitter, was not drawing judgment. He just saw something he desperately did not want to believe. And he cared so much for Joe that, as a last act of his hope, love and devotion, he wanted Joe to tell him.

That, my colleagues, is the heart as I best can describe to you of the proud and wonderful people of the Fourth District of Arkansas.

Some people have directed me to a slogan that has the initials WWJD. I have applied what this acronym says, but we could also use the initials WWALD. What would Abraham Lincoln do? Here is one of his quotations. "Never add the weight of your character to a charge against a person without having it to be true."

Having tried repeatedly to find a way to talk my conscience into a different conclusion, I have decided to vote for at least two articles of impeachment, Article I and Article III, keeping in mind that this is a referral to the Senate for the finding of guilt or innocence.

What I want my colleagues to know is that my heart is heavy but my conscience is clear.

Ms. LOFGREN. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. BENTSEN).

Mr. BENTSEN. Mr. Speaker, in the spirit of Hamilton, Madison and Mason, I rise in opposition to all four articles of impeachment.

Mr. Speaker, I rise in opposition to the four articles of impeachment against President William Jefferson Clinton.

At the outset, Mr. Speaker, I strenuously object to this debate on impeaching the President of the United States while our nation and our Allies, are engaged in a military confrontation. To do so brings dishonor upon this House.

We are here because President Clinton had a consensual, extramarital affair and allegedly lied about it in a civil deposition and to a Federal Grand Jury. After 10 months of investigation, a federal independent counsel recommended to the House Judiciary Committee that the President's alleged legal infractions involving his truthfulness about this affair rise to the level of impeachable offenses. The Committee revised the Independent Counsel's recommendations and sent four articles of impeachment to the floor.

Now the full House of Representatives must weigh the evidence and decide this fateful issue of whether to impeach the President. The issues, to me, come down to these questions: Do the President's actions, while clearly wrong and deserving of rebuke, amount to the high crimes and misdemeanors required by the Constitution for impeachment? Do these actions warrant putting the country through the wrenching process of an impeachment trial in the Senate—a trial that could take months and paralyze the legislative process to the detriment of the other issues before us?

We must ask ourselves whether we are willing to overturn the 1996 elections. We must ask ourselves if the precedent set by such impeachment strengthen or weaken our system of government.

To reach the right decision today, I believe we must step back from the partisanship of the moment and place impeachment in the context of our system of government, as established in the Constitution. Our Founding Fathers could have established a Parliamentary system with the election of the nation's leader by the Majority Party in the national legislature. They did not. They established a system that at first indirectly elected a President; then that system evolved into one where the people directly elected the President.

Vacating the vote of the people strikes at the core of our republic and must not be taken lightly. While not determinative, we cannot forge that opinion polls have shown that two-thirds of the American people do not want the President impeached, but nearly the same number would support some form of public rebuked, which unfortunately, we will not consider today.

This issue is too complex to be partisan. Congress has to decide not only what the majority wants, but what is in the best interest of the country and what is required by the Constitution. Congress should not succumb to the herd mentality of a fervent minority in Congress or the chattering opinion classes of Washington. Impeachment should be a result of consensus, not partisan rancor. In fact, impeachment by a narrow party line vote may well be viewed by history more on the basis of partisanship that the underlying issue of the alleged infractions. History may judge our actions today as partisan rather than principled and, thus, effectively exonerate President Clinton rather than punish him for his conduct.

Impeachment was designed to protect the country and its integrity against Political crimes. Impeachment is not a tool of punishment to be used against a President because his opponents personally dislike or even hate him. It is not a tool to use against a President for incompetence. In fact, the framers of the Constitution removed "maladministration" as a category for impeachment. The framers felt that "maladministration" would have made impeachment too easy.

In Federalist Papers #65, Alexander Hamilton wrote that impeachment is "for those offenses which proceed from the misconduct of public men, or in the words, from the abuse or violations of some public trust." Those crimes must be "of a nature which may with peculiar propriety be denominated POLITICAL, as they relate chiefly to injuries done immediately to the society itself." Hamilton's words define a very high, but appropriate threshold for any impeachment test.

As critical question that has been raised repeatedly is whether the rule of law has been threatened or has our political system been seriously injured by the President's actions? In short, what constitutes a high crime and misdemeanor?

Is allegedly lying under oath in a deposition regarding personal conduct in a civil case since dismissed and settled, which is the base charge from which all other articles of impeachment flow, injurious to our political system? Does it undermine the rule of law?

Perhaps. Then again, perhaps not. These are very abstract issues that one could easily decide on the basis of whether or not they liked this particular president. But, the real problem is once you decide it for one, you have set a historical precedent for all others.

Some, in particular the Chairman of the Judiciary Committee, Rep. Hyde, have stated that if nothing else, lying in any context, whether under oath or about a personal matter, undermines the rule of law and poses such a threat to American democracy that impeachment is warranted and necessary.

But, does it undermine the rule of law more so that President Lyndon Johnson using falsified information to pass the Gulf of Tonkin Resolution to expand U.S. involvement in Vietnam? Is it more so a high crime that illegally bombing Cambodia or using the CIA to subvert an FBI investigation? Is it more so a high crime and misdemeanor than President Ronald Reagan and his administration willfully violating the Balanced Amendment, the law banning aid to the Nicaraguan Contras through arm sales to Iran? Is lying to Congress, hiding the truth from the American people, and destroying evidence undermining the rule of law more than perjury in any instance?

Chairman Hyde, in 1987, said of the Iran-Contra scandal, "It just seems too simplistic to condemn all lying" in the real world of geo-politics. He further quoted Thomas Jefferson as stating "strict adherence to the written law is doubtless one of the high duties of a good citizen but it is not the highest."

Based upon Rep. Hyde's defense of the Reagan Administration's alleged lying to Congress and subversion of Federal law, what basis then do we have for "the rule of law" if a President who disagrees with a certain law over legitimate policy reasons chooses to willfully ignore it or violate it?

Let me be clear, I don't like what President Clinton did. It was wrong, reckless, and reprehensible. I am offended by the original act. I am angered that he chose not to fess up once he had been caught, and I am outraged that we spent millions on an investigation to chase around and find out if it were true, especially after the American people had already figured it out.

I am also appalled that prosecutors in the Independent Counsel's office would actually

spend public time and money questioning whether the United States might seek to indict and convict a former President of perjury in a civil suit regarding sex in a case that has since been dismissed, while the world considers whether Augusto Pinochet, the former Chilean dictator, can be extradited for alleged crimes against humanity, involving scores of deaths including of an American on U.S. soil.

And, of course, as we all tell our children, just as our parent told us, in the end you are a lot better off if you tell the truth. But, ultimately, we must ask whether taking the first step to remove a duly elected President to protect our political system because of a potential legal infraction of perjury in a civil case since dismissed and devoid of public policy is necessary?

Based upon what I have read, I have come to the conclusion that NO, this does not reach that level. The President's actions may well be found to have constituted perjury but do not constitute crimes against the state for which, I believe, impeachment was designed. If this House adopts articles of impeachment on the basis laid out by the Majority, the precedent set here today will certainly, I believe, undermine 211 years of our system of government and democracy.

It is truly a shame that the leadership of the Republican Majority is effectively forcing the hands of members in a process that is very unfair and undemocratic. It it the American way to stifle debate? Is this just another procedure by the House Leadership not to trust the members to make up their own minds? Presenting the Congress with a vote on impeachment only is like saying to a jury, you can vote for either the death penalty or acquittal. To say that impeachment is "censure plus" is a mistake. We don't know that the Senate won't convict. We should not shrug our shoulders and hedge our bets that way. To do so is fool hardy and irresponsible. Not only does that view lower the bar for what may be impeachable offenses, but it cheapens impeachment as well. In short, it makes folly out of the Constitution and undermines the very rule of law that we are all espousing that we uphold.

The worst of Alexander Hamilton's premonitions is coming true. In Federalist #65, he wrote that "In many cases, it [impeachment] will connect itself with the pre-existing factions, and will enlist all their animosities, partialities, influence, and interest on one side or on the other; and in such cases their 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 or guilt."

The President, not the nation, should be punished for his actions. Censure is entirely appropriate and Constitutional. Twice before in our history we have censured Presidents: Andrew Jackson, whose censure was revoked by a subsequent Congress before he retired, and James K. Polk, who was censured for his administration of the Mexican-American War.

We also know that history and legacy are the currency of the business of public policy. I believe whatever Congress does, history, in large part, will judge President Clinton, no matter what his policy successes may be, by this incident with Monica Lewinsky. The two names will be forever inseparable. But, this Congress will also have a place in this history. Will Congress be remembered as statesmanlike or a partisan circus that couldn't let go of a "Get the President at any Cost" mentality. It seems that the anger and vitriol of a few members is going to stop the rest of the House from voting its conscience on this matter by denying us the opportunity to vote on a Censure Resolution. I believe history will look upon this impeachment as it looks upon the impeachment of Andrew Johnson; as a low point in our nation's history when we ignored our better angels.

In the end, the alleged crimes or infractions of the President, as offensive as they are, do not meet the level of "high crimes and misdemeanors," nor do I believe it is in the best interest of the nation that we endure a trial in the Senate over these issues for the next six to 12 months. On that basis, I rise to oppose impeachment. Impeachment, in this case, does not serve to protect the nation. In fact, it would serve to undermine the very rule of law that we are trying to uphold by setting a precedent of a standard of impeachment so low that future Congresses could intimidate the executive branch and create a shift toward a British style Parliamentary system of government.

Congress should publicly condemn the President's conduct through a joint resolution of censure, cosigning this President to history with the undoubtedly indelible mark of scandal.

Ms. LOFGREN. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. PASTOR).

Mr. PASTOR. Mr. Speaker, I submit for the RECORD the following statement detailing why I will be in opposition to the four articles of impeachment.

After reading and studying the written material available to me and viewing the House Judiciary Committee hearings, I cannot in good conscience support the impeachment of President William Jefferson Clinton.

I am very disappointed with the unjust and highly partisan manner in which the House Judiciary Committee hearings were conducted. The hearings lacked due process. The Committee did not take any evidentiary testimony of material witnesses. The Committee's star witness, Independent Council Ken Starr, was not a material witness and in fact was not present when material witnesses were interviewed by the Grand Jury.

The Committee failed to produce "clear and convincing" evidence to support its articles of impeachment. It is my conclusion that the four articles of impeachment brought against the President do not reach the constitutional standard of "high crimes and misdemeanors," even if proven. The lack of bipartisan support for any of the articles is a sad indication that they are based more on partisan politics than on any substantial evidence.

President Clinton has unquestionably and admittedly done wrong. Members of Congress should be given the opportunity to condemn his actions through an official resolution of censure. The President will, and should, pay for his wrongdoing in public esteem and tarnished legacy. The nation, the Presidency, and the democratic process, however, need not bear the cost of continuing what has become little more than a wasteful partisan drama.

Ms. LOFGREN. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. CONDIT).

Mr. CONDIT. Mr. Speaker, I rise in opposition to the resolution.

Throughout this difficult process I have worked very hard to remain objective and have taken great steps to avoid prejudging President Clinton, the work of the Independent Counsel, or the motives of others concerned with this matter. I supported a thorough investigation and, in fact, was one of 31 Democrats to vote for an open impeachment inquiry by the Judiciary Committee. I wanted all the serious charges that have been brought against the President investigated, resolved, and acted upon.

Kenneth Starr presented his findings, ultimately dismissing the charges regarding the Whitewater Development Company, White House Travel Office firings and handling of the FBI files.

Following Judge Starr's actions, the Judiciary Committee determined that alleged campaign finance abuses during the 1996 election season lacked merit and declined to take further action. After all was said and done the remaining charges centered on the President's personal behavior.

I expected the Judiciary Committee to conduct a meaningful, nonpartisan investigation of the President's conduct. However, what resulted was politically-driven drama which leaves me with serious reservations whether the case has been made for removing the President from office.

Without question the President's behavior was inexcusable and indefensible. It was wrong. He has said so himself and apologized to the American people. However, to overturn the electoral will of the American people requires a much higher threshold than personal misconduct.

Impeachment is far too serious an issue to be decided along party lines, yet the proceedings in the Judiciary Committee were acutely partisan. At a time when truth should have been paramount, the Judiciary Committee drew lines in the sand. I am very concerned that given the historical magnitude of this vote, that is a precedent we ought not to set.

While the actions of the President cannot be condoned, I have grave reservations whether they meet the constitutional standards for removal from office. While the President may very well be forced at some point in the future to face civil charges for his actions, given the information currently available to us, removal from office isn't justified. Unfortunately, no alternative to impeachment was allowed consideration. Instead, the House of Representatives was presented with an "all-or-nothing" choice.

I have seriously considered these multiple investigations as well as the President's personal behavior and have spent a great deal of time reflecting on them. To prolong this national ordeal is unthinkable. We must bring it to an end and we must do so now. To draw this out further is not in the best interests of the country or the American people.

We are in a period where the politics of personal destruction have taken precedence. Millions of dollars are spent in seemingly endless partisan investigations whose only purpose is to discredit and embarrass political opponents. It poisons the debate and undermines sincere efforts to find solutions to the problems facing our nation.

People of good will are sincerely divided by this issue. Regardless of the ultimate resolution, America and the American people are greater than this and we will get beyond this trying time. Above all else, I am confident we will rise above this.

I have confidence in the American people and in our institutions.

Ms. LOFGREN. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. BRADY).

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to not impeach the President of the United States.

Mr. Speaker, seven months ago next Monday, I was sworn in as a Member of this House. That was one of the proudest days of my life, but not because I had been elected to high office. It was a proud day because I thought I was becoming a part of something bigger than me, something with dignity and honor. I thought I was joining a team.

In my remarks that day, I told this House that, as far as I am concerned, the team that I am on is the team of the United States of America. Now I know that there is no Team USA in this body. There is only team GOP. That majority in this body is about to drag this country through the mud in order to get revenge for losing the last two national elections. The leadership of this House is willing to trample over the Constitution in order to punish our President for the crime of beating their candidate.

Mr. Speaker, I am not proud to be a part of this body today. But, I am proud to support my President. I am proud to support him because this is not just about Bill Clinton the man. It is about philosophies and the philosophies of the American people.

President Clinton wants Social Security reform—for them. He wanted a patients' bill of rights and a good education—for them.

You may, and probably will, impeach him this weekend. But you will never impeach the will and the opinion of the American people. I urge my colleagues to vote no on impeachment.

Ms. LOFGREN. Mr. Speaker, I yield 30 seconds to the gentleman from Massachusetts (Mr. MEEHAN), a member of the committee.

Mr. MEEHAN. Mr. Speaker, I feel I need to respond to the gentleman from Wisconsin who totally misrepresented the President's grand jury testimony. He said that the President did not admit to sexual relations with Monica Lewinsky. In the grand jury testimony he admitted the inappropriate relationship with Monica Lewinsky. I wish he had done it earlier, but he clearly did it then.

He did not give prosecutors all the details. The only conflict in the testimony between the President and Monica Lewinsky is when and where the President touched Monica Lewinsky.

Now, let's be serious. Are my colleagues ready to send over to the United States Senate a trial on impeachment about when and where the President touched Monica Lewinsky? That is what this case is about.

Ms. LOFGREN. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. DELAHUNT), a member of the committee.

Mr. DELAHUNT. Mr. Speaker, no one excuses the President's behavior. It deserves our censure and our condemnation. But I am just as concerned about our behavior, about the effect our actions may have on eroding public confidence and the rule of law and the principles of fairness and due process that are embedded in our Constitution that make this nation, this America, so unique among the family of nations. I believe this is ultimately more important than the fate of one particular president.

When we began this inquiry, I expressed the hope that it would be thorough, fair, and respectful of the rule of law and so that our verdict would be respected as well and we would be found no less worthy of praise than those who conducted the Nixon inquiry nearly 25 years ago. They managed to transcend partisanship, to set a standard of fairness and due process that earned them an honored place in our history. And I am truly saddened that we failed to measure up.

It was the gentleman from Illinois (Mr. HYDE) who said that without bipartisan support any impeachment is doomed. And I agree. Yet the majority has sacrificed the legitimacy of this impeachment by proceeding without that support.

As we prepare to render our verdict on President Clinton, the American people and history itself are sitting in judgment on us and I believe they will judge us harshly because we have failed in our duty to the rule of law. We failed the rule of law when we abdicated our constitutional responsibility to an unelected prosecutor, when we rubber stamped his conclusions and failed to conduct our own independent examination of a record replete with contradictions, inconsistencies and half truths. We failed the rule of law when we could not summon the political courage to call real witnesses to test their credibility.

President Nixon was afforded that opportunity. President Clinton was not, and that was unfair. We failed the rule of law when we informed the President's counsel of the precise charges only after he made his closing argument. That was unfair. We failed the rule of law when we put the burden on the President to prove his innocence. That was unfair.

Presidents are not above the law but they, no less than other citizens, are entitled to its protections. That is what distinguishes a free country from a totalitarian one. And let us hope that the freedom we have struggled so hard to achieve will weather this storm for the sake of the country that we all love so dearly.

I oppose the articles of impeachment as reported by the Judiciary Committee. I agree with much of the reasoning included in the Minority's Dissenting Views. However, I write separately to clarify my own perspective on a number of matters, including the reliability of the allegations upon which the case for impeachment is based.

I neither condone nor excuse the President's admitted misdeeds. However, I agree with my Minority colleagues that the allegations, even if true, do not form a constitutionally sufficient basis for impeachment. Whatever the Founders meant by "high Crimes and Misdemeanors," it is well-established that impeachment should be reserved for situations in which the incumbent poses so grave a danger to the Republic that he must be replaced before finishing his term of office. The Majority has utterly failed to establish that such is the case here.

As for the allegations themselves, however, I do not believe the Minority is in any better position to assess their accuracy than the Majority. The committee took no direct testimony in this matter. We called not a single witness who could testify to the facts. Instead, we relied solely on the assertions contained in the referral of the Independent Counsel. Those assertions are based on grand jury testimony and other information—much of it ambiguous and contradictory—whose credibility has never been tested through cross-examination.

Even absent such evidentiary problems, Article II of the Constitution imposes upon the committee a solemn obligation—which it may not delegate to the Independent Counsel or any other individual—to conduct a thorough and independent examination of the allegations and make its own findings of fact.

By failing to do this—by merely rubber-stamping the conclusions of the Independent Counsel—we have not only failed to establish a factual basis for the charges set forth in the articles of impeachment, but have abdicated our constitutional role to an unelected prosecutor and recklessly lowered the bar for future impeachments. In so doing, we have sanctioned an encroachment upon the Executive Branch that could upset the delicate equilibrium among the three branches of government that is our chief protection against tyranny.

A related casualty of our cavalier approach to this investigation has been the due process to which even our Presidents are entitled. We released the referral—including thousands of pages of secret grand jury testimony—within hours of its receipt, before either the Judiciary Committee or the President's counsel had any opportunity to examine it. We voted to initiate a formal inquiry against the President without even a cursory review of the allegations. We required the President's counsel to prepare his defense without knowing what charges would be brought. And we released articles of impeachment—drafted in secrecy by the Majority alone—before the President's counsel had

even finished his presentation to the committee.

Having put before the public a one-sided case for the prosecution, some member of the Majority actually suggested that the President had the burden of proving his innocence. When he attempted to do so, those same members accused him of "splitting hairs."

This was perhaps the most disturbing aspect of our proceedings. We live in a nation of laws, in which every person—whether pauper or President—is entitled to due process. This has nothing to do with "legal hairsplitting." It has everything to do with requiring those who wield the awesome power of the State to meet their burden of proof. That is what distinguishes this country from a totalitarian one. That is the genius of a Constitution crafted by men who knew and understood the nature of tyranny. As one former United States Attorney testified during our hearings, those who complain most loudly about such "technicalities" are the first to resort to them when it is they who stand accused.

Public confidence in the rule of law is ultimately more important than the fate of one particular President. And the official lawlessness that has characterized this investigation has done far more to shake that confidence than anything of which the President stands accused.

These proceedings stand in stark contrast to those of the Watergate committee—which the Majority had self-consciously adopted as its model. During the Watergate crisis, the Rodino committee managed to transcend partisanship at a critical moment in our national life, and set a standard of fairness that earned it the lasting respect of the American people. As the Judiciary Committee voted to launch this inquiry, I expressed the hope that our proceedings would be equally fair, thorough and bipartisan, and that—whatever our verdict might be—our efforts would be found as worthy of praise.

In at least one important respect, the committee did merit such praise. Chairman HYDE permitted us to offer a censure resolution despite the extraordinary pressures that were brought to bear for him not to do so. In my view, the resolution which I sponsored, together with Mr. BOUCHER, Mr. BARRETT and Ms. JACKSON LEE, was—and remains—the most appropriate means of condemning the President's misconduct while sparing the nation the further turmoil and uncertainty of a lengthy Senate trial.

Contrary to the continuing claims of some that censure would be unconstitutional, a score of constitutional experts called as witnesses by both Republicans and Democrats on the Committee agreed in writing—by a margin of almost 4 to 1—that the Constitution does not prohibit censure. And it would be a breathtaking departure from the democratic principles which are the soul of the Constitution to deny the full House an opportunity to vote on an alternative to impeachment.

As we stand on the brink of an impeachment vote for only the second time in our history, we can only hope that the democracy that has survived so many storms will weather this crisis as well, and that the irresponsible actions of this Committee will not do lasting damage to the country that we all so dearly love.

OPENING STATEMENT OF THE HONORABLE WILLIAM D. DELAHUNT OF MASSACHUSETTS BEFORE THE COMMITTEE ON THE JUDICIARY REGARDING THE PROPOSED RESOLUTION OF INQUIRY—OCTOBER 5, 1998

Mr. Chairman, the issue before us today is not just the conduct of the President. The overriding issue is how this committee will fulfill its own responsibilities at a moment of extraordinary constitutional significance.

Three weeks ago, the Independent Counsel referred information to Congress that he alleged may constitute grounds for impeaching the President.

But it is not the Independent Counsel who is charged by the Constitution to determine whether to initiate impeachment proceedings. That is our mandate. He is not our agent, and we cannot allow his judgments to be substituted for our own.

I am profoundly disturbed at the thought that this committee would base its determination solely on the Starr referral.

Never before in our history has the House proceeded with a presidential impeachment inquiry premised exclusively on the raw allegations of a single prosecutor. Let alone a prosecutor whose excessive zeal has shaken the confidence of fair-minded Americans in our system of justice.

It is the committee's responsibility to conduct our own preliminary investigation to determine whether the information from the Independent Counsel is sufficient to warrant a full-blown investigation. And we have not done that.

If we abdicate that responsibility, we will turn the Independent Counsel Statute into a political weapon with an automatic trigger—aimed at every future president. And in the process, we will have turned the United States Congress into a rubber stamp.

Just as we did when we rushed to release Mr. Starr's narrative within hours of its receipt, before either this committee or the President's counsel had any opportunity to examine it.

Just as we did when we released 7,000 pages of secret grand jury testimony and other documents hand-picked by the Independent Counsel—subverting the grand jury system itself by allowing it to be misused for a political purpose.

Just as we are about to do again: by launching an inquiry when no member of Congress, even now, has had sufficient time to read, much less analyze, these materials. Not to mention the 50,000 pages we have not released.

For all I know, there may be grounds for an inquiry. But before the committee authorizes proceedings that will further traumatize the nation and distract us from the people's business, we must satisfy ourselves that there is "probable cause" to recommend an inquiry.

That is precisely what the House instructed us to do on September 10. The chairman of the Rules Committee himself anticipated that we might return the following week to seek "additional procedural or investigative authorities to adequately review this communication."

Yet the committee never sought those additional authorities. Apparently we had no intention of reviewing the communication.

That is the difference between the two resolutions before us today. The Majority version permits no independent assessment by the committee, and asks us instead to accept the referral purely on faith.

Our alternative ensures that there is a process—one that is orderly, deliberative and expeditious—for determining whether the referral is a sound basis for an inquiry.

The Majority has made much of the claim that their resolution adopts the same process—indeed, the very language—that was used during the Watergate hearings of 24 years ago.

It may be the same language. But it is not the same process.

In 1974, the Judiciary Committee spent weeks behind closed doors, poring over evidence gathered from a wide variety of sources—including the Ervin Committee and Judge Sirica's grand jury report, as well as the report of the Watergate Special Prosecutor. All before a single document was released. Witnesses were examined and cross-examined by the President's own counsel. Confidential material, including secret grand jury testimony, was never made public. In fact, nearly a generation later it remains under seal.

It is too late now to claim that we are honoring the Watergate precedent. The damage is done. But it is not too late for us to learn from the mistakes of the last three weeks. If we adopt a fair, thoughtful, bipartisan process, I am confident the American people will embrace our conclusions, whatever they may be.

If the Majority chooses to do otherwise, it certainly has the votes to prevail. Just as the Democratic majority had the votes in 1974. But the Rodino committee recognized the overriding importance of transcending partisanship. And it earned the respect of the American people.

It is our challenge to ensure that history is as kind to the work of this committee.

STATEMENT OF THE HONORABLE WILLIAM D. DELAHUNT OF MASSACHUSETTS REGARDING THE RELEASE OF PRESIDENTIAL GRAND JURY TESTIMONY—SEPTEMBER 18, 1998

Today, the House Judiciary Committee voted to release to the public several volumes of supporting material received from the Independent Counsel nine days ago, including grand jury transcripts and the President's videotaped testimony.

In my judgment, the headlong rush to publicize secret grand jury testimony not only endangers the rights of the individuals involved in this particular case, but also undermines the integrity of one of the cornerstones of our system of justice—the grand jury system itself.

Unfortunately, the readiness of the majority to ignore these perils also calls into question the fundamental fairness of our own proceedings.

THE PACE ACCELERATES

On September 9, Independent Counsel Kenneth Starr sent the House of Representatives a 445-page report, together with some 2,000 pages of supporting materials, telephone records, videotaped testimony and other sensitive material, as well as 17 boxes of other information.

Within 48 hours, the House had voted to release the report and give the Judiciary Committee until September 28 to decide whether any of the remaining material should be kept confidential. While I agreed that we should release the report, I opposed our doing so before either the President's attorneys or members of the Committee had been given even a minimal opportunity to review it.

That vote was seven days ago. Since then, the breakneck pace has only accelerated. Today, we were asked to vote—10 days ahead of schedule—on whether to release what may well be the most sensitive materials of all—the grand jury transcripts, together with the videotape of the President's testimony.

Those of us who serve on the Committee had been doing our best to review these materials so that we would be in a position to evaluate whether or not they ought to be released. I cannot speak for other members, but I have been as diligent as possible, and had managed by this morning to get through—at most—some 30 percent of this material.

How can anyone make a considered judgment under such circumstances? How can we properly weigh the benefits of immediate disclosure against the harm it might cause? I have done my utmost not to prejudge the outcome of this investigation. I am prepared to follow the facts wherever they lead. But if the American people are to accept the eventual result of our deliberations, they must be satisfied that our proceedings have been thorough, disciplined, methodical and fair.

I seriously doubt that an objective observer looking back on these past nine days could characterize our proceedings in that manner. The process continues to careen forward—without a roadmap—at a dizzying pace.

FUNDAMENTAL FAIRNESS

One portion of the Independent Counsel's report that I made sure to read—not once, but twice—was Mr. Starr's transmittal letter, which cautioned that these supporting materials contain "confidential material and material protected from disclosure by Rule 6(e) of the Federal Rules of Criminal Procedure" (the rule that provides for the secrecy of grand jury records).

The implication of that warning is that the public disclosure of protected grand jury material could do serious and irrevocable harm—not only to the President, but to the many other individuals caught up in the vast web of the Starr investigation, including innocent third-parties, witnesses, and other potential targets of ongoing (and future) investigations.

In the United States, those accused of criminal wrongdoing are presumed innocent—be they presidents or ordinary citizens. Yet if raw, unproven allegations are disclosed to the public before they can be challenged, the "presumption of innocence" loses all meaning. Minds are made up, judgments rendered, and the chance for a fair determination of the facts is lost.

That is one reason why federal grand jury testimony—whether in printed or in audio-visual form—is explicitly shielded from public disclosure under Rule 6(e).

But grand jury secrecy also serves the interests of the prosecution, by encouraging witnesses to come forward and ensuring that prejudicial material will not poison the jury pool and make it impossible to hold a fair trial. This is especially important when the targets and potential targets of an investigation are public figures.

The pre-indictment release of secret testimony compromises both objectives—trampling on the rights of the accused and jeopardizing subsequent indictments. Beyond this, it calls into serious question the fairness and integrity of the grand jury system itself.

"LAUNDERING" THE EVIDENCE

Through its action today, the Judiciary Committee has engaged in an abuse of the grand jury process that has enabled it to accomplish indirectly what the Independent Counsel was prohibited from doing directly.

The Independent Counsel has developed his case by using the grand jury to compel testimony from various witnesses. Although the grand jury voted to subpoena the President, the videotaped testimony was ultimately obtained under a negotiated agreement, under which the Independent Counsel agreed to treat the testimony as secret grand jury proceedings pursuant to Rule 6(e). It was solely on this basis that the President consented to testify.

The Independent Counsel subsequently received permission from the court to release the videotape, together with the other grand jury material, to the Congress. But the court order did not authorize its further release to the public or the press.

By releasing that testimony to the public, we are—in effect—laundering the evidence so as to nullify the express agreement under which it was obtained. This is an abuse of the grand jury that can only damage the public's faith in that institution and impair its ability to perform its essential role.

And what are the benefits that justify these evils? We are told only that the public has a "right to know"—an interest in the case that entitles it to the information. Some have even suggested that that interest is a financial one—that the public "paid" for this material and is entitled to it.

To this, one can only respond that the public pays for the grand jury testimony in every case. The public has an interest in every case—especially where the case involves high officials or other celebrities. We accommodate that interest by requiring that trials be held in open court. But the public is no more entitled to secret grand jury testimony than it is to classified intelligence. Not even when the case is concluded, let alone while it is still going on.

In an ordinary criminal trial, grand jury testimony is disclosable under Rule 6(e) only under certain specific circumstances. For example, criminal defendants are entitled to see grand jury proceedings in order to cross-examine witnesses or challenge their credibility on the basis of prior inconsistent statements.

On the other hand, the public release of material of this nature would violate not only Rule 6(e), but Department of Justice guidelines, court precedents and ethical rules binding on prosecutors in every jurisdiction in this country. A party found to have disclosed the material would be subject to sanctions, and the material itself would be excludable in court. The court might even grant a defendant's motion to dismiss the case for prejudice.

LOOKING TO PRECEDENT

This is certainly not an ordinary case. But neither is it so exceptional as to justify our riding roughshod over precedent and due process.

In the one historical precedent that is closest to the present situation, due process was scrupulously observed. Twenty-four years ago, a Republican president was under investigation by a Democratic House.

The Judiciary Committee spent seven weeks in closed session, reviewing Judge Sirica's grand jury materials prior to their release. President Nixon's lawyers were permitted not only to participate in these sessions, but to cross-examine witnesses before their testimony was made public.

While there are obviously major differences between the current controversy and the Watergate affair, President Clinton is entitled to the same due process protections afforded President Nixon in the course of that investigation.

In fact, the case for preserving the confidentiality of the evidence is even stronger here than it was in the Watergate case. Mr. Starr's grand jury has made no findings whatsoever with respect to the evidence. The material we have consists merely of selected portions of what the prosecutor put before the grand jury, together with his interpretation of that material. The jurors were never asked whether they thought that the videotape—or any other testimony—provided credible evidence of perjury or other wrongdoing. Having used the grand jury as a tool to gather information, the Independent Counsel bypassed it as a fact-finding body.

That is his prerogative. But the Judiciary Committee has a duty to see that the material provided to use is handled appropriately. If we act carelessly, and in haste, we will not only cripple this President, but will do lasting harm to the values and institutions we hold most dear.

STATEMENT OF THE HONORABLE WILLIAM D. DELAHUNT OF MASSACHUSETTS REGARDING HOUSE RESOLUTION 525, PROVIDING FOR RELEASE OF THE REPORT OF THE INDEPENDENT COUNSEL—SEPTEMBER 11, 1998

Mr. Speaker, two days ago, after months of speculation, leaks and revelations, the report of the Independent Counsel was delivered to the House of Representatives. If this resolution is approved this morning, the report will be in the hands of millions of people around the globe by three o'clock this afternoon.

I certainly agree that the report should be released. That is not even an issue. It will be released. The only question is when and how it should be done. For in exercising the responsibilities that the Constitution has thrust upon us, we must be sure that we proceed in a manner that observes the principles of fundamental fairness that are at the heart of that document.

Only then will the American people accept the results, whatever they may be. Only then will we begin to restore the shaken confidence of the nation in its political institutions.

In that regard, Mr. Speaker, I consider the resolution before us today to be our first test. For in deciding the terms under which the highly sensitive material contained in the report should be released to the public, we must weigh carefully the benefits of immediate disclosure against the damage this might do to the fairness of the investigation.

If the resolution is agreed to, the entire 445 pages of the report will be posted on the Internet this very afternoon. Not a page of it will have been examined beforehand by any member of the Committee. Not one page will have been seen first by the President and his attorneys.

Some have argued that we should release the report because the essence of it has already been leaked to the press and appears in this morning's editions. If that is true, it is to be deplored, and the Independent Counsel should have to answer for it. But we should not endorse the unauthorized disclosure of pieces of the report by prematurely releasing the rest of it.

Some have argued that the President already knows what is in the report because he is the subject of it. This argument suggests, at best, a poor understanding of what goes into a prosecutor's report.

Some have argued that we should go ahead and release the report because there are still some 2,000 pages of supporting material that will not be released without Committee review, and this will be sufficient to prevent irreparable harm to lives and reputations. They cite Mr. Starr's request that we treat certain information in the supporting material as confidential, apparently inferring

that the information in the report itself does not require such treatment. Yet Mr. Starr did not say this. And even if he had, it is for this House to determine what information should be disclosed. We should not abdicate that responsibility to the Independent Counsel.

Apart from whatever damage the abrupt disclosure of the report might cause to innocent third parties, it will clearly be prejudicial to the President's defense. If the Independent Counsel has done his job, the case he has constructed will be a persuasive one. Prosecutors have enormous power to shape the evidence presented to the grand jury. And—at least at the federal level—they have no obligation to apprise the jurors of exculpatory evidence. The case will seem airtight. Yet until the evidence has withstood cross-examination and the allegations have been proven, they remain nothing more than allegations.

Presidents, no less than ordinary citizens, are entitled to the presumption of innocence. They are entitled to confront the charges against them. Yet, if we adopt this resolution, by the time President Clinton is accorded that right, the charges against him will have circled the globe many times. They will be all the public reads and hears. They will take on a life of their own, and the case will be tried, not by Congress, but in the court of public opinion.

Given these risks, why rush to judgment, Mr. Speaker? After so many months, what possible harm can come from allowing the counsel for the President a few days to review the report so that they can tell his side of the story?

In the one historical precedent we have to look to, that is precisely what was done. Twenty-four years ago, a Republican president was under investigation by a Democratic House. President Nixon's lawyers were permitted to participate in seven weeks of closed sessions, as the Judiciary Committee conducted a confidential review of Judge Sirica's grand jury materials prior to their release. The counsel to the President was even allowed to cross-examine witnesses before their testimony was made public.

Whatever the differences may be between the current controversy and the Watergate affairs, President Clinton should receive the same due process protections accorded to President Nixon in the course of that investigation.

If the people of the United States are to accept our verdict—whatever it may be—they must have confidence in the fairness and integrity of our deliberations. That—far more than the fate of one particular president—is what is at stake.

DISSENTING VIEWS OF THE HONORABLE WILLIAM D. DELAHUNT OF MASSACHUSETTS CONCERNING THE RESOLUTION RELATING TO AN INQUIRY OF IMPEACHMENT

I oppose the resolution of inquiry as reported by the Judiciary Committee. I do so based on the concerns expressed in the Minority's dissenting views, and for the additional reasons set forth below.

I

On September 9, 1998, Independent Counsel Kenneth W. Starr referred information to the House that he alleged may constitute grounds for impeaching the President. In the 30 days that have elapsed since our receipt of that referral, neither the Judiciary Committee nor any other congressional committee has conducted even a preliminary independent review of the allegations it contains.

In the absence of such a review, we have no basis for knowing whether there is sufficient evidence to warrant an inquiry—other than the assertion of the Independent Counsel himself that his information is "substantial and credible" and "may constitute grounds for impeachment."

I believe that our failure to conduct so much as a cursory examination before launching an impeachment proceeding is an abdication of our responsibility under Article II of the Constitution of the United States. By delegating that responsibility to the Independent Counsel, we sanction an encroachment upon the Executive Branch that could upset the delicate equilibrium among the three branches of government that is our chief protection against tyranny. In so doing, we fulfill the prophecy of Justice Scalia, whose dissent in *Morrison* versus *Olson* (487 U.S. 654, 697 (1988)) foretold with uncanny accuracy the situation that confronts us.

II

The danger perceived by Justice Scalia flows from the nature of the prosecutorial function itself. He quoted a famous passage from an address by Justice Jackson, which described the enormous power that comes with "prosecutorial discretion": "What every prosecutor is practically required to do is to select the cases . . . in which the offense is most flagrant, the public harm, the greatest, and the proof the most certain. . . . If the prosecutor is obliged to choose his case, it follows that he can choose his defendants. Therein is the most dangerous power of the prosecutor: that he will pick people that he thinks he should get, rather than cases that need to be prosecuted. With the law books filled with a great assortment of crimes, a prosecutor stands a fair chance of finding at least a technical violation of some act on the part of almost anyone. In such a case, it is not a question of discovering the commission of a crime and then looking for the man who has committed it, it is a question of picking the man and then searching the law books, or putting investigations to work, to pin some offense on him. It is in this realm—in which the prosecutor picks some person whom he dislikes or desires to embarrass, or selects some group of unpopular persons and then looks for an offense, that the greatest danger of abuse of prosecuting power lies. It is here that law enforcement becomes personal, and the real crime becomes that of being unpopular with the predominant or governing group, being attached to the wrong political views, or being personally obnoxious to or in the way of the prosecutor himself. *Morrison*, 487 U.S. 654, 728 (Scalia, J., dissenting), *quoting* Robert Jackson, The Federal Prosecutor, Address Delivered at the Second Annual Conference of United States Attorneys (April 1, 1940)."

The tendency toward prosecutorial abuse is held in check through the mechanism of political accountability. When federal prosecutors overreach, ultimate responsibility rests with the president who appointed them. But the Independent Counsel is subject to no such constraints. He is appointed, not by the president or any other elected official, but by a panel of judges with life tenure. If the judges select a prosecutor who is antagonistic to the administration, "there is no remedy for that, not even a political one." 487 U.S. 654, 730 (Scalia, J., dissenting). Nor is there a political remedy (short of removal for cause) when the Independent Counsel perpetuates an investigation that should be brought to an end: "What would normally be regarded as a technical violation (there are no rules defining such things), may in his or her small world assume the proportions of an indictable offense. What would normally be regarded as an investigation that has reached the level of pursuing such picayune matters that it should be concluded, may to him or her be an investigation that ought to go on for another year. 487 U.S. 654, 732 (Scalia, J., dissenting)."

Under the Independent Counsel Act, there is no political remedy at any point—unless and until the Independent Counsel refers allegations of impeachable offenses to the House of Representatives under section 595(c). At that point, the statute gives way to the ultimate political remedy: the impeachment power entrusted to the House of Representatives under Article II of the Constitution.

III

Section 595(c) of the Independent Counsel Act provides that: "An independent counsel shall advise the House of Representatives of any substantial and credible information which such independent counsel receives, in carrying out the independent counsel's responsibilities under this chapter, that may constitute grounds for an impeachment. 28 U.S.C. 595(c)."

The statute is silent as to what the House is to do once it receives this information. But under Article II, it is the House—and not the Independent Counsel—which is charged with the determination of whether and how to conduct an impeachment inquiry. He is not our agent, and we cannot allow his judgments to be substituted for our own. Nor can we delegate to him our constitutional responsibilities.

Never in our history—until today—has the House sought to proceed with a presidential impeachment inquiry based solely on the raw allegations of a single prosecutor. The dangers of our doing so have been ably described by Judge Bork, who has written that: "It is time we abandoned the myth of the need for an independent counsel and faced the reality of what that institution has too often become. We must also face another reality. A culture of irresponsibility has grown up around the independent-counsel law. Congress, the press, and regular prosecutors have found it too easy to wait for the appointment of an independent counsel and then to rely upon him rather than pursue their own constitutional and ethical obligations. Robert H. Bork, Poetic Injustice, National Review, February 23, 1998, at 45, 46 (*emphasis added*)."

We must not fall prey to that temptation. For when impeachment is contemplated, the only check against overzealous prosecution is the House of Representatives. That is why—whatever the merits of the specific allegations contained in the Starr referral—we cannot simply take them on faith. Before we embark on impeachment proceedings that will further traumatize the nation and distract us from the people's business, we have a duty to determine for ourselves whether there is "probable cause" that warrants a full-blown inquiry. And we have not done that.

IV

What will happen if we fail in this duty? We will turn the Independent Counsel Act into a political weapon with an automatic trigger—a weapon aimed at every future president.

In *Morrison*, Justice Scalia predicted that the Act would lead to encroachments upon the Executive Branch that could destabilize

the constitutional separation of powers among the three branches of government. He cited the debilitating effects upon the presidency of a sustained and virtually unlimited investigation, the leverage it would give the Congress in intergovernmental disputes, and the other negative pressures that would be brought to bear upon the decision making process.

Whether these ill-effects warrant the abolition or modification of the Independent Counsel Act is a matter which the House will consider in due course. For the present, we should at least do nothing to exacerbate the problem. Most of all, we must be sure we do not carry it to its logical conclusion by approving an impeachment inquiry based solely on the Independent Counsel's allegations. If all a president's political adversaries must do to launch an impeachment proceeding is secure the appointment of an Independent Counsel and await his referral, we could do permanent injury to the presidency and our system of government itself.

V

If the House approves this resolution, it will not be the first time in the course of this unfortunate episode that it has abdicated its responsibility to ensure due process and conduct an independent review. It did so when it rushed to release Mr. Starr's narrative within hours of its receipt, before either the Judiciary Committee or the President's counsel had any opportunity to examine it. It also did so when the committee released 7,000 pages of secret grand jury testimony and other documents hand-picked by the Independent Counsel—putting at risk the rights of the accused, jeopardizing future prosecutions, and subverting the grand jury system itself by allowing it to be misused for political purposes.

These actions stand in stark contrast to the process used during the last impeachment inquiry undertaken by the House—the Watergate investigation of 1974. In that year, the Judiciary Committee spent weeks behind closed doors, poring over evidence gathered from a wide variety of sources—including the Ervin Committee and Judge Sirica's grand jury report, as well as the report of the Watergate Special Prosecutor. All before a single document was released. Witnesses were examined and cross-examined by the President's own counsel. Confidential material, including secret grand jury testimony, was never made public. In fact, nearly a generation later it remains under seal. The Rodino committee managed to transcend partisanship at a critical moment in our national life, and set a standard of fairness that earned it the lasting respect of the American people.

Today the Majority makes much of the claim that their resolution adopts the language that was used during the Watergate hearings. While it may be the same language, it is not the same process. Too much damage has been done in the weeks leading up to this vote for the Majority to claim with credibility that it is honoring the Watergate precedent. But it is not too late for us to learn from the mistakes of the last three weeks. If we adopt a fair, thoughtful, focused and bipartisan process, I am confident that the American people will honor our efforts and embrace our conclusions, whatever they may be.

STATEMENT OF THE HONORABLE WILLIAM D. DELAHUNT OF MASSACHUSETTS REGARDING H. RES. 581, AUTHORIZING THE COMMITTEE ON THE JUDICIARY TO INVESTIGATE WHETHER SUFFICIENT GROUNDS EXIST FOR THE IMPEACHMENT OF WILLIAM JEFFERSON CLINTON, PRESIDENT OF THE UNITED STATES—OCTOBER 8, 1998

Mr. Speaker, I ask permission to revise and extend my remarks.

Let me first express my affection and respect for my chairman, the Gentleman from Illinois. If Mr. Hyde says he hopes to complete this inquiry by the end of the year, I know he will do all he can to make good on that promise.

But if we adopt this resolution, the chairman's good intentions will not be enough to prevent this inquiry from consuming not only the remainder of this year but most of next year as well.

Nine days ago, I joined with Mr. Berman, Mr. Graham and Mr. Hutchinson in a bipartisan letter asking Chairman Hyde and our ranking member, Mr. Conyers, to contact the Independent Counsel—before we begin in inquiry—to ask him whether he plans to send us any additional referrals.

They wrote to Judge Starr on October 2, and I wish to inform the House that last night we received his reply. He said, and I quote, "I can confirm at this time that matters continue to be under active investigation and review by this Office. Consequently, I cannot foreclose the possibility of providing the House of Representative with additional [referrals]."

There you have it, Mr. Speaker. Despite the fact that both Mr. Hyde and Mr. Conyers had urged the Independent Counsel to complete his work before transmitting any referral to the House, what he has given us is essentially an interim report.

As the Starr investigation enters its fifth year, we face the prospect that we will begin our inquiry only to receive additional referrals in midstream. Under this open-ended resolution, each subsequent referral will become part of an ever-expanding ripple of allegations. With no end in sight.

That is not a process, Mr. Speaker. It's a blank check. And I believe it's more than the American people will stand for.

They do not want us traumatizing the country and paralyzing the government for another year when we don't even know whether there is "probable cause" to begin an inquiry. And they don't want us abdicating our constitutional responsibility to an unelected prosecutor and accepting his referral on faith.

If we do that—if all a president's adversaries have to do to start an impeachment proceeding is secure the appointment of an Independent Counsel and await his referral—then we will have turned the Independent Counsel Act into a political weapon with an automatic trigger—a weapon aimed at every future president.

What the people want is a process that is fair. A process that is focused. And a process that will put this sad episode behind us with all deliberate speed.

The Majority resolution does not meet those standards. Our alternative does. It provide for the Judiciary Committee to determine first whether any of the allegations would amount to impeachment offenses if proven. Only if the answer to that question is "yes" would we proceed to inquire into whether those allegations are true. The entire process would end by December 31st—the target date chosen by Chairman Hyde himself—unless the committee asks for additional time.

Mr. Speaker, that is a fair and responsible way to do our job. It is also the only way to ensure that when that job is done, the American people will embrace our conclusions, whatever the may be.

STATEMENT OF THE HONORABLE WILLIAM D. DELAHUNT OF MASSACHUSETTS IN SUPPORT OF THIS MOTION TO ALLOW COUNSEL TO THE PRESIDENT TWO HOURS IN WHICH TO QUESTION THE INDEPENDENT COUNSEL—THURSDAY, NOVEMBER 19, 1998

Mr. Chairman, I have a motion at the desk and ask for its consideration.

Mr. Chairman, the committee has given the Independent Counsel a full two hours to present his version of the case—a version with which most Americans are already fully familiar on the basis of the 60,000 pages of material he has already submitted.

At the same time, the committee has seen fit to give the President's counsel all of 30 minutes to question Mr. Starr. This is meant to be the President's sole opportunity to confront his accuser during these proceedings.

I believe this does a grave disservice, not only to the President but to the integrity of these proceedings. It is a complete and unwarranted departure from the precedents of this House.

During the Watergate hearings of 1974, President Nixon's counsel, Mr. James St. Clair, was given all the time he needed to respond to the evidence and cross-examine witnesses. This is as it should be, Mr. Chairman. We are talking about the impeachment of the President of the United States, not a tariff schedule.

I know that some members of the Watergate committee argued that the President's counsel, Mr. St. Clair, should be given limited time to speak. But those views were wisely overruled in the interest of fairness and decency. President Clinton is entitled to the same consideration and respect shown to President Nixon on the occasion. No more, and no less.

The record of the Watergate hearings makes clear that at no time was Mr. St. Clair restricted to a particular time limit for his presentation or his examination of witnesses. Let me cite just three passages from the record. On June 27, 1974, Chairman Rodino noted that Mr. St. Clair had requested one or two days to make his oral response to the initial presentation of the evidence, but that St. Clair "expressed to me that he hoped he might be able to conclude his presentation, if it is at all possible, today. This is not restrictive."

On July 18, 1974, Chairman Rodino recognized Mr. St. Clair for an additional response at the conclusion of the evidence, and noted—over the objections of some Democratic members—that "he is going to take at least an hour and a half."

Finally, the record of the Watergate hearings makes clear that Mr. St. Clair cross-examined each of various witnesses, including William Bittman, Charles Colson, and John Dean, for as much as 1½ to 2 hours. On no occasion was he interrupted by the chairman, nor did he ever run out of time.

Is there any legitimate basis for applying a different rule today? The majority may point out that the Watergate testimony was heard in closed session, while today we sit before the cameras and the public. Yet, that being true, it is more important, not less, that the President be given a full and fair opportunity to respond to the charges that are being leveled against him.

They may argue—as they did in a recent letter to the White House—that the President and his counsel are here "only as a matter of courtesy and not of right." In other words, "be glad we are letting you testify at all." With all due respect, Mr. Chairman, if the goal is justice, this cannot be a satisfactory response.

A 30-minute presentation is especially inadequate when one considers that Mr. Starr has been preparing for weeks a presentation that the White House saw for the first time last night. According to news accounts, the witness has spent the better part of the past several weeks conducting videotaped practice sessions. The President's counsel has had all of 16 hours to prepare his response.

I wish I could say that this sort of unfairness were an exception to an otherwise fair proceeding. But in fact it continues a pattern that has characterized this entire investigation. The Committee has abandoned precedent at almost every turn—rushing to release Mr. Starr's report within hours of its receipt, before either the Judiciary Committee or the President's counsel had any opportunity to examine it. Posting on the Internet thousands of pages of secret grand jury testimony without regard to the rights of the accused, the course of future prosecutions, and the integrity of the grand jury system itself. And abdicating its own responsibility to make an independent examination of the charges before voting to commence an impeachment inquiry.

Enough is enough, Mr. Chairman. Let's do one thing right. I urge support for the motion and yield back the balance of my time.

OPENING STATEMENT OF THE HONORABLE WILLIAM D. DELAHUNT, JUDICIARY COMMITTEE MARKUP OF THE PROPOSED ARTICLES OF IMPEACHMENT—DECEMBER 10, 1998

Mr. Chairman, I would like to ask you to suppose you're an ordinary citizen summoned to defend yourself in court.

You don't know what you're charged with, because there's been no indictment.

The prosecutor has spent four years investigating your financial dealings. But when you get to the courtroom, he only wants to talk about sexual indiscretions.

He sends the jury a 445-page report telling just his side of the story, and releases thousands of pages of secret grand jury testimony to the public.

He calls none of the witnesses quoted in his report, so you can't challenge their veracity.

In fact, he calls only one witness. Himself. Then it turns out he's never even met your chief accuser.

The judge allows new charges to be raised in the midst of the trial, then drops them again.

He warns that you will be convicted if you do not offer a defense. Then, when you do so, he tells you not to hide behind "legal technicalities."

The scene I've just described wasn't dreamed up by George Orwell of Franz Kafka. It's not a Cold War account of a Soviet show trial. In fact, it's similar to what's taken place here—in America—during the course of this impeachment investigation.

We are about to vote to impeach the President of the United States on charges that would never even have been brought against an ordinary citizen.

We have delegated our constitutional duty to substantiate those charges to an unelected prosecutor.

We have called no witnesses to testify to the charges—except the prosecutor himself. And he admitted he has no personal knowledge of the facts—and never even met Ms. Lewinsky.

None of his witnesses were subject to cross-examination to test their credibility—despite Mr. Schippers' statement that they should be.

Having put before the public a one-sided case for the prosecution, some members of this committee have suggested that the President has the burden of proving his innocence. When he has attempted to do so, those same members have accused him of "splitting hairs."

We have required the President's counsel to prepare his defense without knowing what formal charges would be brought. And we released articles of impeachment to the press before Mr. Ruff had even finished his presentation.

At our hearing the other day, one of my Republican colleagues alluded to those he considers "real Americans." To me, the real America is a land where every person—whether pauper or President—is accorded due process of law.

Due process has nothing to do with "legal hairsplitting." It has everything to do with requiring those who wield the awesome power of the State to meet their burden of proof. That is what distinguishes this country from a totalitarian one. That is the genius of a Constitution crafted by men who knew and understood the nature of tyranny.

As former U.S. Attorney Sullivan testified, those who complain most loudly about such "technicalities" are the first to resort to them when it is they who stand accused.

For weeks, members of the majority have cited the famous passage from *A Man for All Seasons*, in which Thomas More defends the rule of law against those who would "cut down every law in England" to "get after the Devil." More says, and I quote, "And when the last law was down, and the Devil turned round on you—where would you hide, the laws all being flat? This country's planted thick with laws from coast to coast—Man's laws, not God's—and if you cut them down—and you're just the man to do it—d'you really think you could stand upright in the winds that would blow then? . . . Yes, I'd give the Devil benefit of law, for my own safety's sake."

We would all do well to ponder those words, Mr. Chairman. For though we have invoked the rule of law, we have failed to embrace it. How can the American people accept our verdict, unless they are satisfied that we have conducted ourselves in as orderly, deliberate and responsible a fashion as did the Watergate committee in 1974?

Chairman Rodino did not proceed with the Nixon impeachment until it was clear that it had substantial bipartisan support. Chairman Hyde began these proceedings by observing that without such consensus, impeachment ought not go forward.

Yet this has been the most partisan impeachment inquiry since the infamous trial of Andrew Johnson five generations ago. It is like a runaway train.

Within the committee, some of us have attempted to apply the brakes, developing a respectful—though ultimately unsuccessful—dialogue with our colleagues across the aisle. Elsewhere, growing numbers of thoughtful Republican leaders—from Governor Racicot of Montana to Governor Rowland of Connecticut—have expressed dismay. Yet the train continues to gather speed.

From my own perspective, this isn't even about President Clinton anymore. That he deserves our condemnation is beyond all doubt. But as President Ford has written, the fate of one particular President is less important than preserving public confidence in our civic institutions themselves.

Article II of the Constitution provides a mechanism for removing our Presidents. It's called an election, and it happens every four years.

Whatever the Founders meant by "high Crimes and Misdemeanors," the one thing that seems certain is that impeachment should be reserved for situations in which the incumbent poses so grave a danger to the Republic that he must be replaced ahead of schedule.

Last year the House debated proposed term limits for Members of Congress. One of the most respected leaders of the House led the fight against that legislation, choosing principle over party.

In his speech, he said, and I quote: "The right to vote is the heart and soul, it is the essence of democracy. . . . [O]ur task today is to defend the consent of the governed, not to assault it. Do not give up on democracy. Trust the people".

The author of those eloquent words is my friend, the Honorable Henry Hyde of Illinois. I remind you of those words today, Mr. Speaker, not to throw them back at you, but because it seems to me that "the consent of the governed" is again under assault, and we sorely need such eloquence again.

The President committed serious indiscretions. In the effort to conceal his misdeeds, he compounded them, abusing the trust of those closet to him and deliberately, cynically, lying to the American people.

Knowing this, the people went to the polls on November third and rendered their verdict. And it is illegitimate for a lame-duck Congress to defy the will of the electorate on a matter of such profound significance.

The voters did not condone the President's behavior. Far from it. But they knew the difference between misdeeds that merit reproach and abuses of office that require a constitutional coup d'état.

Some have said we are just a "grand jury," whose only role is to endorse the prosecutor's conclusion that there is probable cause to indict. And don't worry, they say—the Senate won't convict.

This view is both dangerous and irresponsible. Impeachment is not some routine punishment for Presidents who fall short of our expectations. It's the political equivalent of the death penalty, with grave consequences for the nation that all of us—Republicans and Democrats—so dearly love.

We should not use the ultimate sanction when there is an alternative at hand: the joint resolution which my colleagues and I intend to offer, expressing our disapproval of the President's misbehavior and censuring him for it.

If the President really did commit perjury or other criminal acts, the law will deal with him in due course. Our job is to safeguard the Constitution. And the principal of popular sovereignty that is in the stirring words of Henry Hyde, its "heart and soul."

There is still time to trust the people, Mr. Chairman. Let us do so before it is too late.

STATEMENT OF THE HONORABLE WILLIAM D. DELAHUNT REGARDING ARTICLE III OF THE PROPOSED ARTICLES OF IMPEACHMENT—DECEMBER 11, 1998

Mr. Chairman, during our hearing last week, we heard testimony from Charles Wiggins, a Federal judge who served as a Republican member of this committee at the time of the Watergate inquiry.

Judge Wiggins testified that the Watergate committee heard directly from a multitude

of witnesses, including Bob Haldeman, John Erlichman, John Dean, and other members of President Nixon's inner circle.

That testimony enabled the committee to make its own findings of fact with respect to the allegations against the President.

That is what distinguishes their investigation from our own. We have not heard from a single witness who can assist us in making findings of fact with respect to the allegations in the Starr report. Not one.

Let me offer just one concrete example of why this concerns me.

One count in the proposed Article of Impeachment alleges that the President "corruptly engaged in, encouraged, or supported a scheme to conceal evidence that had been subpoenaed" in the Paula Jones case.

Translation: the President asked his secretary, Betty Currie, to retrieve certain gifts which he had given to Monica Lewinsky, in an effort to conceal their relationship.

It is undisputed that Ms. Lewinsky returned the gifts to Ms. Currie. She did so on December 28, 1997. The key question is whether the President asked Ms. Currie to retrieve the gifts, or whether Ms. Lewinsky made her own arrangements to return the gifts without Mr. Clinton's involvement.

On Wednesday, the Independent Counsel released a statement to the press, taking issue with Mr. Ruff's presentation to this committee, and claiming that the President's involvement is substantiated by the billing records from Ms. Currie's cellular telephone account.

The records—which Mr. Schippers used in his closing statement to the committee—indicate that a one-minute call was placed from Ms. Currie's cell phone to Ms. Lewinsky's telephone number on December 28, 1997 at 3:32 p.m.

In his press release, the Independent Counsel claims that Ms. Currie placed this call for the purpose of arranging to pick up the gifts from Ms. Lewinsky.

In his closing statement to the committee, Mr. Schippers made much of this document. He said that it—and I quote—"corroborates Monica Lewinsky and proves conclusively that Ms. Currie called Monica from her cell phone several hours after she had left the White House."

"Why did Betty Currie pick up the gifts from Ms. Lewinsky?" Mr. Schippers asked. And he answered, "The facts strongly suggest the President directed her to do so."

That is his support for the charge that President sought to conceal evidence.

But there's a problem with this evidence. It is directly, explicitly contradicted by the FBI report of the interview with Monica Lewinsky of July 27 of this year.

That report, which appears in the first appendix to the Starr referral on page 1396, says, and I quote, "Lewinsky met Currie on 28th Street outside Lewinsky's apartment at about 2:00 p.m. and gave Currie the box of gifts."

This raises the following question. If the gift exchange had already taken place at 2:00, how could the telephone call placed at 3:32 have been for the purpose of arranging it?

This is an inconsistency—one of many troubling inconsistencies—in the documents themselves. Yet this potentially exculpatory fact—taken from materials in the possession of the Independent Counsel—was never acknowledged by Mr. Starr. Nor was it acknowledged by the Mr. Schippers.

Both of them affirmatively led the committee to believe that the call was for the purpose of arranging for Ms. Currie to pick up the gifts.

And now we are preparing to vote on an article of impeachment that is substantially based on that telephone call.

What was the purpose of the call? We don't know. It appears that the investigators never asked. And we have never had the opportunity to ask. Because we have not heard from the witnesses themselves.

This is no way to conduct an inquiry, Mr. Chairman. It is a disgrace. And it is an insult to the rule of law.

STATEMENT OF THE HONORABLE WILLIAM D. DELAHUNT IN SUPPORT OF A JOINT RESOLUTION EXPRESSING THE SENSE OF CONGRESS REGARDING THE CENSURE OF WILLIAM JEFFERSON CLINTON—DECEMBER 12, 1998

Mr. Chairman, over the past 24 hours this committee has voted along strict party lines to approve four articles of impeachment against the President of the United States.

In my view, this was reckless and irresponsible.

Impeachment is not a punishment to be imposed on Presidents who fall short of our expectations.

It's last resort—an ultimate sanction—to be used only when a President's actions pose a threat to the Republic so great as to compel his removal before his term has ended.

Impeachment should be considered only when there is no alternative. In this case, we had an alternative. The House still does.

I want to thank you, Mr. Speaker, for allowing this resolution to come to a vote. I have no doubt that you were under great pressure not to do so, and I applaud you for recognizing that it was the fair and proper thing to do.

I can only hope that Speaker-Elect Livingston will emulate your political courage and allow us a vote on the floor as well.

Because this resolution expresses the overwhelming sentiments of the American people—

—That the President committed serious indiscretions with a subordinate.

—That in the effort to conceal his misdeeds, he compounded them—abusing the trust of those closest to him and deliberately, cynically, lying to the American people.

—That these actions warrant condemnation—but not impeachment.

The resolution doesn't mince words. It denounces the President's behavior sternly and unambiguously. In plain, simple English.

It acknowledges that the President is not above the law—like every citizen, he remains subject to whatever penalties a court might impose on him at some future date.

This language may be too harsh for some; too lenient for others. But its purpose should be clear to all.

Censure has been endorsed by no less a luminary than President Ford, who called it "dignified, honest and, above all, cleansing." he added—and I quote—"at 85, I have no personal or political agenda, nor do I have any interest in 'rescuing' Bill Clinton. But I do care, passionately, about rescuing the country I love from further turmoil and uncertainty."

Those are sentiments with which most Americans—including many prominent Republicans—agree. Yesterday, Governor Pataki of New York became just the latest to announce his support for censure.

Yet some insist that a censure of the President would be unconstitutional. Why? Because the Constitution does not mention censure. It's "impeachment or nothing," we are told.

That's absurd. We have ample discretion to do either, as two-thirds of the constitutional experts called to testify by both Democrats and Republicans agreed.

The Constitution—in the words of Justice Jackson—is not a suicide pact. It does not compel us to detonate a nuclear explosion when light artillery will do.

Others oppose censure because they believe it's just a "slap on the wrist." That was not how Andrew Jackson saw it when the Senate censured him in 1834. He was humiliated. Eventually, the Senate repealed its rebuke, and Jackson's proudest possession was the pen used to strike the words of censure from the Senate Journal.

Finally, some have claimed that censure would "short-circuit" the impeachment process. They insist on going forward, but assure us that once we've launched our nuclear missile, we can rely on the Senator to destroy it before it hits its target.

Saying, in effect, "I would prefer that the President not be removed, but I am willing to put the country through the upheaval of a Senate trial nonetheless."

I submit that this is an abdication of a solemn duty—which cannot be delegated—to the Senator or anyone else.

If we truly believe that the President should not be removed from office, we have a better option. Censure him. And preserve the Constitution.

STATEMENT OF THE HONORABLE WILLIAM D. DELAHUNT OF MASSACHUSETTS IN THE MATTER OF THE IMPEACHMENT OF PRESIDENT WILLIAM JEFFERSON CLINTON—DECEMBER 17, 1998

Mr. Speaker, I neither condone nor excuse the President's admitted misdeeds. They are deserving of censure and rebuke.

But they are not a constitutionally sufficient basis for impeachment. Those who are driving this runaway train have failed to establish that the President poses a danger to the Republic that requires his removal before his term has expired.

What does endanger the Republic is a wholly partisan impeachment based on a slapdash investigation that has violated every rule of due process.

Public confidence in the rule of law is ultimately more important than the fate of one particular President. And the official lawlessness that has characterized this investigation has done far more to shake that confidence than anything of which the President stands accused.

The Constitution imposes upon this House a solemn obligation—which it may not delegate to the Independent Counsel or any other individual—to conduct a thorough and independent examination of the allegations and make its own findings of fact.

Yet we have not done this. The committee did not call a single witness who could testify to the facts. Instead, we have abdicated that responsibility to an unelected prosecutor and rubber-stamped his conclusions. Conclusions based on grand jury testimony and other information—much of it ambiguous and contradictory—whose credibility has never been tested through cross-examination.

This fraudulent investigation is insufficient—as a matter of law—to form a factual basis for the charges set forth in the articles of impeachment. If we impeach nonetheless—as some are determined to do—we will lower the bar for all future impeachments.

We will sanction an encroachment upon the Executive Branch that could upset the delicate equilibrium among the three branches of government that is our chief protection against tyranny.

Presidents are not above the law. But even Presidents are entitled to due process. This investigation has violated due process at every turn. Publishing the Starr referral—including thousands of pages of secret grand jury testimony—before either the committee or the President's counsel had any opportunity to examine it. Launching a formal impeachment inquiry without even a cursory review of the allegations. Requiring the President's counsel to prepare his defense without knowing what charges would be brought. And releasing these articles of impeachment—drafted in secrecy by the Majority alone—before the President's counsel had even finished his presentation to the committee.

Having put before the public a one-sided case for the prosecution, some members of the Majority actually suggested that the President had the burden of proving his innocence. When he attempted to do so, those same members accused him of "splitting hairs."

It isn't "splitting hairs" to insist that those who wield the awesome power of the State meet their burden of proof. That is what distinguishes a free country from a totalitarian one. And somehow it is those who complain most loudly about such "technicalities" who are the first to resort to them when it is they who stand accused.

What a contrast between these proceedings and those of 24 years ago! During the Watergate crisis, the Rodino committee managed to transcend partisanship at a critical moment in our national life, and set a standard of fairness that earned it the lasting respect of the American people.

I had hoped that our proceedings would be equally fair, thorough and bipartisan, and that—whatever our verdict might be—our efforts would be found as worthy of praise.

I do not believe that will be the case, Mr. Speaker. I believe history will judge us harshly for what we are about to do.

There is still time—even at this late hour—to pull back from the brink. We can still spare the nation the turmoil and uncertainty of a Senate trial through a vote that censures the President of his misconduct. That is the alternative favored by a clear majority of the American people.

We can register our support for censure by voting "yes" on the motion to recommit which will be offered by Mr. Boucher at the conclusion of this debate—to return this matter to the Judiciary Committee and demand that they bring a censure resolution to the floor.

As we stand on the edge of an impeachment vote for only the second time in our history, we can only hope that the democracy that has survived so many storms will weather this crisis as well. And that our reckless actions will not do lasting damage to the country that we all so dearly love.

Mr. McCOLLUM. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas (Mr. RYUN).

Mr. RYUN. Mr. Speaker, I rise in support of the four articles of impeachment.

Mr. Speaker, regretfully I rise today to speak in favor of the Impeachment of the President of the United States, William Jefferson Clinton.

Impeachment and removal of the President was the remedy given to Congress to address a chief executive who attacked the Constitution and resulting rule of law that governs our society. The Articles of Impeachment against President Clinton deserve serious consideration because they arose out of the efforts of the President to delay, deny, impede and obstruct (and later to cover-up that obstruction) the fair administration of justice in a federal civil rights sexual harassment claim. The President did so for personal exoneration and pecuniary gain. These actions constitute a direct attack on the Judiciary, the third branch of government set forth in our Constitution.

Specifically, the President is charged with wilfully lying under oath on four specific occasions: on December 17, 1997, in response to written questions in a federal civil rights action; on January 17, 1998, in a deposition for a federal civil rights action; on August 17, 1998, in testimony before a federal criminal grand jury; and on November 27, 1998, in sworn responses to the House Judiciary Committee. The President is also charged with obstructing justice in a federal civil rights action during December 1997 and January 1998.

I prayerfully considered each article and the supporting evidence. I have come to the conclusion that under my duties set forth by the Constitution, with conscience as my guide, I must vote in favor of Impeachment because there is clearer and convincing evidence that the President committed these offenses and should stand trial on these charges in the Senate. The Senate should be given the opportunity to exercise its Constitutional responsibility and hear evidence from both sides to determine whether the President should be convicted and removed from office.

If we choose to ignore these charges, we would set a dangerous precedent that the President of the United States, the chief law enforcement officer, may wilfully ignore the rule of law that governs our society. The ruler cannot be above the rule of law.

This is a somber time for our country. None of us, as citizens of these great United States, wants to see the Presidency under attack. Unfortunately, the attack against this Presidency came from within, and President Clinton must be held accountable for his actions.

Mr. Speaker, I ask each Member of this House of Representatives to put partisanship aside, to look at the law, to look at the evidence, and to vote in the way our Foundering Fathers intended when they crafted our Constitution.

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.

I would respond to the gentleman from Massachusetts that apparently he is under the impression that the President admitted to the truth in his grand jury testimony. He did not. He waived a statement. Each and every time which he did that, this was not telling of truth, it was simply one more count of false declaration before a grand jury or a court.

He lied about his relationships with Monica Lewinsky in the deposition in January. He lied again about it before the grand jury in August. There was nothing truthful about the President's statement to that effect. While simply the fact that he issued a statement may be sufficient for the gentleman from Massachusetts, it is still not the truth.

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Mr. McCOLLUM. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Speaker, the Constitution makes the President the caretaker of the laws of our Nation. This means the President protects the people by nurturing and supervising our legal system, plus he must lead by example. The facts show the President has lied under oath, obstructed justice and abused the power of his office. How can he possibly serve as the caretaking of our laws if he cannot abide by them?

Our legal system demands equal justice under law. To treat the President differently than other Americans brings grave consequences for the sanctity of our judicial process.

And everyone likes to talk about polls for what they are worth. Let us talk about this one. According to the Scholastic News, a weekly magazine circulated in schools, 85 percent of fourth graders nationwide stated they believe a President who lies should lose his job. We have taught our children the importance of telling the truth and the value of their word. We cannot afford to change that message now.

Mr. McCOLLUM. Mr. Speaker I yield 1 minute to the gentleman from New Jersey (Mr. FRANKS).

Mr. FRANKS of New Jersey. Mr. Speaker, it is with a profound sense of sadness that I stand here this evening. We are called upon to decide what is right for the country and what is required to serve the interests of justice. In making this decision, I recognize that the purpose of impeachment is not to punish a political leader, but to preserve the integrity of our institutions of government.

In recent days I have written twice to the President asking him to come to terms with the fact that he broke the law and to take responsibility for his actions. On December 3, I urged the President to come before the American people, admit that he committed perjury and indicate that he was prepared to face the consequences. If he did, I told him, I believe this Congress could work out a remedy other than impeachment. On the eve of this debate I wrote to the President one more time and called upon him to tell the truth, the whole truth and nothing but the truth.

Tonight I want to issue one final plea to the President:

"It is not too late to demonstrate true personal courage and moral leadership. Save the Nation the trauma of an impeachment trial, and save your Presidency."

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

Mr. HERGER. Mr. Speaker, as a Member of Congress this vote is one of

the most solemn, serious and important decisions each of us will ever make and one I cast only under a profound sense of constitutional duty.

In 1776, Thomas Paine in his pamphlet Common Sense wrote, quote: "For as in absolute governments the king is law, so in free countries the law ought to be king."

Mr. Speaker, our Nation was created in part because our founders were forced to live under one set of laws while our rulers lived under another. The equal application of the rule of law has become the principle upon which our entire legal system is based. I believe the facts clearly indicate that President Clinton has committed the very serious felonies of perjury and obstruction of justice and in so doing has violated the trust of the American people.

Mr. Speaker, it is absolutely critical that all Americans, including and especially the President of the United States, obey the law. Bill Clinton is our President, not our king. He is not above the law. To allow our chief law enforcement officer to commit these felonies without facing serious consequences is to send a dangerous message to all Americans that there are again two standards of justice in America, one for the President and one for the rest of us.

Mr. Speaker, we have a constitutional obligation to apply the law to the President just as we would apply it to any other American. I believe we have no other choice but to vote aye on these articles of impeachment.

Ms. LOFGREN. Mr. Speaker, I yield 15 seconds to the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Speaker, if it is so clear that the President committed perjury, I wonder why the members of the Committee on the Judiciary did not tell us which words were perjurious.

I am a former prosecutor. If anyone is charged in America with perjury they have to specifically say what was perjury. We did not do it in this case.

Ms. LOFGREN. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Speaker, I submit my statement and supporting documents in opposition to the articles of impeachment.

Mr. Speaker, in October we voted on whether to receive the Starr report and to have the Judiciary Committee define the impeachment standard on which to review these allegations and to guide us here in this debate. But the Majority Party, the Republicans, said "No, we will not define the standard."

So what is the standard? Did President Clinton commit "high Crimes and Misdemeanors" warranting impeachment under the Constitution?

The Judiciary Committee would not tell us, so 430 legal scholars spoke up and wrote to the Speaker, and here is what they had to say, in part:

We write neither as Democrats nor as Republicans. Some of us believe that the President has acted disgracefully, some that the Independent Counsel has. This letter has nothing to do with any such judgment. Rather, it expresses the one judgment on which we all agree: that the allegations detailed in the Independent Counsel's referral and summarized in Counsel Shippers's statement do not justify presidential impeachment under the Constitution.

No existing judicial precedents bind Congress's determination of the meaning of "high Crimes and Misdemeanors." But it is clear that Members of Congress would violate their constitutional responsibilities if they sought to impeach and remove the president for misconduct, even criminal misconduct, that fell short of the high constitutional standard required for impeachment.

....It goes without saying that lying under oath is a serious offense. But even if the House of Representatives had the constitutional authority to impeach for any instance of perjury or obstruction of justice, a responsible House would not exercise this awesome power on the facts alleged in this case. The House's power to impeach, like a prosecutor's power to indict, is discretionary. This power must be exercised not for partisan advantage but only when circumstances genuinely justify the enormous price the national will pay in governance and stature, if its President is put through a long, public, voyeuristic trial. The American people understand this price. They demonstrate the political wisdom that has held the Constitution in place for two centuries when, even after the publication of Mr. Starr's report, with all its extraordinary revelations, they oppose impeachment for the offenses alleged therein.

A majority of the American people are being denied through their elected representative an opportunity to cast a vote on a bipartisan compromise—a vote of conscience to censure the President.

I wish to share with the nation the letter I am sending to my constituents on this historic vote:

DEAR CONSTITUENT: Thank you for sharing your views, hopes, fears, and thoughts on the Articles of Impeachment pending against President Bill Clinton.

My votes on impeachment were the most solemn and saddest votes I have ever had to cast. The constitutional importance, the solemn occasion, the division within the House of Representatives and indeed the nation itself cause me to pause and reflect on my personal, constitutional, national, political and family life. These were not easy votes. I read transcripts, watched the video deposition, reviewed testimony, and studied legal and historical briefs. I read numerous constitutional arguments and perspectives, the report of the Office of Independent Counsel, and documentation submitted by the President's attorneys, and I attended briefings by constitutional and legal experts. Most of all, I listened to you, read your letters and e-mails, and your messages left with my staff and on our answering machines.

For only the second time in our nation's history of the House of Representatives voted on Articles of Impeachment. While impeachment is an integral part of our constitutional structure, the Founding Fathers made it clear it is a final recourse in dealing with a tyrant or a scoundrel whose actions clearly threaten our system of government. When an impeachment vote occurs, Congress usurps the power of the electorate. The removal of the President is reserved for the American people through elections, and Congress should only "substitute" or "invalidate" your vote and reverse the last presidential election through impeachment *only when it is necessary* to save the country from a President whose actions are of "such a grave nature that they imperiled the structure of our government."

Becasue the U.S. House of Representatives failed to define the constitutional standard for impeachment, it then became possible for each members to devise his or her own impeachment standard that fits a personal perception of facts surrounding the President. Unfortunately, what individual members have perceived as impeachable facts run contrary to the facts perceived by two-thirds of the American people who have repeatedly stated they did not want this President impeached. The American people understand that a President's criminal or civil behavior should be addressed through normal judicial proceedings, that ordinary political wrongs can be addressed at the ballot box; and that impeachment should only be used for serious public misconduct which threatens our form of government.

I believe the reason for the partisan split on each article of impeachment came about because the impeachment standard was never defined and the Republican leadership stated it was up to each member "to vote their conscience." Many individual members, both Democrat and Republican, have confided to me that a true vote of conscience was to censure the President. Still, the Republican leadership refused to allow us to vote on censure.

Prior to drafting Articles of Impeachment against President Richard Nixon, both Republicans and Democrats set forth an impeachment standard. The standard used in the Nixon impeachment was a constitutional standard, not a personal standard. To date, more than 430 legal scholars have written to the House Leadership and the Judiciary Committee stating that the President's actions must be "gross[ly] derelict exercise of official power," a standard that is not met on the facts alleged in the Articles of Impeachment against President Clinton. "If the President committed perjury regarding his sexual conduct, this perjury involved no exercise of presidential power as such." The scholarly letter went on to state that "making false statements about sexual improprieties is not a sufficient basis to justify the trial and removal from office of the President of the United States."

I agree that the President's behavior was inappropriate and immoral and that he must be held accountable, but, as Bob Dole wrote in the New York Times, a bipartisan resolution of censure would be a proper Congressional response to the president's actions and it would allow Congress to rapidly resolve this issue and move forward to deal with the nation's other important business.

Documentation submitted by the President's legal counsel echoes what the President has said publicly, "there are no fancy ways to say that I [the President] have sinned." The document continues: "The president has insisted that no legalities be allowed to obscure the simple truth that his behavior in this matter was wrong; that he misled his wife, his friends, and our nation about the nature of his relationship with Ms. Lewinsky. He did not want anyone to know about his personal wrongdoing. But he does

want everyone—the Committee, the Congress and the country—to know that he is profoundly sorry for the wrongs he has committed and for the pain he has caused his family, friends, and our nation."

As a member of the US House of Representatives, I am duty bound to differentiate between that which is sinful, immoral conduct and that which is impeachable under our Constitution.

Based on all the information available to me, listening to your views, thoughts and opinions, I have determined that the President's actions did not reach the necessary constitutional standard for impeachment unique to the office of the President, and that his actions were not of such a grave nature that his personal actions imperiled our form of government.

In closing let me share with you a comment that a constituent, a Dominican nun, shared with me about this whole impeachment. Sister Margaret reminded me of the Biblical story of how the men who would stone a prostitute were the very men that paid her for her services, and how they were challenged by Jesus, who said, "Let he who is without sin cast the first stone." Of course, none of them could throw the stone. As Sister Margaret stated to me, "I have a stone in my hand, but I am waiting to become perfect . . . then I'll throw it!"

This does not excuse or exonerate the President for his actions. He remains liable for civil and criminal charges for his actions, and, should he be found guilty, he would justly face legal punishment. None of his actions, however, permit us to take the historically unwarranted step of invoking sections of our Constitution that will forever distort the intentions of the Founding Fathers, undo the last election, and forever change the relationship between Congress and the presidency. My votes were not cast to protect the President in any way. They were cast to protect the office of the presidency and the Constitution.

Thank you for sharing your time, views, opinions, thoughts and prayers!

Hon. NEWT GINGRICH,
Speaker, United States House of Representatives.

DEAR MR. SPEAKER: Did President Clinton commit "high Crimes and Misdemeanors" warranting impeaching under the Constitution? We, the undersigned professors of law, believe that the misconduct alleged in the report of the Independent Counsel, and in the statement of Investigative Counsel David Schippers, does not cross that threshold.

We write neither as Democrats nor as Republicans. Some of us believe that the President has acted disgracefully, some that the Independent Counsel has. This letter has nothing to do with any such judgments. Rather, it expresses the one judgment on which we all agree: that the allegations detailed in the Independent Counsel's referral and summarized in Counsel Schippers's statement do not justify presidential impeachment under the Constitution.

No existing judicial precedents bind Congress's determination of the meaning of "high Crimes and Misdemeanors." But it is clear that Members of Congress would violate their constitutional responsibilities if they sought to impeach and remove the President for misconduct, even criminal misconduct, that fell short of the high constitutional standard required for impeachment.

