

Conyers: Contempt is necessary to preserve checks and balances and the rule of law (1/17/2008)

Pursuing contempt is crucial for three reasons. First, everyone, no matter how powerful, has the obligation to comply with a lawfully issued subpoena. We do not have a king in our country, we have a President and his advisers who, like all citizens, cannot simply ignore the law.

Second, it is critical to defend Congressional authority and our system of checks and balances. If the White House can direct even former employees to ignore congressional subpoenas and not even show up for a hearing or produce a single piece of paper based on overbroad claims of privilege, as in this case, then Congress' ability to stop this or future Presidents from grabbing unchecked power will be lost or severely diminished.

Third, it is crucial to get to the bottom of the White House's role in what appears to be a pattern of firing U.S. Attorneys and taking other action to improperly influence elections and pending criminal cases and then making false statements about it to Congress and the American people. When prosecutorial power has been abused for political purposes, the stakes could not be higher. As detailed in the Committee's extensive contempt report, the Committee has already found apparent violations of civil service laws and the Presidential Records Act and numerous false or misleading statements to Congress by federal officials.

The January 16 letter by 10 of the 17 Judiciary Committee Republicans is contradicted not only by the contempt report but also by former Reagan and Bush I Attorney General Richard Thornburgh, who testified that the Committee's investigation has already shown that U.S. Attorneys were improperly fired "not for performance-related reasons but for political ones." The Committee has also had an unparalleled level of productivity in terms of hearings, markups, and legislation produced on critical issues, with 77 Judiciary Committee bills passing in the House last year. In the area of violent crime and sexual predators, for example, as a result of Committee action, five bills strengthening enforcement of internet sex predator laws passed with more than 400 votes each in the House last year, including from each Republican member of the Committee.

This should not be a partisan issue. Former Republican Congressman Mickey Edwards and Reagan Justice Department official Bruce Fein have strongly supported a House vote for contempt. Republican Senators Chuck Grassley and Arlen Specter recently voted for a similar contempt resolution in the Senate Judiciary Committee. As Congressman Edwards concluded, action on contempt is necessary to uphold Congress' authority "as a separate, independent, and completely equal branch of government."