The Senate met at 9:36 a.m. and was called to order by the Chief Justice of the United States.

TRIAL OF WILLIAM JEFFERSON CLINTON, PRESIDENT OF THE UNITED STATES

The CHIEF JUSTICE. The Senate will convene as a Court of Impeachment. The Chaplain will offer a prayer.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious God, whose love for this Nation has been displayed so magnificently through our history, we praise You that Your presence fills this historic Chamber and enters into the minds of the Senators gathered here. Each of them is here by Your divine appointment. Together they claim Your promise, “Call upon Me in the day of trouble: I will deliver you.”—Ps 50:15. We call upon You on this day of trouble in America as this impeachment trial comes to a close. You have enabled an honest, open debate of alternative solutions. Soon a vote will be taken. You have established a spirit of unity in the midst of differences. Most important of all, we know that we can trust You with the results. You can use what is decided and continue to accomplish Your plans for America. We entrust to Your care the President and his family. Use whatever is decided today to enable a deeper experience of Your grace in his life and healing in his family. We commit this day to You and thank You for the hope that fills our hearts as we place our complete trust in You. You are our Lord and Saviour. Amen.

The CHIEF JUSTICE. The Sergeant at Arms will make the proclamation.

The Sergeant at Arms, James W. Ziglar, made proclamation as follows:

Hear ye! Hear ye! Hear ye! All persons are commanded to keep silent, on pain of imprisonment, while the Senate of the United States is sitting for the trial of the articles of impeachment exhibited by the House of Representatives against William Jefferson Clinton, President of the United States.

ORDER OF PROCEEDURE

Mr. LOTT. For the information of all Senators, later on today, the Secretary of the Senate will be putting at each Senator's desk something I think you will enjoy reading later. It is the prayers of the Chaplain during the impeachment trial. Subsequently, we plan to put it in a small pamphlet, because they truly have been magnificent. We thought you each would like to have copies.

The Senate will resume final deliberations now in the closed session. Thank goodness. At this point in the proceedings, there are approximately eight Members who still wish to speak or submit part of their speech into the Record.

Following those final speeches, the Senate will resume open session and proceed to the votes on the two articles of impeachment. I estimate that those votes will begin at approximately 11:15. However, the exact time will depend on the length of the remaining speeches, and also we will have to have a few minutes to open the Chamber and the galleries so that our constituents and our families can enter the galleries if they would like to.

Following those votes, all Senators should remain at their desks as the Senate proceeds to several housekeeping items relating to the adjournment of the Court of Impeachment. So again, I emphasize, please, after the votes, don't rush out of the Chamber because we have some very important proceedings to attend to, and I think you will enjoy them if you will stay and participate.

Under the consent agreement reached last night, following those votes, a motion relating to censure may be offered by the Senator from California, Senator Feinstein. If offered, Senator Gramm will be recognized to offer a motion relative to the Feinstein motion, with a vote to occur on the Gramm motion. Therefore, Senators may anticipate an additional vote or votes following the votes on the articles.

I thank the Senators. And I believe we are ready to proceed to the closed session.

Mrs. BOXER. Will the majority leader yield for a question?

Mr. LOTT. Yes.

Mrs. BOXER. Will there be intervening debate or no debate on any of those votes?

Mr. LOTT. In the UC that was reached last night, I believe we have 2 hours, which will be equally divided, for Senators to submit statements at that point or to make speeches if they would like. So I presume—after the votes, yes.

Mrs. BOXER. That is the question. Yes.

Mr. LOTT. I presume we will go on for a couple hours—2 or 3 o'clock in the afternoon, yes.

UNANIMOUS-CONSENT AGREEMENT—PRINTING OF STATEMENTS IN THE RECORD AND PRINTING OF SENATE DOCUMENT OF IMPEACHMENT PROCEEDINGS

Mr. LOTT. I would like to clarify one other matter. Senators will recall the motion approved February 9, 1999, which permitted each Senator to place in the CONGRESSIONAL RECORD his or her own statements made during final deliberations in closed session.

