

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

the situation worse, not better. North Korea—3 years after failed “negotiations,” North Korea remains belligerent, defiant, and intent on developing ICBMs. Syria—after years of sacrifice and struggle against ISIS, one impulsive decision to withdraw our troops risks undoing all our progress. Russia—every meeting the President holds with Putin always seems to result in Putin’s coming out ahead. We are now at risk of the situation with Iran heading for a similar deterioration.

The President’s foreign policy actions so far in North Korea, in Syria, in Russia, and just about everywhere else can be described in two words: “erratic” and “impulsive.” I am worried that a few months from now his Iran policy will be described in exactly the same way.

As the President’s circle of advisers has gotten smaller and more insular and as nearly all of the dissident voices have been forced out of the administration, there seems to be no one left to tell the President no. At times like this, skeptical voices need to ask the right questions, and Congress—Congress must provide a check on the President and assert our constitutional role in matters of war and peace.

In my view, President Trump does not—does not—have authority for a war with Iran. There are several important pieces of legislation by both Senators Kaine and Sanders to limit further escalation with Iran and assert Congress’s prerogative on these matters. Both should receive votes in the Senate.

I plan to ask pointed questions of this administration at a briefing for the Gang of 8 later this afternoon. We need answers to some crucial questions, and there are many. Here are the two that are most on Americans’ minds: What are Iran’s most probable responses to the strike on Soleimani? Are we prepared for each of these responses, and how effective will our counterresponses be?

There was some alarming confusion yesterday about the military’s position on the future of U.S. troops in Iraq. What, in truth, does the Soleimani strike mean for the long-term stability of Iraq and our presence there? How does the administration plan to prevent an escalation of hostilities and the potential for large-scale confrontation with Iran in the Middle East? These are just some of the questions the administration has to answer. The safety and security of our American troops and of the American people are at stake.

IMPEACHMENT

Madam President, on impeachment, this morning, I return to the most pressing question facing my colleagues at this moment: Will the Senate conduct a fair impeachment trial of the President of the United States of America?

The Framers suspected that any impeachment would ignite the passions of the public and naturally would create

partisans who are either sympathetic or inimical to the President’s interests. That is why the Framers gave the Senate the responsibility to try impeachment cases. When it came to a matter as serious as the potential removal of a President, they believed the Senate was the only body of government with enough independence to rise above partisan considerations and act with the necessary impartiality. Will we live up to that vision?

Right now, the Republican leader and I have very different ideas about what it means to conduct a fair trial. Democrats believe a fair trial considers all the relevant facts and allows for witnesses and documents. We don’t know what the evidence will say. It may exculpate the President. It may further incriminate him. We only want a trial that examines all the facts and lets the chips fall where they may.

The Republican leader, in contrast, apparently believes that a trial should feature no witnesses, no relevant documents, and proceed according to the desires of the White House, the defendant. The Republican leader seems more concerned with being able to claim he went through the constitutional motions than actually carrying out our constitutional duty.

Because the Republican leader has been completely unwilling to help get the facts for a Senate trial, the question will have to be decided by the majority of Senators in this Chamber. That means four Republican Senators at any point can compel the Senate to call the fact witnesses and subpoena the relevant documents that we know will shed additional light on the truth.

I have heard several arguments from the other side as to why we shouldn’t vote on witnesses and documents at the outset of the trial. The Republican leader and several Republican Senators have suggested that each side complete their arguments, and then we will decide on witnesses.

This idea is as backward as it sounds. Trials should be informed by witnesses and documents; they are not an afterthought. Their reasoning and McConnell’s reasoning has an “Alice in Wonderland” logic to it: Let’s have each side make their case, he says, and then vote on whether the prosecutors and defense should have all the available evidence to make those cases.

We know what is going on here. Our Republican colleagues, even Leader McConnell, knows that the American people want witnesses and documents. Sixty percent of Republicans do. They are afraid to say no, but they don’t want to vote on them because that might offend the defendant in this trial, President Trump, so they are trying to kick the can down the road.

It is a strange position for Republican colleagues to take. They are willing to kick the can down the road, as I said, on questions of witnesses and documents, but they are not willing to say when or if they will ever support it.

Just yesterday, one of the four witnesses we have requested, former Na-

tional Security Advisor Bolton, said he is ready to testify and has new information to share related to the case at hand. Republicans were dodging and twisting themselves into pretzels trying to explain why someone with direct knowledge of what the President did shouldn’t testify under oath immediately.

I believe that illustrates the fundamental weakness of the Republican position. None of our Republican colleagues can advance an argument about why this evidence shouldn’t be part of a trial from the beginning.

To put it another way, none of our Republicans have advanced an argument about why it would make sense for the Senate to wait until the end of the trial to obtain all the evidence.

Make no mistake, on the question of witnesses and documents, Republicans may run, but they can’t hide. There will be votes at the beginning on whether to call the four witnesses we have proposed and subpoena the documents we have identified. America and the eyes of history will be watching what my Republican colleagues do.

Another argument I have heard from the other side is that it is not the Senate’s job to go outside of the record established by the House impeachment probe. I would reply that it very much is the Senate’s job. The Constitution gives the Senate the sole power to try impeachment cases, not review impeachment cases but the sole power to try them. It is not the Senate’s job to put the House impeachment proceedings on a weeklong rerun on C-SPAN. Our job is to try the case, to hold a real, fair, and honest trial. That means examining the arguments. That means letting the prosecutors request witnesses and documents to make their case.

This is not just my view. It has been the view of every Senate facing impeachment trial in our history. Every single impeachment trial of a President has featured witnesses. Andrew Johnson’s impeachment trial had 41 witnesses. Several of my Republican colleagues here today voted for witnesses in the Clinton trial. Except for one solitary case, every impeachment trial of any official, in the history of the Senate—and there have been a bunch—had witnesses.

A trial isn’t a trial without evidence. A trial without all the facts is a farce. If the President is ultimately acquitted at the end of a sham trial, his acquittal will be meaningless. That is why the President himself should demand a full and fair trial.

President Trump, if you have nothing to hide, if you think the case is as flimsy as you say, call your Chief of Staff. Tell him to release the documents. Call Leader McConnell and tell him what you already told the country; that you would “love” for your aides to testify in a Senate trial. President Trump, if you believe you have done nothing wrong, you have nothing to be afraid of from witnesses and documents. To the

contrary, if you are afraid of witnesses and documents, most Americans will believe you have something to hide and that you fear you have done something very, very wrong.

If my Republican colleagues believe the President has done nothing wrong, they should have nothing to fear from witnesses and documents. In fact, they should welcome them. What better way to prove to the American people that we are treating this matter with the gravity it requires. What better way to prove to their constituents that they are not just doing the President's bidding and not just making this a sham trial because of obeisance to the President of the United States.

If every Senate Republican votes to prevent witnesses and documents from coming before the Senate, if every Republican Senator votes for a rigged trial that hides the truth, the American people will see that the Republican Senate is part of a large and awful coverup.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

JAPAN TRADE DEAL

Mrs. BLACKBURN. Madam President, I have come to the floor today to start this new year by really encouraging my friends on each side of the aisle to approach this coming legislative session with some optimism because there are some good things we can do.

We come to the floor and we hear about Iran and we hear about Soleimani. There are differences of opinion there. I am one of those. I represent a major military post, and I know that so many of our men and women in uniform said: You know what, this should have been done long ago. This is a known terrorist who has conducted terrorist attacks on six continents, even tried it here in the United States. They felt like the President was justified.

