

the day before and today, and I understand that the initial reports are that our troops are doing an outstanding job. Our hearts and best wishes and prayers go with all the troops, and may they all return safely and sound having completed their mission in a full and successful manner. But in order for the House to simply close down its constitutional responsibility and its role in compliance with its agreement under both Republican and Democrat resolutions back in August or September when we were dealing with the Committee on the Judiciary prospective report, the fact is that we really must go forward tomorrow.

When the Special Counsel had concluded his business and made his recommendations to the Committee on the Judiciary and the referrals were made by this House by a vote of virtually almost all of the Members of the House to send the matter to the Committee on the Judiciary, virtually all Members said that if we have got to have this investigation, and admittedly it is not popular among many Members; if we have got to have this investigation, it should be completed by the end of the year. The Democrat resolution called for that, the Republican chairman of the Committee on the Judiciary said it was his intention to complete by the end of the year.

As a personal matter, I would like to finish it this year, and I can tell my colleagues that the gentleman from Georgia (Mr. GINGRICH) would rather not have it as the last item of his role as Speaker of the House.

This is a terribly unpopular measure. No one wants to deal with impeachment except that it is before us and we must deal with it, and the question is when we deal with it. Do we just anticipate that the troops in the field will complete their business by Ramadan or by a time certain or by Tuesday or by Christmas Day or by New Year's Day or by 2 weeks into January? How do we assess when that mission is going to be complete? There is no way to know when the troops will have completed their mission. There is no way to know whether or not Saddam Hussein in his mindless self absorption decides to lash out at American troops, at British troops, at Kuwait, at his neighbors anywhere in the Middle East. We cannot anticipate what Saddam Hussein will do, and yet we cannot refrain from advancing the people's business under this critical issue.

This is an issue of impeachment which has not been before this body in 120 years, if I recall correctly. Excuse me, with one exception. That was Richard Nixon. The committees entertained impeachment proceedings of Richard Nixon, and that happened at the end of the Vietnam War when troops, American troops, were deployed in the field in Vietnam, and yet the Democrat Congress at the time undertook the responsibility of impeaching Richard Nixon, but he resigned.

When President Bush called upon the majority of the Members of the House

of Representatives and the Senate to support him in his efforts to deploy troops to Desert Storm to combat Saddam Hussein just several years ago, fact is the troops were in the field weeks at a time. They prepared for months in order to accomplish Desert Storm, and then were actually in the field for many weeks. The Congress never wavered, the Congress never slowed down, the Congress conducted its constitutional responsibility, engaged in its activities while the troops were in the field.

And so we find ourselves in the waning days of the Calendar Year 1998 with the Judiciary chairman having committed that we would finish our business on this unpopular, undesirable issue before the end of the calendar year with virtually all of the Democrat members of the Committee on the Judiciary and virtually all of the Members of the House with some exceptions claiming that they wanted to complete this business by the end of the year, not let it drag on incessantly, not force the country to suffer under a cloud of impeachment. How often we hear the arguments now that if we impeach this President, that the cloud of impeachment will hang over the country into the weeks and months ahead as the Senate conducts deliberations.

Let us not proclaim or prolong the harm to the country by hanging this issue out in this body. Let us do our business. Yes, there are people outside the Capitol demanding action in one form or another. People are calling in and jamming our switchboards by demanding that we take action on one side or another. Let us disregard the outside influences and do our constitutional responsibility, which is to present the case of impeachment, and if a majority of the Members by their own consciences wish to vote for or against that issue of impeachment, let them cast their votes without pressure, without pressure from the majority, without pressure from the minority, without pressure from the White House. Let us debate the issue, let them cast their votes, do our constitutional responsibility, live up to exactly the principles for which our young people in the Armed Services are risking their lives at this very moment, and adjourn this 105th Congress, and send the issue to the United States Senate if it passes and let it die if it does not.

I urge my colleagues, reconsider the motion that was going to be promoted and promulgated by the majority leader. It provides for an orderly debate, it provides for us to engage in this issue without undo harangue, it provides for Members not to avoid the issue by procedural harangues and folderol, it allows us to face the issue head on. If it is meritorious it will pass, and if it is not, it will fail. We can go home and understand that we have done our constitutional responsibility, and the rest is either in our colleagues' hands or in God's hands or in the President's hands, but it will be simply ended for us.

I urge the minority leader to reconsider the position on the unanimous consent request.

□ 1515

Mr. ARMEY. Mr. Speaker, if I may reclaim my time just very briefly for one final point; and prior to that point, let me thank the gentleman from Louisiana for his comments. They were well taken.