I ask unanimous consent that public statements made by Senators subsequent to the approval of that motion, with respect to his or her own statements made during the closed session, be deemed to be in compliance with the Senate rules. This would permit a Senator to release to the public his or her
statement made during final deliberations in closed session, except that, in doing so, a Senator may not disclose any remarks of the other Senators made during deliberations, without the prior consent, of course, of that Senator.

I further ask unanimous consent that Senators have until Tuesday, February 23, 1999—that would be the Tuesday after we come back—to have printed statements and opinions in the Congressional Record, if they choose, explaining their votes.

Finally, I ask unanimous consent that the Secretary be authorized to include these statements, along with the full record of the Senate’s proceedings, the filings by the parties, and the supplemental materials admitted into evidence by the Senate, in a Senate document printed under the supervision of the Secretary of the Senate, that will complete the documentation of the Senate’s handling of these impeachment proceedings.

Mr. REID. Mr. Leader, point of clarification. I had a couple of Members ask, does it take an affirmative act of a Senator to get their speech placed in the Record or does it happen automatically?

Mr. LOTT. I believe it does take an affirmative act. It is not automatic.

Mr. REID. To whom should that be given?

Mr. LOTT. It should be given to the clerks at the desk, or to Marty on your side, or your secretary of the minority, or the secretary of the majority. They will get it into the Record at the right place.

I believe, once again, we are ready to go to our closed session.

Mrs. HUTCHISON. Will the majority leader yield for a question?

Mr. LOTT. Yes.

Mrs. HUTCHISON. It does not require each Senator to ask unanimous consent to insert their remarks, just giving it?

Mr. LOTT. Yes. That has already been cleared.

I believe we have a unanimous consent request propounded.

The CHIEF JUSTICE. Without objection, it is so ordered.

The Senate will now go into closed session to complete its deliberations on the articles of impeachment. The Sergeant at Arms is directed to clear the gallery and close the doors of the Senate Chamber.

Mr. LOTT. Mr. Chief Justice, I suggest the absence of a quorum.

The CHIEF JUSTICE. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

CLOSED SESSION

(At 9:44 a.m., the doors of the Chamber were closed. The proceedings of the Senate were held in closed session until 12:04 p.m., at which time the following occurred.)

OPEN SESSION

Mr. LOTT. Will Senators return to their desks? Managers, thank you for joining us. Would Senators stand, and the gallery, as the Chief Justice enters the Chamber, please.

The CHIEF JUSTICE. The Senate will be in order.

Mr. LOTT. Mr. Chief Justice, Members of the Senate have met almost exclusively as a Court of Impeachment since January 7, 1999, to consider the articles of impeachment against the President of the United States. The Senate meets today to conclude its trial by voting on the articles of impeachment, thereby, fulfilling its obligation under the Constitution. I believe we are ready to proceed to the votes on the articles. And I yield the floor.

The CHIEF JUSTICE. The Chair would inform those in attendance in the Senate galleries, that under rule XIX of the Standing Rules of the Senate, demonstrations of approval or disapproval are prohibited, and it is the duty of the Chair to enforce order on its own initiative.

ARTICLE I

The Chief Justice. The clerk will now read the First Article of impeachment.

The legislative clerk read as follows:

ARTICLE I

In his conduct while President of the United States, William Jefferson Clinton, in violation of his constitutional oath faithfully to execute the office of President of the United States and to the best of his ability preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has willfully corrupted and manipulated the judicial process to a Federal judge in that civil rights action; and (4) his corrupt efforts to influence the discovery of evidence in that civil rights action.

And (5) his willful, prevaricating, and perjurious statements made during final deliberations in closed session, except that, in doing so, a Senator may not disclose any remarks of the other Senators made during deliberations, without the prior consent, of course, of that Senator.

In his conduct while President of the United States, William Jefferson Clinton, in violation of his constitutional oath faithfully to execute the office of President of the United States and to the best of his ability preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has willfully corrupted and manipulated the judicial process to a Federal judge in that civil rights action; and (4) his corrupt efforts to influence the discovery of evidence in that civil rights action.