The President's independence from Congress is fundamental to the American structure of government. It is essential to the separation of powers. It is essential to the President's ability to discharge such constitutional duties as vetoing legislation that he considers contrary to the nation's interests. And it is essential to governance whenever the White House belongs to a party different from that which controls the Capitol. The lower the threshold for impeachment, the weaker the President. If the President could be removed for any conduct of which Congress disapproved, this fundamental element of our democracy—the President's independence from Congress—would be destroyed. It is not enough, therefore, that Congress strongly disapprove of the President's conduct. Under the Constitution, the President cannot be impeached unless he has committed "Treason, Bribery, or other high Crimes and Misdemeanors."

Some of the charges raised against the President fall so far short of this high standard that they strain good sense: for example, the charge that the President repeatedly declined to testify voluntarily or pressed a debatable privilege claim that was later judicially rejected. Such litigation "offenses" are not remotely impeachable. With respect, however, to other allegations, careful consideration must be given to the kind of misconduct that renders a President constitutionally unfit to remain in office.

Neither history nor legal definitions provide a precise list of high crimes and misdemeanors. Reasonable people have differed in interpreting these words. We believe that the proper interpretation of the Impeachment Clause must begin by recognizing treason and bribery as core or paradigmatic instances, from which the meaning of "other high Crimes and Misdemeanors" is to be extrapolated. The constitutional standard for impeachment would be very different if different offenses had been specified. The clause does not read, "Treason, Felony, or other Crime" (as does Article IV, Section 2 of the Constitution), so that any violation of a criminal statue would be impeachable. Nor does it read, "Arson, Larceny, or other high Crimes and Misdemeanors," implying that any serious crime, of whatever nature, would be impeachable. Nor does it read, "Adultery, Fornication, or other high Crimes and Misdemeanors," implying that any conduct deemed to reveal serious moral lapses might be an impeachable offense.

When a President commits treason, he exercises his executive powers, or uses information obtained by virtue of his executive powers, deliberately to aid an enemy. When a President is bribed, he exercises or offers to exercise his executive powers in exchange for corrupt gain. Both acts involve the criminal exercise of presidential powers, converting those awful powers into an instrument either of enemy interests or of purely personal gain. We believe that the critical, distinctive feature of treason and bribery is grossly derelict exercise of official power (or, in the case of bribery to obtain or retain office, gross criminality in the pursuit of official power). Non-indictable conduct might rise to this level. For example, a President might be properly impeached if, as a result of drunkenness, he recklessly and repeatedly misused executive authority.

Much of the misconduct of which the President is accused does not involve the exercise of executive powers at all. If the President committed perjury regarding his sexual conduct, this perjury involved no exercise of presidential power as such. If he concealed evidence, this misdeed too involved no exercise of executive authority. By contrast, if he sought wrongfully to place someone in a job at the Pentagon, or lied to subordinates hoping they would repeat his false statements, these acts could have involved a wrongful use of presidential influence, but we cannot believe that the President's alleged conduct of this nature amounts to the grossly derelict exercise of executive power sufficient for impeachment.

Perjury and obstructing justice can without doubt be impeachable offenses. A President who corruptly used the Federal Bureau of Investigation to obstruct an investigation would have criminally exercised his presidential powers. Moreover, covering up a crime furthers or aids the underlying crime. Thus a President who committed perjury to cover up his subordinates' criminal exercise of executive authority would also have committed an impeachable offense. But making false statements about sexual improprieties is not a sufficient constitutional basis to justify the trial and removal from office of the President of the United States.

It goes without saying that lying under oath is a very serious offense. But even if the House of Representatives had the constitutional authority to impeach for any instance of perjury or obstruction of justice, a responsible House would not exercise this awesome power on the facts alleged in this case. The House's power to impeach, like a prosecutor's power to indict, is discretionary. This power must be exercised not for partisan advantage, but only when circumstances genuinely justify the enormous price the nation will pay in governance and stature if its President is put through a long, public, voyeuristic trial. The American people understand this price. They demonstrate the political wisdom that has held the Constitution in place for two centuries when, even after the publication of Mr. Starr's report, with all its extraordinary revelations, they oppose impeachment for the offenses alleged therein.

We do not say that a "private" crime could never be so heinous as to warrant impeachment. Congress might responsibly take the position that an individual who by the law of the land cannot be permitted to remain at large, need not be permitted to remain President. But if certain crimes such as murder warrant removal of a President from office because of their unspeakable heinousness, the offenses alleged in the Independent Counsel's report or the Investigative Counsel's statement are not among them. Short of heinous criminality, impeachment demands convincing evidence of grossly derelict exercise of official authority. In our judgment, Mr. Starr's report contains no such evidence.

Sincerely,

RICHARD L. ABEL
(And 442 others)

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. Mr. Speaker, impeachment in the Constitution was meant to be applied when the elected President misuses the office in a way that threatens our structure of government. The conduct of President Clinton at issue here was reprehensible but does not constitute a high crime or misdemeanor as required for removal by impeachment. No President is above the law, but that does not mean every alleged crime is an impeachable crime. The crimes alleged here may warrant prosecution when the President's term

expires, but they do not rise to the standard required by the Constitution for impeachment.

Mr. Speaker, I am bitterly disappointed the majority blocked this House from considering the option of censuring the President instead of the false choice between removal by impeachment or no action whatsoever. Basic fairness as well as basic respect for the deep divisions and the thinking of Americans would have allowed all options to be before us.

History will not be kind to this Congress for its handling of this matter. I hope our country will never ever again have a congressional majority as heedless of the spirit of justice and the Constitution as this one.

Impeachment as established in the Constitution was meant to be applied when the elected President was misusing the powers of the Executive Branch in a way that was threatening to our very structure of government.

The conduct of President Clinton at issue here is reprehensible. It does not, however, constitute a high crime or misdemeanor as required for removal by impeachment.

No president is above the law but that does not mean every crime is an impeachable crime. The crimes alleged against President Clinton may well warrant prosecution when his term expires, but they do not rise to the standard required by the Constitution for impeachment.

These proceedings represent an extremely important moment in the Constitutional history of this country. I'm bitterly disappointed the majority leadership blocked this House from considering a full range of options, including the option of censuring the President instead of the false choice between removal by impeachment or no action whatsoever.

Basic fairness as well as basic respect for the deep divisions in the thinking of Americans on this matter would allow all options to be before us.

The blind drive of majority leadership to win this impeachment vote regardless of any and all other considerations is revealed by their refusal to delay this debate, even a few days, to allow the attack against Iraq to run its course. The brave men and women executing the attack on our behalf deserve our full focused support behind their brave actions.

History will not be kind to this Congress for its handling of this matter. I hope our country will never again have a congressional majority of either party as heedless of the spirit of justice and the Constitution as this one.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. LAMPSON).

Mr. LAMPSON. Mr. Speaker, this morning I began to write a letter to my daughters and future grandchildren to describe my feelings on this sad, yet historic day, and I wrote that I continue to be overwhelmed by the fact that this Congress and, as a result, the American people are being denied the right to vote on an action that would unify our country, censure.

To my majority colleagues, I implore them in the interests of fairness to stop the bitterness and rancor that currently controls Capitol Hill. As our country continues to polarize, I pray that Congress has not lost its ability to seek common ground, for if we have, it will affect our ability to solve problems for decades to come, and I would like to be able to tell my children so that they can tell their children that this body came to its senses and put aside partisanship in favor of statesmanship. Let us be remembered for allowing the will of the American people to be heard through a vote on censure. It is the only fair thing to do.

Ms. LOFGREN. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Speaker, I do not question anyone's motives. Both parties agree to some degree that the President broke the law. We disagree on the punishment.

Now some say the Constitution does not allow censure. I say the Constitution does not prohibit censure. The founders left it up to the elected Congress, not to unelected judges. Therefore, we are to work our political will.

Let me say this tonight. I believe precedents and history requires that we work our political will. The standard is high crimes. Did he break the law? Probably so. But what were those laws? No charges on Filegate, Travelgate, Whitewater, Chinagate, Vincent Foster. What did he touch? Where did he touch it? When did he touch it? Did he cover it up?

Does this offense warrant the death penalty? Make no mistake, impeachment is tantamount to the political element of capital punishment.

Mr. Speaker, an impeachable offense should be one that threatens liberty, not chastity. I advise the Congress to censure the President, who would be prosecuted after he completed his terms, rather than demean the status of high crimes.

Take politics out of that really. The President broke the law, we are sure of that, but I do not believe it requires the death penalty.

Mr. MCCOLLUM. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. CHRISTIANSEN).

Mr. CHRISTIANSEN. Mr. Speaker, last week my wife and I toured the CIA headquarters, and chiseled in the granite as we walked in the door are these words:

"You shall know the truth, and the truth shall set you free."

I believe that every woman is entitled to the truth in a sexual harassment lawsuit. The American people are entitled to the truth. We, the Congress, are entitled to the truth. Members of Congress told President Clinton, "Do not lie in your grand jury testimony or you will be impeached."

I support the articles of impeachment, not out of disrespect for President Clinton, but out of respect for our rule of law.

A constituent of mine from Omaha told me last week, "I wish it wasn't about sexual harassment, but the facts are he lied under oath, he covered it up for as long as he could, and he used his office to try and obstruct the work of the independent counsel and the rule of law." She went on to say, "We have men on death row that were sentenced based on the sworn testimony of witnesses, sworn testimony of the people who took an oath to tell the truth, the whole truth and nothing but the truth so help them God." Well, Mr. Speaker, this is the same oath that the President took raising his right hand, stating those sacred words in front of witnesses, a Federal judge and a grand jury. If the President does not honor those words, how can we assure that other witnesses will honor those words?

Some of my colleagues have said that we should not dumb down the impeachment process, but I say we should not dumb down the rule of law. The damage is done. The President cannot go back and he cannot change what has happened, and that is why we stand here today preparing to vote on the future of the most powerful man in the world, William Jefferson Clinton.

This is my last vote as a Member of Congress. I will not enjoy casting this vote. The President's behavior and his subsequent denials, false testimony and obstruction of justice have brought us to this point. Actions have consequences, and the consequences of the President's lies and obstructions these past many months must be for him to personally address his conduct before the United States Senate.

Mr. MCCOLLUM. Mr. Speaker, I yield 3 minutes to the gentleman from South Dakota (Mr. THUNE).

Mr. THUNE. Mr. Speaker, over the past several weeks I have agonized like most Members of Congress over the weight and the burden of the constitutional duty that is facing the United States House of Representatives. This is one of the most difficult decisions I have ever had to make in my career, and it is not a decision I enjoy making. However, after much study, much thought and much prayer, I have come to the following conclusion: Either we are a Nation of laws or we are not, and if we are, then those laws have to apply equally to all people.

Our Declaration of Independence says it best. We hold these truths to be self-evident, that all men are created equal. In America there is no emperor, and there is no Praetorian guard. There is one standard of justice that applies equally to all, and to say or do otherwise will undermine the most sacred of all Americans ideals.

President Clinton has committed federal crimes, and there must be a reckoning or no American shall ever again be prosecuted for those same crimes.

There is one other important issue I would like to address, and that is the

matter of trust. Lying to the American people is a betrayal of trust. All of us, including our public leaders, make mistakes. We are all subject to the same universal truth. We all fall short. To err is human, to forgive is divine. But to err repeatedly and willfully with impunity defies another universal truth, and that is the law of the harvest. In other words, one reaps what they sow, and the pattern of deception and dishonesty that acts as a body guard to this President strikes at the very core of his ability to lead. It is a matter of trust.

Those close to the President say he cannot admit to lying for legal, political and personal reasons. Fear of future prosecution and fear of political consequence gives explanation, albeit little excuse for his denials. However, it is the President's assertion that he cannot tell the truth for personal reasons that is most troubling.

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The President says he cannot tell the truth because he does not believe he lied, and yet even the President's most ardent defenders acknowledge he lied under oath.

If the President genuinely believes he is telling the truth, we are left with one of two equally miserable realities: Either the President chooses contempt and complete disregard for the truth, or his conscience is so diminished as to leave him unable to discern the truth from his lies. Both conclusions are ruinous to a constitutional republic, whose leaders must command the trust of those who lead.

Our constitutional government will stand the test of time, my friends, but only if we deal decisively with those who recklessly assault its foundations. Allegiance to our Constitution leaves us with no alternative but to vote in favor of impeaching the President.

Ms. LOFGREN. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. HALL).

Mr. HALL of Texas. Mr. Speaker, I rise in support of the articles of impeachment.

Mr. Speaker, in just a few hours I will join others in this chamber to cast one of the toughest and most momentous votes that a Member of the House of Representatives can be called upon to cast—a vote to impeach the President of the United States. This is an historic vote that is not easily cast—and I take no satisfaction in doing so.

I have always taken the position that I would not use any office of public trust to hurt anyone—and if I could not help them, I would pass it by. I know that this is a hurtful process, but in this vote I had to go back to the oath I took to uphold the law of the land. This I will do.

Having read the testimony, I will vote for articles of impeachment, for it is clear that the transcript shows that the President committed perjury. Perjury is a felony offense—regardless of the subject matter or the circumstances—and there is no asterisk in the law books that exempts a President.

I am sorry for the President and for our country. This is both a personal tragedy and a national tragedy. Blame has been cast in all directions—toward the President, the Office of the Independent Counsel, and the Congress. I have heard from thousands of Americans during the course of this debate via telephone, letters, faxes, and e-mail. In the final analysis, I had to evaluate the evidence for myself, listen to my constituents, and then call it as I see it.

We must now see this through to closure—for better or worse—and we must pull together as a nation after this is over. It will be difficult, but Americans have a great capacity to overcome difficult times. This issue has distracted us and divided us, and now we must come together and move ahead to address the many domestic and foreign issues that require our serious and undivided attention.

Mr. Speaker, it is a great honor to represent the Fourth District of Texas in this Chamber, and I have tried to do so to the best of my abilities. I am grateful to all those in my district who contacted me, and I hope they know that their views are important to me—whether they agree with my decision or not.

Ms. LOFGREN. Mr. Speaker, I yield 30 seconds to the gentleman from Massachusetts (Mr. DELAHUNT), a member of the Committee on the Judiciary.

Mr. DELAHUNT. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, I am particularly disturbed to hear speaker after speaker come here and speak to the issue of obstruction of justice and suborning of perjury. Let us listen to the testimony of the key witness, Monica Lewinsky, where she said clearly and unequivocally, "No one asked me to lie and no one promised me a job."

Listen to the evidence. Let us not make this a sham and a shambles. I beg you to listen to the evidence.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. JOHN).

Mr. JOHN. Mr. Speaker, I entered the House of Representatives two years ago, and the first act I took was the oath of office to uphold the Constitution. The matter now before us constitutes the most significant test of that oath.

At all times I have done my best to evaluate if the allegations against the President threatened our constitutional process. I have said repeatedly in my remarks, publicly, that I believe the President's actions were reprehensible and morally repugnant.

However, after much thought and deliberation over the past few months, I have concluded that the constitutional threshold of treason, bribery and high crimes and misdemeanors that our framers enumerated has not been reached in the situation to justify the removing of and the impeachment of President Clinton. I purposely refrained from this judgment because of this. I was one of only 31 Democrats who voted to go on with the inquiry.

Let me be clear, the President should be held accountable for his reckless actions. However, impeachment is not the punishment. Let us move on to the business of our Nation.

Mr. Speaker, the President's actions were reprehensible, morally repugnant and have brought shame upon the highest office in our Nation. I feel everyone in this Chamber shares this same sentiment. However, what we now disagree upon involves the most significant test to our oath of office—whereupon we have all sworn to uphold our sacred Constitution.

Mr. Speaker, our Nation and our Constitution face its most solemn hour since the House of Representatives last triggered an impeachment against the President of the United States some 130 years ago. While the times have certainly changed, the magnitude of a vote to remove the highest officer in our Nation has not.

We have learned from our past that impeachment cannot be guided by passion nor partisanship but by the facts, our laws, and our deep faith in the Constitution. For impeachment centers not on our political differences but instead must be determined by the constitutional standard of whether the President committed "treason, bribery, and other high crimes and misdemeanors."

Mindful of this, I have spent the better part of this year seeking to further understand what the Framers had in mind when they conceived this clause. As a result, I am convinced more than ever, Mr. Speaker, that the Framers' impeachment clause empowers Congress with the ability to protect our citizens against an executive branch that grossly abuses its power by turning the arm of government against its citizens.

In 1974, the Judiciary Committee recognized this fundamental "abuse of power" when they issued impeachable offenses against Richard Nixon that involved his use of the Internal Revenue Service, the Central Intelligence Agency, and the Federal Bureau of Investigation against the citizenry. At the same time, Mr. Speaker, the impeachment of President Andrew Johnson itself proved to be an "abuse of Congress' power" as Mr. Johnson was attacked more for his political convictions than his decision to oust a Cabinet member. Unfortunately, we now stand ready to drag our tired country through a protracted trial in the Senate for something which does not reach the threshold of an impeachable offense.

The President's conduct in concealing a personal sexual relationship certainly do not threaten our constitutional process nor pose a direct threat to our citizenry. I believe, Mr. Speaker, that a vote to lower the bar on what is an impeachable offense would do more in fact to undermine our democracy than advance it.

Let me be clear that I believe the President should be held accountable for his reckless acts, however impeachment is not the appropriate punishment in this instance. Consequently, I am greatly dismayed that the full House will not be given the same opportunity presented to the Judiciary Committee to consider alternative forms of punishment such as a censure motion and monetary fine. At a minimum, the Congress needs to make it clear to

the American people that telling the truth does matter, that the President's deeds will not go unpunished, and that he remains subject to prosecution in a court of law when he leaves office.

I know, Mr. Speaker, that I will ultimately have to answer to my constituents after my vote on this matter. However, I will do so with a clear conscience knowing that I did what I thought was right, just, and in the best interest of our country.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute and 20 seconds to the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELAZQUEZ. Mr. Speaker, I rise today not only in opposition to these impeachment articles, but to express my outrage and sadness over a process driven not by fairness, but by a small minority obsessed with impeachment. Instead of putting politics aside and coming together in a bipartisan manner to do what is right for our Nation, today we begin the final steps in a process that, from the start, has never been about fairness. Rather, it has been to accomplish a predetermined result, to impeach the President of the United States.

No one is disputing that what the President did was wrong and he should be held accountable. That is why an overwhelming majority on both sides of the aisle want to vote on censure. But we will not be given the opportunity to vote on that today. To bar this body from that option is inexcusable and it is outrageous.

The majority has said that they are simply voting their conscience. But what about the conscience of the American people, who overwhelmingly said that the President should not be impeached, but be censured? I ask myself, how did this body get to the point where the conscience of so many Members is so different from the conscience of the American people?

Ms. LOFGREN. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Mr. Speaker, I am asking as many that can to reject the idea of voting for articles of impeachment, because 25 years ago I had the opportunity to serve in this body when the question of impeachment was seriously taken up, in 1974, and I can tell you that we may use the type of language that sounds as though we are working within the Constitution, but this procedure is not on the level.

You cannot have a political procedure where Republicans line up on one side, like they are shooting fish in a barrel, and Democrats line up on the other side. We should not be talking about a Democratic President that for six years people have been trying to hound out of office. Even before this deal goes down, where you already have the votes, there are people asking the President to resign from office.

What has this President done to cause so much hatred, so much animosity? And for those of you that say this is not about sex, I agree with you: This is about getting rid of the President of the United States. Whether it is the FBI files, whether it is Whitewater, whether it is discussing something that Hillary has done, or whether it is Lewinsky, the whole idea is a lynch mob mentality that says this man has to go.

You say, well, we have to vote our conscience here. Who determines the conscience? What arrogance can the Republicans have in this body to determine what the punishment should be for the President of the United States? Who has found the language in our Constitution to dictate that you can take this wonderful instrument that allowed this republic to survive for so long, and twist it and bend it and say that we cannot have censure as an option to what you are trying to do to the President, to this Congress, and to the country? And what do you leave for the future, for the next Congress? What do you leave in terms of Social Security, reforming the tax system, trying to make Medicare better, trying to get campaign finance reform?

These are things that we refer to as bipartisan, working together, cooperation. You brought hatred to this floor. You can see it in the eyes, you can see it in the language, and people will walk lockstep and vote as Republicans and not as Members of the United States Congress.

Do you not think that as you keep talking about "no man is above the law," do you not understand that no Member here is above the will of the people of the United States of America? Do you not know they respect the fact when they go vote, whether they vote for Republican or vote for a Democrat, they vote for a President of the United States?

You have no right to get rid of him by saying "the rule of law," and then abuse the very rule of that law.

Mr. MCCOLLUM. Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky (Mr. BUNNING).

Mr. BUNNING. Mr. Speaker, I rise in support of the articles of impeachment.

Mr. Speaker, I rise in support of the Articles of Impeachment against President Clinton that have been recommended to the full House of Representatives by the Judiciary Committee.

By now, the charges against the President are known to everyone; perjury in a civil matter—the Paula Jones case; perjury before a criminal grand jury; obstruction of justice; and, abuse of the power of the office of the presidency. These are grave and serious charges against the President, felonies in any court of law in our nation. As many have pointed out in recent months, impeachment, and declaring war, are the most important matters that we in the House can ever consider.

We are here today to debate impeachment, and under our Constitution the House has the sole power to impeach a President. And I do think that it's important to keep in mind exactly what impeachment is. Voting to impeach the President is quite different from voting to remove him from office. If the House does impeach the President, it only means that we believe there is enough credible evidence to prove one or more of the charges against the President, and that the matter should then be sent on to the Senate. Then it is up to the other body to conduct a trial and to determine whether or not the President should be removed from office.

After studying this matter, I believe the evidence against the President is strong on all of the four counts that have been lodged against him. There is certainly enough in the testimony and material gathered together by the Judiciary Committee to make a compelling case against him.

Importantly, all during the Committee's deliberations, the President's defenders never even bothered to contest the evidence. They did make many other arguments against impeachment; the Independent Counsel, Ken Starr had engaged in a partisan witch hunt; the charges brought against the President did not rise to the level of "high crimes and misdemeanors" required by the Constitution to impeach the President; and, the process followed by the Judiciary Committee was not fair.

But, the essential evidence presented by the Committee to the House in support of the Articles of Impeachment have not been refuted. The President's supporters had numerous opportunities to knock down the facts during the Committee's deliberations, or to provide exculpatory evidence of their own that would have cleared the President and disproved the charges made against him. But, in nearly thirty hours of argument against impeachment before the Judiciary Committee, the President's defenders and lawyers were not able to dispel any of the damning evidence against him or provide anything new that would point toward his innocence.

The facts and the evidence stand unchallenged, and as such they strongly argue for impeachment.

When talking about impeachment, one of the principle arguments the President's supporters have often made is about poll numbers and the will of the people. They claim that since the President is popular among the American public and enjoys high poll numbers, he should not be impeached and should be left in office to complete his term.

It is true that the President is popular among Americans, and his poll numbers are strong. The public seems content and optimistic about the future, and they give the President a great deal of credit for the positive mood of our nation and our vibrant economy.

But, we are a nation of laws, not polls.

As elected representatives in a democracy, we as members of Congress do serve in large part to fulfill the will of the people. We have all been elected and reelected because we listened to the voters. But, the matter before the House today is not simply a question of popular opinion; it is instead a question of constitutional duty.

Each member of Congress takes an oath and swears to uphold the Constitution when they take office. They do not swear to uphold the public opinion of the moment, or swear to

follow the most current fad. We all swore to uphold the fundamental principles that over the past two centuries have helped make America the greatest nation on Earth.

When the Constitution grants the power to impeach the President to the House of Representatives, there is no additional clause in the text that reads "only in times of high poll numbers" or "in times of low public esteem." The question before us today is one we must address without concern for politics or popularity. Of course we must listen to the people, but being a public servant does not mean that we use none of our own judgment or ignore the duties we swore to uphold. Impeachment and other grave matters are not to be decided like popularity contests or beauty pageants.

Mr. Speaker, I will close by saying that I believe no one here today takes any joy in this process or in the votes we are going to cast soon. The past eleven months have hurt our nation and we need to begin to heal. But we cannot ignore our constitutional duty, and we cannot turn away from hard decisions. With a heavy heart, I will vote to impeach President Clinton.

Mr. McCOLLUM. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. BUYER), a member of the Committee on the Judiciary.

Mr. BUYER. Mr. Speaker, these issues about whether Ms. Lewinsky, in her statement, the President never explicitly told her to lie, the President and Ms. Lewinsky did have a scheme to mislead and deceive the court through the use of cover stories and the proffer of a false affidavit.

Why? Because Judge Susan Weber Wright in the sexual harassment lawsuit said that they could get into the evidence of his past sexual behavior. You see, Ms. Lewinsky's statements that no one told her to lie are not dispositive as to whether the President is guilty of obstruction.

One need not directly command another to lie in order to be guilty of obstruction. One who proposes to another that the other lie in a judicial proceeding is guilty of obstructing justice. The statute prohibits elliptical suggestions as much as it does direct commands.

Indeed, the facts cannot be taken in a vacuum. They must be examined in their proper context over the distance of the evidence.

While Ms. Lewinsky and the President both testified "I never asked her to lie" and "he never asked me to lie," the circumstantial evidence is overwhelming. The statement was not necessary, because they concocted the cover story and they both understood the willful intent to conceal their relationship in order to impede justice in the Jones versus Clinton case.

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

Mr. Speaker, I simply want to express concern over the gentleman from New York's statement that there was hatred over here on our side of the aisle with regard to the President. That is just not really true, in all honesty and sincerity.

We have had Members who have agonized over the questions that are before us today. I have personally talked with Members who have made their decisions only in the last few days after they have gone over the record who really truly did not want to impeach this President and have no hatred at all. It is an objective concern that perjury and obstruction of justice and the crimes are so overwhelming this President committed that they made that decision.

Mr. Speaker, I yield two minutes to the gentleman from Montana (Mr. HILL).

Mr. HILL. Mr. Speaker, this is an extraordinarily solemn occasion. We are here today to consider serious and consequential questions. On three occasions the President of the United States placed his left hand on a Bible, raised his right hand, and swore to an oath to tell the truth, the whole truth and nothing but the truth. In today's debate, even the defenders of the President accept the fact that the President violated that oath in lying in a deposition in a Federal civil rights case, before a grand jury, and his sworn testimony before the Congress.

On two other occasions, the President placed one hand on a Bible, raised the other, and swore to faithfully execute the office of the President of the United States, and to the best of his ability preserve, protect and defend the Constitution of the United States. The President's conduct, lying under oath, obstructing justice, tampering with the witnesses, abusing power, in my view represents a violation of that oath as well.

The fact is the President sought to undermine the civil rights of a United States citizen, denying that citizen due process of law and her rights to equal protection under the law. These are undisputed facts.

If there is no consequence for the violation of an oath, then why have an oath? In violating his oath before the courts and the Congress, the President is guilty of perjury, a felony, a high crime; and in violating his oath of office, I believe the President has sacrificed his right to hold office. If the President conspired to undermine the constitutional rights of a single citizen, that act erodes the constitutional rights of every citizen.

It is a tragic situation, but, like most tragic situations, responsibilities lie not at the feet of others. It does not lie at the feet of Paula Jones or Monica Lewinsky or Kathleen Willey or Judge Starr or Majority Counsel Schippers or Majority Whip DELAY or Speaker GINGRICH or Speaker elect LIVINGSTON or Chairman HYDE. The responsibility lies at the feet of William Jefferson Clinton, and so must the accountability and so must the consequences.

For that reason, I will cast my vote "yes" on at least three of the articles of impeachment.

Mr. McCOLLUM. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, several people on the minority side have risen today and quoted the scripture, "Judge not, that you not be judged."

Careful reading of this scripture makes it quite clear that the message is not that we should never judge or exercise judgment. Most scholars interpret this verse of scripture to mean that we should not condemn others for their faults and that we should forgive those who offend us.

It has never been proposed by any reasonable person that this verse of scripture asserts that we are to let criminals go free or that our laws should not be upheld.

Bill Clinton is not being judged by the Members here as much as he is being judged by the law itself. The preamble to the Constitution tells us that the Constitution was created for, among other reasons, to establish justice. To blithely forgive or ignore these offenses is to make a mockery of justice.

Our laws state that to lie under oath, to encourage others to provide false testimony or to conspire to conceal evidence is a felony punishable by imprisonment.

Indeed, the committee took testimony from two individuals who lied about sex before a grand jury. One received house arrest, the other actually went to jail. Every year in America, people go to jail for committing perjury.

The Democrats wrote the statute creating the office of the Independent Counsel and Janet Reno authorized the expansion of the investigation into the matters before us. The findings indicate felony offenses that could send the average American to jail.

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President Clinton, when he signed the reauthorization of the Independent Counsel Act in 1993 said that the act would "guarantee the integrity of public officials and ensure that no one is above the law." To ensure that no one is above the law, the resolution must be approved and sent to the Senate for trial.

Ms. LOFGREN. Mr. Speaker, I yield 15 seconds to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Speaker, I thank the gentlewoman for yielding. In response to my friend, the gentleman from Indiana (Mr. BUYER), let the Record be clear. When Monica Lewinsky was confronted by Ken Starr in her proffer, she clearly and unequivocally stated that neither the President nor anyone in her behalf ever

asked her to lie, and that is the evidence.

Ms. LOFGREN. Mr. Speaker, I yield 15 seconds to the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Speaker, just for the Record, Judge Webber Wright ruled on 3 separate occasions that the Lewinsky matter was not relevant to the core legal issues in the Paula Jones case; 3 separate rulings, not material to the core underlying legal issues.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. NEAL).

Mr. NEAL of Massachusetts. Mr. Speaker, while we grapple with this issue tonight, we are all a bit uncertain about what this is all about, but we know what it is not about. It is not Watergate, it is certainly not Iran-Contra, and astonishingly enough, after the expenditure of $56 million and an investigation that has gone on longer than the Civil War, it is not about Whitewater.

Contrast the way the Republican leadership has handled this issue with the way Tip O'Neill handled Iran-Contra, when he decided never to put the Nation through a trial when he knew Ronald Reagan would never be removed from office.

What we have seen in this Congress really is the occurrence of 2 things: One, the rise of the Intimidator Caucus on the Republican side where they have intimidated moderate Republicans into voting for this impeachment proceeding. Secondly, we ask ourselves tonight, whatever happened to moderate Republicans?

Ms. LOFGREN. Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. CLYBURN).

Mr. CLYBURN. Mr. Speaker, let me begin by associating myself with the statement made earlier today by the gentleman from Illinois (Mr. JACKSON).

Mr. Speaker, my decision to vote against the resolution to impeach President Clinton is grounded in the words of the Constitution itself. According to the Constitution, a President is to be impeached for treason, bribery, or other high crimes and misdemeanors. Nowhere in the Constitution does it say any or all crimes and misdemeanors.

In November, the gentleman from Virginia (Mr. SCOTT) specifically asked a panel of historians and constitutional scholars appearing before the committee, "Does the phrase 'bribery, treason and other high crimes and misdemeanors' cover all felonies?" These scholars unanimously answered with a resounding no.

It follows from their answers and from the very words of the Constitution, Mr. Speaker, that a President can be guilty of a felony and still not be impeachable. So the real question then is, what felonies fall under the phrase, "high crimes and misdemeanors"? I do not know. And as of today, none of us in this body knows. But we do know one thing. When this question came before the House in 1973 during the impeachment proceedings against President Richard Nixon, the answer was that lying under oath is not one of them. The Committee on the Judiciary concluded by a better than 2-to-1 bipartisan vote the charges against President Nixon for lying on his income taxes to the tune of $500,000 were not impeachable.

It follows, then, that if we obey the dictates of the Constitution, if we accept the testimony of experts, and if we follow the precedent of this body, we must vote against impeachment. A vote for impeachment flies in the face of history, ignores constitutional standards, and significantly lowers the bar for future impeachment proceedings.

Ms. LOFGREN. Mr. Speaker, I yield 1½ minutes to the gentleman from Tennessee (Mr. TANNER).

Mr. TANNER. Mr. Speaker, many Members have spoken from the heart and out of their conscience on either side of this issue today, and I want to talk about the procedure, because I am deeply troubled by the procedure that we are following here today on the House floor.

This has been a very divisive issue in our country about what should be done. People of just as good will as any of us in this room, people who have the same purity of motive that we all claim for ourselves in this room, people who have the intellectual honesty that we all claim for ourselves, and who have exercised that, and people who are just as patriotic as any one of us, have reached a different conclusion in the country about what should be done.

Now, we are not being allowed a vote on censure tonight. Let me read in the Constitution what it says: "Judgment in cases of impeachment shall not extend further than to removal from office," et cetera. It says nothing about censure; it says nothing about prohibiting it. And what troubles me is that there are millions of Americans of goodwill, purity of motive, intellectual honesty that have expressed their view that censure is an appropriate remedy, and those voices are not being allowed to be cast tonight by a vote of their member, and that is just plain unfair.

If the shoe were on the other foot, and we had a motion to only censure and not impeachment, you would be right to scream that that is unfair, and I would agree with you.

Mr. McCOLLUM. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. HILLEARY).

Mr. HILLEARY. Mr. Speaker, I rise in support of these articles of impeachment.

Mr. Speaker, I come to the well today with no joy in my heart over what this House is about to do.

Throughout my time that I have been honored to serve the people of the Fourth Congressional District of Tennessee, this is, by far, the most important vote I've had to cast.

This vote goes to the very heart of the oath of office I swore to uphold when I took my seat in this body—an oath that said "I, VAN HILLEARY, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic."

I did not swear to defend the Constitution of the United States only when it was popular. I did not swear to defend the Constitution of the United States only when doing so was running ahead in the polls.

I swore to defend it whenever it was under attack—when it was popular and when it was not.

This has been a difficult decision for me. It is well known that I am no fan of President Clinton's ideological beliefs. I have serious differences with him on a broad number of issues. In fact, it was these differences that spurred me to run for this office in the first place—to try to change the direction where he was leading this country.

But those are political differences, differences that are settled in the democratic way which is the heritage of our great country. It is a heritage that has endured for more than 200 years because when our great Nation was founded, we agreed to a government based upon the rule of law and not the rule of men.

I, like all of my colleagues here today and all of those who have preceded us in serving our nation in government service, are but temporary caretakers of the people's trust. Because of the work of those who came before us, we remain a government of laws and not men today.

God willing, when I leave this office and turn it over to the next generation of leaders, this country will still be a nation of laws and not men.

I have had to set aside my differences with the President's policies. I have had to struggle with myself to ensure that I am basing my decision on the facts of the case.

What are the facts of the case?

The President was involved in a civil case in which the U.S. Supreme Court unanimously ruled that he was to be held to the same standard as everyone else in the country and must respond to the suit in a court of law while he was in office. The court ruled that the President is not above the law, but subject to it like everyone else in the country.

During that case, President Clinton's testimony was requested. The President had the right to enforce his 5th Amendment right not to testify if it would incriminate him. However, he chose to provide testimony. And when he testified, he swore "to tell the truth, the whole truth and nothing but the truth." That oath did not say he was allowed to tell part or half of the truth. That oath did not say he was allowed to tell the truth only when convenient. That oath did not say he was allowed to tell only that part of the truth which would not be personally embarrassing.

The oath was "to tell the truth, the whole truth and nothing but the truth."

The Judiciary Committee report clearly lays out the facts of the case that President William

Jefferson Clinton broke or ignored this oath when he gave his sworn deposition last January, when he gave sworn testimony before a federal grand jury in August, and when he gave sworn answers to the questions of the Judiciary Committee last month.

The case is clear that President Clinton broke the law.

Now we must ask ourselves, "Can we ignore his crimes?"

I believe that we would be setting a very bad and extremely dangerous precedent if we ignore it. We would be saying that as long as a president is popular, he can commit major crimes, undermine our shared legal system and remain in office using the vast powers of the Presidency. In effect, we would be saying that the President is above the law. We would be a nation of laws with a leader who could break the laws.

Some of my colleagues on the other side of the aisle have argued that the President's offenses do not rise to the level of the high crimes and misdemeanors outlined by our Founding Fathers. They say that any crimes which are committed must be committed against the State before an impeachable offense takes place.

Mr. Speaker, I am here to say that lying under oath in a civil case is a crime against the State. Lying under oath to a federal grand jury is a crime against the State. Obstructing justice and tampering with witnesses are crimes against the State. Lying to Congress by submitting false answers to the Judiciary Committee's 81 questions is a crime against the State. These crimes undermine our entire system of justice, which will crumble into ruins if we allow people to lie after they have sworn to tell the truth, the whole truth and nothing but the truth.

Contrary to what many of my friends on the other side of the aisle claim, the framers did consider perjury an impeachable offense. The term impeachment comes directly from English law, and the framers of our Constitution used the exact same definition as found in Blackstone's English treatise when they used the phrase "high crimes and misdemeanors." Yet, Blackstone was even more exact in his definition by listing 22 specific offenses that constituted "high crimes." False testimony under oath to a civil or criminal prosecution was one such offense.

It would also be very dangerous if our laws would only apply according to the whims of popular support.

The Constitution and the rule of law for the foundation of our country. Simply because things are going well now is no reason to undermine this foundation. Because we need this foundation to be strong during times of crisis—when things are not going well.

We will have future crises that our nation must weather. We will have times that our economy turns downward, sometimes severely. We will have times of violent domestic unrest.

We need the foundation of our country to be strong if we are to weather those rough times. It is our Constitution and rule of law which separates us as a democracy and beacon of light in the world from a dictatorship.

The truth is the truth. It is not subject to a popularity poll. The truth must be upheld in our country. A President who cannot tell the truth and respect the rule of law cannot be allowed to continue in office. The President should have resigned his office long ago, but he has refused to do so. That is why I will vote for the articles of impeachment against President William Jefferson Clinton.

I urge all my colleagues to support these articles of impeachment.

Mr. MCCOLLUM. Mr. Speaker, I yield 30 seconds to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Speaker, I was not planning to address the body at this time, but a colleague just impugned the moderates who have decided not to vote their way, as if we are somehow being pressured. I would challenge anyone on this floor to name the moderates who have come to you and said, we have been pressured. I, for one, and my colleagues I have spoken to have said this is a vote of conscience and respect our vote of conscience as much as you are asking us to respect yours.

I think it is outrageous that my colleagues on the other side use a political maneuver to impugn our integrity just because they do not agree with the consideration that we have given.

Mr. MCCOLLUM. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. NORWOOD).

Mr. NORWOOD. Mr. Speaker, I am going to vote for articles of impeachment. Now, I do not like that. I am not happy about that. In fact, I am deeply saddened by that. I did not come here to impeach Bill Clinton or any other President, as I imagine most of my colleagues did not. So maybe we might take one other look at one other consideration in these last hours.

Mr. Speaker, if you would allow me to quote President Clinton: "There is no question that an admission of making false statements to government officials and interfering with the FBI is an impeachable offense." President Clinton went on to say, "If a President of the United States ever lied to the American people, he should resign."

Mr. Clinton was more than willing to apply these standards to a Republican President in 1974, as was the Democratic majority on a substantial portion of the then Republican minority. Mr. Clinton was correct in 1974. Why was he correct?

Consider the questions and answers of recent months: The question, "Did you have sexual relations with Monica Lewinsky?" And the answer, and I quote: "You are free to infer that my testimony is that I did not have sexual relations, as I understood this term to be defined." We now know the truth, but only because of a blue dress that says he lied.

Consider the question and the answer: "Did you authorize the transfer of missile technology to the Red Chinese Army in exchange for campaign contributions?" The answer: "No one can prove there was a quid pro quo."

Consider this question and the answer: "Did you order air strikes against Iraq to influence these impeachment hearings?" And the answer, and I quote: "I don't believe any serious person would believe that Secretary Cohen, General Shelton and the whole rest of the national security team would participate in such an action."

Do we have answers here that we or the world can trust? We cannot tell when the President is telling the truth, and unfortunately, he cannot tell when he is lying. And that leads to a tremendous loss of trust. And when that person involved in that is the most powerful person in the world, it is dangerous.

Mr. Speaker, let us today bequeath to future generations that the laws of this land apply equally to all, rich and poor, regardless of party affiliation or ideology. Let this House today hold Mr. Clinton to his own standards, the ones that he said that if you lie to the American people, a President should resign.

Mr. President, please do what is right. Do not do this to America. Do not do this to your fellow countrymen. Do not do this to Congress, because as sure as the world, we are going to have a trial in the Senate. Resign today for a very good reason, because it is the right thing to do.

Mr. Speaker, today we debate that which the Framers of the Constitution failed to define—the nature of impeachable offenses.

Some argue against the precedent established during Watergate. They claim that impeachable offenses must include a direct violation of the Constitution itself. However, the Founders did not state that position. They instead left the definition up to future Congresses, based on the particulars of the case.

Only the most partisan supporters of the President still deny that Mr. Clinton lied under oath. The majority of the Members of this House, and the American public at large, believe that Mr. Clinton lied under oath to a grand jury in a Federal civil rights lawsuit, lied under oath to the Independent Counsel, lied under oath to the House Judiciary Committee, and lied on national television to the American people.

The only question left is: should that be an impeachable offense, and why? Let us address the issue.

If the President had initially, and without qualification, simply denied his improper relationship with a government employee; then later confessed his perjury when physical evidence revealed the deception, we might not be having this debate.

Many people can show mercy to someone who made a horrible mistake in judgment, and didn't want it plastered across the front page of every newspaper in the country, and then made a second horrible mistake by lying to cover up the first.

But what deeply troubles so many people around the country is the nature and degree of the President's deception.

He continues to deny not only the specifics of this case, but the very nature of truth itself.

He has said he misled us all, yet he says he wasn't lying. At other times, he has said he lied, but he didn't commit perjury.

He admits he had sexual relations, but insists he was telling the truth when he said he didn't.

There has been speculation among members of this body in recent days that if the President would just confess to perjury, that we should drop these impeachment proceedings, issue a formal censure, and let the matter drop.

While I disagree with this proposal, I fully empathize with the sentiments behind it. Members of this body, myself included, do not want to impeach Mr. Clinton or any President. We are grasping for plausible reasons to vote against impeachment—and we aren't finding any.

For what really troubles the majority of this House is that the President doesn't recognize the truth. For many members, if they were only assured that Mr. Clinton was capable of knowing when he was or wasn't lying, they would be willing to let him off the hook.

They beg him: admit to perjury, perjury that even a child can recognize. We'll forgive your indiscretion, and give you a second chance to earn the trust of the nation. They do that because we must have assurances as to whether we can reasonably expect the President to tell the truth after this is over.

For he remains incapable of recognizing that he lied under oath to begin with.

The President has established a principle in his mind that the truth is a technicality, dependent on wording.

He has held throughout his testimony that if he convinces himself that he is telling the truth, it doesn't matter if he lies. If he carefully couches his statement in semantic deceptions, and then buries the issue with the White House "spin machine", the truth has been served.

Consider the questions and answers of recent months: Did you have sexual relations with Monica Lewinsky? Answer: Not yes or no, but "You are free to infer that my testimony is that I did not have sexual relations, as I understood this term to be defined."

We now know the truth, but only because of a blue dress that says he lied. He still doesn't recognize that he lied under oath.

Why is it essential for a President to recognize the truth?

Consider this question and answer, also from recent months: Did you authorize the transfer of missile technology to the Red Chinese Army in exchange for campaign contributions? Answer: Once again, not yes or no, but "No one can prove there was a quid pro quo of missile technology for cash."

Why not a simple yes or no? Could it be for the same reasons as in this case before us today? How can we know? Is the President lying through semantic contortions again, with life-and-death consequences for millions of Americans, and perhaps even the continued survival of our Nation at stake?

The truth is, we don't know, and we can't know, because there is no blue dress.

Consider this question and answer, from just yesterday: Did you order air strikes against Iraq to influence these impeachment hearings? Answer: "I don't believe any serious person would believe that Secretary Cohen, General Shelton, and the whole rest of the national security team would participate in such an action."

We're not concerned with the motives of the national security team; we're concerned with the motives of the President, and once again, do we have an answer that we, or the world, can trust?

These are the reasons the Founders left it to us to define impeachable offenses. Is perjury in a civil lawsuit grounds for impeachment? It depends on the particulars of the case.

This case clearly exhibits that this President cannot be entrusted with the security or well-being of the United States, evidenced by his inherent inability to acknowledge the existence of truth, even under oath in a federal court.

Would we allow a person with this proven inability to serve as Chief of Staff to our Armed Forces? Absolutely not. Then how can we tolerate it in a Commander-in-Chief? If we cannot trust Mr. Clinton as Commander-in-Chief, he can no longer perform the duties necessary as President.

Mr. Speaker, fellow Members of the House, we need to forget parties and loyalties, and vote for the future and safety of the Republic. The Founders left us this discretion for the very reasons we face today.

In conclusion let me quote the President once more, but this time from 1974, when the nation was last going through this agony.

"There is no question that an admission of making false statements to government officials and interfering with the FBI is an impeachable offense. If a President of the United States ever lied to the American people, HE SHOULD RESIGN."

Mr. President, do not put America through this, do not put your countrymen through this, do not put this Congress through this ordeal. Heed your own words and resign, because it is the right thing to do.

My fellow members, we must do the right thing as well, because it is our duty. We must ensure that this ordeal is never repeated by a future President who is led to believe by our actions that they can repeat these offenses and get away with it.

Vote for a full trial in the Senate. Do your duty.

Mr. McCOLLUM. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. PORTER).

Mr. PORTER. Mr. Speaker, I rise in support of the first, second and third articles of the resolution.

Mr. Speaker, let me first commend my longtime friend and colleague, the gentleman from Illinois (Mr. HYDE) for his remarks. His words brought tears to my eyes and moved me as no words I have heard in my 25 years of legislative service. I thank him for reminding us all of the defining principles that form the bedrock of our free society and our system of government under the rule of law.

Now, regarding our fighting men and women in the Gulf and the timing of this debate, I say to my colleagues, there was a large protest rally against impeachment on the West Front of the Capitol yesterday afternoon. Many of the members of the minority party attended and spoke at that rally. It was the right of all to attend and to raise their voices.

No one would suggest that the exercise of democracy outside this Chamber denigrated the men and women of our Armed Forces in combat in the Persian Gulf. But neither does this exercise of democracy inside this Chamber show disrespect for them.

□ 1930

Indeed, the processes of democracy and our freedoms are exactly what they are fighting to preserve.

Mr. Speaker, the President has undermined the rule of law in a manner that warrants his impeachment by the House. Early on I suggested censure might be a way to avoid reaching the point we have reached today, but whatever opportunity existed to redress this matter by alternative means was lost as a result of the President's own conduct.

By persisting in his efforts to avoid or minimize consequences for his action, rather than to admit to the country that he lied in a court of law and attempted to obstruct justice, he has moved us beyond the point where a strong and meaningful censure could be considered as a way to resolve this matter.

Tragically, the President sends the American people the constant message that he believes himself to be above the law. That is a message that a society founded on the rule of law cannot tolerate.

Passage of this resolution will put to the Senate the question of whether this President's conduct warrants his conviction, and if so, his removal from office. No one had hoped more than I to avoid this trauma. There can be no question that we are witnessing an American tragedy, a tragedy for the President, a tragedy for our country.

It is with a heavy heart, but with confidence that my votes are right, that I will vote in favor of the first three articles of impeachment.

Ms. LOFGREN. Mr. Speaker, I yield 15 seconds to the gentlewoman from Texas (Ms. SHEILA JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, we only want a fair shake at being able to convince our good friends about our case on the President.

I do not know if the gentleman from California would tell us if he has been able to see private showings of nonrelevant material in the secured room to influence their votes, and whether or not we have been given the same opportunity. We do not mean they have been beaten, but we want to know whether or not the moderates have seen that. We have not had the opportunity to share the information that we have that suggests the President should not be impeached. This should be a fair process, Mr. Speaker.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. DOYLE).

Mr. DOYLE. Mr. Speaker, I rise to address these articles of impeachment and the magnitude of what our actions today portend, not only for the office of the presidency and the institutional integrity of the House, but for the well-being of our country.

In my estimation, while the President's misconduct in this matter is both reprehensible and indefensible, it does not rise to the threshold of impeachable offenses, as drafted by our Founding Fathers.

Without question, the impeachment provisions of the Constitution were drafted in word and spirit to provide recourse for crimes committed against the State. Treason, bribery, or other high crimes and misdemeanors cannot be indicated with the allegations outlined in the Starr referral. We must not allow the historical context and inherent meaning of the Constitution to be subsumed by political passion and rhetoric.

This is not to say that the President's misconduct does not deserve condemnation. It does. Thus, I am profoundly disappointed that the Republican leadership has thwarted consideration of a formal censure of the President.

Mr. Speaker, for all of the above reasons, I urge my colleagues to vote no on the articles of impeachment, and instead, support a strong and severe censure.

Mr. Speaker, I rise to address these articles of impeachment, and the magnitude of what our actions today portend not only for the office of the Presidency and the institutional integrity of the House of Representatives, but for the well-being of our country.

As with any serious matter, it is of the utmost importance to avail oneself of all available information before reaching a conclusion. Accordingly, I did not arrive at a final determination on the articles of impeachment until I had the opportunity to thoroughly review the Judiciary Committee's final report. In my estimation, while the President's misconduct in this matter involving an adulterous affair is both reprehensible and flat-out wrong, it does not rise to the threshold of impeachable offenses as drafted by our Founding Fathers.

Without question, the impeachment provisions of the Constitution were drafted in word and spirit to provide recourse for crimes committed against the state. Treason, bribery, or other high crimes and misdemeanors can not be equated with the allegations outlined in the Starr referral and presented in the Majority's views contained within the Judiciary Committee's final report. We must not allow the historical context and inherent meaning of the Constitution to be subsumed by political passion and rhetoric, or subordinate the office of the Presidency to the whims of Congress.

This is not to say that the President's misconduct does not deserve condemnation. It does. Thus, I am profoundly disappointed that the Republican Leadership has thwarted consideration of a formal censure of the President. By doing so, the Leadership is effectively preventing members from having an opportunity to vote their conscience on what will likely be the most significant decision during their public service in the U.S. House of Representatives. To not be afforded the opportunity to consider a censure motion shifts the focus from appropriate punishment of the President to inflicting unwarranted distress on the entire country. In my view, our actions should not result in further upheaval for the American people, but should bring about prompt resolution of the matter.

I hold an enormous amount of respect for the institutional integrity of the House of Representatives, but seriously have to question what precedent today's pending vote will set for the tenor of the 106th session of Congress. While the 104th Congress was often marked by deep philosophical divides and the 105th for missed opportunities for compromise on social security and HMO reform, one must consider the shadow that will be cast on the potential for progress in the 106th Congress if we proceed further with the process of impeachment.

As members of Congress we should be working to build consensus and solve problems, not to encourage divisiveness and apathy. If the House does approve these articles of impeachment, it is my belief that we will be doing a disservice to the office of the Presidency, the House of Representatives, and the country—not only in the short-term, but for many years to come.

For all of the above reasons, I urge my colleagues on both sides of the aisle to vote no on all articles of impeachment, and to instead support a strong and severe censure resolution.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I have not, to this point, formally announced how I would vote on the four articles of impeachment. In reaching my decision, I have weighed not only my constitutional duty and this President's fate, but I have weighed what vote is the right vote for the United States. I have concluded that this president can and should continue in office for the remainder of his elected term.

In this famous passage in the Federalist 65, Alexander Hamilton, who has been quoted many times today, who founded the town I am from, Patterson, New Jersey, I am a patriot, too, Hamilton stated that a partisan impeachment "threatened to agitate the passions of the whole community . . . to divide it into parties . . . to connect itself with preexisting factions . . . and to enlist their animosities, their partialities, their influence and interest."

Ironically, our colleague on the other side, the gentleman from Georgia (Mr. LINDER) echoed Hamilton's warnings a few months ago when he said, and please remember what he said, one party cannot impeach the other party's president. He said it, Members heard it. I ask them not to do what they are going to do.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS of New York. Mr. Speaker, when I won a special election in February, little did I expect that 10 months later I would have to cast a vote that was certain to become one of the most important in my life.

I intend to vote against each of these articles of impeachment. My reasons are neither partisan, nor do they reflect my distaste and dissatisfaction with the President's behavior. Instead, my votes are a protest against an unfair process.

The inequities of the impeachment process have been glaring. The Republicans started with Whitewater, and they found nothing. Ken Starr then went to Travelgate, he found nothing. He looked at Filegate, he found nothing. Mr. Starr never made statements. He never released documents.

In fact, he made no effort to publicly admit to the lack of evidence against the President. Instead, he developed relationships with the Jones legal team, and withheld this information from the Justice Department. Rather than disclosing this bias to the proper parties, Mr. Starr was now working in cahoots with Jones, Linda Tripp, and others to set up the President.

What we are doing here is not a prosecution, it is a persecution. Indeed, it is a political lynching. The Republicans have had no agenda for over a year, and with this act today, they are signaling they have no agenda for the future, rather than working together in a bipartisan manner on issues. The people want censure and move on.

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

Mr. GOODLATTE. Mr. Speaker, it is a somber day as we consider articles of impeachment against the President of the United States. As the chief law enforcement officer of the Nation, it is incumbent upon the President to uphold the laws and remain faithful to the Constitution.

The question before the Congress is whether the President intentionally misled our judicial system and the American people as part of a calculated, ongoing effort to conceal the facts and the truth, and to deny an average citizen her day in court in a sexual harassment lawsuit.

Did the President betray the public trust by perjuring himself before a Federal grand jury and obstructing justice? Virtually every public official in America, including our Nation's Governors and virtually everyone in private employment, would lose their job if they committed perjury or obstructed justice. In fact, many already

have. The Committee on the Judiciary heard from average Americans who have suffered these consequences and even incarceration because they committed perjury.

Millions of law-abiding Americans from all walks of life, including my constituents, put in an honest day's work, follow the rules, and struggle to teach their children respect for the law and the importance of integrity.

When a factory worker or a doctor or a retiree breaks the law, they do so with the knowledge that they are not above the law. This same principle must also apply to the most powerful in our Nation, including the President of the United States. To lose this principle devastates a legacy entrusted to us by our Founding Fathers, and protected for us by generations of Americans.

Articles I and II deal with perjury before a Federal grand jury and in a civil deposition before a Federal judge. I would like to particularly call to the attention of the Members Article III dealing with obstruction of justice.

The evidence shows that the President corruptly encouraged a witness in a Federal civil rights action to execute a sworn affidavit in that proceeding that he knew to be perjurious, false, and misleading.

The evidence shows that the President corruptly encouraged a witness to give perjurious, false, and misleading testimony if and when called to testify personally in that proceeding.

The evidence shows that the President corruptly engaged in and encouraged or supported a scheme to conceal evidence. The evidence shows that the President corruptly prevented the truthful testimony of a witness in that proceeding at a time when the truthful testimony of that witness would have been harmful to him. And the evidence shows that the President corruptly allowed his attorney to make false and misleading statements to a Federal judge.

I have a constitutional duty to follow the truth wherever it leads. The truth in this case leads me to believe that the President knowingly engaged in a calculated pattern of lies, deceit, and delay in order to mislead the American people, impede the search for truth, deny the right of his accuser to have her day in court, and protect himself from criminal prosecution. Therefore, I have no alternative but to support articles of impeachment against President Clinton.

Mr. Speaker, we must ask ourselves what the President's failure to uphold the rule of law says to the Nation, and most especially to our children, who must trust us to leave them a civilized Nation where justice is respected. It is for them and for their future that we must act today.

Ms. LOFGREN. Mr. Speaker, I yield such time as he may consume to the gentleman from Alabama (Mr. HILLIARD).

Mr. HILLIARD. Mr. Speaker. I rise to oppose the Articles of Impeachment against the President of the United States.

The acts in which President Clinton engaged with Miss Lewinsky may have been morally wrong, but they were not illegal.

Whatever occurred between the President and Miss Lewinsky, the facts are uncontested and indisputable—there was no penetration of her sexual organ by his sexual organ—therefore, there was no sexual intercourse. When the President said that he did not have sex with that woman—he did not lie. President Clinton, along with other southerners, commonly defines sex or sexual relations as sexual intercourse or coitus. He did not lie because he did not have sexual intercourse with Miss Lewinsky. Consequently, there is no legal basis for perjury, and certainly no basis for impeachment.

I am grounded in Christian values and have been, from the age of one, involved in my church in various capacities, such as Sunday school teacher, Chairman of the Trustee Board, and a Deacon. I have learned and have been taught that if one sins, only God can forgive him. Sin is breaking God's laws as set out in the Ten Commandments. These laws pertain to morality, not legality. Because I am not a God, I am not in a position to judge the President. I leave that task to be dealt with by him and his God.

I strongly feel that these impeachment proceedings, from the beginning, have been too partisan to be objective. Feelings of hatred for President Clinton have been evident since Independent Counsel Starr was appointed to investigate matters totally unrelated to any of the alleged acts which are the basis of these proceedings. This is a political persecution of a President based on his views and his level of success as a President. I feel that the atmosphere the Republicans have tried to create has been solely for the purpose of pressuring the President to resign. This cannot be condoned nor tolerated by me or any other Member of Congress! We should never let a party use its numbers, power, or influence to hound a popularly elected president out of office.

I truly believe that history will support the fact that President Clinton's alleged acts did not rise to the level of impeachable offenses as contemplated by the Founding Fathers. We are to protect the integrity of the Constitution at all times and in all ways—no matter how distasteful or messy a situation gets. I feel that in this instance the Republicans have used Kenneth Starr, their numbers and power in the House and Senate, and influence in the media to create a so-called Constitutional crisis. They have tried to make the President less effective in carrying out his duties and have tried to defeat him in Congress, through these impeachment proceedings. This is nothing more than an attempt to do in Congress what they could not do at the ballot box. Therefore, I adamantly oppose the articles of impeachment against the President of the United States and will vote against each and every one.

Ms. LOFGREN. Mr. Speaker, I yield 15 seconds to the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Speaker, to go back to the last speaker, let me refer to Monica Lewinsky's grand jury testimony: "No one asked me to lie, no one offered me a job for my silence."

You do not impeach a president because of guesswork, or inferences, or what he might have said, what he could have said, who might have said something. That is the evidence. You do not impeach a president based on this lack of evidence.

Ms. LOFGREN. Mr. Speaker, I yield 15 seconds to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, again, referring to the last gentleman, repeatedly saying an untruth does not make it true.

I will remind the gentleman, the judge ruled that the Monica Lewinsky affair was not material to the Paula Jones case, and the President consequently did not deny her her day in court. Every prosecutor who came before the committee said there was not sufficient evidence for any of these perjury allegations.

Ms. LOFGREN. Mr. Speaker, I yield 2 minutes and 15 seconds to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I was one of the few Democrats to have voted for the Republican-sponsored impeachment inquiry, but I rise today to urge my colleagues to vote no on all four impeachment articles. The President had an immoral and reckless sexual relationship with a subordinate government employee. The President then lied about it under oath and to the American people.

But we take an oath as well. We swear to uphold the Constitution, so help us God. The great Founding Fathers, on whose shoulders we stand, would never have impeached a president over charges not related to the President's official duty to protect the national security and interests of the United States.

This vote is not about whether Mr. Clinton is subject to the Nation's laws, as has been suggested. Of course he is. Mr. Clinton may still be prosecuted and convicted of criminal wrongdoing when he leaves office, because the President should not be above the law.

We are all deeply disappointed with his conduct, but Congress has no constitutional basis to impeach and remove the President over this type of illegal activity. In fact, no matter how strong our desire to punish the President or to condemn his behavior, our constitutional duty requires us to determine the answer to one question only, has the President committed treason, bribery, or other such high crimes. The answer to that question is no.

The American people and the Members of this House have heard an awful lot about this sad affair, but perhaps we have not heard enough from the

people who would not tell the majority what they want to hear, but rather, what they need to know.

No one in this House has received direct testimony from the principal players directly involved. For example, after talking to the gentleman from Florida (Mr. MCCOLLUM) about his particular concern that Betty Currie was used by the President to obstruct justice, a concern which I shared, I asked Betty Currie in the oval office this week directly about my concerns. Unlike the rest of the Members of this House, I was able to gauge her credibility. I found her believable.

Her perspective on what occurred is very much different than what we have been led to believe. She suggests what we are doing is horribly wrong, but she was never called to testify before us. We must accept Mr. Starr's report with no independent congressional fact-finding.

It is wrong for the Republican leadership to oppose a harsh censure resolution precisely because they know it would pass. Alexander Hamilton said that the danger of a partisan impeachment regulated by the comparative strengths of political parties is wrong. That is what we are doing. Vote no in defense of the presidency and our Constitution.

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Ms. LOFGREN. Mr. Speaker, I yield 1½ minutes to the gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Speaker, I rise to say that the citizens of the 7th congressional district and the American people are being treated unfairly. They are being denied the opportunity for their representatives to vote for censure which will allow the country to move on and begin a healing process which we all believe is necessary.

Unfortunately, this unfairness is not new. It is typical of the whole process. It is so unfair that we can only speculate at the reason a surrogate is the presiding officer for this momentous procedure, a vote second only in importance to a declaration of war. The fact that neither the gentleman from Georgia (Mr. GINGRICH) nor the gentleman from Louisiana (Mr. LIVINGSTON) is presiding today speaks volumes about the leadership of the House at this historic moment. The lack of leadership reminds me of Pontius Pilate who washed his hands at the crucifixion.

Make no mistake, the President's acts should be condemned by the House, but they do not rise to the level of an impeachable offense. The impeachment of the President without the support of the public will be extremely devisive.

History has shown us that the wounds of the 1864 impeachment took decades to heal. It took 100 years before we had the Civil Rights Voting Act in this House. I think it is clear the people want justice but not the kind of justice you are eager to vote for. I urge you to reconsider your ill-advised actions and allow the House to have a fair vote that includes censure.

Mr. Speaker, I include the following for the RECORD:

Seattle, WA, December 15, 1998.

Hon. JIM MCDERMOTT,
House of Representatives, Capitol Hill, Washington, DC.

DEAR REPRESENTATIVE MCDERMOTT: Thank you so much for declaring your intention to vote no on impeachment.

At one level I understand this to just be "following the party line", but (and I have also written the Washington state Republican representatives), more broadly I hope that you share my internal conviction that, legalese aside, the entire affair(!) simply doesn't rise to the level of "high crimes and misdemeanors". There has been no threat to the government, no clandestine arrangements with foes or allies on the part of the President. No one (including Mr. Clinton) argues that his behavior was proper, but only zealots seem to think it's an impeachable offense.

The same can not be said for the activities of the House Leadership, which seems to me to have brazenly used political power to choreograph the entire process, frame the discussion and now (so we read) threaten "dire consequences" for anyone who votes against the Party Line. From the vantage point of Seattle, this black-and-white, do-as-we-tell-you approach doesn't seem much different from stories we used to hear about "rubber stamp" governments in the former Soviet Union.

I realize that there is a clash of cultures here—Professor George Lakoff at Berkeley has uncovered a relationship between people who vote Republican and those who prefer Democrats, based on their perception of "family values". Republicans favor the "strong father/single decision-maker" model of the family, while Democrats think of the family in terms of all its members. Hillary's "It Takes a Village" view thus resonates with her supporters. Since these images are formed in our early years they tend to be inseparable from what we "instinctively" feel is True in later life, and thus, just as Deborah Tannen has shown that men and women live in different cultures, so too do Republicans and Democrats.

One would think that Mr. Livingston might have learned something from the last election, but perhaps he continues to believe that constituents like myself are the exception. If my facts are correct, I believe that nationally 60% of the public wants Congress to vote for censure and "move on". Your mail ratio may be somewhat different—certainly the Religious Right and the Clinton Haters see this as a chance to advance their causes. But I know from having just talked to four of my friends that all of us have exactly the same opinion, yet 80% of this group felt that The Republicans were going to do whatever they liked, and that it was just a waste of time to even write. From my perspective, this attitude of hopelessness is a far deeper stain on our country than the one on the dress.

I'm not a political activist, but I do feel strongly about my responsibility as an American citizen to raise my hand and say "Stop" when I see such a blatant, run-away abuse of power. I'm not saying that the President has done no wrong—even he admits his errors. But is covering up an extramarital affair truly the kind of "high crime and misdemeanor" the Constitution had in mind? You know the historical facts—Clinton is not the first president to engage in such activity. "Ah, but it's not the act, it's the perjury" they say. Obviously lying is not a good thing, so I'm willing to let any Congressman who has never told a lie vote accordingly. But to me there is an enormous difference between lying about diverting funds for Iran-Contra fighters (which might have involved us in a war) and lying about having sex in the Oval Office. It doesn't take a PhD from Harvard to sort this out.

Neither am I a Biblical scholar (I don't even go to church), but the vote on Thursday seems to come right out of the Old and New Testaments: there are the self-righteous Pharisees, couching their actions in the letter of the law, and, I hope, a larger number of those who remember "do unto others as you would have them do unto you". This is the struggle. Four hundred some people get to "play God" with the fate of our Nation's highest elected leader. I hope they think long and hard about that, and seek God's guidance, not Mr. Livingston's, before they assume the role of Jack Ruby and pull the trigger. The House has the reins of history in its hands; it simply blows my mind to see this 'Ultimate Constitutional Weapon' deployed in such a partisan, lock-step manner. This is the behavior that cults and unions are always accused of—not how reasonable people expect members of our highest Assembly to behave.

Is there a sense of "Well, it doesn't really matter—this is just a procedural vote—it's up to the Senate"? I would hope not—what an irresponsible example to set for our citizens. Yet I understand the enormous pressure that has been unfairly placed on the collective Republican shoulders, so if you can think of anything to do to encourage them, I would hope you would do so. Perhaps you can point out the opportunity to rise to the level of Statesman that few people ever attain, or to recall whom it is that History remembers from the Andrew Johnson impeachment proceedings. Then again, what we tell our children when they have to deal with peer-pressure situations is to "just say No." That is my appeal as well: Just say No.

Sincerely,

JAMES A. VAN ZEE.

Ms. LOFGREN. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, I do not rise to defend the President's conduct. It was wrong, and months of deceit only made it worse. But that still leaves the question, was the conduct of such enormity that it can be compared to bribery or treason?

I followed the hearings. I read the report last night. I have listened to the debate today. I do not think this case meets constitutional requirements. I come down on the side of President Ford and Senator Dole. I think President Clinton should be censored, censored severely, and the censure should be imposed right here in the well of the House. The President should be called to this spot and our rebuke read to him before the Congress, the cabinet and the whole country.

So given the chance, I will vote to censure but not to impeach, not to inflict a remedy that has been invoked only twice in 210 years and used only once to remove a President.

The majority argues that articles of impeachment are the proper form of censure. The problem is that a resolution of impeachment in the House requires a trial of impeachment in the Senate. And it could be a pointless trial, as the majority well knows, because there is little chance today that two-thirds of the Senate will vote to convict.

So what do we have? We have a country bitterly divided on this issue. But let me tell you, I think everybody will agree with this, there is no clamor in the country to have this evidence replayed again, to see an instant replay of this trial. The people of this country want it over.

The right way to get it over is to have a severe rebuke of the President, to bring him here, censure him in such a way that it will stain his legacy forever, but not leave a stain, not leave a precedent that will weaken future presidents or a precedent for Article II section 4 that will be unprecedented in history.

That is the right action to take, and I urge this House to take it.

Mr. Speaker, I do not rise to defend the President's conduct. I think his conduct was wrong, and months of deceit only made it worse. But that leaves the question: was his conduct impeachable? I have followed the hearings and read the report, and I come down on the side of President Ford and Senator Dole: I think President Clinton should be severely censured; and the censure should be imposed here in the well of the House. The President should be called to this spot, and our rebuke read to him before the Congress, the cabinet, and the whole country.

Given the chance, I will vote to censure, but not to impeach, not to inflict a remedy so extreme that it has been invoked only twice in 210 years, and used only once to remove a president.

The majority argues that Articles of Impeachment are the best form of censure. The problem with their argument is that a resolution of impeachment in the House requires a trial of impeachment in the Senate. And it could be a pointless trial, as the majority well knows, because there is little chance that two-thirds of the Senate will vote to convict. We could vote today, right now, on censure; pass it by a wide margin and carry it out. But the majority would have a trial, and have this cloud hang over the next Congress, as it has this Congress.

The President's conduct was reprehensible, but the Constitution requires more than reprehensible conduct before 67 members of the Senate can remove a President elected by 60 million people. To impeach, the Constitution requires in Article II, Section IV that Congress must find "Bribery, Treason, or other high Crimes and Misdemeanors." These words are so open-ended that some say the question comes down to political judgment, and in a way, it does. Congress has room to decide what are "high crimes and misdemeanors." But the language of the Constitution does have meaning, and we are obliged to follow it.

The first drafts of the Constitution gave only bribery and treason as grounds of impeachment. George Mason moved to add "maladministration." James Madison argued that "So vague a term will be equivalent to a tenure during the pleasure of the Senate." George Mason, therefore, withdrew "maladministration" and substituted "other high Crimes and Misdemeanors <agst. the State>." In the 65th Federalist Paper, Alexander Hamilton explained what they had in mind: "offenses which proceed . . . from the abuse or violation of some public trust . . . [relating] chiefly to injuries done to society itself."

When the framers put powers to impeach in the Constitution, they wanted to protect us from "great and dangerous" abuses, offenses that a president might commit against the state. In 1974, when the House Judiciary Committee was faced with a slate of charges against President Nixon, it approved, on a bipartisan vote, a rule of substantiality:

"Not all presidential misconduct is sufficient to constitute grounds for impeachment. There is a further requirement—substantiality . . . Because impeachment of a President is a grave step for the nation, it is to be predicated only upon conduct seriously incompatible with either the constitutional form and principles of our government or the proper performance of constitutional duties of the Presidential office."

Almost all of the charges against the President stem from his testimony in a deposition, taken in a suit brought by Paula Corbin Jones. I do not think the President told the whole truth in that deposition. He took refuge in a tortured definition of "sexual relations" and when pressed for detail, he dodged, dissembled, and evaded. He said, for example, that he was never "alone" with Monica Lewinsky. His testimony was deplorable, and he deserves rebuke. But I am not convinced that an ordinary citizen would be prosecuted for this same sort of testimony for several reasons.

First come the arguments put forth by the President's lawyers: that the President exploited an odd definition of sexual relations approved by the judge; that the questions asked of him were "vaguely framed;" and that his answers were evasive, incomplete, and even "maddening," but not false. I am not satisfied with these defenses, but they might be enough to fend off prosecution.

Next comes the law of perjury. Lying under oath becomes perjury and a crime if it is "material" to the suit in which the testimony is given. In the case brought by Paula Corbin Jones, Judge Susan Webber Wright held that the evidence relating to Monica Lewinsky was "not essential to the core issues in this case." When Judge Wright granted summary judgment and dismissed the suit, she said, "Whether other women may have been subjected to workplace harassment, and whether such evidence has been suppressed, does not change the fact that plaintiff has failed to demonstrate that she has a case worthy of submitting to a jury." As the Minority Report points out, "When Judge Wright ruled on April 1 that no matter what the President did with Ms. Lewinsky, Paula Jones herself had not proved that she has been harmed, the court's opinion confirmed that the President's statements, whether truthful or not, were not of the grave constitutional significance necessary to support impeachment." Report of the Committee on Judiciary to Accompany H. Res. 611, page 344.

Finally, five former federal prosecutors told the committee that federal prosecutions for perjury in civil actions do occur but are not common because "federal prosecutors do not use the criminal process in connection with civil litigation . . ." Edward Dennis explained that "prosecutors are justifiably concerned about the appearance the government is taking the side of one private party against another." William F. Weld, the former Republican Governor of Massachusetts, who ran the Criminal Division of the Justice Department during the Reagan Administration, told the committee that in the Reagan Administration "it was not the policy of the Justice Department to seek an indictment based solely on evidence that a defendant had falsely denied committing adultery or fornication."

We cannot diminish the gravity of lying under oath, especially by our President. But before we impeach and remove him from office, we should note the subject of his testimony. It was about personal and not official conduct. In a law suit dismissed by summary judgment and later settled, it is not likely that an ordinary citizen would be prosecuted for such testimony. I do not condone the President's evasive and dissembling answers, but I am reluctant to impeach him for an offense that would probably not cause an ordinary citizen to be prosecuted.

If testimony in his deposition was not indictable, of course, the President should not have been called before the grand jury. But he was called, and according to the Independent Counsel, he perjured himself here in three respects:

First, by stating that his relationship with Monica Lewinsky began in February 1996 rather than November 1995. To this, the President's counsel points out that the Independent Counsel gives no proof for his contention that the President avoided the earlier date because Ms. Lewinsky was then an intern and chose the later date because she was then an employee. Counsel argues that, in any event, no judge or jury would find such a discrepancy material.

Second, by stating that he believed oral sex was not covered by the definition of "sexual relations" approved by Judge Wright when his deposition was taken. But the President admitted to the grand jury the key fact: he had oral sex with Monica Lewinsky. He continued to argue that "oral sex" was outside the judge's definition. His argument may be tenuous but it was an argument over semantics rather than facts.

Third, by saying that he had not engaged in certain types of sexual conduct in order to keep his grand jury testimony consistent with his deposition. The President's sex with Monica Lewinsky probably was "reciprocal." He probably did touch her in ways he did not admit. To this, the President's counsel raised one question for every member to ask: "Am I prepared to impeach the President because, after having admitted he engaged in egregiously wrongful conduct, he falsely described the particulars of that conduct?"

Let's dismiss all of the above and assume that parts of the President's deposition were false and material to Paula Jones' suit. Two distinguished lawyers, Professor Van Alstyne of Duke Law School (called by the majority)

and James Hamilton (called by the minority), testified that even so, these were "low crimes," not the high crimes comparable to bribery and treason which the Constitution requires for impeachment.

There are two remaining articles. One charges obstruction of justice, but in the words of Governor Weld, the case is "thin." The President lied to the public and to his staff and cabinet, but the proof stops short of showing that he suborned them to lie. Monica Lewinsky told the grand jury that no one asked her to lie or promised her a job if she remained silent. The other article charges abuse of power. It may be the most troubling of the articles, because if passed, it could become a threatening precedent for future president who find themselves in disputes with Congress over their powers, prerogatives, and jurisdiction.

The majority argues that articles of impeachment are required by the rule of law. But the rule of law starts at the source, with the Constitution, Article II, Section IV. How the Congress removes a President elected by the people is vitally important to our democracy. The framers of our Constitution did not choose a prime minister beholden to parliament, but a president independent of Congress, so that each could counter the other. Having made that decision, they did not intend for the impeachment power to be used so that the president serves, in effect, as the will of Congress. They knew that impeachment might be needed in extreme cases, so that Congress could remove a president who took bribes or became a traitor or tyrant. For 210 years, Congress has regarded the impeachment power in that light, as extraordinary, and abused it only once, in the case of Andrew Johnson.

President Clinton deserves censure. But as sordid and disgraceful as his conduct has been, it does not rise, in my humble opinion, to a "high crime" like bribery or treason. Not just for his sake, but for sake of the presidency, we should not impeach on the facts before us. We have an option; we can rebuke this president and leave a black stain on his legacy, without risking the constitutional balance of power. That is why censure is the proper choice.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 1½ minutes.

Mr. Speaker, we have heard an awful lot about the transactions relative to what the President said at the deposition in the Paula Jones lawsuit relating to Monica Lewinsky's affidavit. I do not think the Members who thundered on denouncing what the gentleman from Virginia (Mr. GOODLATTE) said have read page 63 of the committee report. I shall do so.

After reading from the affidavit out loud, the President's attorney, 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.

That is at page 204 of the deposition of President Clinton in the case of Jones versus Clinton.

During the same deposition, Robert Bennett, the President's attorney, stated, Counsel is fully aware that Ms. Jane Doe No. 6 has filed, has an affidavit in which they are in possession of saying that there is absolutely no sex of any kind, any manner, shape or form with President Clinton.

That is at page 54.

Now, a few months later, the grand jury testimony of Monica Lewinsky, which was given under oath and following a grant of transactional immunity, confirmed that the contents of her affidavit were not true.

Question: Paragraph 8 of the affidavit says, I have never had a sexual relationship with the President; is that true? Answer: No.

That is the transcript of the grand jury testimony of Monica Lewinsky at page 924.

Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Mr. Speaker, I have never been hesitant to work with any Member, Republican or Democrat, to get things done for our country. I count good friends on both sides of the aisle. To me, this vote is not about politics, it is about respect, integrity, our laws and, yes, the Constitution.

One of the highlights of my life was serving in the White House. There was never a time that I have not had the greatest respect for the office of the President.

Etched in the marble fireplace under President Lincoln's portrait in the White House is a quote taken from a letter written by President Adams to his wife Abigail in 1801. It reads, I pray heaven to bestow the best of blessings on this House and on all that hereafter inhabit it. May none but honest and wise men ever rule under this roof.

We have millions of public servants in this land, some serve as governors, some as legislators or school board members. In every one of those roles, we will never agree always on the best course that they choose for our Nation or community. But as Americans we need to respect them and their decisions. That is what our democracy is all about. The key bedrock of every public official is their oath of office. Integrity does count. I do not know of a single Michigan community that would tolerate a public official violating that oath. The charges and evidence contained in these articles are indeed most serious. Perjury to a grand jury, obstruction of justice, what kind of message do we send to America if we set a lower standard for the highest public official in this land?

You have to tell the truth, even when it is not easy, even when it is not convenient. That is the basic tenet and foundation of our society.

The question for us today is whether there is enough evidence for us to try this case in the Senate. I believe that there is sufficient evidence, and I will vote to impeach the President with a clear conscience.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Speaker, today is a difficult day for both the Congress and the country. I truly believe that if we could search the hearts and souls of every Member of Congress, that none of us would like to undertake the impeachment of any President of the United States. We are not here today because of the single action of any one individual except the President, William Jefferson Clinton. We are here because nearly every Member of the House of Representatives voted to conduct an impeachment inquiry of this President. We are here because this Constitution requires us to do our job and faithfully adhere to its principles and our laws.

Every Member of Congress knows exactly why we are here. We are here today because the President of the United States committed offenses that leave us only to debate the question of an appropriate punishment.

The majority members of the Committee on the Judiciary and its distinguished chairman, the gentleman from Illinois (Mr. HYDE) in my opinion have presented a very clear and factual documentation of acts by this President that to me constitute impeachable offenses.

Today the action required again by this Constitution in fact defines the very essence of our Constitution, that under our system all men and women are treated equally under the law. That means if you commit perjury or obstruct justice, you will be held accountable. If you are a Member of Congress or President of the United States, you will be held accountable. Even if you are popular, even if you do 1000 good deeds, you will be held accountable. Whether you are powerful or powerless, rich or poor, our Constitution and law, under it no one is above the law. What we do today is not about politics or the next election. What we do today is about the next generation.

Millions have died to preserve and protect our democracy and system of justice and equality.

Unfortunately, the actions of this President have threatened the very foundation and basis of our progress, our justice and our democracy.

What we do today is not about politics or the next election. What we do today is about the next generation.

Earlier today I heard the Minority Leader as he spoke and I would like to respond to some of his comments.

He said we are sending the wrong message to the world, our foes, the Chinese and Russians. In fact I believe we are sending the most significant and important message that America has set an example of true democracy and equality under Constitutional law.

He said this is the wrong time because our armed forces are in harm's way. This is the right message because those in uniform are serving to protect and defend the tenets of our Constitution.

He said this is the most radical act Congress could perform. I submit it would be radical for Congress to shirk its Constitutional responsibility.

He said we need to get back to values of decency, respect and trust before our nation is degraded. I submit that that is in fact why we in Congress are here today to return under the provision of our Constitution to the principles of decency, respect and trust. The saddest part about this whole matter is how the actions of this President have so divided this Congress and the people of our great nation.

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

Mr. FORBES. Mr. Speaker, the President has brought the Nation to this sad occasion. What we do here we should be able to explain to our children and our grandchildren.

I include for the RECORD a letter that I wrote to my children this morning:

DECEMBER 18, 1998.

DEAR ABBY, TED AND SAM: Tomorrow, I will cast a difficult vote to impeach the President of the United States.

