

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

ferred by our committee counsel. He stated that the proper punishment, in his opinion, was between reprimand and censure.

If that be so, Mr. Speaker, it seems to me that aggravating and mitigating circumstances become important. There are mitigating circumstances, my colleagues, that you should consider that substantially outweigh any aggravating factors that you may find. In deciding whether to round up to censure or round down to reprimand, I ask you to consider a dozen factors: his age, 80 years of age; combat military service of 3 years as a volunteer; Bronze Star; Purple Heart; left on the battlefield for dead; length of legislative service here is 40 years; he requested our committee to investigate these matters; he acknowledged mistakes at an early stage, and was willing, he was willing to settle this matter without a trial; he did not participate in the evidentiary hearing.

Some of you may see that as a negative. But failing to participate in the hearing essentially admitted the essential facts of this case, precluding a long trial. He could not afford counsel after spending \$2 million, and we refused to waive the rule to allow for pro bono counsel. Over the years, he has mentored Democratic and Republican members on this floor. And he has been a person of good moral character.

These, my colleagues, are mitigating factors that support reprimand. I urge my colleagues to vote to reprimand our dear colleague. Let him know that he must be sanctioned for his carelessness, but let him know that this House understands fairness and justice and legal precedent. A censure is not justified in this case.

I thank you, Madam Chair, for the time.

Rep. Charles Rangel

‘I Am Going To Be Judged by My Life’

Here are Rep. Charles B. Rangel’s brief remarks to a press conference Dec. 2, following the House of Representatives vote to censure him.

...[W]e do know that we are a political body, and even though it is painful to accept this vote, I am fully aware that this vote reflects perhaps the thinking not just of the

members, but the political tide and the constituency of this body.

Having said that, and having my opportunity to do what I wanted to do initially, and that is to make certain that this body and this country would know that at no time has it ever entered my mind to enrich myself or to do violence to the honesty that is expected of all of us in this House. I think that has been proven, and that has been what I have been asking for, and that’s why I have admitted to mistakes, and was prepared to do what I have done.

I understand that this is a new criteria and a breakthrough in order to teach somebody a higher lesson than those that in the past have done far more harm to the reputation of this body than I.

But I just would just want all of you to know that in my heart, I truly feel good. It is not just all of the commitments that I made to God in 1950. A lot of it has to do with the fact that I know in my heart that I’m not going to be judged by this Congress, but I’m going to be judged by my life, my activities, my contributions to society, and I just apologize for the awkward position that some of you are in.

But at the end of the day, as I started off saying, compared to where I’ve been, I haven’t had a bad day since. Thank you.

Much To Be Done To Ease the Pain of the American People

On Dec. 3, Congressman Rangel issued a second statement:

Now that the Ethics proceedings have passed, I will put the pain behind me as well. I will focus on lessening the pain of the American people during these challenging times in our country.

There is so much to be done to help those who are struggling to put food on their tables, and to restore their self-esteem and dignity. I will continue to work even harder to create new jobs, improve our children’s education, and provide better healthcare for all.

We must bring back our troops from currently being in harm’s way, and make sure they and their families have the resources they need at home. It’s not just the right thing, but the best thing for America.

I am honored to represent my constituents in the Upper Manhattan district. I am honored to serve the American people. I look forward to moving our great nation forward and making America strong again.