Wherefore, William Jefferson Clinton, by virtue of his office as President, has betrayed his trust as President, and has acted in a manner subversive of the rule of law and justice, to the manifest injury of the people of the United States.

Wherefore, William Jefferson Clinton, by virtue of his office as President, has betrayed his trust as President, and has acted in a manner subversive of the rule of law and justice, to the manifest injury of the people of the United States.

The CHIEF JUSTICE. I further ask unanimous consent that the Senate disapprove the articles of impeachment, 45 Senators having proposed them, and 45 Senators having proposed them, two-thirds of the Senators present not having proposed him guilty, the Senate adjudges that the respondent, William Jefferson Clinton, President of the United States, is not guilty as charged in the first article of impeachment.

ARTICLE II

The Chief Justice. The clerk will read the second article of impeachment.

The legislative clerk read as follows:

ARTICLE II

In his conduct while President of the United States, William Jefferson Clinton, in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has prevented,
TheCHIEFJUSTICE. The galleries will be in order.

On this article of impeachment, 50 Senators having pronounced William Jefferson Clinton, President of the United States, guilty as charged, 50 Senators having pronounced him not guilty, two-thirds of the Senators present not having pronounced him guilty, the Senate adjudges that the respondent, William Jefferson Clinton, President of the United States, is not guilty as charged in the second article of impeachment.

The Chair directs judgment to be entered in accordance with the judgment of the Senate as follows:

The Senate, having tried William Jefferson Clinton, President of the United States, upon two articles of impeachment exhibited against him by the House of Representatives, and two Senators of the minority party dissenting, and continuing through and including January 21, 23, and 26, 1998, William Jefferson Clinton related a false and misleading account of events relevant to a Federal civil rights action brought against him to a potential witness, the following acts:

1. On or about December 17, 1997, William Jefferson Clinton corruptly engaged a witness in a Federal civil rights action brought against him to execute a sworn affidavit in that proceeding that he knew to be perjurious, false and misleading.

2. On or about December 17, 1997, William Jefferson Clinton corruptly encouraged a witness in a Federal civil rights action brought against him to give perjurious, false and misleading testimony if and when called to testify personally in that proceeding.

3. On or about December 28, 1997, William Jefferson Clinton corruptly engaged in, encouraged, or supported a scheme to conceal evidence that had been subpoenaed in a Federal civil rights action brought against him.

4. Beginning on or about December 7, 1997, and continuing through and including January 14, 1998, William Jefferson Clinton solicited and succeeded in an effort to secure job assistance to a witness in a Federal civil rights action brought against him, in order to corruptly influence the truthful testimony of that witness in that proceeding at a time when the truthful testimony of that witness would have been harmful to him.

5. On or about January 12, 1998, at his deposition in a Federal civil rights action brought against him, William Jefferson Clinton corruptly allowed his attorney to make false and misleading statements to that witness in a Federal judicial proceeding.

6. On or about January 18 and January 20-21, 1998, William Jefferson Clinton related a false and misleading account of events relevant to a Federal civil rights action brought against him to a potential witness in that proceeding, in order to corruptly influence the testimony of that witness.

7. On or about January 21, 23, and 26, 1998, William Jefferson Clinton made false and misleading statements to potential witnesses in a Federal judicial proceeding in order to corruptly influence the testimony of those witnesses. The false and misleading statements made by William Jefferson Clinton were repeated by the witnesses to the grand jury, causing the grand jury to receive false and misleading information.

In all of this, William Jefferson Clinton has undermined the integrity of his office, has brought disgrace on the Presidency, has betrayed his trust as President, and has acted in a manner subversive of the rule of law and justice, to the manifest injury of the people of the United States.

Wherefore, William Jefferson Clinton, by such acts and conduct, has interfered with the rule of law and justice, to the manifest injury of the people of the United States.

NOW, THEREFORE, the Senate of the United States, in accordance with the power vested in it by the Constitution, do pass and enact into a law:

The CHIEF JUSTICE. The Clerk will call the roll. The bill clerk called the roll.
that, when the President of the United States is tried on articles of impeachment, the Chief Justice of the United States shall preside over the Senate.

