

SENATE—Monday, January 25, 1999

The Senate met at 1:04 p.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:

Dear God, we are moved by Your accessibility to us and our accountability to You. We hear Your promise sounding in our souls, "Be not afraid, I am with you." We place our trust in Your problem-solving power, Your conflict-resolving presence, and Your anxiety-dissolving peace. So we report in to You for duty. What You desire, You inspire. What You guide, You provide.

This is Your Nation; we are here to serve You. Just as Daniel Webster said that the greatest conviction of his life was that he was accountable to You, we press on with a heightened awareness that You are the unseen Lord of this Chamber, the silent Listener to every word that is spoken, and the Judge of our deliberations and decisions.

Bless the Senators with the assurance that Your work, done with total trust in You and respect for each other, will not lack Your resources. Surpass any impasse with divinely inspired solutions. 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.

THE JOURNAL

The CHIEF JUSTICE. If there is no objection, the Journal of proceedings of the trial are approved to date.

Pursuant to the provisions of Senate Resolution 16, there are 6 hours 33 minutes remaining during which Senators may submit questions in writing directed to either the managers, on the part of the House of Representatives, or the counsel for the President.

The majority leader is recognized.

Mr. LOTT. Thank you, Mr. Chief Justice.

ORDER OF PROCEDURE

Mr. LOTT. As is obvious by the absence of the managers and counsel, and

a number of the Senators, the two parties are still meeting in conference at this time. I believe we are close to reaching an agreement which would outline today's impeachment proceedings. It will probably be an hour or so before we can complete that because we need to explain it in detail to our respective conference, and also make sure that we reduce it to writing so we understand exactly what we are agreeing to.

I will in a moment ask that the Senate stand in recess until 2 p.m. I apologize for any inconvenience to Senators and the Chief Justice. But I think that what we are discussing in the long run would save some time and lead us to a fair procedure through the balance of the day and how we begin tomorrow.

RECESS

Therefore, I now ask unanimous consent that the Senate stand in recess until 2 p.m.

Mr. GREGG. Mr. Chief Justice, reserving the right to object—

The CHIEF JUSTICE. The Senator from New Hampshire.

Mr. GREGG. Mr. Chief Justice, I have a parliamentary inquiry that I would like to share.

The CHIEF JUSTICE. The Parliamentarian says it takes unanimous consent.

Mr. GREGG. I ask unanimous consent to—

Mr. LEAHY. Reserving the right to object, I believe that if it is going to be made, Mr. Chief Justice, if it requires unanimous consent, that it would be wise if it can be done at a time when both leaders are on the floor.

Mr. GREGG. I withdraw the unanimous consent.

There being no objection, at 1:08 p.m., the Senate recessed until 2:06 p.m.; whereupon, the Senate reassembled when called to order by the Chief Justice.

The CHIEF JUSTICE. The Chair recognizes the majority leader.

Mr. LOTT. Mr. Chief Justice, it is my understanding that the question and answer period is now completed. In a moment I will propound a unanimous consent agreement that will outline the next steps in this process.

UNANIMOUS-CONSENT AGREEMENT

Mr. LOTT. In the meantime, I would ask unanimous consent that Senators be allowed to submit statements and introduce legislation at the desk today. I further ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 1 p.m. on Tuesday to resume the articles of impeachment.

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

Ms. MIKULSKI. Reserving the right to object, I note that the Democratic leader is not in the Chamber.

May I inquire, has this been cleared?

Mr. LOTT. I just want to observe, Mr. Chief Justice, that there are still some discussions underway. You will note that Senator DASCHLE is not here, and unless there is objection to what I just did, I am prepared to note the absence of a quorum so that we can have time for Senators to return to the Chamber.

Ms. MIKULSKI. Point of clarification for the majority leader. Did the Senator say that we would come in tomorrow at 1 p.m.?

Mr. LOTT. I did. If I might respond, Mr. Chief Justice, there had been some discussion about coming in earlier, but because of a number of conflicts, I understand, from the House managers and concerns that we would need that time to continue to have discussions, we thought we would go ahead and come in at 1. But let me add that if during the process of the day there is a decision that we need to change that to either earlier or later, we could revise that request. This is just to move the process forward, as we have announced each day we would come in at 1 except on Saturday. But if there is a need to change the time, we will certainly be prepared to consider that request.

Ms. MIKULSKI. Mr. Chief Justice, I thank the majority leader.

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.

Mr. LOTT. Mr. Chief Justice, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LOTT. Mr. Chief Justice, I had earlier asked a couple of unanimous consent requests, but the Democratic leader was not on the floor, and it was not officially objected to or officially ruled as not having been objected to. So I am going to assume that is all null and void, and we are going to start over again.

The CHIEF JUSTICE. The requests are withdrawn.

Mr. LOTT. Now, to repeat what we had earlier discussed and to make sure Members understand it, it is our understanding and our agreement that the question and answer period is now completed.

ORDER FOR SUBMISSION OF STATEMENTS AND INTRODUCTION OF LEGISLATION

Mr. LOTT. I ask unanimous consent that Senators be allowed to submit