they constituted a frontal assault on the integrity of the justice system. The President did not lie on a form to hide income from the government; he lied under oath before a federal judge in an official proceeding to defeat a civil rights lawsuit filed by an American citizen. Under Senate precedent, that is impeachable conduct.

Another example of recent Senatorial precedent is the Hastings case. In 1989, the Senate convicted Judge ALCEE HASTINGS of Florida on seven of twelve articles of impeachment that were presented by the House. Judge HASTINGS was alleged to have taken a bribe to alter the outcome in a case before his court. Judge HASTINGS was convicted in the Senate on seven articles of impeachment. Judge HASTINGS was convicted for knowingly making false statements to the jury in his own bribery trial at which he was acquitted. In the same year, Judge Walter Nixon was convicted by the Senate for lying under oath before a grand jury. Judge Nixon corruptly attempted to obstruct justice by denying his efforts to intervene in a state court prosecution for a friend—a case unrelated to his duties as a federal judge.

In the present impeachment case, we are not dealing with a blank slate. The Senate's actions in earlier cases are our clearest guide on how to proceed in the trial of President Clinton. The Senate has demonstrated three times in the last thirteen years that perjury by civil officers of the United States requires removal. It is inconceivable that equally reprehensible conduct by the President in this case should not also lead to his conviction and removal. By not so acting, the result will be an immediate lowering of our standards for impeachment and that standard will apply to judges as well. This argument defines us down, reducing the dignity of the Presidency and the Congress.

PERSONAL OBSERVATIONS

As one who loves the law and who has spent the better part of his professional career trying cases, I understand in a profound way just how important it is for justice that citizens tell the truth in court. As a federal prosecutor, I presented thousands of cases to a grand jury and tried hundreds. On many occasions I have seen witnesses tell the truth, even when it was very painful for them. Many have been driven to tears but still they honored their oath. Millions of Americans honestly fill out their tax returns and pay large sums of money simply because they are honest and believe in the rule of law. Such integrity is a source of great strength for our country.

The rule of law and the need for integrity in our justice system is why perjury cases are prosecuted in America. About seven years ago when I was still the United States Attorney for the Southern District of Alabama, a case came before me. My own city of Mobile had as its chief of police a strong African-American who aggressively worked to reform the office, establish community-based policing, and work to create a new level of discipline. Opposition grew and lawsuits were filed against him. A young police officer, who had been the Chief's driver, testified in a deposition in a federal lawsuit against the Chief. He stated that the chief of police had ordered him to ''bug'' the patrol cars of other police officers and that he had a secret tape recording giving him this illegal order to commit a crime. The deposition was released quickly to the newspapers. The city council, police department, and the people were in an uproar. Under careful questioning by an experienced FBI agent, the young officer admitted that he had lied in the deposition regarding the tape recording.

As United States Attorney, it was my decision whether the officer would be prosecuted for his perjury. His counsel argued that he was young, that he did lie but had corrected his false testimony at a later time. He argued that we should decline to prosecute. After reflection and review, I concluded that a sworn police officer who had told a plain lie under oath, even a young officer, should be prosecuted in order to preserve the rule of law and the integrity of the system. Our office prosecuted that case. The officer was convicted, and that conviction was later affirmed by the United States Court of Appeals for the Eleventh Circuit. For me personally, I have concluded that I cannot hold a young police officer to a different and higher standard than the President of the United States.

In sum, it is crucial to our system of justice that we demand the truth. I fear that an acquittal of this President will weaken the legal system by suggesting that being less than truthful is an option for those who testify under oath in official proceedings. Whereas the handling of the case against President Nixon clearly strengthened the nation's respect for law, justice and truth, by sending a crystal clear message about the requirement for honesty, the Clinton impeachment may unfortunately have the opposite result.

Finally, it is important to pause a moment to reflect on truth itself. I believe that we live in a created and ordered universe and that truth and falsehood are real. They are capable of being ascertained. I reject the doctrine of relativism that suggests everything is OK. We must always strive to hold the banner of truth high. Indeed, the pursuit of truth wherever it leads has been a hallmark of our civilization and is the single quality that has made us such a vibrant and productive nation. Of course, none of us are perfect and we often fail in our personal affairs, but when it comes to going to court, and its comes to our justice system, a great nation must insist on honesty and lawfulness. Our country must insist upon that for every citizen. The chief law officer of the land, whose oath of office calls on him to preserve, protect and defend the Constitution, crossed the line and failed to defend the law, and, in fact, attacked the law and the rights of a fellow citizen. Under our Constitution, equal justice requires that he forfeit his office. For these reasons, I felt compelled to vote to convict and remove the President from office.