Over the last couple of weeks, I have agonized over my decision, for this is a somber time in our Nation's history. But I decided the evidence is clear that President Clinton perjured himself by lying under oath, obstructed justice and directed others to assist his deceit and abused his office by misleading Congress in answers to questions submitted by the Judiciary Committee.

In the end, I must vote for impeachment in order to fulfill my Constitutional duty to protect the integrity of the Office of the President.

Two years ago, I made a painful decision when I opposed Newt Gingrich because of his admitted ethical mistakes. Then, as now, I based my decision on the principle that our national leaders must be held to the highest standards of honesty and integrity.

There is much that is likable about President Clinton and I was proud to work with him on the environment, education, health care and other issues I deeply care about. I am also mindful of the abiding impact impeachment will have.

This issue comes down to one basic principle: the President of the United States is not above the law.

As Americans, we have every right to expect our President to be someone our children can look up to and someone who can be their role model. As your father, I have always tried to teach you to be responsible citizens and own up to your mistakes. In this regard, President Clinton failed our Nation.

Nearly a year ago, when confronted with the accusation of an improper relationship with an intern, the President scornfully shook his finger at the Nation and lied to the American people.

Even after is has been proven beyond doubt that these wrongdoings did occur, and that he lied about them under oath, President Clinton still refuses to admit the truth.

As I have always told you, we must face the consequences of our actions.

The basic laws upon which America was founded and that make it the greatest Nation in the world are now at stake. The United States is a beacon of hope and opportunity to the entire world and the President must reflect what is good and decent about our country.

Perjury can never be excused. Congress has a responsibility to make it clear that perjury in any instance and by anyone, without exceptions even for the President, is illegal. Lying under oath is illegal. Multiple lies under oath are illegal.

It is my sacred duty, as a Member of the House of Representatives, to uphold the Constitution and vote to impeach the President for lying under oath, obstructing justice and abusing the power of his office.

I always taught you to tell the truth. You have never disappointed me and I am proud to be your dad. Years from now, when you look back on the vote your father cast, I know you will understand the importance of my decision. And, I hope you will understand that I did it for you—for the country you will inherit, live in and lead.

Love,

DAD.

Ms. LOFGREN. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. COSTELLO).

Mr. COSTELLO. Mr. Speaker, I rise in opposition to the articles of impeachment.

Mr. Speaker, I rise today in strong opposition to the articles of impeachment filed against the President of the United States. While I strongly oppose the articles of impeachment, I favor a motion to send the resolution back to the Judiciary Committee with instructions to the committee to report a resolution censuring the President of the United States for his reprehensible and inexcusable conduct.

Mr. Speaker, this is a sad day in the history of our country. For only the second time in the Nation's history, the U.S. House of Representatives is moving forward with articles of impeachment against the President of the United States.

Our Founding Fathers wisely concluded that the standards to impeach a sitting President should be very high. Most constitutional scholars and historians have clearly stated that impeachment was not intended as punishment, but to protect the Republic. These same scholars agree that Presidents should only be impeached for high crimes and misdemeanors, conduct by a President so dangerous and reprehensible that it poses injury to the Republic.

Mr. Speaker, I have carefully reviewed the four articles of impeachment passed out of the Judiciary Committee on a party-line vote. I have reviewed many documents, listened to the testimony and statements made by Members of Congress, historians, and constitutional scholars. I have followed much of the hearing conducted by the Judiciary Committee, and I have concluded that the President's conduct does not rise to the level of an impeachable offense as intended by our Founding Fathers.

Even if one assumes that the President of the United States is guilty of all or any of the activities described in the articles of impeachment, his conduct—while reprehensible and inexcusable and perhaps in violation of the law—they did not and do not threaten our Nation or cause injury to the Republic. If it can be proven that the President committed perjury before the grand jury, then the President is subject to criminal prosecution the day he leaves office in 24 months.

Mr. Speaker, the action that we take today concerning this President will have a lasting effect not only on William Jefferson Clinton but more importantly on the institution of the Presidency.

If the House of Representatives impeaches the President of the United States on all or any one of the articles of impeachment being considered today, I believe that we significantly lower the standards for impeachment for our future Presidents, and further politicize a solemn process. The Judiciary Committee heard from over 400 historians and over 200 constitutional scholars on the issue of impeachment. Mr. Speaker, If the evidence to impeach this President on the articles filed by the Judiciary Committee were clear and convincing, we would not have historians and constitutional scholars deeply divided on this issue. The fact that most of the constitutional scholars do not believe that the President's conduct rises to an impeachable offense should tell us to move forward with censure and to dismiss the impeachment proceedings.

Mr. Speaker, I agree with former President Gerald Ford and the former majority leader, Senator Bob Dole, that the Congress should censure the President of the United States for his conduct and move on with the business of the country.

It has been 130 years since the U.S. House of Representatives voted to impeach President Andrew Johnson. Today, it is clear that the Republican majority in this House intends to ignore the constitutional scholars, historians and the majority of the American people as they proceed to vote to impeach President William Clinton. If they, in fact, do impeach this President, they will set in motion a process which will result in articles of impeachment being filed by the political enemies of future Presidents.

Finally, Mr. Speaker, the way in which the Republican leadership has handled this entire matter has been grossly unfair and regrettably partisan. Many Members of the House believe, as I believe, that the President's conduct—while reprehensible and inexcusable—does not rise to the level of impeachment and therefore the House should censure the President. However, the Republican leadership refuses to let members offer a Resolution to censure and rebuke the President. That, Mr. Speaker, is unfortunate and it is wrong.

I urge my colleagues, for the sake of the institution of the Presidency and for what I believe is in the best interest of this country, to reject the articles of impeachment and to censure the President of the United States for his reprehensible and inexcusable conduct.

Ms. LOFGREN. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Speaker, I rise in objection to the articles of impeachment.

Mr. Speaker, I rise today to speak on the articles of impeachment. The President's behavior has been deplorable, reprehensible, and immoral. He has disgraced the office of the Presidency. I think it would be best for the country if he would resign and pass the office of the Presidency to Vice President GORE.

Unfortunately, the Judiciary Committee's report does not convince me that his offense

rise to the level of impeachment. Consequently, I will vote "no" on the articles.

Ms. LOFGREN. Mr. Speaker, I yield 45 seconds to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, with regard to the affidavit that the gentleman from Wisconsin (Mr. SENSENBRENNER) referred to, a number of points.

Monica Lewinsky testified that no one asked her to file a false affidavit. There is no evidence that the President asked her to file a false affidavit, and the President did not see or ask to see the affidavit. There is no evidence to that.

And finally, Monica Lewinsky's affidavit defined sexual relations in the way she clearly understood it, as we know from the tape of her conversation with Linda Tripp. After she was threatened by Mr. Starr and her mother was threatened, then she made an immunity deal, then she changed her testimony to what Mr. Starr wanted to hear. Starr admitted to the committee that he chose when to believe her and when not to believe her. To get at the truth, she has to be cross-examined to determine these contradictions and when she is telling the truth and when not.

Ms. LOFGREN. Mr. Speaker, I yield 15 seconds to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, in referring to the referral of the gentleman from Wisconsin (Mr. SENSENBRENNER) of the Members to page 63, I would ask him to likewise refer the Members to pages 341 to 342. Judge Webber Wright ruled the issue lacked materiality and all that he said was totally irrelevant. If we just read pages 341 to 342, we would find out that what the gentleman from Wisconsin (Mr. SENSENBRENNER) said was totally irrelevant to this issue.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. TAUSCHER).

Mrs. TAUSCHER. Mr. Speaker, from the day that the Starr referral was delivered to the House, I have said that the decision to impeach the President called upon me to consider the Constitution, my conscience and my constituents. I have reread the Constitution and the Federalist papers. I have heard from over 10,000 of my constituents. I have searched my conscience.

That is why I rise to urge my colleagues to strongly oppose the impeachment of the President. Let me reiterate that the President's behavior has been reckless and wrong. His efforts to mislead the American people were inappropriate for the leader of our great Nation. But my review of the Constitution leads me to believe that while what the President did may be indictable, it is not impeachable.

When I came to Congress 2 years ago, I said that while I could not agree with anyone 100 percent of the time, it was my responsibility as a representative of the people to listen 100 percent of the time. My colleagues, we were sent here to be our constituents' eyes and ears. Americans want representatives that know more, not representatives that think they know better.

Mr. Speaker, I ask my colleagues to please stop and listen. The American people say we must strongly censure the President and get back to their business. I urge you to vote no on impeaching the President.

Ms. LOFGREN. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Mr. Speaker, the majority, you talk about the rule of law, but you rig the rule today so there cannot be a vote on a strong censure motion that so many of us support. You talk about a vote of conscience, but you will not let us, probably a majority, vote our conscience on this floor. I guess you were aware of your own Members.

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It was not long ago that the gentleman from Illinois (Mr. HYDE) said, "This whole proceeding will fall on its face if it is not perceived by the American people to be fair. But that is exactly what has happened, an unfair, highly partisan proceeding.

This debate here stands in stark contrast to the debate in 1991 on the Persian Gulf. The feelings were strong but it was nonpartisan and fair. Unlike today, the seats were filled and we came to deliberate, to exchange views, to listen to one another, not to pursue a set political agenda. In this decade, that was this House's finest hour. This is its worst.

Today signifies the total complete breakdown of bipartisanship. What we learned growing up takes on new meaning today. Two wrongs do not make a right. The President was wrong, very wrong. To turn that today into impeachment is also wrong, very wrong.

Ms. LOFGREN. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. KANJORSKI).

Mr. KANJORSKI. Mr. Speaker, few will remember what we say here but history will record forever what we do here. The vote of this House will redefine the constitutional power of impeachment and restructure the very nature of our government from three separate but equal branches to a more parliamentary form.

I have listened intently to the able arguments made on both sides of the aisle. I know in my heart and in my mind that neither party possesses a claim on righteousness. So I am profoundly disturbed that so many Members on both sides of the aisle can be so certain of the validity of their positions.

How is it that good men and women of conscience can come to such opposite conclusions on the same facts and circumstances? It appears the only common thread that would account for this extreme difference would be partisanship. I am not gifted or wise enough to discern which side possesses the superior wisdom to be right. However, it appears to me that the constitutional framers and our predecessors established the precedent to solve this dilemma. And that is, the power of impeachment should only be exercised when it has the benefit of broad bipartisan support.

We worry about the rule of law, the example to our children, our Constitutional duty and other such high-sounding phrases, but few have cautioned us about the effect of our decision today on the American Constitution that posterity will inherit.

Some may hate this President. Some may want him punished for sins or crimes. But truly those of us who have sworn to uphold the Constitution should pause at this moment to understand that the action we are about to take will profoundly affect the relationship of our three branches of government for all time to come.

My only prayer is that may God at this eleventh hour give everyone of us the power and insight to understand the consequences of our momentous decision.

Mr. Speaker, I rise with great sadness because today we are considering whether to impeach a President. Under our Constitution, there is no more somber occasion, except perhaps declaring war. In more than 200 years, we have impeached only one President, and we have never convened a lame-duck session of the House for this purpose.

Just over ten weeks ago, I was one of only five Members of this body to vote against pursuing any form of an impeachment inquiry. At that time, I also called for the Congress to firmly censure the President. I reached these decisions, in part, because I feared the slippery slope of partisan politics that has brought us here today. Careful analysis of the facts known at the time we voted to begin an inquiry led me to conclude none was needed then. Even assuming that the worst was true—namely, that the President lied and delayed the discovery of truth—I concluded that no misdeed rose to the level of an impeachable offense, and that an inquiry would unnecessarily prolong this painful National drama. (CONGRESSIONAL RECORD, October 8, 1998, p. H10025)

In reaching my conclusions, I looked to the Constitution. It states that the President may be removed from office on impeachment for, and conviction of, "treason, bribery, or other high crimes and misdemeanors." Read in their entirety the debates of the Constitution's authors also firmly imply that the bar for impeachment is extremely high, and that Congress should use it to address only those Presidential actions that threaten the stability of our Democracy. Lying about shameful conduct in one's personal life does not meet the standard envisaged by the Constitution's Framers.

In the weeks since we voted to begin an inquiry, the House Judiciary Committee has failed miserably in its mission to conduct a

thoughtful and bipartisan investigation. Instead, it has developed a novel, watered-down standard of what constitutes impeachment. The committee has also neglected to interview material witnesses or subject them to the rigor of a cross examination. Furthermore, although we have learned that Miss Lewinsky told the grand jury that no one asked her to lie and no one ever promised her a job, the Committee has ignored such evidence. Of the four articles of impeachment approved on party-line votes, two are ill-defined and two are unsubstantiated.

Not only has a majority of the Judiciary Committee ignored the will of the people as expressed in an election just six weeks ago, but it has also refused to support censuring the President, a more prudent course of action that would swiftly provide closure and allow us to register our displeasure with the President's behavior. Instead, they have argued that impeachment is the censure. We, however, should not make that mistake. In voting today for impeachment we are not voting to censure the President; we are, in fact, voting to remove the President from office.

TREAT THE PRESIDENT NO BETTER AND NO DIFFERENTLY

Although I may not agree with the Judiciary Committee's recommendations on the matters before us today, I can agree with them in at least one respect. Namely, we should treat the President the same as any citizen. I also feel, however, that we should treat someone no differently just because he serves as our President.

During the Judiciary Committee's proceedings last week, a majority of veteran, well-respected, non-partisan prosecutors testified that if the President were not involved—that is, if an ordinary citizen were the subject of an inquiry into the same misconduct—no sincere thought would be given to pursuing a criminal prosecution. If others would not be prosecuted for such conduct let alone removed from their jobs, why should we single out President Clinton? To me, it makes little sense.

The Constitution fortunately offers us a way to obtain justice in this matter without pursuing impeachment. It provides that a President can be tried in criminal and civil courts, after leaving office, for any misdeed committed during his term. The courts can, therefore, decide in the near future if President Clinton perjured himself. A court trial will also ensure that the President is treated as fairly as any other American.

CONSEQUENCES OF IMPEACHMENT FOR THESE ACTIONS

Proceeding with impeachment in this case will also cause significant damage to the Constitution. A great number of Constitutional scholars have concluded that an offense is not impeachable unless it corrupts the government. The President's actions, although shameful, certainly did not destroy the proper functioning of our government. In short, he had an improper relationship with a subordinate, he lied about that relationship in order to conceal it, and he delayed the disclosure of the truth. But, he did not subvert our government by committing treason, invading the civil rights of individuals, or accepting bribes.

Second, lowering the bar for impeachment would forever erode the power of the Presidency and tip the delicate system of checks and balances in favor of Congress. The result would be a de facto parliamentary system whereby the party in power in Congress could impeach a President of another party if a sufficient number of members of the House and Senate simply disagreed with his policies or actions. Our Founding Fathers created a government with three separate, but equal branches. Because impeachment in this case would irreparably and severely alter this balance, we would be wise to heed the counsel of the Constitution's Framers and maintain a strong Presidency.

Finally, if the House passes any article of impeachment, we must consider how much it will harm the Nation. Such an outcome will likely paralyze the legislative branch for months. It will also disrupt the workings of the Supreme Court because the Chief Justice will have to preside over the Senate trial. Moreover, it will divide the country and reverse the judgment of the people who twice elected Bill Clinton as their President.

CENSURE, THE BETTER OPTION

Mr. Speaker, the Founding Fathers intended us to use impeachment only when the Nation is seriously threatened by the Chief Executive. On an issue as important as impeachment, we should, therefore, not engage in partisan politics. We should be seeking bipartisan consensus and allowing Members to vote their conscience.

From my perspective, there is a better course of action than what we are being offered here. Instead of only considering whether to impeach the President or to exonerate him, a more sensible course of action would find a middle ground that would avoid a polarized public, government gridlock, and a Senate stalemate. As I stated at the time of my vote on the impeachment inquiry, I believe that we should strongly censure President Clinton for his reprehensible and immoral conduct. Unfortunately, the leadership of this House has denied us a vote on such an alternative.

Opponents of this option contend that censure is not a Constitutionally-sanctioned procedure for Congressional condemnation of Presidential misconduct. If, however, impeachment is the only alternative available to Congress to register its opinion on every occasion of Presidential wrongdoing, then the threshold for impeachment will fall too low. Although the Constitution remains silent on the issue of censure, Constitutional scholars generally agree that Congress can do what it wants as an alternative to impeachment, so long as we do not cross the lines that separate the three branches of government. In fact, by a margin of nearly four to one, the 18 Constitutional experts called as witnesses by both the Republicans and Democrats before the Judiciary Committee agreed in writing that the Constitution does not prohibit censure. Finally, the argument ignores the fact that Congress has been censuring Presidents for more than 150 years, including Presidents Jackson, Tyler, Polk, and Buchanan.

CONCLUSION

Based upon any fair reading of the Constitution, nothing in this case justifies overturning an election and removing our President. Instead, it is time to put the turmoil of the last eleven months behind us. The President misled his family, his friends, his colleagues, and Congress. He also dishonored the office the American people entrusted to him. For this inappropriate and disreputable behavior, we need to admonish the President, but not punish the Nation. The American people should not have to endure a Senate trial about Presidential offenses that did not subvert the government.

Mr. Speaker, we should vote today to end this impeachment charade. We need to move forward and address the Nation's real priorities. We should give the people what they want a Congress focused on governing the country and working with the President to address the pressing challenges of our time. We should also begin to forgive. Congressional censure will accomplish all of these goals. For these reasons and others, I will oppose these articles of impeachment, but support sensible efforts to censure the President.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. BARR).

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

Every witness who appears before a grand jury has three options, count them, three, and only three. The witness can tell the truth, the whole truth, and nothing but the truth, so help them God; they can assert a constitutional privilege against self-incrimination; or three, they can lie, they can mislead, and they can tell untruths.

Despite being offered yet a fourth option, President Clinton chose option three. He lied. He misled. He told untruths. Even being afforded the unprecedented fourth option of submitting for the record a statement and referring to it some 19 times as opposed to answering questions truthfully and fully, the President's grand jury testimony on August 17, 1998, was replete, that is full of, lies, untruths and misleading statements; misleading in that he never admitted the truth of his relationship with a subordinate government employee; perjurious in that he refused to admit having taken steps to suborn perjury, that is, to cause Monica Lewinsky to testify untruthfully and in a misleading way before the court in the Paula Jones case; perjurious, misleading and untruthful in that he refused to admit the fact that, in return for her testimony or her silence, he sought the services of Vernon Jordan to provide a job, to find a job, to buy the silence of Monica Lewinsky; perjurious, misleading and false in that he refused to admit on a pattern of activity designed to thwart justice and keep the grand jurors from learning the truth about this relationship arising out of a civil rights case. That is Article I.

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

Mr. BRYANT. Mr. Speaker, the opposing side has made a point that Ms. Lewinsky said that the President never

specifically told her to lie. Yet they had engaged in a very clear cover story for a number of months in terms of how she had access to the President when she was an intern and later from the Pentagon.

Also, I would point out, while he may not have specifically told her to lie, which is very uncommon in the area of criminal law, there are other ways to get that point across. While the President did not expressly instruct her to lie, according to Ms. Lewinsky, he did suggest misleading cover stories. And when she assured him, now this is a 22-year-old girl, when she assured him that she planned to lie about the relationship, he responded approvingly.

On the frequent occasions that Ms. Lewinsky promised that she would always deny the relationship and always protect him, for example, the President responded, in her recollection, that is good, or something affirmative, not do not deny it. And once she was named as a possible witness in the Jones case, according to Ms. Lewinsky, the President reminded her of the cover stories.

After telling her that she was a potential witness, the President suggested that if she was subpoenaed that she could file an affidavit to avoid being deposed. He also told her that she could say that she was working at the White House and she delivered letters to him and after leaving the White House, she sometimes returned to see Ms. Currie.

In the grand jury testimony of the President, he acknowledged that he and Ms. Lewinsky "might have talked about what to do in a nonlegal context to hide their relationship" and that he "might have said" that Ms. Lewinsky should tell people that she was bringing letters to him or coming to visit Ms. Currie. But he also stated that he never asked Ms. Lewinsky to lie. I think that is a classic example of the parsing of words that we have seen throughout this case.

Let me add a word about the materiality issue of these statements. Those argue that the perjury cannot be prosecuted since the underlying case has been dismissed. That is simply not the rule.

Ms. LOFGREN. Mr. Speaker, I yield 15 seconds to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Speaker, the gentleman from Georgia unintentionally has misled this House. The President admitted before the grand jury of an inappropriate relationship. He stated that clearly and unequivocally he did not want to get involved into the salacious details.

At the same time, my friend from Tennessee (Mr. BRYANT) knows that the job search began months before Ms. Lewinsky was ever considered a witness in any proceeding.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. Mr. Speaker, the partisan politics being carried out by the Republican majority is a travesty being inflicted upon the American people. The Members of this Congress must not forget we were chosen by the people to serve all the people.

Like never before, I have heard from senior citizens, the poor, and the working class who have flooded my office with a steadfast refrain against these articles of impeachment. They have overwhelmingly supported and resoundingly pledged their support to President Clinton. These people have spoken.

The very fact that we are debating articles of impeachment flies in the face of the will of all the American people. The pompous and elitist conduct of the Republican Party is clear evidence of the lack of concern for the welfare of our Nation. President Clinton has served as a ray of hope for forgotten Americans.

As a consequence, this President continues to be bludgeoned by the Republican leadership because of his relationships with minorities, the working poor, and the disenfranchised of our Nation, the very people who serve no useful purpose vis-a-vis the Republican agenda.

Mr. Speaker, this is wrong, wrong, wrong. It is the wrong way. It is the wrong day. And it is the wrong play. I plead with the Members of this House to vote against this atrocious and unconstitutional measure.

TYRANNY OF THE MAJORITY

Tyranny of the majority was one of the most profound fears of our founding fathers. This was the driving impetus behind the framing of the constitution. The structure of our Congress is designed to ensure that the interests of all citizens are given ample weight in the deliberation of national affairs. The American people have made it clear that they do not approve of the partisan witch hunt that is being conducted by the Republican majority. The result of the November elections and numerous public opinion polls are proof positive of the public's disdain.

It is sad irony that the very institution entrusted with the welfare of the nation has sunken to a merky depth most find unfathomable. The actions of the Republican majority is in diametric opposition to the will of the American people. This callous disregard for the will of the people is exactly what Hamilton, Jay, and Madison sought to protect against. The conduct of the Republican majority is a casebook example of the abusive, self-absorbed behavior spoken against so vehemently by the Federalists.

HISTORY REPEATS ITSELF

The Gestapo-like tactics employed by the Republican majority are reminiscent of some the darkest chapters in history, as with the Spanish Inquisition and Nazi Germany. The independent counsel law was passed in order to facilitate into possible inappropriate conduct by those entrusted with the resources of the American people. It is this very law that has been used to advance a singular and impure purpose. The resulting report was nothing more than tabloid paid for by American citizens at the cost of approximately $50 million—and rising. It is full of innuendo, rumor, and unproven allegations. The abuse of the independent counsel law is sinister at best. It is this type of behavior that lays the foundation for unchecked, unbridled, and egomaniacal behavior experienced by other nations. The wounds inflicted by such actions remain on the fabric of each of those nations. Must history repeat itself?

TRIAL WITHOUT JUSTICE

The efforts of the Republican party to discredit and smear the President borders on irrationality and absurdity. Their efforts have the likely potential of tarnishing the American psyche for years to come. Since becoming the majority party in Congress as a result of the 1994 elections, the Republican party has repeatedly exploited its position to advance the interests of its party and those sympathetic to its views. The concept of balanced deliberation with regard for the overall good of American people has been lost.

Earlier in this century, the American people experienced a ravaging of our institution of government. Then, as now, the Republican party, proceeded with congressional inquires based upon often shaky, if not completely fraudulent, information. Then the charge was "communism". The actions of the Republican majority parallel the reckless and cruel manner in which the McCarthy proceedings were conducted.

As in the beginning of American history, the Salem witch trials demonstrate the tragic consequences of flawed judgment. The toxic accusations of false and self-serving witnesses, puritanical zealots, and various assorted moral arbiters led to some of the most heinous acts in our history.

Unfortunately, the conduct of the Republican majority is exactly that which Madison spoke against. In Federalist Paper No. 57, Madison warned that the "House of Representatives . . . will have least sympathy with the mass of the people, and be most likely to aim at an ambitious sacrifice of the many to the aggrandizement of the few." As the Republican party satisfies its political appetite, the welfare of the people falls to the wayside.

SPINNING ON ITS HEAD

The process by which this impeachment inquiry has been carried has spun the constitutional framework of our nation on its head. The Republican majority has proceeded with an open-ended and arbitrary impeachment inquiry. The behavior of the President, however disappointing, does not rise to the caliber of an impeachable offense. All efforts by Democrats to conduct a focused and fair hearing were spurned. The Republicans have proceeded with callous disregard for the constitutional standards for impeachment. This process is contrary to the constitutional framework upon which our nation is based.

THE WILL OF THE PEOPLE

The partisan politics being carried out by the Republican majority is a travesty being inflicted upon the American people. The members of this Congress must not forget we were chosen by the people to serve all the people. Like never before, I have heard from senior

citizens, the poor, and the working class have flooded my office with a steadfast refrain against these articles of impeachment. They have overwhelmingly and resoundingly pledged their support to President Clinton. These people have spoken. The very fact that we are debating articles of impeachment, flies in the face of the will of the all American people.

The pompous and elitist conduct of the Republican party is clear evidence of its lack of concern for the welfare of our nation. President Clinton has served as a ray of hope for forgotten Americans. This President continues to be bludgeoned by the Republican leadership because of his relationship with minorities, the working poor and the disenfranchised of our nation. The very people who serve no useful purpose vis a vis the Republican agenda.

The Republican majority is out of touch with the American people. At a time when our schools rank lower than those of most industrialized nations and the infant mortality rate in some of our major cities is higher than that of some third world countries, the Republican majority has chosen to put vicious partisan politics ahead of the concerns of the American people.

The Republicans will resort to anything to get their way—even shutting down the government, cutting medicare, and eliminating the social safety net of our most vulnerable citizens. This most recent maneuvering is extreme, misguided and vindictive and will only result in a divided America whose government is paralyzed and crippled by a small band of right wing radicals.

This is wrong, wrong, wrong. This is the wrong way, the wrong day, and the wrong play.

I plead with the members of this House to vote against this atrocious and unconstitutional measure.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. BORSKI).

Mr. BORSKI. Mr. Speaker, last year this House was asked to set aside partisan interests and to bring to resolution the investigation of the gentleman from Georgia (Mr. GINGRICH).

At that time, we rose above partisan and passionate emotions to produce a just and fair punishment. As Members of Congress, it was our duty to do so. What we are confronted with today certainly deserves no less.

Unfortunately, that bipartisanship is disturbingly absent from our proceedings today. As the people of this Nation cry out for appropriate sanction and closure, Republicans continue to press forth ignoring their voices. They have denied the representatives of the people a vote on censure and will accept nothing less than the fruition of their partisan agenda.

President Clinton's behavior, while reprehensible and indefensible, is not impeachable. His actions simply do not rise to the level of high crimes and misdemeanors. By forcibly suppressing a vote on censure, the majority has coerced this House to choose solely between a political death sentence or total absolution.

Impeaching the President would damage the very foundation of representation upon which our Nation rests. While I truly believe the President's actions warrant punishment, I cannot in good conscience support his removal from office.

Mr. Speaker, I rise today in opposition to the impeachment resolution. The vote before us is the most important that many of us will ever cast.

In my career the only vote of greater importance that I can recall was that giving President Bush the power to enter this nation into the Persian Gulf War in 1991. On that day, I was one of 86 Democrats who proudly joined with Republicans to work in a bipartisan manner to support the actions of the armed forces.

More recently, this House was asked to set aside partisan interests and bring to resolution the investigation of Speaker GINGRICH. Serving on the Ethics Committee was difficult for me personally—the time was one that tested the good faith and will of the House as a whole. At that time we rose above partisan and passionate emotions to produce a just and fair punishment. As members of Congress it was our duty to do so. What we are confronted with today certainly deserves no less.

Unfortunately the bipartisan work and fairness which I have seen prevail when circumstances dictated they must, is disturbingly absent from our proceedings today. As the people of this nation cry out for appropriate sanction and closure, Republicans continue to press forth, ignoring their voices. They have denied the Representatives of the people a vote on censure, and will accept nothing less than the fruition of their partisan agenda.

President Clinton's behavior, while reprehensible and indefensible, is not impeachable. His actions simply do not rise to the level of high crimes and misdemeanors. By forcibly suppressing a vote on censure, the majority has coerced this House to choose solely between a political death sentence or total absolution. Impeaching the President would damage the very foundation of representation upon which our nation rests. While I truly believe the Presidents actions warrant punishment, I cannot in good conscience support his removal from office.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. COYNE).

Mr. COYNE. Mr. Speaker, I rise today in opposition to this resolution to these articles of impeachment and to these unfair partisan proceedings which deny Members the right to vote on the alternative of a censure.

Mr. Speaker, we are all disappointed in the President's actions. The President himself has admitted that he acted improperly. This debate today, however, is not simply about whether the President did something wrong or even whether he did something illegal. Rather, the issue before us today is what, if any, action Congress should take in response.

Specifically, the Members of the House are being asked whether we believe that President Clinton's actions were so egregious that he should be impeached and removed from office. I do not believe that these misdeeds merit impeachment of the President. Impeachment is a statement by Congress that the President is unable to carry out the responsibilities of his office or that he cannot be trusted to do so.

The Constitution specifies treason, bribery, or other high crimes and misdemeanors as the proper grounds for impeachment. Impeachment by removing the Nation's highest elected official nullifies a vote mailed by the American people.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Speaker, with regard to the trustworthiness of the President to continue in office or the President's fitness for office, with regard to Article III of the articles of impeachment, let the facts be known. The evidence before this House indicates that the President engaged in a pattern of obstruction while the Jones v. 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 v. Clinton case. The President encouraged Monica Lewinsky to lie under oath if called personally to testify in the Jones v. Clinton case. The President related to Betty Currie, a potential witness in the Jones v. Clinton case, a false account of events relevant to testimony she might provide in the case.

The President told lies to White House aides who he knew 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 v. Clinton case would have been harmful to him.

The President engaged in a plan to conceal evidence that had been subpoenaed in the Jones v. Clinton case.

And the President at his deposition allowed his attorney to make a false representation to a Federal judge in order to prevent questioning about Ms. Lewinsky.

I do not see how anyone, anyone, can deny the seriousness of these charges or the corrupting effect they have on the judicial system of this country if we allow them to go unaddressed.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. HUTCHINSON).

Mr. HUTCHINSON. Mr. Speaker, I wanted to address a couple things that

have been raised, first of all that the charges in this case are not specific enough.

The charges are specific. They are detailed. And more importantly, the specific charges are the same as has been followed in previous impeachment inquiries of this House. And also, the report of the Committee on the Judiciary has every page number that is necessary to put the President on notice.

And now materiality. It has been raised that, well, the lies under oath were not material in nature. Judge Wright at the time of the deposition in Arkansas said that the questions were relevant and directed the President to answer those questions. Materiality is determined at the time the questions are asked and not later. And that is the case of United States v. Holly, Fifth Circuit, 1991.

But most importantly, no person should be so above the law that they can determine when they are a litigant in a lawsuit what is relevant and not. The judge must determine that issue.

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Now I want to mention Article IV. Article IV talks about the misstatements, the misleading statements to the United States Congress. We have a pattern here where the President of the United States flaunted the truth seeking process of the civil courts, he flaunted the truth seeking process of the federal grand jury. But I believe what is most offensive in terms of the Constitution is that he failed to provide truthful answers to the United States Congress to 81 questions that were submitted to him. There is a role in the United States Congress in this. We are the charging party.

Barbara Jordan from Texas has been cited, a great lady, and she referred in 1974 the Constitution set up a pattern, that we are the charging body in the House, that the Senate has a role to play. They are the adjudicatory body, and that is important, that distinction. We charge, they try, they cross-examine, they hear evidence.

I have a high standard before I will vote to impeach the President of the United States, but I do remind myself that we have responsibility to charge but ultimately it is the obligation of the Senate to make the determination of the facts.

Ms. LOFGREN. Mr. Speaker, I yield 30 seconds to the gentleman from Nebraska (Mr. BARRETT).

Mr. BARRETT of Wisconsin. Mr. Speaker, the gentleman from Virginia said let the facts be known, so I think it is important that we let the facts be known.

With regard to Betty Currie, she was not a witness in the Jones case, she did not become a witness in the Jones case, she was never a witness in the Jones case. Yet they argue that somehow there is an obstruction of justice with the Jones case. She was never a witness.

With regard to the job search the record could not be clearer that Monica Lewinsky was looking for a job long before December and got a lot of assistance long before December.

Ms. LOFGREN. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Speaker, I rise in protest against this unfair procedure, asking for a censure, a vote on censure and against articles of impeachment.

Mr. Speaker, I rise to call on the Republican majority to allow the members of the House of Representatives to vote on censure. The overwhelming majority of American people want this Congress to censure the President, not impeach him.

I support censure not because the President didn't do anything wrong. His behavior was wrong and reprehensible. I support censure because the President's behavior doesn't rise to the level of an impeachable offense as outlined by our Founding Fathers. His actions were private misdeeds that neither subverted the Constitution nor constituted abuse of the power of his office.

I support censure because President Clinton didn't order the break-in of a building. He didn't use the IRS, the CIA, and the FBI against American citizens. And he didn't lie to Congress about selling arms to a terrorist state.

Chairman HYDE allowed a vote on censure in the Judiciary Committee last week. He allowed the members of his committee a conscience vote on censure. We thank him for that. The House leadership must allow a conscience vote for all members on this question.

In 1995, Republicans shut down the government. In 1998, they refused to pass the Patients' Bill of Rights, they refused to pass campaign finance reform, and they refused to pass an increase in the minimum wage. Imagine what will happen next year if the House approves articles of impeachment. With a Senate trial, the people's government virtually will be shut down for another year.

It's time we censure the President and end this process so we can return to the issues that matter most to working people, including reducing prescription drug costs for seniors, protecting our environment, and helping local school districts rebuild their schools.

In their zeal to undo two national elections, the majority has trampled on the notion that this impeachment process should be bipartisan and fair. I urge my colleagues to allow a vote of censure against the President.

Ms. LOFGREN. Mr. Speaker, I yield 4 minutes to the gentleman from North Carolina (Mr. WATT), a member of the committee.

Mr. WATT of North Carolina. Mr. Speaker, as a member of the committee I have had many opportunities to speak on this issue, and I hope to be able to yield back some of my time. But I wanted to express, after hearing the debate today, to my colleagues my deep appreciation to them. I wanted to express that after hearing a good part of the debate today my opinion that the debate has been high quality and civil on both sides, and there are two issues that I think from the debate so far need to be still addressed that I thought might be worthy of talking about.

First of all, is lying under oath a serious offense if it is proven? I think we all ought to acknowledge that it truly is. Does it undermine the rule of law? I think we ought to acknowledge that it does in much the same way that lack of resources that people who come into the court and do not have good legal representation and resources and bias of witnesses undermines the rule of law. Untruths also undermine the rule of law.

But the thing that undermines the rule of law more than any other single thing is a disregard of the law, and I think to get to the real question we need to ask the question is lying under oath impeachable? Because the standard for impeachment is treason. This is not treason. Bribery; it is not bribery or other high crimes or misdemeanors interpreted as crimes against the state, crimes against the government.

So in order for a misstatement under oath to be a crime against the government it would have to be about some operation of the government, not about some sex offense, not about speeding, not about something that is unrelated to the operation of the government.

Finally, does it mean that the President is above the law if he is not impeached? Be clear on it, Mr. Speaker. The failure to impeach does not exonerate the President. He can still be tried as any other citizen in this country. The Constitution specifically provides that. When his term of office is up, if he has lied, if he has engaged in perjury, he can be prosecuted and convicted and sentenced just like any other citizen in this country.

So this whole notion that somehow by failing to impeach this President we place him above the law is just inaccurate.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. SNYDER).

Mr. SNYDER. Mr. Speaker, there has been a lot of discussion in the last several weeks about this being a vote of conscience over the next 2 days. One of my friends from Arkansas was talking to me a few days ago and said, "What's all this talk about conscience? You all act like it's something new for the first time." He said, "What the hell happened with all the other votes you've been doing the last 2 years there?" Well I think impeachment is a vote of conscience.

Mr. Speaker, my question for this side of the aisle is: What was the decision-making process that led them to conclude that we should not have a censure alternative on this floor? Was it a vote of conscience in your caucus

that said we, your Democratic colleagues, should be denied this right? Was it a vote of conscience amongst your leadership that said we, your Democrat colleagues, should be denied the right to vote for the alternative that we prefer?

As my colleagues know, I am a doctor. I had the opportunity to dig around in people's bodies, in cadavers in anatomy lab. I have looked for the conscience in a cadaver; it is not there. I have decided the last few days perhaps it was a Democratic cadaver who did not have a conscience. Well, I cannot believe that is true. We also have a conscience; everybody in this body has a conscience. We would like your process that you all control to give us the same opportunity you have.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. SÁNCHEZ).

Ms. SANCHEZ. Mr. Speaker, I rise today with great sadness. My heart is heavy because I know what it is like to be the target of a blatantly partisan investigation. Remember, I spent the first year and a half here defending my congressional seat from a very partisan investigation over the outcome of my election. They tried to undo that election, and now they are trying to undo the President's election.

But an overwhelming majority of Americans want this President to stay, and I can only echo my colleague and friend, the gentleman from Georgia (Mr. LEWIS), when he says, "Beware the wrath of the American people, beware. You will have only yourselves to blame when Americans rise up and hold you accountable for what you are doing today."

What is going on is unbelievable. Make no mistake about it. This is a partisan effort to remove the duly elected President of the United States from his office. One can only fear the harm that they are doing to the presidency today. Every American should be very concerned about the wisdom of impeaching our President without bipartisan support.

Mr. Speaker, I am sad today because I know that in 20 years from now we will look back and say that we have weakened our Constitution and we will be remembered for failing the American people.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, there have been many who have come to the well today and they have been requesting that this body take up the issue of censure of the President. As my colleagues know, it would be nice, I guess, if we could take the easy way out, cut and run, but we cannot do that, nor can Congress make it up as we go. I know it is a legal technical term and people do not like lawyerly language, but it is called extra-constitutional. What that means is the Constitution does not specifically provide for censure as an alternative to impeachment.

See, we also, as Members of Congress, took an oath, and it was to defend the Constitution. We have a duty to exercise legislative competence, and we cannot make it up as we go.

President Andrew Jackson, who is known as one of the Founding Fathers of the Democrat Party, he was censured by the Senate. Then there was an election, and then the next Senate, they expunged it from the record. President Jackson, I will repeat, his own words shed great light on this challenge we have today, and he penned this over 150 years ago. President Jackson wrote that the very idea of censure is a subversion of the powers of government and destructive to 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. See, for us to make it up as we go, to cut expediently and to censure the President, we cannot make it up, it is not constitutional.

Then what we did in the Committee on the Judiciary, a censure was offered. So we specifically looked at the language which was offered. They said, "Well, we can do it." No, they cannot do it because now it is unconstitutional because it violates what is called the bill of attainder. Congress cannot set as a legislative body an act as a judicial body and put someone on trial and have findings of guilt and punish him. That is what the censure does. We cannot do it. It is extra-constitutional, and it is unconstitutional in its form as offered.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Speaker, with regard to the obstruction of justice, Article III, and the charge of suborning perjury or witness tampering with regard to Betty Currie, everyone here should understand that the issue is not whether or not Betty Currie was a witness. In fact, the law is very clear on that point. Title 18, Section 1512 of the United States Code with regard to witness tampering says that for the purposes of this section an official proceeding need not be pending or about to be instituted at the time of the offense, and the courts have been clear on this. In United States v. Radolitz the Court said the most obvious example of a Section 1512 violation may be the situation where a defendant tells a potential witness a false story as if the story were true, intending that the witness believe the story and testify to it before the grand jury.

So the issue was what did the President think was likely to occur with regard to Ms. Currie, and in point of fact she later was called as a witness, and in a civil deposition he referred to her time and time and time again. So it is clear to me that he thought she likely to be a witness when he suggested to her that Ms. Lewinsky had come on to him, when he suggested to Ms. Currie that they were never alone, all of these statements intended to influence Ms. Currie's future testimony.

With regard to the issue of Ms. Lewinsky's employment, the question is whether the President's efforts in obtaining a job for Ms. Lewinsky were to influence her testimony or simply to help an ex-intimate without concern for her testimony. The fact of the matter is the President assisted Ms. Lewinsky in her job search in late 1997 at a time when she would have been a witness harmful to him in the Jones case were she to testify truthfully.

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The President did not act halfheartedly. His assistance led to the involvement of the Ambassador to the United Nations, one of the country's leading business figures, Mr. Pearlman, and one of the country's leading attorneys, Vernon Jordan.

I would suggest, Mr. Speaker, there is no coincidence between the fact that Ms. Lewinsky signed the false affidavit on the same day or the day after she received a job in New York.

Ms. LOFGREN. Mr. Speaker, I yield 15 seconds to the gentleman from Wisconsin (Mr. BARRETT), a member of the committee.

Mr. BARRETT of Wisconsin. Mr. Speaker, this body has praised individuals, it has commended individuals, it has criticized individuals. No one gets upset about that. People on this side of the aisle have offered motions to censure individuals. Not the President. So the only reason we are hearing that the censure is extra-constitutional is because it is based on the fear, the well-founded fear, that it would pass.

Ms. LOFGREN. Mr. Speaker, I yield 15 seconds to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, the gentleman's comments from Indiana are absolutely without merit. Nowhere in the Constitution does it say censure is prohibited. If that were the case, we would not have postal stamps, we would not have education, we would not have Social Security.

We are not suggesting a bill of attainder, restraining the liberty and the property of the President. It is not unconstitutional. What is unconstitutional are the articles of impeachment that have no facts at all, but the censure is constitutional.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). The Chair would appreciate it if Members would abide by the time constraints that are allowed by the managers on each side.

Ms. LOFGREN. Mr. Speaker, I yield 15 seconds to the gentleman from Massachusetts (Mr. DELAHUNT), a member of the committee.

Mr. DELAHUNT. Mr. Speaker, I think it is important to put on the record in response to my friend from Virginia (Mr. GOODLATTE), Ms. Currie appeared before the grand jury on eight different occasions. On each occasion, she testified that in no way was she pressured to make any statement exonerating the President of the United States.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Speaker, I stand here tonight without reservation, I am against this impeachment. It simply does not rise to the level that the Constitution requires. It is unfair, it is partisan, and it mocks fair play. We should not do it.

For the good of this country, this partisan insanity must end.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. BLAGOJEVICH).

Mr. BLAGOJEVICH. Mr. Speaker, 2 years ago I walked into this Chamber with awe. As the son of an immigrant, I was raised to believe in the majesty of our democracy, and this is the citadel of that democracy.

Today we are on the verge of weakening our democracy by abusing the most extraordinary tool our Constitution affords us. Most constitutional scholars and most of the American people simply do not believe that the President's offenses, as bad as they are, rise to the level of impeachment; yet we are about to set a dangerous precedent where future Congresses will use impeachment as a tool of political destruction and not as the intended remedy for the grand abuse of power.

If we proceed down this road, this Congress will forever be remembered not for defending the rule of law, but for defiling our Constitution. I ask you to look around and consider the weight of history all of us in this Chamber bear. Before you degrade the world's greatest democracy, I ask you, I implore you, to please change your course.

About 2 years ago, I walked into this chamber with awe.

As the son of an immigrant, I was raised to believe in the majesty of our democracy.

And this is the citadel of that democracy.

I reflected on the brilliant, courageous leaders who crafted our constitution, and those who followed them, here in this Chamber—men and women of vision and judgment who have guided our Republic through good times and bad, informed by the precepts of our Founding Fathers.

Today, I fear we are on the verge of sullying their work and their memory, and weakening our democracy, by abusing the most extraordinary tool the Constitution affords us.

It has been said over and over and over again, and we all agree, that the President's behavior in this matter was indefensible. He misled the American people, his Cabinet and staff, to cover up an affair.

But most of the scholars we've heard from—and most of the American people—simply do not believe that his offenses rise to the level of impeachment.

Nonetheless, the majority is poised to proceed, without ample cause or national consensus, to put us through a wrenching trial, for the apparent purpose of unseating a President they could not defeat at the polls.

We are setting a precedent that will embolden future Congresses to use impeachment as a tool of political destruction, rather than the remedy for grand abuses of power it was meant to be.

If we proceed down this road, this Congress will forever be remembered, Not for defending the rule of law, but for defiling our Constitution.

I ask you to look around, consider the weight of history all of us in this Chamber bear.

Before you degrade the world's greatest democracy, whose ideals have attracted millions of immigrants to our shores, I ask you to change course.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Speaker, the easy way out is not an avoidance of a censureship motion. That is the way to end the partisanship here. The correct way, the way to show some fairness, is to allow a vote on censure; not to make some excuse that because it is not mentioned in the Constitution, we cannot have that vote.

Take the weight of conscience out. Do not deprive our right to vote our conscience so you can ram something through here. Spare us all the righteous condemnations, spare us all the assertions of your desire to uphold the rule of law, and do a fair act here; put on this floor a motion for censure, because certainly the fact that the conduct of the President is not impeachable does not mean it is being condoned.

We have an argument here that he can stand for trial if it is decided that is what should be done after he gets out of office, and we do not need impeachment to teach our children the difference between right and wrong. Do not sell our parents short, do not sell our children short, do not sell the minority here short and do not sell the American people short. Give us the right, give us the fairness of a vote on censure, so the American people can have their way.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. MCDADE), the dean of the House Republicans, who is retiring this year.

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

Mr. Speaker, I rise in support of the pending resolution.

Mr. Speaker, these votes on the question of impeachment are difficult ones for all of us. And my view of this sad situation is colored somewhat by my personal knowledge of how prosecutors and investigators can unfairly target and charge a citizen.

But after reading the report of the Judiciary Committee, it is conclusive to me that the President violated his constitutional oath to the people of the United States. He did so by intentionally misstating the facts in sworn testimony, repeatedly. Likewise, he violated his oath by perverting the system of justice, by concealing evidence and attempting to influence testimony, and by refusing to answer forthrightly the legitimate questions of a congressional committee.

However, I am gravely concerned about the tactics used by the Independent Counsel in this matter regarding the President. I am equally appalled by the tactics of another independent counsel in the case of former Secretary of Agriculture Mike Espy. Mike Espy, in the read world, is now known as 'former Agriculture Secretary Mike Espy.' But Prosecutor Smaltz is still Prosecutor Smaltz—for bringing a false case the prosecutor suffers no loss of position, no penalty for his misconduct while his target loses his job and his good name. The prosecutor is unaccountable.

These independent counsels are doing nothing out of the ordinary when they intimidate witnesses or engage in other unfair tactics. The tactics used by independent counsels are the same tactics used by regular federal prosecutors every day against American citizens. The U.S. Department of Justice fights any attempt to bring accountability, to bring oversight, to punish prosecutors who engage in misconduct.

Repeatedly, these tactics are given the seal of approval by the U.S. Department of Justice. Nobody at the Justice Department raises any question about this type of conduct, which violates the Constitution. In my opinion, they contort the basic intent of the Constitution, which is to ensure the freedom of every citizen in this country.

Earlier this session, I tried to pass legislation to reform the Department of Justice as it conducts its daily operations. I believe the need is clear—just look at the normal investigative techniques used every day in this country by not only independent counsels, but by all federal prosecutors. They cry out for attention, because they threaten the liberty and constitutional rights of our citizens.

In carrying out their mission, overzealous prosecutors violate the rights of far too many of our citizens. They represent a rogue element within the larger group of law enforcement, they must be curtailed. Their powers are enormous, then conduct unaccountable, and their victims are the constitutional rights of our citizens.

In 1940, then-Attorney General and future Supreme Court Justice Robert H. Jackson warned of the dangers of placing too much unaccountable power in the hands of a prosecutor. Anyone who reads his statement should be deeply concerned about liberty in our country. Listen to just two sentences:

With the law books filled with a great assortment of crimes, a prosecutor stands a fair chance of finding at least a technical

violation of some act on the part of almost anyone. In such a case, it is not a question of discovering the commission of a crime and then looking for the man who has committed it, it is a question of picking the man and then searching the law books, or putting investigators to work to pin some offense on him.

That alert, given in 1940, should be regarded as a bright danger signal in 1998. For the number of laws and regulations on the books have increased a thousand-fold. And as they have grown, so does the danger Jackson warned us about.

Today, an overzealous and unaccountable prosecutor can target and charge citizens on a huge variety of technical and substantive violations of law. The power they unleash is beyond description. The effects on a citizen of our country are ruinous.

Legislation which I offered (H.R. 3396 and the House overwhelming passed as part of the Commerce/Justice State appropriations bill on August 5 would have reined in the abuses of these overzealous prosecutors. Before and after passage of the bill in the House, the Department of Justice lobbied intently against it. And my question is, why?

Title I of my bill requires the lawyers at the Department of Justice to abide by the ethics law which govern the actions of all other lawyers. The Department vehemently argued the need for their self-proclaimed exemption from ethics laws. They were opposed by the chief justices of all 50 states, the American Bar Association, and every professional group which took a position. Standing alone in favor of their own ethics exemption was the Department of Justice. Their position was resoundingly defeated in a House vote.

Title II of my bill set a series of bright lines and prohibited DoJ personnel from crossing them. It also offered for the first time a remedy for a citizen aggrieved by untoward conduct by the Department of Justice. and conduct proscribed by the Act—such as withholding evidence that would exonerate a person, altering evidence misleading a court—was clearly stated. The Department of Justice intensely lobbied against this section of the bill. In the House, the Department's effort was in vain, as once again, the "people's branch" overwhelmingly voted for a newly-stated ethic. But the Department was successful in recoving Title II in a conference with the Senate.

Again, the question—why the white-hot lobbying effort to defeat it? Why would they oppose simple codes of punishable instances of prosecutorial misconduct? It seems so self-evident that these codes are basic to the constitutional protection of every citizen. Why would they oppose and lobby so intensely? It may be because of the provision in Title II which begins a system of accountability—real accountability with an independent review of instances of prosecutorial misconduct.

Much remains to be done in an area of grave consequences. While I am grateful that Title I of my bill survived in the omnibus appropriations conference, our nation also needs Title II to bring accountability to the Department of Justice. It is my hope that the 106th Congress will continue the work we started this year, to safeguard our citizens from prosecutorial misconduct.

Mr. SENSENBRENNER. Mr. Speaker, I yield two minutes to the gentleman from South Carolina (Mr. SANFORD).

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

Mr. Speaker, David Schippers, Chief Investigative Counsel for the Committee on the Judiciary, lifelong Democrat and former head of Robert F. Kennedy's Task Force on Organized Crime in Chicago, summed up the one thought that I would like to contribute to this debate. He said before the Committee on the Judiciary, "The principle that every witness in every case must tell the truth, the whole truth and nothing but the truth is the foundation of the American system of justice, which is the envy of every civilized Nation. If lying under oath is tolerated and when exposed is not visited with immediate and substantial adverse consequences, the integrity of this country's entire judicial process is fatally compromised and that process will inevitably collapse."

I met with Mr. Schippers in the Ford Building this afternoon and became all the more convinced on the need to do something about this principle that he talked about. For those of you in search of a censure, I have come to believe that the constitutional way in which you bring about censure is by sending articles of impeachment from the House to the Senate that go nowhere.

But whether the Senate convicts or not, I think we have to get at what Mr. Schippers was talking about, because, if not, we leave in place one of two very cancerous thoughts. The first would be the President lied, I can too. If people come to believe in a municipal court, a state court, a district court, that when they raise their right hand and promise to tell the whole truth and nothing but the truth, that they can do otherwise, we will have substantial harm to our judicial system.

The other cancerous thought would be I do not know if he lied, but we have two different systems of justice; one for important people like presidents, another one for the rest of us. If we let either of those two thoughts grow, cancerous thoughts grow, we will have substantial harm to our system.

Scott Peck wrote a book several years ago called "The Road Less Traveled." He talked about how often the right road was the hard road, and, therefore, the less traveled road. I think we are on that road tonight, and encourage a vote on impeachment.

Mr. SENSENBRENNER. Mr. Speaker, I yield two minutes to the gentleman from California (Mr. RIGGS).

Mr. RIGGS. Mr. Speaker, the very first thing I want to do is recognize and salute the members of the Committee on the Judiciary and the staff for the very difficult and courageous work that they have done.

After a thorough review of the record, careful deliberation and a great deal of very painful soul searching, I have reached the conclusion that President Clinton lied under oath and encouraged others to lie under oath in a Federal Court proceeding. He has thereby violated his fundamental constitutional responsibility to take care that the laws be faithfully executed. That, in my opinion, is grounds for the President's resignation, but it is also grounds for his impeachment under the first three articles reported out by the Committee on the Judiciary.

Impeachment is essential to preserving the rule of law because, under our Constitution, a sitting President cannot be indicted for crimes. The only way to make him subject to the law and preserve the rule of law is through the process of impeachment.

More importantly, if the President can distort the truth, break the law and avoid accountability, what are the consequences for our Nation? Do we want to establish the precedent that presidents may with impunity hold the law in contempt? How can we expect anyone who is subpoenaed to court to have to tell the truth, when the head of our government has not? In my opinion, such conduct would invite the abdication of morality and accountability and it would breed contempt for the law.

This truly is a vote of conscience. In a sense, it is a rare opportunity to put principle over politics. As George Washington said, let us look to our national character and to things beyond the present period. We are duty bound by our solemn oath of office to defend our country and the common commitment to its political principles, the Constitution, the rule of law, the right-to-life, liberty and the pursuit of happiness, that unites all Americans. We cannot, we must not, fail in this duty.

For the sacred purpose of preserving the rule of law and the integrity of our Constitution, I will vote to impeach William Jefferson Clinton, and I urge my colleagues to do so.

Ms. LOFGREN. Mr. Speaker, I yield such time as he may consume to the gentleman from Connecticut (Mr. MALONEY).

Mr. MALONEY of Connecticut. Mr. Speaker, I rise in opposition to the pending resolution.

Ms. LOFGREN. Mr. Speaker, I yield 15 seconds to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Speaker, again, for the record, I think it is important to note in terms of the constitutionality of censure that no less a figure in our history than Abraham Lincoln, the father of the Republican Party, supported a House resolution condemning President Polk for unnecessarily and unconstitutionally starting a war with Mexico.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise against the articles of impeachment.

Mr. Speaker, the articles of impeachment referred to the House by the Committee on the Judiciary Republicans are the product of a partisan hearing process, a very unfair process. The majority party is obsessed with destroying this President. I think it is because he represents the American people's view; not the elitist view, but the people's view. We have called this House the People's House, and, time after time after time, I have seen these Republicans stand and ignore the people.

It is unfortunate that we have come to this time, because it is clear, I have listened all day, and all I have heard are excuses trying to back up why they want to destroy this President. We have spent $40 million of the taxpayer's money for the Republicans to be able to say "gotcha."

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I rise today with a heavy heart. I oppose the impeachment of the President of the United States. I support censure. We all know that the President's conduct was despicable. He should be punished. I am deeply disturbed that we will not even consider a bipartisan motion of censure. I am being denied the opportunity to vote my conscience and adequately represent my constituents. This is terribly unfair.

The question before us is whether the President's conduct was impeachable. I have concluded that his misdeeds do not constitute high crimes and misdemeanors. Impeachment is not meant to punish a President, but to protect the Nation against the abuses of power that would undermine a system of government.

We simply must not impeach the President under this partisan, unfair process. Let us censure the President, put this chapter behind us and move on to heal the divisions in our Nation.

Mr. Speaker, I rise today with a heavy heart. Never did I imagine that I would have to cast a vote whether or not impeach the President of the United States.

Tomorrow I will vote against the four articles of impeachment.

Instead, I favor censuring the President.

The resolution offered by the Judiciary Committee minority, which strongly condemns the President's behavior, would permanently and officially record the shame he has brought upon his office.

A Congressional censure is not a trivial slap on the wrist; it is a powerful, historic punishment.

I am deeply disturbed that a censure resolution will not even be brought to this Floor for a full and open debate.

The will of the American people is being callously ignored by this patently unfair and starkly partisan process.

Without the option of censure, not only am I being denied the opportunity to vote my conscience, but I am prevented from adequately representing my constituents.

I have not made these decisions lightly. But I have made them resolutely.

The question before us today is not whether the President's misconduct was immoral and despicable; of course it was.

The question is not whether his behavior was criminal; that could be decided in a court of law.

The question is whether his actions are impeachable. After reviewing the evidence presented by the Judiciary Committee, I have concluded that they are not.

The impeachment clause was not drafted as a means to punish a President. It was not even designed to teach our children a lesson in morality.

Instead impeachment is intended to protect our constitutional system of government. It is meant to protect the nation against Presidential abuses of power so great that they undermine the security of the nation.

President Clinton's misdeeds, his lies, even his crimes, do not threaten our democratic system. His wrongdoings stem from private matters, not affairs of state. They do not rise to the level of impeachable high crimes and misdemeanors.

While opposing impeachment, I feel strongly that the President must not escape punishment. A formal bipartisan Congressional censure is punishment that fits the crime.

Mr. Speaker, it is time to bring this sordid chapter of American history to a close.

The President deserves to be censured.

The constitutional threshold of impeachment must be upheld.

A President twice elected by the people must not be thrown out of office without ironclad justification.

And we should not impeach the President of the United States on a narrow, partisan vote.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, this institution is failing to live up to its responsibilities, just as surely as the President has failed to live up to his, and the House's failure may well do the more lasting damage to our Constitution. Where there should be an extraordinary effort to work across party lines and find a consensual basis for action, I see a hard charging majority bringing articles of impeachment to the floor on a strictly partisan basis. Where there should be scrupulous attention to the constitutional and historical basis for impeachment, I see a cavalier willingness to define impeachment down to get a favorable vote, in disregard of what the framers intended.

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And where there should be assurances that this is a vote of conscience, I see a cynical and unfair manipulation of the rules to deny Members the right to vote on a motion of censure and to tilt the outcome in favor of impeachment.

This shuts off consideration of the most appropriate sanction under the Constitution for the behavior we are considering. It denies many of us the right to vote our consciences on the most serious question we are ever likely to face as Members of this body. It is manipulative, it is cynical, it is unfair. It is as though the Republican leaders of this House have set out to confirm all of the worst suspicions Americans have about politics and politicians.

Mr. Speaker, this House is on the brink of a historic and tragic failure. I beg my colleagues to take heed.

Mr. Speaker, who among us would have thought when we ran for office or when the 105th Congress began, that this is where it would end?

For the second time in the 209-year history of this republic, we are debating articles of impeachment of a president on the House floor. This is likely to be the most important vote any of us will ever cast. The judgment of history should weight heavily on our minds.

What has brought us to this point? The reckless, irresponsible behavior of the president and his efforts to cover up that behavior, even when he was sworn to tell the truth. Many legitimate and troubling questions have been raised about the way the independent counsel and those working with him pursued this case, but this case is inescapably about the president and his behavior, which violated basic moral standards and is deserving of condemnation and reproach.

That is not the end of the matter, however, for this case is also about us, as members of the House of Representatives. We have had this matter thrust upon us, and we must determine how to hold the president accountable in a way that is faithful to the Constitution, to the best interest of our nation, and to the people we represent. I say to my colleagues in all earnestness that we risk failing in this solemn task in a way that posterity will judge most harshly. Many have rightfully described this as a sad time. But despite the circumstances that have brought us to this point, I believe we could discharge our duty in a way that would uplift our nation and instill confidence in our people. Unfortunately, that is not what I see here today. I fear that this institution may fail to live up to its responsibilities as surely as the president has failed to live up to his. And our failure, if we go down the path the Republican leadership is attempting to drive us, may well do the more lasting damage to our Constitution and our system of government.

Where there should be, in a matter of such gravity, an extraordinary effort to work across party lines and to find a consensual basis for action, I see a hard-charging majority whipping its members into line, and bringing articles of impeachment to the floor after committee approval on a strictly partisan basis.

Where there should be scrupulous attention to the constitutional and historical basis for impeachment, I see a cavalier willingness to "define impeachment down" to secure a favorable vote, in disregard of both what the Framers intended in placing this power in the hands of the Congress and the constitutional mischief this action might encourage in the future.

Where there should be assurances that this is a vote of conscience and that members will be given a full and fair opportunity to debate and vote on legitimate and differing proposals for holding the president accountable, I see a cynical and unfair manipulation of the rules to deny members the right to vote on a motion of censure and to tilt the outcome in favor of impeachment.

This rigging of the rules shuts off consideration of the most appropriate sanction, under the Constitution, for the behavior we are considering. It blocks off the most promising possibility for bipartisan accommodation and agreement. It denies me and many like me the right to vote our consciences on the most serious question we are ever likely to consider as members of this body. It is manipulative, it is cynical, it is unfair. It is as though the Republican leadership of this House has set out to confirm all the worst suspicions and fears Americans have about politics and politicians.

And all this is happening at a time when the House ought to be rising to this extraordinary historical and constitutional challenge. It is indeed a sad and anxious time, and we should not doubt that history's judgment not only of the president but also of ourselves hangs in the balance.

In consulting the views of our country's founders, particularly the debate in the Federal Convention of 1787, and the subsequent precedents, I have come to the conclusion that seems to be shared among the vast majority of constitutional scholars: the Framers viewed impeachment of the president as a remedy reserved for protecting our Constitution and system of government from grave abuses that would destroy them.

The records of the Federal Convention make abundantly clear that the assumed grounds for impeachment were treason, corruption, and similar crimes against the state. Some delegates desired to provide flexibility in the grounds for impeachment, while others opposed any impeachment power for the legislative branch whatsoever as a threat to the independence of the executive. As a result, to the specified grounds for impeachment, treason and bribery, were added "other high Crimes and Misdemeanors against the State." (see Madison's "Notes" for July 20 and September 8, 1787). The last three words were dropped by the Committee of Style, but with no intent to broaden the application of the terms.

As Alexander Hamilton subsequently wrote in the Federalist (no. 65):

> The subjects of . . . jurisdiction are those offenses which proceed from the misconduct of public men, or, in other words, from the abuse or violation of some public trust . . . [relating] chiefly to injuries done immediately to the society itself.

Presciently, Hamilton added that "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 or guilt."

The one time the House impeached a president demonstrated Hamilton's foresight. I've always heard a great deal about Andrew Johnson: I grew up thirty miles from his home and tailor shop in Greeneville, Tennessee, and I now represent the North Carolina district where he was born. Members would do well to reflect on the circumstances of Andrew Johnson's impeachment and the consequences that flowed from it. Although Johnson was not convicted by the Senate, his impeachment ushered in a period of congressional ascendance and hobbled the presidency into the next century. The republic survived: we were an insular, agrarian nation, less in need of a strong executive than we are now. But while the grounds for impeaching Johnson were closer to the constitutional standard than those we are considering today, history has not judged the perpetrators of Johnson's impeachment kindly.

The profiles in courage in 1868 were not those radical Republicans who pressed for impeachment; it was an easy vote for them, pleasing their political base and promoting their political ambitions. The profile in courage we most remember, in large part because of John F. Kennedy's book by that name, is Republican Senator Edmund G. Ross of Kansas, whose vote prevented conviction by the Senate an who saw his political career ended by virtue of that vote. We would do well on this solemn occasion to recall the example of Edmund Ross and the warning he gave:

> If . . . the President must step down . . . a disgraced man and a political outcast . . . upon insufficient proofs and from partisan considerations, the office of President would be degraded, cease to be a coordinate branch of the government, and ever after subordinated to the legislative will. It would practically have revolutionized our splendid political fabric into a partisan Congressional autocracy.

We have an appropriate alternative in a resolution of censure. I have hear the objection that censure is not constitutional merely because it is not explicitly mentioned in the Constitution. The overwhelming majority of constitutional scholars disagree. The precedents for congressional censure of presidents number at least four. The most frequently cited case is the Senate's censure of President Andrew Jackson in 1834. The House has taken similar action, such as the 1842 report—adopted by a vote of the House—finding that President John Tyler abused his constitutional powers, or the 1848 resolution charging President James K. Polk with starting a war with Mexico in violation of the Constitution. In 1864, the Senate condemned President Abraham Lincoln for unconstitutional acts. Congress has censured civil officers of the United States beginning in 1822 and continuing throughout our history. For Republicans to call censure unconstitutional is simply a smoke screen to cover their cynical and unfair manipulation of the rules to deny members a vote on the alternative which is favored by most of the American people and which is the most appropriate way of holding the president accountable.

Censure opponents also argue that such a resolution would upset the equilibrium of power between the legislative and executive branches. This argument is a breathtaking display of crocodile tears, because these same people are pushing the House toward adoption of articles of impeachment which will weaken the executive far more than any resolution of censure. The Andrew Johnson impeachment shackled the presidency, requiring his successors to seek the permission of Congress to dismiss civil officers and cabinet officials. It was not until the administrations of Theodore Roosevelt and Woodrow Wilson that the office regained the powers enjoyed by President Lincoln and many of his predecessors. In 1885, Wilson described a "congressional government" that entered "more and more into the details of administration until it has virtually taken into its own hands all the substantial powers of government." In portraying the approach the majority is taking today, Professor Bruce Ackerman of the Yale University School of Law observed that this "cavalier approach to the impeachment process would radically change [the separation of powers]. Congress could regularly respond to unpopular decisions by seeking to force the president from office. The result would be a massive shift toward a British-style system of parliamentary government."

In the long run, history will judge not only this president, but this House of Representatives as well. The articles of impeachment we are about to adopt, and from which I will strongly dissent, are incompatible with the intent of our Constitution's Framers and fly in the face of the convictions of most of our citizens and of our historical experience. The process by which we are considering them is a travesty. It denies to members the ability to vote our conscience and to the minority the right to propose alternative measures. It promotes division where there should be unity, distrust where there should be confidence.

Mr. Speaker, this House is on the brink of an historic and tragic failure. I beg my colleagues to take heed.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. BOB SCHAFFER).

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, in the most fundamental terms, what Americans are fighting for today in Iraq is the truth. We fight for the self-evident truths upon which our Founding Fathers launched the greatest Nation on the planet. Yes, our history is replete with examples of our failure to honor the truth. We have abandoned it plenty of times, but we have never lost sight of what is right in the world.

By relying on the protection of divine providence and by renewing of our minds, we have always tried to discern what is the will of God, what is good and acceptable and perfect. We have always been serious about the truth.

Today, there are 115 Americans who are confined behind Federal bars imprisoned by our society, by the law, for failing to tell the truth when it mattered most, when someone else's liberty stood in the balance. Our response has been rather harsh, has it not? In America, we will take away one's liberty and freedom when they lie under oath.

Yes, Mr. Speaker, there are Federal prisoners who today serve as proof of this. How confused they must be. How confused all Americans must be to observe this debate, to hear this Congress of the United States say nothing of the 115 people in jail sentenced for committing the Federal high crime of perjury.

Yet, Members question with passion the merits of applying the same law to the highest ranking public official in America.

On this next point, Mr. Speaker, let us be clear. Our spiritual tradition in America also entails forgiveness. Indeed, the President has asked for forgiveness, and I judge his sincerity to be genuine. As but one American, I forgive him fully. If it is forgiveness the President seeks, I submit it will be freely granted by even the last one of us, but if it is punishment he seeks to avoid, he will be terribly disappointed.

Forgiveness is a sacred quality defining the relationship between individuals. Punishment, in this case, is a civil response to breaking the law. In America, we do both every day, and today should be no exception.

So it is upon that custom that the holder of the office of the presidency should be impeached, to ensure that so long as he adorns the great presidential seal and the hallowed flag of the United States of America, he shall deny justice no more. He shall never lie to us again. That, too, is our solemn responsibility and obligation to the American people.

Mr. Speaker, most certainly at a time when America is called upon to lead the world to crush tyranny abroad, we must take inspiration from our brave soldiers whose courage lights the way of truth and provides hope for those in bondage. I want my children to know that when their father lectures them to tell the truth, he means it. And when this United States Congress considers the rule of law, we are serious. But if we fail in our solemn duty to apply the constitutional law of our country today, please, Mr. Speaker, and I beg my colleagues, do not risk the lives of our soldiers any longer. Let us never call upon them to demonstrate their abundant courage until we resolve to give the same of ourselves.

Mr. Speaker, my precious remarks were trumicated due to time constrains, I hereby submit my full remarks for the RECORD in the proper context.

At this hour, Mr. Speaker, the House has now had under debate, the matter of impeachment for nearly one full business day. All that needs to be said on this subject perhaps has been said.

The Articles of Impeachment have been properly proposed, sufficient scrutiny of the Resolution has been rendered, the evidence before us has been well established, succinctly presented, and not one among us so far has raised credible opposition or challenge to the facts.

To the charges, Members of the House hold differing opinions about a suitable remedy. Most favor impeachment as defined under Article II Section 4 of the Constitution. Others have invented a lesser remedy of "censure."

Some demand only a polite tap on the president's shoulder. But no one can deny—that is, without emasculating the English language—that President William Jefferson Clinton lied under oath, committed the high crime of perjury, and maintains, as a prosecutable felon, the office of the Presidency.

And while most of us at this point have solidified and justified the votes we intend to cast in just a matter of hours, I ask my colleagues to consider the explanation of my vote that I have given to my children now at home in Colorado.

I am of the first generation of Americans which has never known the draft. Now imagine that, I've never had to watch my friends or brothers drafted into the nation's defense. I've never had to hear a friend's mother cry upon learning the fatal news of her son. I've never had to live with the anxiety of wondering if, and when, my number would come up. And the thought of my children being called away seems remote even at the present time.

Now that's a powerful statement of freedom, and a powerful testimony to 250 years of colonists, patriots, and American citizens who have defined American valor. And I thank God every day for the liberty I enjoy today. I thank every American veteran, volunteer or otherwise, who has placed his life on the line for my liberty and for that of my children. Today, Mr. Speaker, I'm especially thankful for the fine men and women who are fighting for America, half a world away from us here, this very day, and for all their colleagues who maintain peace everywhere else. They represent the best of America, and they understand what it means to be an American.

America is more than our history. America is more than the flag, more than the Constitution, more than sea to shining sea. America is more than the Supreme Court, more than this Congress—and more than the President of the United States. Actually, America is a concept—and a simple one at that. America is, and has always been about the Truth.

Now there's a concept that has challenged humanity from the Garden of Eden to this very moment, and it will challenge us from here to eternity. In fact, the greatest commandments of all the world's greatest religions are about the Truth. The Almighty knows the heart of all men, and He knows how we struggle, and fail, and struggle again, to honor the truth. I believe He knows we will all fail on occasion, sometimes very seriously, yet He holds out the assurance of His blessings to any man or woman—or Nation—that genuinely seeks the truth.

In the most fundamental terms, what Americans are fighting for today in Iraq is the Truth. We fight for the self-evident truths upon which our forefathers launched the greatest nation on the planet. And yes our history is replete with examples of our failure to honor the truth. We've abandoned it plenty of times. But we've never lost sight of what is right in the world. By relying on the protection of Divine Providence, and by the renewing of our minds we have always tried to discern what is the will of God—what is good and acceptable and perfect.

Yes, the reality of tyranny in Iraq has resulted in human degradation, misery, pestilence, and death, and that's what prompts our action in that region today. While soldiers, sailors, and airmen risk their very lives for Life, Liberty, and other self-evident Truths in the Persian Gulf, don't you think we owe them the same kind of courage here at home—to reaffirm that the Declaration they defend is real, that America will not be led by false witness, but by the same truth that sets us apart from the rest of the world? Life, Liberty, and Pursuit of Happiness are the pillars of humanity, and to those truths we have pledged our lives, our fortunes, and our sacred honor. And when we fail, we repair ourselves by fixing our bearing upon what we know to be right, not in some errant direction.

We have always been serious about Truth. Today, there are 115 American citizens confined behind federal bars, imprisoned by our society—by the law—for failing to tell the truth when it mattered most—when someone else's liberty stood in the balance. Our response is rather harsh isn't it?

In America, we will take away one's liberty and freedom when they lie under oath. Yes my colleagues, there are federal prisoners in federal prison today who serve as proof of this. Perhaps some of them are observing this debate from their cold jail cells. How confused they must be. How confused my children must be. How confused all Americans must be, to observe this debate—to hear the United States Congress say nothing of the 115 people in federal jail, sentenced for committing the federal high crime of perjury—yet Members question with passion the merits of applying the same law to the highest ranking public official in America.

I cannot recall one Member objecting, on this floor, to the separation of liberty from a single felon convicted of perjury. No speeches fill our Journals, no entry, no extension or remark in the Record. Yet we agonize over the disposition of one Mr. Clinton and his relation to the highest office in the land.

Mr. Speaker, unless any single opponent of today's Resolution has risen to the defense of a single convicted, jailed perjurer in this House—they may all be regarded by their countrymen, with plausibility, as hypocrites.

My concern is not for the comfort of felons, but for their souls nonetheless. Because we believe the rule of law to be so essential in America, we should insist it be applied fairly to the least and greatest among us, and with blind justice.

On this next point, Mr. Speaker, let us be clear. Our spiritual tradition in America also entails forgiveness. Indeed, the president has asked for forgiveness, and I judge his sincerity to be genuine. As but one American, I forgive him fully. If it's forgiveness the president seeks, I submit it will be freely granted by even the last one of us, but if it's punishment he seeks to avoid, he will be bitterly disappointed. Forgiveness is a sacred quality defining the relationship between individuals. Punishment, in this case, is a civil response to breaking the law. In America, we do both, every day, and today should be no exception.

Criminal punishment is about public safety and social order. The reason we incapacitate law breakers is to shield society from an offender's propensities and to ensure the unmolested liberty of law-abiding citizens.

And so it is upon that custom that the holder of the office of the Presidency should be impeached—to ensure that, so long as he adorns the great presidential seal and the hallowed flag of the United States of America, he

shall deny justice no more, he shall never lie to us again. That too, is our solemn responsibility and obligation to the American people.

This is a profound matter which must be resolved now. Mr. Speaker just yesterday, our allies in the British House of Commons took to their Chamber to affirm England's commitment to use of military force in Iraq. One Member of Parliament sharing Mr. Clinton's own political philosophy, said, "We're not being led into battle by Richard the Lion-Hearted, but by Clinton the liar. I am disheartened."

Mr. Speaker, my children deserve a president who commands respect in the great halls of democracy around the world, especially among our diplomatic partners. My children deserve a leader whose commitment to his oath is an international bond spanning the widest oceans.

And Mr. Speaker, most certainly at a time when America is called upon to lead the world to crush tyranny abroad, we must take inspiration from our brave soldiers whose courage lights the way to truth and provides hope for those in bondage, everywhere. I want my children to know that when their father lectures them to tell the truth, he means it and when the United States Congress considers the rule of law we are serious.

But if we fail in our solemn duty to apply the constitutional law of our country today, please Mr. Speaker, I beg my colleagues, do not risk the lives of our soldiers any longer. Let us never call upon them to demonstrate their abundant courage until, we resolve to give the same of ourselves."

Ms. LOFGREN. Mr. Speaker, I yield 2½ minutes to the gentleman from North Carolina (Mr. BURR).

Mr. BURR of North Carolina. Mr. Speaker, we stand on the floor of the House in the shadows of 23 men who in the course of human civilization have written the basic principles that anchor American law, the concept of a Nation of laws, not men.

Today, we have been charged with choosing between reaffirming these basic principles, or sacrificing fundamental truths, so that one man can be placed above the law.

I have studied the thoughts of the North Carolinians who helped shape the debate of the ratification of the U.S. Constitution. James Iredell, who later served in the Supreme Court, while debating the impeachment clause before the North Carolina Convention noted that an impeachment clause is necessary because, and I quote, "If this power were not provided, the consequences might be fatal. It will be not only the means of punishing misconduct, but it will prevent misconduct. A man in public office who knows that there is no tribunal to punish him, may be ready to deviate from his duty; but if he knows that there is a tribunal for that purpose, although he may be a man of no principle, the very terror of punishment will perhaps deter him."

After reviewing evidence, I support Article I accusing the President of lying before the grand jury, and I support Article III, charging the President with obstruction of justice.

I believe the charges outlined in I and III go to the very heart of our system of justice. John Jay, the first Chief Justice of the Supreme Court, believed that, and I quote, "No crime is more extensively pernicious to society" than perjury. If we knowingly allow our President to break laws while some Americans sit in jail for having violated the same statute, we weaken the very rule of law protecting us.

One of North Carolina's most favorite sons, the late Senator Sam Ervin, stated in his last newsletter, and I quote, "If we seek truth, keep faith and have courage, I have no fear that this Nation can overcome all challenges from within or without."

Our country is strong. Our Constitution was written with wisdom and grace. Regardless of the outcome of this sad chapter in our Nation's history, I am hopeful that we will live in peace with our conclusion.

Ms. LOFGREN. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, Article II, Section 1 of the Constitution states, "The executive power shall be vested in a President of the United States." Mr. Speaker, a President. Not a prince, not a potentate, but a citizen, a citizen who, like every citizen, must have respect for the rule of law. Mr. Speaker, Article II, Section 4 specifically describes impeachment as the remedy before us.

Mr. Speaker, there is no mention of censure in the United States Constitution, a document of limited and specified powers. To the arguments from the minority side on censure, let me quote a senior member of the Committee on the Judiciary, the gentleman from Massachusetts (Mr. FRANK), in an article appearing in the Boston Globe in March of this year. He was talking about the majority party, and so he offered a pot shot, but listen to the words; I quote them now. "Faced with a choice, they go for symbolism over substance. That is what censure is." The words of your colleague, my friends: "Symbolism over substance, that is what censure is."

The Arizona Republic opines:

> Skip the evasions and inventions. If the President lied in his deposition and in his grand jury testimony, and then took pains to cover his tracks and to encourage others to mislead the grand jury, the constitutional remedy is to impeach and allow the truth to emerge in the resulting Senate trial.

The Mesa Tribune editorializes, quote, "It is a crime to lie under oath, period."

I take no pleasure in this circumstance, but for those who want to carve out an exception to the rule of law, it is as if we take the scales of justice from the hands of Lady Justice and take off her blindfold and ask her to put an eye on the opinion polls and a moistened finger in the wind.

I rise in support of impeachment with a heavy heart.

Ms. LOFGREN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California, (Ms. ROYBAL-ALLARD).

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in strong opposition to this unfair process that does not allow me to vote my conscience.

Mr. Speaker, I rise to denounce the unfair process that has brought us to this critical point in our Nation's history.

I am outraged that the Republican leadership will prevent me and my colleagues from voting our conscience on this grave issue, by refusing to allow us a vote on censure, which I believe, is the appropriate punishment for the actions of the President.

In our democratic society what is so frightening is the unfairness of the process that brought us to this point.

The Republican agenda was clearly predetermined.

Even before the hearings began, Republicans were calling for impeachment.

Although not one shred of evidence has been produced to prove the President's actions reached the level of high crimes and misdemeanors, the Republican leadership continues to pursue its goal, not for justice and fairness, but for the removal from office of the President of the United States.

Tragically, these unfair acts that have controlled this entire process, have chipped away at the freedoms of fairness and justice our men and women in uniform are fighting to preserve even this very day.

I still have hope, however, that my Republican colleagues will listen to the American people and change the unfair direction of this process by allowing us to vote on censure.

Ms. LOFGREN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Oregon (Ms. FURSE).

Ms. FURSE. Mr. Speaker, I rise to voice my opposition to this unfair, uncalled-for impeachment.

Ms. LOFGREN. Mr. Speaker, I yield 15 seconds to the gentleman from Wisconsin (Mr. BARRETT), a member of the committee.

Mr. BARRETT of Wisconsin. Mr. Speaker, several of the previous speakers have said that no man is above the law. I passionately and fervently agree, as do the Members on this side, and that is why our censure resolution specifically states that the President remain subject to criminal and civil penalties after he leaves office. It is important to make that point, because the American people should know that. It is a crime that our censure resolution cannot be heard on this floor.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Speaker, Mr. Clinton's personal conduct was wrong, but no amount of outrage or indignation can obscure the fact that the rule of law begins with the reading of the Constitution and a review of the history of

the Constitutional Convention debates of 1787, a principle well recognized by every court in our land.

