

leaders Tom DeLay and Newt Gingrich had subverted the rules of the House to their own profit, and were found guilty of concealment, lying, and obstructing investigations, yet neither was censured. Gingrich even remained Speaker after his conviction.

Among Rangel's other defenders were Republican Peter King of Long Island, N. Y. (see below), and Democrat Charlie Gonzales of Texas. King said, "I'll vote against this; the findings don't warrant censure; this is an extraordinary procedure to use in this case."

'It's Not Fair, It's Not Just'

Gonzales began simply, "It's not fair; it's not just. Rep. Butterfield asked the chief counsel for the committee, 'Is there any evidence of personal benefit of corruption?' Answer: 'There is no evidence.' 'Any evidence he enriched himself?' 'No.'

"Since when did we forfeit our right to fairness and justice, when we entered the Congress?"

And then: "In a way, you are sitting as a jury. If you were jurors, you would have to take an oath of fairness, and to avoid any bias. But in reality, you fear political criticism for how you're going to vote on this issue."

Rep. Jo Bonner (R-Ala.), Ranking Member of the Ethics Committee, speaking against Rangel, drove the same point home—but from the other side: "We must all bear in mind how we are seen by our employers, the American people," who, Bonner claimed, Members should fear, were they to vote against censure.

Butterworth pointed out that, "Censure has always been an extreme punishment for outrageous conduct; it doesn't apply here." He introduced a substitute amendment calling for a letter of reprimand instead. This amendment failed with 146 in favor, including three Republicans, against 267 opposed, including 105 Democrats and 162 Republicans.

Censure then carried 333 to 79.

"There goes the Democratic Party," LaRouche concluded. "It's a gone bunny; in its present form, it's a gone bunny. It no longer has any respect. Because they lost their respect when they failed to act when they could have, before the recent election.

"This was Obama's revenge for Charlie's opposition to his candidacy for President," LaRouche said, referring to Rangel's support for Hillary Clinton.

"The point is, this thing, by the Congress, means that the leadership of the Congress will have, henceforth, no respect from the American people. No respect whatsoever."

Rep. Peter King

The Severe Penalty Is Not Warranted

Here are Rep. Peter King (R-N.Y.)'s remarks in defense of Rep. Charles Rangel in the House of Representatives on Dec. 1, 2010. King's office sent out his prepared remarks as he was speaking. Here it is, with the caveat that King departed slightly from this text in his actual remarks:



Rep. Peter King

Madam Speaker, at the outset let me express my profound respect for Chairperson Lofgren, Ranking Member Bonner and all the members of the Ethics Committee for their dedicated efforts in this matter.

Having said that, I will vote against this censure resolution because I do not believe the findings warrant the severe penalty of censure.

I reached this conclusion after reading and studying hundreds of pages of committee documents, including the subcommittee findings, the minority views of Congressman Scott, the report of the full committee and myriad exhibits and correspondence.

Censure is an extremely severe penalty. In the more than 200-year history of this body, only 22 members have been subjected to censure. None in more than a quarter century.

If expulsion is the equivalent of the death penalty, censure is life imprisonment.

I have found no case where charges similar or analogous to those against Congressman Rangel resulted in censure—a penalty thus far reserved for such serious violations as supporting armed insurrection against the United States and the sexual abuse of minors.

In Congressman Rangel's case, the Committee Chief Counsel has said he found no evidence of corruption, and the Committee report itself said there was no "direct personal gain" to Congressman Rangel.

My religious faith is based on scripture and tradition. My training as a lawyer has taught me to respect

precedent.

Why today we are being asked to reverse more than 200 years of tradition and precedent?

There is no doubt that Congressman Rangel has violated rules of this House. But these violations are *malum prohibitum* [wrong because prohibited—ed.], not *malum in se* [evil in itself—ed.]. There is no evidence or finding of criminal intent. No *mens rea* [guilty mind—ed.]. The appropriate penalty is a reprimand.

Why are we departing so significantly from tradition and precedent in the case of Charlie Rangel? Certainly it can't be because of who he is or what he has achieved in his life—a kid from the inner city who emerged from very troubled surroundings to be a combat soldier and authentic war hero, who left his blood on a battlefield in Korea, who worked his way through law school, who became a distinguished prosecutor, who was elected to the state legislature and to the United States Congress, where he has served with distinction for 40 years.

Let me make it clear. Charlie Rangel is a friend and colleague, but we disagree on virtually every issue. I can't begin to tell you how many times we have debated on local news shows back in New York.

But during that entire time, I have never heard anyone question Charlie Rangel's integrity. Nor have I ever seen Charlie Rangel treat anyone with disrespect—whether it be flight attendants, cab drivers, staff members or the guy on the street corner on 125th Street.

I know we can get caught up in the *zeitgeist* of media attacks and political storms. I am imploring you today to pause for a moment and step back. To reflect upon not just the lifetime of Charlie Rangel, but more importantly the 220-year history of tradition and precedent of this body. Let us apply the same standard of justice to Charlie Rangel that has been applied to everyone else and which we would want applied to ourselves.

Let us vote against censure.

Rep. G.K. Butterfield

No Evidence of Corrupt Conduct

Here is the statement of Rep. G.K. Butterfield (D-N.C.), a member of the Ethics Committee, opposing the censure by the House of Representatives, of Rep.

Charles Rangel, on Dec. 2. (The Speaker Pro Tempore was John Salazar [D-Colo.] and the Chair was Zoe Lofgren [D-Calif.])

As a member of the committee, I rise today to oppose the pending motion. There is no question that Mr. Rangel violated House rules. For more than a year he has admitted his misconduct and has apologized for it. But it must be clear, Mr. Speaker, there is nothing in this record to suggest that Congressman Rangel engaged in dishonest or corrupt conduct. Nor is there evidence suggesting that he sought to enrich himself while violating his oath.

The record shows that Mr. Rangel was approached by City College of New York to seek assistance in obtaining funds to establish an inner city school for disadvantaged youth, and he did so. My colleagues, you must know that it is not unethical or improper for Members to raise funds for a charitable purpose. Many of you do this every year, and it's a good thing. Our rules simply require any Member desiring to raise funds for a 501(c)3 charitable purpose to refrain from using official resources.

In this case, Congressman Rangel improperly used official resources to make the solicitation. Yes, that was a mistake. But it was not corruption. Had he written his solicitation letters on other than official stationery and mailed them with 44-cent stamps, that would not be a problem.

The other observation I make, Mr. Speaker, concerns the appropriate sanction for a Member who has been found to have violated House rules not involving dishonesty or corruption. The punishment in this case, in my humble opinion, should be reprimand or less. Censure has always been reserved for extreme and outrageous conduct, touching upon corruption and intent to gain a financial benefit.

As many of you perhaps know, I spent much of my former life as a superior court judge. For nearly 15 years, I made difficult sentencing decisions every day. In making difficult decisions, the judge must first decide a baseline punishment and then adjust that punishment by weighing aggravating and mitigating circumstances. As applied to this case, the baseline punishment was of-



Rep. G.K. Butterfield