

## SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## VICE PRESIDENT SHOULD RESIGN OR FACE IMPEACHMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. McDERMOTT) is recognized for 5 minutes.

Mr. McDERMOTT. Madam Speaker, it is time for a new exit strategy, one that removes the Vice President of the United States from office, voluntarily, if he chooses, but by impeachment if he stonewalls.

The time has come for the Vice President to go. Our Nation and our national security interests at home and abroad cannot afford to have this Vice President one heartbeat away from the Presidency. As it stands now, the Vice President's damage to U.S. interests, security, system of government and our position at home and abroad will take years to overcome.

As my constituents in the State of Washington's Seventh Congressional District know, I have struggled mightily with this matter for a long time. In grave matters facing our Nation, I believe conscience and a deep respect for our system of government should guide our actions and words.

I didn't hesitate to speak the truth to power before the invasion of Iraq, despite the bitter partisan acts that I knew would follow. I have no doubt that I will be targeted for a new round of shelling after these remarks.

The intent of this administration and this Vice President has been to silence all dissent, and it always happens the same way; relentless attacks until people ask themselves, do I want to subject myself to that kind of hell if I speak out? Fear is what kept this administration in office in 2004, and fear is the only public discourse this administration understands and practices. Why debate, when you can dictate? Why follow the law, when you can act like you are above the law?

For months, I believed that impeachment was a dire course of action. Over these same months, I have seen the haven't repeatedly drive our Nation into increasingly dire situations in Iraq, Iran and within our country as he tramples on the Constitution like it was a doormat.

For months I have considered if America would best be served by bring-

ing forth articles of impeachment against the Vice President. I kept asking myself, is the Vice President's conduct that dire, because impeachment is the closest thing there is to internment on political death row.

The Founders intended impeachment to be used when those running the government forgot that they worked for the people, and the Founders intended impeachment to be used when toughs running the government acted as though they were above the law.

When you look at the record, you have to conclude that the Vice President has placed himself above the law. He holds himself accountable only to special interests, who meet with him in secret with no record kept of who was there, what was discussed or what promises the Vice President made.

For the last 4 years, the Vice President has refused to allow routine office inspections by a Federal agency regarding the safe handling of America's secrets. The Vice President defies the Information Security Oversight Agency, claiming he is not part of the executive branch of government. When a sitting Vice President claims that he is not part of the executive branch of government to which he was elected, it is time to remove him.

The Vice President holds himself accountable to no one. He ordered the Secret Service to destroy visitors logs, and we have learned in the Washington Post recently, that the Vice President circumvented every check and balance inside the White House to force through his own agenda, to spy on Americans through illegal wire traps, creating the gulag at Guantanamo, and subverting civil liberties and free speech at every turn.

Since the President permits the flagrant disregard of the Constitution, it is up to the Congress to act and defend the American people. With each new revelation, America has seen only glints of what has been done totally in secret.

For all we don't know, this much we do know: The Vice President holds himself above the law, and it is time for the Congress to enforce the law. I believe the evidence is overwhelming and the articles of impeachment against the Vice President should be drawn up.

The Vice President likes to say the military option is on the table. Tonight it is time to say the impeachment option is on the table.

I am adding my name to H.R. 333, calling for the impeachment. For the good of the Nation, the Vice President should leave office immediately. Call it a medical condition, call it a political condition, call it what it is; the departure of a person who forgot that he works for the American people.

The Vice President must either resign or face impeachment.

Madam Speaker, I submit for the RECORD an article in Slate magazine dated 27 June 2004, entitled "Impeach CHENEY."

[From Slate.com, June 27, 2007]

IMPEACH CHENEY—THE VICE PRESIDENT HAS RUN UTTERLY AMOK AND MUST BE STOPPED

(By Bruce Fein)

Under Dick Cheney, the office of the vice president has been transformed from a tiny acorn into an unprecedented giant oak. In grasping and exercising presidential powers, Cheney has dulled political accountability and concocted theories for evading the law and Constitution that would have embarrassed King George III. The most recent invention we know of is the vice president's insistence that an executive order governing the handling of classified information in the executive branch does not reach his office because he also serves as president of the Senate. In other words, the vice president is a unique legislative-executive creature standing above and beyond the Constitution. The House Judiciary Committee should commence an impeachment inquiry. As Alexander Hamilton advised in the Federalist Papers, an impeachable offense is a political crime against the nation. Cheney's multiple crimes against the Constitution clearly qualify.

