

SENATE—Thursday, February 4, 1999

The Senate met at 1:03 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:

Gracious God, these days here in the Senate are filled with crucial issues, differences on solutions, and eventually a vital vote in the impeachment trial. We begin this day's session with the question You asked King Solomon, "Ask! What shall I give You?" We empathize with Solomon's response. He asked for an "understanding heart." We are moved by the more precise translation of the Hebrew words for "understanding heart," meaning "a hearing heart."

Solomon wanted to hear a word from You, Lord, for the perplexities he faced. He longed for the gift of wisdom so he could have answers and direction for his people. We are moved by Your response, "See, I have given you a wise and listening heart."

I pray for nothing less as Your answer for the women and men of this Senate. Help them to listen to Your guidance and grant them wisdom for their decisions. All through our history as a Nation, You have made good men and women great when they humbled themselves, confessed their need for Your wisdom, and listened intently to You. Speak Lord; we need to hear Your voice. We are listening. Amen.

The CHIEF JUSTICE. The Senators will be seated. 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.

The majority leader is recognized.

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

ORDER OF PROCEDURE

Mr. LOTT. Mr. Chief Justice, if I could take just a moment to outline

how the proceedings will go this afternoon, I think that would answer any questions that Senators may have. We will, of course, continue with the consideration of articles of impeachment. I am not aware of any objections made during the depositions which require motions to resolve. Therefore, I believe the House managers are prepared to go forward with a motion that would have three parts. The first would allow for the introduction of the depositions into evidence. The second would call Monica Lewinsky as a witness. And the third part would allow for a presentation period by the parties for not to extend beyond 6 hours. This motion would be debated by the House managers and the White House counsel for not to exceed 2 hours.

In addition, it is my understanding that Senator DASCHLE intends to offer a motion that would provide for going directly to the articles of impeachment for a vote.

Mr. DASCHLE. Mr. Chief Justice, will the majority leader yield?

Mr. LOTT. I am glad to yield to the minority leader, Senator DASCHLE.

Mr. DASCHLE. The motion would allow for closing arguments, final deliberations, and then the motions on the two articles.

Mr. LOTT. Having said that, Mr. Chief Justice, in order for the managers to prepare debate for the motions, I ask unanimous consent that the House managers and the White House counsel be allowed to make reference to oral depositions during this debate on pending motions.

The CHIEF JUSTICE. Is there any objection? In the absence of objection, it is so ordered.

Mr. LOTT. Consequently, four votes, then, would occur in the 4 p.m. time-frame today with respect to these four motions.

We will take at least one break—maybe two—between now and then, and that would determine exactly when that series of votes would occur—once we begin the process of offering and debating the motions. And we will make a determination as to exactly when those provisions would occur.

In addition, if the motion for additional presentation time is agreed to by the Senate, it would be my intention to adjourn the trial after today's deliberations over until Saturday for the parties to make their preparations, then to present their presentations of evidence on Saturday, and the trial would then resume on Monday at 12 noon for the closing arguments of the parties.

Again, I remind all of my colleagues to please remain standing at their

desks when the Chief Justice enters the Chamber and leaves the Chamber.

I thank my colleagues for their attention. I believe we are ready to proceed, Mr. Chief Justice.

The CHIEF JUSTICE. The Chair recognizes Mr. Manager MCCOLLUM.

MOTION FOR ADMISSION OF EVIDENCE, APPEARANCE OF WITNESSES, AND PRESENTATION OF EVIDENCE

Mr. Manager MCCOLLUM. Mr. Chief Justice, I have a motion to deliver to the Senate.

The CHIEF JUSTICE. The clerk will read the motion:

The legislative clerk read as follows:

MOTION OF THE UNITED STATES HOUSE OF REPRESENTATIVES FOR THE ADMISSION OF EVIDENCE, THE APPEARANCE OF WITNESSES, AND THE PRESENTATION OF EVIDENCE

Now comes the United States House of Representatives, by and through its duly authorized Managers, and respectfully submits to the United States Senate its motion for the admission of evidence, the appearance of witnesses, and the presentation of evidence in connection with the Impeachment Trial of William Jefferson Clinton, President of the United States.

The House moves that the transcriptions and videotapes of the oral depositions taken pursuant to S. Res. 30, from the point that each witness is sworn to testify under oath to the end of any direct response to the last question posed by a party, be admitted into evidence.

The House further moves that the Senate authorize and issue a subpoena for the appearance of Monica S. Lewinsky before the Senate for a period of time not to exceed eight hours, and in connection with the examination of that witness, the House requests that either party be able to examine the witness as if that witness were declared adverse, that counsel for the President and counsel for the House Managers be able to participate in the examination of that witness, and that the House be entitled to reserve a portion of its examination time to re-examine the witness following any examination by the President.

The House further moves that the parties be permitted to present before the Senate, for a period of time not to exceed a total of six hours, equally divided, all or portions of the parts of the videotapes of the oral depositions of Monica S. Lewinsky, Vernon E. Jordan, Jr., and Sidney Blumenthal admitted into evidence, and that the House be entitled to reserve a portion of its presentation time.

Mr. LOTT addressed the Chair.

The CHIEF JUSTICE. The Chair recognizes the majority leader.

Mr. LOTT. I understand that the pending motion is divisible, and as is my right, I ask that the motion be divided in the following manner: The first paragraph be considered division I; the second paragraph be considered division II; and the final paragraph be considered division III.

The CHIEF JUSTICE. It will be divided in the manner indicated by the majority leader.