99th Congress 2nd Session

S. RES. 481

To provide for the appointment of a committee to receive and to report evidence with respect to articles of impeachment against Harry E. Claiborne.

IN THE SENATE OF THE UNITED STATES

August 14 (legislative day, August 11), 1986

Mr. Dole (for himself and Mr. Byrd) submitted the following resolution; which was considered and agreed to

RESOLUTION

To provide for the appointment of a committee to receive and to report evidence with respect to articles of impeachment against Harry E. Claiborne.

1. Resolved, Pursuant to rule XI of the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials, the Presiding Officer shall appoint a committee of twelve Senators to perform the duties and to exercise the powers provided for in the rule.

2. Sec. 2. The Majority and Minority Leader shall each recommend six Members to the Presiding Officer for appointment to the committee.

3. Sec. 3. Necessary expenses of the committee shall be paid from the contingent fund of the Senate from the appro-
pration account "Miscellaneous Items" upon vouchers
approved by the chairman of the committee.

Sec. 4. The committee shall be deemed to be a standing
committee of the Senate for the purpose of printing reports,
hearings, and other documents for submission to the Senate
under rule XI.

Sec. 5. The Secretary shall notify the House of Repre-
sentatives of this resolution.

Mr. Dole. Mr. President, this resolution
minority leader, Mr. Byrd, and I believe
ability to render a fair and informed judi-
trial of Judge Harry E. Caliborne, invol-
procedure authorized by rule XI of the
Practice in the Senate when sitting on in-
rule XI provides in part "(t)hat in the
the Presiding Officer of the Senate, upon
shall appoint a committee of twelve Sen-
and take testimony. ** The committee
to the Senate in writing a certified copy
proceedings and testimony had and gave
** The rule explicitly preserves "the
mine competency relevancy, and materi-
cally reserves the right to the Senate to
of witnesses by providing that "Nothing
Senate from sending for any witness an-
on open Senate, or by Order of the Senate
open Senate."

The history of rule XI, which was de-
1935, makes clear that the drafters did
committee's judgment for that of the Sen-
tion of whether the impeached official's
committee is not to make any recomm-
that question.

Through these means the full Senate
determine the facts and law in an im-
Norris stated during the Senate's con-
Senate would only be "delegating" to a
of taking the evidence ** the trial of
in the Senate, the evidence would be on
would pass on it."

Rule XI presently provides that the
12 members who shall be appointed by
distinguished minority leader and I be
will recommend six members to the Pr-
ther provides that the members of the
chairman. We recommend to the comm-
chairman from the other party.

I recommend to the Presiding Officer
appointment to the committee under the
ators Mathias, Hatch, Warner, Rudman,

Mr. Byrd. Mr. President, on behalf of
the distinguished Presiding Officer, I
be appointed to serve on the committee
rule XI: Senators Heflin, DeConcini, and
Bingaman.

The Vice President. Senators Mathias,
Pressler, McConnell, and Senators Pryor,
Gore, and Bingaman are hereby the
committee appointed under impea-

Mr. Dole. Mr. President, I ask una-
cles of impeachment, the writ of sub-
printed as a Senate document.