

(3) Attorney General, A.H. Garland, 1886—On March 24, 1886, the Senate passed a resolution of “condemnation” of the Attorney General for refusing to turn over government papers regarding the removal of a District Attorney from Office.

(4) Ambassador Thomas Bayard, 1896—On March 20, 1896 the House of Representatives considered a resolution condemning and censuring Ambassador Bayard for diplomatic improprieties. He was charged with making partisan remarks to British audiences.

#### CENSUS OF MEMBERS OF CONGRESS

Congress has also used censure to condemn the conduct of its own members. Nine senators and 22 members of the House have been censured.

Indeed, many members of this body personally know former senators who have been censured. To those who argue that censure is “a wet noodle across the wrist,” I would respectfully request that they ask their colleagues how these former senators felt about being censured. I am confident, because I have had some of these conversations myself, that they would find that censure was felt deeply, and was a very significant stain upon their reputations and legacy.

#### CENSURE HISTORY CONCLUSION

In sum, censure is a powerful tool used very sparingly by Congress to condemn unacceptable conduct. Congress has initiated censure proceedings in policy disputes, but it has also criticized executive branch officials in the case of President Buchanan, Navy Secretary Welles, and President Nixon for personal misconduct.

So to those who argue that passing this censure would establish a precedent for the future where presidents and cabinet officials could be censured, I hope this discussion has made it clear: that precedent has already been set.

#### BIPARTISAN CENSURE PROMOTES HEALING

In this bipartisan censure, we provided the Senate with a real opportunity to achieve a strong, unifying, bipartisan conclusion to this whole tawdry, exhausting and divisive controversy.

The House’s actions were marred with partisanship. Indeed, one example of this was the action of the House leadership to prevent a censure resolution from even being considered on the House floor.

The Senate started its proceedings on a high note, when we came together to agree unanimously, across party lines, upon procedures for the trial. Passing our censure resolution by a strong, bipartisan vote would represent an appropriate “bookend” to this bipartisan beginning, and would stand this Senate well in the annals of history.

Moreover, it would put the proper historical perspective upon the Senate’s actions and determinations, which should not be read as a vindication of the President.

I believe that passing this censure on a bipartisan basis would bring a real

closure to the process, and would help to heal the divisions between the parties which were created during these proceedings, so that we can move on to work together to address the real problems confronting the American people, like saving social security, improving education, and continuing the fight to reduce crime.

It is time that we move on to these other matters of significance to our people, to reconcile differences between and within the branches of government, and to work together—across party lines—for the benefit of the American people.

I ask unanimous consent that a list of cosponsors and the text of the resolution be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### COSPONSORS

Mrs. Feinstein, Mr. Bennett, Mr. Moynihan, Mr. Chafee, Mr. Kohl, Mr. Jeffords, Mr. Lieberman, Mr. Smith of Oregon, Mr. Daschle, Ms. Snowe, Mr. Reid, Mr. Gorton, Mr. Bryan, Mr. McConnell, Mr. Cleland, Mr. Domenici, Mr. Torricelli, Mr. Campbell, Mr. Wyden, Mrs. Lincoln, Mr. Kerry, Mr. Kerrey, Mr. Schumer, Mr. Durbin, Mrs. Murray, Mr. Wellstone, Mr. Breaux, Ms. Mikulski, Mr. Dorgan, Mr. Baucus, Mr. Reed, Ms. Landrieu, Mr. Kennedy, Mr. Levin, Mr. Rockefeller, Mr. Robb, Mr. Inouye, and Mr. Akaka.

#### RESOLUTION OF CENSURE

Whereas William Jefferson Clinton, President of the United States, engaged in an inappropriate relationship with a subordinate employee in the White House, which was shameful, reckless and indefensible;

Whereas William Jefferson Clinton, President of the United States, deliberately misled and deceived the American people, and people in all branches of the United States government;

Whereas William Jefferson Clinton, President of the United States, gave false or misleading testimony and his actions have had the effect of impeding discovery of evidence in judicial proceedings;

Whereas William Jefferson Clinton’s conduct in this matter is unacceptable for a President of the United States, does demean the Office of the President as well as the President himself, and creates disrespect for the laws of the land;

Whereas President Clinton fully deserves censure for engaging in such behavior;

Whereas future generations of Americans must know that such behavior is not only unacceptable but also bears grave consequences, including loss of integrity, trust and respect;

Whereas William Jefferson Clinton remains subject to criminal actions in a court of law like any other citizen;

Whereas William Jefferson Clinton’s conduct in this matter has brought shame and dishonor to himself and to the Office of the President; and

Whereas William Jefferson Clinton through his conduct in this matter has violated the trust of the American people: Now therefore, be it

*Resolved*, That the United States Senate does hereby censure William Jefferson Clinton, President of the United States, and does condemn his wrongful conduct in the strongest terms; and now be it

*Further resolved*, That the United States Senate recognizes the historic gravity of this bipartisan resolution, and trusts and urges

that future congresses will recognize the importance of allowing this bipartisan statement of censure and condemnation to remain intact for all time; and be it

*Further resolved*, That the Senate now move on to other matters of significance to our people, to reconcile differences between and within the branches of government, and to work together—across party lines—for the benefit of the American people.

Mr. WARNER. Mr. President, we are prepared to conclude the session. I simply await the instructions from the majority leader to do such items as may remain.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER FOR STAR PRINT—S. 5

Mr. WARNER. Mr. President, I ask unanimous consent that the bill S. 5 be star printed with the changes that are at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints the Senator from Colorado (Mr. CAMPBELL) as Co-Chairman of the Commission on Security and Cooperation in Europe.

