

The CHIEF JUSTICE. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The CHIEF JUSTICE. Is there any Senator in the Chamber wishing to vote or change his or her vote?

The result was announced—yeas 53, nays 47, as follows:

[Rollcall Vote No. 31]

YEAS—53

Alexander	Fischer	Perdue
Barraso	Gardner	Portman
Blackburn	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hawley	Romney
Braun	Hoeven	Rounds
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Johnson	Scott (FL)
Collins	Kennedy	Scott (SC)
Cornyn	Lankford	Shelby
Cotton	Lee	Sullivan
Cramer	Loeffler	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Paul	

NAYS—47

Baldwin	Hassan	Rosen
Bennet	Heinrich	Sanders
Blumenthal	Hirono	Schatz
Booker	Jones	Schumer
Brown	Kaine	Shaheen
Cantwell	King	Sinema
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Peters	Wyden
Harris	Reed	

The motion to table is agreed to; the amendment is tabled.

The CHIEF JUSTICE. The question occurs on the adoption of S. Res. 488.

Mr. MCCONNELL. Mr. Chief Justice, I ask for the yeas and nays.

The CHIEF JUSTICE. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The CHIEF JUSTICE. Is there any Member in the Chamber who wishes to vote or change his or her vote?

The result was announced—yeas 53, nays 47, as follows:

[Rollcall Vote No. 32]

YEAS—53

Alexander	Fischer	Perdue
Barraso	Gardner	Portman
Blackburn	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hawley	Romney
Braun	Hoeven	Rounds
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Johnson	Scott (FL)
Collins	Kennedy	Scott (SC)
Cornyn	Lankford	Shelby
Cotton	Lee	Sullivan
Cramer	Loeffler	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Paul	

NAYS—47

Baldwin	Brown	Casey
Bennet	Cantwell	Coons
Blumenthal	Cardin	Cortez Masto
Booker	Carper	Duckworth

Durbin	Manchin	Shaheen
Feinstein	Markey	Sinema
Gillibrand	Menendez	Smith
Harris	Merkley	Stabenow
Hassan	Murphy	Tester
Heinrich	Murray	Udall
Hirono	Peters	Van Hollen
Jones	Reed	Warner
Kaine	Rosen	Warren
King	Sanders	Whitehouse
Klobuchar	Schatz	Wyden
Leahy	Schumer	

The resolution (S. Res. 488) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

UNANIMOUS CONSENT AGREEMENT—PRINTING OF STATEMENTS IN THE RECORD AND PRINTING OF SENATE DOCUMENT OF IMPEACHMENT PROCEEDINGS

The CHIEF JUSTICE. The majority leader is recognized.

Mr. MCCONNELL. Mr. Chief Justice, I ask unanimous consent that the Secretary be authorized to include statements of Senators explaining their votes, either given or submitted during the legislative sessions of the Senate on Monday, February 3; Tuesday, February 4; and Wednesday, February 5; along with the full record of the Senate's proceedings and the filings by the parties in a Senate document printed under the supervision of the Secretary of the Senate that will complete the documentation of the Senate's handling of these impeachment proceedings.

The CHIEF JUSTICE. Without objection, so ordered.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCONNELL:

S. Res. 488. A resolution to provide for related procedures concerning the articles of impeachment against Donald John Trump, President of the United States; considered and agreed to.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 488—TO PROVIDE FOR RELATED PROCEDURES CONCERNING THE ARTICLES OF IMPEACHMENT AGAINST DONALD JOHN TRUMP, PRESIDENT OF THE UNITED STATES

Mr. MCCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 488

Resolved, That the record in this case shall be closed, and no motion with respect to reopening the record shall be in order for the duration of these proceedings.

The Senate shall proceed to final arguments as provided in the impeachment rules, waiving the two person rule contained in Rule XXII of the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials. Such arguments shall begin at 11:00 am on Monday, February 3, 2020, and not exceed four hours, and be equally divided between the House and the President to be used as under the Rules of Impeachment.