Mr. Speaker, just this morning in the Oval Office of the White House, the President of the United States was asked with respect to the engagement of American military in Iraq. I quote: "Would it undercut your authority if the House opens the impeachment debate during this operation?"

The President's response, Mr. Speaker, was "No."

FURTHER LEGISLATIVE PROGRAM

(Mr. GEPHARDT asked and was given permission to address the House for 1 minute.)

Mr. GEPHARDT. Mr. Speaker, first, the minority respects the right of the majority to decide the agenda and decide when we will vote on important matters like the one that is to be before us tomorrow. The minority also wants debate and wants as much debate as we can have so that Members can express their views on this very important subject. The minority also wants this to be completed this year if at all possible. We have said that over and over again. I agree with those views.

But I must say that we strongly object to this matter coming up tomorrow or the next day or any day in which our young men and women in the military are in harm's way protecting the interests of the people of the United States.

I would simply say the reason we believe that and we believe it strongly is that we think, we must think, not only of how this activity will be received by Members or other Americans around the country, we believe we have got to also look at how Saddam Hussein will perceive the idea and the information that, while he is under physical attack by the United States and its people, we are having a debate in our House of Representatives to remove the Commander in Chief from his office. I do not think we can assume that Saddam Hussein understands all the nuances and all the facts surrounding this debate and this activity.

We also have to ask how this will be received by the Russians, how it will be received by the British, how it will be received by the French, the Chinese, and people all across this world, that we are seeking to ally ourselves with or to at least get their understanding and their help and their cooperation as we go through this very difficult activity.

Mr. SKELTON. Mr. Speaker, will the gentleman yield at that point?

Mr. GEPHARDT. I yield to the gentleman from Missouri.

Mr. SKELTON. Mr. Speaker, I think more important to that, if I can comment on the remarks of the gentleman from Missouri (Mr. GEPHARDT), it is how the sailors, marines, airmen, and the soldiers would receive this.

Who would think of removing General Schwarzkopf in the middle of Desert Storm? We are talking about taking up a motion to remove the Commander in Chief of the troops who are actively engaged in a military effort, to remove him during a military crisis of the United States of America.

We have come back at other times in this Congress, at the end of the year, when there is no conflict, and I say this not to be of help to the President, but to be of assistance to the morale and to the steadiness of the young men and young women who are engaged in this. I think we really ought to rethink taking this matter up during this military crisis that we are in.

Mr. GEPHARDT. Mr. Speaker, reclaiming my time, I would sum up; and I know we have one or two other speakers who want to speak. Let me just put it this way: We have had a lot of partisan rancor in the years past, and that always is part of a political body like this.

But I want to say to my friends in the Republican Party in the majority, I feel very strongly that this is a high moment for the House of Representatives. I feel strongly that we must perform at a high level. I hope we can. I also hope that there is not partisan rancor in this debate on impeachment, because we have a high duty and responsibility to carry forward.

I hope and pray that we could have this debate when it will not be misperceived by Saddam Hussein or by somebody else in the world that we have to depend upon. I ask the majority to reconsider its decision, its legitimate decision to hold this debate while our troops are in the field.

I know that Members may feel that there is inconvenience in waiting here until this military action is finished tomorrow or the next day or the day after that. I would like us all to think of the inconvenience that our young people are undergoing, the danger that they face, and how they will see this action and perhaps misperceive what is happening in their House of Representatives.

I want them to see nothing from us but support and unity of purpose at this time of danger in their lives.

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

Mr. GEPHARDT. I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Mr. Speaker, I think the gentleman brings up a very important point. I would like to honestly ask the majority leader to answer it.

As a member of the Committee on National Security, we get briefings constantly on intelligent reports and the implications of United States foreign policy around the world. It is hard

for me to believe for one moment that, if this House engages in impeachment debate tomorrow while the bombs are being dropped and our men and women in uniform are actively engaged in a wartime activity, that we do not invite some action on the part of our enemy in this war to take advantage of this situation at the cost of the lives of men and women in uniform.

I would ask the gentleman whether he has gotten a full briefing from George Tenet, the Director of the CIA, to give us some satisfaction that, if we embark on this precarious road, that we are not putting in jeopardy the lives of our men and women in uniform.

Mr. GEPHARDT. Mr. Speaker, I yield to the gentleman from Texas (Mr. ARMEY), the majority leader.

Mr. ARMEY. Mr. Speaker, I thank the minority leader for yielding to me.

If I might just make a quick response to the gentleman's comments. Mr. Speaker, I believe the Nation has fully well understood the schedule that was prepared for this week and announced for this week.