The Chair, on behalf of the Vice President, pursuant to the order of the Senate of January 24, 1901, appoints the Senator from Ohio (Mr. VOINOVICH) to read Washington’s Farewell Address on Monday, February 22, 1999.

#### APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 96-388, as amended by Public Law 97-84, appoints the following Senators to the United States Holocaust Memorial Council: The Senator from California (Mrs. BOXER), and the Senator from New Jersey (Mr. LAUTENBERG).

The Chair, on behalf of the President pro tempore, pursuant to Public Law 99-498, appoints Donald R. Vickers, of Vermont, to the Advisory Committee on Student Financial Assistance for term ending September 30, 2001.

#### APPOINTMENTS BY THE MAJORITY LEADER

The PRESIDING OFFICER. The Chair announces, on behalf of the Majority Leader, pursuant to Public Law

101-509, his reappointment of C. John Sobotka, of Mississippi, to the Advisory Committee on the Records of Congress.

The Chair, on behalf of the Majority Leader, in consultation with the Democratic Leader, pursuant to Public Law 105-389, announces the appointment of the following citizens to serve as members of the First Flight Centennial Federal Advisory Board: Peggy Baty of Ohio, Lauch Faircloth of North Carolina, and Wilkinson Wright of Ohio.

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APPOINTMENT BY THE DEMOCRATIC LEADER OF THE SENATE AND THE MINORITY LEADER OF THE HOUSE

The PRESIDING OFFICER. The Chair, on behalf of the Democratic Leader of the Senate and the Minority Leader of the House, pursuant to Public Law 105-277, announces the appointment of the following individuals to serve as members of the International Financial Institution Advisory Commission:

Richard L. Huber of Connecticut, Jerome L. Levinson of Maryland, Jeffrey D. Sachs of Massachusetts, Esteban E. Torres of California, and Paul A. Volcker of New York.

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RETIREMENT OF WILLIAM D. LACKEY

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 46, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: A resolution (S. Res. 46) relating to the retirement of William D. Lackey.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WARNER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 46) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 46

Whereas, William D. Lackey has faithfully served the United States Senate as an employee of the Senate since September 4, 1964, and since that date has ably and faithfully upheld the highest standards and traditions of the staff of the United States Senate;

Whereas, during his 35 years, in positions of responsibility in offices in the United States Senate, William D. Lackey has at all times discharged the duties and responsibilities of his office with extraordinary efficiency, aplomb, and devotion; and,

Whereas, William D. Lackey has faithfully served the United States Senate with honor and distinction in the Office of the Journal Clerk since October 1, 1978 and his hard work and outstanding performance resulted in his appointment as Journal Clerk: Now, therefore, be it

*Resolved*, That the United States Senate commends William D. Lackey for his service to his country and the United States Senate, and wishes to express its deep appreciation and gratitude for his long and faithful service.

SEC. 2. That the Secretary of the Senate shall transmit a copy of this resolution to William D. Lackey.

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HEALING OF THE NATION

Mr. WARNER. Mr. President, I ask the Senate to indulge me just a few words.

It is a privilege for me to stand in for our distinguished leader, Mr. LOTT. And my remarks also reflect on the outstanding performance not only by Leader LOTT but Leader DASCHLE on this historic day of the Senate. Mr. President, I have just returned, as have most Senators, from responding to many requests by the media on the grounds of the U.S. Capitol. I have said that the verdict is in. It has been given by the Senate. It is now before the Nation and they will be the final jury, the final arbiter. The sovereignty of this country rests not in the high office holders, but it is in the hands of the people. It is for them to decide.

As they approach the decision, I humbly submit to them: Let us put

this chapter in our history, tragic though it may be, behind us, and that we heal ourselves and unite and go forward.

This is a great and strong nation. It is a leader of the world, not only in matters of security for ourselves but security for others, not only in matters of military security but in matters of economic security. Our President, by his own actions, is a weakened President. That strength which for a while he can no longer give to the Nation must be filled in by the people—individually and collectively. I think we should not spend time dwelling on the past. Leave it to the historians. Let us move forward to the future, heal ourselves, strengthen our Nation, so we can resume as a leader in the world. And may God rest his hand on this Senate and its verdict as being the best for the Nation and for our people.

Mr. President, I yield the floor.

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ADJOURNMENT UNTIL MONDAY, FEBRUARY 22, 1999

The PRESIDING OFFICER. Under the previous order, the Senate now stands adjourned until 12 noon, February 22, 1999.

Thereupon, the Senate, at 3:31 p.m., adjourned until Monday, February 22, 1999, at 12 noon.

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NOMINATIONS

Executive nominations received by the Secretary of the Senate February 12, 1999, under authority of the order of the Senate of January 6, 1999:

THE JUDICIARY

DAVID N. HURD, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF NEW YORK VICE CON. G. CHOLAKIS, RETIRED.

NAOMI REICE BUCHWALD, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE MIRIAM G. CEDARBAUM, RETIRED.

EXECUTIVE OFFICE OF THE PRESIDENT

G. EDWARD DESEVE, OF PENNSYLVANIA, TO BE DEPUTY DIRECTOR FOR MANAGEMENT, OFFICE OF MANAGEMENT AND BUDGET, VICE JOHN A. KOSKINEN, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST SESSION OF THE SENATE.