

Clinton is fit to be President of the United States by electing him to that office.

To proceed to nullify a presidential election on the basis of authoritarian, privacy-invading questions about sex, questions the government does not have the legal power to ask, is producing irreparable harm to our nation and to its Constitution. There is no crime of perjury arising out of questions the government doesn't have and should not have the legal authority to ask. We must stop this terrible carnal carnival, this tragic, malevolent, partisan, anguishing national experience.

Electing a president under our Constitution is the most important expression of the political sovereignty of the whole of the American people. To diminish, countermand or nullify the legitimacy of a presidential election for behavior rooted in personal private conduct diminishes, debases and abuses our Constitution, our nation, the office of the president, the rule of law itself. The purpose of the Constitution to unify the nation in opposing to autocracy and to abuse of constitutional authority is being dangerously undermined and diminished by the presently-invoked processes of political and unconstitutional impeachment.

Perjury and subornation of perjury, rooted and based exclusively upon an illegal invasion of personal privacy like sex, is not "treason, bribery, or high crimes and misdemeanors." Elizabeth Holtzman, former U.S. representative and former New York City prosecutor, concluded in an Op-Ed in the New York Times that perjury in the Clinton matter is a "manufactured" crime. She wrote (Aug. 10):

"As one of the authors of the original Independent Counsel Act, I never dreamed that a special prosecutor would be using his enormous powers to investigate accusations about a president's private (and legal) sexual conduct. Starr is manufacturing the circumstances in which criminal conduct may occur. . . ."

Moreover the investigation and prosecution of Mr. Starr using methods short of due process has undermined the credibility of the fact-finding process itself. The President of the United States should be as protected by the Bill of Rights as any person, or else faith and confidence in our law will be seriously damaged.

Upon assuming office, President Clinton took an oath, as provided by the Constitution, that he would faithfully execute the Office of President and that he would preserve, protect, and defend the Constitution.

Since the president is elected by all the people to a four-year term of office, the framers made it very difficult for him to be removed from office. According to Article II, Section 4 of the Constitution, the president may only be removed from office upon impeachment and conviction for "treason, bribery, or other high crimes and misdemeanors." The term "high crimes and misdemeanors" had a very clear meaning for the framers. It meant a serious abuse of the president's official power or a serious breach of the president's discharge of the official duties of office. Those duties are set forth in Article II, Sections 2 and 3 of the Constitution. The framers were acutely aware that abuse of the impeachment process by Congress would upset the balance of power between the three branches of American government if any president could be toppled at will by the Congress.

The Supreme Court determined in the Paula Jones case that a distinction must be drawn between incidents involving the president in his capacity as a private citizen and those occurring in the course of the exercise of his constitutional duties. Everything connected with Monica Lewinsky and Paula

Jones involved the president as a private individual and had nothing whatsoever to do with the presidential office. As President Theodore Roosevelt cogently observed, "in the United States, no person can be above the law but no person can be below the law, either." The president must therefore be judged according to constitutional principles and the rule of law, nothing else.

There has been no suggestion that anything the independent counsel is investigating involves the president's constitutional duties. Unless the independent counsel has substantial evidence that President Clinton has violated his constitutional duties, Mr. Starr has no basis whatsoever for making a report to Congress suggesting that impeachment be contemplated. Any suggestion that the president could be impeached for conduct occurring as a private individual or because some members of Congress might dislike his character or image and consider him "unfit for office" is clearly contrary to the intent of the framers and the explicit language of the Constitution.

We must resist as vigorously and effectively as possible any effort by the independent counsel to rewrite the Constitution to serve a palpable political end. The ultimate sacrifice made by millions of men and women to preserve the integrity of the Constitution for more than 200 years requires nothing less.

There has been a tabloidization of the whole range of the American press and television. In a full self-mesmerized frenzy on the possibilities of titillation, the constitutional requirements of due process in grand juries, investigations and impeachments have been ignored, and fairness has been subordinated to a persistent partisan political purpose. Trial by and for the sex-focused press has displaced decency, dignity, civility and respect. Unless the Constitution and rule of law genuinely prevail, the country will inexorably move to continual constitutional crises and indeed, disunity and disintegration. Only a citizenry aware of the Constitution's priorities can prevent the unraveling of the nation and preserve its sovereignty. Our Constitution will not survive the criminalization of the privacy of a president.

In a democratic non-totalitarian country that protects the liberty, privacy, and dignity of a person, there can be no crime of perjury for failing or refusing to answer question about sex, questions the government has no right to ask. As a 34-year veterans member of Congress, John Conyers of Michigan, devoted constitutionalist and Democratic leader of the House Judiciary Committee, put the question before Congress and the country: "The issue is not Mr. Clinton; the issue is to preserve, protect, and defend the rule of law and the integrity of the Constitution. Without law, there is tyranny and anarchy."

TRIBUTE TO CALVIN JERRY POWELL

HON. ALLEN BOYD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1999

Mr. BOYD. Mr. Speaker, I rise today to pay tribute to the life and work of Corporal Calvin Jerry Powell. Corporal Powell, a member of the Jasper Police Department in Northern Florida, was killed in the line of duty in late September of this year. He lost his life after being hit almost head on during a high-speed car chase. Needless to say, his death has grieved the entire Jasper community.