Whereas, pursuant to Rule IV of the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials, on January 6, 1999, the Senate notified William H. Rehnquist, Chief Justice of the United States, of the time and place fixed for consideration of the articles of impeachment against William J. Jefferson Clinton, President of the United States, and requested him to attend;

Whereas, in the intervening days since January 7, 1999, Chief Justice Rehnquist has presided, when sitting on the trial of the articles of impeachment, for long hours over many days;

Whereas Chief Justice Rehnquist, in presiding over the Senate, has exhibited extraordinary qualities of fairness, patience, equanimity, and wisdom;

Whereas, by his manner of presiding over the Senate, Chief Justice Rehnquist has contributed greatly to the Senate’s conduct of fair, impartial, and dignified proceedings in the trial of the articles of impeachment;

Whereas, in the Senate and the Nation, we are indebted to Chief Justice Rehnquist for his distinguished and valued service in fulfilling his constitutional duty to preside over the Senate in the trial of the articles of impeachment: Now, therefore, be it

Resolved, That the Senate expresses its profound gratitude to William H. Rehnquist, Chief Justice of the United States, for his distinguished service in presiding over the Senate, while sitting on the trial of the articles of impeachment against William J. Jefferson Clinton.

SEC. 2. The Secretary shall notify the Chief Justice of the United States of this resolution.

Mr. LOTT. Mr. Chief Justice, on behalf of myself and the entire Senate, we want to offer you our thanks and the gratitude of the American people for your service to the Nation and throughout this Impeachment Court and to this institution.

As our Presiding Officer during most of the last 5 weeks, you have brought to our proceedings a gentle dignity and an unfailing sense of purpose, and sometimes sense of humor.

The majority leader realized when it was time to take a break and not to take a break when the Chief Justice said let’s go forward.

By placing duty above personal convenience and many other considerations, you have taught a lesson in patience, in the competence of all these individuals, and I know Senator Daschle would like to do that. In addition to the Chief Justice and his assistants who were here throughout—Mrs. HUTCHISON. Mr. President, I believe the White House attorneys would have the same privilege of being escorted out.

Mr. LOTT. I think we will ask Senator Nickles to handle that. (Laughter.)

Whereupon, the PRESIDING OFFICER. The White House counsel will be escorted from the Chamber. Whereupon, White House counsel were escorted from the Chamber.

THANKING SENATE STAFF

Mr. LOTT. Mr. President, if I could resume, I thank the assistants who came with the Chief Justice from the Supreme Court. I thank the Secretary of the Senate, Gary Cisco; the Sergeant at Arms, Jim Ziglar; and the Deputy Sergeant at Arms, Loretta Symms, who also gave us our instructions—the first time in history, I am sure, that a word was called the Senate to order.

I would like to thank the secretary of the majority, Elizabeth Letchworth; counsel of the Senate, Tom Griffith, and deputy Morgan Frankel, our special impeachment counsel, Mike Wallace, my chief of staff, Debbie Hopp—

who has just been tremendous and worked untold hours—and also all of our assistants at the desk—and especially our friend Scott Bates—for their wonderful work. I want the Record to reflect how much we appreciate the dedication and the long hours, the patience, and the competence of all these staff members.

I would like to yield to Senator Daschle for his comments in this area.

Mr. DASCHLE. Mr. President, I know I speak for all of my colleagues on this side of the aisle, sharing the expressions of gratitude that Senator Lott has just articulated for all of our staff. They have done a remarkable job. He mentioned all those who work for all of us. Let me mention a couple of people who work for those of us on this side: Bob Bower, Bill Cor, Pete Rouse, Marty Paone, and so many people who were particularly responsible for the fact that we were able to conduct our work so effectively throughout this very difficult challenge.

So on behalf of the Democratic Caucus, we join with Senator Lott in expressing our deep sense of gratitude for the great, great job that they have done in these difficult weeks that we have now concluded.

I yield the floor.

Mr. CHAFEE addressed the Chair.

Mr. CHAFEE. I wonder if this isn’t an appropriate time to express our appreciation to our two leaders for guiding us through these very difficult times.