

night, for months, I have heard my Republican colleagues argue that there is no need to pass legislation to protect Special Counsel Mueller and the Russian probe from President Trump because they have been assured by anonymous White House officials that it will not happen.

President Trump, in his own words on Monday night, made it plain as day that he may be considering firing the special counsel and/or the Deputy Attorney General, which would be equally egregious. The White House spokeswoman, from the podium, said President Trump believes he has the authority to fire the special counsel all by himself, and a report in the New York Times said President Trump considered firing Mueller as recently as December, in addition to a year ago in June.

Only an hour ago, the President tweeted that the “Fake & Corrupt Russia Investigation”—his words—was “headed up by all the Democrat loyalists, or people that worked for Obama.”

Mr. President, will you start telling the truth? Robert Mueller is a Republican. Deputy Attorney General Rosenstein is a Republican whom you appointed. Christopher Wray, the head of the FBI, is a Republican whom you appointed.

I don't know how long the President can believe people will swallow the bold mistruths he spews out day after day after day, but what he said—that the people the investigation was being headed up by are all Democratic loyalists or people who work for Obama—is patently false, and the President should retract it.

These kinds of remarks make it all too obvious that the President, who cares so little for truth, may be considering the firing of the special counsel or the Deputy Attorney General. So I would like to direct my remarks to my Republican colleagues. I say to my Republican colleagues, you can no longer rely on anonymous sources as a reason for delay or inaction on legislation to protect Mr. Mueller and avoid a constitutional crisis. The evidence is staring us all in the face. We cannot ignore the elephant in the room any longer because the consequences of the President taking action against Mueller or Rosenstein or issuing political pardons is just too dire. As Democrats have said, and as many Republicans have said, such action would precipitate a constitutional crisis in this country. The President doesn't seem to realize it, but I know my Republican colleagues do.

No person is above the law in this country—not even the President. He is not a King. He is the President. If the President were to interfere in any way with the chain of command in the Russia investigation or clean house at the Justice Department in order to install lackeys who will carry out his orders, we would be no better than a banana republic. The kinds of things we see happening in other parts of the globe would be happening here. In those

places, leaders use the levers of power to subvert or avoid accountability in all ways. President Trump seems to wish he could do just that.

I want to be crystal clear on this point. If the President were to take action against Deputy Attorney General Rosenstein, it would be every bit as grave of a mistake as removing Special Counsel Mueller. America, as we know it—as we love it—would diminish. I know Republicans and Democrats agree on that.

So why not take the bull by the horns? Why wouldn't we take immediate action to potentially prevent a constitutional crisis from coming to pass? Why don't we head it off at the pass and move bipartisan legislation that has been introduced this morning, through the Judiciary Committee—which I am told Senator GRASSLEY is seriously considering—on to the floor of the Senate, where I hope Leader MCCONNELL will place it. A bipartisan group this morning—Senators GRAHAM and TILLIS, BOOKER and COONS—have introduced legislation that would help protect the special counsel. Why not pass this legislation now and avoid a constitutional crisis? Why not avoid an injury to the body of this great country and then try to stitch it up? Why not avoid an injury instead of sustaining it and trying to stitch it up? That is what we should be doing.

Let's not wait until it is too late. Let's head the constitutional crisis off at the pass by passing the bipartisan legislation introduced by Senators GRAHAM, TILLIS, BOOKER, and COONS and take the threat of a crisis off the table right now.

So I urge Senator GRASSLEY to schedule a hearing and markup on this bill and to report it out of his committee. He must be sure not to water it down with amendments or accept changes that would render it useless. I urge Leader MCCONNELL to then take that bill and put it on the floor where we can debate and pass it. Surely, something this serious deserves the time and attention of U.S. Senators. I dare say, if bipartisan legislation like this came to the floor, it would pass by a large majority—Members of both parties—and the pressure on the House to do the same would be large.

The rule of law cannot be a partisan issue and should not be a partisan issue. We cannot let it become a partisan issue. The Congress must clearly, loudly, and with one voice pass legislation to ensure that any effort by the President to remove Special Counsel Mueller or Deputy Attorney General Rosenstein would be rendered unsuccessful.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COTTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of John F. Ring, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2022.

The PRESIDING OFFICER. The Senator from Arkansas.

THE OLD GUARD

Mr. COTTON. Mr. President, last Friday marked the 70th anniversary of the 3rd Infantry Regiment's reactivation, and as one of its veterans, I didn't want to let the moment pass without notice.

The 3rd Infantry Regiment, more commonly known as the Old Guard, serves across the Potomac River at Arlington National Cemetery. Most here and most in the Gallery have probably visited the cemetery and seen Old Guard soldiers guarding the Tomb of the Unknowns or conducting funerals. Arkansans who visit me here in the Capitol consistently tell me that Arlington is a highlight of their trip. That is not surprising to me, because Old Guard soldiers set the standard for their dedication, their diligence, and their devotion. The 3rd Infantry is the Nation's oldest Active-Duty infantry unit, and yet the reverence we feel for them goes beyond their mere length of service and to what they represent: the dignity of freedom.

On April 6, 1948, the 3rd Infantry was reactivated on orders of the Secretary of the Army. The ceremony was held just a few steps from here, on the East Plaza of the Capitol. Then, the Old Guard immediately conducted another ceremony to present the Flag of Liberation to the President pro tempore of the Senate and the Speaker of the House. That flag had flown over this very Capitol on Pearl Harbor Day, December 7, 1941. Then, those forces raised that flag over Rome, Berlin, and Tokyo after we had defeated the Axis powers. Finally, the Old Guard led the large Army Day parade from the Capitol down Constitution Avenue, where