

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