At the conclusion of the final arguments by the House and the President, the court of impeachment shall stand adjourned until 4:00 pm on Wednesday, February 5, 2020, at which time the Senate, without intervening action or debate shall vote on the Articles of Impeachment.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1295. Mr. SCHUMER proposed an amendment to the resolution S. Res. 488, to provide for related procedures concerning the articles of impeachment against Donald John Trump, President of the United States.

SA 1296. Mr. SCHUMER proposed an amendment to the resolution S. Res. 488, supra.

SA 1297. Mr. SCHUMER proposed an amendment to the resolution S. Res. 488, supra.

SA 1298. Mr. VAN HOLLEN proposed an amendment to the resolution S. Res. 488, supra.

TEXT OF AMENDMENTS

SA 1295. Mr. SCHUMER proposed an amendment to the resolution S. Res. 488, to provide for related procedures concerning the articles of impeachment against Donald John Trump, President of the United States; as follows:

At the appropriate place in the matter following the resolving clause, insert the following:

SEC. _____. Notwithstanding any other provision of this resolution, pursuant to rules V and VI of the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials—

(1) the Chief Justice of the United States, through the Secretary of the Senate, shall issue a subpoena—

(A) for the taking of testimony of—

- (i) John Robert Bolton;
- (ii) John Michael "Mick" Mulvaney;
- (iii) Michael P. Duffey; and
- (iv) Robert B. Blair;

(B) to the Acting Chief of Staff of the White House commanding him to produce, for the time period from January 1, 2019, to the present, all documents, communications, and other records within the possession, custody, or control of the White House, including the National Security Council, referring or relating to—

(i) all meetings and calls between President Trump and the President of Ukraine, including documents, communications, and other records related to the scheduling of, preparation for, and follow-up from the President's April 21 and July 25, 2019 telephone calls, as well as the President's September 25, 2019 meeting with the President of Ukraine in New York;

(ii) all investigations, inquiries, or other probes related to Ukraine, including any that relate in any way to—

- (I) former Vice President Joseph Biden;
- (II) Hunter Biden and any of his associates;
- (III) Burisma Holdings Limited (also known as "Burisma");

(IV) interference or involvement by Ukraine in the 2016 United States election;

(V) the Democratic National Committee; or

(VI) CrowdStrike;

(iii) the actual or potential suspension, withholding, delaying, freezing, or releasing

of United States foreign assistance, military assistance, or security assistance of any kind to Ukraine, including but not limited to the Ukraine Security Assistance Initiative (USAI) and Foreign Military Financing (FMF);

(iv) all documents, communications, notes, and other records created or received by Acting Chief of Staff Mick Mulvaney, then-National Security Advisor John R. Bolton, Senior Advisor to the Chief of Staff Robert B. Blair, and other White House officials relating to efforts to—

(I) solicit, request, demand, induce, persuade, or coerce Ukraine to conduct or announce investigations;

(II) offer, schedule, cancel, or withhold a White House meeting for Ukraine's president; or

(III) hold and then release military and other security assistance to Ukraine;

(v) meetings at or involving the White House that relate to Ukraine, including but not limited to—

(I) President Zelensky's inauguration on May 20, 2019, in Kiev, Ukraine, including but not limited to President Trump's decision not to attend, to ask Vice President Pence to lead the delegation, directing Vice President Pence not to attend, and the subsequent decision about the composition of the delegation of the United States;

(II) a meeting at the White House on or around May 23, 2019, involving, among others, President Trump, then-Special Representative for Ukraine Negotiations Ambassador Kurt Volker, then-Energy Secretary Rick Perry, and United States Ambassador to the European Union Gordon Sondland, as well as any private meetings or conversations with those individuals before or after the larger meeting;

(III) meetings at the White House on or about July 10, 2019, involving Ukrainian officials Andriy Yermak and Oleksander Danylyuk and United States Government officials, including, but not limited to, then-National Security Advisor John Bolton, Secretary Perry, Ambassador Volker, and Ambassador Sondland, to include at least a meeting in Ambassador Bolton's office and a subsequent meeting in the Ward Room;

(IV) a meeting at the White House on or around August 30, 2019, involving President Trump, Secretary of State Mike Pompeo, and Secretary of Defense Mark Esper;

(V) a planned meeting, later cancelled, in Warsaw, Poland, on or around September 1, 2019 between President Trump and President Zelensky, and subsequently attended by Vice President Pence; and

