



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, SECOND SESSION

Vol. 166

WASHINGTON, TUESDAY, JANUARY 7, 2020

No. 3

Senate

The Senate met at 10 a.m. and was called to order by the Honorable CINDY HYDE-SMITH, a Senator from the State of Mississippi.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, our Nation needs Your mercy. The challenges are too great to be met with mere human ingenuity. You have been our protection. Shelter us until the violent storms are passed. Let Your glory shine on Your lawmakers. May their thoughts, words, and deeds prompt people to glorify You. Inspire our Senators to place their confidence completely in You. Eternal God, You are our salvation. We will trust and not be afraid, for You are our strength and song.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. GRASSLEY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 7, 2020.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CINDY HYDE-SMITH, a Senator from the State of Mississippi, to perform the duties of the Chair.

CHUCK GRASSLEY,
President pro tempore.

Mrs. HYDE-SMITH thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

IRAN

Mr. MCCONNELL. Madam President, I spoke yesterday about President Trump's decision to remove the chief architect of Tehran's terrorism from the battlefield, and I discussed the Senate's obligation to approach this in a manner that is serious, sober, and factual.

It is right for Senators to want to learn more about the President's major decision. Once again, I encourage all of our colleagues to attend the classified briefing which the administration will provide tomorrow. The Secretary of Defense, the Secretary of State, the Chairman of the Joint Chiefs of Staff, and the CIA Director will give a classified context behind the President's decision, and they will discuss the administration's strategy to protect our personnel and defend our Nation's interests in the new landscape. I would ask every Senator on both sides to bring an open mind to this briefing.

In particular, we should all remember that the history of Iranian aggression began long, long before this news cycle or this Presidency. In the decades since the Islamic revolution of 1979, as the White House has changed parties and our administrations have changed strategies, Tehran's simmering anti-American hatred, proxy violence, and steady support for terrorism worldwide have remained entirely constant through all of these years.

In effect, Iran has been at war with the United States for years. While it has taken pains to avoid direct con-

flict, Iran's authoritarian regime has shown no compunction about kidnapping, torturing, and killing Americans since its earliest days—or Iraqis or fellow Iranians, for that matter. From the 52 diplomatic personnel held hostage in Tehran for 444 days back in 1979, to the hundreds of U.S. servicemembers killed in bombings carried out by Iran's proxies—Beirut in 1983, Riyadh in 1995, Khobar in 1996—to the hundreds more killed or maimed in Iraq by the explosives and indirect fire attacks ordered by General Soleimani himself, to the constant flows of resources and equipment that prop up despots and terrorist organizations throughout the region, Iran's game plan has been an open book: Use third-party terrorism to inflict death and suffering on its enemies while avoiding direct confrontation.

The threat Iran poses is, certainly, not new. Its violence is not some unique reaction to President Trump or to Prime Minister Netanyahu or to any other current leader. Violence runs in the bloodstream of this evil regime.

In particular, our colleagues who apparently want to blame President Trump for Iranian provocative foreign policy should reflect on the previous administration's recent history.

Iran exploited President Obama's withdrawal from Iraq. Soleimani and his agents filled the void and dramatically expanded Iranian influence inside Iraq. They were able to impose a sectarian vision on Iraq that disenfranchised the Sunnis, fueled the rise of ISIS, and plunged the region into chaos.

Over in Syria, more weakness from the Obama administration opened yet another door for Iran. The Democratic administration failed to confront the Iranian-backed Assad regime as it slaughtered literally hundreds of thousands of Syrians and displaced millions more. Once again, amid the chaos, Soleimani worked and thrived.

Of course, all of this was the backdrop for the brazen, legacy-shopping

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

nuclear arrangement that sent billions of dollars to fuel Iran's further violence.

Even my friend the current Democratic leader knew it at the time. Before he himself voted for a resolution of disapproval on President Obama's deal, Senator SCHUMER said: "After 10 years, if Iran is the same nation as it is today, we will be worse off with this agreement than without it." That was the Democratic leader, who opposed President Obama's Iran nuclear deal, and the Democratic leader was prescient, for that is exactly what happened.

The previous administration failed to confront Iran when necessary. So the mullahs used their windfall from the disastrous nuclear deal to double down on hegemonic aspirations all across the Middle East. A Democratic administration just had 8 years to deal with the growing threat posed by Iran, and it failed demonstrably. Iran was stronger and more lethal at the end of the Obama Presidency than at the beginning.

So I would ask my Democratic colleagues today not to rush to lash out at President Trump when he actually demonstrates that he means what he says—when he enforces his redlines, when he takes real action to counter lethal threats against Americans.

