

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

NOES—225

Canady	Fawell
Cannon	Foley
Castle	Forbes
Chabot	Fossella
Chambless	Fowler
Chenoweth	Fox
Christensen	Franks (NJ)
Coble	Frelinghuysen
Coburn	Galleghy
Collins	Ganske
Combust	Gekas
Cook	Gibbons
Cooksey	Gilchrest
Cox	Gillmor
Crapo	Gilman
Cubin	Goode
Cunningham	Goodlatte
Davis (VA)	Goodling
Deal	Goss
DeLay	Graham
Diaz-Balart	Granger
Dickey	Greenwood
Doolittle	Gutknecht
Dreier	Hall (TX)
Duncan	Hansen
Dunn	Hastert
Ehlers	Hastings (WA)
Ehrlich	Hayworth
English	Hefley
Ensign	Herger
Everett	Hill
Ewing	Hilleary

Hobson	Metcalf	Scarborough
Hoekstra	Mica	Schaffer, Bob
Horn	Miller (FL)	Sensenbrenner
Hostettler	Moran (KS)	Sessions
Houghton	Morella	Shadegg
Hulshof	Myrick	Shaw
Hunter	Nethercutt	Shays
Hutchinson	Neumann	Shimkus
Hyde	Ney	Shuster
Inglis	Northup	Skeen
Istook	Norwood	Smith (MI)
Jenkins	Nussle	Smith (NJ)
Johnson (CT)	Oxley	Smith (OR)
Johnson, Sam	Packard	Smith (TX)
Jones	Pappas	Smith, Linda
Kasich	Parker	Snowbarger
Kelly	Paul	Solomon
Kim	Paxon	Souder
King (NY)	Pease	Spence
Kingston	Peterson (PA)	Stearns
Klug	Petri	Stump
Knollenberg	Pickering	Sununu
Kolbe	Pitts	Talent
LaHood	Pombo	Tauzin
Largent	Porter	Taylor (MS)
Latham	Portman	Thomas
LaTourette	Quinn	Thornberry
Lazio	Radanovich	Thune
Leach	Ramstad	Tiahrt
Lewis (CA)	Redmond	Upton
Lewis (KY)	Regula	Walsh
Linder	Riggs	Wamp
Livingston	Riley	Watkins
LoBiondo	Rogan	Watts (OK)
Lucas	Rogers	Weldon (FL)
Manzullo	Rohrabacher	Weldon (PA)
McCollum	Ros-Lehtinen	Weller
McCrery	Roukema	White
McHale	Royce	Whitfield
McHugh	Ryun	Wicker
McInnis	Salmon	Wilson
McIntosh	Sanford	Wolf
McKeon	Saxton	Young (FL)

NOT VOTING—26

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

□ 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 Amer-

ica, 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 exonerated, 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 exonerated, 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 ac-

tion 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