We hear about impeachment, and of course we know it has been widely reported that our friends across the aisle and over in the House started 3 years ago trying to find something they could impeach Donald Trump on—just something. It was going to be emoluments, or it was going to be collusion, or it was going to be coercion, or it was going to be Russia, or it was going to be bribery. There had to be something there because, you know what, they just don't like the guy. They don't like him. So they have been at it nonstop. They let that get in the way of some good things that people would like to get done.

For the next few minutes, I would like to encourage us to think beyond subpoenas and trial and negativity and witness statements and instead focus in on three things that are right in front of us: two successfully negotiated trade deals that will benefit farmers, manufacturers, and small business owners and producers not only in my State of Tennessee but across the entire country.

In the Volunteer State alone, we have 967 foreign-based businesses, and they have invested \$37.3 billion in capital improvements, and currently they employ more than 147,000 Tennesseans. That is good for our State. Trade is important to us in Tennessee, insourcing these jobs.

Of particular importance to us is maintaining great trade relations with Japan. Do you know what is so amazing? We have so many people who didn't even know that the Japan trade agreement went into effect on January 1. The mainstream media was so busy focused on impeachment and other things that they didn't even realize this was a deal that will do a good job for us.

Our former U.S. Ambassador to Japan, who is a Tennessean, Ambassador Hagerty, had negotiated this before he left. This recently agreed-to Japan trade deal will support 40,000 jobs that are already provided by Japanese companies. The new deal will also solidify Tennessee's relationships with Japanese partners like Nissan North America, Toyota, Bridgestone, Nidec, and Denso Manufacturing—all with a presence in Tennessee and all employing Tennesseans.

It is going to create greater market access to Tennessee's agriculture products, specifically pork, cheese, and wine. It will eliminate or lower tariffs on 7.2 billion dollars' worth of U.S. exports, including beef, which will put Tennessee and American farmers on a level playing field with their competitors. That is a good thing for our agricultural community. I cannot overstate how big a win this is for Tennesseans and for Americans, and there is more on the horizon.

CHINA TRADE DEAL

Madam President, later this month, President Trump will solidify a trade deal with China that will eliminate or roll back the section 301 tariffs and provide some much needed protection for our patents and trademarks and copyrights that will allow innovators in our creative community, like our Tennessee songwriters, screenwriters, TV producers, and our actors, to enjoy the benefits of a free market. This has been a long time coming. There is a lot more to do.

UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Madam President, you may recall at the end of 2018—not 2019 but at the end of 2018—President Trump notified Congress that he would soon provide us with implementing legislation for the newly signed United States-Mexico-Canada trade agreement. We call it the USMCA.

At that moment, at the end of 2018, our colleagues in the House were put on notice that this highly anticipated and desperately needed legislation was on its way. Get ready. It is coming to you. At that moment, the House majority leadership was presented with the opportunity to prioritize American workers over partisan politicking.

What was their choice? Their choice was to choose partisan politicking and leave the American workers on the sideline, leave these auto manufacturing workers on the sideline while they focused in on partisan bickering. We all know what happened.

In 2019, petty revenge schemes took priority and trade relations with our closest allies were shoved aside to accommodate a yearslong campaign. As I said at the beginning of my remarks, for 3 years they have wanted to undo the 2016 election.

In May, instead of prioritizing the creation of nearly 176,000 jobs, House Democrats decided to spend their time drafting subpoenas. In June, instead of focusing on the 12 million jobs already depending on good trade relations with Canada and Mexico, House Democrats held four votes on these subpoenas.

It was the same story in July, in August, and in September. House Democrats pushed forward with their impeachment ambitions at all costs. They had to do it. They had made a promise that they were going to go get him. They neglected the owners of over 120,000 American small businesses that export goods throughout North America. They put themselves and their priorities before the needs of the American people.

Even as late as October, the Speaker of the House continued to stall, inventing excuse after excuse when it came to pushing the USMCA negotiations to the sidelines in favor of partisan attacks. Even Members of her own caucus sought to distance themselves from those attacks.

By the end of the year, the House majority's resolve to ignore their duty, finally began to splinter.

They struck a deal with the White House, but even then, the compromises they pushed for were barely, hardly worth wasting an entire year's worth of potential economic opportunity. There was a lot of opportunity cost to businesses to make way for House Democrats' partisan bickering.

We have brokered successful trade deals with Japan, with China—deals that America's farmers, manufacturers, producers, and small businesses have waited for, for a very long time. Now, after a year's worth of delays, excuses, and outright obstruction on the part of House Democrats, we are forced to ask those farmers and workers to wait just a little bit longer. It isn't fair, and it certainly is not what is best for our Nation's economy and certainly not what is best for Tennessee.

In the coming weeks, I encourage my colleagues to stay focused on policies that may not dominate the headlines but that are dominating the thoughts of Tennesseans from one end of the State to the other and certainly of Americans all across this country who are looking for trade opportunities and opportunities to grow their businesses in this robust and growing economy.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

IRAN

Mr. DURBIN. Madam President, this morning, the Republican majority leader took to the floor and spoke at great length about the execution of General Soleimani. General Soleimani, who was the head of the military forces in Iran, was killed by a drone strike at the authorization of the President of the United States, Donald Trump.

Senator MCCONNELL, this morning, made a lengthy case about the background of General Soleimani. It is hard to argue with the facts he brought to the floor. In fact, I would concede and most would agree that General Soleimani, in his time, was an architect of terrorism and that, in the course of his career, there has been American blood on his hands. That is fact, but it wasn't a fact just discovered in the last few weeks. The Presidents of both political parties have known this about General Soleimani for a long period of time. They have had opportunities to end his life, yet they didn't seize those opportunities. Presidents of both parties decided it was prudent not to do it.

The question that has been raised now is why this President, at this moment, made the decision to execute the general. We know this general and his past activity have had an impact not only on the United States but on the Middle East and many other innocent people. The question that has been raised is, Why at this moment? Why did it make sense at this moment?

But for a few Members of the Senate, most of us have not had extensive briefings or an opportunity to ask questions of this administration about the timing of this critical decision. We will get our chance tomorrow. There is a classified briefing in which representatives at the highest level of this administration will come before us and explain why they believe the President's decision at that moment was the right thing to do for America. So many of those who come to the floor and defend the decision or criticize those who question that decision really have not had the benefit of a classified briefing, which will be offered to Members tomorrow.

I am going to withhold any comments about those elements, as much as I can possibly say publicly, until I get the chance to have more information. But this much I do know: Regardless of that decision on General Soleimani, we know for certain the Constitution of the United States empowers the American people, through their elected Representatives in the Senate and the House, to make the ultimate decision about whether the United States will go to war with Iran or any other country on Earth. We have learned, bitterly, that the ignorance or refusal of Congress to exercise that constitutional right can be disastrous.

Many of us have memories of the war in Vietnam, where 58,000 American lives were lost, 2 million Vietnamese

were killed, and \$170 billion—now, in today's terms, \$1 trillion—was spent on a conflict that divided America and cost so many American lives. Congress did not exercise the authority given to it under the Constitution to make the initial decision about that war in Vietnam. Many times thereafter, people said: Why didn't you step up and make the decision before this costly mistake was made?

If there is to be a war with Iran, I join with Senator KAINE of Virginia in saying that the American people, once again, need to make this decision under the Constitution through Congress, article I, section 8, which provides, in clause 11, that only Congress has the power to declare war.

If we are going to proceed down a path to war with Iran, the American people have the right to know and the right to hear the fulsome debate. In the time I have served in the Senate, I have seen Presidents in the past who have come before the American people with flimsy evidence or even misleading evidence to justify military action. I know the bitter consequences of war. Even the best American troops are going to suffer casualties and deaths in the execution of a war.

