

[If an investigation is] based on false allegations, the president does not have to sit there constitutionally and allow it to run its course. The president could terminate that proceeding and not have it be corrupt intent because he was falsely accused.

What a statement. If the President himself believes he has been falsely accused, he can terminate any investigation or proceeding against him. Any at all? Is that the determination in the President's own head and in nobody else's? I am sending a letter to the Attorney General this morning and am asking him a whole bunch of questions based on that awful, confounding statement.

First, we know he had a theory of the unitary executive. He issued that letter before he was chosen as Attorney General, and many believe that is why he was chosen. Yet this is the first time he had stated it so crassly and so baldly as Attorney General. Does he stand by that or was it a mistake? That will be my first question.

Does he stand by the statement that he said yesterday, based on false allegations, that the President does not have to sit there constitutionally and allow it to run its course? "The president could terminate that proceeding and not have it be corrupt intent because he was being falsely accused." He could terminate the proceeding. So who is the determiner of what a false allegation is? Is it the President himself solely? I am going to ask Attorney General Barr that question.

What about other proceedings and investigations? Let's say one of the President's family members is being investigated. If the President determines that it is based on false allegations, does he have the unilateral power to terminate the proceeding? What if it is one of the President's business associates, and the President believes they are false allegations? Does he have the ability to terminate? What if it is one of his political allies? Again, does he have the ability to terminate?

I will also ask him: Does that mean that Richard Nixon, who certainly believed he was falsely accused, could have simply dismissed the entire Watergate investigation? Is that what the Attorney General believes?

I mean, my God, what President doesn't believe he is being falsely accused? If this were to become the actual standard, then no President could be guilty of obstructing a Federal investigation, and every President would have the right to terminate any investigation—certainly, about that President and maybe about many others who would have some relationship to the President.

Attorney General Barr's comments are as close as they can get to saying the President should be above the law. So I will be writing him a letter and sending it to him this morning, asking him explicitly these questions and asking him if he stands by his statements. If he does, he should not be Attorney

General. I will await his answers. I hope he doesn't stonewall as he has been doing over in the House.

(Mrs. HYDE-SMITH assumed the Chair.)

ATTORNEY GENERAL BARR AND THE MUELLER REPORT

Madam President, on a related matter, one of the clearest takeaways from yesterday's hearing, in addition to the Attorney General's astounding statement that the President could terminate any investigation or procedure against him if he believed it were based on false facts, was the discrepancy between the Attorney General's opinions and the conclusions of the Mueller report.

My colleague Senator HARRIS masterfully also uncovered that the Attorney General did not examine any of the underlying evidence in the Mueller report before making a prosecutorial decision and, to his knowledge, neither did the Deputy Attorney General. The arrogance of these men is amazing. This is one of the most serious issues we face. At least half of the country believes it is very serious—more than half. Yet they don't even bother to look at the underlying evidence before they issue a statement that indicates the President has been exonerated—at least in the President's own mind.

But that is to say nothing of the fact that there are so many unanswered questions about the reasoning behind some of Special Counsel Mueller's decisions, regardless of what Barr thought or did or wrote.

So it is imperative that Mueller come to testify. The result is that we have a gap. We have a gap of understanding of key details in the Mueller probe—a gap that leaves a cloud hanging over this country, over this President, over this Justice Department; a gap that could easily be erased by having the special counsel come to the Senate and testify.

So I was frankly shocked, appalled—I thought it wasn't true; it must have been a misquote—when I read on Twitter that my friend the chairman, LINDSEY GRAHAM, chairman of the Judiciary Committee, said that he would not ask Mueller to testify, that he would send Mueller a letter asking him to respond if he disagreed with the Attorney General's testimony, but not invite him to testify.

"It is over," he repeated to the committee and then to me on the floor when I, really, confronted him, even though he is my friend, because I was so amazed about this—when I confronted him here on the floor of the Senate.

He modified his request after we talked to say that if Mueller said that he was misquoted, he could come. That is not the way to do this.

Mueller should come—no ands, ifs, or buts. The American people deserve it. Frankly, my friend LINDSEY GRAHAM is being totally derelict in his responsibilities as chair of the Judiciary Committee not to invite Mr. Mueller.

So I would ask LINDSEY GRAHAM to reconsider, to think about the country, to think about his long history of trying to be fair and often—not so much recently, but often—bipartisan. He is someone I worked with, and he showed great courage on immigration. He must reconsider. He cannot have the Judiciary Committee simply be a political arm of the President, which is where it is devolving under his chairmanship.

Congressional oversight requires that Mueller come. The Constitution, if you read it, would indicate that it is perfectly within our ability and obligation to bring Mueller here.

Please, Senator GRAHAM, reconsider. Invite Mueller. His testimony is desperately needed to clarify what he actually meant and said after Mr. Barr's actions.

WOMEN'S HEALTHCARE

Madam President, finally, on women's healthcare, last month the Trump administration proposed instituting a radical title X gag rule, which would have regulated the kinds of conversations women could have with their doctors and risk cutting off family planning clinics from millions of dollars of Federal funding.

The rule was set to go into effect on May 3, but courts around the country have granted preliminary injunctions to prevent it from taking effect, as they should.

Those decisions are great news and should be celebrated as an affirmation of a woman's right to make her own medical choices and not to have some court, some judge, or some legislator tell a woman what to do with her medical choices.

But they are also a reminder that President Trump and congressional Republicans continue to undermine the rights of women to make their own healthcare decisions. Since taking office, President Trump and Republicans across the country have launched an assault on women's reproductive freedoms and women's health. In Mississippi, in Georgia, and in Kentucky, Republican statehouses are forcing through radical proposals that would dramatically limit women's ability to make their own choices.

Here in Washington, the Trump administration continues to seek the total destruction of our healthcare law. Just yesterday the administration issued a brief arguing that the entire Affordable Care Act is unconstitutional—an opinion that would gut protections for the 133 million Americans with preexisting conditions and strip away healthcare from millions of American families.

The House has sent us a bill that would protect people's abilities who have preexisting conditions to continue to get insurance, but the Senate is not acting, and that leads me to my last point.

SENATE LEGISLATIVE AGENDA

Madam President, we have just concluded another legislative week in the Senate, but it was a legislative week in