

Senate prepares for battle over removal of president

By DAVID ESPO
THE ASSOCIATED PRESS

WASHINGTON — Impeachment trial proceedings against President Clinton will begin Thursday in the Senate, Majority Leader Trent Lott announced today, saying he hopes for a conclusion that is "fair and hopefully quick."

Lott, R-Miss., said he had met earlier in the day with Senate Democratic leader Tom Daschle and Chief Justice William Rehnquist, who will preside over the first presidential impeachment trial in 130 years.

Lott offered no other details of the trial, in which the Senate will rule on two articles of impeachment the House approved Dec. 19 and decide whether Clinton will be removed from office.

The articles allege that Clinton committed perjury and obstructed justice in an attempt to cover up his relationship with Monica Lewinsky.

"We have a constitutional duty here. It is a very serious one. It is one we must carry forward," said Lott. "We will do our very best to do this in a proper way."

He added: "At the end of the day, I'm going to do my best to make sure we complete our constitutional duties under the rules of the Senate and come to a conclusion that is fair and hopefully quick also."

Lott spoke for only a few moments, and took no questions from reporters, leaving unclear precisely what events will occur Thursday and what the timetable will be for Clinton's trial.

A proposal authored by one Republican and one Democratic senator for a truncated procedure drew criticism from several GOP lawmakers, many of them conservatives.

Several sources, who spoke on condition of anonymity, said Senate leaders are discussing a plan under which Rehnquist on Thurs-

day will administer a constitutionally prescribed oath to the senators, who will sit as jurors. Members of the House who are designated to present the evidence would formally outline the articles of impeachment later that day, assuming they are authorized to do so in a House vote scheduled Wednesday.

After that, a pause in the proceedings is possible, while both sides draft legal papers, sources added.

"We anticipate that that would start Thursday the 7th and then beyond that will be determined by the discussions" with the rank and file, Lott said.

The new 106th Congress convened Wednesday, and the impeachment trial — the first of a president since Andrew Johnson in 1868 — towers over the agenda.

Lott has been struggling to find a formula for a trial, but has been buffeted with criticism from some Republicans who opposed a proceeding that was likely to end after only a few days.

"I simply believe we must accept our responsibility to conduct the impeachment trial, followed by a vote to remove or retain the president," GOP freshman Sen. Rod Grams of Minnesota told Lott in a letter Monday. He cautioned against a proposal to "shortcut the procedure" envisioned in the Constitution.

On the other hand, Daschle, D-S.D., said today a majority of senators want to expedite the proceeding against Clinton.

"The longer this drags out, the more acrimonious, the more political and the less helpful it'll be," he said on NBC's "Today." "We ought to be looking for solutions."

Much of the criticism of a quick solution has come from conservatives, but Sen. Arlen Specter, a moderate Republican recently elected to his fourth term, also expressed strong misgivings.

"I think it is very difficult to conduct a trial if you don't have



Despite riding high in public opinion polls, President Clinton, shown above during a recent visit to an African American church, faces a lengthy trial by the Senate. The trial is expected to begin today.

witnesses," he told reporters. Many if not all Senate Democrats back the proposal for a test vote after a brief presentation of the evidence against the president, and the White House served notice during the day that it was preparing a hard-nosed defense in the event of a full-blown trial.

Advisers familiar with the developing defense strategy said lawyers are working on trial motions concerning evidence and an opening presentation that would sharply attack the House conclusions and the evidence from Independent Counsel Kenneth Starr.

The opening presentation "would be far more extensive and sharper in tone and content" than the one Clinton's lawyers made before the House Judiciary Committee in arguing the evidence didn't warrant impeachment, said one lawyer who spoke on condition of

anonymity. The House approved two articles of impeachment on Dec. 19, accusing Clinton of perjury and obstruction of justice in connection with an attempt to conceal his sexual relationship with former White House intern Monica Lewinsky.

That set the stage for a Senate trial, and the rank and file of both parties will caucus separately on Wednesday before the new Congress is sworn in in an effort to agree on a procedure.

The bipartisan plan was advanced last week by Sens. Slade Gorton, R-Wash., and Joseph Lieberman, D-Conn.

It proposes that after House Judiciary Chairman Henry Hyde presented evidence for one day, the White House would have a day for rebuttal followed by another day of speeches by lawmakers. Then the Senate would take a quick vote to determine whether a full-blown

trial should proceed. Unless two-thirds of the Senate voted in favor of such proceedings, the lawmakers then would be free to turn to censuring Clinton.

In a news conference in his home state of Washington on Monday, Gorton said the plan he and Lieberman developed would proceed only if a majority of each party supported it.

Democrats apparently are in favor, and his "best guess" is that a majority of the Senate agrees, but "Senator Lott will propose the plan, I believe, only if a majority of Republicans favor it," Gorton said.

While last month's House vote largely wrapped up the House's role in the first presidential impeachment since 1868, officials said Monday that lawmakers must vote again on Wednesday — shortly after Congress convenes — to authorize key lawmakers to formally lay out the case against Clinton at any Senate trial.