Let us make certain that if we are going to move forward with hostilities against Iran, we do it under our constitutional requirement to have a fulsome debate before the American people and have an official declaration of war before we move forward. We owe the American people nothing less.

IMPEACHMENT

Madam President, secondly, I would like to address the issue of the impeachment trial, which the Senate majority leader, Senator MCCONNELL, raised this morning.

Before I was elected to Congress, I made a living as a lawyer. I took many cases to trial. Few, if any, ever moved to a final decision without the introduction of evidence. The evidence, of course, consists of documentation, sometimes physical evidence, but often the testimony of people who were witnesses to events critical to a jury's final decision.

This impeachment trial should be nothing less. This is an opportunity for us—a rare opportunity in American history—to come forward and to demonstrate that we are going to handle a trial in the U.S. Senate in a professional manner. For the Senate majority leader, Senator MCCONNELL, to announce that there will be no witnesses, there will be no evidence, there will be no documents in advance is to deny the very basis of a trial, as I understand it and as most Americans understand it.

If this President believes, as he has said so often, the charges in the impeachment articles do not rise to any serious or credible level, then, certainly, there is evidence that could prove his case. He will have his managers on the floor of the Senate when the articles are presented to us. They can certainly call witnesses. They can

bring evidence before us. But so far, the record is not very strong for that to happen.

One of the Articles of Impeachment, the second one, relates to the President's refusal to cooperate with the investigation in the House, refusal to provide documentation and witnesses. For a President who is arguing that there is really nothing to these charges, he has refused to provide even the most basic evidence to prove his point, if it exists.

What we are saying on the Democratic side is that if there is to be a trial for impeachment in the U.S. Senate, common sense and the Constitution require that it be a fair trial with evidence for not only the Senators but the American people themselves to see. What we have asked for so far is limited in terms of what we are looking for: four witnesses and documents that can be clearly identified. Those are things I think should be part of this trial record so that regardless of the outcome of the trial, the American people will believe it was handled fairly, in a dispassionate and nonpartisan way.

FOR-PROFIT COLLEGES AND UNIVERSITIES

Madam President, I have come to the floor many times to speak to the American people about an industry, the most heavily federally subsidized industry in America today. No, it is not a defense contractor. It has nothing to do with American agriculture. What I am speaking of are the for-profit colleges and universities of the United States. These colleges and universities, sadly, have written a notorious record when it comes to the treatment of their students. They have often cheated their students, luring them into signing up for expensive, often worthless college courses with false promises and inflated outcomes if they graduate.

At the end, the students are left with massive student debts, a diploma that is worthless, credits that can't be transferred to any other reputable college or university, and the prospects of a job that is almost impossible to find. In many cases, these sham operations actually go out of business in the middle of the student's education.

As an industry, for-profit colleges need to be remembered for two numbers—two numbers that tell the story of this industry. Nine percent of all postsecondary students go to for-profit colleges and universities in the United States. The University of Phoenix, DeVry—you have heard their names. They advertise quite widely. Nine percent of students are attracted to these for-profit colleges and universities. But 33 percent of all of the federal student loan defaults in the United States are by the students who chose to attend those colleges and universities.

What is going on here, with 9 percent of the students and 33 percent of the student loan defaults? The answer is obvious. The cost of education at for-profit colleges and universities is too

high. Students incur more debt than they would by attending community colleges, city colleges, or other universities and colleges that have good reputations.

Secondly, the education is substandard. You can advertise everything online about this great education. I can recall an ad that was on television in the Washington, DC, area a few years ago, and it showed a young woman—probably a teenager, not much beyond—in her pajamas, on her bed, saying: I am going to college on my laptop here.

Well, that kind of easy education, many times, is no education at all. At for-profit colleges and universities, too many students end up taking these expensive courses that are meaningless. It turns out that none of these courses can be transferred to some other school or university. When you take these courses and you spend your money and you spend your time and you end up with so-called college credits by for-profit colleges and universities, no one else will take them. No one else accepts them. They laugh at them. Then the students, if they can hang in there long enough with massive student debt, end up with a diploma that is a joke, a diploma that can't even lead to a job. That is what the for-profit colleges and universities are all about. Despite the fact that they have been pretty widespread across the United States, many of them have gone bankrupt.

What happens to you as a student if you have gone to one of these universities that has made all these promises to you along the way about taking college courses and how it is going to end up being an education that will lead to a job, and it turns out they were all lies, fraud, deceit, deception? You have the debt, right? You have the student debt, but you can't find a job. You went through 4, 5 years of these so-called courses at for-profit colleges and universities, and the only thing you have to show for it is a debt that is going to decide the rest of your life.

It is not just the for-profit college industry that is burdening and exploiting our students. I come to the floor this morning because, sadly, at this moment in time, an agency of our government is complicit. Secretary Betsy DeVos and the U.S. Department of Education have made a fateful decision for hundreds of thousands of American students that I have just described. Let me explain.

A for-profit college defrauds a student—lies to the student—Federal law gives that student the right to have his or her Federal student loan discharged under a provision known as borrower defense. Follow me. I have gone to a school and incurred a debt. They lied to me about their courses leading to a certain degree or to a job. Now the college is going out of business, and I still have the debt, but, under American law, I am protected as a student.

The law says that if you were defrauded, you can use something called

a borrower defense to discharge the student debt, wipe it clean, and get another chance at life. Congress has rightly decided with this law that we shouldn't leave students holding the bag when these schools should be held responsible.

Is that something most Americans agree with? Take a look at this New America poll. Americans agree that students should have their Federal student loan debt canceled if their college deceived them. For Republicans, 71 percent agree with that statement; Democrats, 87 percent. Seventy-eight percent of the American people say that if these colleges lied to them, the students shouldn't end up holding the bag. It is pretty obvious.

But sadly, Secretary of Education Betsy DeVos is trying to make it difficult, if not impossible, for defrauded student borrowers to get the relief. Secretary DeVos has allowed a backlog of—listen to this—more than 223,000 claims of students with student debt who claimed they were defrauded by these colleges and universities. There are 223,000 queued up, waiting in line for the Department of Education to implement the law. For more than a year, she has also failed to approve one single claim of the 223,000 who say they were defrauded—not one. She couldn't help one student who was defrauded out of 223,000.

Now she wants to change the rules to make it impossible for future student borrowers to be relieved from their student debt when the schools have deceived them and defrauded them. She has put forward a new rule that places unreasonable burdens on student borrowers to seek and receive relief. Under this rule, the applicants looking for discharge of their student debt must prove that the school intentionally misled them. How is the student supposed to prove intention on the part of the school? Borrowers must also file a claim within 3 years of leaving the school, even though the conduct is often not discovered until many years later. The new rule also requires borrowers to apply individually instead of receiving automatic discharge when they are part of a group who has been harmed by similar widespread misconduct.

We have seen it before. Some of these names may ring a bell with you: Corinthian Colleges. They were all over the United States. They went bankrupt. It turned out they were defrauding students, saying: Go take these courses, and you can end up being qualified for these jobs.

It turned out it was a lie. After they went bankrupt, under the Obama administration, many of the students, as a group, were protected by this law, the borrower defense rule. Secretary DeVos says: Every student, you are on your own at this point. Lawyer up. You are going to have to prove your case as an individual.

This new rule requires borrowers to apply individually, instead of receiving

this automatic discharge, which was the case under the Obama administration. With this new rule, Secretary DeVos is saying to borrowers: We are not on your side. You are on your own.

In addition, if a borrower's claim for relief is denied, they would not be allowed to appeal under Secretary DeVos's new rule. Even if more evidence of deception and misconduct is found.