Corporal Powell, 27, was a two year veteran of the department, and had been promoted to Corporal one month prior to his death. Jasper Police Chief Frank Osborn shared with me that Powell put himself through school to become an officer, and while he was only on the force for two years, he carried himself as though he was a ten year veteran. Corporal Powell loved his job and was very well liked by the entire force, he will be sorely missed.

There are many lessons we can take from the tragic and senseless loss of Corporal Powell. Police officers put their lives at risk everyday in order to ensure our safety, security and peace of mind. When a death such as this occurs, particularly in a closely knit community like Jasper, it shakes us to the core. Each day, we need to reflect on the sacrifices made by our officers and truly appreciate just how vital the role of these brave men and women are to our own lives.

Mr. Speaker, we mourn the loss of Corporal Powell along with his family and the Jasper Community. Our prayers are with his wife and two children during this difficult time. He will be missed beyond any expression of words.

TICKET TO WORK AND WORK INCENTIVES IMPROVEMENT ACT OF 1999

SPEECH OF

HON. TOM BLILEY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. BLILEY. Mr. Speaker, earlier today, the House passed a consolidated appropriations act funding a number of agencies for fiscal year 2000.

Among the legislative items attached to that measure was a provision imposing a moratorium on the Administration's organ allocation regulations. Under the legislation we passed earlier today, that moratorium extends for 42 days.

That moratorium is not a sufficient amount of time for Congress to complete its work in legislating changes in the National Organ Transplant Act.

Accordingly, the legislation we currently have under consideration, the Ticket to Work and Work Incentives Improvement Act of 1999, goes a step further. This legislation extends the moratorium an additional 90 days. I fully expect that President Clinton will sign the consolidated appropriations measure into law in the near future. When he does so, under the terms of that law, the first moratorium of 42 days will begin.

I further anticipate that the President will sign the Work Incentives legislation after he signs the appropriations bill. When he does so, it is my firm belief that H.R. 1180's 90-day moratorium will then begin. As the legislative language of the bill states: "The final rule entitled 'Organ Procurement and Transplantation Network', promulgated by the Secretary of Health and Human Services on April 2, 1998 (63 Fed. Reg. 16295 et seq.) (relating to part 121 of title 42, Code of Federal Regulations), together with the amendments to such rules promulgated on October 20, 1999 (64 Fed. Reg. 56649 et seq.) shall not become effective before the expiration of the 90-day period beginning on the date of the enactment of this

Act." As the Chairman of the Committee with exclusive jurisdiction of the matter, and the author of this provision, my legislative intent is that, when the Work Incentives legislation is signed into law, it will begin a new 90-day moratorium period.

In the unlikely event that President Clinton signs the consolidated appropriations measure after the Work Incentives measure, I also want to be clear about my legislation intent. Because Congress acted on the appropriations measure first, the Secretary of Health and Human Services should view the moratorium set forth in the Work Incentives measure as Congress' last statement. In other words, if the Work Incentives measure is signed after the appropriations bill, Congress' intent is that a 90-day moratorium remain in effect from the date of enactment of H.R. 1180.

A TRIBUTE IN HONOR OF FRANCIS H. DUEHAY, MAYOR OF THE CITY OF CAMBRIDGE, MASSACHUSETTS

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1999

Mr. CAPUANO. Mr. Speaker, I rise to acknowledge the forthcoming retirement of Francis H. Duehay, Mayor of the City of Cambridge, Massachusetts.

Frank Duehay has been an elected official in the City of Cambridge for 36 consecutive years, having first won a seat on the Cambridge School Committee in 1963. After having served four terms on the School Committee, he ran for the Cambridge City Council in 1971 and has served continuously since that time. Mayor Duehay first served as Mayor of the City of Cambridge for the 1980–1981 term, and in 1985 when he was elected to complete the term of Mayor Leonard Russell, who died in office.

As an elected member of the School Committee, Mayor Duehay introduced the Community Schools Program, which involved parents in the hiring of teachers and principals. He also was Chairman of the School Committee at the time when Cambridge successfully desegregated its school system. While on the City Council, Mayor Duehay chaired the Health and Hospitals Committee and oversaw the evolution of the Cambridge Health System, as it has now become one of the country's finest health care systems. He has been active in issues relating to municipal finance, zoning and planning, provision of neighborhood service, environmental protection, affordable housing, historic preservation and economic development. Most recently, he has led Council efforts to design and fund new affordable housing programs.

Mayor Duehay has served as Chair of the Trustees of First Parish (Unitarian Universalist) Church in Cambridge where he is a long time member. He is a board member of Tutoring Plus, The Cambridge Homes, and the Phillips Brooks House at Harvard University; and is an active member of several committees with the National League of Cities and the Massachusetts Municipal Association (MMA). Moreover, he has served as Chairman of the Cambridge-Yervan, Armenia Sister City Committee. Currently, Mayor Duehay is serving as MMA Vice

President and in 1998 was the President of the Massachusetts Association of City and Town Councillors.