(VI) a meeting at the White House on or around September 11, 2019, involving President Trump, Vice President Pence, and Mr. Mulvaney concerning the lifting of the hold on security assistance for Ukraine;

(vi) meetings, telephone calls or conversations related to any occasions in which National Security Council officials reported concerns to National Security Council lawyers, including but not limited to National Security Council Legal Advisor, John Eisenberg, regarding matters related to Ukraine, including but not limited to—

(I) the decision to delay military assistance to Ukraine;

(II) the July 10, 2019 meeting at the White House with Ukrainian officials;

(III) the President's July 25, 2019 call with the President of Ukraine;

(IV) a September 1, 2019 meeting between Ambassador Sondland and a Ukrainian official; and

(V) the President's September 7, 2019 call with Ambassador Sondland;

(vii) any internal review or assessment within the White House regarding Ukraine matters following the September 9, 2019, re-

quest for documents from the House Permanent Select Committee on Intelligence, the House Committee on Oversight and Reform, and the House Committee on Foreign Affairs, including, but not limited to, documents collected that pertain to the hold on military and other security assistance to Ukraine, the scheduling of a White House meeting for the president of Ukraine, and any requests for investigations by Ukraine;

(viii) the complaint submitted by a whistleblower within the Intelligence Community on or around August 12, 2019, to the Inspector General of the Intelligence Community;

(ix) all meetings or calls, including requests for or records of meetings or telephone calls, scheduling items, calendar entries, White House visitor records, and email or text messages using personal or work-related devices between or among—

(I) current or former White House officials or employees, including but not limited to President Trump; and

(II) Rudolph W. Giuliani, Ambassador Sondland, Victoria Toensing, or Joseph diGenova; and

(x) former United States Ambassador to Ukraine Marie "Masha" Yovanovitch, including but not limited to the decision to end her tour or recall her from the United States Embassy in Kiev;

(C) to the Acting Director of the Office of Management and Budget commanding him to produce, for the time period from January 1, 2019, to the present, all documents, communications, and other records within the possession, custody, or control of the Office of Management and Budget, referring or relating to—

(i) the actual or potential suspension, withholding, delaying, freezing, or releasing of United States foreign assistance, military assistance, or security assistance of any kind to Ukraine, including but not limited to the Ukraine Security Assistance Initiative (referred to in this section as "USAI") and Foreign Military Financing (referred to in this section as "FMF"), including but not limited to—

(I) communications among, between, or referring to Director Michael John "Mick" Mulvaney, Assistant to the President Robert Blair, Acting Director Russell Vought, Associate Director Michael Duffey, or any other Office of Management and Budget employee;

(II) communications related to requests by President Trump for information about Ukraine security or military assistance and responses to those requests;

(III) communications related to concerns raised by any Office of Management and Budget employee related to the legality of any hold on foreign assistance, military assistance, or security assistance to Ukraine;

(IV) communications sent to the Department of State regarding a hold or block on congressional notifications regarding the release of FMF funds to Ukraine;

(V) communications between—

(aa) officials at the Department of Defense, including but not limited to Undersecretary of Defense Elaine McCusker; and

(bb) Associate Director Michael Duffey, Deputy Associate Director Mark Sandy, or any other Office of Management and Budget employee;

(VI) all draft and final versions of the August 7, 2019, memorandum prepared by the National Security Division, International Affairs Division, and Office of General Counsel of the Office of Management and Budget about the release of foreign assistance, security assistance, or security assistance to Ukraine; and

(VII) the Ukrainian government's knowledge prior to August 28, 2019, of any actual or potential suspension, withholding, delaying,

freezing, or releasing of United States foreign assistance, military assistance, or security assistance to Ukraine, including all meetings, calls, or other engagements with Ukrainian officials regarding potential or actual suspensions, holds, or delays in United States assistance to Ukraine;

(ii) communications, opinions, advice, counsel, approvals, or concurrences provided by any employee in the Office of Management and Budget regarding the actual or potential suspension, withholding, delaying, freezing, or releasing of security assistance to Ukraine including legality under the Impoundment Control Act;