This new rule also puts taxpayers on the hook for relief, shielding schools from being held directly accountable by students. The DeVos rule eliminated the current prohibition on institutions using class action restrictions and mandatory arbitrations as conditions of enrollment.

These practices, which you have seen over and over again by Corinthian and ITT Tech and others, require borrowers to sign away their rights when they go to school. Think about that. You are 19 years old, and you are starting your college education. You are going before one of these schools. They push in front of you that you have to sign up for \$10,000 or \$20,000 in tuition and sign the following contract. There you are, at age 19 without much life experience, being asked to sign up. Do you know what the fine print says? The fine print says that if I am lying to you, you can't go to court. Most students don't even understand that. They sign it because they are off to college, thinking, finally, here is our opportunity to be educated and have a life, a future. They don't know they are being deceived by these schools.

Secretary DeVos has said: Sorry students, you signed that paper when you were 19, and now you are stuck with it.

It is impossible for student borrowers to get relief under this new rule by Secretary DeVos. According to an analysis by the Institute of College Access & Success, the new Secretary DeVos rule will end up forgiving, at most, 3 percent of the loans associated with school misconduct. They will be able to recoup just 33 percent of that relief from the schools themselves, and taxpayers will foot the difference. The current rule is estimated to forgive 53 percent of loans associated with misconduct and recoup a greater percentage of the relief from schools. Secretary DeVos has loaded up the U.S. Department of Education with people who were in the for-profit college industry. These are folks who are devising rules good for their industry but not good for the American student borrowers. The bottom line is, the DeVos rule makes it harder for borrowers to receive relief, and the schools who commit the misconduct will pay for a lower portion of the relief that is given.

I introduced S.J. Res. 56 last September to overturn Secretary DeVos's borrower defense rule. Representative SUSIE LEE of Nevada introduced a companion resolution in the House. Many organizations have endorsed my bill, including the Leadership Conference on

Civil and Human Rights, the AFL–CIO, American Federation of Teachers, National Education Association, Consumer Federation of America, Student Veterans of America, and the NAACP, but there is one most recently that I want to share with you because I think it is important that Members of the Senate of both political parties realize that we now have a major organization—a nonpartisan organization—that speaks for the veterans of America who have endorsed this effort.

I have in my hand a letter submitted to me by James Oxford, who goes by the nickname “Bill,” national commander of the American Legion of the United States of America, sent to me on December 18, 2019. He tells the story of veterans who were exploited by these for-profit colleges and universities. They ended up serving our country, earning their GI bill of rights, then losing their benefits to these schools—these worthless schools—and going further in debt to pay for their education.

Commander Oxford sent this letter.

Mr. President, I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DECEMBER 18, 2019.

DEAR SENATOR DURBIN: On behalf of the nearly 2 million members of The American Legion, I write to express our support for Joint Resolution 56, providing for congressional disapproval of the rule submitted by the Department of Education relating to, “Borrower Defense Institutional Accountability.” The rule, as currently written, is fundamentally rigged against defrauded borrowers of student loans, depriving them of the opportunity for debt relief that Congress intended to afford them under the Higher Education Act. Affirming this position is American Legion Resolution No. 82: Preserve Veteran and Servicemember Rights to Gainful Employment and Borrower Defense Protections, adopted in our National Convention 2017.

Thousands of student veterans have been defrauded over the years—promised their credits would transfer when they wouldn’t, given false or misleading job placement rates in marketing, promised one educational experience when they were recruited, but given something completely different. This type of deception against our veterans and servicemembers has been a lucrative scam for unscrupulous actors.

As veterans are aggressively targeted due to their service to our country, they must be afforded the right to group relief. The Department of Education’s “Borrower Defense” rule eliminates this right, forcing veterans to individually prove their claim, share the specific type of financial harm they suffered, and prove the school knowingly made substantial misrepresentations. The preponderance of evidence required for this process is so onerous that the Department of Education itself estimated that only 3 percent of applicants would get relief.

Until every veteran’s application for student loan forgiveness has been processed, we will continue to demand fair and timely decisions. The rule that the Department of Education has promulgated flagrantly denies defrauded veterans these dignities, and The American Legion calls on Congress to overturn this regulatory action.

Senator Durbin, The American Legion applauds your leadership in addressing this critical issue facing our nation’s veterans and their families.

For God & Country,

JAMES W. “BILL” OXFORD,

National Commander, The American Legion.

Mr. DURBIN. Let me read one paragraph from Commander Oxford:

As veterans are aggressively targeted due to their service to our country, they must be afforded the right to group relief. The Department of Education’s “Borrower Defense” rule eliminates this right, forcing veterans to individually prove their claim, share the specific type of financial harm they suffered, and prove the school knowingly made substantial misrepresentations. The preponderance of evidence required for this process is so onerous that the Department of Education itself estimated that only 3 percent of applicants would get relief.

Whether you are a Democrat or Republican, don’t go waving that flag and tell everybody how much you love our veterans and ignore this letter. The leader of the largest veterans group in the United States of America—a nonpartisan group—told us these schools exploited veterans, and Secretary DeVos’s new rule means that these veterans will never get relief. Ninety-seven percent will never get any relief.

In a matter of a few days—maybe weeks—I will be calling this matter to the floor. I am asking my colleagues on both sides of the aisle to put the party labels outside, hang them up in the cloakroom, come on inside here, and stand up for students across America who did their best to get a college education and were deceived in the process, stand up for students who were loaded up with student debt, which could destroy their lives, and give them a fighting chance for a future by saying that Secretary DeVos’s borrower defense rule is unfair to veterans, unfair to students, and unfair to American families.

I ask my colleagues on both sides of the aisle to do the right thing when the time comes and give these borrowers a second chance at being financially independent Americans who can contribute to their families and our national economic growth. For our veterans, please join me in making sure that Secretary DeVos’s borrower defense rule is disapproved by both the House and the Senate.

I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT of Florida). The Senator from Connecticut.

IRAN

Mr. MURPHY. Mr. President, at a time of international turmoil and crisis like this, all of us, I think, are sometimes prone to hyperbole. I count myself as part of that club. I endeavor to do better.

It doesn’t serve this body well to warn of bad decisions that could lead to war if we are only doing it to serve political ends or to bloody up a political opponent. Crying wolf also anesthetizes the public and risks dulling the country’s senses at a moment when

the peril is real. Anytime we are considering asking the men and women of our Armed Forces and their families to make further sacrifices for their country, we have to treat those moments with the gravity they deserve.

Let me state at the outset of my remarks that there are important reasons why I believe that both Iran and the United States do not want to enter into a conventional conflict that would likely involve the United States taking steps to remove the Supreme Leader from power and which would likely involve an invasion that would make Iraq in 2003 look like child’s play.

The United States, of course, remembers the Iraq war—at least, I think we do. Our military leaders know that a short-term fight in Iran would be much bloodier and would be much more costly than the initial invasion of Iraq. Iran, for instance, has twice the population of Iraq. A long-term counterinsurgency in Iran would be endless, potentially costing hundreds of thousands of lives.

The Iranian leadership also knows that the United States might never defensively defeat a drawn-out insurgency on Iranian turf, but Iran’s leaders also know they likely wouldn’t be around to see that eventual conclusion because the United States would, at the very least, likely be successful in ending the existing regime.

So neither side is likely war-gaming for victory. Even those of us who are deeply critical of President Trump’s Iran policy should acknowledge this, but as a student of history, I know that the annals of war are replete with cataclysmic conflicts that began not by choice but by accident, negligence, and incompetence.