Charter school attendance racially skewed

THE ASSOCIATED PRESS

RALEIGH — Racial balance in the state's charter schools is no closer to reality two years after the experiment with a new form of public schools began.

According to new enrollment figures, about half of the state's charter schools — 27 of 57 — are now made up primarily of students of a particular race. In 18 schools, black students make up more than 85 percent of the student body. In nine schools, enrollment is more than 85 percent white.

Last year — the inaugural year of charter schools in the state — 16 of 33 schools reported enrollments with more than 85 percent of the children of a particular race.

State law calls for the schools — which are set up by private boards

but run with state tax dollars — to "reasonably reflect the racial and ethnic composition" of the school districts in which they operate.

But in each of their first two years, the schools have had a difficult time meeting that criteria. School officials say they aren't excluding students of different races but that it is difficult to attract students who would be in the minority.

Some state lawmakers had feared the schools would become havens for middle-class and wealthy white families. Instead, many of the organizers are black, and those schools have attracted large numbers of black families dissatisfied with traditional public schools.

In response to the large number

of predominantly black charter schools, the State Board of Education has allowed charter schools leeway. While state law says a school must reflect the diversity of its district, the board has interpreted that to mean charter schools must fall only within the range of racial diversity found in a school system.

So in Durham, where the least diverse school is made up entirely of minority students, 100 percent of the students in a charter school can be minorities. In Wake County, where the least integrated school is 90 percent white, up to 90 percent of the students in a charter school can be white.

State officials said they aren't likely to close the schools on the basis of race alone. Instead, they want to focus on the academic

progress of charter school students.

"This is one of the most difficult issues for me personally that we have to deal with," said Phil Kirk, chairman of the State Board of Education. "But I'm not going to lead any moves to close these schools down after parents have specifically gone and selected them for their children."

Of the 8,555 students in charter schools, about 50 percent are black, compared to 31 percent in public schools.

The schools are supposed to encourage innovation and are freed from many of the bureaucratic rules which govern the public schools.

Black farmers close to settlement with government

BY JANELLE CARTER
THE ASSOCIATED PRESS

WASHINGTON — Black farmers are close to an agreement with the Agriculture Department that could pay them \$300 million or more to settle discrimination claims, a spokesman for farmers in the lawsuit said Monday.

The lawsuit — claiming years of discrimination through denial of farm loans, crop subsidies and other benefits — was filed in 1997, shortly after the Agriculture Department admitted its own process of resolving discrimination complaints had been in disarray and had caused a huge backlog.

"There's a sincere willingness to get this done," Sam Taylor told The Associated Press. He said the deal was expected to be announced Tuesday.

Under the agreement, farmers taking part in the lawsuit would get \$50,000 tax-free payments from the government and any debts to the government would be erased, Taylor said.

The average farmer's debt is between \$75,000 and \$100,000.

Depending upon how many farmers qualify, the settlement could cost the government as much as \$375 million. The plaintiffs say they already have 4,000 names in the lawsuit and estimate that as many as 2,000 more farmers could join the settlement. The government has used lower estimates.

While not confirming an agreement, Tom Amontree, spokesman for Agriculture Secretary Dan Glickman, said, "The president and secretary put a lot of time on this issue and it looks like all that hard work is paying off. We hope to have a settlement soon."

Attorneys on both sides are pushing to finalize the deal before U.S. District Judge Paul Friedman, who oversees the case, goes on a two-week vacation Wednesday, Taylor said.

The case is scheduled to go to trial Feb. 1. It covers claims from 1977 back to 1983, the year

the Reagan administration disbanded the department's office of civil rights. The office was restored in 1996.

The settlement being finalized has three options for farmers.

The majority of farmers are expected to take the first option which includes the \$50,000 payment, Taylor said.

"We surmise at least 85 to 95 percent of all claimants" will take the first option because it has a lower standard of proof, Taylor said.

The second category is for farmers who have a better-documented case of discrimination and much higher damages, Taylor said. Those farmers would agree to have their cases settled by an independent arbitrator to be appointed by the judge.

The final category would be an "opt out" category for a small group of farmers who are party to the lawsuit but may be near independent settlements with the Agriculture Department. Officials have been unable to set-

tle those cases while the lawsuit was pending.

The pending deal is significantly higher than the \$15,000-per-farmer offer the agency made this summer, plaintiffs said. But it still is less than the \$3 billion the farmers initially sought.

Friedman gave the plaintiffs a significant victory in October when he agreed to certify them as a class. That same month, the department's inspector general complained that the agency's civil rights office remained in disarray with a significant backlog.

During a hearing in November, Friedman chastised attorneys over their inability to reach a settlement and questioned why the government, which had admitted discrimination, was unable to reach a settlement.

"If the secretary of agriculture is saying these things in good faith ... then why can't it get done? It has bothered me throughout," Friedman said at that time.

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Death Row
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prosecutors could exclude blacks from juries for any reason, virtually assuring an all-white panel. The Supreme Court has since struck down race-based challenges to seating jurors.

"Juries, especially in the segregated South, viewed white people as more valuable and more likely for retribution than black lives," Hood said. "But it's hard to get at the racial bias. Murders just aren't cookie-cutter cases. Every murder case is so unique."