The framers of our Constitution and their forefathers had fled a monarchy and wanted to be sure that the person serving in the newly created position of chief executive did not usurp his powers and seek to reinstate the unlimited powers of the throne. Impeachment for high crimes and misdemeanors gave Congress the power to defend the Constitution against acts that would destroy the constitutional order or extend the presidential power beyond its defined limits. For other crimes and misdemeanors, the framers chose to again depart from the monarchial tradition and they left the President subject to the same laws and to the same judicial penalties and punishments and protections as every other citizen.

The President is not above the law, and today an independent counsel retains the power to indict the President and try him after he leaves office for any crime he may have committed. My oath of office does not require that I defend the President, but I cannot fail to defend the Constitution.

Under that solemn oath, I cannot vote in the present case to remove the President from office.

In the Sermon on the Mount, Jesus said "Judge not, lest ye too be judged." God forbid that we would judge the President today by any standard other than that set forth in the Constitution. This is the responsibility each of us readily assumed when we raised our right hand and swore to support and defend the Constitution of the United States.

The issue before us it not to be decided by what the polls say or even by what our colleagues say here today. In this moment, every Member must reach deep into their mind and soul and ask "What does the Constitution say?"

While we may all agree that Mr. Clinton's personal conduct was wrong, no amount of outrage or indignation can be allowed to obscure the fact that the rule of law begins with a reading of the Constitution and a review of the history of the Constitutional Convention debates of 1787. That is fundamental to the rule of law as recognized by the common practice of every court in our land.

I have carefully read the notes and records of the debates of the Constitutional Convention regarding the language of Article II Section 4. The framers were careful to create a system of government with three separate and independent branches of government—none with undue power over the other. They and their forefathers had fled a monarchy and they wanted to be sure that the person serving in the newly created position of Chief Executive did not usurp his powers and seek to reinstate the unlimited powers of the throne.

The clear intent of the impeachment power was to give Congress the power to protect the Constitution and the office of the Presidency from acts that would destroy the Constitutional order or extend the Presidential power beyond its defined limits. For other crimes and misdemeanors the framers chose to again depart from the monarchial tradition and leave the President subject to the same laws and to the same judicial penalties and punishments—and protections—as any other citizen.

Yes, we should severely censure the President as an expression of our collective disapproval of his actions. And we should not forget that the Independent Counsel retains the power to indict the President and try him after he leaves office for any crime he may have committed.

I am not called upon by the oath that I took to defend the President but I must defend the Constitution. Under that solemn duty, I cannot vote in the present case to remove a President elected by the people from the highest office in the land.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, I rise in strong opposition to impeachment. I rise in strong opposition to this attempt at a bloodless coup d'etat, this attempt to overturn two national elections. The American people are ahead of the politicians; they are certainly ahead of the majority party. They want censure. Why are we not given the opportunity to vote up or down for censure on the House floor? Why are we not allowed to represent our constituents on the House floor?

No one believes that the President will ultimately be removed from office, so we will have dragged this country through a 6-month trial in the Senate and Bill Clinton will still remain President. What good does that do?

Let us put this behind us with a bipartisan censure. Let us get on with the issues of importance to the American people, such as health care, Medicare, Social Security, education, campaign finance reform.

My colleagues on the other side of the aisle say they have a constitutional duty to move forward. I come from the Bronx, and we talk about street smarts there or a little bit of common sense, and common sense means you do not move forward with blinders on, you do what is best for the country. Please, do not move for impeachment. This will only harm our country that we love.

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Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP. Mr. Speaker, I believe the President's conduct was wrong, indefensible, and disgraceful, and he should be punished. But after careful review of the four articles of the impeachment and supporting materials and after prayerful deliberation, I must vote against impeachment.

I do support strong censure, which makes clear that the President is not above the law, and remains subject to any penalties of law substantiated by the facts. While I cannot defend the President's conduct, it is my solemn duty to defend the integrity of the Constitution.

The Founding Fathers made it clear in their deliberations that only the most serious offenses against the Republic itself would justify removal from office. Whether or not the facts alleged in support of the articles are true is questionable. None of the testimony given in support of the articles has been subjected to cross-examination. Even if we assume that the allegations are true, it is my judgment that they do not rise to the high constitutional requirements for impeachment.

I urge this body to take a course of action that is justified by the facts, censure, not impeachment. Follow the will of the majority of the American people.

Mr. Speaker, I believe the President's conduct was wrong, indefensible, and disgraceful, and he should be punished. However, after careful review of the four Articles of Impeachment and the supporting materials and following prayerful deliberations, I have concluded that my vote and the vote of the House should be against impeachment of President Clinton. I reached this conclusion for several reasons:

(1) Impeachment sets in motion a process to remove the President from office which could necessarily reverse the result of our last Presidential election and cancel out the wishes of a majority of Americans who cast their votes in that election. The constitutional requirements for impeachment are ". . . Treason, Bribery, or other High Crimes and Misdemeanors." The founding fathers made it clear in their deliberations that only the most serious offenses against the Republic itself would justify removal of the President from office. Whether or not the facts alleged in support of the Articles of Impeachment are true is questionable. None of the testimony given in support of the Articles has been subjected to cross-examination. But even if we assume that the allegations are true, it is my sincere judgment that they do not rise to the high constitutional standards for impeachment and removal from the office of President.

(2) There is unanimity in the Congress and throughout America that the President's conduct was wrong, possibly illegal, immoral and reprehensible. Moreover, it is clear that the people of this country feel the President should be held accountable for the violation of the trust he owes to the American people. However, it is also clear that they want punishment that will fit the offenses. They believe censure is the appropriate course of action. Constitutional scholars who testified before the Judiciary Committee agree four to one that censure is constitutional and appropriate. Those of us who believe in the Judeo-Christian principles of repentance and forgiveness but who also feel compelled to condemn the President's conduct should be allowed to express that as an alternative to impeachment through a vote on censure. Unfortunately, the partisan majority in the House will not allow a censure vote in spite of the strong preference of a majority of the American people.

(3) The principles of the "rule of law" and accountability would not in any way be abrogated if the House failed to impeach, voted for censure or did neither. For the President is still subject to indictment, prosecution, trial, and conviction of any possible law violation. He could face imprisonment just as any other American could, if found guilty. The President is therefore still subject to and not above the long arm of the law.

(4) Finally, I believe that a Senate trial of Impeachment with the attendance utilization of resources would hurt our District by diverting the focus of the 106th Congress from critical issues such as job creation and economic development, farm relief, tax relief, school modernization, Social Security and Medicare solvency, the Patient's Bill of Rights, domestic and international terrorism, defense, crime and drugs, and veteran's benefits. Additionally, an impeachment trial will punish the country by creating instability in our domestic economy, losses for retirees with lifetime incomes invested in the stock market, and job loss and further economic downturn at home.

While I cannot defend the President's conduct, it is my solemn duty to defend the integrity of the Constitution. It is my considered judgment that the integrity of the Constitution requires more than the allegation contained in the Articles of Impeachment. I believe that censure would be a more appropriate course of action. Therefore, I must vote against impeachment.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Speaker, it is with great disappointment in the President that I rise in support of the impeachment.

Mr. Speaker, no one here today is happy about our undertaking. It is a sad occasion, one filled with sincere dismay and concern for the future of our country. And I believe this concern is shared by Members on both sides of the aisle.

After listening to my constituents, considering the Judiciary Committee proceedings, and the responses from the Administration, one thought remained constant. That is the inscription on the mantel of the State Dining Room of the White House. It is the words written by John Adams, the first President to live in the White House, in a letter to his wife Abigail.

I pray Heaven to Bestow
The Best of Blessings on
THIS HOUSE
and on All that shall hereafter
Inhabit it. May none but Honest
and Wise Men ever rule under This Roof.

President Franklin Roosevelt had these words inscribed into the mantel as a constant reminder of the profound responsibilities of its occupants.

Our nation and the freedom it represents—the freedom American servicemen and women are currently protecting—are based on the rule of law. A basic principle on which our system of government rests is that we all stand as equals before the law. If we allow our judicial system to be eroded by not expecting the truth to be told, then we are putting our constitutional system of government at risk.

If our nation is to remain strong, it must be based on a rule of law and a respect for the sacred trust that goes with public service.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Speaker, I know a number of Members have had some great difficulty in coming to the conclusion, the struggle to come to a decision. One of those I thought did an outstanding job this evening, the gentleman from Arkansas (Mr. JAY DICKEY), who probably exemplifies greater difficulty than all of the rest of us. So I salute the gentleman from Arkansas (Mr. DICKEY) for those comments.

In my opinion there is no doubt, however, that the President's conduct rises to the level of impeachable offenses. To protect his political livelihood, this President has subverted the rule of law, lied to the American people, and manipulated his staff and members of his cabinet to perpetuate his lies. These crimes are felonies that deserve the most severe penalty provided by the Constitution.

Moreover, recent events have brought into the question the President's ability to lead. I have come to the conclusion that President Clinton does not possess the character or the judgment to occupy the highest office in the land.

This president has violated his oath of office, betrayed the trust of the American people, and demeaned the institution of the presidency. I implore my colleagues to vote for the impeachment of William Jefferson Clinton.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Speaker, today I intend to vote for impeachment based on the careful consideration of the charges, the facts in the case, and many conversations with my constituents in central New York.

My decision to vote for impeachment was difficult, but not on the facts. There is no doubt in my mind that the President lied many times under oath. I also believe beyond a reasonable doubt that he obstructed justice by coaching, indeed, suborning, potential witnesses in the grand jury proceeding.

I further believe that these crimes are clearly serious enough to be grounds for impeachment. Weighing the public discomfort with this constitutional process against the need to defend the rule of law, the scales tip to the truth.

We must not allow the President of the United States to get away with lying under oath. Americans have the right to expect that everyone, even the President, must tell the truth while testifying in court, be it small claims, civil, criminal, or the Supreme Court of the United States.

If the truth is absent, justice cannot prevail for any of us.

Mr. SENSENBRENNER. Mr. Speaker, I yield 30 seconds to the gentleman from Mississippi (Mr. PICKERING).

Mr. PICKERING. Mr. Speaker, it is with malice toward none and forgiveness of individual failures, but with a love of the law and our country, I will vote for the articles of impeachment.

Yesterday my fifth son was born. I held before me my legacy. I celebrated his birth. I wondered what country he will inherit. What standard will we set for him, what example today?

For each reaffirmation of the rule of law, we have a new birth of freedom. But if we say with our actions that perjury and obstruction of justice and truth do not matter, then we lose our way. For all of these reasons and more that I will submit for the RECORD, I will vote for the articles of impeachment.

Mr. Speaker, this week has provided me with the full range and intensity of emotions. Today, I mourn—our Nation mourns as we debate the tragic and difficult question of impeaching our President.

Yesterday my fifth son was born and with him all the wonder, amazement and celebration of new life. The doctor allowed me the privilege of actually guiding my child from his mother into this world. I was the first to touch and hold James Harper Pickering.

Whenever we are confronted with the beginning—or the end of life it reminds us of a larger, transcendent force and causes us to evaluate and examine our purpose—our meaning—our legacy.

What will be my son's future, what kind of country will he inherit, what values and standards will guide him, his generation, his future.

In the same way—what guides me in this difficult decision before us today?

In 1963 a young man at the age of 26 won the nomination to serve as a county (prosecuting) attorney in Mississippi's Jones County [from 1964–1968]. On his election day, his son was born.

These were difficult and turbulent days for our Nation and in particular for Mississippi. These were days filled with violence and lawlessness.

In an act that was rare for elected officials at that time—he organized a group of local officials to publicly condemn the Klan violence and intimidation and called upon the community to support the rule of law.

During the trial of Sam Bowers, the imperial wizard of the KKK, for the murder and fire bombing of Vernon Dahmers, this young county attorney testified against Bowers.

He was threatened physically and politically. But he didn't back down from the principle of equal protection for all.

In 1968 he lost his next race.

The polls of that place and time were against him. But, his principles stood the test of time. His courage and conviction give me an example which makes me proud. His legacy guides me today.

For that young county attorney, now a Federal judge—continues to defend the rule of law, administer justice and ensure equal protection for all—he is my father.

As I held my son yesterday—I prayed I would provide him with the same legacy. That

just as our founders and generations since fought to preserve the rule of law and with it our freedom, it is our duty today to honor their legacy. And, for our sons and daughters our obligation to leave them a rich inheritance of which they can be proud.

We must demonstrate that it does not matter if you're a civil rights worker or a working woman—struggling against sexual harassment—you are guaranteed equal rights under our Constitution, the right to a fair trial—free of corruption of perjury, witness tampering and obstruction of justice.

Abraham Lincoln stood at Gettysburg and called for a new birth of freedom. From this tragedy—we can rededicate ourselves to the rule of law and the faith in our country to endure. We can send a message to all the Presidents that will follow, to ourselves and to our children—tell the truth—keep your oath—none is above the law.

It is with malice toward none and forgiveness of individual failures but with a love of the law and of our country, I will vote for the articles of impeachment.

We hold our legacy before us. With each reaffirmation of the rule of law we have a new birth of freedom—but if we say with our actions that perjury and obstruction of justice and truth do not matter then we can begin the long, slow death of our land and law. In the play "Man For All Seasons" the following line captures the essence of this debate:

"The laws of this country are the great barriers that protect the citizens from the winds of evil and tyranny. If we permit one of those laws to fall, who will be able to stand in the winds that follow?"

I believe by our action today and tomorrow we can stand in the gap and hold up the barriers that protect us all. Even if the polls of this time may be against us—the principles of this action will stand the test of history.

And as my son holds his son or daughter—I pray, he too will thank those who went before him.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Speaker, I joined 30 Democrats in casting a controversial vote last month. I voted to send the Starr report to the Committee on the Judiciary without strict time or subject matter restrictions. I was committed to avoiding partisanship. Tragically, however, that effort to advance nonpartisan consideration of this momentous impeachment decision is today rejected.

Three quick points. One, the people's body is denying the people a vote on the alternative they favor, censure.

Two, proportionality demands consideration of the alternative of censure, proportionality in the sense of the offenses alleged and the consequences sought.

Three, my Republican friends, they have even refused to accept the advice of President Ford and Presidential candidate Dole that we proceed with a censure or rebuke alternative. This is a tragic day when this option is denied us.

Mr. Speaker, over the past several months, the news media has inundated us with continuous coverage of President Clinton's conduct. Over the past several weeks, the House Judiciary Committee has held hearings, considered evidence, and debated the merits of impeaching the President. Regretfully, the issue has distracted us from many serious problems that confront our nation and the world. Equally regrettable is the highly partisan nature that has characterized this process.

I have endeavored to avoid this partisanship. Earlier this year I voted for the Hyde resolution so that the Judiciary Committee could consider all relevant information and determine the scope and the duration of its impeachment proceedings. This was a controversial decision; I was only one of 31 Democrats that supported giving the Committee that flexibility.

I took Chairman HYDE at his word that this process would be completed in the House by the end of the year. I was gratified to see that my trust was not unfounded. As the Judiciary Committee votes on articles of impeachment this week, and with votes expected in the full House next week, I am glad to see this frustrating period in the House nearly behind us.

I want to again voice my anger with the President's initial conduct and frustration with his inability to clearly admit the wrongs he has committed and apologize for his deceptions. I believe that elected officials, especially the nation's highest leaders, should observe the highest standards of conduct. Both the President's improper relationship and the subsequent reliance on rigid legalisms in his own defense shows how out to touch he has been with the desire of the American people for honesty and contrition.

Although I was skeptical that the facts as they were known in August and September justified impeachment, I held judgment during the process of investigation and Committee consideration. I did not want to take a position on this important matter without both knowing all the facts and having an opportunity to study the standards and grounds for impeachment in the Constitution and in our nation's history. I also believe that since Congress is charged with acting in a judicial capacity in marking this decision on impeachment, it was important to avoid jumping to conclusions.

Unfortunately, the partisan jabs that seem to characterize the Judiciary Committee's hearings and the expected party line voting gives this proceeding the appearance of politics as usual. If the American people were not cynical before this point, the Committee's behavior must have pushed public opinion over the edge.

In recent days, as I deliberated about my vote, five consideration were important to me.

First, the President's conduct is wrong and cannot be tolerated. It contributes to undermining the moral fabric of our society. It gives young people the impression that anything goes. There must be consequences to his behavior.

Second, the facts are not really in dispute. The role of the House as the determiner of probable cause has been altered by the recognition that the real issue is the consequences of obvious actions.

Third, the President's behavior, although immoral and deceptive, did not in my opinion involve his official duties as President or constitute dramatic and severe criminal conduct that demands persecution during his term in office. In my mind, the framers of the Constitution expected one of these thresholds to be met for impeachment to proceed. I do not believe he abused his powers in asserting executive privilege or obstructed justice through official channels. Although illegal and subject to prosecution, the perjury allegations in this case do not demand immediate prosecution.

Fourth, there are alternative consequences. There is public rebuke or censure by Congress. There are monetary payments that can be required. There is criminal prosecution for perjury. And there is the personal tragedy, the humiliation, the family embarrassment, and the destruction of the historical record of a talented, energetic man who has given much to his country.

Fifth, finally, and most importantly, we cannot let the passion for vengeance overwhelm the best interests of our nation. Impeachment has a checkered history. There have been eight attempts to use it against Presidents. In seven cases it was clearly political: John Tyler, Andrew Johnson, Grover Cleveland, Herbert Hoover, Harry Truman, Ronald Reagan, and George Bush. In October, former President Gerald Ford wrote a persuasive analysis of the Clinton impeachment question in which he stressed the damage to the institutions of government that can occur if a president is forced out. As the Republican Vice President that succeeded President Nixon, he concluded, "I care more about preserving respect of those institutions than I do about the fate of any individual temporarily entrusted with office." I agree with that sentiment, and as someone who deeply respects these institutions, I wish to put this episode behind us without doing further damage to our government and our nation.

Mr. Speaker, I will not vote to impeach the President. I would vote to censure him, or as urged by President Ford, require him to stand for public rebuke. This proceeding has distracted our nation long enough. It is time we return to the challenges that confront America.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. TORRES).

Mr. TORRES. Mr. Speaker, I rise in strong opposition to these articles of impeachment.

I come to the House tonight with great sadness and shame. I am sad because after 15 years, 16 years, actually, this will be my last vote tomorrow in the service of this great institution, I am forced to participate in a process which undermines the very ideals and fairness and justice upon which this institution was founded.

I am ashamed because history will record that this body, driven by rank partisanship and ideological zealotry, sought to depose the President of the other party without due cause and against the wishes of the American people.

As representatives of the American people, we cannot, we must not, use our power to thwart the will of the people and trample upon their constitutional rights to keep a President of their choice. Sadly, that is what is happening here tonight.

James Madison said, a President is impeachable if he attempts to subvert the Constitution. This President has not. We ought to not impeach him. I oppose these articles.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Mrs. THURMAN).

Mrs. THURMAN. Mr. Speaker, President Clinton, being merely human, gave in to lust. With the shame and embarrassment of that flaw being discovered, he deceived us. Those of us who voted for this man can forgive him. We can see what he has done, not only for this Nation but across the world. We can see that this President has much more to give as a President.

But those on this floor who are calling for impeachment never voted for him, never supported him. They have pursued him relentlessly, and they cannot forgive or accept any imperfection in this man.

Just as lust and deceit are sins, so are hate and envy. Just 2 years ago, this House undertook disciplinary action against the Speaker for intentionally misrepresenting information to the House Ethics Committee. The Ethics Committee recommended and this House adopted on a bipartisan basis reprimand over censure, a penalty which allowed the Speaker to stand for reelection.

I do not know how to reconcile the hypocrisy of the House in holding the Speaker and the President to two different standards. Let us recall what one of my colleagues said in opposing the Speaker's reprimand:

Let us stop using the ethics process for political vendettas. Let us not create precedents that will only serve to undermine the service of this country. Let us stop this madness. Let us stop this cannibalism. Let us not fall victim to unrealistic expectations that do not forgive the common flaws of normal Americans.

That was the gentleman from Texas (Mr. TOM DELAY).

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. WELLER).

Mr. WELLER. Mr. Speaker, I rise in support of holding Bill Clinton personally accountable for committing perjury before a Federal grand jury.

Mr. Speaker, the House of Representatives is now considering Articles of Impeachment against President Bill Clinton. This is clearly one of the toughest and most significant votes of my career in public service and it carries major historical significance for our Nation. I do not take this decision lightly nor do I believe any Member of Congress should rush to judgment.

Since the allegations against the President came to light in January of this year, I have reserved judgment until I learned all the facts. This decision, on my part, to reserve judgment on the President's conduct required me to wait until the House Judiciary Committee completed its work.

Over the past few months as the allegations against President Clinton became fact, many of my constituents raised real questions that I felt deserved answers. These questions included: why has Congress been forced to review the charges against the President? whether Bill Clinton should be held to the same laws and standards as other Americans? whether Bill Clinton in his responsibility as our Nation's leading role model for America's children should assume personal responsibility for his actions and how should I base my decision? on the opinion polls? or the principle of what's right?

Only one person is responsible for the vote we have scheduled this week. It was Bill Clinton's reckless conduct that forced the Nation to confront this issue. Had he come clean with America last January, a majority of Americans easily would have forgiven him for his reckless conduct. Instead, he chose to stonewall and later lied to a federal grand jury. Over the past several weeks, when several Members of Congress have urged him to tell the truth and admit he lied to a federal grand jury, he's declined. Had he come clean in the beginning, we would not be here today.

President Clinton and his partisan defenders have suggested that he should be held to a different standard than his fellow Americans. I disagree and note that Congress, in the last ten years, has voted to impeach and remove from office two federal judges who lied to grand juries of their peers. And only a few days ago, several Northwestern University athletes were indicted for lying to a federal grand jury regarding illegal gambling activities. No American should be above the law and that includes the President of the United States.

I've also had to respond to parents asking my advice on how best to respond to their children's statements that it is okay to lie if the President says its okay to lie. Personal responsibility is a basic virtue for all Americans and the President must take responsibility. American school children have all learned the story of George Washington stating to his father that he could not tell a lie and admitting to cutting down the cherry tree. Which example will they now remember?

Now that the vote is scheduled on Articles of Impeachment against Bill Clinton for lying under oath before a federal grant jury of his peers, obstruction of justice and abuse of office, there are those who suggest I should base my vote, not on my convictions, but on the opinion polls. We must remember that early advocates of abolishing slavery, ensuring civil rights for all Americans and America's entrance into WWII were not pursuing popular ideas. But Abraham Lincoln, Martin Luther King and Franklin Roosevelt did the right thing and adhered to their basic principles. I will not base my decision regarding this vote on popular opinion polls but on what I believe is right for America.

We must do the right thing for America. No one is above the law, and that includes the President of the United States. It is in the best interest of our Nation that the House vote to send to the Senate Articles of Impeachment against the President.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Speaker, I share the outrage and disappointment expressed by my constituents. However, the President's actions violated our Nation's trust. The debate is no more about sex than the Watergate debate was about a third-rate burglary.

This is a difficult decision for all of us, probably the most difficult of my tenure in the Congress. I thank my constituents who shared their views.

While none of us should minimize the gravity of this impeachment process, we must bear in mind that the House does not have the final word in determining whether any official should be removed from office. Referral of this issue to the Senate is not removal, but merely a finding of probable cause that a removeable offense may have occurred.

Having fully considered the facts before us, reluctantly I have come to the conclusion that probable cause exists. Accordingly, I shall be voting in favor of at least one of the articles of impeachment.

In closing, I note that though I support the articles of impeachment, I am not convinced that the President should be removed. In fact, that decision can only be made after a fair trial in the other body.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, during the impeachment inquiry, many of those who have stood against the President have been targeted for personal vicious personal attack. The gentleman from Indiana (Mr. DAN BURTON), the gentlewoman from Idaho (Mrs. HELEN CHENOWETH), the gentleman from Illinois (Mr. HENRY HYDE), a Democrat, the gentleman from Pennsylvania (Mr. PAUL MCHALE), and yesterday the gentleman from Louisiana

(Mr. BOB LIVINGSTON) all have been made to suffer.

What we have experienced on Capitol Hill is consistent with the threats and intimidation endured by each and every one of the women claiming to have been used and abused by the President of the United States. I will submit for the RECORD the names of seven such women, the last being Kathleen Willey, whose cat disappeared, and then had a skull of an animal put on her front porch when she was supposed to testify. Then a jogger comes by and starts talking about her children, and where is her cat, and then says, did you get the message?

Mr. Speaker, I will vote for impeachment because the President is guilty of perjury and lying under oath, and lying to a grand jury, and all the rest. Impeachment is another way of reaffirming certain standards and principles. America today is in dire need of reaffirmation of a commitment to truth, justice, and to fundamental human decency.

Mr. Speaker, I rise today in support of all four articles of impeachment against the President of the United States. My vote will be based upon the Judiciary Committee's findings that our President committed perjury and lied under oath.

Although the debate in which we engage is of monumental consequence, and being so, is to some degree contentious, let me suggest that I do not sense a high degree of personal hostility in this chamber. Even for a hothead like me, and I know I can be far too frank at times, I have not sensed ill will between Members, and have instead had some friendly exchanges and given and received some heartfelt best wishes for the holiday season.

One might note that between Members of the House of Representatives this is about as amicable an impeachment as one could expect, all things considered.

With that said, however, there is another more sinister dimension to the impeachment crisis. An ugly cloud of intimidation is evident here in Washington. Over these last few months many of those who have stood in opposition to the President have clearly been targeted for vicious personal attack. This ruthless campaign of intimidation is unprecedented. The Government Reform and Oversight Committee had barely started its investigation when its chairman, DAN BURTON, was put in the bulls eye. HELEN CHENOWETH, HENRY HYDE, Democrat PAUL MCHALE and yesterday BOB LIVINGSTON, all have been made to suffer. In the case of MCHALE, the mudslingers couldn't even get their facts straight.

What we've experienced on Capitol Hill is consistent with the threats and intimidation endured by women who may have been in a position to make embarrassing allegations against the President. At first it was made light of—the women were labeled as bimbos. But now it's more serious and no one is laughing. Each and every one of the women claiming to have been used and abused by the President has been threatened, smeared, or victimized.

Former Miss America Elizabeth Ward Gracen; former Miss Arkansas, Sally Purdue; Paula Jones; Dolly Kyle Browning; Jennifer Flowers; and Monica Lewinsky.

Kathleen Willey. Her cat disappeared and an animal's head appeared on her porch shortly before she was to testify. Then outside her home a jogger came by and asked what happened to her cat and made mention of her children, then asked if she got the message.

My fellow colleagues, I will vote for impeachment because I believe the President is guilty of perjury, lying under oath, and lying to a grand jury and the rest.

Impeachment is another way of reaffirming certain standards and principles. America is today in dire need of a reaffirmation of our commitment to truth, to justice, and to fundamental human decency. Thus I will vote for impeachment.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Speaker, this debate is about the principle of equal justice under law, as the gentleman from Illinois (Chairman HYDE) so eloquently stated in his sad and magnificent speech. It is fundamental to our liberty that no one is above the law. It is absolute despotism that a crime for one person is not a crime for another.

The words in an oath in our judicial structure is an indispensible pillar. No one can be selective when they are under oath to tell the truth. It has been written that language is the essence of law, and law is the essence of liberty.

The President is at the epicenter of this storm. Its duration and tenor have always been under his control. To quote Emerson, the last line of his essay, Self-reliance, "Nothing can bring you peace but the triumph of principles."

Mr. Speaker, this debate is about the principles of equal justice under law.

Ms. LOFGREN. Mr. Speaker, I yield 4 minutes to to the gentleman from California (Mr. BERMAN).

Mr. BERMAN. Mr. Speaker, if Members followed the Committee on the Judiciary proceedings, they already know that I strongly oppose impeachment. Given the totality of the wrongdoing and the totality of the context, the allegations of misconduct do not rise to the standard required for impeachment.

With apologies to those who heard my statement in the Committee on the Judiciary, I would like to repeat those remarks that address another issue, whether a failure to vote impeachment could cause a decline in the fabric of our culture and the strength of our legal system.

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The corrosive effects on American culture and America's legal system of allowing the President to serve out his term have been overstated. The President's defense is very troubling. His grand jury testimony, his public statements following the grand jury testimony, his agents' public statements are more egregious than any wrongdoing that caused this process to begin. Alice in Wonderland-like notions pop into my head, watching someone so smart and so skilled, so admired by the American people for his intellect and his talents digging himself deeper and deeper and deeper into a rabbit hole, and us along with him.

This spectacle troubles many and may motivate many of the calls for impeachment. People do have a right to ask, what will America's children believe about reverence for the law, about lying under oath? Many thoughtful Americans wonder whether the deconstruction of our language will damage the culture. What will happen if words no longer have common sense meaning, if everything is equally true or not true because, after all, it depends on what your definition of "is" is. Of course, there has been and there will be harm to our culture and the legal system. But let us keep it in perspective.

While not above the law, the President, the most powerful man on the planet, the man who has control over our nuclear weapons arsenal, the man whom we invest with the authority to protect and defend the interests of the people of the United States, indeed protect all of civilization, is a special case.

Everyone is equal under the law, but we make special provisions for one person only while he is serving as President. Few would dispute the fact that the President is immune from criminal prosecution during his term of office. Many would argue that a wise Congress should pass legislation to immunize future presidents from civil litigation during the term of their office. We invest the Secret Service with the responsibility of taking the bullet so our Commander in Chief will serve out his term.

That the President's conduct is not impeachable does not mean that society condones his conduct. In fact, it does not mean that the President is not subject to criminal prosecution after he leaves office. It just means that the popular vote of the people should not be abrogated for this conduct when the people clearly believe that this conduct does not warrant that abrogation.

Most Americans know and will teach their children to know that conduct that may not be impeachable for the President is not necessarily conduct that is acceptable in the larger society.

Those who argue that the institutions of government or the fabric of our society will be irreparably harmed by a failure to impeach the President seriously underestimate the American people. America is too strong a society, American parents too wise, the American sense of right and wrong is too embedded to be confused.

We all know that the word "is" has a common sense meaning. We all know

that lying under oath is wrong and could get us in a lot of trouble. I ask those of you who sincerely believe in limiting Federal power, in elevating the role of the individual and of individual responsibility, do you really want to impeach a popularly elected President to teach our children a lesson?

Former First Lady Barbara Bush said, your success as a family, our success as a society depends not on what happens at the White House but what happens inside your house.

Impeachment is not a substitute for good parenting or personal moral values. I ask those who are open to a second thought to rethink this issue. Impeachment is not the proper vehicle for symbolic gestures. These articles of impeachment must be opposed.

Ms. LOFGREN. Mr. Speaker, I will yield 1 minute to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Speaker, I rise in opposition to the articles of impeachment because I do not think the misconduct of the President was a threat to the Nation.

I will respond to the understandable concern that has been expressed here tonight by those who support the articles and those that oppose them about the effect on the rule of law. This President, upon leaving office, will be subjected to criminal prosecution for having lied under oath. This is not just a theory. There will be accountability here. The independent counsel statute, which Congress would do well to let expire, specifically provides that the current office of independent counsel will continue to exist past the duration of the Clinton presidency. This office of the independent counsel, who no one has criticized as not being sufficiently aggressive, will in all likelihood be charged with the responsibility of making that decision whether to prosecute.

The President will be held accountable in a criminal court of law where a jury will have the right to determine whether he has committed perjury. That is a separate consideration from impeachment. We will uphold the rule of law by the President being subjected to criminal prosecution. But the President's behavior does not rise to the level of an impeachable offense. We will also be held accountable for having deprived this body the opportunity to vote for censure in lieu of impeachment.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. SANDLIN).

Mr. SANDLIN. Mr. Speaker, we either respect the Constitution and the rule of law or we do not. It is as simple as that.

What is the test for impeachment? The test is not disappointment. It is not disapproval. It is not even moral outrage. The test is set out clearly in our Constitution. The Constitution says that one can be impeached only for misconduct in the performance of official duties that endangers our system of government. No such allegations have been made, no such evidence has been presented. No such burden has been met.

Certainly the President's conduct is disappointing. But ask yourself this: What action has the President taken in his official capacity as President of the United States that endangers the government of the United States? I believe the answer is clear.

We are in a defining moment in American history. We stand today a lame duck Congress poised to impeach a President for unconstitutional reasons, along partisan lines, in the middle of an armed conflict. What could be more ridiculous than that?

We are legislators, not investigators. Let us conclude this matter in accordance with the Constitution.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. MCKEON).

Mr. MCKEON. Mr. Speaker, I rise in support of the impeachment of the President.

Mr. Speaker, today I rise to echo the words of our forefathers who once held the highest office in our land. The advise that they have provided is among the best that our nation has ever received. I would like to share with you two phrases from our first two Presidents. I think they ring true today more than ever.

In his farewell address, President George Washington underscored the importance of having leaders tell the truth. He said, "Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in the courts of justice?"

On his second night in the White House, John Adams wrote the following, "I pray Heaven to Bestow the Best of Blessings on this House and on All that shall hereafter Inhabit it. May none but honest and Wise Men ever rule under this roof."

In my opinion the issue of impeachment is simple: should we have two systems of justice, one for the President and one for everybody else? where is the fairness for the people who are convicted of perjury every year and sentenced to detention?

What a shame that today this Congress must revisit these issues because President Clinton failed to follow the advice of these very wise men. As I will be casting my vote to impeach on all four articles today, I will keep in mind these words. I will also keep in mind that the impact of my vote today will ring true to generations for years to come that perjury has no place in the highest office of the land.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Speaker, I rise in support of the articles of impeachment.

DUTY, HONOR, COUNTRY

Those three hallowed words reverently dictate what you ought to be, what you can be and what you will be.

Over thirty-five years ago, General Douglas MacArthur spoke those words to the United States Corps of Cadets.

He spoke those words just a few short years before I went to Vietnam in support of a military action for which this body deemed it necessary to send troops.

Not all Americans supported this action.

Some Members of this respected Chamber may have even protested against Vietnam.

But I, along with millions of other men and women of this country, did my duty.

Right now, men and women from all around this country are also doing their duty and serving their country.

Yes—today there are service men and women in the Persian Gulf—putting their lives on the line in defense of freedom.

There are also troops on the DMZ in Korea, in the former Yugoslavia and on military bases throughout the world.

They are there today, they were there yesterday and they will be there tomorrow—doing—above all else—their duty.

Every day, they put their lives on the line for freedom, liberty and democracy.

Every day, they uphold the values that we are reminded of every time we see our flag.

Every day.

Now, let's evaluate how the Commander-in-Chief of those same soldiers treats the words—Duty, Honor, Country?

Let me first say. * * * Everyone makes mistakes.

I have made many in my lifetime and will make many more.

But——

What we are faced with today is a President who, instead of embodying duty and honor—decided to cover up his mistakes and bring others along with him to perjure himself.

Very simply * * * he lied under oath.

The president shirked the very duty that is encouraged and expected in our armed forces.

Instead of admitting his mistakes and facing his duty as leader of this country, he has fallen to lies—upon lies—upon lies.

Instead of retaining honor, he has thrown it aside and perjured himself.

The next excerpt from the MacArthur quote I shared earlier refers back to the three words—Duty, Honor and Country.

He said, "These are your rallying points—to build courage when courage seems to fail * * *"

The issue we are confronted with today deals with this courage.

It is about upholding our democracy, our rule of law and the very honor and duty that U.S. military men and women fight for as we speak.

It takes much courage to choose a painful and difficult right over the simpler wrong.

Mr. Speaker, oh, that it would be so simple to say that this matter is just about lying about a sexual affair.

There is a much deeper issue at stake here.

After all the talk of sending a message to our service people abroad—who have learned about duty and honor and sacrifice experientially—is it not clear to us that tonight—and tomorrow—that the most compelling message we can send to them is one that upholds the very ideals for which they fight?

Does the code of conduct in the military still matter?

Is it just a bunch of empty words?

Or does the Commander in Chief—not a king, not a sovereign, but one of us—a citizen of the United States—and indeed, even an officer of the United States Military—have a code of honor and duty to uphold?

I challenge my colleagues to consider this—the message that this body will send to the United States Military overseas—must be an affirmation of the ideals that they live by and for which they are serving.

As our troops must preserve the freedom we enjoy, so this legislative body is bound by the Constitution which has sustained this great nation in all of our 200 years.

The President—the Commander in Chief's actions—compel us to act.

We are not driven by politics—but by the only benchmark we have—the rule of law—our ultimate code of honor.

These moments could not be more important—for our history—or to our future.

These words never held so much meaning: Duty, honor, country.

This is indeed a sad day for America.

I intend to vote for the articles of impeachment.

I ask unanimous consent to revise and extend my remarks.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. LEACH).

Mr. LEACH. Mr. Speaker, I rise in reluctant support of two of the four articles of impeachment.

For a long time I have thought the character issue surrounding this President deserved political and legal accountability, but assumed it fell short of requiring a Constitutional remedy.

I have concluded, however, that I have no choice but to vote for two of the four Articles of Impeachment—specifically Articles I and II, those dealing with perjury. My reasoning is straightforward.

The President has committed crimes and misdemeanors. The question that perplexes each of us as Members and the public at large is whether these crimes and misdemeanors are "high" enough to meet the standard required by the Constitution.

The defenders of the President have suggested that lying about a fundamental privacy issue—sex—and the issues surrounding sexual harassment do not rise to a constitutional level. While I respect judgments to the contrary, I have concluded that perjury in this instance has been committed, not only to protect the President from embarrassment, but to deny an American citizen due process under the law. It must be considered a high crime, one against the state.

The fundamental issue is that no individual is above the law and that democratic governance depends on trust, which in turn depends on truth-saying.

Leadership is a conjunction of good ideas and good character. One without the other is unsustainable.

In America, process is our most important product. Winning does not vindicate taking shortcuts with public ethics, even if it can be suggested that others may have followed similar or less defensible paths.

In her philosophical treatise *Lying,* Sissela Bok, the Harvard ethicist, notes that "veracity functions as a foundation of relations among human beings; when this trust shatters or wears away, institutions collapse." Bok goes on to note that "truthfulness has always been seen as essential to human society, no matter how deficient the observance of other moral principles."

This is why lying under oath is so serious and why the President's refusal to acknowledge truthfully the factual circumstance that has been established so shatters the moral underpinnings of government. The fact that the President may face liabilities after he leaves office if he states the truth is no excuse for continued obfuscation.

At the core of the President's Constitutional responsibilities is his duty to "take care that the laws be faithfully executed." It is hard to conceive of an offense that more clearly violates—and is more clearly relevant to—this core responsibility than perjury, which, if left unchecked, would destroy the rule of law. By lying under oath in a federal civil rights lawsuit and subsequently before a federal grand jury, the President not only failed to "take care that the laws be faithfully executed," he acted to subvert the law itself.

A situation simply cannot be tolerated in which the highest officer of the Executive Branch is called before a judge and orchestrates a cover-up constructed of fraudulent half-truths, misleading omissions, and deliberately spun webs of deceit. While the Judiciary has mechanisms by which it can defend the integrity of its processes, what is unusual in this particular impeachment proceeding is the prospect of Congress taking action to right the balance between two branches of government, in this case the Executive and the courts.

Because it is a referral of the Office of Independent Counsel which obligated Congress to assess whether actions of the President rise to impeachment proportions, it should be understood for the record that it was the Justice Department and the Courts, rather than Congress, which precipitated the independent counsel's review of perjury related to the President's private life. While Congress called for, and the President explicitly, though reluctantly, approved the appointment of an independent counsel to investigate the Whitewater matter (which, to date, has yielded convictions of 14 individuals on 41 criminal counts), it was the Attorney General who directed the Counsel to widen his probe to include aspects of the civil suit brought by Paula Jones, and it was the Supreme Court which allowed the suit to go forward during the President's tenure.

It is important to separate Congress from a call for a review of aspects of the personal life of a President because of the terrible precedent it would set. It is also important for Congress to ponder whether the future presidents should be subject to civil actions during their terms for which intrusive depositions may be in order.

The Independent Counsel's probe has been too long, too expensive, and too intrusive. I have great qualms about the seemliness and precedent of some of the tactics of the Independent Counsel's office, particularly the use of and potential resort to further surreptitious tape recordings to gather additional evidence against the President. Nonetheless, the results of the Counsel's probe cannot be dismissed.

The underlying acts under review have demeaned the office of the President, debased the public dialogue, and eroded the President's moral authority to govern.

Impeachment should neither be used to punish the President nor to settle political scores. Indeed, its consideration should only proceed with the goal of protecting the office by replacing a sullied occupant with an individual of unsullied character. This is the case today.

Conviction by the Senate on impeachment charges at this time in this circumstance would represent less an overturning of a democratic election than a reaffirmation of the strength of the processes of governance, the putting in place of a new leader of the same party and philosophical bent as the President.

While the lines between the political parties may become accentuated in an impeachment vote, the end result of a successful impeachment would almost certainly redound to the political advantage of the President's party and—more importantly—to the country.

In fulfilling his Constitutional duty to lead the United States government the President has an implicit obligation to stand as the apotheosis of American values. While ethics are an integral part of the human condition and at bottom a matter of individual responsibility, an American President must be above demeaning behavior and free of any shadow concerning allegiance to the law and to the truth. To hold otherwise is to assume we are neither a nation of laws nor of moral values.

In the final measure, what is at issue regarding the possible impeachment of the President is the question of relativism versus absolutism. Relatively speaking, there is little doubt that other Presidents have had inappropriate relationships, including one with an individual who, as a slave not only worked for but was owned by a President.

There is also no doubt that other Presidents have lied about public matters, perhaps more serious than adultery—the U.S. role in the Bay of Pigs invasion, the true nature of Gary Powers' mission to Russia in a U–2 spy plane, and the details of the arms-for-hostages transaction that was at the heart of the Iran-Contra affair, to name a few.

On the other hand, none of these circumstances involved Presidential fabrications made under oath. Since the country's founding, oaths have implied a moral and Constitutional affirmation, moral in the sense that our founders justified the American revolution with an appeal to higher authority than British civil law, establishing a Republic under, not above, God; and Constitutional in the sense that oaths of office were premised on the notion that truth-telling was critical to the functioning of our judicial and political processes.

What distinguishes President Clinton from his predecessors in this regard is that, relatively speaking, the acts under review may not represent as great umbrages to our system as certain others, but lying under oath amounts to an absolute breach of an absolute standard.

While it is never acceptable for elected officials to mislead those who have given them a

solemn public trust, it is the element of lying while under oath that raises the President's conduct to a constitutional dimension. Future Presidents who raise their hand and swear an oath to God to tell the truth in a judicial proceeding and then offer false testimony should recognize that the prospect of impeachment would loom, because such conduct is an affront to the rule of law by which all citizens must abide.

There is a view among Constitutional experts that perjury is an impeachable offense but that it does not necessitate impeachment in every instance. This is the case for a number of reasons. The issue of motivation and of consequences must be taken into consideration.

The philosopher Isaiah Berlin notes that in a pluralistic society values are often in conflict. It is not the case that some must be true and others false. Rather, collisions of values shape who and what we are. "We are doomed to choose, and every choice may entail an irreparable loss," he argues.

What makes the impeachment issue difficult is not just the problem of measuring how high the crimes under consideration are but how juxtaposed various values have become. For instance, the importance of holding the chief political officer of the land accountable for a breach of the law and the public trust is in conflict with the importance of respecting the result of a democratic election. If I thought the country would be worse off or the Presidency weakened with a Constitutional transition to the Vice President, I might have to conclude that despite the perjury the President should not be impeached. But I believe the opposite: the Presidency would be re-legitimized and revitalized if Constitutional accountability occurred.

The motivation behind the crime in this case is patently self-serving. Unlike certain other examples of Presidential mendacity, no national interest rationalizations exist. For this and other reasons, most notably the desirability of reestablishing trust between the public and its government, the effect of an impeachment of a shamed President would be to reaffirm the rule of law and strengthen the Presidency.

While I have reluctantly reached this decision, I respect the contrary judgment reached by others and believe that out of fairness those of a different mind should have been provided a rule allowing them a chance to vote for a censure alternative. I recognize censure is not envisioned in the Constitution and that there may be separation of powers and bill of attainder problems with certain censure approaches; nonetheless I believe a censure approach can be crafted which would not be Constitutionally inappropriate. Indeed, as Constitutionally awkward as such an approach would be, future negotiations between the White House and Congress on impeachment alternatives, such as those proposed by Governor Weld and Senator Dole, cannot be ruled out.

While no one should vote for impeachment unless he or she is convinced that the conduct under review is of such a nature that the Senate should remove the President from office, the Senate is not constitutionally required to carry the impeachment process to completion.

Finally a note about citizen input and citizen attitudes. As this House today takes up the issue of impeachment the polls indicate approximately 40 percent of the people favor impeachment with 60 percent in opposition. at the same time over 80 percent believe the President is not telling the truth. As an elected representative in our unique democracy I must acknowledge the imperfect circumstance at hand, but I am obligated to measure my vote by the Constitution's standard as it relates to impeachment and by the Constitution's framework which requires votes by made in conscience.

This is my duty, but in reaching judgment I am also obligated to listen respectfully to the best of my ability to the citizens of the District I represent. In this regard, I would like to present for the record a summary of the letters and e-mail I have received and of the comments I have been provided at farmsteads and in school yards throughout the District.

In setting these views forth, I would like to underscore that there has been no issue in my time in public life in which the public has been more universally informed, nor more thoughtful in its judgments. The evidence for this assertion is contained in the comments which follow, the first body of which relate to those expressing sentiment for impeachment, the second, sentiment against.

FOR IMPEACHMENT

"I am a police officer in Cedar Rapids. As such, I know that if I were to give the type of testimony that President Clinton gave, I would be indicted for perjury."

"I am a retired military officer, so integrity is an issue that I hold high. It was ingrained in me that I should never use my authority or position to engage in less than honorable behavior. I'm saddened to see the presidency undergo yet another assault on its powers and prestige due to the behavior of the very human incumbent."

"Clinton was told unanimously by the Supreme Court that he could be sued by Paula Jones. Whether you think Jones had a case or not (personally I don't), he can't be allowed to just do whatever he wants in the courtroom."

"I have in the past admired your ability to vote your conscience—please do the same here and respect the law as the standard to which we all must be held. To do otherwise will create the foundation for a cynicism that, I believe, will undermine the judicial system and all that our Constitution stand for."

"If impeachment fails, we will have established a new class of criminally immune political elitists."

"Allowing him, as the Chief Law Enforcement agent of the United States, to place himself above the law will set a terrible precedent for the future."

"Bill has violated the trust of America."

"Clinton has immolated himself."

"To allow the impeachable actions of the president would cheapen the laws on perjury and obstruction of justice and hasten the disastrous moral decline of America. Censure is insufficient."

"Even the President is not indispensable, especially one who lacks morality as well as good judgment."

"My deep-rooted Midwestern values endorse impeachment since with responsibility comes accountability."

"If he was any other person in the United States, he would have been charged."

"Although it is very regrettable that events have come to this, I would urge you to vote for impeachment of the President."

"Our leaders should be held to a higher standard, perhaps even higher than the regular citizen because of the high offices they hold."

"Just because he is the President it does not give him the right to get away with breaking the law."

"It is my strongest hope that you vote to send the case to the Senate. A felony is a felony no matter who commits it."

"As a libertarian, I believe that we must impeach Clinton. A libertarian is a person who believes that no one has the right, under any circumstances, to initiate force against another human being, or to advocate or delegate its initiation."

"Follow your conscience and vote for principle instead of polls. Please do not buy into the fallacious arguments of 'Everyone does it, 'It's wrong but not impeachable,' and 'The American people want censure.'"

"I want you to know that as one of your constituents, I will respect your votes concerning the four articles of impeachment. I would rather not have a person holding the office of the President who has put himself above the law of this land."

"Our country, our children, and our children's children simply cannot tolerate the precedent that would result should this President be allowed to get away with perjury, obstruction of justice, and bribery."

"Whatever Paula Jones' motive was or whoever was behind her, she had a right to her day in court. I have no doubt that earlier presidents have gotten away with similar dishonorable actions (perhaps worse), but now we have sexual harassment laws, a civil right long overdue. The President should be held to task for his arrogant attitudes toward women in general."

"If I were to commit perjury in a court of law, I would likely be punished for the act. I do not believe that even the President of the United States is above the law."

"This is the first time I have communicated to any of the people who represent me in government, but I've had enough. This man does not deserve to be President of the United States. He broke the law—not once but on many occasions. He's made a mockery of the presidency and the law. He's supposed to be a role model—someone for my 6 year old son to look up to."

"I believe he is a liar and a dodger of truth. If you vote "NO" on his impeachment, you can expect a "NO" from me when you next run for office."

"As a former law enforcement officer, I have seen many criminals sent to prison for lesser offenses."

"You who have made honesty the keynote of your public service and campaigns should demonstrate no less respect for truthfulness when you cast your vote. Republicans may not unite on every issue but they should all be able to stand for the principles of honesty and the rule of law."

"We believe you are a man of integrity. We will always remember the way you handled the Whitewater incident. When the truth was being abused, you stood by your principles and called it as you saw it. Now I want you to know that the truth is being assaulted. I believe perjury is a big deal."

"As the father of an 18-year old son, who does watch the news and sees the example set by all of you in the House, and needs to see that there is still a right and wrong in this country, I urge you to vote for impeachment because he lied."

"We're offended by Clinton's actions. He continually side-steps the perjury and obstruction issues in each of his apology statements. To us, these actions show his arrogance and disrespect for the people, for the office, and for the system."

"What are we to think about a person whose judgment is so skewed and who seems willing to do anything to remain in office? We cannot trust him any longer . . . His word is no good and his respect for the law seems to be completely gone."

"I did not spend more than five years fighting WWII only to end up with a President of his manifest character. Please help Mr. Clinton step aside."

"I haven't always agreed with your decisions, but I have always respected your ethical and moral stands on your decisions Please vote for impeachment. This is the ethical thing to do. If you do otherwise, you are saying to the people that there is a double standard before the law for those who are in power or have the money to muddle the truth."

"I am urging you to vote for impeachment. I believe this is the only way to save the office of the Presidency."

"If the law is to ever again of enforced in any court in the country, it is imperative that the president be held accountable for these actions."

"We feel that the question here is whether the President is a citizen who must live under the same laws that govern all the rest of us, or whether he will be treated like a king, too important to be bothered by the conventions, laws, and morals that shape the lives of everyone else. Are sexual harassment laws real laws with real consequences or can citizens lie under oath to protect their families without consequences since it's only about sex and every one lies about it?"

"In order to uphold the Constitution, the Law of the land, and preserve the integrity of the United States, I believe there are times in which Congress must follow the Law and not the majority wishes of its constituents. I believe this is one such time."

"I feel the President must be impeached. I am now convinced that there isn't anything the man won't do or say to get what he perceives to be in his best interest. The man is completely without moral compass moral compass, a quality that should be one of the greatest strengths of this highest of offices."

"After seeing the evidence, I believe that President Clinton committed the crimes that he is charged with, and therefore violated his oath of office to faithfully execute the laws. I believe that short-term inconvenience of the Senate trial is insignificant compared with the long-term damages to the rule of law and the constitution that not voting for impeachment would cause."

"I'm a government and history teacher, and my students always feel honesty is one of the most important characteristics of a leader. What message will our government be sending our children if the President lies under oath and goes unpunished. He has violated the Constitution and should be removed from office.

"We feel there is nothing more important than to protect the integrity of the Constitution, the office of the President and the rule of law. Mr. Clinton has, over time, proven that he has little respect for any of these. His actions have defined his character. His actions have not just demonstrated his exceedingly bad judgment, they have been proven to be illegal. As such, a vote for impeach is the only right thing to do."

"It is with great regard that I write to you to urge you to impeach our President. We simply cannot have the leader of our country take the office of the President with such little regard as to defile it with a lack of self-discipline. It is embarrassing as an American when I am abroad. It is disturbing as a woman to see our leadership demonstrate such disrespect towards women."

"In this day and age, it is very difficult to raise children to be honest and trustworthy individuals, especially when so much that you see and hear and read is so full of wrong doings. I believe that when my President goes on national television and looks that camera in the eye and can boldface lie to his whole nation then he has just undermined everything that I have tried to teach my children."

"His behavior exhibits an arrogance and disdain for our legal system. The president is a lawyer and clearly understood what he was doing. We believe his subversion of the legal system was intentional and premeditated."

"As a parent, there are many times when you look for all the alternatives to punishing your child for all the things that he did. But as the child becomes more and more belligerent and insists "I didn't do anything wrong" you finally have to put your foot down and do what in your heart you know is right. Please Congressman LEACH, show my thirteen year old daughter that this country still stands for something. She asks me every few days how come if a 13 year old kid can tell he is a liar, that adults can't."

"Having put aside the rumors and allegations against Mr. Clinton prior to his first campaign for the office of president, we voted for Mr. Clinton. We were pleased with his performance in his first four years in office, and gave him our vote of confidence in his second election. It is with heavy hearts that we now ask that you vote for his impeachment. It is our opinion that he has abused the power of his office, obstructed justice and lied to the grand jury."

"I voted for Bill Clinton and believe that, for the most part, he has done an excellent job as president. Although I find this position somewhat problematic, I would like to encourage you to vote for impeachment. My reasons for this are: (1) perjury undermines the judicial system which I view as the fundamental basis for our government; (2) the president is in an incredibly powerful position and should not use the power to his advantage (if a professor had a sexual relationship with a student, the professor would lose his or her job); and (3) the president should be expected to comply with the same laws as everyone else."

"Many Clinton supporters seems to think the terms 'high crimes and misdemeanors' are one and the same. I would think they are separate acts, and while he has perhaps not committed treason or what could be considered a high crime (such as murder or bribery), he has most certainly committed very serious misdemeanors against his office, his oath, and his country.

"Oaths are critical to the system of liberty in place in the Constitution. If we abandon them then liberty is in constant jeopardy; it has no support."

"In committing perjury, Clinton deprived everyone entitled to the truth under the law of their eights. Please vote to impeach.

"I would like to add the five voters of my family to the list those of favor of impeachment, though, to me the real answer is for the President to resign. I have often told my daughters that if they told me a lie I would lose confidence in them, and it would take a long time to gain that back."

"As a social studies teacher in Iowa City, Iowa, I feel strongly about the coming vote in the House. My personal perception is that there is obvious evidence of wrongdoing on the part of the President. Therefore believe impeachment is necessary. That being said, the punishment must fit the crime and something short of removal by the Senate seems appropriate".

"He clearly broke the law, and refused to take responsibility for that part of it. This is exactly the opposite of what I am trying so hard to teach my children."

"We are told that Kelly Flynn was court marshaled because she lied about her adulterous affairs. I am unable to understand why we cannot hold the chief law enforcement officer of this country, and commander in chief of the armed forces, to the same standards."

"You were not elected to high office roll over and take the easy way out just because a well marketed President has public opinion polls in his favor."

"Remember that truth must always be served first."

"My 14-year old son just keeps saying, if this were me (being Clinton) I would be in jail."

"If Clinton gets away with perjury, I will I will never be able to serve on a jury because we could not believe anything said in a courtroom.

"I want you to know there are a lot of silent voters out here in your district that want that liar out of office."

"We all know that if any person's workplace conduct were similar to the President's they would be summarily dismissed, no questions asked. It would be reprehensible to send any different message to the American People just because he is the President. My children have already seen two significant legal dramas in their lifetimes. The message in the O.J. Simpson trial was that being celebrity is more important than personal behavior and the truth. Please don't reinforce the message by applying it to Mr. Clinton."

"Bill Clinton's selfish desire to remain in office at all costs is a shinning example of why he should be removed. He's more interested in keeping his political power than in abiding by the law. I hope you will not make the same mistake."

"In our country, no one should be above the law—we are all equal and have no monarchy."

"As a twenty year-old Iowan from Cedar Rapids, I have always admired the way you have always took for setting standards in all that you do. That is why I am writing you Congressman LEACH, to not back down from those standards. I believe it is in the best interest of everybody, especially young people like me, for [you] to vote for impeachment of President Clinton."

"This impeachment vote is a chance for you and your peers to be moral leaders and not poll readers."

"I believe that Mr. Clinton needs his day in court. In this case, that court should be in the United States Senate. It seems that anything short of giving Clinton his right to a trial is an injustice."

"I work in the nuclear power industry. We have a 'Fitness for Duty' regulation from the Nuclear Regulatory Commission. If I were to lie, or do anything that makes my integrity suspect, I could be fired. Why doesn't this president live according to the same standard? He is after all in charge of the entire nuclear arsenal of this country—I could only affect 1 nuclear power plant."

"I have had to give depositions in product liability litigation and, although I would like to have told the plaintiff's attorneys

that their questions were not relevant, I could not, and had to answer their questions truthfully. All of the questions put before Mr. Clinton in his deposition were legitimate and relevant to a citizen's legal grievance."

"If Mr. Clinton's actions are allowed to stand unchecked by the remedy of the constitution, the office of the President is given extraordinary powers disproportionate to the other branches of government."

"I also talk to my son about the laws of our land and about our government. When he asks what is happening to our president, I simply tell him that the president lied to all of us and that he lied under oath. He is in the Cub Scouts so he understands what an oath is."

"Luckily, in both my military and civilian careers, I have worked for people of integrity and honesty. I have taken an Oath of Office to uphold and defend the Constitution of the United States and I wish you strength as you proceed with your constitutional duty."

"I, too, am a Gulf War veteran and served my country with honor for five years as a Marine. Before induction, I took an oath to defend the Constitution, an oath similar to that of Mr. Clinton's. Rarely are we forced to choose between fulfilling our oath or betraying it for personal gain or survival. I chose to risk my life and live up to the obligations of my oath rather than disgrace it."

"How much lying does it take before we call it lying? Do we accept the arguments of a man who apologizes profusely in the face of duress, but offers no admission of guilt and no apologies for lying to a grand jury? It is no longer about the president, it's about us."

"Please vote to impeach. It would be much easier to vote no. But the long term effects on our country would not be favorable."

"As a single mother I am trying to teach my children values. What kind of an example do we have in the White House? For him it is OK to lie to us and apologize for it later. NO—Whatever he did compromised the people of the United States. It boils down to he lied and he did it under oath. Period."

"To lie and cheat on your wife is a despicable offense but none-the-less a somewhat personal offense. To repeatedly perjure yourself in a court of law or in any legal setting is simply put, a crime to be punished. Toleration of Bill Clinton's offenses will only lead us down a path of mediocrity and moral degeneration."

"I am the mother of four children to whom I have preached that they should never tell a lie because eventually it will become known and the punishment for a lie is far greater than the lie itself. They are grown up now and of voting age and they are telling me that a lie is okay because the President of the United States, our role model, got by with it. Is this the message that you want to send to the American people and the world?"

"This should be a lesson to any persons in high government, that no one is above the law in this country. This is what sets us apart from other nations. You cannot have two scales of justice."

"As my representative, I urge you to not ignore the laws of this country. All are subject to them. Vote to impeach President Clinton."

"The President has lied to a Federal Judge, a Grand Jury, and the American People. If he can lie to all these people without any consequences why should the rest of us tell the truth?"

"Not to proceed with [impeachment] is doing a great disservice to the rule of law in this country. It will effectively set a double standard."

"If Mr. Clinton were a member of the armed forces, he would have faced a court martial and have been dishonorably discharged a long time ago. As the Commander in Chief of our armed forces, shouldn't he have to adhere to the same standards as those he supposedly commands?"

"I am a freshman at the University of Notre Dame and have been following the impeachment process occurring in recent days, and I feel it is imperative that we as an American people show the world that we will not tolerate disregard for the law in the highest levels of our government."

"My wife and I are both teachers. How do we explain the fact that the President of the United States can lie—and get away with it. Please represent us by voting to impeach Bill Clinton."

"If [the President] were to be placed under oath today in a civil suit, I'm sure he would still bend all credible interpretations of the truth, misrepresent, prevaricate, lie, and do whatever he could to escape being responsible for his actions. So for both my wife and I, we say impeach him; don't vote for censure."

"With great hubris, President Clinton has continued to dissemble and obfuscate. He has used the awesome power of his office to mold public opinion. For the President to get by with his lying and abuse of power would be a dangerous precedent for our highest office."

"The idea that all Republicans are just voting along party lines is disturbing. Democrats do the same. As a first grade teacher and parent of four sons (along with my husband) I feel anything short of impeachment is giving our youth the wrong message about right and wrong, truth and falsehoods, and marriage vows."

"I don't believe in throwing out the baby with the bath water, but if you can't see how this president has hurt our country, our reputation for moral leadership in the world, how he has damaged my children's respect for the law and the office of president, etc., then you have completely lost my future votes."

"We are horrified that sexual encounters, lying under oath and his consistent lying in general is tolerated. His example is tearing down the fabric of an already unstable moral and responsible society."

"This may not rise to some Ivy League professor's impeachment bar, but remember they got Al Capone for tax evasion."

"If he lied to us once, what's to stop him from doing it again. What makes you think his whole life isn't a lie . . . Get rid of him."

"If the President can't control his private life, what makes you think he can the public's?"

"The basis of a civil society is truth. If we cannot trust the President, we cannot trust the government."

AGAINST IMPEACHMENT

"I believe the crimes—if indeed there were crimes—do not fit the punishment."

"I do not wish to condone President Clinton's behavior; but his actions were of a private nature, and Mr. Starr should never have asked him to reveal his private activities."

"I am a kindergarten teacher as well as a single parent. How can you people feel good about yourselves knowing that impeaching a president over his private life is a higher priority than crumbling schools, hungry kids, people going without health care?"

"I understand the moral injustice that he has committed. I feel however it is time for things to come to an end, and this must happen before we put our nation into a greater tailspin of turmoil, economically, politically and with foreign matters."

"As the vote in the Judiciary Committee demonstrates this is a partisan exercise with no pervasive support. The Founders did not contemplate a partisan impeachment of the President."

"I'm sure you don't want to be part of a congress that will go down in history as pulling off the first bloodless coup in our history."

"I look back in time to President Johnson right after the Civil War, and read about the type of things they tried to impeach him on, and wonder what will people think 50 or 100 years from now about the actions of our congress of today. Probably laugh when they discuss it."

"Our household consists of two democrats and one republican. We are all in agreement that impeachment is not an appropriate action to take against our president."

"If you impeach Clinton for this, you would have had to impeach 90% of our presidents."

"Clinton has only two years to go. If he is removed from office, your party will soon face an incumbent Democratic president who will likely win re-election. Besides that, in terms of policy, Clinton is as good a Republican president as you could have found from within your own ranks!"

"He has degraded the judicial system. In a sense, however, he has merely been responding in a pragmatic manner to a judicial system that has already been degraded—in a more odious manner—by individuals and organizations that are willing and able to pursue their political agendas in a non-democratic manner through an endless series of lawsuits, investigations, and probes."

"The Republicans are shooting themselves in the foot on this one and I dare say that perhaps that fact alone is probably the only good outcome of all of this."

"I am a physician at the University of Iowa Hospitals. My father served in the legislature and my grandfather as the assistant attorney general of Iowa. I am writing to encourage you to vote against impeaching our president, a man elected by many of the same people that elected you."

"I urge you to vote against the impeachment of the President. I voted against him twice. On the other hand, our party was twice outvoted in fair elections."

"I have forgiven President Clinton."

"Keep in mind that the appropriate methods of removing someone from office is at the ballot box except under very extreme circumstances!"

"That Kenneth Starr came back with no incriminating evidence against Clinton regarding Whitewater, Travelgate and Filegate underscores the desperate need Clinton's enemies had to pin something, anything, on him."

"I believe the matters of his infidelity and its cover-up are something he and his wife and his God need to handle—not Congress. Please do not set such a dangerous precedent by voting to remove this resident from office. Let morality be taught at home and in the schools lest we begin to set standards no mortal can reach."

"I predict if the House votes to impeach the President, the Republicans will suffer such defeats in the next election they will lose control of the House by a large margin, possibly the Senate and most assuredly a Democrat will be elected President."

"I'm sure you are familiar with the term Pyrrhic Victory? This will be what the Republicans achieve if he is impeached."

"I listen to Republicans talk about how children are going to believe that it is OK to

lie if the President can, and that children in classrooms all over this country are talking about this and asking serious questions. I teach fifth grade in Davenport, Iowa, and I have a pretty astute group of students. Never has this subject come up, even though we have the Quad City Times delivered to our classroom daily."

"The last time impeachment was voted out of the house, in 1868, a few Senators placed the good of the republic ahead of narrow partisanship. The few Republicans who broke with their party are honorably remembered as statesmen. An Iowan—Senator Grimes—was one those select few statesmen."

"We urge you to vote no on all articles of impeachment. We feel that a censure and a fine would by far serve our country better than to put the country through the impeachment process. We need to put an end to this and get back to helping the country."

"Many Republicans have already stated that they are voting for impeachment, knowing full well that the Senate will not convict, as a sever form of rebuke and censure of the President. This, Mr. Leach, is an abuse of power that trivializes the process for future Presidents, including Republican presidents."

"President Clinton has behaved poorly and has provided poor moral leadership. However, I do not believe that the crimes that he is alleged to have committed merit impeachment. The House Judiciary Committee did a poor job in adding any additional information to what was contained in Ken Starr's report."

"If there are truly grounds for impeachment, then they should be clear to us, the people of this country, and to both parties in Congress. This is not the case."

"Impeachment under these circumstances would do permanent harm to the Presidency, to the balance of powers, and to our Constitutional system."

"I feel strongly that the Republicans are misapplying the laws of our land, and that impeachment without strong bi-partisan support would be devastating for our country."

"Based on the party line votes, I would not consider this an objective evaluation of the facts and history and precedents. It is an attempt by the majority party to invalidate the electoral process and the will of the people."

"We all recognize the farce conducted by the hard-line conservative right to destroy and overturn a duly elected President. It is nothing more than a Lewis Carroll version of court without an Alice! Absurd and ridiculous! Where is our sense of proportion in all of this?"

"While I do think that some sort of punishment is called for, I cannot see the wisdom of an impeachment vote. President Clinton was weak to be tempted as he was, and I wish that it had not taken place but what good will it do to impeach him and throw out all of his ideas."

"With so many people asking Washington to move on, why must this drag on? The American people know that Clinton was wrong in what he did. He admitted that, it has been shown, so let's have our politicians get to more important issues."

"I agree that some form of censure should be meted out, but to put the country through a lengthy impeachment process would be painful to the country and without merit."

"While we are thoroughly chagrined and disappointed at [the President's] lying to family, friends, party and the American people, we sincerely believe that such action falls considerably short of the 'high crimes and misdemeanors' standard for impeachment."

"Nullifying who the people vote in as President is very serious. I don't feel what he did rises to the threshold for impeachment."

"To impeach this President is, to me, a terrible mistake. I do not condone what happened, but I believe he's human and, like everyone on this earth, he makes mistakes. I also believe it's human instinct to avoid the truth if you're married and having an affair. Censure is far more feasible a punishment."

"Is this impeachment for crimes against the people or political hatred? All I see are Republicans using every method they can to impeach, then say it's the President's job to prove his innocence. Sounds backward to me."

"I'm opposed to impeachment of the President. The allegations against him are not, in my opinion, 'other high crimes or misdemeanors' as required by the Constitution. While Mr. Clinton's actions may be reprehensible and are certainly incredibly stupid, removing a president from office for lying to the American people about sex is, in my mind, absurd."

"This affair was brought about by an over zealous investigator-prosecutor who didn't know when to stop and President Clinton whose human failings overcame his common sense. President Clinton has brought disgrace and shame on himself, his family and his office. The opposition has been guilty of using every method to embarrass and remove him from office. What Clinton has done doesn't measure up to wrong done in Irangate when the White House totally disregarded Congressional direction and lied about trading arms for hostages. I urge you to vote against impeachment."

"I believe President Clinton failed to act with the moral and ethics appropriate to his office or a person. However, I do not believe his actions directly affected his official duties and decisions. I also do not believe he abused the powers of the presidency to the degree necessary for impeachment."

"Please vote no on the impeachment articles. President Clinton has made a fool of himself, but he has not misconducted himself in office. The prosecutor created the conditions for the alleged perjury and obstruction of justice by relentlessly pursuing the man into his most personal and private life."

"I hope you separate yourself from the mob mentality. If you step back and use that Iowa common sense that I know you have, you will decide that though the President's actions are deplorable they do not rise to an impeachable offense."

"Anyone who thinks what Clinton did rises to the standards that our forefathers set is really kidding themselves. How many presidents do you think have lied to the people. This lie did not hurt the people."

"I believe President Clinton has already suffered an enormous penalty. Do not penalize the future of democracy by sending the impeachment process to the Senate."

"I look at the waste of time and money on this and it makes me angry. I am not angry at President Clinton. I am angry at the system that would let it get this far."

"It is, as they say, not about sex. But it is also not about perjury. It seems to me to be about raw political power."

"If the Republicans continue to pursue impeachment, the American people will remember it at the polls."

"To have to debate at length whether or not we should impeach a president, seems ipso facto a reason not to impeach: a shadow of doubt."

"To regard Clinton's behavior, shameful as it is, as a threat to the country or the government, is ridiculous. He may be a bad example, but his difficulties should serve to keep others from his personal excesses."

"I am watching the Republican party march in lockstep toward a Constitutional crisis that seems more motivated by personal angst against Clinton than by any true understanding of the Constitutional standard for impeachment."

"While I realize that Congress has the constitutional right to overturn the will of the people, I don't feel that it has the moral right to do so."

"It is inexcusable to tie up the business of government for months over such a trivial matter."

"The facts don't justify capital punishment for this president."

"Enough is enough. Please stop this witch hunt."

"Some form of condemnation for the President's actions surely must take place, but not impeachment."

"I have always respected you as a fair and open minded representative who is not afraid to go against party lines on many issues. Impeachment is very serious business as I am sure you are aware, and that if followed through to completion would nullify a democratic election of the people, the majority of which do not support his process."

"It is not what the people want, not what the country or the world needs."

"This is an attempt by the majority party to reverse the vote of the people and remove the President from office. This has to stop."

"The Republican House leadership has no intention to find a solution to this situation short of embarrassing the President, destroying him, and driving him from office. That is not the kind of moral leadership this country needs. A strong statement of censure would accomplish what this country needs."

"I believe censure to be adequate. Clinton has proved himself to be a friend to those who need assistance in the areas of disabilities and education the most."

"Nothing the President did will harm the country nearly as much as an attempt by one party to throw out the other party's president."

"Stop the impeachment. Be inventive. Be a leader."

"We suggest that our nation desperately needs wisdom at this tremulous point in its history. We ask you to step forward, possibly at risk to your own place within the Republican party, to vocally and strongly challenge what the Judiciary Committee has set in motion. You would be serving the country greatly by an adamant refusal to get on a train that is single-mindedly heading down a track toward an unknown tunnel."

"For the good of the country, vote against impeachment. Time to forgive and get on with the business of our country."

"Don't bend to the partisan politics of the black and white moralist Republicans who claim this is a vote of conscience. It is obviously meant solely to get Clinton since it couldn't be done in a free and open election by the people."

"I think most of us who voted for him were well aware of this flaw and that is why most Americans oppose impeachment. Despite this flaw, he seems to be leading the country quite well. Infidelities are unfortunately common and should be resolved within family units not over the mass media."

"This biased and unjust process is perhaps the biggest threat to our democracy in our

history. When a president is impeached it had better be for an extremely serious offense against our constitution or our country. There are many people who have stated that they will never vote again if their president is removed from office. When people lose faith in their way of government, that way is doomed."

"I met Clinton when he came to Davenport during the record floods that we had several years ago and I know that he feels for the common person."

"Don't let a minority take over the country. We elected Clinton twice, let him finish his mandate."

"It is my belief our president, in his wrongdoing, has been the beneficiary of fewer rights than any citizen would have in a court of law. It's questionable and I think for the sake of this country we should give him the benefit of the doubt."

"I have been a Republican all of my life. I do not like President Clinton and never have. However, I don not think these articles meet the intention of impeachment."

"I'm afraid that many people knew about Clinton's shortcomings in the area of his private life and voted for him anyway because they thought he would be a good president, and he has been. If you feel it necessary to punish him, please consider voting for censure and let him finish off his term. I think the country would be better served that way. Let this be over, please."

"The world looks to our country for stability. What good is going to come from an impeachment? Will the people benefit? Let the courts deal with him after his term."

"The process has been very unfair. If there is no chance to vote to censure, the unfairness will continue. Can Trent Lott and Republicans who didn't want Nixon impeached, vote to now remove a Democrat president for lesser offenses?"

"Impeachment should have the support of a strong majority and overwhelming evidence of a crime so high or so specific to governing that there is no redress in the courts for it. Impeachment cannot go forward with any moral authority if it is borderline, or below, on reaching the high crimes level of importance. Impeachment on a purely partisan vote and without public support is just frightening."

"If the nation is crippled by a Senate trial, I believe the public will hold the GOP accountable in the year 2000. Issues that matter to most Americans will surely be put on the back burner for a trial that will certainly turn into a circus. Vote against impeachment so that the next Congress can work on saving Social Security and helping the farmers in the Midwest among other pressing issues."

"If the President deserved to be impeached there would be many Democrats supporting this effort. There are not. Impeachment as a political tool will undermine our entire political system and next time it could be a Republican president being forced out of office at the hands of partisan Democrats."

"Every prosecuting attorney makes the decision on whether a case is sent to trial, based on many items including the probability of winning the case. A persecuting attorney who sends a case to trial with no probability of success will soon be voted out as over burdening the court system and wasting money. This case falls into that category. There appears to be no question of the outcome in the Senate, but to try the case would burden the Senate, the Supreme Court, the While House, and all other parts of the government that depend on them. It would send the country into turmoil and add an undue financial burden."

"While I in no way condone Clinton's behavior, I don't believe it is in the best interests of the U.S. to have this issue consume our agenda for the coming year."

"You have always had my vote because of your thoughtful and reasoned positions on the issues. Please continue in the face of this controversy. Many of the Republican members of the House seem to be out of control on this issue and as such are not serving the people."

"Please do your best within the Republican conference to push for the opportunity to vote for censure and stop the ridiculous partisan behavior of some members of your party."

"Although I am personally disgusted by his behavior and disappointed in his refusal to admit his errors, I do not believe that his actions rise to the level of impeachable offenses. If we set the standard for impeachable offenses at the level required by these articles, what president would be safe from future attack? I believe that the Founding Fathers intended impeachment to be a last resort against a corrupt and dangerous executive who poses a threat to the nation, not a routinely utilized method for attacking an executive whom congressional opponents find truculent."

"I wish to urge you to stop this pure political impeachment. I hear you Republicans intend to vote your conscience. I am here to tell you that if you Republicans had a conscience, you would never have started this travesty. The only sin that is unforgivable is deliberate maltreatment of another human. If you do this you are setting your party to henceforth always be the minority. I for one will never again vote for a Republican if you succeed in this pure political impeachment. STOP IT TODAY!!!"

"This is the first I have sent an e-mail to any legislator. I implore you to please vote 'no' on the impeachment proceedings. I don't condone what he has done concerning Monica Lewinsky, but I don't feel he deserves to be thrown out of office."

"The Republican majority of the Judiciary Committee has just flat refused to accept the apology of President Clinton."

"This impeachment process is like a plot from George Orwell."

"We know he is a person with negligible ethical sense, but we are also confident that he has not committed high crimes and/or misdemeanors that meet the level of impeachment. Please vote to end this nightmare."

"Certainly what he did was awful but it was not a high crime or misdemeanor like treason or bribery."

"Who among us has not done things which we are not proud of and have asked forgiveness from our family or our God. God forgives and it is time to admonish and forgive for the good of the country."

"Shame on you for not standing up and stopping this shameful exhibition of party politics at the expense of our nation."

"If 70% of the American people still approve of the job he is doing, I feel that as a representative of the people, there is only one way you can vote."

"Clinton's actions were despicable and sophomoric, but this prolonged debate on impeachment is patently a rush to conviction."

"President Reagan made more significant irreparable errors and caused harm to the United States in the Iran-Contra affair and he was not punished. President Reagan either lied or was the most stupid President our nation ever had. President Clinton did not cause harm to the United States."

"I teach at the University of Iowa Law School I known there will be tremendous pressure on you from all sides on the impeachment vote. I just hope that, as you so often do, you stand up to it and vote a conscience that (a) supports censure, but (b) opposes impeachment because of its inconsistency, the dangerous precedent set by a partisan vote, the absence of fact-finding by the Judiciary Committee, the resulting impropriety of the House, essentially, serving as a mere conduit from the Starr report to the Senate, its imposition on the U.S. Senate, and the American people, of months of additional focus on issues which neither thinks are deserving of more money and time, and, deliberately last, its adverse impact on the political system."

"Enough is enough!! I encourage you to work in whatever way you can to stop this impeachment movement."

"I think that a yes-vote on impeachment shows more irresponsibility than Clinton's actions."

"The President has done a fine job in governing the country and I do not feel that the private acts that have been focused on have any bearing on his ability to do the job."

"I fear that the outcome of this impeachment will be that future president will be perceived as having fewer rights under the law than ordinary citizens, that in the future presidents—and other public officials—will be perceived as obstructing justice any time they are deemed insufficiently cooperative in their own destruction by legal proceedings."

"You're a lame-duck Congress and you're about to impeach the president on a party-line vote, over clear public opposition. It reflects much worse on you than on Clinton."

"This is not a high crime or misdemeanor. Rather it is a collateral, personal matter involving circumstances the founders did not contemplate as a Constitutional matter. * * * A lawyer cannot allow a client to admit to a crime. The President's defense under the law relates to arguments of materiality and ambiguity."

"In my line of work [acting] no one thinks this is right. * * * The President needs to follow lawyers so he won't be jeopardized when he leaves office * * * He's been humiliated enough."

"I'm calling as a friend of Hillary and as one in charge of providing opposition to you * * * I ask for your independent judgment. It is simply clear that this may be a Presidential embarrassment but it is not an impeachable matter."

"The Republicans are hypocrites. They have Clinton envy."

"The Republicans talk righteousness but their motives are partisan."

"Ken Starr is as guilty as Clinton. Maybe more so because he makes me wonder if the F.B.I. can be asked to bug the President's private life, they can be asked to bug mine * * * I never dreamed of entrapment. Now I fear it.

"I do not believe in divorce * * * or impeachment."

"Impeachment for lying about sex * * * you gotta be kidding!"

"If these articles pass, then virtually any future lack of presidential candor will be available as an excuse for one party in Congress to overturn the previous presidential election * * * the President's misconduct was neither a genuine attempt to undermine the judicial system, nor a corrupt deployment of executive power to unlawful ends.

Absent serious criminality, presidential deeds that are virtually irrelevant to the conduct of the presidency cannot amount to "high crimes and misdemeanors" warranting removal * * * there is no variety of high crime or misdemeanor that legally obligates the House to impeach. Impeachment is always an exercise of the House's judgment and discretion. The matters about which President Clinton allegedly lied are trivial with regard to the conduct of the Presidency. Impeachment based on the statements involved will legitimate every future effort of one party in the House to impeach a President for alleged untruthfulness, without regard to seriousness or context."

"While the President is clearly a scoundrel as far as his personal behavior goes, and he has lied about it to everyone including the courts, this simply does not rise to the level requiring his removal from office."

"Many of us who voted for Bill Clinton understood that he was running for President and not the pope. We all have a right to privacy and I feel that everyone deserves privacy when it comes to intimate matters (not affecting the state)."

"If this behavior is impeachable, then the bar has been placed so low that voyeuristic, salacious invasions of privacy of elected officials will become the commonplace, and impeachment hearings the tool of parties disappointed at the ballot box."

NEUTRAL

"Vote your conscience on impeachment. I will support you no matter what your vote."

"The issue is simple, Congressman. Make your decision solely on what you think you can defend to your kids."