So today, when I warn of the United States being on a potential path to war with Iran, that is my concern, that the utter lack of strategy, the complete absence of nuance, the abandoned communication and coordination with our allies, and the alarming deficiency of experienced counsel will end up getting thousands of Americans needlessly killed.

This is not the first warning of this kind I have presented. A year and a half ago, the President ignored the advice of his first Secretary of State and his first Secretary of Defense, and he unilaterally pulled the United States out of the Iran nuclear agreement, despite the fact that every expert agreed that Iran was in compliance. Then, to make things worse, President Trump enacted a series of devastating unilateral sanctions on Iran. No other nations joined with us. In fact, most of our allies actively and aggressively worked against us, trying to undermine and work around those sanctions in order to save the nuclear agreement. That fact, in and of itself, is simply extraordinary and a sign of how weak President Trump has made America abroad.

The sanctions still took a dramatic toll on Iran's economy, and like everybody predicted, the Iranian Government didn't sit still. They began to push back, attacking Saudi oil pipelines, capturing European oil tankers, and ratcheting up threats against U.S. forces in Iraq. During this time, the President changed his story every week. Some days he said he would sit down and negotiate with the Iranians without preconditions. Other days his top people said they wouldn't sit down unless Iran met an absurdly long list of preconditions. Other days, President Trump said he wanted to blast Iran off the map. It was a comedy of diplomatic errors, compounded nearly weekly with conflicting message after conflicting message that made it difficult for Iran to approach negotiations with us, even if they wanted to.

By this winter, the situation was spiraling out of control. Iranian-backed militias launched a rocket attack that killed a U.S. private contractor in Iraq. The United States responded by killing at least 24 Iraqi militia members. Then Iraqi militia, supported by Iran, stormed our Embassy, culminating, for now, in the drone strike that killed General Qasem Soleimani last week in Iraq. There is no reason things had to get to this point. When President Trump came into office, Iran had stopped their quest for nuclear weapons capabilities, and Iran was complying with an intrusive inspections regime that made sure they didn't cheat.

Iranian-backed militias had stopped firing rockets at U.S. personnel in Iraq. In fact, they were actually working on a U.S.-led project in Iraq—the eradication of ISIS.

President Obama had united the entire world against Iran. Even Russia and China were working side by side with the United States to constrict Iran's nuclear weapons program. And with the nuclear agreement secured, this global coalition was teed up and ready to be mobilized by President Trump to pressure Iran to make the next set of concessions on their ballistic missile program and their support for terrorist proxies across the region.

But Trump's bizarre and nonsensical Iran policy threw all that leverage away willingly, voluntarily. Despite the economic sanctions, Iran today is more powerful, is more menacing than ever before. Just weeks ago, Iran had been wracked by anti-government protests, but President Trump's recent actions have united the country against America and against our allies in one fell swoop. One only needs to look at yesterday, when millions of Iranians took to the streets for Soleimani's funeral—a mass outpouring of support that the Iranian regime could never have hoped to inspire on its own.

Compared to 3 years ago at the end of the Obama administration, today Iran is closer to restoring its proxy state in Syria, Iran is more influential in Yemen, Iran is more threatening to

U.S. troops in Iraq and across the Middle East, and Iran is closer to a nuclear weapon.

The simple truth is that Iran is stronger and we are less safe today than when President Trump was inaugurated, but it gets, implausibly, even worse.

Because the strike on Soleimani is so destabilizing and so unstrategically provocative, the U.S. position in Iraq—where we are still battling ISIS—is unraveling. All U.S. civilians have been ordered to evacuate. All U.S. counter-ISIS operations have been suspended. NATO has stopped its ongoing efforts to fight ISIS. The Iraqi Parliament has begun the process of kicking out all U.S. forces from the country—exactly what Qasem Soleimani had worked for years to achieve.

All of that, on the back of Iran's newfound strength in the region, is the reason there is so much head-shaking happening right now about why President Trump has so willfully bungled Iran policy, emboldening Iranian hard-liners and putting our Nation's safety at risk.

With that for context, we come back to the crisis moment of today and the real possibility that more of President Trump's stumbling will lead us into a world-changing conflict with Iran.

We, the Senators, have seen no evidence that the assassination of Soleimani was necessary to prevent an imminent attack on the United States. I remain open to seeing that intelligence, but 5 days later, Congress has not received a briefing from the administration. We are apparently going to get that tomorrow. But both President Obama and President Bush had the ability to kill Soleimani. They didn't because their experts believed that executing the second most powerful political figure in Iran—no matter how evil he was, no matter how many American deaths he was responsible for—would end up getting more, not fewer, Americans killed.

We don't know in what form the reprisal from Iran will come or when, but it will come. And, listen, we shouldn't be afraid of reprisals in the wake of truly necessary military actions by the United States to protect our interests abroad. But when that attack arrives, President Trump has telegraphed that he is preparing to respond by committing war crimes against the Iranian people. He says he will bomb cultural sites, filled with civilian visitors, in retaliation. I can't believe this needs to be said on the floor of the U.S. Senate, but that is something terrorists do, not the United States.

Although this administration keeps saying they don't want war, there is no logic to their circular theory of Iran policy. Trump believes that to change Iran's behavior, we need to escalate our own actions. Then when our escalation begets more escalation from Tehran, Trump and his Iran hawks come to the conclusion that this must be due to the fact that our escalation wasn't serious

enough. The theory becomes unprovable because the Iran hawks just contend, failure after failure, that we just need one more escalation and one more escalation and one more escalation. This is the exact behavior that could land us in a kinetic conflict with Iran that costs American lives.

As I said at the outset, this is likely not going to be a full-on conventional war—at least I hope it is not. It may be that Iran sends missiles into Israel or ramps up the temperature in Yemen. They may try to assassinate American military or political leaders or use cyber warfare to go after critical infrastructure. And maybe we don't invade Iran. Maybe we just blister their countryside with bombs or try to disable their military from above.

Of course, no matter the scope of the conflict, no matter how long this escalatory cycle lasts, the one thing we know is this: None of this has anything to do with making us safer. This cycle started with Trump's rejection of a diplomatic agreement with Iran that he didn't like just because it had Barack Obama's name on it.

A political grudge set off a series of events that now has us lodged in a crisis of harrowing scope, a crisis that this President—so unstable, so reckless, so capricious—likely cannot handle. Unfortunately, his rejection of diplomacy and lack of concern for our allies has left America more isolated than at any other perilous time in our history. At a moment when we cannot afford to be out on a limb, out on our own, we are.

Politics is part of what got us here, but maybe politics is part of how we get out of this mess. Congress can cut off funding for President Trump's war of choice with Iran. We can make clear, Republicans and Democrats, that the President cannot take military action without congressional consent. And of course the American people can have their say too. They can rise up, as they did in many cities this past weekend, and cry out in protest over President Trump's decision to put politics over our Nation's security. That public pressure may push allies of the President's here in the Senate to stand with Democrats in opposition to this reckless risk to our Nation's security. It is not too late to put a stop to this madness.

Iran is an adversary. I don't want anything I have said today to paper over all of that nation's misdeeds in the region. It is in our national interest to conduct a foreign policy that weakens Iran's ability to threaten us, our allies, and our interests. But for the last 3 years, President Trump has done exactly the opposite. Iran's nuclear program is back on. Iran has restarted attacks against the United States. Iran is more influential in the region. Everything the President has done has worked to degrade our Nation's safety and has worked to make Iran stronger.