In his most recent term as Mayor, Mayor Duehay was Chairman of the Cambridge Kids Council, Chairman of the Welfare Reform Task Force, and successfully administered the Mayor's Summer Youth Employment Program, which provide jobs to 400 Cambridge residents. During his term as Mayor, Frank Duehay presided over the City Council with civility and dignity. He brought a true sense of professionalism to the body and with his departure, an era of Cambridge government will come to a close.

Mayor Duehay will now retire to the role of private, yet active citizen. He has the great fortune of being married to Jane Kenworthy Lewis, an attorney and Decision Reporter with the Massachusetts Supreme Court.

Mayor Duehay will be sorely missed as he steps away from the public window. It was an honor for me to serve alongside this true gentleman.

A TRIBUTE TO DR. C. RONALD KAHN

HON. GEORGE R. NETHERCUTT, JR.

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1999

Mr. NETHERCUTT. Mr. Speaker, I rise today to pay special tribute to one of our nation's leading research scientists, Dr. C. Ronald Kahn of the Joslin Diabetes Center in Boston, Massachusetts. Dr. Kahn has dedicated his highly distinguished professional career toward the elimination of diabetes, and has made significant strides in contributing to our understanding and treatment of this debilitating and vicious disease.

Dr. Kahn's numerous awards and achievements include elected membership to the National Academy of Sciences. The Academy is a private organization of distinguished scientists and engineers dedicated to furthering science and its use for the general welfare. In October, Dr. Kahn was elected membership to the Academy's prestigious Institute of Medicine, of which there are only 588 currently in active status. As a member of the Institute, Dr. Kahn will be involved in protecting and advancing the health professions and science, promoting research related to health, improving the nation's health care and addressing critical issues affecting public health.

Dr. Kahn is currently Executive Vice President and Director of the internationally known Joslin Diabetes Center, a 100 year old diabetes treatment, research and education institution affiliated with Harvard Medical School. Dr. Kahn is the Mary K. Iaccoca Professor of Medicine at the Harvard Medical School.

Dr. Kahn chaired the Diabetes Research Working Group, which was established by Congress to provide recommendations on how Federal dollars for diabetes research can be spent most effectively to reverse the diabetes epidemic. In this landmark study, Dr. Kahn reported that the death rate from diabetes has increased by 30 percent since 1980, killing one American every three minutes. The DRWG recommended an increase of \$385 million over present NIH funding for diabetes research, for a total of \$827 million annually through all NIH institutes.

Throughout his distinguished career, Dr. Kahn has made significant scientific contributions to advancing the understanding and treatment of diabetes and its complications. Diabetes affects an estimated 16 million Americans, about one-third of whom do not know they have the disease. It is a leading cause of heart disease, blindness, stroke, nerve damage, kidney disease and other serious complications.

In the years that Dr. Kahn has served as Research Director at Joslin, the Center's research has truly achieved preeminence on a worldwide basis. Dr. Kahn's immense energy, talent, and intellect have helped Joslin achieve preeminence in the study of diabetes and care of people with diabetes.

Scientific contributions by Dr. Kahn and his colleagues have contributed greatly to the understanding of cellular mechanisms that lead to diabetes and related complications. Throughout his academic career, he has trained numerous research fellows who are now making their own scientific contributions in laboratories around the world.

A native of Louisville, Kentucky and a resident of Newton, Massachusetts, Dr. Kahn received his undergraduate and medical degrees from the University of Louisville. After training in internal medicine at Washington University's Barnes Hospital, he worked at the National Institutes of Health for 11 years. There he rose to head the Section on Cellular and Molecular Physiology of the Diabetes Branch of the National Institutes of Health's National Institute of Diabetes and Digestive and Kidney Disorders.

Dr. Kahn is a member of numerous distinguished professional organizations. He has published numerous scientific papers over the years and has served on the editorial boards of many of the most prestigious medical journals.

Dr. Kahn has received many awards and honors. These include highest scientific and research awards from the American Federation of Clinical Research, the American Diabetes Association, the Juvenile Diabetes Foundation and the International Diabetes Federation. He holds honorary Doctorate of Science degrees from the University of Paris and the University of Louisville.

In conclusion, Mr. Speaker, I believe all will share in the appreciation we extend to Dr. Kahn for his tireless efforts toward the alleviation of pain and suffering from diabetes. Dr. Kahn's outstanding achievements serve to inspire others in his profession, as well as those of us who are not trained in the medical profession, to do all that we can to find a cure for diabetes and stop the tremendous toll this disease is taking on humanity.

PROCLAMATION NO. 2526

HON. MATT SALMON

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 1999

Mr. SALMON. Mr. Speaker, the severe treatment of Japanese Americans and aliens during World War II has been extensively detailed. Not as chronicled is the less pervasive, but still serious discrimination on the basis of ethnicity suffered by Americans or aliens of Italian and German descent. To this end, Congressman RICK LAZIO's Wartime Violation of