

SENATE—Monday, February 8, 1999

The Senate met at 1:06 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:

Almighty God, guide the Senators today as they move closer to the completion of this impeachment trial and confront some of the most difficult decisions of their lives. Give them physical strength and mental fortitude for this day. In anticipation of Your burden-lifting blessing, we place our trust in You.

We renew our prayers for peace in the Middle East. Thank You for the life and leadership of King Hussein of Jordan, that persistent peacemaker and emissary of light in the often dim negotiations for just peace. Now at this time of his untimely death, we pray for the people of Jordan and for his son, King Abdullah, as he assumes the immense challenges of leadership. In Your holy Name. 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 CHIEF JUSTICE. The Chair recognizes the majority leader.

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

ORDER OF PROCEDURE

Mr. LOTT. This afternoon the Senate will resume consideration of the articles of impeachment. Pursuant to S. Res. 30, the Senate will proceed to final arguments for not to exceed 6 hours, equally divided between the House managers and the White House counsel.

At the conclusion of those arguments today, I expect the Senate to adjourn the impeachment trial until tomorrow. We expect tonight, when we go out of the impeachment trial, to have a period for legislative business so we can pass a resolution or consider a resolution with regard to King Hussein.

ORDER FOR TUESDAY, FEBRUARY 9, 1999

Mr. LOTT. I now ask unanimous consent that when the Senate completes

its business today, it stand in adjournment, to reconvene as a Court of Impeachment at 1 p.m. on Tuesday, February 9, 1999.

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

UNANIMOUS-CONSENT REQUEST

Mr. LOTT. Mr. Chief Justice, I ask unanimous consent that the February 5, 1999, affidavit of Mr. Christopher Hitchens and the February 7, 1999, affidavit of Ms. Carol Blue be admitted into evidence in this proceeding.

The CHIEF JUSTICE. Is there objection?

Mr. DASCHLE. At this juncture in the trial, I am compelled to object.

The CHIEF JUSTICE. Objection is heard.

Mr. LOTT. I believe we are ready to proceed, Mr. Chief Justice.

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

Mr. Manager SENSENBRENNER. Mr. Chief Justice, distinguished counsel for the President, and Senators, I am Congressman JIM SENSENBRENNER. I represent 580,000 people in southeastern Wisconsin in the U.S. House of Representatives. During my entire service in Congress, I have served as a member of the Committee on the Judiciary of the House of Representatives.

We are nearing the end of a long and difficult process. The Senate has considered for the past several weeks the grave constitutional responsibility to determine whether the actions of President Clinton merit his conviction and removal from office. The Senate has been patient, attentive and engaged throughout this unwelcome task, and for this the House managers are grateful. The managers would also like to thank the distinguished Chief Justice for his patience and impartial demeanor throughout this trial.

At the outset of the managers' closing arguments, it is important to distinguish what has caused only the second Presidential impeachment in history from extraneous matters that bear no relation to the verdict the Senate will shortly reach. When this trial began 4 long weeks ago, we said that what was on trial was the truth and the rule of law. That has not changed, despite the lengthy legal arguments you have heard. The truth is still the truth and a lie is still a lie. And the rule of law should apply to everyone no matter what excuses are made by the President's defenders.

The news media characterizes the managers as 13 angry men. They are right in that we are angry, but they are dead wrong about what we are angry about. We have not spent long hours

poring through the evidence, sacrificed time with our families and subjected ourselves to intense political criticism to further a political vendetta. We have done so because of our love for this country and respect for the Office of the Presidency, regardless of who may hold it. We have done so because of our devotion to the rule of law and our fear that if the President does not suffer the legal and constitutional consequences of his actions, the impact of allowing the President to stand above the law will be felt for generations to come.

The Almanac of American Politics has called me "a stickler for ethics." To that, I plead guilty as charged because laws not enforced are open invitations for more serious and criminal behavior. This trial was not caused by Kenneth Starr, who only did his duty under a law which President Clinton himself signed. It was not caused by the House Judiciary Committee's review of the independent counsel's mountain of evidence. Nor was it caused by the House of Representatives approving two articles of impeachment, nor by the Senate conducting a trial mandated by the Constitution.

Regardless of what some may say, this constitutional crisis was caused by William Jefferson Clinton and by no one else. President Clinton's actions, and his actions alone, have caused the national agenda for the past year to be almost exclusively concentrated on those actions and what consequences the President, and the President alone, must suffer for them.

This trial is not about the President's affair with Monica Lewinsky. It is about the perjury and obstruction of justice he committed during the course of the civil rights lawsuit filed against him, and the subsequent independent counsel investigation authorized by Attorney General Janet Reno.

The President has repeatedly apologized for his affair, but he has never, never apologized for the consequences of the perjury and obstruction of justice he has committed. Perhaps those decisions were based upon a Dick Morris public opinion poll which told the President that the American people would forgive his adultery but not his perjury. Perhaps it was for another reason. Whatever the White House's motivations were, the fact remains that the President's apologies and the statements of his surrogate contritionists have been carefully crafted for the President to continue to evade and, yes, avoid responsibility for his deceiving the courts to prevent them from administering justice.