The order to strike Soleimani has already been given, but what happens

next is not predetermined. My fear—my belief—is that last week's killing of Qasem Soleimani will end up fitting into this pattern. But we have serious choices to make in this body, and we can choose to get off this path of escalation and make decisions that correct this President's recklessness and keep America safe. I hope we step up to that challenge.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUNT. Mr. President, Qasem Soleimani, the commander of the Quds Force, was killed by U.S. forces last week. That has already been well discussed and well understood. The failing regime in Iran has done everything it could, between his death and right now, to make the most of it, to make him a martyr to the cause of terrorism.

I think we should all understand that the cause of terrorism was his cause. He is not a general in any traditional sense of what that would mean. He has been described a number of different ways. He has been referred to as Iran's top general. Don't think for a minute that means anything like almost any other country's top general.

One newspaper called him Iran's "most revered military leader." That might be true, but remember Iran's purpose as a State is to encourage terrorism all over the world.

I heard one news broadcast where he was referred to as "an irreplaceable figurehead," though they went on to explain that he was a significant person. There apparently are no editors anymore because the term "figurehead" doesn't mean what they were suggesting. If they meant he was an irreplaceable figure, I hope that he is. I think he is hard to replace, and I hope he is hard to replace. I would like to think that in many ways he will not be able to be replaced, but that doesn't mean he deserves our sympathy, respect, or our grief.

He was, in fact, a bad person. He spent his career largely outside the boundaries of what any civilized nation would consider a military context. He led Iran's terrorism agenda around the world.

Iran funded and provided weapons to the Shia militias in Iraq. They provided arms depots and military forces to the Assad regime in Syria. They supported Hezbollah terrorists in Lebanon. They provided advanced weapons to the Houthi rebels in Yemen. Hundreds of U.S. military personnel in Iraq were either killed or injured by the IED attacks encouraged and funded by Iran in Iraq. That is what the Soleimani agenda was all about.

Over this past year, Iran has continued its campaign of aggression against

the United States and our allies. In almost every report of these activities, Soleimani was one of the persons mentioned as, again, structuring, masterminding, encouraging, or taking credit for these things as they happened in some cases and denying responsibility in others for activities for which he and Iran were responsible.

Last June, Iran shot down a U.S. intelligence drone flying in international space. In July, the Iranian Revolutionary Guard Corps captured a British-flagged commercial vessel in the Strait of Hormuz. Iran was behind the attack on Saudi oilfields last September using drones and cruise missiles. Iran was behind an earlier attack on a Saudi airport used by civilians. The Quds Force also launched a crackdown on Iranian citizens who protested oil prices and are vigorously seeking out others who are complaining about the failing economy in Iran's failing system.

Someone has already been named to replace Soleimani as the head of the Quds Force, but hopefully no one really can fully replace him.

I am not at all sympathetic to the idea that this action to eliminate this individual somehow came out of the blue. I think the President has been presented multiple times with this option as one of the things we could do if we wanted to send the clearest possible message to Iran. The President was criticized last year because when going down the list of things I mentioned, he was hesitant to act—until last week. The same exact critics in many cases decided, after a year of thinking what would be the best response, that when the President did act it was suddenly a hasty action. They went from calling his actions hesitant to calling this hasty, looking for a way to criticize the President.

The President took this action after an American contractor was killed by forces associated with Iran and Soleimani, after the U.S. Embassy in Baghdad was attacked and weapons were used to get into the building.

There have even been some suggestions that we shouldn't have done this because we should be afraid of how Iran will react. We do have to be thinking about how Iran would react. We need to be thinking about what their next aggressive act might be. It would not be their first aggressive act, and I have already gone down a pretty long list that others can expand upon of the aggressive acts Iran has done up until the last few days.

We do have to be thinking about what is an appropriate response, but maybe it is now time for Iran to be thinking about what our next response may be to their next aggression. The aggressive list is long, the response that the U.S. Government took was significant, but we can't fail to act decisively just because it might upset our terrorist enemies. We can't fail to act decisively just because it might upset the No. 1 state sponsor of terrorism, Iraq.

Soleimani was not a high-ranking military official in any acceptable military structure. If your idea of a leading general is a general who leads in terrorist efforts, I think you have the wrong idea of what a military leader is supposed to do.

Soleimani was not a high-ranking government official in any job that a responsible government would have. Soleimani was the mastermind of terrorist activities of the No. 1 state sponsor of terrorism in the world today. Soleimani has been eliminated and hopefully will be impossible to fully replace.

I would say, in response to that decision, good job to the U.S. forces that executed the strike, and good job, Mr. President, in being willing to make the call. A bad person and a determined enemy of freedom and democracy in the United States of America has been eliminated. It is time for the Iranians to be thinking about what our next action might be instead of quietly and vigorously planning on what their next action might be.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

IMPEACHMENT

Mr. THUNE. Mr. President, many of us here in the Senate thought we would be opening the new year with an impeachment trial, but that is not what is happening this week because the Senate is still waiting—waiting for Speaker PELOSI to actually send over the Articles of Impeachment.

Democrats rushed impeachment through the House, throwing fairness and due process to the winds in their haste to impeach the President, but now they are apparently content to just sit on the Articles of Impeachment for the foreseeable future. If Democrats really believe that this impeachment is a serious matter, that there is literally a crime spree in progress, as they have claimed, they would have already sent over the articles. The truth is, Democrats' impeachment efforts, which basically started before the President had even taken the oath of office, have been politically motivated from the start. Democrats thought they could damage the President politically by rushing to impeach him, and now they think they can damage the President politically by stalling a trial.

Speaker PELOSI is also attempting to force the Senate to conduct the trial she would like it to conduct in hopes of getting the outcome she would prefer—demonstrating once again the fundamentally political nature of the Democrats' impeachment quest. Here in the Senate, we will continue working on the business of governing until

the Speaker decides she is ready to stop playing games.

IRAN

Mr. President, on Friday, we learned that Iranian General Qasem Soleimani had been killed in a U.S. airstrike. Iran's terrorist activities throughout the Middle East are well known. Iran is a key backer of Hamas and Hezbollah and has fomented conflict throughout the entire Middle East—escalating sectarian conflict in Iraq, fueling civil war in Yemen, and supporting Syrian President Bashar al-Assad's brutal regime.

At the end of December, the Iran-backed militia Kataib Hezbollah, or KH, as they are called, fired more than 30 rockets at an Iraqi military base, killing an American contractor and wounding 4 U.S. troops. Days later, Iran-backed protesters stormed the U.S. Embassy in Baghdad, conducting a 2-day siege of the Embassy before withdrawing—although not without setting fire to parts of the Embassy's exterior.

The list of Iranian terror activities is long, and at the center of all these activities has been General Qasem Soleimani. As head of the Quds Force of Iran's Revolutionary Guard Corps, General Soleimani has been masterminding Iran's terrorist activities for two decades. Iran has been linked to one in six military deaths in Iraq, notably through the IEDs that have become so emblematic of the War on Terror. This was Soleimani's work. He is responsible for the deaths of hundreds of Americans and thousands of innocent civilians throughout the Middle East. It is a good thing that his reign of terror is over.

While I hope we can all agree that Soleimani was a just target, there are naturally questions about the timing of the strike and what options were laid before President Trump. The Senate will be briefed tomorrow, and I hope my colleagues and I will be given a clear intelligence picture of the imminent and significant threat Secretary of State Pompeo and other administration officials have described.

Soleimani's death provides Iran with an opportunity to change course and to rethink its participation in terrorist activities throughout the Middle East and its aggression against the United States. Unfortunately, Iran doesn't seem ready to take that opportunity, and there are rightfully concerns about how Iran might retaliate for Soleimani's death.