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. METCALF).

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

Mr. Speaker, my prayers go out to the servicemen and women and their families during this difficult time, including the EA6–B squadrons from Whidbey Island, in my district, that are actively participating in operation Desert Fox. I am proud of them. They are professionals in every sense. I'm sure their ability to execute their missions will not be affected by our sad deliberations here. They know where their support comes from.

President Clinton is a tremendously talented individual. Working with him, we have achieved many fundamental reforms. We succeeded in dramatically reforming welfare, and over 3 million people have now moved to productive work. We restored the highway trust fund providing record investment in safety and infrastructure. And we forced accountability on the IRS. All of these things we did together—A Republican majority and Democratic President. I have personally met with the President on vital issues before this nation and I agree we must forgive the President.

I will vote for the articles of impeachment with a heavy heart but a clear conscience. The President has perjured himself before a federal grand jury. The central principle that defines this nation is the rule of law. I cannot walk away from my duty to hold the President accountable for his actions. I cannot hold the President to a lower standard than the federal judges who have been impeached and American citizens who have been imprisoned for the crime of perjury.

The President should follow his own suggestion during the Watergate trial. Bill Clinton said of President Nixon in 1974: "I think the president should resign and spare the country the agony of this impeachment and removal proceeding."

I regrettably urge the President to save this nation further pain and resign.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Speaker, I was just talking to my dear friend, the gentleman from Michigan (Mr. CAMP) about how uncomfortable this situation is for all of us. Why is it that we are here? We are here because of our commitment to the rule of law and we are here because a great deal of courage has been demonstrated by a lot of people.

President John F. Kennedy wrote a chapter in "Profiles in Courage" about Senator Edmund G. Ross, who stood against public opinion and did what he thought was right. And I will tell you, there are an awful lot of Members in this Congress who are doing the exact same thing.

I want to congratulate the gentleman from Illinois (Mr. HYDE) and all of the members, frankly, on both sides of the aisle of the Committee on the Judiciary for the hard work and effort that they have put into this process. We are doing this because we subscribe to the Burkean view that your representative owes you not his industry only but his judgment as well. And he betrays rather than serves if he sacrifices it to your opinion. This is about justice and the rule of law. Vote in favor of these articles.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from Nevada (Mr. GIBBONS).

Mr. GIBBONS. Mr. Speaker, this is truly a troubling and difficult time for America as well as for each and every one of us in this august body. The history of this Nation has clearly shown over the past that it is reluctant, as it should be, to remove any individual duly elected by a vote of the American citizens, and this is not an easy task. It is not one that is done with any joy.

But it is my responsibility, along with everyone else in this room, and should be done with the material, the evidence and the charges brought to it. Like each of you, I take this very seriously.

It is not my duty to judge this President nor the fate of his term in office. That is left to the United States Senate. The Committee on the Judiciary has brought charges to the full House of serious allegations against Bill Clinton, which include perjury, obstruction of justice and efforts to suborn perjury, serious charges which I have poured over, studied and reviewed and have come to the conclusion that they are true. They are in violation of the laws of this land, the laws that the President has sworn to uphold.

To all of my colleagues, let me say that impeachment is the strongest form of censure in the United States. No person is above the law.

For only the third time in the history of our nation, members of the United States House of Representatives are being asked to consider Articles of Impeachment against a sitting president. For only the second time in the history of our country, the Judiciary Committee has brought these charges to the full membership of the House of Representatives to consider and duly vote upon their merits. The history of our nation clearly demonstrates a reluctance, as it should, to remove any individual duly elected by the citizens of America.

This is not an easy task. It is not done with any joy—but it is done with the knowledge that it is the responsibility of the United States House of Representatives to carry out the duties outlined by the framers of our Constitution. It is my responsibility, along with my colleagues, to decide what should be done with the material and evidence brought to it. I take this responsibility seriously: I take it with the full knowledge that our actions, as well as those alleged of our President, will be in the history books of our nation for hundreds of years.

It is not my job to judge the President; the framers of our Constitution gave that role to the United States Senate. It is not my duty to ultimately decide the fate of this President's term in office; that, too, is the obligation of the United States Senate. It is however, my duty and responsibility to determine (1) if the charges brought before this body constitute impeachable offenses and (2) if sufficient evidence exists to warrant bringing the President to stand trial in the Senate on those charges.

The Judiciary Committee has brought to the full House serious allegations against President Bill Clinton. They are allegations which include perjury, obstruction of justice, and efforts to suborn perjury on the President's part. Such actions are not simply "personal wrongs." They are in violation of the laws of this land, the laws that the President has sworn to uphold.

President Clinton has talked numerous times about the average American who works hard and plays by the rules. That is what this impeachment proceeding is about. In the United States, no person is above the law. Not the President, not myself, not the people who send us here. No one is above the law.

I truly hate the idea of putting this country and its citizens through an impeachment proceeding. I know that the process distracts us from other duties. I know that casting a vote for impeachment is a serious and somber matter. However, the Constitution requires a specific course of action when charges like this are made and brought before the House of Representatives. Therefore, I must follow through with this because I believe it is the right thing to do.

Unfortunately, accusations of partisanship have clouded this process. But, clearly, the rule of law in our country is more important than any political party or any single individual, including the President of the United States.

Moreover, I recognize that impeachment is never politically popular. But the day I let polls and popularity overrule my judgement and the

way I vote is the day I leave Congress. Over 30 years ago, another President wrote a book titled "Profiles in Courage" about eight members of the Senate who didn't do the "politically popular thing." The New York Times called his book "A thoughtful and persuasive book about political integrity." Political integrity must win over political popularity. Over 130 years ago, President Abraham Lincoln certainly didn't do the "politically popular thing" when he signed the emancipation proclamation, but he did what was right and just for America.

I am drawn to a quote that was made long ago by William Penn, who said: "Right is right, even if everyone is against it. Wrong is wrong, even if every one is for it." And, just an importantly, my Mother always told me: "The truth is the truth, a lie is a lie, and not for long do they exist side by side." Justice, like integrity, must always take precedence over popularity.

The House Judiciary Committee has brought four Articles of Impeachment against Bill Clinton for the full House to decide. And throughout the course of this process I have judiciously and thoroughly reviewed all of the available evidence, researched the law, studied the Constitution, talked to legal scholars, attorneys and judges, and most importantly, listened to the constituents of the Second Congressional District of Nevada. Only after a great deal of reflection and thoughtful deliberation have I concluded that the following is the right course of action for the people I represent, the State of Nevada and the future of America:

I will vote for Article 1 of the Impeachment Resolution, because there is sufficient evidence to believe that President Bill Clinton willfully provided false and misleading testimony to the grand jury and the United States Congress. And that his perjury undermined the integrity of the office of the President, brought disrepute on the Presidency, betrayed his trust as President, and subverted the rule of law and justice of the American people; and,

I will vote for Article 3 of the Impeachment Resolution, because the evidence is sufficient to conclude that President Bill Clinton knowingly and wrongly encouraged witnesses to give false and misleading testimony, attempted to secure employment for a witness in order to prevent the truthful testimony of that witness, engaged in and supported a scheme to conceal evidence that had been subpoenaed by a federal court. Through his conduct, President Bill Clinton attempted to obstruct justice in a manner subversive to the rule of law that has brought disrepute on the Presidency and undermined the integrity of his office; and,

I will vote for Article 4 of the Impeachment Resolution, because there is substantial evidence that President Bill Clinton misused and abused his office in failing to respond, and by making false and misleading sworn statements in response to written requests as part of an authorized inquiry by the Congress of the United States. And that his misuse and abuse of his office and power has brought disrepute of the Presidency, betrayed his trust as President, subverted the rule of law and justice, all to the manifest injury to the people of the United States; however,

I will not support, nor vote for Article 2 of the Impeachment Resolution, simply because I do not believe that the false and misleading testimony of President Bill Clinton in the Paula Jones lawsuit constitutes an impeachable offense as defined by the Constitution.

The rule of law is paramount in America. Each and every one of us must abide by and play by the rules. It is my belief that there is sufficient evidence that clearly demonstrates this President has not. Therefore, I conclude, reluctantly that these charges should be considered by the United State Senate.

This vote has not been an easy decision on my part. But, I was not elected to the United States House of Representatives to make the easy decision. However difficult this decision is, it is a vote I cast as a matter of conscience in the belief that no person is above the rule of law in our nation.

Mr SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. CAMP).

Mr. CAMP. Mr. Speaker, under our Constitution, it is our duty and solemn task to examine this matter in a way that will ultimately lead to the truth. After reviewing the evidence, I will vote in favor of impeachment.

Lying under oath, obstruction of justice and abuse of office are all very serious acts that should not and cannot be ignored. It is my firm belief the President has undermined the integrity of his office and brought dishonor and disrepute on the Presidency of the United States. He has denied Congress and, most importantly, the American people an opporutinty to reach the truth. The truth is the foundation of our legal system. This foundation has been eroded by the President and his actions, and my conscience does not allow me to play a role in the continued deterioration of this system.

This vote is between what is right and what is wrong. I cannot send a message to our children that would tell them it is OK to lie even if you are the President of the United States.

Mr. Speaker, we have been given the solemn task of conducting impeachment hearings regarding the conduct of President Clinton. It has been a difficult process. However, under our Constitution, it is our duty and solemn task to examine this matter in a way that would ultimately lead us to the truth.

After reviewing all the public statements and legal documents, I will vote in a favor of impeachment. Lying under oath, obstruction of justice and abuse of office are all very serious acts that should not and cannot be ignored. It is my firm belief the President has undermined the integrity of his office and brought dishonor and disrepute on the Presidency of the United States of America.

He as denied a committee of the United States Congress, the House of Representatives and most importantly the American people, an opportunity to reach the truth. The truth is the foundation of our great legal system. This foundation has been eroded by the action of our President and my conscience does not allow me to play a role in the continued deterioration of this system.

We cannot ignore the facts of this difficult case. By doing so, we would set a dangerous precedent for generations to come. This vote is between what is right and what is wrong. I cannot send a message to our children that would tell them it's ok to lie if you are the President of the United States. This would not be fair for their future or the future of our great country.

This is a trying time for our Nation but it is one that was envisioned by our Founding Fathers. It is my hope this entire process will soon be resolved and the strength of our Constitution and the rule of law will prevail in the final outcome.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, in 1973, the House Committee on the Judiciary concluded that it could not impeach Richard Nixon for tax perjury, even though Nixon fraudulently signed this 1969 tax return under penalty of perjury. It then established a precedent, with then Congressman TRENT LOTT concurring, that impeachment of the President is not warranted except for misconduct dangerous to the constitutional system.

Some have erroneously claimed that the committee lacked sufficient factual evidence. I have distributed to all Members an exhaustive analysis of the 1974 hearings. The reason the Committee on the Judiciary rejected the tax article of impeachment against Nixon was set forth in 1975 by the very member of the House Committee on the Judiciary who authored the tax article. And he said, most opponents of the tax article felt that the willful tax evasion did not rise to a level of an impeachable offense requiring the removal of the President.

Mr. Speaker, I would call this House a kangaroo court but that would be an insult to marsupials everywhere.

Mr. Speaker, let me address the two issues that are on the minds of Americans today.

As to our action in Iraq, the President is doing the right thing, at the right time, for the right reasons. That is why taking action at this time is supported by the Republican Secretary of Defense, by the Joint Chiefs of Staff, and the British Prime Minister—none of whom would risk the lives of American and British troops for the President's political purposes.

Yesterday some extremists, blinded by partisanship, made statements impugning the President's motives—statements which unintentionally gave aid and comfort to the enemy. I am pleased that some have apologized for, or have withdrawn, their unfounded insinuations.

As to these Articles of Impeachment, the partisan House majority is doing the wrong thing, at the wrong time, for the wrong reasons.

This House is doing the wrong thing because the Majority is ignoring the precedent established in the Nixon Impeachment Hearings.

In 1974 the House Judiciary Committee concluded that while there were other reasons to impeach Richard Nixon, it could not impeach him for tax perjury—even though he

fraudulently signed this 1969 tax return under penalty of perjury. It reached this conclusion based on the correct legal principle, which it established as precedent. That principle is: The impeachment of the President is not warranted except for misconduct dangerous to the system of government established by the Constitution.

Some have claimed that in 1974 the Judiciary Committee lacked sufficient factual evidence of Richard Nixon's tax perjury—but this is not the case. I have reviewed the record of the 1974 hearings, and statements made in 1975, and described these in a five page letter distributed to all Members this morning—and I will make that letter part of these remarks.

The reason the Judiciary Committee rejected the Tax Article of Impeachment against Richard Nixon was set forth in 1975 in the Georgetown Law Journal where Edward Mezvinsky, the very member of the Judiciary Committee who authored the Tax Article of Impeachment against Nixon wrote: "Most opponents of the tax article felt that willful tax evasion did not rise to the level of an impeachable offense requiring the removal of the President."

The House Majority has required us to address impeachment at the wrong time. The next week is critical for American diplomacy to secure international support for our efforts against Iraq, so that we can get the landing rights our troops need. The Republican Majority insists that we deal with this matter now because they want to use raw political power to insure what they call a matter of conscience is determined by lame duck consciences.

Now I understand their partisan desire to achieve a political result before the new Congress takes over on January 3. But what I don't understand is this: Why didn't we adjourn today and convene on December 29th—and thereby give our diplomacy the time it needs to line-up allies?

And the House Majority is doing all this for the wrong reasons.

The majority promised this matter would be decided on the merits, according to conscience. But we all know Colleagues who have had one arm twisted to affect their vote on impeachment, and the other arm twisted to ensure their silence about the twisting of the first arm.

And while we are told this is a matter of conscience, many of us are denied the opportunity to express our conscience, because we are not being allowed to vote on a resolution of censure.

It is argued that we cannot constitutionally censure the President. But in 1834 a U.S. Senate censured President Jackson. That Senate was comprised of individuals who had been actively involved in the process of ratifying our constitution. The men and women who lived through the adoption of our Constitution never doubted for a moment that it was constitutional for either House to censure a President.

This Majority ignores the standards of impeachable offenses developed in the 1974 Nixon Impeachment Hearings. This Majority, through its timing of these hearings, places partisanship over the need to use diplomacy to secure landing rights necessary to minimize American casualties. And this Majority denies Members the right to vote for censure, as their consciences dictate.

Mr. Speaker, I would call this House a kangaroo court, but that would be an insult to marsupials everywhere.

DECEMBER 17, 1998.

NEWS FLASH 1974: JUDICIARY DETERMINED LYING UNDER OATH IN PRIVATE MATTER IS NOT IMPEACHABLE—A REVIEW OF NIXON TAX PERJURY ARTICLE

DEAR COLLEAGUE:

SUMMARY

In 1974 the Judicary Committee established a precedent that a crime committed in private life (i.e., Richard Nixon's tax fraud) does not warrant the impeachment of the President. 1969 tax fraud, the Committee was swayed principally by the legal principles defining an impeachable offense, not by the lack of factual evidence against Richard Nixon.

The crimes which the Judicary Committee found did not warrant the impeachment of President Nixon are virtually identifical to the two perjury charges against President Clinton.

DETAILED ANALYSIS

President Nixon knowingly filed a 1969 tax return which fradulently claimed that he had donated pre-presidential papers before the date Congress eliminated the charitable tax deduction for such donations. President Nixon, knowing his return was false as to this $576,000 deduction, signed his name under the words: "Under penalty of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete."

In July 1974 Edward Mezvinsky (D–IA), a Member of the House Judiciary Committee, introduced an Article of Impeachment alleging that President Nixon had signed "Under penalty of perjury" a tax return which Nixon knew was false. While Mezvinsky argued that filing the tax return was an abuse of public power because Nixon knew his red-flag $576,000 deduction would not trigger an audit because he was President. However, most Committee members believed that Nixon's false tax return was a "personal," non-governmental crime, and thus did not warrant the impeachment of the President.

The Judiciary Committee voted 26 to 12 against impeaching Nixon for his false tax return.

Technically, Nixon committed "tax fraud" not "perjury" and was subject to prosecution under the Internal Revenue Code. Yet Nixon's crime (covered by his pardon) was almost identical to the perjury of which Clinton is accused (and is referred to here as "tax perjury")

1. Nixon signed a document under the words "Under penalty of perjury, I declare * * *."

2. He presented false information to a federal agency.

3. Nixon lied when he had a legal obligation, enforceable by federal felony statutes, to tell the truth.

4. Nixon's false statements related to a private matter—his personal liability for federal taxes. (Clinton testified regarding his personal liability to Paula Jones.)

5. Nixon ignored the "rule of law" and his legal obligation to tell the truth.

Some have argued that the Judiciary Committee did not pass a Tax Perjury Article of Impeachment against Nixon only because the facts were unclear. A review of the Committee Report shows that some members thought the factual evidence against Nixon was weak, while other Members thought that a criminal act in the conduct of personal affairs did not warrant the impeachment of the President. (See attached excerpt.)

Most of the Members of the Judiciary Committee did not speak on the record on the Tax Perjury Article. So how are we to know the reason for their vote and the precedent the 26 to 12 vote established

The person most aware of the reasoning of the Committee Members regarding the Article is its author Edward Mezvinsky (D–IA), who lobbied his colleagues on both side of the aisle to get his Article adopted. I called Mr. Mezvinsky yesterday and talked with him at length about his efforts in 1974 to convince his colleagues to vote for his Article. He told me that the clear majority of those who voted against his Article did so because they concluded that a crime committed in private life, which did not relate to an abuse of Presidential power and was not as heinous as murder or rape, did not warrant the impeachment of a President.

Mr. Mezvinsky is a Democrat. Is he remembering or interpreting the vote on his 1974 Article of Impeachment to establish a precedent favorable to our current Democratic President? Has his memory faded with time over the last 24 years?

Fortunately, in 1975 Mezvinsky wrote an article for the Georgetown Law Journal describing the thought process of his colleagues and providing a contemporaneous statement of the legal conclusions reached in 1974 by the Judiciary Committee.

Mr. Mezvinsky first explains the staff guidance the Committee received, and then the conclusion of the Members of the Committee, which followed that guidance. "The staff nevertheless injected a requirement of substantiality into the impeachment formula: to constitute an impeachable offense, presidential conduct must be 'seriously incompatible with either the constitutional form and principles of our government or the proper performance of constitutional duties of the presidential office.' [Staff of the Impeachment Inquiry, House Comm. On the Judiciary, 93rd Cong., 2nd Sess., Constitutional Grounds for Presidential Impeachment 26–27 (Comm. Print 1974).]"

* * * * *

"Most opponents of the Tax Article felt that willful tax evasion did not rise to the level of an impeachable offense requiring removal of the President."—Edward Mezvinsky, Georgetown Law Journal, 1975, Volume 63: 1071 at pages 1078–1079.

The record on the Nixon impeachment process further supports the conclusion that impeachment of a President is warranted only for an offense against our very system, an offense subversive of the government itself.

A memorandum setting forth the views of certain Republican Members (including current Senate Majority Leader Trent Lott) of the Judiciary Committee in 1974 similarly emphasized the necessarily serious and public character of any alleged offense: "It is not a fair summary . . . to say that the Framers were principally concerned with reaching a course of conduct, whether or not criminal, generally inconsistent with the proper and effective exercise of the office of the presidency. *They were concerned with preserving the government from being overthrown by the treachery or corruption of one man. . . .* [I]t is our judgment, based upon this constitutional history, that *the Framers of the United States Constitution intended that the President should be removable by the legislative*

branch only for serious misconduct dangerous to the system of government established by the Constitution." [Nixon Report at 364–365 (Minority Views of Messrs. Hutchinson, Smith, Sandman, Wiggins, Dennis, Mayne, Lott, Moorhead, Maraziti and Latta) (final emphasis added).]

CONCLUSION

A 1975 law journal article tells the story. In 1974 a Judiciary Committee, dominated by Democrats, was confronted with a President who had lied on a tax return signed "under penalty of perjury." That crime dishonored President Nixon, undermined respect for law, and called into doubt Mr. Nixon's credibility on public matters. However the Committee applied the following formula: seriously incompatible with either the constitutional form and principles of our government or the proper performance of constitutional duties of the presidential office.

That same standard should be applied to President Clinton. The first two articles allege that President Clinton lied "under penalty of perjury" and through that action undermined respect for law, and his own credibility and honor. Yet President Clinton's actions do not warrant the impeachment of a President under the standards formulated by the Judiciary Committee in 1974 and applied by most Committee Members in rejecting the Tax Perjury Article of Impeachment against Richard Nixon.

I urge you to follow the standard enunciated and followed by the Judiciary Committee in 1974 and reject the first two Articles of Impeachment against President Clinton. I hope you will also join me in voting against the third and fourth Articles as well.

Very truly yours,

BRAD SHERMAN.

EXCERPTS FROM HEARINGS OF THE HOUSE JUDICIARY COMMITTEE, JULY 1974, ON AN ARTICLE OF IMPEACHMENT OF RICHARD M. NIXON, DEALING WITH TAX FRAUD/TAX PERJURY

Mr. Railsback (R–IL)—I suggest that there is a serious question as to whether something involving his personal tax liability has anything to do with his conduct of the office of the President. (Pg. 524).

Mr. Hogan (R–MD)—The staff report on grounds for impeachment makes clear, and I am quoting: "As a technical term high crimes signified a crime against the system of government, not merely a serious crime. This element of injury to the commonwealth, that is, to the state itself and the Constitution, was historically the criteria for distinguishing a high crime or misdemeanor from an ordinary one." (Pg. 541)

Mr. Mayne (R–IA)—. . . even if criminal fraud had been proved, then we would still have the question whether its a high crime or misdemeanor sufficient to impeach under the Constitution, because that is why we are here, ladies and gentlemen, to determine whether the President should be impeached, not to comb through every minute detail of his personal taxes for the past six years, raking up every possible minutia which could prejudice the President on national television. (Pg. 545)

Mr. Waldie (D–CA)—I speak against this article because of my theory that the impeachment process is a process designed to redefine Presidential powers in cases where there has been enormous abuse of those powers . . . And though I find the conduct of the President in these instances to have been shabby, to have been unacceptable, and to have been disgraceful even, I do not find a presidential power that has been so grossly abused that . . . [it is] . . . sufficient to warrant impeachment. (Pg. 548)

Mr. Thornton (D–AR)—I think it is apparent that in this area there has been a breach of faith with the American people with regard to incorrect income tax returns . . . But it is my view that these charges may be reached in due course in the regular process of the law.

This committee is not a tax fraud court, nor a criminal court, nor should it endeavor to be one. Our charge is full and serious enough, in determining whether high crimes and misdemeanors affecting the security of our system of government must be brought to the attention of the full House . . . (Pg. 549)

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentlewoman in Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Speaker, I am sick at heart as I stand before this body today. I believe in this institution of self-government and that good people can disagree on issues and that we must respect that disagreement.

But I believe in order to have legitimate self-government that the process of making institution's decisions must be fair, and I am frustrated with a process that is not fair and that will not allow some of us to vote our conscience, a vote on censure.

Under the guise of rebuilding the public trust, this body is tearing it down.

The vast majority of Americans are also frustrated by the process. They want this to be over with and they have expressed their support for a bipartisan solution, a vote on censure. What they do not want is for us to make a decision of this historical magnitude purely on a partisan basis.

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It is very clear to me that the President's actions were wrong. But I do not believe that they rise to the level of crimes against the state that the Constitution requires in order to impeach. We are not voting to protect our democracy from clear abuses of power. We are voting on misleading and lying statements relating to a private matter. It is wrong. It is reprehensible. But it is not impeachable.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. POSHARD).

Mr. POSHARD. Mr. Speaker, as a young father, I learned something about raising my children. I learned that there had to be rules and the rules had to be enforced and if my children chose to break the rules, they had to be allowed to experience the consequences of their choices. I did my children no favor if I allowed them to escape those consequences.

But I learned some other things, things that were just as important as enforcing the rules to the letter. I learned that if a child disobeys and the punishment is so much more severe than the offense that we make an enemy out of that child. We may win the power struggle but everything we hope that child will learn by enforcing the rules with such severity will be lost.

This principle never changes, even among adults. That is why we need a censure here with appropriate punishment. The Nation knows that we have overreached in this situation. If we have appropriate punishment, we can learn, we can maintain respect and we can move on as friends and not enemies.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. THOMAS).

Mr. THOMAS. Mr. Speaker, I do think at this point we perhaps need to go back to the basics. I keep hearing that somehow we are going to abrogate a vote.

What we have before us are four articles. The question is whether or not the facts examined by the Committee on the Judiciary meet the articles. I think anyone who looks at the information will clearly reach the conclusion that, in fact, the facts are not friendly.

The question is, do oaths mean something? I think they do. Should oaths mean something to the most powerful person in the United States? I think they should.

The President had one opportunity not to lie. He had a second opportunity not to obstruct justice. He had a third opportunity. At any number of turns, the President of the United States would not have required us to be in the position we are in tonight.

The question is simply, do the facts rise to the articles? We do not remove him. We simply agree.

Mr. Speaker, the matter before us is not about a private matter as most of my colleagues on the other side of the aisle have been alleging for eleven months and throughout the debate today. This debate concerns they very foundation of our system of government.

I urge my colleagues to think long and hard about what we are doing in this hallowed chamber. We have been charged by the American people, our constituents, to serve to the best of our abilities swear to uphold the Constitution. It is our duty to defend the laws and the rule of law and this is what we are debating here today.

The House Judiciary Committee, under the able leadership of Chairman HENRY HYDE, reviewed 60,000 pages of sworn testimony, grand jury transcripts, depositions, statements, affidavits as well as video and audio tapes that they used to build a case and provide ample evidence for four Articles of Impeachment. I have read this report and agree with their findings.

The Framers provide us with a guide, the Constitution. The Judiciary Committee found that the President has indeed lied under oath, obstructed justice and abused the powers of his office. Impeachment is the Constitutional remedy.

The rule of law is paramount to our system of government. Should the President of he United States be exempt from this standard?

Should he be granted special treatment? Lying under oath lands other Americans in jail. The President is not above the law.

William Jefferson Clinton has twice taken the oath of Office of President of the United States where he swore to faithfully execute the office and to the best of his ability "preserve, protect and defend the Constitution of the United States." President Clinton has broken this solemn oath.

If the House indeed passes one or several Articles of Impeachment to the Senate, I renew my call to President Clinton to resign for the good of the country.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. Mr. Speaker, today we are faced with strong evidence that the President lied after swearing an oath to tell the truth. We have only one legitimate remedy in front of us, impeachment. So with great remorse, I will vote in favor of impeachment.

Some people have said that impeaching the President is an extremist or radical position. To those people I must ask, is holding the President accountable for his actions extremist? Is expecting the President to tell the truth radical?

I submit to this House that the rational position and the moderate position is to hold the President of the United States as we would any other American accountable to the law. Impeaching the President is something none of us should take lightly. However, neither should we shirk our duty to uphold the laws of our country and hold the President accountable for violating those laws and abusing his powers.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from New Hampshire (Mr. SUNUNU).

Mr. SUNUNU. Mr. Speaker, I rise today in support of the constitutional principle that every American is guaranteed equal protection under the laws of the United States.

As our Nation's chief executive, the President is charged to defend the Constitution and ensure a legal system that is untainted by perjury, by obstruction, and by witness tampering. These are crimes against the state and they strike at the heart of our judicial system and undermine its essential integrity.

To defer accountability for these actions would be to hold the single individual above the law and outside the boundaries of our judicial system. Some Members who wish to avoid casting a vote on impeachment remind us that the President would still be subject to criminal prosecution and they have included this reference in a meaningless censure resolution.

But this raises the troubling question, how can an individual that has committed an act that warrants a prison term be fit to serve as president? Others have argued that we should compromise principles in this case. But I say, if we cannot stand on principle in matters of truthful testimony, when will we ever stand on principle?

In his actions, the President has undermined his oath of office and undermined the rule of law. I will support the articles of impeachment.

I rise today before my colleagues, mindful of the difficult task before us and the strong emotions that mark the differences in opinion regarding the grave and solemn matter of Impeachment.

Two hundred and twenty-two years ago our country was founded upon the fundamental principle that "all men are created equal," and, therefore, that no individual is above the law. In applying our Nation's laws equally to all citizens, the integrity of the judicial system is protected by the requirement that all witnesses swear an oath to testify truthfully and fully before the Court.

As our Nation's chief executive, the President is charged to "preserve, protect, and defend the Constitution of the United States," the document which establishes this framework of justice for all. He carries a unique responsibility to protect the preeminent rights granted by our Constitution including the guarantee to a fair trial before a jury of one's peers and a legal system untainted by the corrupting influences of perjury, obstruction, or witness tampering. These very crimes, of which President William Jefferson Clinton now stands accused, strike at the heart of our judicial system and undermine its essential integrity.

Against these allegations and during the past eleven months, the President has been given every opportunity to deal fairly and honestly with the American people and with the Courts of the United States. In public statements, in a sworn deposition, in grand jury testimony, and in written responses to the House Judiciary Committee, he has been called upon to provide a full and truthful account of facts pertaining to charges of obstruction of justice, tampering with grand jury witnesses, and perjury. He has failed at every turn. Instead, the President has lied to the American people, lied to the Federal Court, and lied to a grand jury about key material facts. Moreover, the President has offered no information or testimony contradicting the evidence of these crimes outlined in the Independent Counsel's Impeachment Referral and Judiciary Committee Report.

And so we have before us, the matter of the Impeachment of our President. The constitutional standard for impeachment of "high crimes and misdemeanors" is a broad one by design. In the Federalist Papers, it is described in greatest detail by Alexander Hamilton, writing that "The subject of [impeachments] jurisdictions are those offenses which proceed from the misconduct of public men, or in other words, from the abuse or violation of some public trust." Protecting the integrity of government and ensuring accountability of public officials were of paramount concern.

Given the breadth and weight of documented evidence against the President on the substantive issues before the House, I am compelled to vote in favor of the Articles of Impeachment presented here today. The evidence documented in the Impeachment Referral and Judiciary Committee Report describes an extensive pattern of behavior designed to obstruct justice and mislead federal prosecutors. The President has displayed particular contempt for our legal system and the American people in several specific areas:

In his deposition and testimony in the case of Jones v. Clinton, the President demonstrated a contempt for the judicial system by committing perjury and allowing a false affidavit to be entered into the court record.

In his testimony before a federal grand jury, the President committed perjury.

With full knowledge that subpoenas for physical evidence had been issued, the President participated in a conspiracy to obstruct justice by encouraging witnesses to hide evidence.

After he knowingly provide false testimony before the court, and identified Ms. Betty Currie as a corroborating witness, the President attempted to intimidate her into providing false testimony.

The President repeatedly and unequivocally lied to the American People about matters under investigation by the Office of the Independent Counsel.

These acts are not merely technical violations of Federal Law; they demonstrate a broad and consistent pattern of behavior designed to corrupt our system of due process. To withhold or delay swift and appropriate action would be to hold a single individual above the law; and, herein lies the tragic precedent which a vote against impeachment creates. A vote against impeachment holds a single individual to a unique standard, above all other citizens, and outside the boundaries of our judicial system.

Some members who wish to avoid casting a vote for impeachment remind us that the President will still remain subject to criminal indictment. In fact, they have included reference to such prosecution in a meaningless "censure" resolution offered before the Judiciary Committee. This serves only to raise the troubling question: How can an individual who has committed a crime that may warrant a prison term be fit to continue to serve as President? To allow a public official to commit a series of felonies with impunity would constitute a violation of my own oath as a Member of Congress to uphold the Constitution. Moreover, it would send a clear and unacceptable message that each individual is entitled to their own personal interpretation of when it is acceptable to lie under oath and whether obstruction of justice or intimidating witnesses is appropriate behavior.

Some have also made a dangerous argument that principles should be compromised in this case due to the nature of the underlying subject matter. But, if we cannot stand behind principle on matters of truthful testimony before our Courts, then when will we ever stand behind principle? As was stated so eloquently earlier today: the integrity of our democracy is ensured when even the most powerful public officials tremble before the law. And if we choose to establish a new standard that defers accountability for felonies committed to avoid personal embarrassment, then those who argue against impeachment should come forward with a list of all topics and circumstances under which America's elected

Chief Executive may corrupt the judicial process, obstruct justice, and intimidate grand jury witnesses. The seven months of delay caused by the President's obstruction, and three months of Committee hearings have been difficult and unpleasant for every American. Creating a vague list of Presidential exceptions for perjury or obstruction of justice, however, may doom us to repeat this unsettling period in our Nation's history should future Presidents use President Clinton's unlawful actions to justify their own.

Finally, what are the consequences for 270 million Americans who are still expected to respect the principles of due process and truthfulness under oath? No censure resolution or public criticism of the President can ever justify the fact that he would remain in office after committing acts for which other Americans would be subject to immediate prosecution—and for which over 100 Americans are currently imprisoned. In fact, many of the federal judges who have been impeached were removed from office specifically for committing perjury. What remains of the Constitution's delicate system of checks and balances when we decide to hold the executive branch to a different standard than the judicial branch?

Given that the President has offered no contradiction of the facts presented within the Independent Counsel's Impeachment Referral and the Judicial Committee Report, it is fair to conclude that each of their allegations are true. The weight of the evidence supports the finding that the President of the United States committed not one, but a series of felonies, in an attempt to conceal evidence and information from federal investigators. The President has undermined the judicial process, shown contempt for judges and officers of the court, and failed egregiously to uphold his oath of office. The President should be impeached. Those who will vote to exonerate a President who has shown such contempt for our judicial system either discard the evidentiary record, or willingly betray their own oath to uphold the Constitution of the United States.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. FORD).

Mr. FORD. Mr. Speaker, many of my colleagues on the left here do not like this President or his policies. But their feelings about him or what he stands for are irrelevant this evening, for impeachment has standards, for as Richard Davis, who testified before the committee so eloquently said, cases cannot be brought simply to make a point, to express a sense of moral outrage.

Kat Sunstate from the University of Chicago said so eloquently, impeachment is reserved for a narrow category of cases, for this case does not rise to that standard.

I intend to vote against impeachment because as sinful and as stupid as the President's conduct was, it is not impeachable. But I will not get that chance. I will not get the chance to vote for censure because my colleagues over here do not believe we ought to have that chance.

Finally, Mr. Speaker, my prayers go to Mr. LIVINGSTON and his family as they seek to heal and rebuild. I say to my friends in all of this Congress, when is this going to end? When is this going to end? God help this Congress. When will we find our dignity, our vision, and our wisdom? Give us a vote on censure. Give America the vote they want on censure. This is not impeachable. It is stupid. It is sinful. It deserves censure.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. REYES).

Mr. REYES. Mr. Speaker, I rise today in opposition to the articles of impeachment. I have had the occasion to walk back and forth to this Capitol building several times today. On one of those occasions, I remembered the words of the Speaker designate, the gentleman from Louisiana (Mr. LIVINGSTON), when he said that he was a sinful, regular person.

I am grateful that regular people get an opportunity to serve in this House because regular people all across America tonight have been very clear and very vocal about the issue of impeachment. Regular people prefer census over impeachment. And yes, Mr. Speaker, regular people want regular business conducted in this House, not vindictive partisan politics.

Regular people are disgusted that we would be involved in this process at a time when this Nation's young men and women are engaged in its national defense.

As a regular person myself, as a veteran, as an American, I am profoundly disappointed at what we have done here today. History will ultimately be our judge. And while I know and understand the concept that majority rules, I have also lived long enough to take comfort in the fact that majorities that are unfair do not last. My friends, from where I am standing, the clock is ticking.

Mr. Speaker, I rise today in opposition to the articles of impeachment.

I have had the occasion to walk back and forth to this capitol building several times today. On one of those occasions I remembered the words of Speaker Designate LIVINGSTON that he was "simply a regular person."

I am grateful that regular people get an opportunity to serve in this House. Regular people all across America have been very clear and very vocal about the issue of impeachment. Regular people prefer censure over impeachment. And Mr. Speaker, regular people want regular business conducted * * * not vindictive partisan politics. Regular people are disgusted that we would be involved in this process at a time when this nations young men and women are engaged in its national defense half a world away. As a regular person, a Veteran, an American * * * I am profoundly disappointed in what we have done here today.

History will be our ultimate judge and while I know and understand the concept of majority rules * * * I have lived long enough to take comfort in the fact that majorities that are unfair don't last * * * My friends from where I stand the clock is ticking.

Like you, I am very troubled by the President's conduct. The President himself has acknowledged a serious lapse of judgment concerning this matter. The President's actions were wrong. It was wrong for him to make false statements concerning his reprehensible conduct with a subordinate. And it was wrong for him to take steps to delay the discovery of the truth.

The question is: does this conduct rise to level of an impeachable offense? After a careful review of the testimony before the Judiciary Committee and the report of the Committee about its findings, I am opposed to impeaching President Clinton. Let me tell you why I reached that conclusion.

I found arguments presented in the Dissenting Views of the Committee's report convincing as it relates to the conditions under which impeachment is warranted: "Impeachment is only warranted for conduct that constitutes 'Treason, Bribery, or other high Crimes and Misdemeanors' as set forth in Article II, Section 4 of the Constitution. As virtually all constitutional scholars have noted, there is an important distinction between criminal and impeachable offenses—impeachment serves to protect the nation, not to punish the wrongdoer * * * the remedy of impeachment should be reserved for egregious abuses of presidential authority, rather than misconduct unrelated to public office. It is also clear that the President is subject to civil and criminal punishment independently of the impeachment process. The constitutional process of impeachment should not, therefore, be used for punitive purposes."

On November 6, 1998, 430 Constitutional law professors wrote: "Did President Clinton commit 'high Crimes and Misdemeanors' warranting impeachment under the Constitution? We believe that the misconduct alleged in the report of the Independent Counsel does not cross that threshold." One week earlier, more than 400 historians issued a joint statement warning that "because impeachment has traditionally been reserved for high crimes and misdemeanors in the exercise of executive power, impeachment of President Clinton based on the facts alleged in the [Independent Counsel's] referral would set a dangerous precedent."

I also agree with the view that "the Framers of the Constitution intended that the impeachment language they employed should reflect the grave misconduct that so injures or abuses our constitutional institutions and form of government as to justify impeachment." Finally, I agree with the 1974 Watergate Staff Report, cited in the Dissenting Views, that says, "The purpose of impeachment is not personal punishment; its function is primarily to maintain constitutional government * * * In an impeachment proceeding a President is called to account for abusing powers that only the President possesses."

Finally, I believe the Republican leadership of the House of Representatives should allow the 435 members of the House an opportunity to vote on a strongly worded resolution of censure—one that condemns the actions of the President and imposes a hefty fine on him. However, the Republicans have denied us that opportunity.

This decision was very difficult for me and one that was not made lightly. I do not expect

everyone to agree with this decision but I believe it is the right thing to do.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. MCINTYRE).

Mr. MCINTYRE. Mr. Speaker, there are three issues in this matter before us tonight. First on the question of values, the President has clearly failed. Second, on the question of law, the Constitution says that regardless of what the Congress may do the President shall "nevertheless be liable and subject to indictment, trial, judgment and punishment according to law."

But it is the third question that we must decide, the constitutional question of removal from office. This is the only question that we are permitted to decide, and let us follow our Nation's charter in making this decision. Let us make known our great respect for the Constitution by realizing that while President Clinton's behavior was wrong and unacceptable, impeaching him is the wrong punishment.

Moving forward with impeachment is not consistent with the intent of the Constitution and the duty we are charged to follow as the great statesman and former congressman and senator Daniel Webster once said, his words about the Constitution could not be truer today, "We may be tossed upon an ocean where we can see no land or perhaps even the sun or the stars, but there is a chart and a compass for us to study, consult and obey and that chart is the Constitution." May God help us keep it strong and may we resolve to uphold it.

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

Mr. REDMOND. Mr. Speaker, I rise in support of all 4 articles of impeachment.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Speaker, the President's guilt in this matter is undisputed. Even the Democratic-sponsored censure resolution states that he has violated the trust of the American people and dishonored the office which they have entrusted to him.

Mr. Speaker, we should not let the President off free for his egregious conduct. We should not use the excuse of military conflict. We should not use the excuse that some prefer censure. Impeachment in the House is the constitutional method of censure.

Impeachment will ensure that the President's misconduct is treated with the seriousness it deserves. It is the formal judgment by the House that the President has committed crimes that deserve the attention of the Senate. It is an emphatic statement of censure and disapproval and it is constitutional. In this case a vote for impeachment is warranted.

Alexander Hamilton in the Federalist Papers said that the impeachable offenses are "those offenses which proceed from the misconduct of public men."

Mr. Speaker. Alexander Hamilton wrote in The Federalist Papers that impeachable offenses "are those offenses which proceed from the misconduct of public men or, in other words, from the abuse or violation of some public trust." It is clear that the perjury and obstruction of the legal process by the President, who is our foremost law enforcer, does constitute an abuse of his public trust. Mr. Speaker, the President's guilt in this matter is undisputed. Even the Democrat-sponsored censure resolution states that the President "violated the trust of the American people, lessened their esteem for the office of President, and dishonored the office which they have entrusted to him."

Some have suggested censure as an alternative to impeachment. A censure resolution without a penalty is insufficient for his felonious misconduct. On the other hand, a strong resolution which includes a fine or other sanction faces a severe Constitutional challenge. The Constitution specifically forbids "Bills of Attainder". Thus, any fine imposed on the President via the censure process, even with his consent, could be successfully challenged after the fact.

I respectfully ask my colleagues on both sides of the aisle who are considering a vote against impeachment to reconsider. We should not let the President off free for this egregious conduct. We should not use the excuse of military conflict or the excuse that some may prefer censure. We should do our duty under the Constitution. We should vote for impeachment.

Impeachment by the House is the Constitutional method of censure. Impeachment will ensure that the President's misconduct is treated with the seriousness it deserves. It is a formal judgment by the House that the President has committed "High Crimes and Misdemeanors" that deserve the attention of the Senate. It is an emphatic statement of censure and disapproval and is Constitutional. In this case, a vote for impeachment is warranted.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Speaker, equal justice means two things. First, every citizen, including the least powerful, like the plaintiff in the first civil case in which President Clinton perjured himself, has a right to demand truthful testimony under oath even when the defendant is the President.

Secondly, equal justice requires adherence to the rule of law by all Americans, including the most powerful. Further, equal justice requires accountability by those who have committed perjury.

In this case, accountability for perjury is provided by the constitutional remedy of impeachment. I am going to vote for impeachment against President Clinton because he committed perjury before a court and a grand jury. For us to do less might be a little more comfortable in the short term, but I think it would do permanent damage to our ideals of equal justice and constitutional government.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, the decision to impeach a President is among the most solemn responsibilities that we in Congress will ever face and one over which I have long agonized.

As a mother and grandmother, I struggled mightly with what message we send to all our children if the President does not bare serious consequence for his dishonest behavior. But I would like to point out that impeachment should be undertaken only with great reservation and much trepidation. It is an act that the founders intended not so much to punish an individual's wrongdoing but to preserve and protect a nation.

Each Member today must seriously consider whether the charges against President Clinton do in fact constitute a threat to the Nation or its national security. No doubt the President's actions, in both words and deeds, have disgraced him, his family, his office. His legacy shall be indelibly scarred.

However, putting the country through the turmoil and the tumult of a Senate trial that could last months while the many important issues facing our Nation go unaddressed is wrong. It is clear that the American people want us to close this sorry chapter in our history. I, therefore, plan to vote against the articles and in terms of what I consider in the best interest of my country, my conscience, and my constituents.

Mr. Speaker, the decision to impeach a sitting President is among the most difficult and solemn responsibilities we in the Congress will ever face, and one over which I have long agonized. I come to the well of the House to cast a vote that has occurred only once before in our Nation's history.

In reaching this difficult decision, I reviewed the Judiciary Committee proceedings and the scholars' testimony, read the report and relevant materials, and discussed the issues with colleagues and experts. Most importantly, I listened to my constituents, considered the effect on our Nation, and searched my conscience.

I approach this moment as a mother and grandmother who cares deeply about the difficulty parents face because of this ordeal. One of my grandsons, Michael, is eleven years old, president of his student body, and his parents have taught him the importance of being honest and trustworthy. I struggle mightily with what message we send to him and my other grandchildren, as well as all children, if the President does not bear serious consequences for his dishonest behavior.

Ours is a solemn duty to determine whether the wrongdoing by this President rises to the Constitutional threshold of Impeachment as intended by the Founders of this great nation. The purpose of Impeachment is the removal

and possible disqualification from office and should be undertaken only with great reservation and much trepidation. It is an act that the Founders intended not so much to punish an individual's wrongdoing, but to preserve and protect a nation. Each Member today must seriously consider whether the charges against President Clinton do in fact constitute a threat to the nation or its national security.

The President's actions in both words and deeds have disgraced him, his family, and his office, and he shall forever be remembered not for the many accomplishments that have occurred during his term in office, but for his sordid behavior and his failure to take responsibility for that behavior.

I believe, however, that putting the country through the turmoil and tumult of a Senate trial that could last months while the many important issues facing our nation go unaddressed is wrong. It is clear that the American people want us to close this sorry chapter in our history and move on to resolving the challenges that face us. I shall therefore vote against these Articles of Impeachment. It is my sincere belief that there should be severe consequences for the actions of this President, and if these Articles of Impeachment are approved, I hope that the Senate will act expeditiously and vote on a severe Censure Resolution that could then be brought back to the House. I would support such a resolution.

While history will judge William Jefferson Clinton severely, I do not believe that his acts rise to the level of "high crimes and misdemeanors" as specified by the Constitution. I know that some in this body will come to a different conclusion than I do and I respect their decision. Many Americans too are deeply divided over this issue. My decision to vote against these Articles of Impeachment is one that does not come easily, but in my service in the United States House of Representatives, and to the people of the Eighth District of Maryland, I have always tried to consider my constituents, my country and my conscience.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, this Congress is faced with a very imperfect situation, a President who has deeply disgraceed our Nation and an independent prosecutor who has compromised the integrity of the investigative process.

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The damage both men have rendered is strewn across the American landscape, and now the Committee on the Judiciary of this House has produced a one-sided, rampantly partisan option for this membership to consider.

Healing our Nation must be the paramount consideration of this body, and our people must be spared from further division. Even though it appears that President Clinton lied under oath, which could be a high crime, proving perjury in a court of law is a highly technical legal matter not easily established.

On the other hand, a Senate trial would not require the same level of judicial proof, but it is unlikely the Senate will be able to assemble a working supermajority for any of the impeachment charges.

The House of its own accord can act to resolve this situation assigning proper penalties and punishments but likely will fail to do so placing this entire matter in the netherworld between the Senate, unlikely to reach a conclusion and a legal system in which wrongdoing will be difficult to prove.

Our Nation needs to move forward. I am left with no option but to vote against the committee's recommendations in spite of my disdain for the President's actions.

Mr. Speaker, this Congress is faced with a very imperfect situation.

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The House of its own accord can act to resolve this situation, assigning proper penalties and punishments, but likely will fail to do so, placing this entire matter in the netherworld between a Senate unlikely to reach a conclusion and a legal system in which wrong doing will be difficult to prove. To drag our nation through further partisan wrangling in the Senate seems very unwise.

[Thus] I conclude further Congressional deliberations on this set of charges are not in the nation's interests. Though the charges against President Clinton are serious, they are best adjudicated in the courts where regular rules of evidence and due process apply. Since other alternatives are not available to this House as a result of the Judiciary Committee's flawed proceedings, I am left with no option but to vote against the Committee's recommendation, in spite of my disdain for the Presidents' actions and his failure to take responsibility for them. Our Nation needs to move forward.

Mindful of the strongly divided opinion of the American people and citizens of my home district regarding the pending set of votes on the four Articles of Impeachment against President Bill Clinton, it is my obligation to state publicly my reasons for voting as I will today. In this regard, partisanship is irrelevant. Personalities are irrelevant. Healing our nation must be paramount. Carrying out the nation's regular business must proceed. In regard to the Clinton charges, we must respect the rule of law, administer it to preserve the integrity of the Constitution, and recommend proper judicial proceedings to resolve the matter at hand. Throughout this process, I have weighted: "To what extent do the President's actions, along with those of the investigative processes that have led to our current predicament in the House, undermine or strengthen the Constitutional standards I am sworn to uphold?" In an expeditious manner, we must resolve this situation in the nation's best interests. I believe the nation must be spared further divisions on this matter.

THE PROCESS

President Bill Clinton has deeply disgraced our nation by his conduct, and unwillingness to assume responsibility for his actions. Over one year ago, he should have exercised a more honorable course and spared our nation the wrenching that has affected every family in America and politically split the nation into two warring camps. Further, the behavior of Independent Counsel Kenneth Starr and his careless, and at times willful manipulation of the investigative process, has compromised the integrity of these proceedings, leaving the American people and this Congress divided. Neither of these men has acted in the national interest. The damage they have rendered is strewn across our landscape. Likewise, the Judiciary Committee in its deliberations has been rampantly partisan. The recommendations it has produced for House consideration are one-sided and only partly represent the courses of action deemed worthy of debate by the full House. So we are left with a very imperfect situation.

President Clinton will have much accounting to do in the years hence. I have concluded in the national interest that final resolution of any legal charges against him is best left in the courts. Here he should be afforded a fair and impartial trial by jury where proper rules of evidence apply, outside the limelight that has convoluted this entire process. Any penalties and punishments placed on the President should be commensurate with proven charges.

Regarding the role of the Independent Prosecutor, and the behavior of Mr. Staff and his investigators, no instrumentality of our government should be above the law. Accordingly, many questions arise as to the propriety and fairness of the Independent Prosecutor's investigative proceedings to date, as well as about the raw partisanship of the Judiciary Committee's deliberations. By whose authority and under what constraints were key witnesses wired and testimony obtained by the Independent Prosecutor? Why were there so many leaks of privileged information from the grand jury—everything from the evidence about the blue dress to a broadened investigation that began with Whitewater but led to the investigation of the President's personal affairs? In Ohio, breaches of grand jury secrecy are prosecutable. Mr. Starr's own ethics advisor Sam Dash resigned over concerns that the

Independent Counsel had exceeded his mandate to simply report to Congress on any impeachable offenses he discovered. Dash said he had "no other choice but to resign" because of the independent counsel's abuse of office. Much of the behavior of the Independent Prosecutor was as irresponsible as the President's, and both have led to public cynicism about the integrity of our political and judicial systems. Accordingly, Congress immediately should examine the procedures employed by Mr. Starr to gain evidence and administer the duties of his office. He and future Independent Prosecutors should be held accountable for the breaches of integrity associated with the investigative process.

LEGAL OPTIONS

I hold the highest respect for our nation's judicial system. It is my duty to uphold it against all enemies foreign and domestic. My job includes preventing its abuse. In this regard, President Bill Clinton has much accounting to do. Yet, in spite of President Clinton's egregious, dishonorable, irresponsible and, yes, alleged criminal behavior, he should not be held to either a higher nor a lower standard than any American in the administration of justice. He deserves his day in court with a judge and jury sworn to administer justice fairly. But as President, it is not unfair for us to expect more of him and hold him to a higher moral standard.

In my judgment, the crimes of which President Clinton is accused do not meet the Constitutional standard for conviction based on "bribery, treason, or high crimes and misdemeanors." Though his dishonorable behavior has wounded our nation's moral sensibilities and, tragically, he has reduced the honor associated with the office of President—and, in fact, elected office as a profession—in my judgment these circumstances do not rise to a "high crime" against the state as such, as I read the Constitution.

However, reading the Starr Referral and the Committee documents and studying the law has convinced me that the perjury charges are the most serious rendered against the President. They go to the heart of our judicial system's foundation—telling the truth, the whole truth, and nothing but the truth." Perjury is a felony, a crime against the state, and strikes at the core of our judicial system. By his moral position as the secular leader of our nation, President Clinton sets a standard, whether he wishes so nor not. Even though it appears President Clinton lied under oath, proving in a court of law that he perjured himself if a highly technical legal matter not easily proven. In a court of law, proving such would be fraught with inference, innuendo, in the end likely yielding not enough proof with corroborating witnesses to convict on the basis of perjury. On the other hand, a Senate trial would not require the same level of judicial proof, thus holding the possibility of placing penalties and punishments on the President commensurate with proven charges of damage to the republic. However, it is unlikely the Senate will be able to assembly a working majority for any of the impeachment charges. The House of its own accord could have acted in order to resolve this situation, assigning proper penalties and punishments, but will fail to do so, placing this entire matter in the netherworld between a Senate unlikely to reach a conclusion and a legal system in which wrong doing will be difficult to prove. Yet, to drag the nation through more legal wrangling in the Senate seems very unwise, especially in view of the politics and partisanship that will rue the day.

For the record, let me point out the role of the House in impeachment differs from the Senate. The House acts almost like a grand jury, with each of us behaving like judges in a civil proceeding. Yet, the House is hampered Constitutionally in its ability to discover evidence, call witnesses, and cross examine. Thus, the Committee, by it very nature, has put forward a report that contains only partial findings of alleged wrongdoing. Our vote will be to refer those partial findings and charges to the Senate for an actual trial. It is in the Senate that full evidence is weighed, witnesses are called, and cross-examination occurs. No Member of the House has been afforded the benefit of a full range of witnesses, with the opportunity to cross-examine, with rules of evidence being respected. Further, the partisanship of the Judiciary Committee has been extremely troubling with the end result being that the full House is not afforded a range of proposals on which to vote to apply the proper judicial remedy relating to the President. Unlike previous impeachment hearings in the House—such as Andrew Johnson's in which the Committee studied the referral for eight months and defeated the resolution by a two to one margin, and at the hearings relating to President Nixon in which the House deliberated for six months and accepted the Committee report on a vote of 412 to 3—this process has been fraught with raw partisanship. The Committee has deliberated for a month, votes in the Committee have been strictly along party lines, and for the most part votes in the full House will mirror that pattern. Thus, this Member has little confidence the Committee has acted responsibly and with due process. Nonetheless, I believe the Judiciary Committee's findings to be serious, particularly relating to the articles of alleged perjury and obstruction of justice.

The allegations of perjury in Articles 1 and 2 are indeed serious since perjury, if proven, is a felony and, in my opinion, rise to the Constitutional standard of a high crime. But, proving perjury is a highly technical matter. Evidence and testimony in this regard are critical. The House Committee report has not proven perjury. To commit perjury, an untruth must be knowingly stated, under oath at an official proceeding. And that statement must be material with regard to the matter at hand. Since the Paula Jones case has been dismissed, the matter at hand would only involve the Lewinsky situation. Regarding the President's testimony before the grand jury in this regard, the legal question, as aside from the moral question, becomes, Did President Clinton lie, or did he simply exercise his rights under the law not to volunteer more details? Just because he didn't testify as much as some may have wanted, does not mean he perjured himself. The evidence against him in this care must be compelling and the judicial standard to measure perjury is not "preponderance of evidence", nor is it "clear and convincing evidence." But, rather, the standard is the highest one of "evidence beyond a reasonable doubt." The fact that the House is wresting with the evidence means there is a reasonable doubt, and thus a judicial finding of perjury will be difficult to obtain. In addition, some of the allegations in the Committee's report suggest that the definition on "sexual relation" President Clinton used before the grand jury was one with the intent to give perjurious statements. A lawyer would ask, where is the evidence of intent? Decisions of perjury cannot be made on the basis of conclusions nor suppositions, only on the basis of fact. One cannot assume an inference on an inference. Otherwise the evidence is inadmissible. Further, the report charges President Clinton "didn't recall" matter on several occasions. But what evidence do we have that demonstrates this. Again, this painstaking evidence must be collected, presented, rebutted. Otherwise, the charge cannot be sustained. In any case, the legal process will ensure for quite some time in resolving these questions. Moreover, convincing a defendant on perjury is most difficult where proof of falsity rests with contradictory statements of just one other person other than the defendant. In such cases, the defendant cannot be convicted. This means that just one other material witness with a contradictory story would not be enough to prove falsehood by the President. Additional witnesses, unlikely to be found, would have to come forward. This legal precedent actually dates back to Mosaic law. However, if the defendant changes his/her story and contradicts him/herself, then they can be convicted. This is not likely to happen, given the President's adherence to his original statement before the grand jury.

In anticipating the likely outcome of such a proceeding, if a jury of 12 persons, knowing the strict legal standards for conviction on perjury, were faced with the evidence in this case and asked "did he lie", "did he knowingly do it", and coupled this with Monica Lewinsky's testimony wherein the definition of sexual relations is brought into question, it is doubtful a jury would convict him of perjury beyond a reasonable doubt because of the substantial weight of circumstances evidence and lack of other credible witnesses. Again, there is a distinction between what is legally provable and what the public may demand as morally right.

Further, in meeting the Constitutional test of conviction based on "bribery, treason, high crimes and misdemeanors," the definition of high crimes and misdemeanors of open to interpretation. Most scholars agree that these crimes would gravitate to crimes against the state or the government—such as bribery by a foreign interest, or outright treason. But again the Constitution does not say outright high crimes against the state. So, much is left to interpretation, and this is why this case is so important. Depending on how the House acts, a legal standard and process will be established against which future Constitutional questions regarding impeachment for inappropriate conduct that may be morally reprehensible, but not necessarily criminal, that affects the functioning of the apparatus of the state beyond the "bribery, treason and high crimes and misdemeanors" standard.

CONCLUSION

In summary, though President Bill Clinton has deeply offended the moral character of the nation, his acts cannot be termed high

crimes against the interests of the state. Further, proving perjury from a legal standpoint will be exceedingly difficult in a regular court of law. But his case appropriately should be remanded there. Using the Senate as the venture for resolution risk further damaging to the national interest. One certainly can question whether President Clinton's personal, reckless behavior bordered on being a security risk, and this is a serious matter. But no apparent weakening of the state's direct interest resulted from his actions.

Regarding the interests of the state and our nation, we have reached the point where it becomes compelling for the public good for Congress to stop rendering this matter in public. Further proceedings in the Senate are unlikely to yield the 2/3 votes necessary to pursue any conclusive course of action.

Thus, I conclude that further Congressional deliberations on this set of charges are not in the nation's best interests. Though the charges against President Clinton are serious, they are best adjudicated in the courts where regular rules of evidence and due process apply. Since other alternatives are not available to this House as a result of the Judiciary Committee's flawed proceedings, I am left with no option but to vote against the Committee's recommendations, in spite of my disdain for the President's actions. The nation needs to move forward.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Mr. Speaker, the essence of our debate resolves around the issue of perjury. In that context alone I believe the articles of impeachment are faulty and deficient. I agree with my constituents who asked us to apply the same law to the President as would be applied to ordinary people charged with that offense of perjury. Ordinary citizens would begin the specific basis underlying the charge of perjury. The President has not been provided this information.

To vote for these articles of impeachment is to vote to remove the President from office without any of us knowing what exactly he testified to under oath which amounted to the legal definition of perjury. At the minimum this must be elaborated in the articles of impeachment so that the public in general and the Senate specifically may know what the specific charges are and so that the President may defend himself.

When I vote against these articles of impeachment, I will do so because I cannot allow this House to avoid its constitutional duty to enumerate the specific allegations of perjury before recommending impeachment. None of us can call for the rule of law if it is an empty gesture and faulty articles of impeachment.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. ACKERMAN).

Mr. ACKERMAN. Mr. Speaker, today we embarrass the memory of our Founding Fathers as we torture the intent of the genius of their system of balancing the awesome powers of government. Mr. Speaker, under your leadership and that of your party we stand here, small men with petty careers and partisan of purpose to diminish yet again our great Republic. Devoid of a sense of proportion and overburdened with an excess of hubris, you claim conscience as your exclusive domain and deny us the right to offer the will of the people, a motion to censure. Your oligarchical act attempts to recreate a presidency that would serve at your whim rather than at the will of the people.

To be sure, the President has shamed himself. To be clear, it is we who are about to become the shame of the Nation.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Idaho (Mrs. CHENOWETH).

Mrs. CHENOWETH. Mr. Speaker, I rise in support of the articles of impeachment.

Mr. Speaker, I rise today in support of passage of the Articles of Impeachment against President William Jefferson Clinton. As unpleasant as our task is to many, our task is an honorable one, for today we do honor to the Constitution of the United States of America.

As the distinguished gentleman from Illinois (Judiciary Chairman HENRY HYDE) said earlier, we today act in defense of the law.

We Americans place our faith and the strength of our Nation not in individuals but in the strength of our law. Our law protects our rights and keeps us free. It is our law which has made America the longest surviving democracy in the history of the planet.

Some would argue this matter is about personal conduct among consenting adults.

As the writer Mark Helprin has observed, these issues before us today "are no more about sex than the theft of money from a cash register is about business.

"Perjury is not sex, obstruction is not sex, and abuse of power is not sex * * *."

Indeed, they are not, Mr. Speaker, they are about the respect of and for the law and of and for the high office our President holds.

Our respect for the law and for the Presidency demands that we not turn that respect into a mockery. If we subject our standards for the conduct of our President to whim, polling data, and notions of popular behavior, we will have done grave damage to our Constitution.

If—on the other hand—we stand up for the rule of law, we draw the line and say, Yes, our President must obey those same laws he has sworn to uphold and defend.

It's important for us to remember what has brought us to this point.

We are here today because of the actions of the President.

We are here today because the President placed himself above the law. He lied to a civil court, then lied to the public, then lied to a grand jury, then lied about lying, and finally lied to the impeachment inquiry itself.

The President abused his power. And for what reason did he do this? The President placed his own needs, his own desire to avoid embarrassment, and his own fear of facing the consequences and responsibility for his actions above the interests of his Nation.

How sad.

How sad it is, for the heir to George Washington to place his interests above those of the nation and law for which American blood has been shed * * * and will undoubtedly be shed again. Perhaps Ameican patriot blood is being shed at this very moment.

Of George Washington, Thomas Jefferson observed that "The moderation and virtue of a single character probably prevented this Revolution from being closed, as most others have been, by a subversion of that liberty it was intended to establish."

What will the future generations say of President Clinton? And what will they say of us?

John Quincy Adams said "Always vote for principle, though you vote alone, and you may cherish the sweet reflection that your vote is never lost."

Mr. Speaker, I will vote for principle. I will vote to impeach William Jefferson Clinton.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from South Carolina (Mr. SPENCE).

Mr. SPENCE. Mr. Speaker, I rise in support of the resolution.

Mr. Speaker, I rise to address the matter before the House regarding the four Articles of Impeachment that have been reported by the Committee on the Judiciary. This is a situation that demands our most careful consideration and devotion to duty as Members of Congress. It is a matter that is not to be taken lightly. Each Member of this body must reason individually to reach the determination that must be made in order to fulfill our Constitutional responsibilities in the impeachment procedure. This is a process that should not be partisan, as it should be based on the application of the rule of law.

I believe that all of us recognize the seriousness of President Clinton being charged with violations against the Constitution. Much time and effort have been devoted to investigating and reviewing the actions on which this Resolution is based. I have followed the hearings of the Committee on the Judiciary concerning this matter with great interest and I am in agreement with the Resolution (H. Res. 611) that has been submitted by Chairman HYDE. H. Res. 611 outlines four Articles as the basis for impeachment, which I shall summarize:

Article I—President Clinton willfully provided perjurious, false and misleading testimony to a Federal Grand Jury. I agree.

Article II—President Clinton willfully corrupted and manipulated the judicial process, in that, he willfully provided perjurious, false, and misleading testimony in response to written questions seeking information in a Federal civil rights action, which was brought against him, as well as in a deposition in that action. I agree.

Article III—President Clinton prevented, obstructed and impeded the administration of justice through a course of conduct or scheme in a series of events between December 1997 and January 1998. I agree.

Article IV—President Clinton has engaged in conduct that resulted in misuse and abuse of

his high office, impaired the due and proper administration of justice and the conduct of lawful inquiries, and contravened the authority of the Legislative Branch, in that he refused and failed to respond to written requests for admission, as well as willfully made perjurious, false and misleading sworn statements in response to certain written requests for admission that were propounded as part of the impeachment inquiry that was authorized by the House. I agree.

It is clear to me that convincing evidence has been presented in regard to each of the four Articles that have been reported by the Committee on the Judiciary. Accordingly, I support the Articles as stated in H. Res. 611.

Mr. Speaker, I would also like to address the assertion that I have heard today that the consideration by the Congress of the impeachment of President Clinton, who is the Commander in Chief of our Armed Forces, would have a demoralizing effect on our men and women in uniform, especially while our Nation is engaged in military operations against Iraq. I can speak from experience, based on numerous conversations with Americans from all walks of life, who are now serving or who have previously served in our Nation's military, that such a charge has no merit. In this regard, I would like to submit the following article by Major Daniel J. Rabil, of the United States Marine Corps Reserve:

Mr. Speaker, I include the article entitled "Please, Impeach My Commander in Chief," from the November 9, 1998 edition of the Washington Times.

PLEASE, IMPEACH MY COMMANDER IN CHIEF

(By Daniel J. Rabil)

The American military is subject to civilian control, and we deeply believe in that principle. We also believe, as affirmed in the Nuremberg Trials, that servicemen are not bound to obey illegal orders. But what about orders given by a known criminal? Should we trust in the integrity of directives given by a president who violates the same basic oath we take? Should we be asked to follow a morally defective leader with a demonstrated disregard for his troops? The answer is no, for implicit in the voluntary oath that all servicemen take is the promise that they will receive honorable civilian leadership. Bill Clinton has violated that covenant. It is therefore Congress' duty to remove him from office.

I do not claim to speak for all service members, but certainly Bill Clinton has never been the military's favorite president. Long before the Starr report, there was plenty of anecdotal evidence of this administration's contempt for the armed forces. Yes, Mr. Clinton was a lying draft dodger, yes his staffers have been anti-military, and yes, he breezily ruins the careers of senior officers who speak up or say politically incorrect things. Meanwhile, servicemen are now in jail for sex crimes less egregious than those Paula Jones and Kathleen Willey say Mr. Clinton committed.

Mr. Clinton and his supporters do not care in the least about the health of our armed forces. Hateful of a traditional military culture they never deigned to study, Mr. Clinton's disingenuous feminist, homosexual and racial activist friends regard the services as mere political props, useful only for showcasing petty identity group grievances. It is no coincidence that the media have played up one military scandal after another during the Clinton years. This politically-driven shift of focus, from the military mission to the therapeutic wants of fringe groups, has taken its toll: Partly because of Mr. Clinton's impossibly Orwellian directives, Chief of Naval Operations Jay Boorda committed suicide.

So Clinton has weakened the services and fostered a corrosive anti-military culture. This may be loathsome, but it is not impeachable, particularly if an attentive Congress can limit the extent of Clinton-induced damage. As officers and gentlemen, we have therefore continued to march, pretending to respect our hypocrite-in-chief.

Then came the Paula Jones perjury and the ensuing Starr Report. I have always known that Clinton was integrity-impaired, but I never thought even he could be so depraved, so contemptuous, as to conduct military affairs as was described in the special prosecutor's report to Congress. In that report, we learn of a telephone conversation between Mr. Clinton and a congressman in which the two men discussed our Bosnian deployment. During that telephone discussion, the Commander-in-Chief's pants were unzipped, and Monica Lewinsky was busy saving him the cost of a prostitute. This is the president of the United States of America? Should soldiers not feel belittled and worried by this? We deserve better.

When Ronald Reagan's ill-fated Beirut mission led to the careless loss of 241 Marines in a single bombing, few questioned his love of country and his overriding concern for American interests. But should Mr. Clinton lead us into military conflict, he would do so, incredibly, without any such trust. After the recent American missile attacks in Afghanistan and Sudan, my instant reaction was outrage, for I instinctively presumed that Mr. Clinton was trying to knock Miss Lewinsky's concurrent grand jury testimony out of the headlines. The alternative, that this president—who ignores national security interests, who appeases Iraq and North Korea, and who fights like a leftover Soviet the idea of an American missile defense—actually believed in the need for immediate military strikes, was simply implausible. And no amount of scripted finger wagging, lip biting, or mention of The Children by this highly skilled perjurer can convince me otherwise.

In other words, Mr. Clinton has demonstrated that he will risk war, terrorist attacks, and our lives just to save his dysfunctional administration. What might his motives be in some future conflict? Blackmail? Cheap political payoffs? Or—dare I say it—simply the lazy blundering of an instinctively anti-American man? It is immoral to impose such untrustworthy leadership on a fighting force.

It will no doubt be considered extreme to raise the question of whether this president is a national security risk, but I must. I do not believe presidential candidates should be required to undergo background investigations, as is normal for service members. I do know, however, that Bill Clinton would not pass such a screening. Recently, I received a phone call from a military investigator, who asked me a variety of character-related questions about a fellow Marine reservist. The Marine, who is also a friend, needed to update his top-secret clearance. Afterward, I called him. We marveled how lowly reservists like us must pass complete background checks before routine deployments, yet the guardian of our nation's nuclear button would raise a huge red flag on any such security report. We joked that my friend's security clearance would have been permanently canceled if I had said to the investigator, "Well Rick spent the Vietnam years smoking pot and leading protests against his country in Britain. His hobbies are lying and adultery. His brother's a cocaine dealer, and oh, yeah—he visited the Soviet Union for unknown reasons while his countrymen were getting killed in Vietnam."

* * * * *

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. PORTMAN).

Mr. PORTMAN. Mr. Speaker, there is no joy in this task. This is a sad day for our country and for the Office of the President.

I have listened carefully to the comments of my colleagues today just as I carefully reviewed the facts, the underlying articles of impeachment and the report of the Committee on the Judiciary that came before us this week. I do not question the motives of my colleagues who oppose impeachment, who do not find impeachable offenses, even as many of them have questioned the motives of those of us who will support one or more of the articles.

For myself, I believe the evidence of serious wrongdoing is simply too compelling to be swept aside. I am particularly troubled by the clear evidence of lying under oath in that it must be the bedrock of our judicial system. I believe the long term consequence to this country of not acting on these serious charges before us far outweigh the consequences of following what the Constitution provides for and bringing this matter to trial in the United States Senate.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. WELDON).

Mr. WELDON of Pennsylvania. Mr. Speaker, I am not on the Committee on the Judiciary, I am not an attorney, and I am not sure that the President's actions warrant his removal from office. But I am absolutely unequivocally convinced beyond a reasonable doubt that this President lied under oath, lied in a court proceeding and lied to a grand jury, and that requires us to take action. Eighty percent of the American people and many of my colleagues on that side have acknowledged the President lied under oath and in fact have said he committed perjury. In fact, this administration has convicted two women, two Federal employees who are serving jail time today for the exact same offense that the President has been charged with, exact same offense, no different.

We must take action. The Constitution gives us one option in taking action. That option is basically to move on the impeachment, to charge the President. The other body can take the appropriate action of what the punishment would be.

I would hope that the other body does not prolong the process. I would hope the other body would consider the censure resolution. That is the appropriate

response here. But we must do our response, and that is to charge the President and let the Senate take its action, and hopefully they will end this process quickly.

Mr. Speaker, I rise on this sad day of our nation's history with a heavy heart. Today, we as Members of the House of Representatives face a decision that I, in all of my twelve years of serving this body, never thought that I would have to face—inarguably the most important decision of our political lives. We must decide whether or not we are going to impeach the President of the United States.

Like my colleagues, I have not come to my decision lightly. After much thought, deliberation, review of testimony and evidence, and conference with my colleagues, I have come to the conclusion that I must represent my constituency by voting to impeach our President, William Jefferson Clinton. I am joining my colleagues of the House in what I think will be, and hope will be, a bipartisan vote, as we make our public statement of rebuke.

Mr. Speaker, I rise today to announce my intention to vote for the first two articles of impeachment because like 80% of the people of our nation, I believe that the President lied under oath. These facts are not in dispute, and yet the President refuses to admit this. He must admit to what the American people already know.

The fact of the matter is that the President lied. He took an oath to tell the truth, the whole truth, and nothing but the truth, and he broke that promise. But more importantly, he broke a promise that he made to the American people to uphold the laws that are the strength and the backbone of our democracy.

In order for democracy to succeed, our judicial system must be vigilant—people cannot lie under oath, regardless of their motivations. We cannot allow anyone to be above the law, and our laws cannot, and must not, be trivialized. The President's own Administration takes lying to a grand jury seriously, as one hundred and fifteen people are currently serving sentences for perjury in a federal court. Two of these very people are serving sentences of lying about adultery in a court proceeding. The basic tenet of our democracy is that we are a nation of laws, not of individuals. To allow the President to break the laws, which the American people have elected him to uphold, would weaken our system of government. We must send a strong message today—no one has the right, for any reason, to lie under oath. Our system of law is fair and just for everyone.

The President has admitted that he misled the American people, and he is remorseful. But remorseful or not, he must accept the consequences of his actions. The Constitution provides us with our framework for dealing with this very unfortunate situation, and I am concerned about the Constitutional questions surrounding censure. I have come to the conclusion that the best course of action to rebuke the President is to vote in favor of impeachment. An article of impeachment passed by the House of Representatives is the equivalent of an indictment in a criminal process—not a final judgement of guilt, but a formal accusation of wrongdoing. There is no doubt in my mind that any other case where evidence existed that an American citizen had committed perjury would be indicted. The evidence exists, and I am voting to indict President Clinton.

I am not convinced that the proper punishment for President Clinton's actions is removal from office, but that decision is not mine to make. Mr. Speaker, we have serious problems in the world, and it's extremely important that we end this process soon. In conclusion, it is time to vote today, and to move on. We must move on to working on the other important issues which face our nation, and to do that without distraction. And so it is with a heavy heart that I come to the floor today, but it is with a heart full of pride, and with hope for our future—because we are Representatives of the greatest country in the world. It is a country so great that the laws of our nation supersede individual circumstances. Our system can withstand political upheaval, and move on. Our system is bigger than you, and it is bigger than me. And it is bigger than our President, William Jefferson Clinton. He is not above the law.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. BARTLETT).

Mr. BARTLETT of Maryland. Mr. Speaker, President Bill Clinton's reckless and reprehensible affair with Monica Lewinsky put him at risk for extortion, undermining our national security. His subsequent words and actions have thrust upon us the grave duty to consider impeachment.

The Committee on the Judiciary report provides sufficient and creditable evidence that William Jefferson Clinton abused his power as President and undermined the integrity of the coequal judicial branch by obstructing justice and lying under oath both in a civil deposition and before a federal grand jury. He perpetuated these lies in written responses to the Congress.

If we are to honor and uphold our Constitution, this behavior cannot be tolerated. Without truth there is no justice. No man is above the law. These are the foundations of our government. Our entire system of justice is imperiled if we do not act and thereby establish the precedent that a President nor anyone cannot pick and choose when he will testify truthfully and when he will not.

For these reasons I will vote for the articles of impeachment.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. BAKER).

Mr. BAKER. Mr. Speaker, it was the President's own decisions and actions which have brought us to this circumstance. It was the finding of his own Attorney General, Janet Reno, that resulted in the appointment of the special prosecutor. The findings of fact by the special prosecutor have not been disputed, and no one here tonight has risen to defend the actions of this President. All that is in question is what punishment is appropriate given these facts?

When this vote is closed, William Jefferson Clinton will still be President no matter whether the motion to adopt the articles of impeachment is adopted or rejected. All that will be decided when this vote is closed is to determine whether there will or will not be a trial giving the President his due process in the United States Senate. Mr. Speaker, that would appear the least this House could do given the facts that we have before us and if we are to uphold the rule of law.

It is unfortunate, it is distasteful, it is regrettable, but it is the actions of William Jefferson Clinton that bring this Nation and this Congress to this distasteful moment in history, and we must do our constitutional duty.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. SCARBOROUGH).

Mr. SCARBOROUGH. Mr. Speaker, all day my Democrat friends have spoken of the treacherous waters our country would be thrown into should this impeachment resolution pass and the matter be sent to the Senate, and while today's debate is momentous and its historical significance cannot be overstated, it is important to remember that America, its government, is strong and will continue to thrive.

See, the genius of the American experiment is not that our stability or our existence rests upon the shoulders of a few powerful, irreplaceable men, but rather that our civilization's order rests upon the rule of law, and when those laws are undermined by the chief law enforcement officer in the land, the situation must be redressed or the very chaos that our Democratic friends fear will come to pass.

The President's personal life is just that, personal. But when his words and deeds seriously undermine the rule of law, the issue becomes public and the consequences dramatic.

The chief law enforcement officer's actions have in fact undermined the rule of law, and thus the articles of impeachment should pass and the matter be sent on to the Senate.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Speaker, I think most of us prefer not to be here, but the Constitution obligates us to be here, and the Constitution also directs what we can do while we are here.

As pointed out by Hamilton in 66 Paper, we do not have the right to be punitive. Censure is a punitive action. We have the right and the responsibility to refer this item to the Senate for their judgment.

Now I know there are those who do not like to say that we have jurisdiction here, but the fact is, as Ms. Jordan pointed out in 1974, it is a misreading of the Constitution for any Member here to assert that a Member is voting to remove the President for impeachment and that it does not give us the

jurisdiction to be able to refer to the Constitution, which says clearly that we have the responsibility to judge; is there enough evidence to consider impeachment and that punishment not be rendered here in a censure in the House of Representatives but only, only in the Senate?

That is our responsibility. The President has to live by the Constitution, and so do we as a body, Mr. Speaker.

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent that the time for debate be extended by 15 minutes.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentlewoman from California?

Mr. SENSENBRENNER. Reserving the right to object, Mr. Speaker, and I will object, Mr. Speaker, the time for debate was set as a result of very delicate negotiations between the Speaker designate, the gentleman from Louisiana (Mr. LIVINGSTON), the minority leader, the gentleman from Missouri (Mr. GEPHARDT), the chairman of the Committee on the Judiciary, the gentleman from Illinois (Mr. HYDE) and the ranking minority member of the Committee on the Judiciary, the gentleman from Michigan (Mr. CONYERS).

Ms. LOFGREN. Mr. Speaker, I withdraw my unanimous consent request in view of the gentleman's objection so that I might yield to other Members.

The SPEAKER pro tempore. The gentlewoman may recognize one additional speaker. At that point it will be 10 o'clock.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. JOHNSON).

Mr. JOHNSON of Wisconsin. Mr. Speaker, the gentleman from Illinois (Mr. HYDE) stood before the body this morning and gave an eloquent speech concluding that our flag is falling. Indeed our flag is falling. It is being dragged through the mud of sex, lies and videotape.

Even worse, our Constitution is being set on fire and torched and set a blaze and bombed and blasted by some zealots who have had their torches ready for some time. But unable to rally the majority of Americans to their cause, they have turned their tortured view of the Constitution and their tortured view of the rule of law to the one place where they can get a majority to this body, this 105th Congress.

I came to this 105th Congress with pride. Now it will be my only Congress, and I leave with pride at having served with sadness that petty partisan politics raised to the highest level will torture the meaning and torch the fabric of the Constitution. If we agree these articles rise to the level of impeachment defined in the Constitution, treason, bribery or other high crimes and misdemeanors, these articles are not inclusive.

I oppose the articles of impeachment, and I ask that they be voted against.

□ 2200

Mr. STENHOLM. Mr. Speaker, I rise in support of these articles of impeachment.

Mr. Speaker, today is one of the most somber days I have known since coming to Congress twenty years ago. We are poised to vote on whether or not to impeach the President of the United States at the same time that uniformed men and women of our armed forces are engaged in conflict in the Middle East. It doesn't get much worse than this.

I have listened to the arguments that have been made about why the President's actions do not rise to the level of "impeachable offenses" under the Constitution. Despite these arguments, I am not persuaded. It is clear that the President's actions are sufficient to charge him with high crimes and misdemeanors.

Our President has admitted to wrongdoing. he has lied to his family, his friends, and the nation. He has protected himself at the expense of those around him. He has shown judgement so suspect that his actions are now called into question. It is clear that the President's deeds and words have placed an indelible mark on the Presidency of the United States.

It is not for us to judge President Clinton for his moral transgressions; God will do that. His family will have to forgive him for the pain he has caused them. He has already suffered tremendous punishment in regard to lost respect and credibility. Our duty is to decide whether to charge him with high crimes and misdemeanors and send the matter to the Senate to be tried and if convicted to determine what punishment is appropriate for his actions.