Some will not agree with my conclusion. In that case, or if I have otherwise offended you in any way during this process, I ask for your forgiveness. I have sincerely tried to bring to bear the training and experience that I have had, along with the values with which we were raised in Alabama, to decide this important matter.

CENSURE RESOLUTION

Mr. DODD. Mr. President, the Senate has just discharged its duty under the Constitution to try the impeachment of President Clinton. We have rendered our judgment.

We have been asked to consider another, albeit lesser, form of punishment of the President—a resolution of censure. That resolution is authored by the Senator from California, Mrs. FEINSTEIN, and the Senator from Utah, Mr. BENNETT. Senator FEINSTEIN attempted to bring it before the Senate by way of a motion to suspend the rules in order to permit her motion to proceed. The Senator from Texas, Mr. GRAMM, objected, and then moved to indefinitely postpone consideration of Mrs. FEINSTEIN's motion. Since two-thirds of the Senate failed to vote in the negative, his point of order was sustained, and the motion to proceed failed.

I did not support Senator GRAMM's motion for the simple reason that I did not believe it appropriate to deny to Senator FEINSTEIN and others the opportunity to bring before the Senate a resolution of censure following the conclusion of the impeachment trial of the President. Had this resolution or something similar to it—say, a proposal to make ''findings of fact'' about the President's conduct—been offered during the impeachment trial, I would have strenuously opposed its consideration.

In my view, such a proposal is not permitted by the Constitution when raised as part of an impeachment trial. The Constitution is clear on this point. Article I, Section 3 states 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. . . .'' Our sole choice when trying an impeachment case is whether or not to convict and remove (and then disqualify from holding any further office) the individual in question. The Framers decided not to give Senators leeway to create additional judgment options—no matter how creative, convenient, or compelling they may be.

Because Senator FEINSTEIN's motion was made after the conclusion of the trial, during legislative session, I believed it was appropriate and timely for the Senate's consideration.

That is not to say, however, that I would have supported the resolution had the motion to proceed carried. On the contrary, I would have opposed it—as I would have opposed each of the several proposed censure resolutions that have circulated in recent days. The President has acted in a manner worthy of censure. No one denies that.

However, I have serious misgivings about a censure resolution emanating from this body and this body alone. I am concerned about what it may mean—not for this President, but for the institution of the presidency. I understand the passion to voice—loudly and unmistakably—disapproval of the President's conduct. But it must be tempered by an even greater passion for the office he holds, and for the constitutional balance of power between the executive and legislative branches of government.

The Federalist Number 73 speaks of ''the propensity of the legislative department to intrude upon the rights, and to absorb the powers, of the other departments.'' It warns of a presidency ''stripped of [its] authorities by successive resolutions, or annihilated by a single vote.''

My colleagues, we must qualify our understandable disdain for this president's conduct with the admonition to protect the office that he will occupy for a mere 23 months longer.

Nowhere does the Constitution expressly permit us to take up such a resolution. Nor does it expressly prohibit such a step. Yet the Senate, and the Congress as a whole, has been remarkably restrained in even considering censure resolutions. It has been even more reluctant to adopt them. Only once, in 1834, was a president formally censured by resolution. Three years later, that resolution was expunged.

The President at that time was Andrew Jackson. The driving force behind his censure was Henry Clay. Jackson had defeated Clay in the presidential election of 1832. In 1834, they remained bitter political adversaries.

Jackson argued that the resolution was repugnant to the constitutional principle of checks and balances between the branches of government. If the Senate wanted to punish him, he said, it had only one avenue acceptable under the Constitution: it would have to wait for the House to send an impeachment.

I am not convinced that a resolution censuring a president is unconstitutional. But I certainly agree that it is, at least in the context of the present case, unwise. There have been numerous instances where presidents behaved in a manner deemed outrageous and even dangerous to the country. Franklin Roosevelt was roundly criticized for his efforts to ''pack'' the Supreme Court. President Truman seized the steel mills. President Reagan and then-Vice President Bush presided over the executive branch while an illegal scheme, run out of the White House, was conducted to sell arms to Iran and use proceeds from those sales to support armed rebellion in Nicaragua. The behavior of these individuals arguably was at least as egregious as President Clinton's. But the Senate did not pursue a censure resolution against any of them.