Iran has vowed severe revenge, but I hope Iran's leaders recognize that the United States will not tolerate Iran's aggressions. The United States is obviously closely monitoring any Iranian response or escalation, from attempted cyber attacks to threats against U.S. troops or citizens or our allies. The chairman of the Joint Chiefs, General Milley, has cautioned that there remains a significant risk, and we have seen the Department of Defense and the State Department adjust their postures accordingly.

As I said, with Soleimani's removal, Iran has the opportunity to change

course. In both Iran and Iraq, we have seen protests bravely displaying the desire for a new way forward and, in the case of Iraq, for freedom from Iran's malign influence. The path to that new day is a difficult one. Soleimani's decades of work building terrorist networks will not easily be undone, and his replacement has already been named and has vowed revenge.

In addition, under pressure from Iran, Iraq's Parliament advanced a nonbinding resolution calling for the removal of U.S. troops from Iraq. I hope that cooler heads will prevail in Iraq and that we can come to an agreement that upholds our mutual security interests and is beneficial to both the United States and to the people of Iraq. We have invested a lot in regional security efforts that we should see through. As we know all too well from the rise of ISIS, the consequences of leaving a power vacuum can be dire. I hope that power vacuum will not be resurrected as the United States suspends counter-ISIS operations in order to defend our installations.

The world may enjoy a degree of closure with the killing of Qasem Soleimani. Citizens of the Middle East who suffered at the hand of Soleimani's terror may have hope for a safer future, but this will require the Iranian regime to recognize the opportunity it now has to rid itself of Soleimani's agenda and chart a new course.

Iran's leadership knows full well the consequences of maintaining its vendetta against America, our allies, and those who seek to live in peace and freedom. It got a preview of our military and intelligence capabilities last week. This is not a call for escalation but a frank acknowledgment that the United States will stand resolutely against those who threaten American lives.

While the initial reaction from Iran has not been promising, I hope General Soleimani's death will encourage Iran to think carefully before it proceeds any further on its path of terror. I look forward to talking with the Defense Secretary, the CIA Director, and others tomorrow about what we need to do to minimize the threat of retaliation and to keep Americans and our allies safe.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF JOVITA CARRANZA

Mr. RUBIO. Mr. President, I am very happy that our first votes, not only of the session but of this decade, are going to be focused on supporting small businesses.

In America, we tend to speak about businesses with a sense of reverence that I think is absent in other coun-

tries, and there is good reason for that. So many of the great companies in this Nation started out as small businesses, and some of the greatest companies in America today are small businesses. We also have just under 60 million individuals who are employed by over 30 million small businesses throughout the country.

The Small Business Administration can play a very important role in our success and in the success of these businesses by providing entrepreneurs and firms with technical assistance and access to capital, so it is critically important for the country.

Today, as we consider the nomination of Jovita Carranza to serve as the SBA Administrator, I thought it was an important point to make. There are some additional points I would like to make.

First of all, the position of Administrator is really crucial to ensuring that the agency is functioning well and is successful. It is also important that the Administrator be someone who is open to and supportive of the need to modernize the Small Business Administration and its many programs.

As we move into this new decade, it is really important that the agency evolve to meet the unique and special needs of the entrepreneurs of today at a time in which we have ever-changing and increasing global and business climate adjustments that are occurring.

I think we sometimes forget that businesses today face a very different environment than we saw 10, 20, or 30 years ago. So as we are aware of these changes, it is important that, as policymakers, we have an obligation to identify the goals that achieve our national interests and that provide for our national defense, that create good jobs for American workers, and then that organize the laws that we propose and the reforms that we propose around those important items of national interest and how to achieve furthering them.

The last time the Small Business Administration was fully reauthorized was 20 years ago, in the year 2000, when just 42 percent of households, for example, had internet access. Nearly everyone was still using dial-up phones for access. It would be another 6 years before the iPhone even existed. Back in 2000, Americans bought fewer than 10,000 hybrid electric cars. From 2000 to 2020, those are the changes we have undergone, and that was the last time the SBA was reauthorized.

By the way, it also happens to be the year when China became a member of the World Trade Organization. I say that because, today, American small businesses—if you think our big businesses face unfair competition, imagine the unprecedented threat in competing against the Chinese Government and its Communist Party's systematic industrial espionage and coercion, its large-scale subsidies for their own industries, and its sweeping obstruction of market access to its own country.

The challenges are extraordinary, and they require resources that allow our small business sector to compete against these conditions and to operate dynamically, to grow, to be innovative, and to be creative.

Small businesses need access to services and programs that better position them to support not just our Nation's competitiveness on an international scale but particularly with regard to Beijing's continued economic aggression toward our Nation.

Just as the SBA was critical in building the technologies and helping to spur the creation of the technologies that allowed us to be successful both in the space race and, ultimately, in the Cold War, I believe the SBA can play an important role in our efforts to compete with Chinese economic hostility.

In that regard, it is important to note that the status quo is just not enough. We need an agency that incorporates new and creative programs, that focuses on spurring investment, supporting advanced manufacturing, promoting innovation, and expanding our export opportunities.

It is important to note, as I said earlier with regard to the SBA's role during the space race and the Cold War, that innovation breakthroughs we have often seen in our history have often been contingent on private-public collaboration, especially in the space program that also happens to have a commercial obligation and also furthers our national security.

Small businesses and startups have historically always been essential to developing the technologies and the commercialization of products that often come out of those partnerships. But unlike what we have seen in Silicon Valley—startups that venture capital firms tend to gravitate toward over there—these technologies—the ones that are in our national interests, which I just spoke about—require significant time and resources to finance.

So on the Small Business and Entrepreneurship Committee, we are going to continue to work toward a comprehensive reauthorization of the Small Business Act and the Small Business Investment Act to achieve these ends that I have just outlined. But the leadership and the guidance of a forward-thinking SBA Administrator is going to be essential, not just to get it passed but to make sure that modernization works.

As the chairman of the committee, I am very eager to see the position of Administrator be filled. President Trump nominated Ms. Carranza to serve in this critical role back in August of last year. She has a long and successful career, having spent many years in both the private sector and government service.

She started her service at UPS. After 29 years, she retired from there as vice president of air operations. Then she was nominated by President George W. Bush and was confirmed by this body—

the Senate—to serve as SBA's Deputy Administrator back in 2006. She served there for 2 years and then went back into the private sector until returning in June of 2017, when President Trump named her Treasurer of the United States.

Last month, the Senate Small Business and Entrepreneurship Committee held a hearing to consider this nomination, and we voted favorably to report her nomination to the Senate floor.

In that hearing, Ms. Carranza made a commitment to work with Congress—to work with each of us—on the pressing issues that are facing the SBA and the program. She assured us—myself, ranking member, Senator CARDIN, and other members of the committee—that she would address the management challenges in the Office of Investment and Innovation to ensure the integrity of its programs but, most importantly, that she would appear before the committee after her confirmation to provide an update on how she is addressing these challenges.

She has committed to do other things that are important: to assess the far-reaching rule governing the agency's critical access to capital programs so that it is not restricting access to capital for small businesses; to be communicative and transparent with us on the subsidy models and calculations they are using for the Federal credit programs; to fill the backlog of staff that is needed to properly run the SBA's innovation programs; to ensure that Federal grant dollars are being properly used—the dollars especially associated with the entrepreneurial development programs to modernize the agency's disaster loan programs; and to establish better controls to prevent waste, fraud, and abuse. She committed to expeditiously establish a women-owned small business certification program and to provide responses to Congress on several of our past communications to the agency outlining proposals to aid small businesses against cyber threats, which is a critical threat facing many of the small businesses in this country today.