I do not agree with those who suggest that the President's actions are a private matter that do not reflect on his fitness for office. Lying under oath and repeated disregard for decency by our nation's top elected official is a serious offense. The strength of a nation is ultimately dependent upon the strength of its moral character. The consequences of the President's actions go well beyond the details of perjury. They go to the heart of our national character.

In considering the impeachment question, I have studied, listened and prayed for guidance. Throughout this process, I have been troubled that some of those calling for the President's impeachment are not interested in fairness and objectivity. They have been motivated by their own political blood lust. For example, I believe that all Members should not be denied the opportunity to vote their conscience on censure.

I understand that my vote today will be unpopular with many of my colleagues, my President and many of my friends and constituents. I also realize that by voting with the majority, this is an issue some will use for their own political purposes. My vote today in no way condones the behavior of those supporting impeachment whose actions are motivated more by political vendetta than the principles of the Constitution.

Let me make clear that my sole motivation is to fulfill my Constitutional duty as I see it, no matter how unpopular that may be or at what personal cost.

Those of us who have the honor of holding public office should hold ourselves to a higher standard. I respect those who have come to a different conclusion than my own. However, if I do not vote to impeach the President for his actions dishonoring his office, I not only fail to carry out my Constitutional duty, but I also diminish the office of all elected officials, including my own. One of our Founding Fathers, John Jay, said, "When oaths cease to be sacred, our dearest and most valuable rights become insecure." for these reasons, I will vote for articles of impeachment.

Mr. SMITH of Oregon. Mr. Speaker, when the Constitution of the United States was being debated throughout the new American states, many people were concerned that, like the monarchy they had fought against, a strong federal government would tend to "elevate the few at the expense of the many." Their concern was addressed by Alexander Hamilton in the Federalist Paper Number 57, and that answer governs the debate here today.

Hamilton argued that, under the Constitution, our elected leaders "can make no law which will not have its full operation on themselves and their friends, as well as on the great mass of the society. This has always been deemed one of the strongest bonds by which human policy can connect the rulers and the people together. It creates between them a communion of interests and sympathy of sentiments, of which few governments have furnished examples; but without which every government degenerates into tyranny."

Then, as today, the belief that no one should be above the law, remains one of the distinguishing characteristics of our government. We are a nation with a multitude of economic circumstances, ethnic backgrounds, and social distinctions. But no matter what our other differences may be, we are all equal before the law. It goes against everything we stand for to allow someone to escape justice simply because they hold a position of power. And while our system is not always perfect, it is our duty, as representatives of the people, and as Americans, to do everything in our power to live up to this ideal no matter what the cost. We are here today to perform our duty, not to bring a Constitutional crisis, as some have said, but instead to protect the Constitution and the principles for which it stands.

All the evidence presented by both sides in this case leads us to the conclusion that the President of the United States, violated his oath of office and committed perjury both in a civil deposition and again before a federal grand jury. Those opposed to this proceeding have offered virtually no evidence to refute this conclusion. Instead, they rely on the assertion that although the President committed perjury, such a violation of the public trust does not rise to the level of an impeachable offense.

The President has twice sworn before the American people to uphold the Constitution and the laws of the United States and yet flagrantly and knowingly violated the very foundation of our legal system. More importantly, the President's actions were expressly aimed at thwarting justice due a citizen who brought a legal case against him. I find it difficult to comprehend how my colleagues, who purport to support the most vulnerable members of

society, can argue in favor of the President when he has illegally used the immense powers at his disposal to rob a person, without his same rank or privilege, of justice.

In this century, the Congress has voted overwhelmingly to impeach and remove federal judges for perjury, and at least 115 people are now in prison for lying under oath in civil cases not unlike the President's. Even a member of the President's Administration was recently convicted of lying under oath in a civil case stemming from a consensual sexual relationship. Allowing the President to commit serious crimes against the legal system with impunity tells these people that their mistakes were not made in lying under oath, but rather in lacking the raw power to escape justice. Moreover, it sends a chilling message to all Americans who previously believed they enjoyed the equal protection of our laws.

I support a government based on integrity, morality, and respect for the law, and while I find no pleasure in casting my vote to impeach the President today, I also see no other option. It is a grim moment we all face, but no matter how difficult this decision may be, the alternative would be far worse. Equality before the law manifests itself not only in its protections, but also in its punishments. It defines us as Americans, whatever side we are on, and I regret that, in this case, the President is on the wrong side.

Mr. DEFAZIO. Mr. Speaker, impeachment of a sitting President is one of the gravest responsibilities and powers given to the Congress by the Constitution. Once it is undertaken it will throw the nation into turmoil and paralyze Congress and the Executive branch for months on end. As Alexander Hamilton wrote in the Federalist Papers, "[Impeachment] will seldom fail to agitate the passions of the whole community, and to divide it into parties more or less friendly or inimical to the accused." Impeachment is, in effect, the repudiation of a popular election. It is a constitutional last resort and should not be undertaken lightly or in a partisan manner.

There is no question that President Clinton's behavior has been outrageous, reckless and offensive. He lied 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 whether they warrant the constitutional remedy of impeachment.

When I began serving in this office, I took an oath to uphold the Constitution of the United States. In order to understand and fulfill my constitutional duty, I have studied the writings of the framers of our Constitution, as well as the opinions of many noted legal and constitutional scholars. If the President's misdeeds meet the constitutional standard for impeachment, my oath of office would oblige me to vote for his impeachment regardless of my party affiliation. However, if my best judgment is that his offenses do not cross the constitutional threshold, I owe it to the Constitution, to history and to my own conscience to vote against his impeachment.

The Constitution states that impeachment is to be used only in the case of "treason, bribery and other high crimes and misdemeanors." Treason and bribery are unambiguous and represent serious abuses of the office of President and direct attacks on our nation and the integrity our constitutional system of government. By adding "other high crimes and misdemeanors," the framers of our Constitution knowingly chose a phrase that had been in use in English impeachment trials for nearly 400 years. "High crimes and misdemeanors" was historically understood to refer to serious official misconduct and abuse of the powers of government by the King or one of his officers. This is clearly the meaning the framers intended.

Alexander Hamilton characterized impeachable offenses as "political" actions that involve "injuries done to society itself." George Mason stated that high crimes and misdemeanors are "attempts to subvert the Constitution." Impeachment is the constitutional remedy for gross abuse of the official powers of the President's office or, in the case of bribery, criminal actions in the pursuit of official power. Crimes that do not rise to this level are not impeachable, but can be prosecuted in criminal or civil court. (It is not clear whether the Constitution would allow the President to be prosecuted in criminal court while in office, but there is no doubt that he can be prosecuted after his term expires.)

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 Presidence is vital to our constitutional order.

I have maintained an open mind throughout the Independent Counsel's investigation and the Judiciary Committee's hearings. I was prepared to consider any new evidence or charges brought forth by Mr. Starr or the Committee. As you know, Independent Counsel Kenneth Starr has spent nearly five years and more than $50 million investigating this President. His original charge was to investigate a dubious real estate deal that happened before Mr. Clinton became President. Mr. Starr has produced no evidence of wrongdoing in the Whitewater matter. At least 15 congressional committees as well as the Federal Bureau of Investigation have undertaken their own investigations of Whitewater, "Filegate," the administration's campaign finance activities, and assorted other allegations of official wrongdoing by this President and his administration. But in the end, we are left with one charge and one charge only: that the President has a private, consensual sexual affair and lied about it.

The House Judiciary Committee alleges that the President committed perjury. Perjury is a very serious matter. However, it is far from clear whether the President's misleading testimony in the Paula Jones civil suit or before a grand jury fit within the law's narrow definition of perjury. Even if it can be proved that the President committed perjury, the question remains whether perjury about a private sexual affair is in the same league as treason, bribery or other gross abuses of the official powers of the office of the President. In the final analysis, I am forced to conclude that it is not and will vote against impeachment in the House.

If the Independent Counsel believes he has a strong legal case against the President, he can and should bring criminal charges against Mr. Clinton. Nothing in the Constitution prevents that outcomes. But impeachment is not only inappropriate in this case, it is profoundly damaging to the Constitution and our nation's interests.

This has been a sad chapter in our nation's history and it's not over yet. As Alexander Hamilton predicted, it has aroused intense and passionate partisan feelings. In fact, I have received more mail, e-mail and phone calls on this matter than on any other issue during my tensure in office. It is safe to say that no matter how it ends, it will leave a lasting mark on our democracy.

Mr. RADANOVICH. Mr. Speaker, when I first ran for Congress I jokingly invited President Clinton into my district to campaign for my opponent. Clearly, we do not see eye to eye. I do intend to vote for his impeachment though, not because of this; not because he had a disrespectful relationship with a subordinate his daughter's age and not because he deliberately lied for months about their relationship to every American.

I am voting for impeachment because he perjured himself twice, first in a civil case and then before a federal grand jury. These actions alone make him unfit for office.

Perjury, obstruction of justice and abuse of power are clearly high crimes and misdemeanors. They are a direct assault on the foundation of America, the rule of law, and on the freedoms of every American.

I don't want to do this, but I would cast this vote even if a President from my own party committed these acts.

I don't appreciate having to be here on the House floor debating impeachment while our troops are fighting in the gulf. But it is the President who, by his own actions and misdeeds, brought a vote on impeachment to America for only the second time in our history. He alone must suffer the consequences.

Mr. KOLBE. Mr. Speaker, it is with a heavy heart but a clear conscience that I will vote for Articles of Impeachment against President William Jefferson Clinton. I know that some of my colleagues who have spoken out in the President's defense have asserted that this impeachment process is illegitimate and, by voting to impeach, this Congress will plunge our nation into a constitutional crisis. But, in fact, this is a legitimate process contemplated by the Constitution and duly authorized by an overwhelming, bipartisan majority of House members. The only crisis we face now is the possibility that we might fail to do our duty as mandated by the Constitution.

This is not about overturning the will of the American people as expressed in the election of 1996. Great weight should be placed on protecting the decision made by the voters, and only the most extraordinary circumstances can justify negating that decision. I believe the circumstances in this case are extraordinary.

While most Americans find the President's underlying conduct in this matter deplorable—and he himself has already admitted as much—such behavior is not, in and of itself, impeachable. But this Congress is not being asked to judge President Clinton's private sexual behavior or his personal morality. Despite what some would have you believe, this case is no more about sex than a bank robbery is about currency.

A grand jury is at the very heart of our judicial system. It is the chief tool by which we ferret out felonious conduct that should be prosecuted. Lying to a Federal grand jury is a grave offense, and the President clearly lied before that grand jury. As our chief law enforcement officer—as a lawyer and officer of the court—President Clinton knew all of this. And yet he chose to lie anyway.

Ours is a nation that holds the rule of law as near to being sacred as any aspect of our form of government. We not only believe that all men and women are created equal, but also that all are equal under the law. Our republic is a tapestry woven from many strands—a written Constitution, laws and statutes, and, just as important, a body of precedents, traditions, and common law developed over more than two centuries. That tapestry is surely worth preserving. Our responsibility, as Members of this Congress, is to keep it from being tattered by the winds which blow against our Republic. I am confident this House will not be found wanting.

Mr. Speaker, I append my statement of December 17, 1998, to this statement.

STATEMENT ON THE IMPEACHMENT OF PRESIDENT WILLIAM JEFFERSON CLINTON

The votes I cast tomorrow on Articles of Impeachment against President Clinton will surely be the most profoundly significant and momentous of my career in public service. During the past 14 years in Congress, I have participated in two other impeachment proceedings; I have voted to send our armed forces into combat in Desert Storm; and I have engaged in countless other political battles. Some of these battles bordered on the absurd, while others truly helped define who we are as Americans, and what we stand for.

This is only the second time in our Nation's history that the House of Representatives will actually vote on Articles of Impeachment against a President of the United Sates. This is, indeed, an historic moment.

As I depart today to carry out my solemn responsibility, I believe it is important for me to first share my decision with those I represent.

Perhaps the greatest challenge I faced in reaching my decision was to cut through all the media punditry and relentless political spin, which has largely served to obscure—rather than illuminate—the facts and the law in this case.

I know some argue that this process is illegitimate and, by voting to impeach, Congress will plunge our nation into a constitutional crisis. But, in fact, this is a legitimate process contemplated by the Constitution and duly authorized by an overwhelming, bipartisan majority of House members. The only crisis we face now is the possibility that we might fail to do our duty as mandated by the Constitution.

This is not about convicting the President of perjury, obstruction of justice, or abuse of power. That responsibility is reserved exclusively to the Senate. No aspect of this debate has been more misrepresented by mainstream news media, and thus so poorly understood by the public. As one of our founding fathers, Alexander Hamilton, said clearly in Federalist Paper No. 66:

"The division . . . between the two branches of the legislative, assigning to one the right of accusing, to the other the right of judging, avoids the inconveniences of making the same persons both accusers and judges."

This point is important, for it is a well established principle of our system of jurisprudence that the standard of evidence to bring charges is substantially lower than that required to convict. Granted, no prosecutor would bring a case to a grand jury without a reasonable expectation that a conviction could be obtained.

While Congress does not operate as a court of law when we consider impeachment, this is nevertheless as close to a legal proceeding as Congress gets. And so, as a defacto grand juror, the question I must ask myself is this: Is the weight of evidence now sufficient to require the Senate to conduct a trial?

This is not a vendetta against this President. I bear him no personal ill will. While I have differed with President Clinton on numerous questions of policy, we have also agreed on various issues. For example, I have worked closely with this Administration, and President Clinton personally, to pass NAFTA and build a bipartisan, free-trade coalition. And as recently as last week, I joined with President Clinton and other Congressional leaders at Blair House, trying to forge a bipartisan consensus on Social Security reform.

Like the vast majority of my colleagues in Congress, and I dare say most Americans, I am terribly saddened by this entire, tawdry affair. I believe it has diminished respect for our nation and the Office of the President, if not all elected officials. President Clinton is, undeniably, a shrewd political leader who possesses enormous personal charm and a remarkable intellect. But I cannot allow my admiration for President Clinton's considerable skills to cloud my judgment in this matter.

What else is this vote not about? It is not about overturning the will of the American people as expressed in the election of 1996. Great weight should be placed on protecting the decision made by the voters, and only the most extraordinary circumstances can justify negating that decision. I believe the circumstances here are extraordinary.

And it is precisely for this reason that the Constitution invests in the Congress the power to impeach a President. The framers recognized that, while the judiciary could adjudicate most cases of public malfeasance, a special process was necessary to accuse, try, and remove a President from office. Impeachment and conviction are the only means by which a President, fatally corrupted or guilty of abusing the power of his office, could be removed. These are the only means by which our Constitution and all the institutions therein can be protected from further damage.

Finally, this matter is most assuredly not about sex or lying about sex. While most Americans find the underlying conduct of the President deplorable—and he himself has already admitted as much—such behavior is not, in and of itself, impeachable. Congress is not being asked to judge President Clinton's private sexual behavior or his personal morality. The spinmeisters' mantra notwithstanding, this case is no more about sex than a bank robbery is about currency. Rather, the Articles of Impeachment accuse President Clinton of lying in a civil deposition, committing perjury before a Federal grand jury, obstructing justice, and abusing the power and the office of the Presidency. And I have based my decision on a careful review of these articles and the supporting evidence, which I believe is substantial and credible.

The heart of the case is perjury: Did President Clinton lie under oath when he gave testimony in his deposition in a civil rights lawsuit, and did he subsequently lie under oath to a Federal grand jury when questioned about that testimony?

The evidence is overwhelming that he did lie. Even many of his most ardent supporters in Congress acknowledge that he lied and committed perjury in both instances. Some continue to assert, as the President does, that he only intended to "mislead," and that does not conform to perjury as the Supreme Court defined it in 1973, in Bronston v. U.S. But the President's testimony exceeded even that high threshold of perjury.

Listen to what the President said when questioned by his own attorney in the Paula Jones lawsuit deposition before a Federal judge:

Robert Bennett, the President's lawyer, said: "In [Monica Lewinsky's] affidavit, she says 'I have never had a sexual relationship with the President . . .' Is that a true and accurate statement . . .?"

President Clinton responded: "That is absolutely true."

No reasonable person could conclude, from what we now know of what transpired between the President and Ms. Lewinsky, that this statement is anything other than a perjurious lie. So the only question which remains for me to ponder in considering the first two Articles of Impeachment is whether perjury in a matter of personal behavior rises to the level of an impeachable offense.

A legal definition of treason can be found in the Constitution itself, and federal statutes give adequate judicial guidance with respect to the matter of bribery. But the framers left to future Congresses to decide what constitutes "other high crimes and misdemeanors." I believe there is ample evidence that felonious conduct—and perjury is a felony—falls well within the bounds of what our forefathers intended the phrase "high crimes and misdemeanors" to include.

The Minority Counsel for the Judiciary Committee relied upon language used in the 1974 impeachment report dealing with President Nixon to suggest that these are not impeachable offenses. The committee that voted out Articles of Impeachment in the Nixon case said: " . . . impeachment . . . is to be predicated upon conduct seriously incompatible with either the constitutional form and principles of government or the proper performance of constitutional duties of the Presidential office."

But ours is a nation that holds the rule of law as near to being sacred as any aspect of our form of government. We not only believe that all men and women are created equal, but also that all are equal under the law. Our republic is a tapestry woven from many strands, including a written Constitution, numerous laws and statutes, and—just as important—a body of precedents, traditions, and common law developed over more than two centuries. If our Star Spangled Banner is worth preserving, then certainly the tapestry of law and justice for which it stands is worth preserving, too.

President Clinton solemnly swore to protect and defend the Constitution of the United States, and to see that the laws shall be faithfully executed. He is the principal law enforcement officer of the United States. What possible respect for the rule of law can any of us have—or demand of others—if our President is not to be held accountable for perjury, just because he is the President or because the underlying circumstances for lying relates to personal behavior?

Is perjury relative? No. Does it only apply in some cases? No. Should we apply penalties selectively? No. Are some individuals more

equal than others, and are we to treat them differently? Absolutely not. And I can think of no prescription more certain to undermine our system of jurisprudence than to answer affirmatively to these questions. I cannot.

Stuart Taylor, writing in the National Journal, noted that "Before President Clinton got caught, no constitutional expert had ever suggested it would be wrong to impeach a President for crimes such as lying under oath (even about sex), suborning perjury, or obstructing both a civil rights lawsuit and a criminal investigation." And, I would add, if we need a precise legal precedent for perjury as grounds for impeachment, I can refer to a vote I cast nine years ago to impeach Judge Nixon of Mississippi. The charge, then as now, was perjury.

Having said all this, I do make a distinction between perjury before a Federal grand jury and lying in a civil deposition. Both are perjury. But a grand jury is at the very heart of our judicial system. It's the chief tool by which we ferret out felonious conduct that should be prosecuted. Lying to a grand jury is the graver offense, in my view, and the President clearly lied before that grand jury. As our chief law enforcement officer—as a lawyer and officer of the court—President Clinton knew all of this. And yet he chose to lie anyway.

Lying in a deposition taken in a civil case strikes a more glancing blow at the integrity of our judicial system. Here, I believe the balance of other factors, including the imperative to respect the integrity of the electoral process, argues against impeachment. For me, this was a very close call. Therefore, I will vote for impeachment on Article I, but not on Article II.

Turning to Article III, I believe the weight of evidence is sufficient to try the President on this article, dealing with obstruction of justice. I will vote to send this article to the Senate for trial.

The President did encourage Ms. Lewinsky to file a false affidavit in the Paula Jones case. He had prior knowledge that she would be subpoenaed; he knew what her affidavit said; and he knew it to be false.

Can a reasonable person come to any conclusion about President Clinton's post-deposition conversation with his personal secretary, Betty Currie, other than this: That he purposefully suggested to her—indirectly but with specificity—the gist of his testimony and desired that Ms. Currie should conform to it in the event she might be called as a witness? Ms. Currie testified that she believed this was the President's intent. And yet, the declaratory statements he made to her that Sunday morning were known by him to be false.

How do we explain why Ms. Currie would suddenly be motivated to retrieve gifts President Clinton had given to Ms. Lewinsky—evidence which certainly would be subpoenaed by a federal court—and hide them under her bed? How do we explain why the President had such a intense personal interest in seeing to it that Ms. Lewinsky found a job in New York after—and only after—her name appeared on the witness list in the Paula Jones case?

All of these actions—the false affidavit, the coaching of Betty Currie, the retrieval of the gifts, the effort to find Ms. Lewinsky a job—are at the core of the case to be made for obstruction of justice. The pattern of evidence clearly requires a complete examination in the Senate.

The fourth and final Article of Impeachment deals with abuse of power by the President. To my mind, this is the most troubling, but also the most subjective.

As chairman of the House Appropriations Subcommittee that funds the Executive Office of the President I have experienced the Clinton Administration's "stonewalling" efforts first hand. And I must say, as I listened to the testimony of Independent Counsel Kenneth Starr before the Judiciary Committee, I found his litany about the lack of cooperation by the White House Counsel office distressingly familiar.

Clearly, the evidence offered in support of Article IV suggests a pattern of abuse of power. Sending loyal cabinet members and White House aides before the cameras to proclaim the President's innocence, when he knew their statements to be false, is surely despicable. The President's aggressive efforts to undermine the Independent Counsel's investigation were outrageous. But are these offenses impeachable? I have concluded that they are not.

I return to Washington today with a heavy heart, but I am buoyed by the wonderful expressions of support I have received from so many—friends and total strangers alike—who have urged me to do what I believe to be right, whatever that decision might be. I also want to commend the thousands of individuals who have contacted my district and Washington offices during the last several weeks to express their views. Having answered scores of constituent phone calls myself, I am well aware that the people of southern Arizona are deeply divided or the prospect of Impeachment.

I said at the outset that this is a decision I must make alone, based on my conscience and best judgment of the facts and the law. No Republic Congressional leaders have contacted me of attempted to influence my votes. Should there be political repercussion as a result of the votes I will cast tomorrow, so be it. Whatever the outcome of tomorrow's votes, it will certainly be one of the saddest moments in our nation's history. But I will cast my votes with confidence that I have done what I believe is right, for the sake of our nation.

Mr. GUTKNECHT. Mr. Speaker, this is a solemn and sober occasion. It is day and a duty that all of us had hoped we could avoid. But, this day and that duty came. On historic days like this, we must draw strength from the heroic figures who have gone before us.

From Valley Forge, to Gettysburg, from Normandy to this very day, Americans have found the courage to do what was required. And we, in our day, with God's help, will meet this challenge. We will stand today for the rule of law, or we will submit to the rule of men.

Mr. Speaker, the matters before us are difficult, but they are not complicated.

Our friends on the other side offered no real defense for the charges. Indeed, in their own resolution, they acknowledged that Mr. Clinton failed to tell the truth to a Federal Grand Jury. They agree that he has brought dishonor on himself and on the high office he holds.

On several occasions, Mr. Clinton put one hand on the Bible and took an oath. Twice he pledged to "preserve, protect, and defend the Constitution of the United States." As President, he has the responsibility to "take care that the laws be faithfully executed."

Subsequently, Mr. Clinton swore under oath "to tell the truth, the whole truth, and nothing but the truth." He was warned by his supporters and his attorneys of the dire consequences of breaking that oath. As an attorney himself, Mr. Clinton understood very well the gravity of perjury. He understood the seriousness of witness tampering and obstruction of justice.

Our entire system of justice and indeed our very rule of law is built on the bedrock that oaths are sacred. Were it not so, why would we use Bibles? Or, why take oaths at all?

The evidence is overwhelming, the Constitution is clear. My conclusion is inescapable. Bill Clinton violated his oath of office. He violated his oath to tell the truth, the whole truth and nothing but the truth. He did willfully commit perjury, obstruct justice, and subvert the legal process. His actions have brought dishonor upon the high office that the American people have entrusted to him.

If we in Congress fail to act in this case, we will have set a terrible precedent. We will have said that there are two standards—one for powerful politicians, and another for everyone else.

Mr. Speaker, we must today rise to our Constitutional responsibilities. We must do our duty. We answer to our conscience and to posterity.

It is with a heavy heart but a clear conscience that I will cast my vote in favor of these Articles of Impeachment.

Mr. GEJDENSON. Mr. Speaker, the full House meets today for only the second time in our nation's history to consider Articles of Impeachment against a sitting President. Other than declaring war, impeaching the President is the most solemn Constitutional issue Congress will ever address. The seriousness of the issue is only compounded by the fact that as a democracy, where power and authority flow from the people, the citizenry—not the government—selects the nation's leaders. As a result, it is a matter of utmost public concern when the government, in the form of this Congress, takes steps to remove the people's choice. I know that my Republican colleagues wholeheartedly agree that the Constitution is designed to specifically limit the authority of the national government. I would remind the members who have brought these Articles to the floor that impeachment is the ultimate "big government" action.

The founding fathers envisioned that it might be necessary under very limited circumstances for the government to take such action. They provided Congress with the authority to remove the "President, Vice President, and all civil Officers of the United States . . . on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors." The issue before us today is whether or not the President's actions meet the Constitutional threshold set for impeachment and whether or not the process which has governed the actions of the House to date passes Constitutional and legal muster.

Let me begin by saying that the President's conduct was wrong. I am most disappointed that he mislead the American people for many months. He should have told us the truth from the very beginning. I echo the President's conclusion that his conduct demonstrated a critical lapse of judgment and is deserving of public rebuke. With that said, I believe it is important to note that the President is continuing to do his duty. I believe a case could be made for impeachment if the President stopped carrying out his responsibilities, ceased his efforts

on behalf of the American people and allowed the national security of the United States to be jeopardized.

The Constitution is the nation's organic act. It serves as the vehicle through which the American people grant certain powers to the national government. It affords every American the greatest set of fundamental rights available anywhere in the world. It is a living document which is interpreted every day by the executive, legislative and judicial branches of our government. However, our entire system of Constitutional jurisprudence is based on ascertaining the intent of the men who wrote the document and the citizens who approved it 210 years ago. As a result, we must rely on contemporary accounts of the debate at the Constitutional Conventional and state ratifying conventions, early Supreme Court decisions which articulated this intent, and scholarly analysis to inform us about events, points of view, areas of agreement and matters of contention which we can not directly observe. With that in mind, the first step in our deliberation must be to determine how the framers intended impeachment to be employed in our system.

The Judiciary Committee held a hearing in early November which was designed to help us understand the intent of the framers of the Constitution. Although the positions taken by the participants appeared polarized, even irreconcilable, at times, I detect a common thread which is absolutely crucial to our debate today. Many of the scholars who testified made a point which goes to the heart of the Constitutional design of impeachment. Professor Mattew Holden explained that impeachment is the ultimate check available to Congress in our system of checks and balances between branches. Impeachment is available as a last resort if all other devices—laws, oversight or overriding Presidential vetoes—fail to ensure that the President operates within established Constitutional boundaries. Professor Holden stated that "in ultimate defense, [the founding fathers] put in the impeachment procedure, giving Congress some power to remove a President from office." Father Robert Drinan, who served on the Judiciary Committee during Watergate, echoed this conclusion when he explained that the "* * * Congress has almost always understood that impeachment was designed by the founding fathers to be a remedy intended only for a dire situation for which no other political remedy exists." He summarized his comments by describing impeachment as "a final safety net in case somehow the separation of powers did not work and that a nearly tyrant in the executive branch could not be stopped by any means short of removal."

Under the Constitution, impeachment is designed as the ultimate check on an errant executive who can not be constrained by any other means. Impeachment is not intended to be used as a device to express disapproval of certain actions or to shame the President. There are other mechanisms to achieve this goal—mechanisms that this institution is currently employing with considerable effectiveness. I do not believe the use of impeachment by the House today conforms to this Constitutional standard.

Mr. Speaker, I strongly believe that the process which has governed this gravely serious issue has been flawed from the very beginning. It has been decidedly partisan and one-sided. As Professor Arthur Schlesinger testified before the Committee, the framers further believed that, if the impeachment process is to acquire popular legitimacy, the bill of particulars must be seen as impeachable by broad sections of the electorate. The charges must be so grave and the evidence for them so weighty that they persuade members of both parties that removal must be considered." the party-line votes in the Committee and the consistent finding that about 60% of the American people do not support impeachment demonstrate that neither of these essential conditions has been met.

Some members of the majority argue that to fail to impeach the President would hold him to a lower standard than any other American and put him "above the law." This argument has two fundamental flaws. First, the President is fully subject to indictment and prosecution after this term expires. The Independence Counsel is preserving certain options which would allow the federal government to take this very action. Second, the President is subject to a form of punishment which can not be imposed on average citizens—impeachment. However, the Constitution requires that he commit "Treason, Bribery or other high Crimes and Misdemeanors" in order to be impeachment. These are not just any criminal offenses, but offenses which threaten the very existence of the state, our form of government, and the American people's fundamental interest in exercising control over their leaders. The standard to prove such offenses must be very high.

Although impeachment takes place with the House of Representatives rather than in a federal courthouse, I do not believe that means fundamental legal standards which undergird our entire society become irrelevant. It is incredulous to agree that the President is entitled to a lower standard of legal protection than any other citizen. I agree with my colleagues that "no citizen is above the law." At the same time, no one should be below it either. It is a fundamental premise in our system that someone can not be tried without being informed of the specific charges against them. It is impossible to mount a defense against unknown or extremely vague charges. In addition, our legal system is based on the bedrock tenet that charges must be substantiated by an increasing level of proof based on the seriousness of the offense. Perjury and obstruction of justice are serious offenses indeed. As a result, federal law, the authority on which the Independent Counsel bases his charges, request the government to prove "beyond a reasonable doubt"—the weightiest burden of proof in our system—that a defendant committed these offense.

The Articles of Impeachment before the House today fail to provide the President, or the members of the House with specific statements or actions which the majority contends constituted "perjurious, false and misleading testimony." Article I states that the President provided false statements concerning the "nature and details of his relationship with subordinate Government employee" and "testimony he gave in a Federal civil rights action brought against him." Article II states that the President provided "perjurious, false and misleading testimony in responses to questions deemed relevant * * *" about "conduct and proposed conduct" and "the nature and details of his relationship [with Ms. Lewinsky]."

What specific statement does the majority believe are "perjurious?" What were the "relevant questions?" Where are the specific statements which meet the legal requirement of proof beyond a reasonable doubt? With the stakes as high as they are, it is unacceptable for the Committee to offer vague generalities as the grounds for impeachment. If the Committee could meet the legal standard which applies in every courtroom across America, a reasonable person would conclude that those statements would be listed in the Articles. Failure to do so leads me to conclude that the majority can not meet the standard so it has restored to vague generalities. This conclusion is buttressed by the testimony before the Committee of five former Federal prosecutors who were unanimous in their conclusion that the evidence supporting the charges of perjury and obstruction of justice is extremely weak. In addition, they agreed that no responsible federal prosecutor would ever take a case based on the evidence before this body to trial. Voting to impeach the President of the United States requires that this institution have clear and overwhelming evidence that he engaged in specific act of misconduct which undermine our system of government. Absent this proof, it flies in the face of the intent of the founders to impeach the President.

The fundamental weakness in the process extends to the Committee's investigation of and deliberation on this nationally significant issue. One only needs to consider a few examples to understand the fundamental shortcomings of the process. First and foremost, the Committee did not conduct an independent investigation of this complex situation. It relied exclusively on the evidence gathered, and packaged, by the Independent Counsel. This evidence and the testimony of the witnesses was never subject to across examination by the defendant—the President of the United States. Our legal system relies on an adversarial process—manifest most directly in the cross examination of witnesses—to discover the truth and to expose fundamental contradictions. The evidence and testimony gathered without the benefit of this process would be considered suspect, and strongly challenged, by virtually any lawyer in this country.

The fundamental weakness of the evidence has only been compounded by the fact that the Committee did not hear testimony directly from any of the central witnesses in this case. During the Watergate hearings, the House Judiciary Committee called several of the central figures in the drama—John Mitchell, John Dean, Charles Colson and Alexander Butterfield—to testify. The members of the Committee—Democrat and Republican—were able to question these witnesses directly, follow-up on vague answers or pursue lines of questions as they developed. The Committee did not rely solely on an outside entity to gather evidence and question witnesses when considering whether or not to impeach the President.

Quite to the contrary, the Judiciary Committee did not hear directly from a single witness who was a participant in any of the events in question. The fact witnesses today include Monica Lewinsky, Linda Tripp and Betty Currie. The majority on the Committee maintains that it would have been too unseemly to call these witnesses, it would have been too embarrassing. These excuses fall far short of the mark. The House has the Constitutional duty to consider impeachment. This is not an easy task, it is not fun— and it should not be. Nevertheless, the House has an obligation to hear from witnesses directly and to question them in an effort to get information which reflects all sides of the story. The failure to do so dramatically undermines the credibility of the Committee's findings because it abdicated its responsibility under the Constitution by relying exclusively on the evidence and testimony presented by the Independent Counsel.

I believe it is absolutely critical for the House to conduct an independent, direct investigation because members are acting on behalf of the American people. This body is considering taking step to overturn two national elections. In order to take this action, this body has a solemn obligation to gather evidence, examine the central witnesses and delve directly into all of the issues which could impact on the decision to impeach. Accountability for this decision rests unequivocally with this institution—not the Independent Counsel, not a grand jury, not even with the President. As a result, it is incumbent on the House to take the predominate role in the investigation. This essential standard, which guarantees accountability to the American people, has not been met.

I would like to take a moment to review the Articles before the House. I have already commented on the weaknesses of Articles I and II from a legal standpoint. They consists of nothing more than vague generalities unsupported by clear and convincing evidence. It goes without saying that the Constitution demands that the President be charged with specific acts of wrong-doing which are substantiated by overwhelming evidence before he can be impeached. Article III appears to be a catchall category where the majority piled on allegations. This action only serves to compromise the process further.

Article IV is interesting both in terms of the charges it levels as well as a historical sleight of hand the majority attempts. This article maintains that the President "contravened the authority of the legislative branch . . . in that . . . [he] refused and failed to respond to certain written requests for admission and willfully made perjurious, false and misleading sworn statements in response to certain written requests for admission propounded to him. . . . As far as I know, the Committee sent the President 81 questions and he responded to each of them. I read in the papers after the responses were provided around Thanksgiving that members on the majority side of the Committee found the answers to be "arrogant" and "not contrite enough." Perhaps this Article should read that "the President failed to provide contrite answers to the Committee's questions." This would be a more accurate description than the President failed to respond to the Committee's request for information.

This article also includes what I referred to above as a historical sleight of hand. The third Article of Impeachment against President Richard Nixon stated that by refusing to comply with 8 subpoenas approved by the Judiciary Committee requesting more than 140 documents and taped conversations, the President had "assum[ed] to himself the functions and judgements necessary to exercise of the sole power of impeachment vested by the Constitution in the House of Representatives." The Committee levels this very same, profoundly serious charge against President Clinton regardless of the fact that he was never served with any subpoenas from the Committee and provided responses to questions submitted in writing.

It strains credibility to maintain that the President "assumed" the authority of the House in this area. The Judiciary Committee has moved with considerable speed and little impediment to bring us to where we stand today. The Committee uses this language completely out of its historical context. The statement was appropriate 24 years ago when President Nixon defied multiple subpoenas and withheld documents and other materials which were crucial to the investigation. There is no parallel today by any stretch of the imagination. The decision appears to be yet another attempt to boost charges, which lack substantial factual background, with rhetoric which suggests the President committed terrible offenses. This tactic further demeans an already flawed process.

I would like to make one final point which illustrates that this process does not comport with the Constitution. Article I, Section 2 of the Constitution states that the "House of Representatives . . . shall have the sole Power of Impeachment." Impeachment is the power to charge—not judge. Article I, Section 3 grants the Senate this authority. It states that the "Senate shall have the sole Power to try all Impeachments" and that "judgement in Cases of Impeachment shall not extend further than removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States." It is up to the Senate to determine whether or not the President should be removed and/or disqualified from holding any other office. However, in each and every one of the Articles before us today, the majority makes this very judgement. This is not the role of the House as set forth in the Constitution. Where is the indignation about the rule of law or the lofty commentary about our duty to uphold the tenets of the Constitution? It is ironic that in an Article alleging that the President usurped the authority of the House, the majority is usurping the authority the Constitution grants to the Senate.

Mr. Speaker, the founders designed impeachment as a "last resort" to remove a President who was impervious to any other method of control. They set the bar very high in an effort to ensure that impeachment would not become a weapon which could be deployed for partisan political gain. Removing a sitting President requires the proponents of such action to demonstrate clearly, convincingly and specifically that the President has committed "Treason, Bribery or other high Crimes and Misdemeanors." It is clear to me that the proponents have not met this standard.

Moreover, the gravity of the action demands that the House utilize a decision making process which adheres to fundamental legal and Constitutional principles. Unfortunately, the process to date falls far short on both. The burden of proof required to charge the President with the offenses alleged has not been met and he has not been informed of the specific actions which have placed him in jeopardy. In addition, in my opinion, the House has abdicated its duty under the Constitution to gather the facts and to hear from the witnesses directly. The independent Counsel statute does not supersede the Constitution. It does not trump the obligation that this institution has to the American people, and to itself, to conduct an independent investigation and to hear directly from material witnesses before taking the momentous step of impeaching the President. The House has failed in this regard and, in so doing, undermined the legitimacy of the Articles before us today.

Mr. Speaker, I know all too well what America symbolizes to the world. My mother and father survived Hitler and Stalin and fled to the United States following World War II. To them, this country was a shining beacon of democracy, human rights an the principle that the rule of law is fixed by a constitution which cannot be changed by the whim of one ruler, or, even, a legislature.

The action of the Republican majority in bringing these Articles of Impeachment to the floor resembles a coup more than the Constitutional impeachment process the founders intended. I do not use this language lightly, I do not make this point frivolously. I have come to this conclusion based on the fact that these Articles do not meet the standards demanded by the Constitution and our legal system. It would be understandable if a fledgling democracy in Latin America or the Third World was struggling to determine the practical operation of provisions of a new constitution and erred in so doing. The United States, as the world's oldest constitutional democracy, could not be further removed from this scenario. After 210 years, we know the intention of the framers concerning impeachment. The misuse of the process is sending a terrible signal to the nations of the world that emulate the United States because we are governed by a set of fundamental constitutional principles which are grounded in the intent of the framers.

Due to Constitutional, legal and procedural shortcomings, I cannot support these Articles of Impeachment. In Federalist 65, Alexander Hamilton used the following words to describe how he feared the impeachment process could be misused: ". . . There will always be the greatest danger that the decision [to impeach] will be regulated more by the comparative strength of parties, than by the real demonstrations of innocence or guilt." Hamilton foresaw the abuse we witness today. Members should heed his warning and vote against the Articles of Impeachment.

Mr. PALLONE. Mr. Speaker, let me start by saying how wrong it is to conduct this debate while our troops are in harm's way. Saddam Hussein will surely be emboldened by the Republicans' comments and conduct today and

that will undermine our policy toward Iraq and our national security interests.

Since we have nonetheless decided to proceed, I want to take issue with the opening remarks of the Chairman of the Judiciary Committee, Mr. HYDE.

I deeply regret his effort to characterize the impeachment of the President as necessary to uphold the Constitution and the rule of law. He is wrong, wrong, wrong.

Equally offensive to me was Mr. HYDE's suggestion that the Radical Republicans who seek to impeach our President today are carrying out the legacy of Moses, ancient Greece and Rome, the Magna Carta and all the precusors of Democracy, which we hold so dear.

The Radical Republicans who seek to impeach the President are, in fact, the heirs of those who would undermine our democracy—their precursors are those who would inspire a tyranny of the majority: Cromwell and his Puritans who sought to use the British Parliament to abolish freedom of religion, Robspierre and the French National Assembly who initiated the Reign of Terror, and most analogous—the Radical Republicans, who contrary to the wishes of the assassinated President Lincoln, salted the wounds of a divided America after the Civil War and unjustly impeached President Andrew Johnson.

Mr. HYDE said the Republican effort today is not a vindictive political crusade. I fact, that is exactly what it is—one of the darkest days in the nation's history, and a blot on our democracy just as dark as the impeachment of President Andrew Johnson without cause.

Why do I cite the tyranny of the majority? Because the Radical Republicans will not let the Members of this House consider and vote on a bipartisan compromise of censure. The Radical Republicans are guilty of thwarting the will of the American people.

Why do I say that the Radical Republicans are not honoring the Constitution? Because the President's conduct, while reprehensible, does not fit the definition under the Constitution as an act of treason, bribery or high crimes and misdemeanors, and therefore does not rise to an impeachable offense to justify the removal of the President.

I listened carefully to Mr. HYDE's remarks earlier and he seemed to suggest that it was necessary to lower the bar for impeachment to include lying about sex because the President held such an important position and needed to serve as a moral authority. But our job under the Constitution is not to set moral standards, as Mr. HYDE suggests, but to uphold the Constitution and the rule of law.

The Radical Republicans in seeking to impeach the President do the opposite. In the tradition of their predecessors after the Civil War, they rip apart the Constitution in a politically vindictive tyranny of the majority.

Mr. EDWARDS. Mr. Speaker, except for a declaration of war, a U.S. Representative can never be called upon to make a decision requiring more serious or solemn consideration than on a vote to impeach a President of the United States.

I believe what President Clinton did was indefensible and immoral, but I do not think his actions, however, wrong, reached the high constitutional threshold for impeachment and the overturning of the only national election in our democracy.

Over 200 years ago, George Mason proposed the language in Article II, Section 4 of the Constitution establishing the grounds for impeachment as "treason, bribery or other high crimes and misdemeanors." He defined these actions to mean only "great and dangerous offenses" or "attempts to subvert the Constitution." Having a private affair and hiding it are wrong under any circumstances, but I am not convinced such actions "subvert the Constitution" and justify nullifying the votes of 47 million American citizens.

I condemn the President's actions and believe bipartisan congressional censure and the possibility of future criminal action would be appropriate punishment for his affair and subsequent misleading statements.

Consider the chance that a Senate conviction would be extremely remote, the specter of a three to nine month Senate trial with tawdry televised testimony from Monica Lewinsky, Linda Tripp, and Kenneth Starr would punish the nation and our families far more than it would punish Bill Clinton.

The President should be strongly censured by Congress and then have his day in court like any other citizen. He should not be above the law and he should not be below the law. History and God will be his ultimate judge.

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 a vote of deep conscience for others 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, a legacy of partisanship, unfairness, and rush to judgment.

In the name of the Constitution, this process trampled on the Constitution, Article II and VI. In the name of "the rule of law" this process ignored the fundamental principles of due process and fairness that form 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 below the law. In the name of justice, this process ignored the pillar of justice that in our nation, a 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 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 in this House would want to be a defendant in a case where the rules of law and fairness were ignored? Where secret grand jury testimony was released to the world? Where there was not one direct fact-witness? Where your defense attorney was limited to one hour of cross-examination of your chief accuser, who spent four years and forty million dollars investigating you? Where your attorney was forced to give your final defense before even one formal charge had been presented against you? Where the charges of perjury that were finally presented at the 11th hour failed the test of decency to list which statements were allegedly perjurious?

Surely, Mr. Speaker, no Member of this House would ever want or deserve to be a defendant in such a case. Yet, if we would not want to be judged by such an unfair process, then what right do we have to judge anyone else by that process? To even suggest that such a process was somehow fair because impeachment is not a trial would be to hid behind a fig leaf of legalism for those who claim to revere the principles of "the rule of law" and "equal justice under the law."

I will not question the final decision of any Member of this House for these are votes of conscience. However, just as we are judges today, history will judge this Congress tomorrow and for generations to come. Perhaps the ultimate justice is that history will judge that on this matter, the Congress and the President both failed to meet the highest standards in the sacred stewardship of the public trust.

As we end this Congress, regrettably, on a note of partisanship and ill will, one week before Christmas, perhaps it would be good if the President and all of us of all faiths, myself included, paused in the days ahead to reflect on the values of a small child born in Bethlehem whose life taught the world the power of love, forgiveness, and compassion. Maybe then the next Congress and our President could share the common bond and highest ideals of public service.

Mr. SERRANO. Mr. Speaker, I rise to oppose the resolution providing for the impeachment of the President of the United States and to protest this very unfair and partisan process. The Republican majority in this House is railroading President Clinton, thwarting the will of the American people, and setting dangerous precedents for the use of impeachment against future Presidents.

It is particularly outrageous that you Republicans insist on moving forward with this proceeding at the very time the United States is leading military strikes against Iraq and U.S. military personnel are in harm's way. It cannot help our service members' morale nor bolster our authority in the world that the Commander-in-Chief is under attack by rabid partisans who don't seem to care what other harm they cause if they can drag this President down.

I was one of five Members who voted against any investigation of the President and I will not vote to impeach him. I honestly believe that what President Clinton is accused of doing does not reach the threshold the Framers established for impeachment. The President by his actions has not threatened the nation's stability or brought an attack on the Constitution or presented problems for our Constitutional process.

Short of declaring war, a vote on Presidential impeachment is the most serious vote a Member of this House can cast. But not all Members are taking this historic duty seriously.

Many on your side of the aisle, Mr. Speaker, seem to forget that the Starr referral tells only one side of the story. It appears many have refused to seriously consider the presentations of the President's lawyers or any other information that might support the President's case against impeachment.

In fact, much of what we see today is the result of the desire of a group of people, including many House Republicans, to destroy this President. Within weeks of his election, I

was seeing "Impeach Clinton" bumper stickers. And now, as columnist Richard Cohen put it in a Washington Post op-ed on Tuesday, Republicans have made impeaching President Clinton "a matter of party discipline, not of conscience, nor, for that matter, of logic."

How else to explain how an investigation that began with Whitewater became an impeachment process based on a private consensual affair? Or why the Judiciary Committee failed to set a standard for impeachment or to investigate the charges by calling witnesses with knowledge of the facts, but instead just swallowed the Starr report whole? Or why the Republican leadership will not let the House vote on censure?

Of the articles of impeachment, the two alleging perjury are considered the more plausible—most experts believe the evidence does not support allegations of obstruction of justice or abuse of power—but I am very concerned about how loosely the term "perjury" is being used in this process.

I am old enough to remember when offenses like loitering or vagrancy were used to harass poor people, minorities, antiwar activists, and other undesirables, until the courts threw them out as too broad and arbitrary. Now, "perjury" is being used broadly to refer to incomplete, misleading, even false statements, but "perjury" has a much more specific legal meaning, and I don't think the Republicans have proven that it occurred in this case. But rather than criticize the President's team for "legalisms", we should remember that the precise language of the law is a protection of our liberties.

The Founders did not provide for impeachment to punish a President for behavior Congress doesn't like, for refusing to confess in public to an offense he doesn't believe he committed, or for not being contrite enough.

Mr. Speaker, any offenses the President may have committed were not against our Constitution or our republic. Nothing he is accused of amounts to bribery, treason, high crimes or high misdemeanors. A private consensual relationship is not an impeachable offense. Nor does any element of this sorry situation justify overturning a national election and disenfranchising millions of Americans.

The American people are smart enough to understand what is going on, and they say "Stop!" They continue to support the President, and that is what we should do. I will continue to support President Clinton and his efforts to make life better for all Americans.

There is still a lot of work to do, and Bill Clinton has the ability, intelligence, and understanding to handle crucial issues before us. That is what is important and this is what the American people want.

Mr. Speaker, the nation has had enough. Impeachment is overkill in this case. We don't need the spectacle of a Senate trial to divert attention from the nation's business for second year, or even part of a year. We don't need the long-term political warfare a near party-line vote will surely generate.

For all these reasons, I urge my colleagues to vote against impeaching President Clinton.

Mr. Speaker, many of my colleagues have spoke today about the legal aspects of the impeachment procedure and I want to speak on this matter in terms that the people of this great nation understand. I will speak about the real reasons why the Republicans want to impeach President Clinton. Mr. Speaker, a short time after Bill Clinton was elected, I began to see "Impeach Clinton" bumper stickers along certain parts of I–95. It dawned on me than that his Presidency was one that was going to come under attack regardless of whether or not it turned out to be a good one. Since that time the right wing has not given up on its desire to destroy his Presidency. Talk shows hosts quickly began to insult him and show a lack of respect for him and his office. It should be clear to anyone who has paid attention that the right wing has not gotten over the fact that the President has been elected and re-elected. And so here we are today in the middle of a right wing coup. It does not matter what they tell you here this weekend, the fact is that the majority party is trying to undo the last two elections. The Republican right-wing has not gotten over Bill Clinton's success as President. And so what we are seeing here today is an attempt to use the Constitution as a bully's weapon. You Republicans may have the votes to overthrow this President but you do have the support of the same American people who you always hold up as the people we, in the Congress, should listen to. You may have the votes but the American people will not let you get away with it. An investigation about a land deal called Whitewater came back to us as an impeachment having to do with the private life of the President. This investigation consisted of illegal tape recordings, one-sided testimony, and no provisions for the President to mount a proper defense. You knew that, but you still decided to release all of this information in order to build opinion against the President and set out to finally get him. But it backfired. The American people have not bought your bullying tactics. They have told you over and over again to leave this alone. Just because you have the majority of the votes you don't have the right to overthrow this President and abuse the powers you get from the Constitution. You think you are going to get away with this but it won't work. You are going to hear from the people in a way like never before. This is a mean, unfair thing you are doing and it will come back to haunt. In the meantime we will all have to try to undo the damage you have done to this nation in this Chamber here tonight.

Mr. GILMAN. Mr. Speaker, I share the outrage and disappointment expressed by my constituents and colleagues. The President's actions violated the trust we accord our Nation's leader.

Moreover, Mr. Speaker, several of our distinguished colleagues have contended, during the course of the debate in the Judiciary Committee, and then during this debate today, that this action has revolved solely around sex. That is not accurate. This debate is no more about sex than the Watergate debate was about a third-rate burglary.

The debate then, as now, is about the coverup efforts subsequent to the initial act: The perjury, the suborning of perjury, the obstruction of justice, and abuse of power. These are the grave issues we must consider, and we must judge as worthy of impeachment.

It is against that background that our decision whether or not to vote for impeachment must be taken.

This is a difficult decision for all of us, probably the most difficult of my career in the Congress. I thank my constituents who shared their views. I recognize that there has been a great deal of serious thought, and soul searching on both sides. I am deeply impressed, and grateful, by the sophistication and sincerity of the arguments my constituents have shared with me.

While I have been closely following the committee's proceedings, I have just recently had the opportunity to review the 400 page Judiciary Committee's report, to listen to floor debate, and the arguments by constitutional authorities. Most importantly, I have searched my own conscience, and weighed my 48 years of experience as an attorney, including my 35 years of public service in reaching my decision.

While none of us should minimize the gravity of the impeachment process, we must bear in mind that the House has no final word in determining if any official should or should not be removed from office. Under our Constitution that role is assigned to the other body. An impeachment vote in the House is equivalent under the law to an indictment. Essentially, our vote in the House is an accusation. Referral of this issue to the Senate is not removal, but merely a finding of probable cause to believe a removable offense may have occurred.

Having fully considered all of the facts before us, reluctantly, I have come to the conclusion that probable cause in fact exists. Accordingly, I shall be voting in favor of at least one article of impeachment.

There is little doubt that perjury has taken place. The President's defenders do not deny this, but have confined their argument to contending that such perjury, while regrettable, does not rise to the level of impeachment.

I respectfully disagree with that analysis. Perjury is a serious crime in all 50 States. In most States, perjury by an attorney leads to automatic disbarment. There have been eight Federal judges impeached on charges of perjury in this century. Today, over 100 Americans are imprisoned for the crime of perjury. The argument that perjury committed by our Commander in Chief, or perjury which deals with certain subjects, is somehow exempt from the law is disingenuous.

I have considered the allegation of the President's perjury in context, and have concluded, to my distress, that a pattern of obstruction has emerged. At no time did the President cooperate with the Special Prosecutor's office but in fact worked to delay, obstruct, and frustrate the work of the Special Prosecutor. This is in marked contrast with Presidents Reagan and Bush, who cooperated fully at all times with the Special Prosecutor appointed to investigate allegations against their administrations, despite the fact that it has been argued that the Special Prosecutor in those cases was less than impartial.

Along with the millions of Americans, I was distressed that the White House and its supporters adopted a strategy of attacking the motives and character of the Special Prosecutor rather than responding to the specific charges made by his office. This attitude persisted until nearly the end of the Judiciary Committee hearings and was, I believe, grossly inappropriate for an investigation of this gravity.

Some of our colleagues have also contended that a trial in the Senate will consume our Government for months. In fact, one of our colleagues stated that it would take up the better part of next year. Mr. Speaker this is not accurate. There is no reason whatsoever that action in the other body cannot be promptly and speedily concluded. Both the majority and minority on our Judiciary Committee have issued a final report. In fact, the only possibility that action will be dragged out is if the President desires to do so. It is hoped that the President and his advisors will opt not to do so, and will acquiesce in a prompt consideration and conclusion of this matter.

Let me make it clear that though I support the articles of impeachment by the House, I am not convinced that he should be removed from office. In fact, that decision can only be made after a fair trial in the other body. The Senate will have the opportunity to consider the penalty of censure.

Hopefully, Mr. Speaker, our action will send a message to all Americans and to the entire world that no one in our Nation can consider themselves above the rule of law, particularly our Nation's chief law enforcement official.

Mr. Speaker. I request that for my colleagues attention, an editorial by one of the leading dairy newspaper in my congressional district, "The Journal News", dated December 15, 1998, entitled "Impeachment Vote," Be inserted at this point in the RECORD.

[From the Journal News, White Plains, NY, Dec. 15, 1998]

IMPEACHMENT VOTE—HOUSE MUST VOTE TO SEND CLINTON'S FATE TO A TRIAL BEFORE THE U.S. SENATE

Impeaching President Clinton—putting him on trial in the Senate—is the only responsible course left to the House of Representatives.

The House should vote to impeach, not because the charges against the president have been proved, but because they remain serious and believable, and because a Senate trial becomes the last chance of ferreting out the truth.

The House Judiciary Committee did nothing to advance the case against President Clinton, other than to give independent counsel Kenneth Starr a forum to make a good case for his own findings. In choosing not to conduct an independent investigation of its own, the committee failed to grapple with the substance of the most serious charges: that the president lied under oath and coached other witnesses to do the same.

The committee's failure was a lost opportunity, to be sure. It did not make the decision by the full House any easier. The evidence against Clinton does not make the kind of open-and-shut case that had been made against Richard Nixon by the time his impeachment proceeding had reached this stage.

But if the case against Clinton was not clinched in the committee, it was not derailed either.

For one thing, the president's defenders did nothing to disprove or to lessen the seriousness of the charges. They also left substance largely untouched. Instead, they tried to impugn Starr's credibility and to belittle his accusations, even while conceding the truth of some of them.

More important, the Constitution does not equate the committee's inquiry to a trial of the president. Despite Democrats' arguments to the contrary, the committee's vote on articles of impeachment did not constitute a conviction, only a recommendation that the Senate conduct a trial leading to a finding of guilt or innocence. Yes, a more energetic inquiry would have been helpful toward that ultimate decision, but the disappointments of the committees' inquiry did not remove the need for that decision to be made.

The question of the president's fitness to hold office remains a disturbing and viable one, which the House must now pass to the Senate.

Many still hope to deflect the orderly process dictated by the Constitution. They would have Congress decide now on a meaningless nonexistent punishment—censure—rather than reach a decision on whether the president has committed wrongdoing sufficient to remove him from office. Clinton, to no one's surprise, has now publicly joined those clamoring for this nonconstitutional cop-out.

The Judiciary Committee's Republican majority was right to reject that option. The full House should also heed the words of committee Chairman Henry Hyde, that "a resolution or amendment proposing censure of the president in lieu of impeachment violates the rules of the House, threatens the separation of powers and fails to meet constitutional muster."

That means that Hyde, who would be instrumental in preparing the case to be brought against the president in the Senate, must be prepared to get to the core of this case, finally.

Clinton continues to insist that he did not lie under oath in denying certain details of Monica Lewinsky's descriptions of their sexual encounters. Hyde chose not to probe the credibility of those two key figures in his committee inquiry. He will have to do so before the 100 senators-turned-judges, who must not pre-judge and who will need more than assumptions and circumstantial evidence to make their own momentous decision.

Mr. WELDON of Florida. Mr. Speaker, colleagues, it is with great sadness that I rise to speak in support of this resolution. I would like to confine my remarks to the issue of judgment. Several speakers on the minority side have risen today and quoted the scripture "Judge not, that you be not judged."

It is very appropriate that our members should be quoting this verse. For it tells us that when we appear before the throne of God, God will judge us by the measure we have used to judge others here on earth.

Careful reading of the scripture, however, makes it quite clear that the message is not that we should never judge or exercise judgment. Indeed, in the same chapter of the Bible that my colleagues have been quoting, Jesus goes on to warn the people to exercise judgment and "not cast pearls before swine", and "to beware of false prophets."

Most scholars interpret this verse of scripture previously quoted about not judging to mean that we should not condemn others for their faults, and that we should forgive those who offend us.

However, it has never been proposed by any reasonable person that this verse of scripture asserts that we are to let criminals go free or that our law should not be upheld.

Bill Clinton is not being judged by the members here as much as he is being judged by the law itself. The preamble to the Constitution tells us that the Constitution was created for among other reasons to establish justice. To blithely forgive or ignore these offenses is to make a mockery of justice.

Our laws state that to lie under oath, to encourage others to provide false testimony, to conspire to conceal evidence, or otherwise impede or obstruct an investigation is a felony punishable by imprisonment.

Indeed, the committee took testimony from two individuals, one who actually went to jail, the other received house arrest for lying about sex before a grand jury.

Every year in America people go to jail for committing perjury. Our laws do not specify that consensual sex is a subject that it is OK to perjured yourself about.

When we think of the verse of scripture quoted, "Judge not and you will not be judged", I believe the important question we should be asking ourselves as members is how would we be voting on this resolution if Bill Clinton were a Republican.

To my Democratic colleagues on the, I ask would you still be clamoring for censure, or would you be calling for resignation of impeachment?

To my Republican colleagues, I ask a similar question: would you be calling for a "no" vote on this resolution or a motion of censure instead of impeachment?

Pollsters tell us that if you bother to include the question in your survey, the issue that the American people are most concerned about in our nation is the state of America's moral condition with up to 87 percent indicating that something is wrong.

The very essence of national morality and virtue is a citizenry that can exercise sound judgment. Sound judgment dictates that the President be impeached, and tried in the Senate. The only middle ground in this situation is acquittal in the Senate, not a meaningless unconstitutional motion of censure.

The Democrats wrote the statute creating the office of the independent counsel, and Janet Reno authorized the expansion of his investigation into the matters before us. The findings indicate felony offenses that could send the average American to jail.

President Clinton himself when he signed the reauthorization of the independent counsel act in 1993 issued a statement in which he said: "It ensures that no matter what party controls Congress or the executive branch, an independent, nonpartisan process will be in place to guarantee the integrity of public officials and ensure that no one is above the law."

To ensure that no one is above the law the resolution must be approved and sent to the Senate for trial.

STATEMENT BY PRESIDENT WILLIAM J. CLINTON UPON SIGNING S. 24

(30 Weekly Compilation of Presidential Documents 1383, July 4, 1994)

I am pleased to sign into law S. 24, the reauthorization of the Independent Counsel Act. This law, originally passed in 1978, is a foundation stone for the trust between the Government and our citizens. It ensures that no matter what party controls the Congress or the executive branch, an independent, nonpartisan process will be in place to guarantee the integrity of public officials and ensure that no one is above the law.

Regrettably, this statute was permitted to lapse when its reauthorization became mired

in a partisan dispute in the Congress. Opponents called it a tool of partisan attack against Republican Presidents and a waste of taxpayer funds. It was neither. In fact, the independent counsel statute has been in the past and is today a force for Government integrity and public confidence.

This new statute enables the great work of Government to go forward—the work of reforming the Nation's health care system, freeing our streets from the grip of crime, restoring investment in the people who make our economy more productive, and the hard work of guaranteeing this Nation's security—with the trust of its citizens assured.

It is my hope that both political parties would stand behind those great objectives. This is a good bill that I sign into law today—good for the American people and good for their confidence in our democracy.

WILLIAM J. CLINTON

The White House,
June 30, 1994.

Mr. YOUNG of Florida. Mr. Speaker, as one of 23 members of this House who served in the 93rd Congress, the last time the House was presented with articles of impeachment against a President of the United States, I know there is no joy on either side of this issue. There certainly will be no joy, whatever the final outcome, when the House completes its deliberations.

It is never a pleasant situation to sit in judgement of another person, but that is our Constitutional responsibility when it comes to the President. Each of us took an oath of office to "support and defend the Constitution of the United States" and "to faithfully discharge the duties of the office." Therefore, we are obligated to debate and consider the four articles of impeachment before us today as reported by the Judiciary Committee.

Likewise, President Clinton took an oath of office to "faithfully execute the office of the President of the United States" and "to the best of my ability, preserve, protect and defend the Constitution of the United States."

With allegations and charges as serious as those that have been made against President Clinton, it is obvious that they cannot be overlooked. Even my Democratic colleagues are demanding a resolution of condemnation. Clearly we must do something and the Constitution tells us that is to follow the procedure established by the Constitution to consider articles of impeachment.

If we fail to follow proper procedure, future generations of Americans may see our lack of resolve as a precedent that in some way excuses or overlooks serious lapses of public trust or criminal acts committed by future Presidents. This lack of resolve could tempt future Presidents to bend or violate the rules of law.

Some of our colleagues suggest that the House consider a resolution to censure the President, saying that impeachment is too severe an action. The problem with censuring a President is that it becomes a precedent that could be used anytime a majority of the members disagree with any actions of a President. Those actions might simply be a political difference of opinion, not something related to the law or to a President's conduct.

This would move our relationship between the legislative and executives branches more towards that of Parliament, where votes of confidence are in order that can lead to a dissolution of the government. That was not the intent of the authors of our Constitution and as our colleague HENRY HYDE, the chairman of the Judiciary Committee has said, threatens the separation of powers that is the cornerstone of our government as provided for by the Constitution.

Mr. Speaker, the United States has been the target of many enemies over the past 222 years of our nation's history. Those enemies have attempted to destroy our nation with force and ultimately our system of government. Every attempt, though, has failed and the Constitution remains the standard by which all other forms of government are measured.

The single greatest threat to the Constitution may come from within our nation, from those who might one day fail to uphold the Constitution that we have sworn to protect. Such a failure would undermine the very basis for our government, rendering it to be nothing more than mere words on a piece of parchment. In other words, the best way to preserve and protect our Constitution is to abide by it.

The debate today is as much about the erosion of this trust that has been placed in each of us as it is about the trust of the American people that a single President has betrayed.

Mr. Speaker, Congress cannot allow truth, justice and the rule of law to be sacrificed on the altar of political expedience. When future generations review our actions today, they will not be as concerned with the actions of this President as they are with the actions of this House to uphold the Constitution and ensure it remains the world pillar of freedom, liberty, and democracy.

Mr. BATEMAN. Mr. Speaker, I agree with those who believe that the House of Representatives has no constitutional authority to censure or reprimand a President in the course of deliberations with respect to the issue of impeachment of that President.

In my view, we could pass a resolution respecting the Sense of the House—or in a Joint Resolution the Sense of the Congress—if the judiciary Committee had not by its report, presented us with a transcendent and unavoidable responsibility to lay to rest the question of whether or not Articles of Impeachment should be approved or disapproved.

Many of us might wish that we did not have to meet that issue and that the duty we have could go away. But it will not because duty cannot go away or be put aside.

The question before us is compound. It is whether there is clear and convincing evidence that the President has engaged in conduct that constitutes in the terms of our Constitution "high crimes and misdemeanors." Under the Rules of the House, and in the discharge of the constitutional duty now imposed upon us, we must first determine that issue, and that issue only. If we determine that the President should be impeached, the constitutional responsibility of the Senate comes to bear because we have concluded there is clear and convincing evidence that the President has committed high crimes and misdemeanors, and the Senate should proceed on the proper constitutional course of action.

While this issue is unavoidably before us, we cannot by our Rules or our duty divert our attention to the issue of should the President be censured, and if so for what, and whether or not by his agreement or otherwise some penalty should be expected. This is a diversion, a distraction, and an evasion. We are not presented with this luxury.

If at some point in time we in this body, having approved an Article or Articles of Impeachment, and the Senate thereafter determines that the President should not be removed and offers instead a Resolution of Censure, we in the House can and should take it up. Then we could do so for there would no longer be pending before us the solemn and inescapable duty to determine without diversion, distraction, or evasion, the question that now looms before us.

Before we charge the Judiciary Committee to proceed with an inquiry as to whether the President had committed impeachable offenses, we could have acted on a resolution to voice our displeasure with conduct of the President as a sense of Congress. No one, I repeat no one, now clamoring for censure chose to do so then and I don't think that fact is without significance.

With distraction, diversion, or evasion we must face our solemn oath-bound duty to resolve the question we cannot evade: is there clear and convincing evidence that the President is guilty of the commission of "high crimes and misdemeanors" which are grounds for impeachment? Until we perform this duty, our Rules and duty dictate that any action to censure the President be put aside.

Mr. WICKER. Mr. Speaker, impeachment is a profound and complex process. In recent weeks, we have heard constitutional experts and historians testify about the standard for an impeachable offense. Debate has ranged from the finest points of law to the loftiest intentions of our founding fathers.

For decades and even centuries to come, learned scholars will pore over every word of these proceedings to discern their meaning and to analyze the precedents and implications of our actions today. For me, However, it comes down to one simple principle—this Nation must uphold the rule of law.

Standing for the rule of law includes recognizing:

That the Nation's chief law enforcement officer cannot commit perjury and remain in office.

That the commander-in-chief of our armed forces should not be held to a lower standard than are his subordinates.

That even the most ordinary and humble citizens are entitled to their day in court, and they are entitled to expect sworn testimony in that court to be truthful—even testimony from the President of the United States.

That felonious criminal conduct by the President of the United States cannot be tolerated.

The rule of law is more important than the tenure in office of any elected official.

Even some of his most vocal defenders do not deny that this President repeatedly lied under oath. I am convinced he also obstructed justice and abused his office. He has violated his solemn oath and squandered the trust the American people placed in him.

During John Adams' second night in the White House, he wrote, "I pray heaven to bestow the best blessings on this House and on

all that shall hereafter inhabit it. May none but honest and wise men ever rule this roof."

Mr. Speaker, it is with great regret that I conclude the current occupant of the White House has utterly failed to live up to this standard and that his commission of felony crimes constitutes grounds for impeachment.

I reach this conclusion with no malice toward the President, but with resolve and confidence that this action preserves the principles which are the foundation of our constitution.

I cast my vote for impeachment to protect the long-term National interest of the United States to affirm the importance of truth and honesty, and to uphold the rule of law.

Mr. RODRIGUEZ. Mr. Speaker, as we speak hundreds of our fine young men and women from our bases in San Antonio and across this nation are en route to he Persian Gulf to defend our nations's national interests.

How can we assemble here today to debate impeachment at this time? How dare we undermine the authority of the President while our brave soldiers, sailors, airmen and marines are in harm's way?

Today is a sad day for this country and this House of Representatives.

Like many Americans, I cannot believe that this is happening, that we are in fact here debating whether to impeach our president for lying about a personal matter.

The debate is not whether President Clinton committed wrongdoing; he has admitted as much.

The question is whether the Congress should exercise its constitutional authority to overturn two popular, democratic elections. * * * whether we should set in motion the process of removing the President for "high crimes and misdemeanors."

However much we may dislike what the President has done, his action were private; they had nothing to do with his role as President.

Indeed, the Supreme Court, in ruling that the civil litigation against the President could continue, reasoned that he should be treated like any other private citizen.

What the President did was not a high crime or misdemeanor.

None of his actions created a constitutional crises, they did not threaten the separation of powers, nor did they represent a corruption of the political process.

Those on the other side of the aisle say this is not about sex, but it is all about sex. That is the context of the allegations; that is the subject of the alleged perjury.

It makes all the difference in the world.

Indeed, it seems to me and many others that this debate is merely the culmination of any effort that began when President Clinton took office—to undermine his authority as President and to saddle him with the baggage of constant investigation and insinuation.

Those who have pursued the President have turned justice on its head. We have been investigating the person, not the crime.

The House's actions today undermine the Constitution; they undermine the balance of power that has protected us for more than 200 years.

Those who are so fervent in seeking to get the President have lost perspective. Not all crimes or misdeeds deserve impeachment.

We must distinguish between those actions which threaten our constitutional system of government and other acts of wrongdoing.

Our Founding Fathers chose the words—high crimes and misdemeanors—carefully and after long debate. They did not want the president impeached for any crimes, only high crimes.

They did not want the Congress to have the authority to impeach the president for personal defects and shortcomings or even for horribly inappropriate personal conduct. And they certainly did not want him impeached for partisan gain.

High crimes are those that impact the functioning of the republic, like treason or bribery. Lying, or even perjury, about a personal affair, simply does not rise to the level of a high crime as envisioned in the Constitution. His conduct, wrong as it was, did not put the nation in danger nor did it corrupt the political process.

Just because it does not amount to a high crime does not mean that it is right—only that it does not meet the high threshold set forth by our Founding Fathers in the Constitution for impeachment. And that is the question before us.

Many have argued that the President should not be above the law; he's not. He has been sued and investigated for 6 years. He has been pursued and chased. And he will be subject to legal action after the leaves office.

Our Presidents are not perfect individuals. There will always be some fault we can find, and if we proceed with impeaching this president, we will have opened the door in the future to the disruption of our political system and the balance of power.

Mr. KENNEDY of Rhode Island. Mr. Speaker, we have no right to stand here and debate the rule of law if we cannot even extend to the President of the United States the same due process as is required for even the vilest criminal. The majority has replaced the notion of due process with the notion that if you just say something enough times, it becomes true.

Whether or not the President did what he was accused of, this process is the legacy we leave to our children, and to impeach the President without allowing him due process does far more damage to our democracy than any act one man may, or may not, have committed. The golden spike in the transcontinental railroading of this President is that the majority will not allow us to even vote on censure.

Four hundred historians said that the presidency will be permanently disfigured and diminished by today's vote. Over two hundred Constitutional scholars echoed the sentiment that these offenses, even if proven true, do not rise to the level of impeachment. And two thirds of the American people are saying the same thing: don't impeach.

You say that you are adhering to Constitutional process. But if you talk the Constitutional talk you better walk the Constitutional walk.

I don't want to hear, although I suspect I will, you say that in order for us to get out of this crises "the President must resign." If you do, you will short circuit the Constitutional process that you stand here today advocating for. I want to get your word today that you will not do that and that you will take responsibility, for what you are beginning today by bringing this country's government to a halt?

Today we will be remembered for an impeachment when the punishment clearly does not fit the 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 when it suits the purpose of one political party.

And everyone will know how we got there because you, the Republican majority, did not allow this democratic institution to work its will on a motion to censure and end this national nightmare.

When you are finished doing this, don't come to the American public and say the President should resign and get us out of the Constitutional crisis. You got into it when you refused a censure motion as alternative to this constitutional crisis.

Mr. SPENCE. Mr. Speaker, I rise to address the matter before the House regarding the four Articles of Impeachment that have been reported by the Committee on the Judiciary. This is a situation that demands our most careful consideration and devotion to duty as Members of Congress. It is a matter that is not to be taken lightly. Each Member of this body must reason individually to reach the determination that must be made in order to fulfill our Constitutional responsibilities in the impeachment procedure. This is a process that should not be partisan, as it should be based on the application of the rule of law.

I believe that all of us recognize the seriousness of President Clinton being charged with violations against the Constitution. Much time and effort have been devoted to investigating and reviewing the actions on which this Resolution is based. I have followed the hearings of the Committee on the Judiciary concerning this matter with great interest and I am in agreement with the Resolution (H. Res. 611) that has been submitted by Chairman HYDE. H. Res. 611 outlines four Articles as the basis for impeachment, which I shall summarize:

Article I—President Clinton willfully provided perjurious, false and misleading testimony to a Federal Grand Jury. I agree.

Article II—President Clinton willfully corrupted and manipulated the judicial process, in that, he willfully provided perjurious, false and misleading testimony in resonse to written questions seeking information in a Federal civil rights action, which was brought against him, as well as in a deposition in that action. I agree.

Article III—President Clinton prevented, obstructed and impeded the administration of justice through a course of conduct or scheme in a series of events between December 1997 and January 1998. I agree.

Article IV—President Clinton has engaged in conduct that resulted in misuse and abuse of his high office, impaired the due and proper administration of justice and the conduct of lawful inquiries, and contravened the authority of the Legislative Branch, in that he refused and failed to respond to written requests for admission, as well as willfully made perjurious,

false and misleading sworn statements in response to certain written requests for admission that were propounded as part of the impeachment inquiry that was authorized by the House. I agree.

It is clear to me that convincing evidence has been presented in regard to each of the four Articles that have been reported by the Committee on the Judiciary. Accordingly, I support the Articles as stated in H. Res. 611.

Mr. Speaker, I would also like to address the assertion that I have heard today that the consideration by the Congress of the impeachment of President Clinton, who is the Commander in Chief of our Armed Forces, would have a demoralizing effect on our men and women in uniform, especially while our Nation is engaged in military operations against Iraq. I can speak from experience, based on numerous conversations with Americans from all walks of life, who are now serving or who have previously served in our Nation's military, that such a charge has no merit. In this regard, I would like to submit the following article by Major Daniel J. Rabil, of the United States Marine Corps Reserve:

[From the Washington Times, Nov. 9, 1998]

PLEASE, IMPEACH MY COMMANDER IN CHIEF

(By Daniel J. Rabil)

The American military is subject to civilian control, and we deeply believe in that principle. We also believe, as affirmed in the Nuremberg Trials, that servicemen are not bound to obey illegal orders. But what about orders given by a known criminal? Should we trust in the integrity of directives given by a president who violates the same basic oath we take? Should we be asked to follow a morally defective leader with a demonstrated disregard for his troops? The answer is no, for implicit in the voluntary oath that all servicemen take is the promise that they will receive honorable civilian leadership. Bill Clinton has violated that covenant. it is therefore Congress' duty to remove him from office.

I do not claim to speak for all service members, but certainly Bill Clinton has never been the military's favorite president. Long before the Starr report, there was plenty of anecdotal evidence of this administration's contempt for the armed forces. Yes, Mr. Clinton was a lying draft dodger, yes his staffers have been anti-military, and yes, he breezily ruins the careers of senior officers who speak up or say politically incorrect things. Meanwhile, servicemen are now in jail for sex crimes less egregious than those Paula Jones and Kathleen Wiley say Mr. Clinton committed.

Mr. Clinton and his supporters do not care in the least about the health of our armed forces. Hateful of a traditional military culture they never deigned to study, Mr. Clinton's disingenuous feminist, homosexual and racial activist friends regard the services as mere political props, useful only for showcasing petty identity group grievances. It is no coincidence that the media has played up one military scandal after another during the Clinton years. This politically-driven shift of focus, from the military mission to the therapeutic wants of fringe groups, has taken its toll: Partly because of Mr. Clinton's impossibly Orwellian directives, Chief of Naval Operations Jay Boorda committed suicide.

So Clinton has weakened the services and fostered a corrosive anti-military culture. This may be loathsome, but it is not impeachable, particularly if an attentive Congress can limit the extent of Clinton-induced damage. As officers and gentlemen, we have therefore continued to march, pretending to respect our hypocrite-in-chief.

Then came the Paula Jones perjury and the ensuing Starr Report. I have always known that Clinton was integrity-impaired, but I never thought even he could be so depraved, so contemptuous, as to conduct military affairs as was described in the special prosecutor's report to Congress. In that report, we learn of a telephone conversation between Mr. Clinton and a congressman in which the two men discussed our Bosnian deployment. During that telephone discussion, the Commander-in-Chief's pants were unzipped, and Monica Lewinsky was busy saving him the cost of a prostitute. This is the president of the United States of America? Should soldiers not feel belittled and worried by this? We deserve better.

When Ronald Reagan's ill-fated Beirut mission led to the careless loss of 241 Marines in a single bombing, few questioned his love of country and his overriding concern for American interests. But should Mr. Clinton lead us into military conflict, he would do so, incredibly, without any such trust. After the recent American missile attacks in Afghanistan and Sudan, my instant reaction was outrage, for I instinctively presumed that Mr. Clinton was trying to knock Miss Lewinsky's concurrent grand jury testimony out of the head-lines. The alternative that this president—who ignores national security interests, who appeases Iraq and North Korea, and who fights like a leftover Soviet the idea of an American missile defense—actually believed in the need for immediate military strikes, was simply implausible. And no amount of scripted finger wagging, lip biting, or mention of The Children by this highly skilled perjurer can convince me otherwise.

In other words, Mr. Clinton has demonstrated that he will risk war, terrorist attacks, and our lives just to save his dysfunctional administration. What might his motives be in some future conflict? Blackmail? Cheap political payoffs? Or—dare I say it—simply the lazy blundering of an instinctively anti-American man? It is immoral to impose such untrustworthy leadership on a fighting force.

It will no doubt be considered extreme to raise the question of whether this president is a national security risk, but I must. I do not believe presidential candidates should be required to undergo background investigations, as is normal for service members. I do know, however, that Bill Clinton would not pass such a screening. Recently, I received a phone call from a military investigator, who asked me a variety of character-related questions about a fellow Marine reservist. The Marine, who is also a friend, needed to update his top-secret clearance. Afterward, I called him. We marveled how lowly reservists like us must pass complete background checks before routine deployments, yet the guardian of our nation's nuclear button would raise a huge red flag on any such security report. We joked that my friend's security clearance would have been permanently canceled if I had said to the investigator, "well, Rick spent the Vietnam years smoking pot and leading protests against his country in Britain. His hobbies are lying and adultery. His brother's a cocaine dealer, and oh, yeah—he visited the Soviet Union for unknown reasons while his countrymen were getting killed in Vietnam."

Do I show disrespect for this president? Perhaps it depends on the meaning of the word "this." If Clinton were merely a spoiled leftist taking advantage of our free society, a la Jane Fonda, that would be one thing. But you don't make an atheist pope, and you don't keep a corrupt security risk as commander-in-chief.

The enduring goodness of the American military character over the past two centuries does not automatically derive from our nation's nutritional habits or from a good job benefits package. This character must be developed and supported, or it will die. Already we are seeing declining enlistment and a 1970s-style disdain for military service, squandering the real progress made during the purposeful 1980s. Our military's heart and soul can survive lean budgets, but they cannot long survive in an America that would tolerate such a character as now occupies the Oval Office. We are entitled to a leader who at least respects us—not one who cannot be bothered to remove his penis from a subordinate's mouth long enough to discuss our deployment to a combat zone. To subject our services to such debased leadership is nothing less than the collective spit of the entire nation upon our faces.

Bill Clinton has always been a moral coward. He has always had contempt for the American military. He has always had a questionable security background. Since taking office, he has ignored defense issues, except as serves the destructive goals of his extremist supporters. His behavior with Paula Jones and Kathleen Willey was bizarre and deranged—try keeping a straight face while watching mandated Navy sexual harassment videos, knowing that the president's own conduct violates historic service rules to the point of absurdity.

For a while, it was almost possible to laugh off Mr. Clinton's hedonistic, "college protester" values. But now that we have clear evidence that he perjured himself and corrupted others to cover up his lies, Bill Clinton is no longer funny. He is dangerous.

Willim J. Clinton, perhaps the most selfish man ever to disgrace our presidency, will not resign. I therefore risk my commission, as our generals will not, to urge this of Congress: Remove this stain from our White House. Banish him from further office. For God's sake, do your duty.

Mr. HULSHOF. Mr. Speaker, many commentators have likened this debate we are having today to the deliberations of a sentencing jury in a death penalty case. Indeed, the political life of a sitting President is hanging in the balance. I certainly understand the magnitude of that comparison and take this matter no less seriously than those many criminal cases in which I sought the death penalty as a prosecutor.