Ours is not a parliamentary system. In the United States, we do not entertain votes of ''no confidence'' against our chief executive. We elect presidents, not prime ministers.

A censure resolution in the present instance will seem modest, perhaps even insignificant, in relation to the impeachment conducted by the House. However, future generations may well come to view censure as an American-made vote of ''no confidence'' against future occupants of the Oval Office. We may pave the way to a new form of executive punishment. And it may be used not only in cases of personal misconduct. It could be used against a president who simply makes an unpopular or unwise, but nevertheless lawful and well-intended, decision.

Ultimately, we could subject future presidents, who have not been impeached, to this form of punishment. In doing so, we risk eroding the independence and authority of the presidency. I do not want to see the Senate take such a risk.

APPRECIATION OF SERVICE OF CHIEF JUSTICE REHNQUIST

Mr. DODD. Mr. President, I rise to extend a word of thanks to Chief Justice Rehnquist for his distinguished service in presiding over this trial.

The Supreme Court sits just a few short yards from this Chamber. Yet, its Justices and its working remain largely unknown to those of us who serve here. Perhaps that conceptual distance successfully reflects the Framers' construct of legislative and judicial branches that act for the most part independently of one another.

Suffice it to say that our knowledge of the Chief Justice was rather limited prior to the commencement of the impeachment trial. We knew of his reputation as a formidable intellect, as a scholar—including on the topic of impeachment—, and as an efficient manager of courtroom. We did not as a group know much more about him.

What we learned during that course of that trial is that the Chief Justice brought his many estimable qualities to bear on this unique legal challenge. He brought a deep historical understanding of the impeachment process. He instilled confidence in each Senator that he would conduct himself in a manner faithful to the role prescribed for the chief justice by the Framers. All all times, he guided the trial with a firm and fair hand-not hesitating to use his judgment and common sense when appropriate, but never pressing a point of view on matters better left to the collective judgment of the Senate. He demonstrated a continuing respect and appreciation for the workings of this body. Last but not least, he brought a refreshing sense of humor to his task, which made our task as triers of fact somewhat more bearable.

Although this was an historic occasion, no one who took part in it relished doing so. There is collective relief, I think, that this constitutional ordeal is now behind us. But as we look back at these past remarkable weeks, we can all take comfort and pride in knowing that this second impeachment trial in our nation's history was presided over by an individual of great intelligence, historical knowledge, and wit.

These qualities made him uniquely suited to his task. The Senate and the entire nation owe a debt of thanks to Chief Justice Rehnquist for rendering such value and distinguished service.

APPENDICES A-L TO SENATOR LEVIN'S IMPEACHMENT TRIAL STATEMENT OF FEBRUARY 12, 1999

Mr. LEVIN. Mr. President, as we close this chapter in the Senate's life and prepare our records for the annals of history, there are several points which I wish to highlight in a series of appendices.

I ask unanimous consent that the appendices be printed in the RECORD.

There being no objection, the appendices were ordered to be printed in the RECORD, as follows:

APPENDIX A

The indisputable, underlying reality of the impeachment case was that Monica Lewinsky's denial of a sexual relationship with the President was part of a long-term understanding and pattern, long before the subpoena in the Paula Jones case.

''Q: Had you talked with him earlier about these false explanations about what you were doing visiting him on several occasions?

A: Several occasions throughout the relationship. Yes. It was a pattern of the relationship to sort of conceal it.''—Grand Jury Testimony of Monica Lewinsky, Part One; Independent Counsel Appendices, Page 844.

''A Juror: Did you ever discuss with the President whether you should deny the relationship if you were asked about it?

A: I think I always offered that.''—Grand Jury Testimony of Monica Lewinsky, Part One; Independent Counsel Appendices, Page 1077.

''A: And she [Linda Tripp] told me that I should put it in a safe deposit box because it could be evidence one day. And I said that was ludicrous because I would never—I would never disclose that I had a relationship with the President. I would never need it.''—Grand Jury Testimony of Monica Lewinsky, Part One; Independent Counsel Appendices, Page 1107.

''A Juror: And what about the next sentence also? Something to the effect that if two people who are involved say it didn't