In the business meeting we had after the hearing, we considered her nomination. I was pleased to see that the overwhelming majority of our members on both sides of the aisle, including the ranking member, supported sending the nomination to the full Senate because there is a lot of work to be done. Restoring and expanding the SBA's historic legacy of assisting businesses and meeting the international challenges at hand are very important and very crucial.

I look forward to working with Ms. Carranza to modernize our existing programs to meet the challenges we have before us and working toward solutions that ensure that small businesses have access to the resources they need to start, to grow, and to empower our Nation at large.

I urge all of my colleagues to support this nomination when we have a vote in a few minutes.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CRUZ). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE ON CARRANZA NOMINATION

Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Carranza nomination?

Mr. ROBERTS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Georgia (Mr. PERDUE).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Maryland (Mr. CARDIN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 88, nays 5, as follows:

[Rollcall Vote No. 2 Ex.]

YEAS—88

Baldwin	Gardner	Reed
Barrasso	Graham	Risch
Bennet	Grassley	Roberts
Blackburn	Hassan	Romney
Blumenthal	Hawley	Rosen
Blunt	Heinrich	Rounds
Boozman	Hirono	Rubio
Braun	Hoeven	Sasse
Brown	Hyde-Smith	Schatz
Burr	Inhofe	Schumer
Cantwell	Johnson	Scott (FL)
Capito	Jones	Scott (SC)
Carper	Kaine	Shaheen
Casey	Kennedy	Shelby
Cassidy	King	Sinema
Collins	Lankford	Smith
Coons	Leahy	Stabenow
Cornyn	Lee	Sullivan
Cortez Masto	Loeffler	Tester
Cotton	Manchin	Thune
Cramer	McConnell	Tillis
Crapo	McSally	Toomey
Cruz	Menendez	Udall
Daines	Moran	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Whitehouse
Enzi	Murray	Wicker
Ernst	Paul	Young
Feinstein	Peters	
Fischer	Portman	

NAYS—5

Gillibrand	Markey	Wyden
Harris	Merkley	

NOT VOTING—7

Alexander	Klobuchar	Warren
Booker	Perdue	
Cardin	Sanders	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:12 p.m., recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

EXECUTIVE CALENDAR—Continued

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

The senior assistant legislative clerk read the nomination of Matthew H. Solomson, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

The PRESIDING OFFICER. The Senator from Texas.

IMPEACHMENT

Mr. CORNYN. Madam President, before Congress adjourned for the holidays, our colleagues in the House of Representatives carried out their sole priority for 2019, which was to impeach President Trump. That was their No. 1 objective in 2019. While it is no secret that this is something they have been dreaming of since the day President Trump was inaugurated on January 20, 2017, it certainly took our colleagues in the House on a roller coaster ride and the country as well. I liken it, really, not to a roller coaster ride, but to a three-ring circus. It did not reflect particularly well on their body or on the seriousness of the process.

From March of last year, here is an important quote to remember. Speaker PELOSI cast a lot of doubt that an impeachment vote would even happen. This is from March 2019. She said:

Impeachment is so divisive to the country that unless there's something so compelling and overwhelming and bipartisan, I don't think we should go down that path, because it divides the country. And he's just not worth it.

That is what Speaker PELOSI said in March of 2019.

As we have seen, it was only a matter of time before the radical Members of her caucus forced Speaker PELOSI's hand and sent the House down a partisan impeachment rabbit hole. That is where they ended up. House Democrats dove head first into—as something our majority leader has said here in the Senate—the most rushed, least fair, and least thorough impeachment inquiry in American history. We have

only been through this three times before in American history. This is an extraordinary undertaking under our Constitution, to seek to impeach and remove a President less than a year before the upcoming election over something that does not even allege any crime but rather a disagreement with the way the President has conducted foreign policy, which is his role under our Constitution.

For as long as Democrats have been dreaming about this moment, you would think they would be well prepared for a thorough investigation and a presentation of their case to the Senate. Well, as it turns out, that is not even close. They moved through closed door depositions, public hearings, and a vote at an alarming pace, all to ensure that they could wrap up the process by the end of the year. Before the clock struck midnight, they managed to get it done.

Despite Speaker PELOSI's insistence less than a year ago that impeachment should be a bipartisan process, the House passed Articles of Impeachment with votes from just one party, which is the definition of partisan, not bipartisan.

In spite of the partisanship that has ensnared this process in the House of Representatives, we in the Senate have vowed to follow the framework set by the only modern precedent for an impeachment trial in the Senate, and that is of President Bill Clinton. In 1999, all 100 Senators, including both the current majority and minority leaders, voted in support of a pretrial resolution that laid the foundation for the trial ahead—this was in fairness to all concerned—so that the Senate could know how this would proceed and what they would be called upon to do.

Back in 1999, all 100 Senators decided to begin with opening arguments, to move to Senators' questions, and then to vote on a motion to dismiss. This would provide an opportunity to hear the case presented by the parties before the decision was made whether to hear from additional witnesses. I might add that I believe the House heard from 17 different witnesses.

All of the testimony certainly could be presented by the impeachment managers in the Senate. Sometimes, I hear people talking about whether we are going to have any witnesses or not. Well, of course, but witnesses come in different shapes, sizes, and form. There could be a live witness. There could be a witness's sworn testimony presented in a hearing or at a deposition outside of the Chamber and excerpts are read into evidence in the impeachment trial. This is not a question of whether we are going to have any witnesses or no witnesses. This is going to be a question of whether we are going to allow the impeachment managers from the House and the President's lawyers to try their own case. In an ordinary civil or criminal case, you don't have the jury trying the case for the prosecution or the defense or for the plain-

tiff or the defendant. The role of the jury is to sit and listen and then to decide after the evidence is presented.

Well, when the time came to vote on the motion to dismiss, during the Clinton trial, every single one of our Democratic colleagues who were here in 1999 voted to dismiss the charges—every single one. That was the Clinton trial in 1999. Then, when Members voted on whether or not to hear additional witnesses, every single one of our Democratic colleague who were here in 1999 voted no—no additional witnesses. Everyone voted no. That includes our friend the minority leader, Senator SCHUMER, who said on the Senate floor yesterday that everyone who is opposed to additional witnesses is participating in a coverup. Talk about a change of heart. You know that is the danger here in the Senate. If you have been here long enough, you can find yourself on the opposite side of almost any question that could come up. Certainly, Senator SCHUMER has found himself, first, saying in President Clinton's case no additional witnesses and, now, in the case of President Trump, he has changed the standard and says, if you don't vote for additional witnesses, you are somehow engaged in a coverup.

Well, I think people are smart enough to understand what that represents. It represents not only a change of heart, but it represents hypocrisy and a double standard.

When President Clinton was on trial, Democrats had zero interest in hearing from additional witnesses beyond that presented by the impeachment managers and the President's lawyers or spending more time on the trial. The way they saw it, all the information had been presented, and so they voted to throw the charges out. Now, I am not faulting them for that, per se. All 100 members agreed to the process that gave them the opportunity to make that vote, and they had every right to do so. Now that a Republican President is on trial, instead of a Democrat, our Democratic colleagues say the same process is not good enough. In other words, what was good enough for President Clinton is not good enough, in their opinion, for President Trump.

Instead of following the exact same framework used in the Clinton impeachment trial, they want to set the rules for the entire trial before we have even had a chance to hear the opening arguments. Here, again, I realize we have a lot of type-A personalities here—people who like to take charge—but that is not the role of the Senate during an impeachment trial. We are here to listen to the case presented by the impeachment managers from the House and the President's own lawyers, not to try to take over the process. In fact, the hardest thing a Senator is going to have to do during this impeachment trial is to sit and be quiet and let the parties present their case.

Well, our Democratic colleagues are even going so far as requesting specific