If the President in his private conduct simply committed adultery, then that matter is best reserved to his family. If, on the other hand, the President of the United States committed perjury or other illegal acts then that matter is necessarily reserved to this Congress.

The private failings of a public man deserve neither debate nor reprimand by this body. However, 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 employed every conceivable means available—including perjury and obstruction—to defeat the legal rights of a citizen who claimed she had been wronged and sought redress from our justice system.

How then did the President's private indignities become indignities against the Constitution by which we are governed? The facts are these:

In May 1994, Paula Corbin Jones filed a federal civil rights lawsuit against William Jefferson Clinton in the United States District Court in Arkansas. The legal action arose out of an incident alleged to have occurred while Ms. Jones was a state employee.

In his own defense, the President claimed that any such lawsuit must be deferred until his term of office ended. The parties litigated this question before the highest court of the land. The United States Supreme Court unanimously decided that Ms. Jones was entitled to due process and equal protection of the law no matter who the defendant in her sexual harassment lawsuit.

The Court rightly determined that no man is above the law. No single individual citizen can determine the merits of another's case, save those clothed with the constitutional power of judicial discretion.

In that vein, a federal district judge repeatedly rejected the President's objections to inquiries regarding his relationships with women in the workplace. The court, relying on judicial precedent in sexual harassment cases, deemed those questions relevant and crucial to Ms. Jones' case.

The President under penalty of perjury was required to give truthful testimony during all court proceedings. He failed. He bore false witness under oath. He conspired with others to conceal evidence. He tapered with witnesses and encouraged the adoption of his untruthful version of events.

Ms. Jones' rights to due process were violated. That result is bad enough in itself, but I believe it reaches constitutional proportions when the denial of civil rights is directed by the President of the United States.

What we say here will be but paragraphs or footnotes in the pages of books of history written by those yet to come. What we do here will be indelibly imprinted on America's spirit.

Let not this House grant a pardon for this President's criminal offenses.

Let not history look back at this debate and declare there on that date, America surrendered the rule of law.

There can be no presidential privilege to lie under oath.

Regrettably, my solemn oath of office, my sacred honor, requires from me a vote of aye on the resolution.

Mr. LAMPSON. Mr. Speaker, this morning I began writing a letter to my daughters and my future grandchildren and great-grandchildren to describe my feelings on this sad, yet historic day.

I wrote my daughters that I have listened to my colleagues talk about truth, wrongdoing, punishment, and respect. And I want to say to my colleagues that no one denies that the truth matters.

No one denies there was wrongdoing, and no one denies that the American people deserve the respect of this great House of Representatives.

And so I ask, please don't deny an alternative to impeachment.

I continue to be overwhelmed by the fact that this Congress and, as a result, the American people, are being denied the right to vote on a disciplinary action that would unify our country at this critical time—this action is censure.

The American people support censure.

Censure, is not only constitutional, it is fair and right for our country.

So, to my colleagues in the majority, I implore you in the interest of fairness to take the step that will stop this downward spiral of bitterness and rancor that currently controls Capitol Hill. As our country continues to polarize, I pray that we, as a Congress, have not lost our ability to seek common ground. For if we have, it will affect our ability to solve problems for decades to come.

Mr. Speaker, you have the power to unite the majority of this country by allowing a vote on censure. I challenge you to seize this opportunity to bring our country back from potentially devastating consequences.

In that letter, I'd like to tell my children, so that they can tell their children, that this body came to it's senses and put aside partisanship in favor of statesmanship. Let the 105th Congress be remembered for allowing the will of the American people to be heard through a vote on censure.

It is the only fair thing to do.

Mr. KLUG. Mr. Speaker, this is the last vote of my career. My first vote was just as personally troubling.

Just days after being sworn in, I voted to authorize the use of force in Operation Desert Storm.

In a bizarre twist for me, today we'll vote on impeachment while U.S. troops are again at war in Iraq.

Today the loop closes.

In part because of American reaction to the fighting in the gulf, I have decided to support the impeachment of Bill Clinton.

Let me elaborate.

First, I am convinced the President lied to a federal grand jury.

The President's defenders say his lies in the Paula Jones case were an understandable reaction. He panicked when confronted with a series of questions that threatened to expose his relationship with Monica Lewinsky.

But that does not explain why he lied seven months later in front of a federal grand jury.

No surprise questions here. His attorneys were with him. He had more than a half year to consider his answers. And he knew committing perjury in this setting could lead to impeachment.

I have struggled for weeks with my feelings toward Bill Clinton versus my concerns about the future of the Presidency itself.

What impact will this vote have twenty years from now?

I worry we're about to trigger a never-ending round of impeachment investigations. A decade ago the independent counsel statute seemed to make sense.

Today every cabinet member seems to be assigned their own independent counsel the day they're sworn into office.

But in the end let me say, I have come to the conclusion that even more important is that we send a very strong message to future presidents that no one is above the law.

If we allow the President to escape an impeachment trial in the Senate, we set a dangerous precedent where every president will have a built in defense for perjury or obstruction of justice.

Perjury is a particularly dangerous crime. Federal sentencing guidelines demonstrates that defendants convicted of perjury face jail time similar to those convicted of bribery.

Perjury undermines the rule of law. And in this case, perjury has also undermined the President's moral authority.

Most Americans deservedly questioned the timing of the attack on Iraq. From airport terminals in Madison to Washington restaurants, everywhere I've been people have wondered out loud about why this week for the attack. Why hours before the impeachment vote?

Americans instinctively rally around the President when men and women are in combat.

Because of the President's conduct in this case, our national impulse is now cynicism and skepticism.

Now I think the President's hand was forced by Suddam Hussein.

But if an American soldier was killed today, don't you think his family would always wonder why? Wonder why this week?

And the skepticism is not only heard in America but among our allies. And among our enemies in the world.

Perjury has consequences tonight. In the President's case everywhere around the world. Impeachment is the painful, but correct choice.

Mr. DAVIS of Florida. Mr. Speaker, first, I would add my voice to those of other Members who have expressed how deeply disappointed and saddened they are with the President's reprehensible conduct. He has disgraced himself and the office of the Presidency. Not only was his personal misconduct immoral, but I further believe his actions to cover up that personal behavior both publicly and in legal proceedings were wrong, significantly worsened the situation, and must be punished. I have no doubt that the President was deceitful, misleading, and in fact crossed the line between legal hairsplitting and lying. The question we face today is whether the President's wrongdoings warrant the ultimate constitutional remedy of impeachment and removal from office.

Our founding fathers were clear that impeachment should not be used as a form of punishment. As summarized by the 1974 Staff Report for the Committee on the Judiciary, "The purpose of impeachment is not personal punishment; its function is primarily to maintain constitutional government." Ultimately at stake are the collective rights of the public who elected this President, not the personal right of William Jefferson Clinton to continue to serve as President. For that reason, the removal of a sitting President from office should be reserved only for conduct so egregious as to threaten our system of government.

Referring again to the report of the 1974 Committee, impeachment is warranted only to address misconduct which is "seriously incompatible with either the Constitutional form and principles of our government or the proper performance of the Constitutional duties of the Presidential office." In short, removing the President from office is a drastic remedy to be used only when the survival of our Constitutional form of government is at stake. In the

case presented in the referral by the Office of Independent Counsel and the Judiciary Committee's majority staff, I do not believe that the President used the power of the presidency to engage in his misconduct and I do not believe any of his actions threatened the nation.

While I do not agree with those who claim private actions can never warrant impeachment, I do believe that private misconduct must also rise to a level of severity which undermines the individual's ability to further discharge his or her duties as President of the United States. Even though I have concluded that the President has lied and deceived many with respect to his extramarital affair, I believe that as an individual Member of Congress, I still will be able to work with this President on the issues of importance to my constituents. I believe, as do most Americans, that the President still has the ability to govern. Since his conduct did not threaten the nation or undermine his ability to carry out his Presidential duties, I have decided to oppose impeachment.

If impeachment is to be viewed as a way to save the country from the abuse or violation of the public trust, we must weigh the risks of action and inaction and the consequences of both for our country. The principal argument of those in favor of impeachment is that the President's actions, if left unaddressed, would undermine our rule of law. I agree that no individual, including the President of the United States, is above the law. Did the President lie? Yes, I believe he did. Did the President commit criminal perjury? That is a legal conclusion to be decided by a criminal court—a court which ultimately may find perjury in this case. However, impeachment should not be used in this instance simply to punish perjury. Instead, I believe holding the President accountable for his actions in a criminal court of law is the best way we can uphold the rule of law in our country. The President, upon leaving office, can and should be subject to criminal prosecution.

Just as important to me are the consequences, for our country and future generations, of impeaching the President. I am gravely concerned that significantly lowering the standard for impeachment will lead to an increase in the frequency of impeachments, or at the very least the threat of impeachments, in the future. Our founding fathers, whose wisdom becomes clearer with each passing day, designed a means for removing the President which would be used in rare and extreme instances. If we are prepared to impeach the President for his efforts in this specific instance to hide this tawdry affair, I believe impeachment will become simply another weapon in the arsenal of partisan politics. This undoubtedly would have the effect of weakening the separation of powers that has made our national government so successful and enduring.

From the onset, the trauma of this scandal has touched everyone involved. The President bringing immense disgrace upon his office, has justifiably suffered both public and private humiliation. Congress has been forced to spend months debating these allegations rather than addressing the challenges facing our country and the American public has been bombarded with the lewd and salacious details of the President's misconduct in newspapers, television broadcasts, and the Internet. The impeachment proceedings have been extremely partisan and have, in large part, only worsened the underlying harm to the country initially caused by the President's misconduct. that is why I join with those, including esteemed statesmen such as former President Ford and Senate Majority Leader Dole, who believe, rather than removing the President from office, a formal rebuke in a sharply worded censure resolution is be the best solution for this Constitutional dilemma.

While I long ago gave up hope that something good could come out of this process, I believe a censure resolution is the most appropriate conclusion for the Congress and the country. The President will live forever with the political consequences of his actions and should face the criminal consequences upon leaving office. My decision to support censure in an effort to punish the President without further punishing the presidency or the country.

Mr. TOWNS. Mr. Speaker, colleagues on both side of the aisle, today I rise in opposition to the Articles of Impeachment that have been forwarded to the House of Representatives by the Judiciary Committee. My opposition to these articles of impeachment do not constitute a minority view. My opposition reflects the overwhelming sentiment of the constituents in the 10th Congressional District, the overwhelming sentiment of the people in New York City, the overwhelming sentiment of the people in New York State and the overwhelming view of the American people. It represents the view of 400 of the leading historians and 430 of the leading constitutional experts in this nation.

My objections to the Articles of Impeachment are based on the partisan misinterpretation of the facts and the law. None of the articles of impeachment contain facts that remotely constitute a basis for criminal conduct. Article I alleges that the President committed perjury before the grand jury by providing "perjurious, false and misleading testimony." Yet the Judiciary Committee failed to outline one perjurious statement which the President allegedly made. Article II alleges that the President provided "perjurious, false and misleading testimony" in the Paula Jones lawsuit. Yet the committee failed to acknowledge that this lawsuit was subsequently dismissed by a federal judge for having no legal merit whatsoever. Did the framers of the constitution intend that we impeach a sitting President for giving misleading testimony in a meritless lawsuit? Article III alleges that the President obstructed justice by persuading Ms. Lewinsky, Vernon Jordan, and Betty Currie to carry out various illegal acts on his behalf. The committee failed to acknowledge that Ms. Lewinsky, Vernon Jordan, and Betty Currie all testified that the President never encouraged them to perform * * * respond to written interrogatories prepared by the Judiciary Committee. Since the president responded, in exhaustive detail, to all 81 interrogatories, it is difficult to understand how his responses could be characterized as a refusal or failure to respond.

But even if the Judiciary Committee were to establish that the president of the United States committed perjury in the civil deposition and before the grand jury, this would not constitute impeachable offenses as defined in the constitution. The impeachment of the President of the United States is perhaps the most awesome, solemn and formidable task that we will ever confront in our Congressional careers. It ought not to be based on contrived legal arguments or on narrow partisan interest. It is an extraordinary remedy that has been used only once in the constitutional history of this nation. Article II, Section IV of the constitution makes it clear that the extraordinary remedy of impeachment was to be sparingly used and restricted to "treason, bribery, and other high crimes and misdemeanors." During the constitutional debates, it became clear that purpose of impeachment was not to redress personal wrongdoing or private criminal conduct, but only to redress attempts to subvert the constitution or the "system of government."

It is transparently clear that these articles of impeachment do not involve private criminal conduct. It is also clear that they do not constitute an attempt to subvert the constitution or to overthrow the system of government. That is why 100 percent of the Democrats on the Judiciary Committee, 90 percent of my constituents, 61 percent of the American people, and the vast preponderance of the historians and constitutional experts in this nation oppose impeachment. If there is one thing that the impeachment debate reflects, it is the perils of "divided government." The tradition of electing a Democratic president and a Republican Congress has led to legislative paralysis and the weakening of the institution of the presidency. The Republicans on the Judiciary Committee are driving a runaway train that is leading this nation inexorably down a dark tunnel of impending national catastrophe. The American people will not easily forget this egregious abuse of power and will write their own Articles of Impeachment against the Republican majority in the next congressional elections in the year 2000.

Mr. FRELINGHUYSEN. Mr. Speaker, I have a low tolerance for people who don't tell the truth, most especially elected officials who take an oath of office to uphold the Constitution. Perjury, witness tampering, obstruction of justice and abuse of power are serious charges. To my mind, Congress has followed the process given to us under the Constitution to consider and deliberate these charges against President Clinton.

It has been a painful process. I have shared with many constituents in New Jersey's 11th District, my personal resentment that Bill Clinton's actions have forced the Congress, and our entire country, to go through this ordeal for now, almost a year.

Before us is a most difficult decision for each and every one of the 435 Members who has the honor to serve in this House. For all the editorial opinions and pundits, for all the legal opinions and political pressure, we now have to cast perhaps the toughest and most important vote we will ever be asked to cast.

Allow me to share an excerpt of a letter I wrote to my teenage daughter in October:

Now that Congress will begin its own deliberations on the charges against the President, I have to put aside my personal views and evaluate the report and all documents in a fair manner. I do not have the luxury of

staying on the sidelines as these matters are discussed. Public opinion polls and mail are helpful, but a Member of Congress must decide for himself or herself without merely putting a finger up to test the wind.

And the truth will guide my decision as Congress decides what is the right thing to do in response to the President's actions. How I wish he had told the truth at the start of this controversy because chances are the nation would not be in this mess. Consequently, the President has no one to blame but himself. Like the oath he took to protect our Constitution when he became our President, in court he took an oath to tell the truth.

Mr. Speaker, we have before us the evidence as presented by the Independent Counsel, the legal defense presented by the President, and the full proceedings and recommendations of the House Judiciary Committee, as well as the thoughts of so many constituents who feel strongly that their views should be reflected in the votes we cast.

Having reviewed so much of the evidence, I believe it is now clear that the President 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's trust.

I will, therefore, vote in favor of impeachment.

While I know that some will disagree, and strongly so, with my decision, I have reached this decision after much thought, deliberation and soul searching. When this sad chapter in our history is closed, I will have voted the way I did because, as I have shared with my daughter, the truth still matters and always will. And finally, that a vote of conscience is always the right vote.

Mr. BEREUTER. Mr. Speaker, this Member commends to his colleagues an excellent editorial which appeared in the Omaha World-Herald, on December 13, 1998.

[From the Omaha World-Herald, Dec. 13, 1998]

ON THE IMPEACHMENT VOTE

President William Jefferson Clinton stood Friday in the Rose Garden of the White House, which is his residence, to be sure, but which is also the symbol of American self-government and of all that is good about this great nation. Finally dropping all his past poses, Clinton said he was profoundly sorry for all he had done wrong "in words and deeds."

He said he was ready to accept Congress' rebuke and censure if the American people and their representatives concluded that his mistakes required it. He said nothing Congress could do would compare to the agony of knowing he was responsible for causing great pain for his family.

His remarks sounded sincere. They didn't appear to have been prepared by word-parsing lawyers. It was easy to feel sorry for the president. He was an almost pitiful figure, at age 52 a victim of his uncontrollable libido and a team of attorneys who appeared to coach him how to thwart the judicial system without crossing the line into perjury.

Yet the president still could not bring himself to say the words the Republicans on the House Judiciary Committee longed to hear—"I lied." He said he "misled." He talked of his "wrongful conduct."

In a moment of remarkable irony, the president of the United States—without acknowledging the source and maybe not being aware of the source—even quoted from Edward FitzGerald's translation of "The Rubaiyat of Omar Khayyam." Omar, a Persian astronomer-poet of the 12th century, concentrated on the idea that sensual pleasure might be the sole aim of living.

This long national nightmare began on Thanksgiving weekend in 1995 when Clinton, then 49 years of age, and Monica Lewinsky, a just barely 22-year-old intern, had sex in the Oval Office on the first day they had ever spoken to one another.

She came to see him many more times. they had at least nine more sexual assignations. They engaged in a certain sex act that the president and his lawyers continue to insist is not sex. They had phone sex 17 times. They exchanged gifts. Monica gave Clinton 40. Yet Clinton, under oath, could barely remember one or two.

America didn't find out about that Thanksgiving 1995 sexual encounter until January of this year, when Newsweek and The Washington Post got wind of the president's on-and-off, two-year extramarital affair and his understandable but patently illegal efforts to hide it from his wife, his daughter, Paula Jones' lawyers and the American people.

Now, after a week of historic drama to which American seemed to be paying less than full attention, the House of Representatives, for the second time in history, will vote on articles of impeachment. The vote will come late this week unless Democrats can convince enough Republicans to vote first for a slap on the wrist that would signal to this naughty President that what he did was "reprehensible," the Democrats' inadequate word for the shame Clinton has brought to the highest office in the land. The Democratic Party censure resolution does not mention lying under oath or tampering with witnesses.

Americans should not be angry at the Republican Party if the House votes yes on impeachment. Clinton, not the Republican Party, lied and obstructed justice and abused his power. If the nation must be put through a trial, with Lewinsky in the well of the Senate talking graphically about sex and cigars, then, yes, that is awful. All the children should be shielded from it.

But if it happens it will not be the fault of the Republicans. It will be the fault of Bill Clinton, the reckless, foolish, arrogant boy who until Friday in the White House Rose Garden had never fully grown up.

He had sworn to God to tell the truth, the whole truth and nothing but the truth. And then he didn't. If there is no impeachment, Clinton will be the president whose legacy was to cultivate the idea that presidents, unlike everybody else, can lie under oath without severe penalty.

Admittedly, the evidence of criminal acts by the President of the United States has yet to be tested in court. It has yet to be proven true beyond a reasonable doubt. But common sense tells 90 percent of the Americans who are polled that it is obvious the President has lied, at least to the nation and probably under oath to a judge and the independent counsel's grand jury.

It is clear that the president coached Lewinsky to lie about their affair, that he assisted in concealing evidence that had been subpoenaed, that he got Lewinsky an attractive job in New York City in exchange for her untruthful testimony, that he allowed attorney Robert Bennett to make false statements, that his inability to remember dozens of important details was nothing more than taking the Fifth Amendment and that he made false and misleading statements to his staff, friends like Vernon Jordan and his Cabinet.

If the Judiciary Committee had failed to recommend impeachment, it would have implicitly condoned what Clinton had done. If the committee had failed to recommend impeachment, it would have put Clinton in position to claim vindication. That would complete the process that began last January after Clinton consulted Dick Morris and was told that the American people would condone sexual misconduct but would not condone lying to cover up an affair. "Then we will have to win," Clinton said.

Rep. Greg Ganske, R-Iowa, speaking of why he will support impeachment, said, "The idea that Congress should simply apply a 'wrist-slap' censure is another effort to put the president above the law." Ganske quoted the late Supreme Court Justice Louis Brandeis, who said that "if the government becomes a lawbreaker, it breeds contempt for the law."

Impeachment is the ultimate censure, Rep. Bill McCollum, R-Fla., has said, whether or not the Senate subsequently votes to remove Clinton from office. (Indeed, as Sen. Orrin Hatch has suggested, the Senate could convict but decide not to remove Clinton from office.) History has all but forgotten the handful of censure resolutions approved by Congress.

Dictators and tyrants hold themselves above the law. Presidents, for the most part, do not. Americans fought a revolution to repudiate the divine right of the monarchy to be a law unto itself. Now the defenders of Clinton argue that he shouldn't be bound by laws that ordinary people must obey. To give the presidency such a privilege would betray the revolution. It would invest the presidency with a kingly status that the Founders explicitly attempted to prevent.

A failure to impeach would send to the armed forces the message that the commander in chief cannot be held to the standards of honor and personal integrity that are drilled into all military people.

A failure to impeach would undermine the current set of sexual harassment laws and codes about appropriate conduct in the workplace. Managers who were fired for trying to seduce subordinates would challenge the rules. Clinton's legalistic definition of sexual relations would be flung around as justification for sexual contact short of intercourse. More people would accept a right to obfuscate to prevent personal embarrassment or inconvenience.

Rep. Steve Chabot, R-Ohio, said that, as he voted with much sadness for impeachment, he felt "more emotion than I've ever felt as a member of Congress." We understand. The inclination to forgive is strong in the American people. They know that, like their president, many people have flaws.

This editorial page, too, would love to be able to forgive the president. But our love for this great country is even stronger than the impulse to forgive the president's misbehavior.

Mr. Clinton has hurt the country by his reckless behavior and his lying under oath. Impeachment is the only constitutional way to reaffirm the values, including the rule of law, for which this great country stands. Our fingers tremble as they pause over the keyboard and our heart is heavy as we say: The House of Representatives should vote yes on Impeachment Articles I, II, and IV.

Mr. Speaker, this Member would ask his colleagues to consider carefully the following editorial from the December 16, 1998, edition

of the Norfolk Daily News, entitled "Republicans are not culprits here."

From the Norfolk Daily News, Dec. 16, 1998]

REPUBLICANS ARE NOT CULPRITS HERE—ONLY ONE MAN IS TO BLAME FOR TURMOIL FACING THE NATION—BILL CLINTON

We wonder whether some members of the Democratic Party realize how ridiculous and lame they are sounding when they spout dire warnings about the upcoming House of Representatives vote on impeaching President Bill Clinton.

If the president is impeached, they cry, House Republicans will be invalidating the results of two national elections, defying the will of the people and making a mockery of the democratic process.

Those arguments, however, don't hold water. Supporters of the president would have much more credibility if they would stick to arguing that the offenses committed by the president do not, in their opinion, justify impeachment. Instead, they keep throwing up these weak, peripheral claims.

The Democratic supporters of President Clinton are correct in the sense that a majority of U.S. citizens, in two separate votes, elected the former Arkansas governor to be president and then re-elected him. Does that mean, however, that Bill Clinton—or any president for that matter—is entitled to serve his full term in office, regardless of his deeds or conduct while there? Of course not.

History is full of examples where voters made decisions they thought were correct at the time they were making them only to be proven wrong later. The full range of President Clinton's misconduct and what we believe to be impeachable offenses were not known to voters when they first elected and then re-elected him.

Only now are voters realizing the kind of man they have leading them.

Some Clinton supporters are quick to point out, however, that public opinion polls say that even though a majority of Americans believe President Clinton lied under oath and engaged in an abuse of power, they don't think he should be impeached as a result.

To that we say—with all due respect—so what? In our opinion, it's an irrelevant point.

That's because what the House of Representatives is dealing with here is a president who has allegedly committed impeachable acts. Public opinion doesn't hold sway in a court of law, and it shouldn't be a factor here, either.

Juries, whether in civil or criminal cases, have to make decisions based on the facts presented to them and the laws governing the case. They can't be affected by protesters outside the courtroom's doors, media reports or anything else. The same is true for members of the House.

They must make the decision on whether to impeach the president based on the facts—as best they can discern them—concerning President Clinton's conduct and the provisions in the U.S. Constitution that govern impeachment.

We, along with many others, have offered the opinion in the past that President Clinton should resign from office. His affair with Monica Lewinsky, which led to the conduct that now is being considered by the House, is a blemish on the grand stature of the presidency.

His honesty and integrity is gone. His honor, too. When a man or woman loses those things, there is nothing left to stand on.

Resigning from office would allow Mr. Clinton to leave the White House with a measure of dignity and self-respect. By doing so, he would be putting the best interests of the United States ahead of his own, avoiding putting this nation through the turmoil of an impeachment process and a Senate trial.

But if he declines to do so, then that is what must occur, regardless of how damaging it might be to a nation's self-image or governing process. For when allegedly impeachable acts have occurred, the law must be followed. It is a hallmark of our nation.

So, to those Clinton supporters who say that Republicans are endangering the future of this nation by pursuing the impeachment process, they are wrong. There is only one man who has caused all of this. His name is Bill Clinton.

Mr. CRANE. Mr. Speaker, we as a body are called upon to perform one of the most significant duties we have as sworn defenders of the Constitution—to consider whether to impeach the President of the United States.

I, for one, do not entertain this task lightly or with any joy despite my many political disagreements with Mr. Clinton. However, based on the investigation of the Independent Counsel, Mr. Starr, and the yeoman's work performed by Chairman HYDE and my colleagues on the Judiciary Committee, I have concluded that the four articles of impeachment are warranted. Mr. Clinton lied to the American people, lied to the courts, obstructed justice and abused the power of his office.

During the discovery of these offenses committed by Mr. Clinton, I urged him to do the honorable thing and resign. Instead, he continued to deny his misdeeds and, in so doing, tarnished the office of the President. It is our duty to restore the luster to that office.

Some have argued that this process is neither appropriate, because of partisanship, nor timely, because of the military situation with Iraq.

The wise Framers of our Constitution, in seeking to diffuse power in the government, created the process by which the Chief Executive could be held accountable for violating his oath of office. Should the House vote to impeach the President, he will remain in office and in charge of the Armed Forces. The act of impeachment is to indict Mr. Clinton on the above charges and it is the duty of the U.S. Senate to determine the guilt or innocence of the President. Two-thirds of the Senate must agree before the President can be removed from office. This deliberate process is far from what our Democrat friends have described today as a Republican "coup d'etat."

Furthermore, we are not judging the moral character of Mr. Clinton, we are holding him accountable for violating the laws the American people have entrusted him to enforce. History will judge us for what we do with these impeachment charges. The House must vote to approve these articles to maintain the integrity of our laws, indeed to preserve the integrity of our great nation.

I urge my colleagues to look past their party affiliation to their conscience and vote for these articles of impeachment.

Mr. BALLENGER. Mr. Speaker, I am sure I am not alone today in wishing I was somewhere else, engaged in other pursuits. I take no pleasure in coming to the well today to outline my conclusions relating to the grave matter before us—the Impeachment of William Jefferson Clinton, President of the United States, for high crimes and misdemeanors.

Specifically, the House Judiciary Committee has recommended to the House four articles of impeachment: two counts of perjury; one count of obstruction of justice; and one count of abuse of power.

After careful review of the Report of the Judiciary Committee on this matter, I have concluded that impeachment is warranted on all counts. Today or tomorrow, whenever the votes are taken, I will vote "yes" on all four counts.

Article I—On August 17, 1998, the President swore to tell the truth, the whole truth and nothing but the truth before a federal grand jury of the United States. It is absolutely clear to me that contrary to that oath, President Clinton willfully gave perjurious, false and misleading testimony to that grand jury about the nature and details of his relationship with Monica Lewinsky.

Article II—On December 23, 1997, the President submitted sworn answers to written questions asked as part of the Jones lawsuit against him. It is absolutely clear to me that contrary to this oath, President Clinton willfully gave perjurious, false and misleading testimony in response to these questions concerning conduct and proposed conduct with subordinate employees.

Article III—The evidence also is absolutely clear that President Clinton, using the powers of his office, engaged in personally and through his staff and agents, in a course of action designed to delay, impede, cover up and conceal the evidence and testimony related to the Jones lawsuit and the investigation by Independent Counsel Kenneth Starr. The evidence shows President Clinton encouraged a sworn affidavit to be executed that he knew to be false, misleading and perjurious; encouraged a witness to give false, misleading and perjurious testimony in the Jones lawsuit; engaged in and supported a scheme to conceal evidence that had been subpoenaed in the Jones lawsuit; engaged in an effort to secure job assistance for Ms. Lewinsky, a witness against him in the Jones lawsuit to prevent truthful testimony of that witness; and, related a false and misleading account of events in the Jones lawsuit to a potential witness against him, his secretary, Betty Currie, in an attempt to influence her to give false testimony.

Article IV—The evidence clearly shows the President abused his power by refusing to and failing to respond to written requests by the House Judiciary Committee and willfully made perjurious, false and misleading sworn statements in response to certain of these written requests.

What this matter comes down to is really several simple questions. Did the President of the United States lie under oath? Did he use his office and the power of his office to obstruct justice? And, did he abuse the power of his office? The evidence, in my opinion, is compelling. That is why I must vote for all four Articles of Impeachment.

We are a nation of laws, not of men. The law is for the most powerful and privileged in our society, as well as for the economically and socially disadvantaged. The President cannot be judged on a different standard than anyone else simply because he is the President. In fact, because he is the President, he

is the chief law enforcement officer of this Nation, and is duty bound to uphold the law. Telling the truth under oath, the bedrock of our judicial system, is the very least we should be able to expect from our President.

I want to thank all of the thousands of residents of the 10th district of North Carolina for taking the time to contact my office over the past few months. I know these votes I cast today will please some and disappoint others. All I can say is I came to these conclusions after careful study and review of the facts. I tried to stay open-minded and weigh the evidence carefully. I also refrained from making statements in the press and doing interviews on the matter, believing it better to wait to make a decision until the investigation was complete and the Judiciary Committee had made its determination. I do not make the decision lightly or for political reasons. Nor, do I make the decision based on the polls. The decision to support all four articles of impeachment is based on the facts. Sadly, the facts of this case warrant a "yes" vote to impeach.

Mr. MILLER of Florida. Mr. Speaker, for the second time in my adult life, I have watched "a long national nightmare" unfold. I am as anxious for this to be over as I was for the Watergate saga to end. But that does not absolve me of my responsibility to do what I think is right. Given the importance of this vote and the thousands of letters, phone calls and e-mails I have received, I believe my constituents deserve an explanation of why I cast my vote for the impeachment of William Jefferson Clinton.

Fifty years from now, what lesson do we want our school children to take from this tragic episode? I want them to learn the importance of always telling the truth. I want them to understand the consequences of lying. I don't want them to learn that you can yourself out of trouble by being "clever."

Many have said that impeachment is not about punishing wrongdoing, but about protecting our system of constitutional government. I agree. Punishment is in the hands of President Clinton's family and God. But I believe the facts clearly show that William Jefferson Clinton deliberately sought to obstruct the judicial process in a civil rights case and committed deliberate and pervasive perjury before a federal grand jury and to the Congress. When the President of the United States treats our system of justice with such contempt and selfishness, he must be impeached.

Opponents of impeachment argue that the crimes were minor, the facts are fuzzy and the definition of words and acts are subject to interpretation. That is true if—and only if—we are forced to ignore logic, common sense and context. Start with his deposition in the federal civil rights case, Jones versus Clinton. The President was asked if he had ever been alone with Ms. Lewinsky. He said he wasn't sure, but he didn't think so. He was asked if he had ever given her gifts. He said he didn't remember—despite giving and receiving over 40 gifts. He was asked if he had ever called her. He said maybe a few times, but the facts show over 55 calls, which included intimate discussions. And when he was asked if Ms. Lewinsky's affidavit in which she denied any sexual relationship of any kind was true, the President responded, "that is absolutely true." Logic and common sense tell us that he wasn't trying to be truthful, as he has claimed. He was deliberately, with malice and forethought, lying in a federal civil rights case.

Now, put that deliberate lie in the context of his testimony before the Grand Jury. In that August 17th performance, the President repeatedly testified that his earlier testimony had been truthful, if not particularly helpful. That is a lie—and it is an obvious and deliberate lie when put into context. If you conclude, as I have, that he deliberately lied in his earlier civil rights testimony, then his grand jury testimony in which he claims he was being truthful but didn't understand certain definitions or wasn't paying attention, etc. are all lies as well. These execuses were made up after the fact for the specific purpose of denying that he had earlier committed perjury. I have concluded that the President of the United States went before a federal grand jury with the specific intent to commit perjury.

He didn't get caught in a trap, he wasn't ill-served by his lawyers, the questions weren't subject to interpretation—the facts, logic and common sense show that William Jefferson Clinton's specific purpose in two depositions was to lie.

I also believe the facts show that the President attempted to obstruct justice and to use the full power of the White House to destroy the reputation of Ms. Lewinsky. The facts are numerous, but let me cite a few. The day after he deliberately lied in the federal civil rights case he summoned his secretary, Betty Currie, to his office and went through a series of statements about his relationship with Ms. Lewinsky, each of which were complete falsehoods. According to Ms. Currie, the President was trying to get her to agree to these false statements. That is called witness tampering and it is a serious crime. The day before, in his testimony, he had repeatedly said "you would have to ask Betty" or "Betty would know about that." Not only did he have reason to believe she would be called as a witness—he was attempting to get her called as a witness.

About a week later he summoned his adie, Sydney Blumenthal, to his office and made up a story about how Ms. Lewinsky had come-on to him and that she was known as the "stalker" and had threatened to blackmail him unless he gave in to her propositions. A few days later, Ms. Lewinsky was described in several news stories by "senior White House aides" as a "stalker" and as unbalanced. The President was willing to use the power of the White House to destroy the reputation of a young woman with whom he had an intimate relationship. Not only is that despicable, it is an effort to reinforce the lies he made under oath.

I believe those are the facts and very few of my colleagues have even attempted to dispute these facts. The question is whether this conduct rises to the level of "high crimes and misdemeanors." I believe they do. Prior to his August 17 Grand Jury testimony, President Clinton was "on notice." The country and the Congress made clear to him that what we needed was the truth. Instead, the President deliberately, if perhaps cleverly, committed perjury. Given the brazen nature of this crime, President Clinton has shown contempt for the American people and for the Constitution which he is sworn to uphold.

To protect the sanctity of our system, such a man should not hold the highest office in the land. With a heavy heart, I am compelled to vote for the impeachment of William Jefferson Clinton.

Mr. CLAY. Mr. Speaker, I rise in opposition to the Republican majority's impeachment resolution because it constitutes nothing more than a highly partisan political attempt to further embarrass the President of the United States. I believe it is shameful that the majority is attempting to overturn the 1996 election of President Clinton by abusing the impeachment process. The real jury in this country—the American people—have already forcefully spoken on this matter. They want the Republican to find a responsible and appropriate punishment for the President's misconduct. Censure—the appropriate vehicle—has been denied this House. The obsessive and partisan $40 million witch-hunt began years ago with Whitewater, coursed through Travelgate and Filegate, and has concluded with a referral of charges based primarily on actions much less than impeachable offense.

Mr. Speaker, much has been made today about the sanctity of the "rule of law." May I, Sir, disagree with the reverence given this country's "rule of law"? It was the "rule of law," I point out, that enslaved my ancestors. It was the "rule of law" that disenfranchised women. It was the convoluted "rule of law" that permitted the lynching of hundreds of thousands of African Americans.

Mr. Speaker, the Republican majority has relied solely on Ken Starr's referral to produce the four Articles of Impeachment. None of the allegations offered in support of the articles meet the required Constitutional standard of "treason, bribery, or other high crimes and misdemeanors." None involve a breach of the public's trust or a failure to properly perform official duties.

The Judiciary Committee began its work in an unfair and biased manner. It should be no surprise to that it reached a flawed result. First, the Committee released thousands of pages of Grand Jury documents without providing the President a reasonable opportunity to review them. Second, the Committee did not call any witnesses to test the validity of the Independent Counsel's allegations. Third, the Committee Republicans drafted their impeachment articles before the President's lawyers had even completed presenting his defense.

The American people want closure and compromise on this issue, not government gridlock and games. They want the Congress to devote its attention to matters of vital importance to America's future.

Mr. THORNBERRY. Mr. Speaker, like most of my colleagues, I am acutely aware of the gravity of this situation, of this process, and of the potential consequences for the nation. I do not face it lightly or without serious thought and soul-searching. The decision on whether to impeach a President is a decision that few in our history have been called to make, and it is a decision that will reverberate for generations in our nation, its government, its ideals and values.

The facts here are not seriously in dispute. The President lied under oath in two separate

judicial proceedings. The President caused or encouraged others to lie, and he attempted to prevent evidence from coming to light. The President deceived Congress and the American people.

His actions have rightfully been denounced across the country. The President's conduct has embarrassed him and his family, as well as our entire Nation. He has severely damaged the institution of the Presidency, particularly in its role of providing moral leadership for the Nation.

Not all wrongful conduct by a President meets the standard for impeachment in the Constitution, however. The House is assigned the duty of determining whether a President should be impeached, and the Senate must then conduct a trail to determine whether the President will be convicted of the charges contained in the Articles of Impeachment.

In considering the appropriate constitutional standards for the House vote on impeachment, I find it helpful to look back at a report produced by the Judiciary Committee in 1974 as the impeachment inquiry of President Nixon was about to begin. That report found that:

> Each of the thirteen American impeachments involved charges of misconduct, incompatible with the official position of the officeholder. This conduct falls into three broad categories: (1) exceeding the constitutional bounds of the powers of the office in derogation of the powers of another branch of government; (2) behaving in a manner grossly incompatible with the proper function and purpose of the office; and (3) employing the power of the office for an improper purpose or for personal gain. [p. 17–18]
>
> Less than one-third of the eighty-three articles the House has adopted have explicitly charged the violation of a criminal statute or used the word "criminal" or "crime" to describe the conduct alleged, and ten of the articles that do were those involving the Tenure of Office Act in the impeachment of President Andrew Johnson. . . . Much more common in the articles are allegations that the *officer has violated his duties or his oath or seriously undermined public confidence in his ability to perform his official function*. (emphasis added) [p. 21]
>
> It is useful to note three major presidential duties of broad scope that are explicitly recited in the Constitution: "to take Care that the Laws be faithfully executed," to "faithfully execute the Office of President of the United States" and to "preserve, protect, and defend the Constitution of the United States" to the best of his ability. The first is directly imposed by the Constitution; the second and third are included in the constitutionally prescribed oath that the President is required to take before he enters upon the execution of this office and are, therefore, also expressly imposed by the Constitution. [p. 27]
>
> (*Constitutional Grounds for Presidential Impeachment*, Report by the Staff of the Impeachment Inquiry, Committee on the Judiciary, House of Representatives, February 1974.)

LYING UNDER OATH IN A JUDICIAL PROCEEDING

Violating a criminal statute in itself may well be a sufficient basis for impeachment, and of course, lying under oath in a judicial proceeding is a crime. A President should not escape the consequences of his actions just because he is President. President Washington warned in his Farewell Address in 1796 that "[t]he very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government." The rule of law is the basis for the fundamental rights of each American and requires that no one, including the President, be above the law.

But in addition, I believe that a President who lies under oath in a judicial proceeding is subject to impeachment because such conduct undermines our legal system, violates the President's oath and his constitutional responsibilities, and seriously undermines public confidence in a President's ability to perform his official functions. There are three reasons for this.

First, lying under oath in a judicial proceeding undermines the legal system of the United States because it attacks its most fundamental underpinning—the requirement of every individual to tell the truth. If the President can lie in a judicial proceeding without paying the consequences, it means either that the President is above the law or that no citizen need fear the consequences of not telling the truth. Neither can be permitted.

Some say that other Presidents have not always told the truth and were not impeached. Assuming that past Presidents have lied, they have not done so while under oath in a judicial proceeding. By doing so here, President Clinton has undermined the American judicial system in a way that threatens the rights of every American citizen.

Second, I believe that lying under oath in a judicial proceeding violates the President's oath "to faithfully execute the Office of President of the United States." It also violates his duty "to take Care that the Laws be faithfully executed." Violating his oath of office and his constitutional duties certainly meets the constitutional standard of impeachment.

Third, by lying under oath in a judicial proceeding, the President has violated the confidence and trust of the American people. Public trust and confidence are essential elements of the presidency. President Franklin Roosevelt said in one of his "Fireside Chats" on April 14, 1938, "I never forget that I live in a house owned by all the American people and that I have been given their trust." Betrayal or abuse of that trust was exactly what the Framers believed would require impeachment. Alexander Hamilton wrote in Federalist Paper Number 65 that impeachable offenses are "those offenses which proceed from the misconduct of public men, or, in other words, *from the abuse or violations of some public trust.*" (emphasis added)

Trust in what a President says is uniquely important because of the awesome duties and responsibilities invested in one person, including his duties as Commander in Chief. President Clinton's lies and deceptions "seriously undermine public confidence in his ability to perform his official function." As one of his former cabinet members, Robert Reich, wrote:

> The second offense is the public lie—not simply the fact of it (presidents aren't always honest), but its passionate intensity. . . .
>
> If he can so convincingly fake a lie, how can the public believe anything else he says—including his current stream of apologies? (Wall Street Journal, September 14, 1998.)

Recent events involving Iraq highlight again the importance of public trust in the President.

OBSTRUCTION OF JUSTICE

In addition to lying under oath, the President has used or attempted to use the power and influence of his office to shield himself from the political and legal consequences of his actions. He attempted to falsely shape the testimony of witnesses and to prevent evidence from being discovered. In so doing, he "employ[ed] the power of the office for an improper purpose or for personal gain."

Thus, in comparing President Clinton's conduct with the standards of impeachment as articulated by the Framers, as well as by the Judiciary Committee in 1974, the President's conduct clearly meets or exceeds that standard required for impeachment.

But even if the constitutional standard for impeachment is met, some argue that the House should exercise its discretion and look for some other remedy so as to not put the country through a trial in the Senate. A variety of arguments are used about how it is in the best interests of the nation not to subject the country and its institutions of government to a Senate trial.

For example, some voice concern about a trial's effects on the economy. But as one writer has stated:

> The first responsibility of the [president] is not to achieve growth of 2.5 percent but to ensure the legitimacy of the system itself. In this fundamental task, Clinton has clearly not only failed; he has deliberately broken his oath of office. Clinton's attitude toward the law has not been how he can best uphold it but how he can best evade it. His attitude toward democratic political discourse has been not how he can address the issues honestly but how he can best dissemble, obfuscate, and lie. At some point, such a person does not merely demean himself; he demeans and threatens the entire system of government he is elected to defend. (Andrew Sullivan, The New Republic, September 14, 1998.)

In fact, it is this pattern of unlawful and reckless behavior, in which the nation's interests are secondary to this President's own selfish interests and desires, which establishes his betrayal of the public trust and mandates his removal.

A newspaper editorial earlier this year states the heart of the matter:

> He should resign because he has resolutely failed—and continues to fail—the most fundamental test of any president: to put his nation's interests first. (*USA Today*, September 14, 1998.)

To me, Mr. Speaker, that is the essential truth from which we cannot escape. This President has violated the law; he has betrayed his oath and constitutional duty; he has undermined the legal system and the rule of law—all to promote his own selfish interests and desires, which he consistently puts ahead of the country's best interests.

A number of our colleagues point out that opinion polls indicate most Americans do not favor removing the President from office. Even if one assumes that current polls accurately reflect popular opinion, pollsters have not yet claimed to speak for future generations.

I believe such matters cannot be decided by polls. I also believe that the nation is strong and will remain strong so long as we try to stay true to the values which built this nation. If we were to abandon those values because

of unpleasant facts or an uncomfortable process, we would break the tether which binds us to the strength of the past.

We have to try to do the right thing on the question before us—wherever that may lead—to affirm the principles and values that make America unique in the history of the world and that give us our only chance to remain the light of the world into the 21st century.

We affirm the principles of our legal system and the values of truth, equal justice, and the rule of law by voting to impeach William Jefferson Clinton.

Mr. WOLF. Mr. Speaker, for months I have been troubled by the matter of the President. I wish more than anything that we were not here at this moment in our Nation's history poised to vote on the articles of impeachment as reported by the House Judiciary Committee. I regret that this vote was not averted both for the sake of the Office of the Presidency and the American people. But this matter has moved through its consitutionally mandated process and we must vote according to our conscience and to our sworn duty as representatives in the Congress.

I am aware of the public opinion polls and the snapshots in time those surveys report which show people are generally content and would rather not upset the apple cart. Had political opinion polls been the guiding principle on other important matters before our nation, such as women's suffrage and desegregation how long would it have taken for elected officials to have done the right thing? We cannot be led by the current polling data. There comes a time when leaders must lead, no matter what the political fallout.

I am aware the Republican majority party could pay a price for doing what I believe is the right thing and protecting the rule of law. A vote for impeachment in the House to send this matter to the Senate for final resolution, I believe, is the right thing for this country.

On February 5, 1998, I made the following statement regarding the President:

A MATTER OF TRUTH

(Special order statement by Representative Frank R. Wolf of Virginia, February 5, 1998)

Mr. WOLF. Mr. Speaker, I want to take a moment to speak on what has been happening in this country lately. It's not about impeachment of the President. Or prosecution of the President. It's what's been on my mind and on my conscience.

For all the clamor in the press and on radio and TV about allegations swirling around the President, there has been a blanket of silence on the part of too many who ought to provide commentary on the moral tone of this country.

And I am not sure why. Perhaps there is a "don't rock the boat" feeling. Times are good and let's just sweep this under the rug and not focus on the moral aspect of this. Perhaps the talk of impeachment and prosecution got out there too early and preempted those who might have felt obligated to comment on the moral issue and its impact on leadership of the country.

Their reluctance was not evident in earlier cases. The young woman who flew Air Force B-52s, the military general passed over for chairman of the Joint Chiefs, the tail-hook scandal which touched a number of senior Navy officials, charges against a former Senator who resigned, a Supreme Court nominee, a Presidential candidate and others brought a tidal wave of comment from every corner of America.

In America, a person is innocent until proven guilty. But we are not talking about a court of law. We are talking about right and wrong. We must give the President the benefit of the doubt. But let's not say these things don't matter. Because they do. They are at the very heart of honor, integrity, character and leadership.

What a person does in private affects the type of person he or she is in public. And a leader has an obligation to take responsibility for his or her actions and not try to explain them away or blame others.

If indeed we have lost the capacity to distinguish vice from virtue, if we believe that private behavior has no public consequences, if we believe that our nation's leaders do not have to be good and moral and righteous men and women who live by the truth, then we have abandoned the very heritage of this nation.

I believe America ought to expect more from its leaders and I think most agree. If, as has been the case for ages, kids want to grow up to be President of the United States, then, like it or not, the person holding that title has a special responsibility and we have every right to hold him or her accountable to that duty. Saying Americans don't care just doesn't wash with me.

Truth is something we have always honored in this country. We teach our children from an early age to be truthful. George Washington's birthday is coming soon, and we have long told the story about his admitting to cutting down the cherry tree—"I cannot tell a lie."

When any President takes office there is an implied promise that he or she will level with the people, that he or she will be honest with them. A solemn bond of trust has always existed between the President and the people. And it must always be this way.

Every President has an obligation to tell the whole truth. If Richard Nixon had told the whole truth and asked the people for forgiveness, I believe he would have been forgiven.

Today there is a pall of doubt over the presidency. Not being forthcoming with whatever the truth may be leaves doubt about the bond of trust between the President and the people and keeps open the question of fitness to serve in high office.

The only way America can put this behind us once and for all is to be assured that when the President speaks, he is telling the truth. I hope this President can give this assurance. If President Clinton tells the American people the whole truth and needs forgiveness, I believe he will be forgiven.

All of us err and make mistakes, including me. No one is perfect. But for forgiveness and healing to take place there first must be confession and truth. Then we can move on. Thank you.

On August 17, President Clinton belatedly addressed the nation admitting to an "improper relationship." On September 9, the Office of Independent Counsel (OIC) referred to the House of Representatives a report outlining 11 charges of perjury, obstruction of justice, witness tampering and abuse of power in what the OIC called "substantial and credible information that President Clinton committed acts that may constitute grounds for an impeachment." On September 15, after review and consideration of the OIC report, I made the following statement calling on President Clinton to resign for the sake of his family and the Nation:

ON THE MATTER OF THE PRESIDENT

(Statement by Representative Frank R. Wolf of Virginia, September 15, 1998)

It was seven months ago when I stood on the House floor and stated that if President Clinton would tell the American people the whole truth and ask for their forgiveness, then I believed that he would and should be forgiven and allowed to continue in office. Unfortunately, in the ensuing months, the President instead chose a campaign of deception, cover-up, and counterattacks in a relentless push for self-preservation.

He has let the American people down in a grievous manner. He has abused the power of the Office of the Presidency. I believe he has lost the ability to be an effective and credible leader of our country.

When he had the chance early on, he failed to apologize and accept responsibility for his actions. He has only recently acknowledged his misconduct and his misleading of the American people and he has now apologized, when perhaps faced with no other choice. Should we forgive him? I believe yes, on a personal level, as a human being, we understand his personal embarrassment and should accept his apologies and forgive him. We all make mistakes. none of us is perfect.

As disappointing as the President's behavior in the Oval Office has been, however, this is not just bout his personal indiscretions. It is about the bond of honor and trust between the President and the people. The President has betrayed that trust. I believe the President's moral authority, personal credibility and integrity have been irreparably damaged.

President Clinton has said that this is a private matter to be dealt with by his family. But he himself brought it beyond that at the moment he lied in a sworn deposition and again before a federal grand jury.

There must be accountability for his violation of the solemn trust the American people have placed in him. Actions have consequences. The President's abuse of the trust placed in the highest office in this land has damaged his credibility to lead. The President's word should be his bond, but we now see that it has not been. Instead, we have to analyze and parse and dissect each of his words to ensure that we are not being duped.

We see his well-paid lawyers trying to redefine morality, twisting words and phrases to have different meanings. What does this do to our judicial system, to our society? What message does this send to our young people? Much in the fabric of our society depends on people telling the truth, or a common understanding of wrongdoing.

Character does matter. The President is not a mere policy technician. He is the emblem of all that our country stands for. He is our representative to the world. He is the preeminent role model. Nations and governments around the world depend upon the veracity of his word and his character to make major decisions. In Luke 12:48 we are told that "to whom much has been given, much will be demanded; and from the one who has been entrusted with much, much more will be asked." Our presidents are entrusted with much and our expectations of them as leaders are high. Truth matters in both public and private life.

In his televised address to the nation on August 17, the President expressed concern that too many people have been hurt by this unfortunate episode. As this process continues, how many more people will be hurt? How many more lives shattered? The impeachment process will be long and drawn out over months, possibly not concluding

until early next summer. My fear is that it will divide the country. It also will divert the attention of the nation away from important domestic and foreign policy matters. Our leadership—the White House and the Congress—will be tied up, debilitated at a time of serious problems in the world. From a world view, we face dangerous times. Russia, Asia and Latin America are in economic crisis. India and Pakistan are testing nuclear weapons. The threat of terrorism is increasing. There is instability still in Iraq with Saddam Hussein, in Bosnia, North Korea, and elsewhere. We need to pay attention to keeping our own economy strong.

We wish that this whole matter had not taken place. But it did, by the President's own admission. This resulted in deceiving the American people, the President's family, his Cabinet and the White House staff. Now the investigation has brought charges by the Office of Independent Counsel of perjury, obstruction of justice, and abuse of constitutional authority which have begun the congressional inquiry process for impeachment. And, the OIC's work is not over and could continue for a long time. As long as this investigation goes on, the country is basically stalled, with the President's attention diverted, and that's dangerous not only for our country, but for the world.

Therefore, painful though it is, I believe the time has come for the President to resign. It's time he put aside his own interests and do what's best for America and its interests. He and his administration have had successes and accomplishments. But in the time ahead, this President will be handcuffed to a matter of his own making, a matter from which the only escape for him and our country is his resignation. Though we should and do personally forgive him, we cannot undo or deny the irreparable damage that his conduct has brought upon his ability to serve as President.

Resignation is the honorable thing to do. I believe that the President's resignation can be an act of nobility on his part. I further believe that this President will have the opportunity to make significant contributions to our country in the future as a private citizen. But now, I urge the President to do the right thing for his family and his country and resign the Office of the Presidency and bring this saga to an end.

Today, I am convinced the President lied under oath and obstructed justice. On June 30, 1994, upon signing into law the current Independent Counsel statute, President Clinton said, "It ensures that no matter what party controls the Congress or the executive branch, an independent, nonpartisan process will be in place to guarantee the integrity of public officials and ensure that no one is above the law."

President Clinton is the highest law enforcement official in our nation. He must be held to a higher standard of integrity, not a lesser standard. We live in a society governed by the rule of law, not by man.

I was one of only eight House Republican members to vote not to seat Representative GINGRICH as Speaker for the 105th Congress until completion of the then pending ethics committee report. It was a difficult vote and it angered many in my own party. My vote then was a vote of conscience, as is my vote today.

President Clinton had it right in 1994: ". . . no one is above the law." President Clinton, the highest ranking law enforcement official in our Nation, has shown contempt for the law and must be held accountable. The matter before this body is clear. It is about the integrity of the rule of law, it is about telling the truth, it is about our Nation's basic judicial principles, our founding principles of democracy, and upholding the trust and respect of the Office of the Presidency.

Mr. MILLER of California. Mr. Speaker, as a result of recent surgery and because of the potential health risks of air travel at this time in my recuperation, I am greatly disappointed that I am unable to attend the session of the House of Representatives today as we consider one of the most serious actions we can take under the Constitution: not simply the removal of the President from office, but overturning the decision of the American people in twice electing him to that office. I urge my colleagues to vote against impeachment, and I would so vote were I able to be present in the chamber today.

The partisan resolutions presented to the House by the Judiciary Committee are an affront to the American electorate and a repudiation of the Constitution. They trivialize the awesome act of impeachment. They mis-state both the law and the historical precedent. And they will inaugurate a season of recrimination, divisiveness and partisanship that will taint this House and this nation unnecessarily.

No one in this Chamber, or in this nation, disputes that the President was terribly wrong in his actions. No one disputes that he was far less than candid in his statements in the Jones deposition, before the Grand Jury, and particularly, to the American people. No one disagrees that strong action by this House is justified to convey our disapproval, and that of the American people, with the manner in which the President has conducted himself in this scandal.

But those are not the questions before the House today. The question is whether or not those actions warrant his impeachment and his removal from office. And the answer is "no."

While the majority of Americans are justifiable disappointed in the President, as am I, they have registered their views loudly and clearly that the President should not be removed from office. I have had the advantage, or disadvantage, of being in bed, recovering from surgery, these past two weeks, and I have used that opportunity to listen to Americans on television and radio from all over this country. They do not approve of what we are being forced to vote on today. Constituents who have contacted my office from the 7th district of California by phone, fax and e-mail over the past two weeks have overwhelmingly stated their opposition to impeaching the President over this matter. And they are correct.

Impeachment was intended by the framers of the Constitution—and has been treated by every Congress since 1789 with one single, disreputable exception 130 years ago—as an extraordinary means of removing a president whose use of his Executive Authority poses an imminent threat to our constitutional form of government. Whatever you thing of Bill Clinton and the Lewinsky scandal, providing false or misleading testimony in a resolved civil suit does not rise to the constitutional standard of "high crimes and misdemeanors." Nor does giving evasive answers to the Congress. We can object to such behavior; we should condemn such behavior. But Mr. Clinton's action in no way threatens either the institutions of our government or the Constitution.

If we proceed in voting impeachment for misleading a Grand Jury about private behavior that has nothing to do with the exercise of presidential power, then this House must be prepared for the impeachment bar to be moved with impunity and recklessness in the future. Misrepresenting, or lying, or twisting the truth—none of them are acceptable behaviors by public officials, even when they involve private behaviors. But as we tragically know, deception is not unfamiliar in the corridors of the Capitol either. Let us exercise great caution in what we approve as a new standard for removing federal officials from office, because this House and this Congress could become ugly and bitter institutions.

I urge the Republican leadership of this House to reconsider its unwise and partisan Rule that bars Members from having the opportunity to vote for a censure resolution in lieu of impeachment. The Republicans' argument that censure is prohibited by the Constitution is absurd. The House can pass a Resolution, or a Joint Resolution with the Senate, expressing its view on any subject, as we do with great frequency on subjects from the trivial to the deadly serious.

There is absolutely no reason under the Constitution or the House Rules why a strong censure resolution, as has been proposed, should not be subject to debate and consideration by the House, especially since it is very possible that a bipartisan majority prefers censure to impeachment, as do the people of the United States.

But the Republican leadership will not permit an open debate. They only want to allow debate on the inflammatory and legally dubious resolutions reported on a strictly partisan vote from the Judiciary Committee. And we know why. Because the extremist element in the Republican Part which has been trying for six years to force a popular, elected president from office by alleging scandal after unproven scandal—from Vincent Foster's alleged "murder" to Whitewater—is frustrated because those extremists have been unable to make any of the charges stick. In fact, Kenneth Starr's report never even accuses the President of perjury, and yet that is the basis for the most serious of the allegations contained in the impeachment resolutions.

And so, even at this late hour, I call upon the Republican leadership to step back and let this House freely consider a variety of sanctions against the President for his reckless and unacceptable conduct. I urge you: do not cheapen the constitutional test for impeachment. Do not abuse the Constitution to overturn a national election. And do not ignore the will of the voters who have elected their President and continue to send an unmistakable message that they do not want their representatives, at the end of the year, in the last moments of a lame duck Congress, to take this historic and fearsome action that truly will injure our Constitution and our democracy for years to come.

Mr. BROWN of California. Mr. Speaker, I rise today in opposition to House Resolution

611, Impeachment of William Jefferson Clinton, President of the United States.

This is the second time in my congressional career that I have been in the position to ponder the removal from office of a duly elected president. After 1974, it was a decision I hoped never to be faced with again. Next to declarations of war, impeachment is the most grave duty Congress is charged with. Overturning a presidential election, the very foundation of our system of popular government, is not something that should be done on a partisan basis. Impeachment may be a political process, but it is our opportunity to exhibit the depth of fairness and justice this body should possess, not single minded partisan determination.

Like most of my colleagues, I have openly expressed my condemnation of President Clinton's inappropriate and immoral behavior. I have agreed that he should face punishment for his actions and I do believe that he should take responsibility for the disgrace he has caused himself and the turmoil he has caused this nation.

However, the question each member of Congress is faced with today is what level of punishment is appropriate. I agree with my Democratic colleagues on the Judiciary Committee that there is a vital and distinct difference between punishment and impeachment. Impeachment is intended for great and serious offenses against our constitutional system of government. It is not intended to be a punishment for personal misconduct not related to the presidential office.

The conduct alleged against President Clinton does not rise to the level of impeachment. It is not necessary to remove Clinton from office to protect our nation and I do not support lowering the high standard of impeachment. I am gravely disappointed that the Majority has denied this, the People's House the opportunity for a straight vote on censure, the option the majority of the very people we represent support. In blatantly disregarding the views of the American people, this body has illegitimized itself.

I plan to vote in the manner I believe is best for our country. I will vote against the impeachment resolutions, I will watch as our constitutional system undergoes its greatest test, and I will hope that at the very least, future Congresses will learn from what we do today.

Mr. WHITFIELD. Mr. Speaker, today the United States House of Representatives begins debate on Articles of Impeachment of President William Jefferson Clinton. This is the first time in over 130 years that the House of Representatives has performed its solemn duty of determining whether a sitting President should be impeached.

Article II, Section 4 of our Constitution reads: "The President, Vice President and all civil officers of the United States shall be removed from office on impeachment for, and conviction of treason, bribery and other high crimes and misdemeanors."

The President has been charged with committing "high crimes and misdemeanors." Specifically: perjury in testimony before a federal grand jury; perjury in a Federal civil rights suit in which he was the defendant; obstruction of justice; and abuse of power.

The President's attorneys argue that he has not committed high crimes and misdemeanors.

Legal scholars and English Parliamentary law make it perfectly clear that the phrase "high crimes and misdemeanors" includes not only crimes for which an indictment may be brought, but also grave political offenses, corruption, maladministration or neglect of duty involving moral turpitude, and arbitrary and oppressive conduct none of which need constitute a crime.

A majority of legal scholars agree that noncriminal misconduct may be impeachable. In fact, every impeachment case presented to the United States Senate before 1973 included articles charging offenses that are not criminally indictable.

In addition, to be impeachable, the misconduct must threaten grave harm to the country.

President Clinton's alleged behavior constitutes an assault on the truth-finding mechanism of our judicial system. For example, perjury is a crime because our judicial system cannot work unless citizens tell the truth when testifying in judicial proceedings.

Articles of Impeachment I and II charge President Clinton with committing perjury. On August 17, 1998, President Clinton testified under oath before a Federal grand jury. He is charged with committing perjury in his answers to eight questions. On January 17, 1998, President Clinton testified under oath in his deposition in the Jones versus Clinton case. He is charged with committing perjury in his answers to 10 questions.

The President's legal team and other supporters claim that the first two articles involve nothing more than the President's private sex life. Nothing could be further from the truth. There is clear and convincing evidence that the President lied under oath in the civil case filed against him by Paula Jones because he did not want to lose the case and be required to pay her monetary damages. There is clear and convincing evidence that the President committed perjury when testifying before the Federal grand jury because he did not want to be indicted for perjury in the Jones case. It should be noted that despite all of his efforts, he eventually agreed to pay $700,000 to settle the case.

The President's defense to the perjury allegations is limited to only one aspect of his testimony, i.e. whether he had sexual relations with Monica Lewinsky. He basically ignores the perjury claims premised on his denial of being alone with Ms. Lewinsky, his denial of any involvement in obtaining a job for her, his falsely minimizing the number of occasions on which he had encounters with her, and his lies regarding gifts they exchanged.

The President and his lawyers assert that he did not commit perjury when he testified that he did not have sexual relations with Ms. Lewinsky, because he did not believe oral sex meant sexual relations.

Perjury is judged by an objective standard, i.e. what would a reasonable person understand the term to mean under the circumstances. A reasonable person would clearly believe that oral sex is a sexual relation.

The President's defenders assert that his relationship with Ms. Lewinsky is his private business and he should not be subject to impeachment even if he did commit perjury. If the Congress adopted that position, it would be establishing two different legal systems. One for the President and another for everyone else.

Since Bill Clinton has been President, the United States Department of Justice has prosecuted and convicted more than 400 persons for perjury.

Here are the facts of a few cases:

1. A Veterans Administration psychiatrist was convicted of perjury for lying in a civil suit about a sexual relationship she had with a patient. The psychiatrist was sentenced to six months in jail and lost her professional license.

2. A Texas judge was convicted of perjury for declaring he had used political contributions to buy flowers for his staff when, in fact, the flowers were for his wife.

3. A Florida postal supervisor is in prison for denying in a civil deposition that she had sexual relations with a subordinate.

4. The former women's basketball coach at the University of South Carolina went to prison after she was convicted of committing perjury relating to a sexual relationship with one of her players.

The President should not be immune from laws designed to protect the integrity of our judicial system. For these reasons, I will vote in favor of Articles I and II.

Article III charges the President with Obstruction of Justice. Specifically:

1. He is charged with encouraging Monica Lewinsky to file a sworn affidavit in the Jones case that he knew would be false.

2. He encouraged Monica Lewinsky to lie under oath if called personally to testify in the Jones versus Clinton case.

3. He told lies to White House aides who he knew would likely be called as witnesses before the Federal grand jury investigating his misconduct. the aides repeated the assertions to the grand jury, causing the grand jury to receive false information.

4. He engaged in a plan to conceal evidence that had been subpoenaed in a federal civil rights action brought against him.

5. He corruptly allowed his attorney to make false and misleading statements to a Federal Judge in an affidavit in order to prevent questioning deemed relevant by the judge. Such false and misleading statements were subsequently acknowledged by his attorney in a communication to that judge.

6. He related a false and misleading account of events relevant to a Federal civil rights action brought against him to a potential witness in that proceeding, in order to corruptly influence the testimony of that witness.

The term obstruction of justice usually refers to a violation of 18 U.S.C. § 1503 which contains a catchall clause making it unlawful to influence, obstruct, or impede the due administration of justice. It may also refer to 18 U.S.C. § 1512, which proscribes intimidating, threatening or corruptly persuading through deceptive conduct, a person in connection with an official proceeding.

During his deposition on January 17, 1998, in the Jones case, President Clinton frequently referred to his secretary, Betty Currie, as someone who could verify his testimony as it

related particularly to Monica Lewinsky. At the deposition, Judge Wright imposed a protective order that directed the parties, including President Clinton, to refrain from discussing their testimony with anyone.

The next morning, a Sunday, President Clinton met with Betty Currie at the White House because it was foreseeable that she might be called as a witness in the Jones case. He told her about his testimony at the deposition and reviewed it in detail. She subsequently testified to the Federal grand jury that the President wanted her to agree with his testimony if she was called to testify.

The Betty Currie episode is one of the key points in this article. However, there are additional facts and evidence that provide convincing proof that the President did obstruct justice. I will vote in favor of Article III.

Article IV charges President Clinton with abuse of power. This article relates to the President's evasive answers to a list of 81 questions submitted to the Judiciary Committee.

From my analysis of this charge, the primary allegation is based on the President's use of executive privilege and his evasive answers to 81 questions submitted to him by the Judiciary Committee. Although I believe from the evidence that the President was less than forthcoming in his answers and may have been aggressive in his assertion of executive privilege, I do not believe he abused his power. I will vote against Article IV.

Mr. DOOLEY. Mr. Speaker, like most Americans, I believe the President's behavior was irresponsible, inappropriate, and deeply disappointing. But, like most Americans, I have concluded that his actions do not rise to standard of impeachment established by the Framers of our Constitution.

Make no mistake. The President is not above the law. He can be sued in criminal or civil proceedings for his actions in this matter when he leaves office. But as Members of Congress, we have a unique responsibility, and must adhere to the standards set forth by our founding fathers. Our founding fathers intended for impeachment to be a drastic remedy when the President has committed "great and dangerous offenses" against the nation.

Make no mistake. The President's behavior was wrong. But impeachment was never intended to punish the President for wrongdoing. Impeachment was intended to remove a President from office when his or her actions imperil the future of our nation. Impeachment was intended for a President who commits 'treason, bribery, or other high crimes and misdemeanors' against the nation. Congress should not lower the standard of impeachment, and reverse the will of the electorate merely as a means to express displeasure with the President's behavior.

Against the wisdom of nearly nine hundred constitutional scholars, the majority has chosen to proceed with a bitterly partisan attempt to impeach the President. Against more than two hundred years of constitutional and historical precedent, the majority has chosen to proceed with a bitterly partisan attempt to impeach the President. And against the overwhelming sentiment of the American people, the majority party has chosen to proceed with a bitterly partisan attempt to impeach the President.

Rightly, our founding fathers established a high standard for impeachment. Our founding fathers would view our action today as maligning their intent, and as an action that upsets the careful balance of power between the executive and legislative branches. We cannot afford to set this dangerous, misguided precedent, and irrevocably erode the standard for impeachment.

Mr. LINDER. Mr. Speaker, serious charges have been made against President Bill Clinton, and I have stated that I believe resignation would be the best course of action. Not one of us wants to be here talking about perjury, obstruction of justice and abuse of power. This House is, however, carrying out its sworn duty as the representative branch of our Government to ensure that the president does not use the great powers at his disposal to undermine justice.

For centuries, people have agreed to compacts, covenants and constitutions to form a government and be bound by its rules. We, the people of the United States, agreed as a whole to obey the laws that hold our Nation together and apply these laws to every American equally. We cannot decide to apply these laws selectively. President Clinton took an oath to faithfully defend the laws of our Nation, and no one man can be permitted to decide which laws can be broken or which lies he decides are acceptable under oath.

In this case, the one man is the President of the United States—the top law enforcement officer in America—and this president violated the laws of the United States. I am gravely distressed about the significance of his actions on our constitutional system and the functioning of our Government in the future.

The rule of law in this Nation must be equal and impartial for all Americans—rich and poor, weak and strong. We cannot allow people to think of our laws as a tool of the powerful in our society.

For those who believe that the crimes of this president do not rise to the level of impeachable offenses, I would refer them to the writings of Alexander Hamilton in the Federalist Papers. Hamilton stated that the subject of impeachment arises "from the abuse or violation of some public trust" and that impeachable offenses occur when this misconduct produces "injuries done immediately to the society itself." In our republic, the executive cannot observe or disregard laws at his discretion, and President Clinton's disregard for the rule of law under oath undermines our society's trust in the American form of Government.

Under our sworn duty to protect the Constitution and the laws of the United States, it is our obligation to move forward with articles of impeachment against President Clinton. I believe the President committed offenses against the Constitution and the rule of law, and I will vote for the Articles of Impeachment prepared by the House Judiciary Committee.

Ms. ROS-LEHTINEN. Mr. Speaker, 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 of 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 of 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 rights. It is a dagger in the heart of our legal system and our democracy; it cannot and should not be tolerated.

We know that "a right without a remedy is not a right". If we allow, ignore, or encourage lying and obstruction of justice in our legal system, then the rights promised in our laws are hollow. Our laws promise a remedy against sexual harassment, but if we say that "lying about sex in court" is acceptable 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. Therefore, I must vote in favor of counts one, two and three of impeachment.

The greatest challenge of free peoples is to restrain abuses of governmental power. The power of the American presidency is awesome. When uncontrolled and abused, presidential power is a grave threat to our way of life, to our fundamental freedoms. Clearly improper use of executive power by the President to cover-up and obstruct investigations of his public lying in our courts cannot be tolerated. 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, act to restrain 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 has given up many individual prerogatives (use of force, private punishment, etc) in return for promises, the commitments, the elements of our social compact.

The central promise or commitment of our compact is that our laws will be enforced equally with respect to all, that our civil rights and civil grievances will be fairly adjudicated in our courts, and that the powers we give up to government will be used only for governmental purposes related to the common good.

When these elements of the social compact are violated, the legitimacy of the exercise of governmental powers is brought into question and the underlying compact itself is threatened. Each member of the compact—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 of some (even in a majority) over others (even a minority). None of us are free, for any reason of convenience or immediate avoidance of difficult issues, to ignore our promises to our fellow citizens. Our social compact does not permit the breaches of these commitments to our fellow citizens, and 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 role of truth in our judicial system by simply assuming that everyone will lie, then we trivialize the courts themselves, we trivialize the rule of law. In doing so, we trivialize the eternal search for justice for 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 demeaning of the most fundamental struggles of humankind- 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. NUSSLE. Mr. Speaker, I rise today in support of the Articles of Impeachment against President William Jefferson Clinton and ask that the following statement be entered into the record outlining my reasons for supporting the Articles of Impeachment.

On the night of Wednesday, Dec. 16, 1998, the President addressed the nation to inform us of his actions and lead our country as commander in chief to the correct, if not overdue, decision that Iraq must not be allowed to continue on its dangerous path creating weapons of mass destruction.

And that same night, too many Americans wondered if the intentions behind his decision were in the best interest of the United States or in the best interests of Bill Clinton.

Let me make it perfectly clear that I am not questioning President Clinton's decision to order a military strike against Iraq. His decision may have been based on sound recommendations from the entire National Security Team. But the simple fact that we even have to wonder whether Bill Clinton made that decision to delay the impeachment debate in the U.S. House of Representatives, is proof that he can no longer lead this nation.

When President Lyndon Johnson ordered military action in Vietnam, nobody questioned his motives. People questioned the decision itself, protested the decision—even died questioning the wisdom behind the decision; but never were the personal or political motives behind the decision questioned.

When President George Bush ordered military strikes against Iraq as part of Desert Storm, people may have debated whether or not to let sanctions work a little longer, but nobody questioned the personal or political motives behind his decision. When President Clinton ordered military strikes against Iraq last night, the first question from Iowans, Americans and people from around the world was whether or not the president was taking this action to delay the impeachment debate—had the movie "Wag The Dog" become reality?

This has gone beyond President Clinton's relations with an intern. This has gone beyond perjury, and beyond lying under oath before a grand jury. You can say that everybody lies about sex. But no one can say that everybody orders Americans soldiers into harms way to delay a debate on their qualifications to lead the most powerful nation in the world. Only the president faces that decision, and we must have a president whose actions and intentions involving the lives of American men and women in uniform must be beyond reproach and beyond question.

Today the ramifications of a nation dealing with a president who has committed perjury before a grand jury have become real and undeniable. We no longer have confidence in this President to make the most important decisions a commander in chief must face.

My biggest fear is going to the funeral of some young Iowa man or woman who dies in this conflict and having their mother and father come up to me and ask whether or not their son or daughter died for America or died to save Bill Clinton's presidency. I don't know what I would say to those grieving parents.

For that reason, I believe the president must resign immediately.

I am confident that a "President" Al Gore can complete our military mission in Iraq and command the respect and confidence of the American people.

Today, as well, I will vote in favor of all four Acticles of Impeachment as presented by the House Judiciary Committee.

Mr. GANSKE. Mr. Speaker, my vote on the impeachment of President Clinton will be the most important of my public service. The proposed impeachment of a president has occurred only twice before in our nation's history and I consider this of gravest Constitutional importance. I have made my decision only after a great deal of study, listening to the advice of my fellow citizens, and much soul searching.

Why am I releasing this statement before the Judiciary Committee votes on articles of impeachment? Because for all practical purposes the relevant information is in. The President has provided responses to the committee and his lawyer had his chance to challenge the facts of the case. My constituents deserve to know where I stand on impeachment . . . whether a vote by the House occurs or not.

This whole affair deeply saddens me. President Clinton is a man of personal charm, intellect, and empathy. I, possibly more than any other House Republican, have worked in a bipartisan manner with President Clinton. The President has shown special consideration for me on several occasions and that makes my decision doubly difficult. I hold no personal enmity toward the President, quite the contrary.

When I called on the President to resign after his scandal became public but before the sordid details came out, I did so out of concern for what the country was likely to go through. I did so also out of concern for what would be best for President Clinton and his family . . . and I shared those sentiments with President Clinton. I, too, have a daughter who has just started college and I especially sympathize with how difficult this has been for the President's daughter.

As I write this many images come to mind. I see a videotape of President Clinton hugging a starstruck young woman in a black beret and an image of the President pointing his finger at the American people saying, "I did not have sexual relations with that woman." I can see the President sweating over his grant jury answer, "It depends on what the meaning of the word 'is' is." Then there's the indelible visage of an angry President of the United States hairsplitting that he was "legally accurate" when he had just apologized to the nation for "inappropriate behavior."

Who will ever forget these pictures, and how sad it is that they are now part of our nation's history. Couldn't we just ignore this tawdry scandal?

I wish we could, but this tragedy moved past personal immoral behavior a long time ago.

Sometimes our public and personal lives require that we review another's actions and pass judgment. This is never easy and we only pray that we do so with fairness and justice and by the rules. In this case, the rule book is the United States Constitution, which I have taken an oath to uphold.

In my opinion, the President, should not be impeached because he's committed adultery, though this reckless behavior surely could have exposed this President of the United States to blackmail. Nor would adultery with a subordinate in the workplace, however morally reprehensible, necessarily rise to impeachable behavior. However, President Clinton's impeachment isn't about his affair per se.

I have framed my decision on two questions: Did President Clinton lie under oath, obstruct justice, tamper with witnesses and the abuse powers of his office? And if the President did these misdeeds do they rise to the level of impeachable offenses?

What are the facts? President Clinton testified under oath in the Paula Jones sexual-harassment case that he did not have sexual relations with Lewinsky. He responded "none" when asked by the Jones' lawyers if he'd had sexual relations with employees as President. He sat silently while his attorney told the judge "there is absolutely no sex of any kind in any manner, shape or form" between Clinton and Lewinsky.

President Clinton was questioned by his own counsel during this deposition:

BENNETT: In [Lewinsky's] affidavit, she says this: "I have never had a sexual relationship with the President . . ." Is that a true and accurate statement as far as you can see it?

CLINTON: That is absolutely true.

Seven months later in testimony before the grand jury, Clinton said the truth of such denials depends on what the meaning of "is" is?

I watched Judge Starr's testimony before the Judiciary Committee. I found it credible. For me, the evidence is overwhelming that President Clinton lied repeatedly under oath.

There is also credible evidence that he tampered with witnesses and conspired with others to obstruct justice. After learning that Lewinsky was on the witness list for the Jones case, the President suggested to Ms. Lewinsky that she could submit an affidavit to avoid testifying. This she did, Vernon Jordan got a job for her, and Jordan called the President to report, "Mission accomplished."

The President's lies were about much more than "personal privacy." Ms. Lewinsky was material witness in a sexual-harassment suit against the President. Her false affidavit served to keep her from testifying and allowed the President to deny sex in his deposition. The absence of her testimony and of evidence concerning the efforts made to secure her a job was harmful to Ms. Jones' case.

As Independent Counsel Starr said, "Sexual harassment cases are often 'he-said-she-said' disputes. Evidence reflecting the behavior of both parties can be critical—including the defendant's relationships with other employees in the workplace."

President Clinton also used a federal employee, Betty Currie, to arrange meetings with Ms. Lewinsky and used Mrs. Currie to retrieve subpoenaed gifts from Lewinsky that the President had given her. The President coached Currie, suggesting to her that she had always been present when Lewinsky and Clinton were together. President Clinton then denied his affair to Cabinet officials and had them repeat denials to the press. He misrepresented the truth to aides, causing them to repeat the deceptions to the grand jury.

Who would doubt that the President and his defenders now would be dismissing Monica Lewinsky as a liar were it not for one unassailable fact . . . DNA testing proves that the President's semen was on her dress!

And that is why not a single one of President Clinton's defenders during the committee hearing with Starr attempted to discredit the facts of the case against President Clinton's perjury and obstruction of justice. No one—not the President's attorney David Kendall, not Democratic counsel Abbe Lowell, not the Democratic members of the committee . . . not one of them disputed these facts.

DOES ANYONE DOUBT THAT THE PRESIDENT DID IT AND THEN LIED ABOUT IT UNDER OATH!

This brings us to the second question: Do these misdeeds rise to the level of impeachment? the Constitution provides for impeachment of the President of the United States of "treason, bribery, and other high crimes and misdemeanors." It is clear that the Framers didn't intend to authorize Congress to impeach presidents over policy or personal differences. But "high crimes and misdemeanors" encompassed a broad range of misconduct in their eyes.

Alexander Hamilton in Federalist 65 wrote that impeachment would deal with "those offenses which proceed from the misconduct of public men, or, in other words, from the abuse or violation of some public trust. They are of a nature which may with peculiar propriety be denominated political, as they relate chiefly to injuries done immediately to the society itself."

In 1974 the Watergate impeachment staff analysis concluded that serious crimes rooted in private conduct are grounds for impeachment: the precedents after 1787 support impeachment for "behaving in a manner grossly incompatible with the proper functioning and purpose of the office."

Professor Michael Gerhardt, in his book, The Federalist Impeachment Process, said that even crimes "plainly . . . unrelated to the responsibilities of a particular office" are impeachable if the show "serious lack of judgment or disdain for the law" and thus lower "respect for the office."

As Stuart Taylor has written in the National Journal, "Before President Clinton got caught no Constitution expert had ever suggested that it would be wrong to impeach a president for crimes such as lying under oath (even about sex), suborning perjury, or obstructing both a civil rights lawsuit and a criminal investigation." Indeed, there is precedent for impeachment precisely on the grounds of perjury. In 1989 Congress impeached and removed Judge Walter Nixon for perjury.

Are we to assume that Congress can remove a judge fro perjury, but not a president?

Clinton defenders say, "No one gets prosecuted for perjury." Tell that to the more than one hundred people that The New York Times has documented as serving time in federal prison recently for perjury. Others say that the President's lies were "only about sex," and therefore aren't serious. Tell that to Pam Parsons and her 17-year-old lover who both committee perjury in a libel suit against Sports Illustrated. both were sentenced to three years in prison and served time.

Or how about the case of Dr. Jeffrey Goltz, a medical expert witness? He lied under oath about his education and credentials. In 1996 he got caught and pleaded guilty to perjury. He had to sell his medical practice and was sentenced to 18 months in prison.