Take the vice president's preposterous theory that his office is outside the executive branch because it also exercises a legislative function. The same can be said of the president, who also exercises a legislative function in signing or vetoing bills passed by Congress. Under Cheney's bizarre reasoning, President Bush is not part of his own administration: The executive branch becomes acephalous. Today Cheney Chief of Staff David Addington refused to renounce that reasoning, instead laughably trying to diminish the importance of the legal question at issue.

The nation's first vice president, John Adams, bemoaned: "My country has in its wisdom contrived for me the most insignificant office that ever the invention of man contrived or his imagination conceived; and as I can do neither good nor evil, I must be borne away by others and meet common fate." Vice President John Nance Garner, serving under President Franklin D. Roosevelt, lamented: "The vice presidency isn't worth a pitcher of warm \* \* \*." In modern times, vice presidents have generally been confined to attending state funerals or to distributing blankets after earthquakes.

Then President George W. Bush outsourced the lion's share of his presidency to Vice President Cheney, and Mr. Cheney has made the most of it. Since 9/11, he has proclaimed that all checks and balances and individual liberties are subservient to the president's commander in chief powers in confronting international terrorism. Let's review the record of his abuses and excesses:

The vice president asserted presidential power to create military commissions, which combine the functions of judge, jury, and prosecutor in the trial of war crimes. The Supreme Court rebuked Cheney in *Hamdan v. Rumsfeld*. Mr. Cheney claimed authority to detain American citizens as enemy combatants indefinitely at Guantanamo Bay on the president's say-so alone, a frightening power indistinguishable from King Louis XVI's execrated lettres de cachet that occasioned the storming of the Bastille. The Supreme Court repudiated Cheney in *Hamdi v. Rumsfeld*.

The vice president initiated kidnappings, secret detentions, and torture in Eastern European prisons of suspected international terrorists. This lawlessness has been answered in Germany and Italy with criminal charges against CIA operatives or agents. The legal precedent set by Cheney would justify a decision by Russian President Vladimir Putin to kidnap American tourists in

Paris and to dispatch them to dungeons in Belarus if they were suspected of Chechen sympathies.

The vice president has maintained that the entire world is a battlefield. Accordingly, he contends that military power may be unleashed to kill or capture any American citizen on American soil if suspected of association or affiliation with al-Qaida. Thus, Mr. Cheney could have ordered the military to kill Jose Padilla with rockets, artillery, or otherwise when he landed at O'Hare Airport in Chicago, because of Padilla's then-suspected ties to international terrorism.

Mr. Cheney has championed a presidential power to torture in contravention of federal statutes and treaties.

He has advocated and authored signing statements that declare the president's intent to disregard provisions of bills he has signed into law that he proclaims are unconstitutional, for example, a requirement to obtain a judicial warrant before opening mail or a prohibition on employing military force to fight narco-terrorists in Colombia. The signing statements are tantamount to absolute line-item vetoes that the Supreme Court invalidated in the 1998 case *Clinton v. New York*.

The vice president engineered the National Security Agency's warrantless domestic surveillance program targeting American citizens on American soil in contravention of the Foreign Intelligence Surveillance Act of 1978. He concocted the alarming theory that the president may flout any law that inhibits the collection of foreign intelligence, including prohibitions on breaking and entering homes, torture, or assassinations. As a reflection of his power in this arena, today the Senate Judiciary Committee subpoenaed Cheney's office, as well as the White House, for documents that relate to the warrantless eavesdropping.

The vice president has orchestrated the invocation of executive privilege to conceal from Congress secret spying programs to gather foreign intelligence, and their legal justifications. He has summoned the privilege to refuse to disclose his consulting of business executives in conjunction with his Energy Task Force, and to frustrate the testimonies of Karl Rove and Harriet Miers regarding the firings of U.S. attorneys.

