

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.

So 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 person 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 galleries 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, the Senate has 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 this 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 of the United States for his personal gain and exonerated, impeding the administration of justice, in that:

On August 17, 1998, William Jefferson Clinton swore to tell the truth, the whole truth, and nothing but the truth before a Federal grand jury of the United States. Contrary to that oath, William Jefferson Clinton willfully provided perjurious, false and misleading testimony to the grand jury concerning one or more of the following: (1) the nature and details of his relationship with a subordinate Government employee; (2) prior perjurious, false and misleading testimony he gave in a Federal civil rights action brought against him; (3) prior false and misleading statements he allowed his attorney to make to a Federal judge in that civil rights action; and (4) his corrupt efforts to influence the testimony of witnesses and to impede the discovery of evidence in that civil rights action.

In doing this, William Jefferson Clinton has undermined the integrity of his office, has brought disrepute 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 conduct, warrants impeachment and trial, and removal from office and disqualification to hold and enjoy any office of honor, trust, or profit under the United States.

The CHIEF JUSTICE. The Chair reminds the Senate that each Senator, when his or her name is called, will stand in his or her place and vote "guilty" or "not guilty" as required by rule XXIII of the Senate rules on impeachment.

The Chair also refers to article I, section 3, clause 6, of the Constitution regarding the vote required for conviction on impeachment. Quote: "[N]o Person shall be convicted without the Concurrence of two-thirds of the Members present."

VOTE ON ARTICLE I

The CHIEF JUSTICE. The question is on the first article of impeachment. Senators, how say you? Is the respondent, William Jefferson Clinton, guilty or not guilty? A rollcall vote is required.

The clerk will call the roll.

The legislative clerk called the roll.

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[Rollcall Vote No. 17]

[Subject: Article I—Articles of Impeachment Against President William Jefferson Clinton]

GUILTY—45

| | | |
|-----------|------------|------------|
| Abraham | Enzi | Lugar |
| Allard | Fitzgerald | Mack |
| Ashcroft | Frist | McCain |
| Bennett | Gramm | McConnell |
| Bond | Grams | Murkowski |
| Brownback | Grassley | Nickles |
| Bunning | Gregg | Roberts |
| Burns | Hagel | Roth |
| Campbell | Hatch | Santorum |
| Cochran | Helms | Sessions |
| Coverdell | Hutchinson | Smith (NH) |
| Craig | Hutchison | Smith (OR) |
| Crapo | Inhofe | Thomas |
| DeWine | Kyl | Thurmond |
| Domenici | Lott | Voinovich |

NOT GUILTY—55

| | | |
|----------|------------|-------------|
| Akaka | Feinstein | Moynihan |
| Baucus | Gorton | Murray |
| Bayh | Graham | Reed |
| Biden | Harkin | Reid |
| Bingaman | Hollings | Robb |
| Boxer | Inouye | Rockefeller |
| Breaux | Jeffords | Sarbanes |
| Bryan | Johnson | Schumer |
| Byrd | Kennedy | Shelby |
| Chafee | Kerrey | Snowe |
| Cleland | Kerry | Specter |
| Collins | Kohl | Stevens |
| Conrad | Landrieu | Thompson |
| Daschle | Lautenberg | Torricelli |
| Dodd | Leahy | Warner |
| Dorgan | Levin | Wellstone |
| Durbin | Lieberman | Wyden |
| Edwards | Lincoln | |
| Feingold | Mikulski | |

The CHIEF JUSTICE. On this article of impeachment, 45 Senators having pronounced William Jefferson Clinton, President of the United States, guilty as charged, 55 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 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,