Wishing away tensions with Iran is really not an option. The Iranians have spent decades making that perfectly clear to all of us. The question is whether we as a body would prefer the administration to stand by as Iran kills Americans or whether we are prepared to work with the President to stand up to Tehran's terrorism and shadow wars.

IMPEACHMENT

Mr. MCCONNELL. Madam President, on another matter, every day that the House Democrats refuse to stand behind their historically partisan impeachment, it deepens the embarrassment for the leaders who chose to take our Nation down this road. You can't say we didn't warn them. You can't even say they didn't warn themselves.

It was less than 1 year ago that Speaker PELOSI said: "Impeachment is so divisive . . . unless there's something so compelling and overwhelming and bipartisan, I don't think we should go down that path." That was the Speaker a year ago.

Back during the Clinton impeachment, it was Congressman JERRY NADLER who said: "An impeachment substantially supported by one of our major political parties and largely opposed by the other . . . will lack legitimacy." Chairman NADLER was right 20 years ago.

At this point, they may wish they had taken their own advice.

Instead, what the country got was the most rushed, least thorough, and most unfair Presidential impeachment in American history, and now the pros-

ecution seems to have gotten cold feet. Nearly 3 weeks after the rushed vote they claim was so urgent, they are still debating whether or not they even want to see the trial proceed. They voted for it 3 weeks ago.

The House Democrats say they are waiting for some mythical leverage. I have had difficulty figuring out where the leverage is. Apparently, this is their proposition: If the Senate does not agree to break with our own unanimous, bipartisan precedent from 1999 and agree to let Speaker PELOSI hand-design a different procedure for this Senate trial, then, they might not ever dump this mess in our lap.

It is one cynical political game right on top of another. It was not enough for the House to blow through its own norms and precedents and succumb to the partisan temptation of a subjective impeachment that every other House had resisted for 230 years. Now it needs to erode our constitutional order even further. Those in the House want to invent a new, sort of pretrial hostage negotiation wherein the House gets to run the show over here in the Senate.

Meanwhile, they are creating exactly the kind of unfair and dangerous delay in impeachment that Alexander Hamilton specifically warned against in the Federalist Papers. This is already the longest delay in American history between the impeachment vote and the delivery of the House's impeachment message. It is almost as though this House Democrat majority systematically took all of the Framers' warnings about partisan abuses of the impeachment power—took everything the Founders said not to do—and thought: Now, there is an idea. Why don't we try that?

Impeaching a President is just about the most serious action that any House of Representatives can ever take. How inappropriate and how embarrassing to rush forward on a partisan basis and then treat what you have done like a political toy. How contemptuous of the American people to tell them, for weeks, that you feel this extraordinary step is so urgent and then delay it indefinitely for political purposes. How embarrassing, but also how revealing.

Speaker PELOSI's actions over the past 3 weeks have confirmed what many Americans have suspected about this impeachment process all along—that the House Democrats have only ever wanted to abuse this grave constitutional process for partisan ends right from the beginning.

Well, here is where we are. The Senate is not about to let the Speaker cor- rode our own Senate process and precedents in the same way. The first organizing registration resolution for the 1999 Clinton trial was approved unanimously, 100 to nothing. It left midtrial questions to the middle of the trial where they belong.

If that unanimous bipartisan precedent was good enough for President Clinton, it should be our template for President Trump. Fair is fair. The

Speaker of the House is not going to handwrite new rules for the Senate. It is not going to happen.

Look, these are serious matters. At some point in time, the Democrats' rage at this particular President will begin to fade, but the sad precedent they are setting will live on. The American people deserve a lot better than this.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. 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 Jovita Carranza, of Illinois, to be Administrator of the Small Business Administration.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

IRAN

Mr. SCHUMER. Madam President, now, in the aftermath of the U.S. military operation that took out Iranian General Soleimani, we need to be asking the right questions and remain clear-eyed about what might happen next.

I have grown increasingly concerned about the strike against Soleimani and what it might mean for the safety of American troops in the region and the future of America's involvement in the Middle East. The President has promised that he would not drag the American people into another endless war in the Middle East. The President's actions, however, have seemingly increased the risk that we could be dragged into exactly such a war.

Unfortunately, this contradiction is far too typical of how the President has conducted foreign policy over the last 3 years. The President's decision making has been erratic, and it has been impulsive, without regard to the long-term consequences of America's actions abroad. He prefers reality show diplomacy and photo ops with foreign leaders to substantive progress. As a result, the President's foreign policy has been dangerously incompetent.

When you look at nearly every hotspot around the globe, he has made