Cheney scorns freedom of speech and of the press. He urges application of the Espionage Act to prosecute journalists who expose national security abuses, for example, secret prisons in Eastern Europe or the NSA's warrantless surveillance program. He retaliated against Ambassador Joseph Wilson and his wife, Valerie Plame, through Chief of Staff Scooter Libby, for questioning the administration's evidence of weapons of mass destruction as justification for invading Iraq. Mr. Cheney is defending himself from a pending suit brought by Wilson and Plame on the grounds that he is entitled to the absolute immunity of the president established in 1982 by *Nixon v. Fitzgerald*. (Although this defense contradicts Cheney's claim that he is not part of the executive branch.)

The Constitution does not expressly forbid the president from abandoning his chief powers to the vice president. But President Bush's tacit delegation to Cheney and Cheney's eager acceptance tortures the Constitution's provision for an acting president. The presidency and vice presidency are discrete constitutional offices. The 12th Amendment provides for their separate elections. The sole constitutionally enumerated function of the vice president is to serve as president of the Senate without a vote except to break ties.

In contrast, Article II enumerates the powers and responsibilities of the president, including the obligation to take care that the

laws be faithfully executed. A special presidential oath is prescribed. Section 3 of the 25th Amendment provides a method for the president to yield his office to the vice president, when "he is unable to discharge the powers and duties of his office." There is no other constitutional provision for transferring presidential powers to the vice president.

Yet without making a written transmittal to Congress, President Bush has ceded vast domains of his powers to Vice President Cheney by mutual understanding that circumvents the 25th Amendment. This constitutional provision assures that the public and Congress know who is exercising the powers of the presidency and who should be held responsible for successes or failures. The Bush-Cheney dispensation blurs political accountability by continually hiding the real decision-maker under presidential skirts. The *Washington Post* has thoroughly documented the vice president's dominance in a four-part series running this week. It is quite a read.

In the end, President Bush regularly is unable to explain or defend the policies of his own administration, and that is because the heavy intellectual labor has been performed in the office of the vice president. Cheney is impeachable for his overweening power and his sneering contempt of the Constitution and the rule of law.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the Vice President.

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The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WATERS) is recognized for 5 minutes.

(Ms. WATERS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HINCHEY) is recognized for 5 minutes.

(Mr. HINCHEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a

previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

(Mr. GOHMERT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### WELCOME BACK SIMMONS COLLEGE OF KENTUCKY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. YARMUTH) is recognized for 5 minutes.

Mr. YARMUTH. Madam Speaker, I rise in recognition of one of the most storied institutions in Louisville's rich history on this day of its rebirth as an independent liberal arts institution, as it was intended.

Shortly after the end of the Civil War, 12 forward-thinking former slaves gathered in Louisville, united by the understanding that education would be key to prosperity as free people in America. The institution of higher learning that opened its door 14 years later in 1879 was unique in its commitment to African American education.

While many similar institutions were the result of the efforts of white missionaries working to give recently freed people the advantages of American society, Simmons, known at that time as the Kentucky Normal Theological Institute in Louisville, was created in a collaboration that bridged the racial divide. Black Baptists and white Baptists, recently freed and those born of privilege, worked hand in hand in pursuit of equality in education.

Early leaders at the school came with impressive Ivy League pedigrees, but as the strength of the institution increased, they turned more and more to alumni that came from within. By the early part of the 20th century, it was difficult to find a finer education than that offered at Simmons College, earning it the nickname: "The Black Harvard of the South."

Within four decades of its inception and a half century removed from slavery, Simmons embodied the dream and exceeded the expectations of the dozen visionaries who foresaw education as the tools for equality. Louisville's Simmons College was a liberal arts college of national renown.

But like so many others, the economic hardships of the Great Depression devastated the school. The properties succumbed to foreclosure and the institution lost its independence. Despite meeting tremendous adversity, the determination that led Simmons' inception and incredible ascent drove its journey onward.

For decades and under several names, the school continued to exist. Most recently, the school specialized in theology, expertly training pastors at Simmons Bible College at 18th Street and Dumesnil.

But, Dr. Kevin W. Cosby, the latest in a great tradition of Simmons leadership dating back to Elijah Marrs, William Simmons, and Charles Parish, has led the way to a full restoration of