The President certainly must have known about this. The President must have weighed that. Indeed, I think, by press reports, it is clear that he did weigh that matter as he made the decision to engage in this effort in Iraq.

When he made that decision, knowing full well that this debate might be happening at this time, he very likely addressed in his own mind the question: Can I effectively complete this mission under those circumstances? Indeed, he must clearly have concluded he can; and perhaps that is why he felt so confident this morning when asked in the Oval Office: "Would it undercut your authority if the House opens the impeachment debate during this operation?" The President replied, "No. I think that, first of all, I am going to complete this mission."

He clearly understands that, as the Commander in Chief and the President of the United States, he has the ability to complete his mission. He clearly understands that we, too, have our ability to complete our mission.

One of the wonderful things about a democracy that perhaps Saddam Hussein may never be able to understand is different, important missions can be carried out by different branches of the government simultaneously at peace and with decorum and with effectiveness and with conclusion.

That, ladies and gentlemen, is why our democracy is so wonderful and the message that our men and women in the field fighting should have the right to see; that as we engage in conflict, democracy does not stop in America, and, therefore, it is all the more worth our fight and our risk.

Mr. GEPHARDT. Mr. Speaker, I yield to the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. Mr. Speaker, I thank my colleague for yielding to me. I would like to reference the remarks that were made by the distinguished

chairman of the Committee on Appropriations and the Speaker-elect, the gentleman from Louisiana (Mr. LIVINGSTON).

The gentleman from Louisiana said let us disregard the outside influence. I would suggest that, as a body, when we are dealing with the two most profound questions this institution could ever deal with, sending our young men and women into combat and deciding the fate of a President, that the country has a right to be involved and involved intimately in those decisions, and that we ought not to disregard their voice, disregard the election results, disregard, as the distinguished leader has just said, the minority leader, the effects it will have on 24,000 men and women who are engaged in combat at this very hour.

It would be a grave mistake to go forward with this vote while our Nation is engaged in military action. I cannot believe that we are even having this debate. It was totally inappropriate, if I might say, for some in the Republican leadership, to call for the President's resignation when he was trying to bring peace just this last week in the Middle East. So it should not surprise us that this decision would flow from that.

Our angst about moving forward rests on another pillar; and that is the inability of this side of the aisle to have the chance to offer a reasonable alternative, a censure alternative which the majority of Americans now support. It is unfair. It is wrong. There is something about this whole process that shows a lack of judgment, a lack of proportionality, a lack of common sense.

We have time to reach some resolution on these important questions before we engage in the debate. But I think it behooves us all to take a step back, to take a deep breath.

My goodness, if Bob Dole and Jerry Ford could offer a way out of this mess through the censure resolution, why cannot we have that choice on the floor? Why is that fundamental choice supported by the majority of the people in this country being denied to us on the most fundamental question that we could be dealing with in this Congress?

So I just would ask the distinguished chairman of the Committee on Appropriations and the Speaker-elect to reconsider the path that I think we are about to follow regretfully tomorrow; to pause. There will be time to have this debate. It will, I suspect, be before the end of the year. But my sense, it makes no sense, to go forward when our young men and women are under arms.

Mr. GEPHARDT. Mr. Speaker, if I can reclaim my time and conclude, I would simply ask again in an earnest way, in a heartfelt way, that the majority would consider what we have said about doing this debate and taking this under consideration while our young men and women are in harm's way and also consider the wisdom of

denying an alternative motion of censure when this debate takes place.

We feel that both of these requests are reasonable and make common sense, and we make them with respect, and we make them with heartfelt feeling among most of the Members on this side.

We appreciate the opportunity to communicate this with the majority. We feel this is a moment of great responsibility for the House of Representatives. We want nothing more than all of the House and all of its Members to bring praise on ourselves as an institution, that we carry out these grave responsibilities in the best possible way for the American people.

FURTHER LEGISLATIVE PROGRAM

(Mr. ARMEY asked and was given permission to address the House for 1 minute.)

The SPEAKER pro tempore. Without objection, the gentleman from Texas (Mr. ARMEY) is recognized for 1 minute.

There was no objection.

Mr. ARMEY. Mr. Speaker, I do have a couple of Members that have been anxious to speak. With the indulgence of the minority, I would like to yield to the gentleman from Texas (Mr. JOHNSON) for brief remarks.

□ 1530

Mr. SAM JOHNSON of Texas. Mr. Speaker, I would like to comment on several remarks that have been made here. But before I do, let me just say that our fighting men are fighting for our constitutional privilege to do just exactly what we are doing here today. It is the Constitution that we are following. That is why we are doing it.