Or consider David Wayne Holland who lied under oath in a private civil rights lawsuit. A federal appeals court imposed a heavier sentence than the civil court judge saying, "Perjury, regardless of the setting, is a serious offense that results in incalculable harm to the functioning of the legal system as well as to private individuals."

Other Clinton defenders argue that even though Clinton lied repeatedly under oath on January 17, that he did not "technically" commit perjury because the Lewinsky evidence was not "material" to the Paula Jones lawsuit. But contrary to some news reports, Judge Wright did not hold the Lewinsky evidence to be immaterial. She ruled that it "might be relevant" but was "not essential to the core issues in the case." (Judge Wright's ruling was in such danger of being overturned that the President was willing to pay $850,000 to settle the case!) Furthermore, there are precedents that hold that lying under oath in a civil deposition can be material even if the testimony is later excluded or the case is dismissed.

Jonathon Turley, Professor of Law of George Washington University Law School, has written, ". . . And perjury committed by a president may be one of the most serious forms of criminal conduct since it is the crime that shields all other criminal acts from the public . . . by any reasonable measure, perjury and obstruction of justice clearly fall within 'high crimes and misdemeanors.'"

To return to Hamilton's statement, I can think of several ways in which the President's perjury injures society. If President Clinton escapes impeachment, if an elected official can commit felony crimes (perjury and obstruction of justice) what does this say about our country's commitment to equal justice under the law? If a Pam Parsons, a David Holland, a Jeffrey Goltz can spend time in prison for perjury, what does it do to society to see "little" people spend time in prison for breaking the law and "big" people let off? If the President walks, cynicism reigns.

Rear Admiral John T. Scudi has just been charged with two counts of adultery, giving false official statements, obstruction of justice and an ethics violation. The Navy has filed criminal charges against him. However, because of Constitutional immunity for the president, the only real remedy for presidential crimes is impeachment and removal. And if a boss such as Clinton can lie under oath about sex with a subordinate in sexual harassment suit and then escape punishment, the victims of sexual harassment will be the losers.

Maybe all this is why James Madison said in Federalist 57 that one of our Constitutional bulwarks against tyranny is that our rulers "can make no law which will not have its full operation on themselves and their friends, as well as on the great mass of the society."

Some would have Congress "censure" the President. I agree with Thomas Baker, the Director of the Constitutional Law Resource Center at Drake University Law School who has written, ". . . the House power to impeach and the Senate power to try the president are exclusive powers, and the sanctions of removal and disqualification from office are the only punishments possible . . . the problem with a censure is that it would not be constitutional." Senator Robert Byrd, in his masterly history of the Senate, agrees that censure is unconstitutional.

I would go further. The idea that Congress should simply apply a "wrist-slap" censure is another effort to put the President above the law. As Justice Brandeis has written, "For good or ill, [our government] teaches the whole people by its example. Crime is contagious. If the Government becomes a lawbreaker, it breeds contempt for the law."

The Constitution stipulates that the House should function as a grand jury. Article of impeachment function in the same way as counts to an indictment. The House does not determine guilt or impose a penalty but simply defines the articles of impeachment for a trial on the merits in the Senate. The President's popularity or accomplishments are not pertinent to the House's function. Only after guilt is

established is a defendant allowed to present arguments to mitigate punishment. That is for the Senate to decide.

Were I on the Judiciary Committee, I would vote for articles of impeachment because I would see this as my duty. If articles of impeachment on perjury or obstruction of justice, or both, come to Congress for a vote, I will vote "Yes." Even if I suffer politically for this vote, my conscience is clear.

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to fulfill my constitutional duty to address the impeachment of President William Jefferson Clinton. For many months, I made a concerned effort to avoid reaching an unsubstantiated decision regarding the conduct of President Clinton. I refrained from judging the President's guilt or innocence until I had an opportunity to review all the facts. During this time, I listened to the President's supporters. I listed to his attorneys, I listened to the White House staff and I examined all the testimony and evidence put forth by the House Judiciary Committee. I also met with and heard from many constituents regarding their thoughts and opinions about the actions and conduct of the President. Upon reviewing all the evidence and testimony before the House Judiciary Committee it is my sincere belief that substantial and credible evidence exits that the President committed high crimes and misdemeanors.

We can not allow the actions of the President to go unpunished; this would breed contempt for the law. Willfully and knowingly lying, after swearing before God and country to tell the truth, the whole truth and nothing but the truth, is a very serious offense for anyone. The President does not have any great rights that any other citizen of this country when it comes to the rule of law and preservation of justice. The United States system of law and order requires one standard for all and is dependent upon truth while under oath. When a person testifies in court to tell the truth, the whole truth and nothing but the truth, there is no exception to that oath. It applies to all matters, whether they be personal, embrassing or considered a "little thing." President Clinton's willful lies under oath before a federal judge and grand jury are a direct assault on our nation's democracy. This undermines our legal process and is a violation of the Presidential Oath of Office.

The evidence demonstrates that the President has sustained a pattern of perjury, obstruction of justice, and abuse of power. In December 1997, the President willfully and knowingly lied under oath in his written answers to a federal court. In January 1998, the President willfully and knowingly lied under oath repeatedly in the Paula Fones deposition. Then he willfully and knowingly used his Office to influence witnesses and obstruct justice in the Jones' lawsuit. In August 1998 he willfully and knowingly lied to a federal grand jury, and he willfully and knowingly lied when he purported to answer the 81 questions posed to him by the House Judiciary Committee.

President Clinton is said by many who know him best to have a phenomenal memory. His friend, Vernon Jordon, said the President has "an extraordinary memory, one of the greatest memories" he has ever seen in a politician. However, in more than four hours of videotaped testimony before a federal grand jury, the President testified, under oath, on more than 100 occasions that he could not remember details involving his relationship with Ms. Lewinsky. When a person testifies, under oath, that he does not remember something, when in fact he does, he has lied under oath. During this one year period, President Clinton had innumerable opportunities to tell the truth, yet he continued to willfully and knowingly put his own self interest before that of justice and the good of the nation. To this day, he has yet to acknowledge that he committed a crime or show remorse for his actions. We can not allow the actions of the President to teach contempt for the law of our nation. Our legal system, which protects the rights and liberties of all citizens, is dependent on people telling the truth while under oath.

U.S. Supreme Court Justice Brandeis, in Olmstead vs. United States, so eloquently states what I believe to be a beacon of light guiding us through this impeachment inquiry. He states:

> . . . decency, security, and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen . . . Our government is the potent, omnipresent, teacher. For good or ill it teaches the whole people by its example. Crime is contagious. If government becomes a lawbreaker, it breeds contempt for the law.

Article II, Section 3 of the Constitution states the President "shall take Care that the Laws be faithfully executed." It is my firm belief that substantial and credible information exists that the President committed acts that constitute grounds for impeachment. These actions constitute "high crimes and misdemeanors" as enumerated in Article II, Section 4 of the Constitution.

The President, as our chief law enforcement officer, undermines the integrity of our judicial system and threatens the rights and liberties of every one of us when he lies under oath. No citizen has the right to pick and choose what laws he or she may abide by, just because it may be embarrassing or inconvenient. We are a government of laws, not men. The President willfully and knowingly lied under oath, over and over and over again. That is a direct threat to our nation's system of justice and law and order. Mr. Speaker, it is for the love of our nation and the duty to uphold the Constitution I have sworn to protect that I will support all four Articles of Impeachment against President Clinton.

The SPEAKER pro tempore (Mr. LAHOOD). Under the previous order of the House entered earlier today, this concludes debate on House Resolution 611 until tomorrow.

ADJOURNMENT

Mr. SENSENBRENNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock p.m.), under its previous order, the House adjourned until tomorrow, Saturday, December 19, 1998, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

12341. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Tart Cherries grown in the States of Michigan, et al.; Establishment of Rules and Regulations for Grower Diversion and a compensation rate for the Cherry Industry Administrative Board Public Member and Alternate Public Member [Docket No. FV97-930-2 FR] December 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

12342. A letter from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting the Service's final rule— Termination of Designation of the State of Minnesota With Respect to the Inspection of Meat and Meat Food Products [Docket No. 98-048F] received December 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

12343. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Solid Wood Packing Material From China [Docket No. 98-087-4] (RIN: 0579-AB01) received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

12344. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—High-Temperature Forced-Air Treatments for Citrus [Docket No. 96-069-2] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

12345. A letter from the Administrator, Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting the Department's final rule—Fees for Official Inspection and Weighing Services (RIN: 0580-AA66) received December 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

12346. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Egg Products Inspection Act Regulations [Docket No. PY-99-001] received December 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

12347. A letter from the Administrator, Agricultual Marketing Service, Department of Agriculutre, transmitting the Department's final rule—Egg Products Inspection Act Regulations [Docket No. PY-99-001] received December 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

12348. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Cymoxanil; Pesticide Tolerances for Emergency Exemptions [OPP-300747; FRL-6038-5] (RIN: 2070-AB78) received November 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

12349. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Imidacloprid; Extension of Tolerance for Emergency Exemptions; Correction [OPP-300743A; FRL-

6043–6] (RIN: 2070–AB78) received November 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

12350. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Metolachlor; Extension of Tolerance for Emergency Exemptions [OPP–300746; FRL–6038–4] (RIN: 2070–AB78) received November 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

12351. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Myclobutanil; Extension of Tolerance for Emergency Exemptions [OPP–300761; FRL–6046–9] (RIN: 2070–AB78) received November 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

12352. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Thiabendazole; Extension of Tolerance for Emergency Exemptions [OPP–300757; FRL–6044–5] (RIN: 2070–AB78) received November 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

12353. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Tebufenozide; Extension of Tolerance for Emergency Exemptions [OPP–300754; FRL 6041–4] (RIN: 2070–AB78) received November 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

12354. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Hydramethylnon; Extension of Tolerance for Emergency Exemptions [OPP–300752; FRL–6040–9] (RIN: 2070–AB78) received November 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

12355. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Bifenthrin; Pesticide Tolerances for Emergency Exemptions [OPP–300762; FRL–6048–1] (RIN: 2070–AB78) received December 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

12356. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Copper Ammonium Complex; Exemption from the Requirement of a Tolerance [OPP–300765; FRL 6048–5] (RIN: 2070–AB78) received December 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

12357. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Tralkoxydim; Time-Limited Pesticide Tolerances [OPP–300764; FRL–6048–4] (RIN: 2070–AB78) received December 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

12358. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of the Air Force, transmitting notification that the Commander of Air Force Materiel Command is initiating a single-function cost comparison of the Base Supply Functions at the United States Air Force Academy, Colorado, pursuant to 10 U.S.C. 2304 nt.; to the Committee on National Security.

12359. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Exports of High Performance Computers; Post-shipment Verification Reporting Procedures (RIN: 0694–AB78) received November 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

12360. A letter from the Secretary of Energy, transmitting a report on Russian taxation of nonproliferation funds furnished by the Department of Energy's Initiatives for Proliferation Prevention; to the Committee on National Security.

12361. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the System's final rule—Appraisal Standards for Federally Related Transactions [Regulation Y; Docket No. R–0990] received November 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

12362. A letter from the Deputy Director for Policy and Programs, Community Development Financial Institutions Fund, Department of the Treasury, transmitting the Department's final rule—Notice of Funds Availability (NOFA) Inviting Applications for the Community Development Financial Institutions Program—Core Component—received November 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); 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)(i); to the Committee on Banking and Financial Services.

12364. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–7260] received November 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

12365. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–7269] received November 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

12366. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations—received November 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

12367. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA–7699] received November 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

12368. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received November 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

12369. A letter from the Secretary of the Treasury, transmitting a report to state that supplementary resources are needed to forestall or cope with an impairment of the international monetary system and that the International Monetary Fund has fully explored other means of funding; to the Committee on Banking and Financial Services.

12370. A letter from the Under Secretary, Food, Nutrition and Consumer Services, Department of Agriculture, transmitting the Department's final rule —Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Implementation of WIC Mandates of Public Law 103–448, the Healthy Meals for Healthy Americans Act of 1994 and Public Law 103–227, the Pro-Children Act of 1994 (RIN: 0584–AC02) received November 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

12371. A letter from the Assistant Secretary of Labor for Mine Safety and Health, Department of Labor, transmitting the Department's final rule—Safety Standards for Reporting Daily Inspection of Surface Coal Mines; Technical Amendment (RIN: 1219–AB15) received November 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

12372. A letter from the Assistant Secretary for Employment Standards, Department of Labor, transmitting the Department's final rule—Claims for Compensation Under the Federal Employees' Compensation Act; Compensation for Disability and Death of Noncitizen Federal Employees Outside the United States (RIN: 1215–AB07) received December 14, 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: 1991–AB40) 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 [Docket No.: EH-RM-96-835] (RIN: 1901–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 Reports [Docket No. 98–001; Notice 02] (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; Rules and Procedures [FHWA Docket No. FHWA–98–4145] (RIN: 2125–AE48), 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 Wording 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—Minimum Driving Range for Dual Fueled Electric Passenger Automobiles [Docket No. NHTSA–98–3429] (RIN: 2127–AF37) received November 30,

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; State of New Jersey; Clean Fuel Fleet Opt Out [Region 2 Docket No. NJ29-2-185 FRL-6174-4] received November 10, 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 Revision, Sacramento Metropolitan Air Quality Management District [CA 210-0103a FRL-6185-1] received November 10, 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—Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Solvents [SWH-FRL-6185-3] (RIN: 2050-AD84) received November 10, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12383. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; State of Maryland—General Conformity Rule [MD076-3030a; FRL-6197-3] received December 4, 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 Revision; South Coast Air Quality Management District, San Diego County Air Pollution Control District and Kern County Air Pollution Control District [CA—198—0058; FRL-6195-7] received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12385. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland; State II Vapor Recovery Comparability Plan [MD055-3021; FRL-6199-3] received December 4, 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—Reportable Quantities: Removal of Caprolactam 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.

12387. 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 Revision, 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 Santa Barbara County Air Pollution Control District [CA 198-0099a FRL-6184-4] received November 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12388. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Hazardous Remediation Waste Management Requirements (HWIR-media) [FRL-6186-6] (RIN: 2050-AE22) received November 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12389. A letter from the Director Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Ethylene Oxide Commercial Sterilization and Fumigation Operations [AD-FRL-6192-8] (RIN: 2060-AC28) received November 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12390. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Standards of Performance for New Stationary Sources: Residential Wood Heaters [AD-FRL-6192-9] (RIN: 2060-AG30) received November 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12391. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Revised Format for Materials Being Incorporated by Reference [LA44-1-7365; FRL-6168-5] received November 10, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12392. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Federal Plan Requirements for Large Municipal Waste [AD-FRL-6185.4] (RIN: 2060-ZA03) received November 10, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12393. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's "Major" final rule—National Primary Drinking Water Regulations: Disinfectants and Disinfection Byproducts [WH-FRL-6199-8] (RIN: 2040-AB82) received November 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12394. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's "Major" final rule—National Primary Drinking Water Regulations: Interim Enhanced Surface Water Treatment [WH-FRL-6199-9] (RIN: 2040-AC91) received November 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12395. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the Permits and Sulfur Dioxide Allowance System Regulations Under Title IV of the Clean Air Act: Allowance Transfer Deadline and Signature Requirements [FRL-6201-3] (RIN: 2060-AH60) received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12396. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants: Halogenated Solvent Cleaning [AD-FRL-6201-2] (RIN: 2060-A104) received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12397. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans For Designated Facilities and Pollutants: Maine; Plan for Controlling MWC Emissions From Existing MWC Plants [Docket # ME-057-01-7006a; FRL-6201-1] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12398. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of Volatile Organic Compound From Sources That Store and Handle JP-4 Jet Fuel [MD068-3037; FRL-6202-6] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12399. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Revised Format of Materials Being Incorporated by Reference for Alabama [AL-5822; FRL-6204-8] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12400. 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; Missouri Designation of Areas For Air Quality Planning Purposes; [Region VII Docket No. 056-1056a; FRL-6206-1] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12401. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Revisions to the Tennessee State Implementation Plan [TN-197-1-9834a; FRL-6205-1] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12402. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision; Kern County Air Pollution Control District [CA 152-0104a; FRL-6189-9] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12403. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Standards of Performance for New Stationary Sources (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP); Delegation of Authority to the States of Iowa; Kansas; Missouri; Nebraska; Lincoln-Lancaster County, Nebraska; and City of Omaha, Nebraska [FRL-6200-5] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12404. A letter from the Administrator, Environmental Protection Agency, transmitting a report to Congress on the air quality need, technological feasibility, and cost-effectiveness of more stringent standards for

light-duty vehicles and light-duty trucks; to the Committee on Commerce.

12405. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Whitehall, Montana) [MM Docket No. 98–138, RM–9309] received December 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12406. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Roxton, Texas and Soper, Oklahoma) (MM Docket No. 98–7) [RM–9211] [RM–9261] received November 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12407. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Wilson and Turrell, Arkansas) (MM Docket No. 97–215) [RM–9168] received November 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12408. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Plattsmouth and Papillion, Nebraska, and Osceola, Iowa) (MM Docket No. 96–95) [RM–8787] [RM–8838] received November 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12409. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Questa, New Mexico) (MM Docket No. 98–83) [RM–9280] received November 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12410. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Boulder, Montana) (MM Docket No. 98–127) [RM–9303] received November 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12411. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Hague, New York, and Addison, Vermont) (MM Docket No. 98–52) [RM–9239] received November 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12412. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Implementation of Section 207 of the Telecommunications Act of 1996 (CS Docket No. 96–83) received November 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12413. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—1998 Biennial Regulatory Review—Streamlining of Mass Media Applications, Rules, and Processes [MM Docket No. 98–43] Policies and Rules Regarding Minority and Female Ownership of Mass Media Facilities [MM Docket 94–149] received December 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12414. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Department's final rule—Implementation of Section 207 of the Telecommunications Act of 1996; Restrictions on the Over-the-Air Reception Devices: Television Broadcast, Multichannel Multipoint Distribution and Direct Broadcast Satellite Services [CS Docket No. 96–83] received December 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12415. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Telephone Number Portability [CC Docket No. 95–116 RM 8535] December 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12416. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Food Additives Permitted For Direct Addition to Food For Human Consumption; Polydextrose [Docket No. 97F–0388] received November 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12417. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Over-the-Counter Drug Products Containing Analgesic/Antipyretic Active Ingredients for Internal Use; Required Alcohol Warning [Docket No. 77N–094W] received November 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12418. A letter from the Director, Regulations Policy and Management, Food and Drug Administration, transmitting the Administration's final rule— Internal Analgesic, Antipyretic, and Antirheumatic Drug Products for Over-The-Counter Human Use; Final Rule for Professional Labeling of Aspirin, Buffered Aspirin, and Aspirin in Combination With Antacid Drug Products [Docket No. 77N–094A] (RIN: 0910–AA01) received November 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); 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—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)(A); to the Committee on Commerce.

12420. 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. 96F–0214] received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12421. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final report—Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers [Docket No. 98F–0291] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12422. 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–0432] received November 10, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12423. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a report on the nondisclosure of safeguards information for the quarter ending September 30, 1998, pursuant to 42 U.S.C. 2167(e); to the Committee on Commerce.

12424. A letter from the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Streamlined Hearing Process for NRC Approval of License Transfers (RIN: 3150–AG09) received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12425. A communication from the President of the United States, transmitting a notification to Congress regarding the United States military action against Iraq in response to Iraqi breaches of its obligations under resolutions of the United Nations Security Council, pursuant to Public Law 102—1, section 3 (105 Stat. 4); (H. Doc. No. 105—354); to the Committee on International Relations and ordered to be printed.

12426. A letter from the Director, Defense Security Agency, transmitting notification concerning the Department of the Navy'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. 2776(b); to the Committee on International Relations.

12427. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a memorandom of Justification 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.

12428. 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, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

12429. 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-Montenegro was designated at the 15% level, pursuant to 5 U.S.C. 5928; to the Committee on International Relations.

12430. A letter from the Chief Counsel, Office of Foreign Assets Contol, Department of the Treasury, transmitting the Department's final rule—Iranian Transactions Regulations: Reporting on Foreign Affiliates' Oil-Related Transactions—received November 10, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); 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—Iraqi Sanctions Regulations—November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); 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—Federal Republic of Yugoslavia (Serbia & Montenegro) and Bosnian Serb-controlled Areas of the Republic of Bosnia and Herzegovina Sanctions Regulations:

Resolution of Claims Regarding Blocked Montenegrin Vessel Accounts—received November 10, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); 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—Exports to the Federal Republic of Yugoslavia (Serbia and Montenegro); Imposition of Foreign Policy Controls [Docket No. 980522136-8136-01] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

12434. A letter from the Office of Management and Budget, transmitting Accounts containing unvouchered expenditures potentially subject to audit by the General Accounting Office, pursuant to 31 U.S.C. 3524(b); to the Committee on International Relations.

12435. A letter from the Secretary of Education, transmitting the nineteenth semiannual report to Congress on Audit Follow-up for the period April 1, 1998, to September 30, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

12436. A letter from the Comptroller 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.

12437. A letter from the Administrator, Agency for International Development, transmitting the semiannual report of the Agency's Inspector General for the period ending September 30, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

12438. A letter from the Chairman, Appraisal Subcommittee, Federal Financial Institutions Examination Council, 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.

12439. A letter from the Inspector General, Corporation For National Service, transmitting the semiannual report for the period of April 1, 1998 through September 30, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

12440. A letter from the Benefits Manager, CoBank, transmitting transmitting the annual report disclosing the financial condition of the Retirement Plan and Annual Report as required by Public Law 95-595, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform and Oversight.

12441. A letter from the Director, Bureau of the Census, Department of Commerce, transmitting the Department's final rule—Cutoff Dates for Recognition of Boundary Changes for Census 2000 [Docket No. 980209031-8031-01] (RIN: 0607-AA18) received December 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

12442. A letter from the Director, Federal Bureau of Investigation, Department of Justice, transmitting the Department's final rule—Exemption of System of Records Under the Privacy Act [AAG/A Order No. 155-98] received December 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

12443. A letter from the Director of the Peace Corp, transmitting the semiannual report of the Inspector General of the Peace Corps for the six-month period beginning April 1, 1998, and ending September 30, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

12444. A letter from the Executive Director, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting the Annual Report to the Congress from the District of Columbia Financial Responsibility and Management Assistance Authority; to the Committee on Government Reform and Oversight.

12445. A letter from the Administrator, Environmental Protection Agency, transmitting the semiannual report of the Office of Inspector General covering the period April 1, 1998 through September 30, 1998, and 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, Executive Office of the President, transmitting a report concerning a vacancy that has occured 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 and Oversight.

12448. A letter from the General Counsel, Federal Labor Relations Authority, transmitting the Authority's final rule—Unfair Labor Practice Proceedings—received December 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); 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—Negotiability Proceedings —received December 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

12450. A letter from the Chairman, National Credit Union Administration, transmitting the semiannual report for the period of April 1, 1998 through September 30, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

12451. A letter from the Chairman, National Science Board, transmitting the semiannual report for the period of April 1, 1998 through September 30, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

12452. 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.

12453. A letter from the Director, Office of Personnel Management, transmitting the semiannual report on activities of the Inspector General for the period of April 1, 1998, through September 30, 1998, and the Management Response 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.

12454. A letter from the Secretary of Labor, 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.

12455. A letter from the Chairman, Board of Directors, The Presidio Trust, transmitting a semiannual report pursuant to the Inspector General Act of 1978, 5 U.S.C. App. 3; to the Committee on Government Reform and Oversight.

12456. A letter from the Director, U.S. Trade and Development Agency, transmitting a consolidated report covering both audits and internal management activities; to the Committee on Government Reform and Oversight.

12457. A letter from the Secretary of Commerce, transmitting the report on the U.S. Antarctic Marine Living Resource Directed Research Program, pursuant to 16 U.S.C. 2431 et seq.; to the Committee on Resources.

12458. A letter from the Secretary, Secretary of the Interior, transmitting the 28th Annual Report of the actual operation during water year 1995 for the reservoirs along the Colorado River; projected plan of operation for water year 1996, pursuant to 43 U.S.C. 1552(b); to the Committee on Resources.

12459. A letter from the Director, Department of the Interior, transmitting the Department's final rule—Utah Regulatory Program [SPATS No. UT-039-FOR] received November 10, 1998, 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; Determination of Endangered Status for the St. Andrew Beach Mouse (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 Topeka 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 Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock by Vessels Catching Pollock for Processing by the Inshore Component in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No. 971208298-8055-02; I.D. 102898B] received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

12463. A letter from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Extension of Interim Groundfish Observer Program through 2000 [Docket No. 980826225-8296-02; I.D. 081498C] (RIN: 0648-AL50) received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

12464. A letter from the Deputy Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Naval Activities [Docket No. 960318084-8274-04; I.D.

071596C] (RIN: 0648–AG55) 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. 111298A] 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; Community Development Quota Program [I.D. 082798A] 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 for Vessels Using Hook-and-line and Pot Gear in the Bering Sea and Aleutian Islands [Docket No. 971208298–8055–02; I.D. 120498A] 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)(6)(A); to the Committee on the Judiciary.

12469. A letter from the 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–1090–I] (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 Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Visas: Grounds of Ineligibility [Public Notice 29101] 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 Civilian Employee Special Immigrants [Public Notice 2935] received November 25, 1998, 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 Nonimmigrants—VWPP [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—Documentation of nonimmigrants under the immigration and nationlity act, as amended—waiver by Secretary of State and Attorney General of Passport and/or visa requirements for certain categories of nonimmigrants [Public Notice 2926] received November 25, 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 Service's final rule— Barring Delinquent Debtors From Obtaining Federal Loans or Loan Insurance or Guarantees (RIN: 1510–AA71) received December 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

12476. A letter from the Commissioner, Immigration and Naturalization Service, transmitting the Service's final rule—Petitioning Requirements for the H–1B Nonimmigrant Classification Under Public Law 105–277 [INS 1962–98] (RIN: 1115–AF31) received December 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

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 Legion of Valor of the United States of America, Inc., pursuant to 36 U.S.C. 1101(28) and 1103; to the Committee on the Judiciary.

12479. A letter from the Director, Office of Government Ethics, transmitting the Department's final rule—Paperwork Revisions to Model Qualified Trust Certificates of Independence and Compliance (RIN: 3209–AA00) received October 29, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

12480. A letter from the Treasurer, The Congressional Medal of Honor Society of the United States of America, transmitting the annual financial report of the Society for calendar year 1996, pursuant to 36 U.S.C. 1101(19) and 1103; to the Committee on the Judiciary.

12481. A letter from the Administrator, Federal Highway Administration, transmitting the Administration's status report entitled, "Progress Made in Implementing Sections 6016 and 1038 of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)," pursuant to Public Law 102—240, section 6016(e) (105 Stat. 2183); to the Committee on Transportation and Infrastructure.

12482. A letter from the the Assistant Secretary of the Army, the Department of the Army, transmitting a recommendation by the Secretary of the Army to authorize a flood damage reduction project for Rio Nigua at Salinas, Puerto Rico; (H. Doc. No. 105—352); to the Committee on Transportation and Infrastructure and ordered to be printed.

12483. A letter from the Executive Director, Architectural and Transportation Barriers Compliance Board, transmitting the Board's final rule —Americans With Disabilities Act Accessibility Guidelines; Detectable Warnings (RIN: 3014–AA24) received November 10, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12484. A letter from the Assistant Secretary of the Army, Civil Works, Department of the Army, transmitting a report on the potential impacts associated with constructing a navigation lock in the Houma Navigation Canal, Morganza, Louisiana; to the Committee on Transportation and Infrastructure.

12485. A letter from the Assistant Secretary of the Army, Civil Works, Department of the Army, transmitting the Department's final rule—Naval Restricted Area, Naval Station Annapolis, Maryland—received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12486. A letter from the General Counsel, Department of Transporation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No.29370; Amdt. No. 1896] (RIN: 2120–AA65) received November 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12487. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Transportation of Hazardous Materials; Miscellaneous Amendments; Response to Petitions for Reconsideration [Docket No. RSPA–97–2905 (HM–166Y)] (RIN: 2137–AC41) received November 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12488. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Incentive Grants for Use of Seat Belts-Allocations Based on State Seat Belt Use Rates [Docket No. NHTSA–98–4494] (RIN: 2127–AH38) received November 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12489. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Blackbeard's Bounty Festival Pirate Attack, Bogue Sound, Morehead City, North Carolina [CGD 05–98–093] (RIN: 2115–AE46) received November 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12490. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone: Atlantic Intracoastal Waterway, Vicinity of Marine Corps Base Camp Lejeune, NC [CGD 05–98–038] (RIN: 2115–AA97) received November 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12491. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–10, -20, -30, and -40 Series Airplanes and C–9 (Military) Series Airplanes [Docket No. 97–NM–132–AD; Amendment 39–10860; AD 98–22–13] (RIN: 2120–AA64) received November 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12492. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney PW2000 Series Turbofan Engines [Docket No. 95–ANE–37; Amendment 39–10857; AD 98–18–08 R1] (RIN: 2120–AA64) received November 02, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12493. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company CF6–6, -45, -50, -80A, and -80C2 Series Turbofan Engines [Docket No. 98–ANE–52–AD; Amendment 39–10853; AD 98–22–06] (RIN: 2120–AA64)

received November 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12494. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29369; Amdt. No. 1895] (RIN: 2120–AA65) received November 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12495. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328–100 Series Airplanes [Docket No. 98–NM–305–AD; Amendment 39–10854; AD 98–22–07] (RIN: 2120–AA64) received November 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12496. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737 Series Airplanes [Docket No. 98–NM–245–AD; Amendment 39–10858; AD 98–22–10] (RIN: 2120–AA64) received November 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12497. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Grand Rapids, MN [Airspace Docket No. 98–AGL–48] received November 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12498. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Longville, MN [Airspace Docket No. 98–AGL–50] received December 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12499. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Remove Class D Airspace; Fort Leavenworth, KS [Airspace Docket No. 98–ACE–44] received December 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12500. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerospatiale Model SN 601 (Corvette) Series Airplanes [Docket No. 98–NM–161–AD; Amendment 39–10855; AD 98–22–08] (RIN: 2120–AA64) Receieved December 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12501. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dassault Model Falcon 2000 Series Airplanes [Docket No. 98–NM–184–AD; Amendment 39–10856; AD 98–22–09] (RIN: 2120–AA64) received December 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12502. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulation; Lake Pontchartrain, LA (CGD08–98–075; RIN: 2115–AE47) received December 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12503. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Aviation Administration; Airworthiness Directives; British Aeorspace BAe Model ATP Airplanes [Docket No. 98–NM–216–AD; Amendment 39–10934; AD 98–25–08] (RIN: 2120–AA64) received November 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12504. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Aviation Administration; Airworthiness Directives; Bombardier Model DHC–7 and DHC–8 Series Airplanes [Docket No. 98–NM–237–AD; Amendment 39–10935; AD98–25–09] (RIN: 2120–AA64) received November 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12505. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Aviation Administration; Airworthiness Directives; Airbus Model A300–600 Series Airplanes [Docket No. 97–NM–153–AD; Amendment 39–10933; AD 98–25–07] (RIN: 2120–AA64) received November 14, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12506. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Aviation Administration; Airworthiness Directives; Boeing Model 737, 747, 757, 767, and 777 Series Airplanes [Docket No. 98–NM–263–AD; Amendment 39–10930; AD 98–13–12 R1] (RIN: 2120–AA64) received November 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12507. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Aviation Administration; Pilot Schools; General Operating and Flight Rules (RIN: 2120–ZZ14) received November 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12508. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Aviation Administration; Airworthiness Directives: McDonnell Douglas Model MD–11 Series—Docket No. 98–NM–348/12–10 (RIN: 2120–AA64 (1998–0721)) received December 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12509. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Aviation Administration; Establishment of Class E2 Airspace; Atlanta Dekalb-Peachtree Airport, GA; [Airspace Docket No. 98–ASO–17] received December 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12510. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Highway Administration; Safety Fitness Procedures [FHWA Docket Nos. MC–94–22 and MC–96–18; FHWA–97–2252] (RIN: 2125–AC71) received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12511. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Highway Administration; National Corridor Planning and Development Program and Coordinated Border Infrastructure Program—Implementation of the Transportation Equity Act for the 21st Century [FHWA Docket No. FHWA–98–4622] received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

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 39–10869; AD 98–23–05] (RIN: 2120–AA64) received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12513. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Aviation Administration; Airworthiness Directives; Eurocopter France Model SA 330F, G, and J Helicopters [Docket No. 97–SW–43–AD; Amendment 39–10867; AD 98–23] (RIN: 2120–AA64) received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12514. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Aviation Administration; Establishment of Class E Airspace; Anaktuvuk Pass, AK [Airspace Docket No. 98–AAL–16] received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12515. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Aviation Administration; Establishment of Class E Airspace; Atka, AK [Airspace Docket No. 98–AAL–18] received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12516. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Aviation Administration; Revision of Class E Airspace; Nome, AK [Airspace Docket No. 98–AAL–12] received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12517. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Aviation Administration; Revision of Class E Airspace; Yakutat, AK [Airspace Docket No. 98–AAL–17] received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12518. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Aviation Administration; Revision of Class E Airspace; Unalakleet, AK [Airspace Docket No. 98–AAL–10] received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12519. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Aviation Administration; Revision of Class E Airspace; King Salmon, AK [Airspace Docket No. 98–AAL–11] received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12520. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Aviation Administration; Airworthiness Directives; Eurocopter France Model AS 332C, L, and L1 Helicopters [Docket No. 97–SW–36–AD; Amendment 39–10868; AD 98–23–04] (RIN: 2120–AA64) received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12521. 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. 1898] (RIN: 2120–AA65) 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. 29379; Amdt. No. 1897] (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. 1899] (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; Revision of the Legal Description of the Memphis Class B Airspace Area; TN [Airspace Docket No. 98–AWA–1] (RIN: 2120–AA66) received November 9, 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 CJ610 Turbojet and CF700 Series Turbofan Engines [Docket No. 98–ANE–60/11–5] (RIN: 2120–AA64 (1998–0651)) received November 9, 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; 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.

12527. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Dallas-Fort Worth, TX [Docket No. 98–ASW–42/9–4] (RIN: 2120–AA66 (1998–0466)) received December 4, 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—Amendment to Class E Airspace; Fairbury, NE [Docket No. 98–ACE–28/9–15] (RIN: 2120–AA66 (1998–0465)) 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—Airworthiness Directives: Empresa Brasileira de Aernautics [Docket No. 98–NM–66/6–25] (RIN: 2120–AA64 (1998–0704)) 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 Calss E Airspace: Wellington, KS [Airspace Docket No. 98–ACE–42] received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12531. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Trenton, MO [Airspace Docket No. 98–ACE–38] received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12532. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Wichita Mid-Continent Airport, KS [Airspace Docket No. 98–ACE–36] received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12533. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29403; Amdt. No. 1903] (RIN: 2120–AA65) received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12534. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29402; Amdt. No. 4902] (RIN: 2120–AA65) received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12535. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29389; Amdt. No. 1901] (RIN: 2120–AA65) received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12536. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29388; Amdt. No. 1900] (RIN: 2120–AA65) received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12537. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; First Technology Fire and Safety Ltd. Toilet Compartment Fire Extinguishers [Docket No. 98–ANE–29–AD; Amendment 39–10914; AD 98–24–27] received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12538. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Remove Class D Airspace; Fort Leavenworth, KS [Airspace Docket No. 98–ACE–44] received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12539. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A321–111, -112, and -131 Series Airplanes [Docket No. 98–NM–264–AD; Amendment 39–10928; AD 98–25–05] (RIN: 2120–AA64) received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12540. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; BF Goodrich Avionics Systems, Inc. SKYWATCH SKY497 Installations with a Top-Mounted Antenna [Docket No. 98–CE–107–AD; Amendment 39–10924; AD 98–25–02] (RIN: 2120–AA64) received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12541. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Cessna Aircraft Company Model 172R Airplanes [Docket No. 98–CE–109–AD; Amendment 39–10925; AD 98–25–03] (RIN: 2120–AA64) received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12542. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Air Tractor, Inc. AT–300, AT–400, and AT–500 Series Airplanes [Docket No. 98–CE–62–AD; Amendment 39–10922; AD 98–25–01] (RIN: 2120–AA64) received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12543. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; AlliedSignal, Inc. Model T5317A–1 Turboshaft Engines [Docket No. 98–ANE–72–AD; Amendment 39–10926; AD 98–22–11] (RIN: 2120–AA64) received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12544. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives: McDonnell Douglas Model MD–90–30 [Docket No. 97–NM–258/12–3] (RIN: 2120–AA64 (1998–0705)) received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12545. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revocation of Class D and Class E Airspace, Crowe Landing, CA; Correction [Docket No. 98–AWP–12/12–2] (RIN: 2120–AA66 (1998–0467) received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12546. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9 and DC–9–80 Series Airplanes, Model MD–88 Airplanes, and C–9 (Military) Series Airplanes [Docket No. 97–NM–21–AD; Amendment 39–10919; AD 98–24–33](RIN: 2120–AA64) received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12547. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Hamilton Standard 54H60 Series Propellers [Docket No. 98–ANE–59–AD; Amendment 39–10920; AD 98–24–34] (RIN: 2120–AA64) received December 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12548. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Allison Engine Company 250–B and 250–C Series Turboshaft and Turboprop Engines [Docket No. 98–ANE–23–AD; Amendment 39–10915; AD 98–24–28] (RIN: 2120–AA64) received December 4, 1998, pursuant to 5

U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12549. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Americans With Disabilities Act Accessibility Guidelines; Detectable Warnings (RIN: 3014–AA24) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12550. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendments to Opiate Threshold Levels (RIN: 2105–AC74) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12551. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–100, -200, -300, -400, and -500 Series Airplanes [Docket No. 97–NM–157–AD; Amendment 39–10912; AD 97–09–15 R1] (RIN: 2120–AA64) received November 30, 1995, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12552. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Compressed Natural Gas Fuel Containers [Docket No. NHTSA–98–4807] (RIN: 2127–AF51) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12553. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Policy on the Use for Enforcement Purposes of Information Obtained from an Air Carrier Flight Operational Quality Assurance (FOQA) Program (RIN: 2120–AF–04) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12554. A letter from the General Counsel, Department of Transportation, transmitting The Department's final rule—the Establishment of Cincinnati/Northern Kentucky International Airport Class B Airspace Area, and Revocation for Cincinnati/Northern Kentucky International Class C Airspace Area; KY [Airspace Docket No. 93–AWA–5] (RIN: 2120–AE97) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12555. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directive: McDonnell Model DC–10–10 [Docket No. 97–NM–14/24] (RIN: 2120–AA64 (1998–0697)) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12556. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Woodbine, NJ [Docket No. 98–AEA–22] (RIN: 2120–AA66) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12557. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace: Altoona, PA [Docket No. 98–AEA–23] (RIN: 2120–AA66) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12558. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace: Brookville, PA [Docket No. 98–AEA–32] (RIN: 2120–AA66) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12559. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace: Waynesburg, PA [Docket No. 98–AEA–33] (RIN: 2120–AA66) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12560. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace Beaver Falls, PA [Docket No. 98–AEA–34] (RIN: 2120–AA66) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12561. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace: Altoona, PA [Docket No. 98–AEA–35] (RIN: 2120–AA66) November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12562. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace: Malone, NY [Docket No. 98–AEA–21] (RIN: 2120AA66) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12563. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Burkhart GROB Luft-und Raumfahrt GmbH Model G 109B Gliders [Docket No. 98–CE–71–AD; Amendment 39–10895; AD 98–24–09] (RIN: 2120–AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12564. A letter from the General Counsel, Department Of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767 Series Airplanes [Docket No. 98–NM–281–AD; Amendment 39–10859; AD 98–22–12] (RIN: 2120–AA64) received November 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12565. A letter from the Acting Deputy Director, National Institute of Standards and Technology, Department of Commerce, transmitting the Department's final rule—Availability of Funds for the NIST Omnibus Availability of Funds Federal Register Announcement [Docket No. 981103273–8273–01] (RIN: 0693–ZA24) received November 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

12566. A letter from the the Executive Secretary, the Disabled American Veterans, transmitting the report of the proceedings of the organization's 1998 National Convention, pursuant to 36 U.S.C. 901 and 44 U.S.C. 1332; (H. Doc. No. 105—353); to the Committee on Veterans' Affairs and ordered to be printed.

12567. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Dependents Education: Increase in Educational Assistance Rates (RIN: 2900–AJ42) received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

12568. A letter from the Chief Counsel, Bureau of the Public Debt, transmitting the Bureau's final rule—Regulations Governing Agencies for the Issue and Offering of United States Savings Bonds, Including Sales by Electronic Means—received November 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12569. A letter from the Chief Counsel, Bureau of the Public Debt, transmitting the Bureau's final rule—Regulations Governing Book-Entry Treasury Bonds, Notes and Bills [Department of the Treasury Circular, Public Debt Series, No. 2–86] received December 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12570. A letter from the Chief Counsel, Bureau of the Public Debt, Department of the Treasury, transmitting the Department's final rule—Fee Structure for the Transfer of U.S. Treasury Book-Entry Securities Held on the National Book-Entry System—received November 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12571. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Texas Davis Mountains Viticultural Area (97–105) [T.D. ATF–395 Re: Notice No. 851] (RIN: 1512–AA07) received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12572. A letter from the Chief Counsel, Bureau of the Public Debt, Department of the Treasury, transmitting the Department's final rule—Offering and Governing Regulations for United States Savings Bonds, Series I; Issuing and Paying Agents; and Payment Under Special Endorsement—received December 17, 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. 3–95, Change 2] received November 13, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12574. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Fluor v. United States [Docket No. 96–5130] received November 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12575. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Administrative Appeal of Adverse Determination of Tax-Exempt Status of Bond Issue (Notice 98–58) received November 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12576. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Revenue Ruling 98–57) received November 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12577. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—D.C. Enterprise Zone / Census Tracts [Notice 98–57] received November 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12578. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Taxation of DISC Income to Shareholders [Revenue Ruling 98–55] received November 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12579. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Changes in accounting periods and in methods of accounting [Revenue Procedure 98–58] received November 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12580. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability [Revenue Procedure 98–63] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12581. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Certain Investment Income under the Qualifying Income Provisions of Section 7704 and the Application of the Passive Activity Loss Rules to Publicly Traded Partnerships [TD 8799] (RIN: 1545–AV15) received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12582. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Abatement of Interest for Individual Taxpayers in Presidentially Declared Disaster Areas [Notice 99–2] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12583. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Election to Amortize Start-Up Expenditures for Active Trades or Businesses [TD 8797] (RIN: 1545–AT71) received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12584. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 98–56] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12585. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Tax forms and instructions [Revenue Procedure 98–61] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12586. A letter from the Secretary of Health and Human Service, transmitting the Department's final rule—Welfare-to-work Data Collection (RIN: 0970–AB92) received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12587. A letter from the Secretary of Health and Human Services, transmitting the Department's final rule—Medicare Program; Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts for 1999 [HCFA–8001–N] (RIN: 0938–AJ02) received October 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12588. A letter from the Chief of Staff, Office of the Commissioner, Social Security Administration, transmitting the Administration's final rule— Permit the Department of State (DOS) and the Immigration and Naturalization Service (INS) To Collect Information Needed To Assign Social Security Numbers (SSNs) to Aliens [Regulations No. 22] (RIN: 0960–AE36) received December 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12589. A letter from the Director, Washington Headquarters Services, Department of Defense, transmitting the Department's final rule—Military Recruiting and Reserve Officer Training Corps Program Access to Institutions of Higher Education (RIN: 0790–AG42) received October 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on National Security and Appropriations.

12590. A letter from the Secretary of Health and Human Services, transmitting the Department's final rule—Interim Rules for Group Health Plans and Health Insurance Issuers Under the Newborns' and Mothers' Health Protection Act (RIN: 0938–AI17) received December 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Commerce, Ways and Means, and Education and the Workforce.

12591. A letter from the Deputy Assistant Secretary for Policy, Pension Welfare Benefits Administration, Department of Labor, transmitting the Department's "Major" final rule—Interim Rules for Group Health Plans and Health Insurance Issuers Under the Newborns' and Mothers' Health Protection Act (RIN: 1210–AA63) received November 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means, Education and the Workforce, and Commerce.

12592. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's "Major" final rule—Interim Rules For Group Health Plans and Health Insurance Issuers Under the Newborns' and Mothers' Health Protection Act [TD 8788] (RIN: 1545–AV52) received October 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means, Education and the Workforce, and Commerce.

12593. A letter from the Secretary of Health and Human Services, transmitting the Department's "Major" final rule—Newborns' and Mothers' Health Protection Act of 1996 (HCFA–2892–IFC) received December 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means, Education and the Workforce, and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHUSTER: Committee on Transportation and Infrastructure. Summary of Legislative and Oversight Activities of the Committee on Transportation and Infrastructure for the 105th Congress (Rept. 105–831). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARCHER: Committee on Ways and Means. Legislative and Oversight Activities of the Committee on Ways and Means During the 105th Congress (Rept. 105–832). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII,

Ms. NORTON introduced a resolution (H. Res. 613) providing a vote for the Delegate to the Congress from the District of Columbia in the consideration by the House of Representatives of any resolution impeaching the President or Vice President of the United States; which was referred to the Committee on Rules.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the clerk's desk and referred as follows:

92. The SPEAKER presented a petition of the City Council of Detroit, relative to a Resolution petitioning Congress to give high priority to the urban agenda and putting an end to public inquiries into President Clinton's personal life; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

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 current outstanding First Lady should pay tribute to her predecessor, Eleanor Roosevelt, 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 Nations 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 exploitation of women and children, hunger and malnutrition, the abuse and murder of street children, and other similar 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 colleagues to give it the thoughtful and careful attention 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, Ambassador Betty King and Dr. McGrab and Dr. Milnik . . . . 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 honored to be taking part in this extraordinary lecture series and I'm very pleased to be a part of something that preserves the legacy of Eleanor Roosevelt. That gives new generations of all of us, men and women, here in America and around the world, a real opportunity to know more about this extraordinary 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 experience and vocabulary, how she can help today to continue to guide us in protecting the human rights of all people and, in particular, 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 first conversation about human rights at this great university and community—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 a thousand young people a year into Washington, DC schools and neighborhoods bringing math, and reading, and role modeling, 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. Whether it's in the classroom or 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 certainly the home of many distinguished alumni 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 somewhat in awe of this great university which has produced so many important people and that has made so many important contributions to our country, I thought I needed to discuss this speech with Eleanor Roosevelt. (laughter and applause) When I first told people some years ago that I sometimes hold imaginary conversations with Mrs. Roosevelt, 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 imaginary conversation technique—whether it is with a 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 Mrs. Jones, who desperately tried to prevent me from dangling participles, have to say about this?" So talking to Mrs. Roosevelt, even in my imagination, has proven to be a very great 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 say?" (laughter)

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 erooselvelt@heaven.com, but I think the server was down. I tried calling on her cell phone, but the circuits were busy. Then I tried paging her but was told she had traveled 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 pages of 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 inspirational 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 Pakistan and India we discovered that Eleanor Roosevelt had been there in 1952, and had written a book about her experiences.

So I was particularly honored when I received the Eleanor Roosevelt Center Gold Medal at Val-Kill. A beautiful wooded retreat where she went to entertain friends and family to think and to write. As I walked through her home 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 beaming handed her a bouquet of flowers. 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 came to give support and to give a voice to those without either. To the migrant workers who watched her march through fields that had been newly plowed and were thick with muck, they would just matter-of-factly greet her by saying, "Oh Mrs. Roosevelt, you've come to see us." As if it were the most natural thing in the world. To the Japanese-Americans during World War II and to African Americans every day during her long life, she would help support people who faced discrimination and challenges.

Another of my favorite stories is of an African American child, a first grader, whose mother worked in a laundry mat. His father was a mechanic who couldn't get good work.

They lived in a tin shack without any foundation so every time it rained their house slid down the hill. This child wrote to Eleanor 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, which led not only that child getting his house on much firmer footing, but also eventually to integrated housing in Lexington, Kentucky. The next year in the mail, he sent his second grade picture to Mrs. Roosevelt and she carried it with her to remind her of the boy she had never personally met. On the back, he had written his name with such care, erasing it many times so that it was just right, that it left an imprint on the front of the photo. He also included a letter, "Dear Mrs. Roosevelt," it said "Thank you for my house. I know you did it."

Without fanfare, she went anywhere and everywhere she thought her presence would make a difference. She wanted to see with her own eyes the everyday violations that rob individuals of their dignity and all of us of our humanity. And then she rolled up her sleeves and tried to do something about what she saw.

And that is the path she is asking us to walk today; to open our eyes and hearts, to use our minds and hands, and fulfill the promises of her greatest achievements of all, the Universal Declaration of Human Rights. It happened exactly 50 winters ago. As the Chair of the commission drafting the Universal Declaration of Human rights, Eleanor Roosevelt worked tirelessly from 1946 to 1948. Imagine how she must have felt on December 10, at 3:00 a.m. when the nations of the world agreed to create this new common standard for human dignity. We know how everyone else felt. The delegates stood and gave her a standing ovation.

Let me read a passage from that document: "The advent of a world in which human beings shall enjoy freedom of speech and belief, freedom from fear and want have been proclaimed as the highest aspirations of the common people." The declaration, as we know, did not take place in a vacuum. As Father O'Donovan has already reminded us, it was a worldwide response to evil, and I use that word deliberately. Those who study Hitler's rise to power and the Holocaust know that the Nazis were able to pursue their crimes precisely because they were successful at constricting the circle of those that were defined as fully humans. They proceeded step by step, through laws and propaganda—Jews, the mentally ill, the infirm, gypsies, homosexuals—all of whom they identified as unworthy of life, as not human, as alien, other.

Throughout history, and even today, we have seen in many places and in many times this cold dark region of the human soul, this schizophrenia of the soul that permits one group to dehumanize another. And it was that all-too-human characteristic that the Declaration and Eleanor Roosevelt wanted to help us resist. In the half century since the declaration, this document has created an ideal that nations and individuals have reached towards, knowing that they will never quite achieve it, but knowing that we must never stop trying. Many countries have used the Declaration for their own constitutions. Courts of law look to it. It has laid the groundwork for the world's war crimes tribunals.

At the United Nations Fourth World Conference on Women in Beijing, it was the strength and challenge of this Declaration that enabled us to say for the world to hear that human rights are women's rights and women's rights are human rights. It was the power of the Declaration that led in 1989 to the United Nations Convention on the Rights of the Child. I am very proud that my husband signed that. And now I hope with all my heart that the United States will join with the Vatican and all the other nations of the world except Somalia and ratify the Convention once and for all. (applause) And this is why. In spite of our progress on human rights over the last half century, it is unconscionable that we still have not seen the circle of human dignity expanded to include all the children of our world. There are still too many excluded from the Declaration, too many whose suffering we fail to see, to hear, to feel, or to stop.

Now, any look back in the course of human history shows that every nation, every society, has its blind spots. Spots that somehow prevent us from understanding how the full circle of rights should include all of our fellow human beings. In our country it has taken us most of our 222 years—most of them bloody, few of them easy—to extend the benefits of citizenship to African Americans, to those without property, and to women. Eleanor Roosevelt was 35 years old before she was given the right to vote.

And we also know—especially in this new global economy—that no nation can move ahead when its children are left behind. Eleanor Roosevelt understood that. She knew that whether we treated children with respect would not only determine the quality of our lives, but also who we were as a nation and what kind of life it would be for the next generation. You could see it in the way she talked to children. I've seen so many pictures of her bending down from her tall frame and leaning her entire body over to hear a child, looking right into the eyes of that child, trying to understand that child's dream, trying to convey that she believed in that little boy or girl, and she always tried to give those children a voice.

The Declaration makes that clear. It reads, "All human beings are born free and equal in dignity and rights." All human beings—it did not say all men, or all members of certain races, regions or religions. It did not say all adults. It also did not make choices between children because, in fact, it says specifically, "All children, whether born in or out of wedlock, shall enjoy the same social protection." Because human rights are not given to us by a parent or the government. They do not miraculously appear when we turn 18. No piece of paper can give them or take them away. We know that children should be treated with extra care—not less. And every child should be viewed as endowed with all rights and dignity accorded to all human beings.

Now of course that's not always been the view of children. For millennia we viewed children as the property of their families, principally of their fathers. They were mostly used for work—work outside and inside the house. Parents were given the right in every culture to abandon, ignore or sell their children. But over the centuries, we grew to understand that children were not just little adults, that they need the care, discipline and the love of a family. And we began to understand too—as industrialization spread across the world—that in order for children to be successful in the world that is being created, they needed education, they needed protection, they needed to grow slowly but surely into adulthood. We have to only go back to the 19th century to see how different times were. In Dickens' Hard Times, poor children grow up in a town where the black soot from the factory virtually extinguishes the sun and the school is taught by a teacher appropriately named Choke M. Child. So in this century, we have begun to appreciate more that children are people, are individuals, and not property.

Now what does that mean to us? Well, clearly in our country, it has meant passing laws, and enforcing them to prevent children from being abused in labor; being abused by those who are closest to them—their family; being given certain protections, whether they are caught up in the court system or the welfare system; being given the right of—which sounds like an oxymoron—compulsory education; being viewed in other words as people themselves who we must nurture into full citizenship. If you've ever worked with children, you can see in their eyes how so often we fail at that very fundamental task of respecting them. I've worked with abused and neglected children for more than 25 years. I've looked into the eyes of many poor children, many abandoned children, and I'm always amazed that there are some in our world who continue to dismiss the suffering of children, who believe that somehow children are so resilient that they will always bounce back, and it is not all of our responsibility to care for all of our children, and that we interfere with the rights of parents when we do something as simple as try to prevent children from being physically abused.

So we've changed attitudes, and we have seen great progress doing so here in our own country and around the world. There are others who say that human rights are a Western invention and that they come from a Judeo-Christian base and that they don't have universal application. But we also know differently. We can go back and trace the roots of the beliefs that were set forth in the Declaration. They were not invented 50 years ago. They are not the work of a single culture, whether it is Confucius who articulated them in ancient china, or Sophocles who wrote 2500 years ago about such rights and had antigone declare there were ethical laws higher than the laws of kings. But whether it is the Golden Rule—which appears in every possible religion in one form or another—we know that at root we understand—whether we admit it or not—that we as human beings are vowed to each other in a mutual realm of respect, that we should nurture for our own sake, as well as for others.

Now what are these rights? Well, for children, the UN Convention on the Rights of the Child declares that every child is born with the right to be protected from abuse and abduction, violence and work that threatens his or her development. It says that every child has the right to worship freely and express opinions and aspirations, that every child has the right to health, to education, to life. These are the promises that Eleanor Roosevelt and every other champion of human rights held out for all people, but it has been up to us adults to make these promises real in the lives of children.

In many African villages, I'm told that neighbors greet each other not by saying hello, but by asking, "How are the children?" Well the answer is that today, 50 years after the Declaration, children are doing better around the world. They are more likely to live to see their 5th birthday and even their 75th. In health, nutrition, education, water supply and sanitation, three out of five countries are pretty much on track to reach the child survival goals set by the 1990 World Summit on Children. Over

the last two decades, infant immunization rates rose from 5 percent to 80 percent, saving more than 3 million lives a year.

Around the world, I have personally seen governments and non-governmental organizations come together to put the lives of children first. Just a few months ago, Yemen adopted a national strategy for girls' education, including eliminating school fees for girls. Last year in the United States, we extended health insurance to millions of children, and enacted the Adoption and Safe Families Act, which says that our first priority in the child welfare system is the health and well-being of children. There are many examples I could give you of the progress we have made—certainly over 50 years, but even over 10 and the last 5 years. But still we have to ask, "How are the children?" And the honest answer is, which children? Where do they live? Who are their parents? How affluent are they? What kind of societies are they part of? Because, despite the advances, in many places around the world children are not doing very well at all. There are old foes like malnutrition and malaria and new foes like trafficking and child prostitutes and laborers. 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 Hong Kong, "Child Prostitutes Make Tearful Plea;" in Bangladesh, "The Plight of Street Children;" in Nairobi, "Poverty Blamed for Child Labor." Eleanor Roosevelt certainly would be the first to point out that a child's rights go far beyond simply responding to the images that we see on TV, or that reach us through the Internet or the newspaper. We have to ask ourselves, each of us, "What is it I can do? What is it I can ask others to do? How can I move my government, my church, my friends forward to do more for 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 not much better today than they were 50 years ago, or who face new challenges—like being kidnaped, 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. We have to support work by our own government, by our development agencies like USAID, by international organizations such as UNICEF. And it is particularly important that we do not forget the faces 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 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 yet, 140 million primary school age children are not in school—60 percent of that 140 million are girls. And I 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, who in return for food and money permitted their daughters to go to school. It was a bribe, but it was a worthy bribe.

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 Amendment in our own country so many years ago, "No civilization should be based on the labor of children." But that is happening every day—even in this country because children are being forced into labor, sold into labor, and we are not doing enough about it. The types of labor children are subjected to in this new global economy have perhaps changed, but not the impact on the child. It is not a problem of the past. It should not be excused by saying that parents need money. And we should not close our eyes to the work of children that goes into 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 widowed or abandoned mothers, with younger 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 South Asia, to 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. I heard about that on my recent trip to Haiti. How they are often given away, sold, separated from their families, sexually and physically abused, malnourished, and literally sometimes worked to death. There are girls that I've met in Northern Thailand, when I visited their village I could tell by looking at their parents' homes which ones had sold their daughters into prostitution. The homes were bigger, nicer, they sometimes even had an antenna or satellite on top. But the next day I visited with some of the daughters that had been sold into the brothels in Bangkok and other cities who, after they became infected with HIV, were thrown out into the streets and found their way home. They were rejected by their families, and thanks to the good services of relief and religious organizations they were taken in. And I met those girls—some of them as young as 12—dying from AIDS.

Eleanor Roosevelt worked hard to rescue European refugee children during World War II. But I don't know if she, or anyone, could have seen the horrific ways in which children are now being brutalized by war. Until relatively recently in human history, war was being fought out between soldiers. Some conscripts, some volunteers, but by in large adult men—counting teenagers in their mid to late teens in some societies who were part of whatever the war effort was. In the last twenty or so years, that has increasingly not been the case. Who will speak today for the two million children that have been in conflicts 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 primary victims of modern warfare are women, and children, and civilians—people who are picked on as victims, who are kidnaped by perpetrators, who are forced into being refugees. Who will speak for 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.

Who will speak for the three children I recently met in Uganda—Janet, Issac and Betty? Like many children in Northern Uganda, they have literally been stolen from their homes. The boys are used in battle as human shields. The girls are sent into slave labor, usually raped, and then given away as wives to rebel commanders. The children are often forced to kill other children who don't obey or try to escape. The rebels call themselves soldiers but they are cowards, for only cowards would hide behind children in battle.

I met the head of a boarding school, a nun, Sister Rachele. Her 139 female students had been the subject of a raid by the rebels who had crossed the Sudanese border, had taken the school, tied the girls up, beaten them, and then taken them all away into the dead of night. But this tiny little woman of God was determined to get them back. She went after them, she was armed usually only with her faith, but she was able to pull together some funds to ransom some of the children out. She served as a safe haven for those who could find their way back. Many have, but I was sad to talk with the mother of one of those students who has not been rescued. Her mother doesn't know if she's alive or dead. She only knows that she was taken as part of a war that she has no say in whatsoever.

We also know that we cannot fulfill the journey that the Declaration started us on when 100 mullion street children now live in the developing world alone. They are out of school, without homes or families. They're left to take care of themselves, they roam the streets in tattered clothing, they sell gum, and they beg and they dig through the trash for food. I've seen them in Bulgaria. Roma children—one of the most discriminated against groups in Europe—you might call them gypsies. Roma children, sometimes by their own parents, are put out on the street to beg. Or if there are too many children in the family some are just left there. Or if they want to go to school instead of turning tricks they are left there.

I also saw them in Brazil where three street children a day are killed, usually by police doing the bidding of merchants who are tired of having these children camped in front of their stores. In both Bulgaria and Brazil, I saw how caring people can make a difference. I visited a center run by a Bulgarian—American who has taken in children off the streets who are now going to school and learning, and thinking about a better future. But it's a small number of those that need to be helped. I visited a unique program in Brazil in Salvador de Bahia. A circus school where children were taken in and taught skills to entertain people who would come and see them perform. They would then have money so they could be housed, and given food, and educated—children who once had no future, thinking they wouldn't have one. It's not only in warm places like Brazil—I visited a center for street children in Mongolia where the children, because of the rapid changes in social life, because of problems adjusting to the new global economy, are either being pushed out or running away from homes that are in a great deal of stress and turmoil.

When we think bout what is happening with these tens of millions of children

around the world, we certainly cannot forget that there are still children here in Washington, DC and throughout America that need their rights protected as well. We should not, for example, condemn violence against children in Kosovo and turn away from it on the streets of Washington. We cannot mourn the children of Mongolia and forget about homeless children here, or raise our voices about children out of school in Guatemala and close our mouths when young people here drop out. We have to do better by our own children as well. We've been making progress here and around the world.

I've been pleased that this administration, under the President, has put the protection of children on the front burner. For example, this year, we are increasing by tenfold our U.S. commitment to take children out of abusive workrooms and put them in classrooms all over the world. Since September, the Voice of America has been broadcasting monthly public service announcements asking parents if they've talked about their children's health today, focusing on child survival issues, talking hard talk in some places, like not feeding your girl children, or being exposed to HIV and AIDS. We join with Ukraine to combat trafficking of girls in and out of that country. And from Guatemala to Nepal, I've seen how small investments in educational scholarships for girls, or safe birthing kits, or Vitamin A, can lift up and transform lives. So there is much that we can point to that is heading in the right direction, but there is much more we have to do.

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, and 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 as a reminder 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 hope we remember the children who are victims and weapons of war when Congress revisits our United Nations dues. It should be unacceptable to all Americans of any political persuasion that the richest and most powerful country in the world is the number one debtor to the United Nations. (applause)

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 parents 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 that we have to do more than pass, and 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 participating. As a result of that democracy skit one small village, after talking about issues that effected 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 than, 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 not good for their daughters, it sometimes led to them hemorrhaging and bleeding to death, and sometimes caused grave complications in childbirth. Slowly, village after village began to recognize that it was a fundamental right of a young girl to grow up whole, to have her health protected. And then, the next thing I knew I got a letter saying these villages had banded together and presented a petition to the President and that a law would be passed. Now that law will not end this cultural custom, but it will begin to change attitudes about it. More and more girls and women will say, "No, this is not necessary."

There are certain rights to health that we need to protect. First, think of what we could accomplish if we valued and respected every child, with particular emphasis on girl children, because they are still the most at risk in so many societies around the globe. If we are to put children's rights on the same level as adult's rights, then we have to think about what it is that we want for our own children. Those of us in this beautiful Gaston Hall, who try to keep our children healthy, who try to give them good educations that lead to a fine university education like this one here at Georgetown. We try to protect them from abuse and neglect and abandonment and desertion. We try not to put them to work in full time jobs before they are ready. So we have to think about what we want for ourselves, and in many countries where some of the worst violations of children's rights occur, those who are in power protect their own children and then look at others children as being beyond the circle of human dignity.

So we have to complete that circle, and that falls to every generation. It fell to our parents who fought off depression and oppression. It fell to the generation that fought for civil rights and for human rights. And it falls to each of us, particularly the students who are here today. I like very much the article that Tracy Roosevelt recently wrote. She talked about the legacy that her great grandmother left all of us and that any young person could follow by standing up for the rights of others by standing against stereotyping of any person or group of people.

Now we might not have Eleanor Roosevelt's stature—either in height or in life—but each of us can contribute to a child's future. We can make sure that we are part of a society that values health care for everyone, a good education for everyone, the strength of families to give them the tools they need to raise their own children with future possibilities, to make sure we do everything we can to live free from abuse and violence and war, and to make it possible for every person and every child to speak freely 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 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 it's going to be an interesting and adventurous one. I wish you courage to face yourselves and when you know what you really want to fight for, not in a war, but to fight for in order to gain a peace, then I wish for you imagination and understanding. God bless you. May you win."

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 was expecting me." Think about all of the children who are expecting us. Think about, as we go forward into Advent and celebrate this Christmas season, about a particular child who no one was expecting but grew up to give us a chance to think anew, to live again in way that connect us more deeply and profoundly to one another. Eleanor Roosevelt can serve as an inspiration, and a reminder that although as President Kennedy said, "God's work on this Earth is our own," we know that we can never complete it. But we know that we can live richer lives if we try. To the children of America and the world, you see, we have to come, because they are expecting us to make good on the promises that were made to them fifty years ago. Thank you all very much. (applause)

TRIBUTE TO JOSEPH A. McALEER, SR.

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 a Mobile legend, the late Joseph A. McAleer, Sr., who recently passed away following a lifetime of good deeds and noteworthy successes. With your permission, I would like to enter into the CONGRESSIONAL RECORD an editorial tribute which appeared in the Mobile Register. It is entitled "One man's sweetest legacy":

Sweet-toothed Americans from Mobile to Manhattan can thank the late Joseph A. McAleer, Sr. for not giving up on his dreams.

Instead, his legacy—the Krispy Kreme doughnut—is now a Southern tradition that ranks with other cultural icons such as iced tea and men's seersucker suits.

Mobile can proudly claim Krispy Kreme doughnuts as a hometown original, thanks to Mr. McAleer, who died Sunday at the age of 74 after battling lung cancer. His family members were by his side. He was buried Tuesday. It was appropriate to pay homage to him and reflect on the sweet legacy he leaves.

In 1953, Mr. McAleer opened his first Krispy Kreme doughnut franchise in Prichard, after working for Krispy Kreme's founder, Vernon Rudolph, in Pensacola. The first store failed and three and a half years later Mr. McAleer was broke. But in 1956, he changed locations, opening a store on what is now Dauphin Island Parkway. In what was a sign of things to come, business was so good from day one that lines snaked out of

the store. A tradition was born. Today, those same kinds of lines are found at stores all over—particularly when Krispy Kremes are hot off the conveyer 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 Yankees owner Georges Steinbrenner is a customer. So is actress Lauren Bacall and the 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 and remodeling 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 intractable part of Mobile's 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. This clearly begs the question: 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? I can 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 ROS-LEHTINEN

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 wonderfully 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 the business world, 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.

Born on February 19, 1916, Mr. Phifer was the son of William and Olga Gough Phifer. His father operated a grocery store, and Mr. Phifer and his brother grew up delivering groceries and stocking shelves.

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 Phifer Wire, in honor of his son, who died in an airplane accident.

In addition to his brother, Mr. Phifer is survived by his wife, Sue Clarkson Phifer of Tuscaloosa, three daughters, Beverly Clarkson Phifer, Karen Phifer Brooks and Susan Phifer Cork, all of Tuscaloosa, and seven grandchildren.

DONORS AND VOLUNTEERS FOR EATON AREA HABITAT FOR HUMANITY'S "HOUSE THAT CONGRESS BUILT" PROJECT

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1998

Mr. SMITH of Michigan. Mr. Speaker, I wanted to take a moment today to recognize the following caring and generous folks who, in one way or another, contributed to the Eaton Area Habitat for Humanity's "House That Congress Built" project in Charlotte, Michigan:

Kebs, Inc., Larry Clark companies, Fannie Mae, Michigan State Housing Development Authority, Larry Bowen/Silk Screen Stuff, Construction Managers Jerry Lockman and Dan Christie/Christie Construction, Fulton Lumber, Wolohan Lumber, Dave and Lorraine Green, and Schultz, Snyder & Steele Lumber Co.

Reliant/Care-free Windows, Lumbertown Citizens Lumber, Wickes Lumber, Fox Brothers Co., Kane Heating & Ventilation, Hedlund Plumbing, T.A. Gentry, Plumber Trent Mauk, B & D Electric, A–C Electric, and Drakes Insulation.

Larry's Floor Covering & Paint Spot, Larry Ruyston, M.P.C. Cashway Lumber Co., Parker Built Homes, The Kitchen Shop, Consumers Energy, Williams Carpet, M & M Concrete, Concrete Cutting & Breaking, Inc., Crandell Bros., Trucking, and Gale Briggs, Inc.

Builders Redi Mix, Ackerson & Son Excavating, Granger, GM Cleaning, Floyd Jewel & Eaton Federal Savings Bank, Lansing Automakers Federal Credit Union, Lansing Community Credit Union, Ann Garvey & the Charlotte Chamber of Commerce, Eaton County United Way, Greater Lansing Home Builders Association, and Pastor Fleming & Lawrence United Methodist Church.

Pastor Hall-Neimann & Peace Lutheran Church, Leroy Hummel & City of Charlotte, Alro Steel, Mulvaney Building & Remodeling, Nolan, Thomsen, Villas & Sural, PC, Linda Rybicki, Felpausch Food Center, Quality Dairy, Carter's Food Center, Pizza Hut, Riedy's Pizza, and Little Ceasar's Pizza.

These individuals made an invaluable 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. I am proud to say we will dedicate the home this Sunday, December 20, 1998, at 3 p.m., just in time for the family to move into their new home for the holidays.

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."

Many of my colleagues have been involved in the construction of a Habitat for Humanity home. This year, I was privileged to lend my support to three houses in my district, but never could have helped build these homes without this support, assistance and generosity. 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 the contributions of the above-mentioned individuals, churches, businesses and organizations, Julie and her children, Hailey and Skyler, now have such a place to call home.

My wife Bonnie and I thank all of these wonderful people who played an integral role in building the Eaton Area Habitat for Humanity's "House That Congress Built," at 521 Monroe, Charlotte.

DEATH OF JUDGE A. LEON HIGGINBOTHAM

HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1998

Ms. WATERS. Mr. Speaker, I am deeply saddened to bring to my colleagues' attention the death of my good friend, Judge A. Leon Higginbotham on Monday, December 14, 1998. Judge Higginbotham was one of the "true giants" of the civil rights struggle. Judge Higginbotham was a leading legal scholar, author, historian and professor in addition to his stellar twenty-nine year career on the federal bench.

Judge Higginbotham believed that the law was the vehicle to right the wrongs he experienced growing up under segregation. According to stories 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 his preparation of an amicus brief in the voting rights case *Shaw vs. 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 he 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," truer 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 whether the court should compel the state of Texas to admit a black student to the University of Texas Law School. The 1995 Supreme Court case, *Hopwood vs. State of Texas*, was about a white student suing the University of Texas Law School 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 be erased. Judge A. Leon Higginbotham's legacy is too important.

TRIBUTE TO LOUIE GREENGARD

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1998

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 his friendship, 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.

CONGRATULATIONS TO MR. ERNEST J. KING

HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1998

Mr. EDWARDS. Mr. Speaker, I rise today to give special tribute to my constituent and good friend, Mr. Ernest J. King of Temple, Texas. On January 2, 1999, Mr. King will retire from government service upon serving his country for forty-two years and nine months.

Born in Palestine, West Virginia, Mr. King joined the Army National Guard in 1956 and served with distinction as a guardsman until 1971. In that capacity, he became a specialist in the Nike Ajax and Nike Hercules military fire control systems at Fort MacArthur, California. Throughout his tenure there, he earned various awards and commendations befitting his exemplary service in the Guard.

Upon completing his military service, he began his twenty-seven year tenure as an electronics technician with the Federal Aviation Administration. His breadth of experience highlights Mr. King's service in the FAA. He received numerous citations for his dedication to excellence, often described in accolades from his superiors as having "a can-do attitude", "a keen sense of personal initiative" and "a professionalism maintained at a level far beyond the call of duty". Mr. King played an instrumental role in attaining the FAA's Best Regional Sector Field Office of the Year Award for 1974 and Best Regional Sector of the Year Award for 1981. He was also lauded for his efforts in the Panama Canal Zone. After President Carter signed the Panama Canal Treaty in 1978, Mr. King and his colleagues were charged with the air traffic and radar control transition from United States to Panamanian jurisdiction. They did this with particular distinction, earning high praise from the regional headquarters in Atlanta.

The King family has resided in my Congressional district since 1981. My admiration and fondness for them run deep. Furthermore, I extend my sincere appreciation to Mr. King for his commitment and duty to his country for over forty years.

Mr. Speaker, I urge my colleagues to join me today in recognizing and honoring a gentleman who has served his country and community well.

RECOGNIZING JERRY LOCKMAN OF CHARLOTTE, MI

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1998

Mr. SMITH of Michigan. Mr. Speaker, I wanted to take a moment today to recognize Mr. Jerry Lockman for his work on the "House That Congress Built" project in Charlotte, Michigan.

Jerry dutifully served as volunteer construction manager and building consultant for the first several weekends of this home located at 521 Monroe, Charlotte. He was largely responsible for its quick framing and roofing and I am proud to say we will dedicate this new home this Sunday, December 20, 1998, at 3 p.m.

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.

RUSSIA IS A SIGNIFICANT PROBLEM IN CYPRUS

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1998

Mr. WHITFIELD. Mr. Speaker, the tensions in Cyprus continue, despite a new round of American diplomatic efforts and shuttle diplomacy by the United Nations envoy. In my view, our government should focus its attention on a significant part of the problem: Russia.

As it has since May, Russia refuses to halt its planned sale of S–300 missiles to the Greek Cypriots, despite resounding protests 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 the U.N. Security General cited the S–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 deployed anywhere but 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 destroy aircraft flying in southern Turkey and the radar equipment reportedly 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 proposal. The Russian 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?—making money 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 hostilities 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. Stoking the fire with high tech weaponry sales to one party can only lead to further deterioration and a more difficult road for peacemakers 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 Molescular 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 help 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. These researchers 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 nursing homes.

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—Randy "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 400,000 more elderly Americans would 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 annual nursing home residence 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 on nursing home 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 everyone 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, it is not clear that additional 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 to 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 coming 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 will thank us even 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.

RED RIBBON WEEK IN COLUMBUS, GEORGIA

HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1998

Mr. COLLINS. Mr. Speaker, recently, I attended the "kickoff event" for Red Ribbon Week in Columbus, Georgia. Red Ribbon Week highlights the combined efforts of public and business groups to fight drugs throughout the community, but particularly in our schools. The event brings together and encourages participants in this outstanding effort.

This year, 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 to receive medical treatment. In addition, he is Honorary Chairman of the Childrens' 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.

It was because of his concern over the contents 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 in our young people . . . and adults 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 review of my colleagues. I hope we will all keep these standards in mind as we work to uphold the trust which have been placed in us by the American public.

REMARKS BY MR. JACK PEZOLD, RED RIBBON WEEK, COLUMBUS, GA.

Thank you for the opportunity to speak to you this morning. First I want to congratulate each of you for your part in kicking off this Special Week, Red Ribbon Week. There is a genuine spirit of partnership here in Columbus, between the public and business sectors that is bridged, to large degree by our Chamber of Commerce. I want to commend you for that in helping to deal with the scourge of drugs in our community. Each of you understand the importance of healthy lives and lifestyles. We are gathered here to celebrate, highlight and recommit ourselves to what we believe to be the standard for ourselves, our families, and our community. 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 have stood back as the experts, the secular humanists, who believe that we are our own God, who have told us throughout sixties and seventies that we are each islands, that we should be free to do whatever feels good, and if it doesn't feel good, do it until it does. Let me tell you about those kind of experts. These are the intellectual elite who denigrate 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 that have been created as 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 our television and movie screens with the images of lifestyles and behaviors, always without consequences, that feeds our prideful spirits. A 30 minute or 2 hour episode of mind numbing violence, sex, drugs, alcohol and any other form of outrageous behavior imaginable and unimaginable.

I know from which I speak. On May 1 of this year I sold 2 television stations. I bought that first station because I felt strongly about the content of children's programming. I regret that I was unable to do more to influence the direction of that programming, but I was able to do some things. My point is that I have seen the inside of this industry and while there are many fine individuals, they are on a slippery slope. This culture is cultivated by some of the richest and by virtue of their industry, the most powerful people. Their power rests in their ability to shape the huge entertainment industry, even our daily newscasts. They fill our children's minds with experiences so incredibly graphic, they could pass for real.

How in the world can this happen, that our values and ideals are sacrificed without insurrection right before our very eyes? How did the Adolf Hitler come to power? Both are just as insidious and pervasive. Both promised a break from the past, that because of who we are as human beings, we have a divine right to a special heritage. Parents and the conventional leadership are preventing us from achieving the divine utopian place of happiness, and prosperity where we deserve to be. Not once have I heard the Hollywood Money Mongers mention consequences for the lifestyle influence they exerted on our lives. Never once did Adolf Hitler mention to the German people the destruction and ruin that his quest for power would bring upon them. The result is millions and millions of men, women, and children lost their very lives so that one man's greed could be satisfied. The money Mongers are costing lives as well, sacrificing the souls of our children for lining their pockets with absolutely no thought given to the long term consequences of their greed. Just a few days ago, I read where Clarence Thomas asked an elementary class what they would do if a monster were trying to suck out their brains. The answer the kids gave was to throw their TV in the dumpster! Perhaps they know better than we!!

The result is that we now have all sorts of behavior being justified under the guise of It

Doesn't Matter. I am here to tell you this morning that it does matter. It matters to the children, who are our future, who without love and attention and nurturing will grow up with the TV as their mentor. Have we forgotten that each of us is born on this earth inherently ignorant, but with a phenomenal learning capacity for good or evil. But is it not true that good or simply "doing the right thing" requires some degree of pain and suffering. At times we must forfeit immediate gratification, making short term sacrifices for long term gain. But the Experts would have us believe that we can have it both ways. You can have it all. Just drink this, smoke that, say that, act this way and you will be cool and accepted and rich and powerful and beautiful and gifted and smart and admired and loved and all of the marvelous positive adjectives that our vocabulary can command.

The problem is, sooner or later, reality steps in. The world nor life itself in any way resembles the conjectures that we are led to believe are accurate. Remember a few years ago when the women's revolution came about. The word from the Experts was that you can have it all. Not only that, but having any less than a career was degrading. Mothers were degraded for staying at home to raise their children. That is not smart work. Put someone in your place at home and go out into the exciting life of the world. Children don't need mom's and dad's are totally irrelevant. Only recently has this theory been proven to be overblown and downright wrong. We now await the next version of social experiment that these Experts will impart on us, tearing apart our families, the very fabric of our society.

A few years ago, we were assured by these Experts, that ability mattered, not character. We now, as a result of our Expert engineered dumbing down, have our leaders deliberately lying to us, and telling us that It Doesn't Matter. We can have it all. We have a strong economy, everyone that wants a job can have one, we have a budget surplus, and we are at peace. As a result, a full majority of the population agree that this is OK. Because making us feel good far overshadows a little anomaly like lying! And their spin doctors nightly remind us that it doesn't matter, because everybody does it, and besides, where would we be if they were not our leaders. Besides,

These leaders are doing a good job! Imagine the arrogance. Ladies and Gentlemen, I submit to you this morning that the beginning of the end of all of the greatest civilizations that have ever inhabited this earth began with a lie. A lie, by their leaders, to the people in order to curry some form of favor or power or money to those leaders. How could they have not seen through this thin mask, you might ask? Because they, as we, are intoxicated with the visions of a glorious future where we are cool and accepted and rich and powerful and beautiful and gifted and smart and admired and loved and on and on. We need to be vigilant, not of the threats from outside, but from inside our own homes. We need to come together as one community, one family, committed to the good that God has ordained us for and stand up for rightness, what we know in our hearts to be right. Not the Expert Version of Rightness, for the long term good of our family, our community, our nation. We are the beacon to the world. We are the children of the poor, humble descendants of the immigrants who migrated here in search of a better future. Which of us would return to our forefathers native land in search of a better lifestyle and future? Our forefathers forsaked all that they had in their homeland in search of opportunity. God has chosen to bless this nation far beyond any riches accumulated by any civilization in history. These blessings are ours to use and multiply and safeguard and cherish for future generations. Or to squander on ourselves under the delusion of becoming cool and accepted and rich and powerful and beautiful and gifted and smart and admired and loved. . . . .

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.