The remark was made that we did not remove any generals during a war. I kind of recall MacArthur was removed by a Democrat administration during Korea, which I fought in. It did not bother the war effort at all.

I also remember when I was a POW in Vietnam that there were people on the Democrat side that called for our President's impeachment. That process may have started. I am not sure how that happened, but some of those people may even be here today.

When our president, George Bush, attempted to get involved in Desert Storm, every single Democrat leader voted against it.

Mr. ARMEY. Mr. Speaker, may I just intercede with a thought. I have a couple of other Members here who have been waiting. They want to speak. I would hope, and I am sure that we all would agree that we perhaps could allow these Members to speak, but perhaps we could be brief and then conclude the day's business.

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

Mr. ARMEY. I yield to the gentleman from Texas.

Mr. FROST. Mr. Speaker, I voted with the President. I did not vote against him. I voted with the President on that matter.

Mr. SAM JOHNSON of Texas. Mr. Speaker, if the gentleman will yield further, let me just make another point. I think the President has just said that this military action that is currently going on could be open-ended, so we do not know when it is going to end.

Furthermore, most of the veterans' organizations around this country support us continuing. I have not seen a war in the past of any sort, whether it is a limited conflict or a total out war, that has stopped the Congress of the United States from doing its business. We can look back in almost any case, even the Civil War, where they were on the doorsteps of this building.

I would suggest that it is important that we carry out the responsibilities of this Congress under the Constitution of the United States and get on with it.

Mr. ARMEY. Mr. Speaker, I thank the gentleman from Texas, who was a prisoner of war for 7 years, much of which was spent in solitary confinement. I know from previous discussion during those difficult days he was sustained by his knowledge that God was in his heaven and Congress was in session doing the Nation's business.

Mr. Speaker, I yield to the gentleman from California (Mr. DUNCAN HUNTER), another gentleman who served in Vietnam.

Mr. HUNTER. Mr. Speaker, I want to thank the majority leader for yielding to me.

Let me just say, it is something that happens regularly here in the House that two parties, both in good faith, can look at the same facts and come to totally different conclusions. I have come to a totally different conclusion from the esteemed minority leader and others who feel that troops will be demoralized if we do not stop this constitutional process. I think just the opposite. From talking with them and with a number of people who are veterans, I have come to the conclusion that they will be demoralized if we do stop this constitutional process.

There is one term that I think is common to both this House and to our military. That term is duty. We refer to it often, and it is clear now that our uniformed people are carrying out their duty in difficult circumstances to defend the liberties and security of this country. They are doing that so we can perform our duty. Our duty is to carry out the Constitution.

With respect to other nations that are watching this process around the world, they have been watching the Committee on the Judiciary on television for the last many months. We do not hide our internal problems and our internal debates. They are always out there for the world to see. I think that is a sign of strength, not a sign of weakness.

I think we would be sending the message to not only our military people but to others around the world. If we hold up on our constitutional duty because of this strike, then we are send-

ing the message that somehow there are political implications in the timing of this strike. I think it helps the President's authority and I think it helps the credibility of this House, and I think it helps the morale of our armed services if we continue to do our job.

Mr. ARMEY. Mr. Speaker, I think we have had a very good example of the kind of debate we might be able to have and the kind of debate we should have.

I want to personally, if I may, thank the gentleman from Missouri (Mr. GEPHARDT), the minority leader, and the gentleman from Michigan (Mr. BONIOR), the minority whip. I would like to thank the Speaker-elect, the gentleman from Louisiana (Mr. LIVINGSTON), and the other Members who have spoken for their demeanor, their presentation, the professionalism by which we have had this sampling of the kind of important debate we should have and can have tomorrow.

It is my hope that we can reach agreement, or by other parliamentary matters available to us we can find a way to extend an orderly, serious debate of such a grave nature on such a grave matter tomorrow. Again, let me that all the gentlemen who participated.

Mr. Speaker, I believe that concludes any proceedings for today. Tomorrow we will proceed at 9 a.m. under the regular order for debate time of 1 hour. If perhaps we can find a better way to extend that, it is my hope we can do so.

ADJOURNMENT

Mr. ARMEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 36 minutes p.m.), the House adjourned until tomorrow, Friday, December 18, 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:

11864. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Regulations Under the Perishable Agricultural Commodities Act (PACA); Renewal of License [Docket No. FV98-359] received November 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11865. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Mexican Fruit Fly Regulations; Addition of Regulated Area [Docket No. 98-082-3] received November 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

11866. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Tuberculosis Testing of Livestock Other than Cattle and Bison [Docket No. 97-062-2] received December 3,