(iii) Associate Director Michael Duffey taking over duties related to apportionments of USAI or FMF from Deputy Associate Director Mark Sandy or any other Office of Management and Budget employee;

(iv) all meetings related to the security assistance to Ukraine including but not limited to interagency meetings on July 18, 2019, July 23, 2019, July 26, 2019, and July 31, 2019, including any directions provided to staff participating in those meetings and any readouts from those meetings;

(v) the decision announced on or about September 11, 2019, to release appropriated foreign assistance, military assistance, or security assistance to Ukraine, including but not limited to any notes, memoranda, documentation or correspondence related to the decision;

(vi) all draft and final versions of talking points related to the withholding or release of foreign assistance, military assistance, or security assistance to Ukraine, including communications with the Department of Defense related to concerns about the accuracy of the talking points; and

(vii) all meetings and calls between President Trump and the President of Ukraine, including documents, communications, and other records related to the scheduling of, preparation for, and follow-up from the President's April 21 and July 25, 2019, telephone calls, as well as the President's September 25, 2019, meeting with the President of Ukraine in New York;

(D) to the Secretary of State commanding him to produce, for the time period from January 1, 2019, to the present, all documents, communications, and other records within the possession, custody, or control of the Department of State, referring or relating to—

(i) all meetings and calls between President Trump and the President of Ukraine, including documents, communications, and other records related to the scheduling of, preparation for, and follow-up from the President's April 21 and July 25, 2019 telephone calls, as well as the President's September 25, 2019 meeting with the President of Ukraine in New York;

(ii) the actual or potential suspension, withholding, delaying, freezing, or releasing of United States foreign assistance, military assistance, or security assistance of any kind to Ukraine, including but not limited to the Ukraine Security Assistance Initiative (USAI) and Foreign Military Financing (FMF), including but not limited to all communications with the White House, Department of Defense, and the Office of Management and Budget, as well as the Ukrainian government's knowledge prior to August 28, 2019, of any actual or potential suspension, withholding, delaying, freezing, or releasing of United States foreign assistance to Ukraine, including all meetings, calls, or other engagements with Ukrainian officials regarding potential or actual suspensions, holds, or delays in United States assistance to Ukraine;

(iii) all documents, communications, notes, and other records created or received

by, Secretary Michael R. Pompeo, Counselor T. Ulrich Brechbuhl, former Special Representative for Ukraine Negotiations Ambassador Kurt Volker, Deputy Assistant Secretary George Kent, then-United States Embassy in Ukraine Charge d'Affaires William B. Taylor, and Ambassador to the European Union Gordon Sondland, and other State Department officials, relating to efforts to—

(I) solicit, request, demand, induce, persuade, or coerce Ukraine to conduct or announce investigations;

(II) offer, schedule, cancel, or withhold a White House meeting for Ukraine's president; or

(III) hold and then release military and other security assistance to Ukraine;

(iv) any meetings or proposed meetings at or involving the White House that relate to Ukraine, including but not limited to—

(I) President Zelensky's inauguration on May 20, 2019, in Kiev, Ukraine, including but not limited to President Trump's decision not to attend, to ask Vice President Pence to lead the delegation, directing Vice President Pence not to attend, and the subsequent decision about the composition of the delegation of the United States;

(II) a meeting at the White House on or around May 23, 2019, involving, among others, President Trump, then-Special Representative for Ukraine Negotiations Ambassador Kurt Volker, then-Energy Secretary Rick Perry, and United States Ambassador to the European Union Gordon Sondland, as well as any private meetings or conversations with those individuals before or after the larger meeting;

(III) meetings at the White House on or about July 10, 2019, involving Ukrainian officials Andriy Yermak and Oleksander Danylyuk and United States Government officials, including, but not limited to, then-National Security Advisor John Bolton, Secretary Perry, Ambassador Volker, and Ambassador Sondland, to include at least a meeting in Ambassador Bolton's office and a subsequent meeting in the Ward Room;

(IV) a meeting at the White House on or around August 30, 2019, involving President Trump, Secretary of State Mike Pompeo, and Secretary of Defense Mark Esper;

(V) a planned meeting, later cancelled, in Warsaw, Poland, on or around September 1, 2019 between President Trump and President Zelensky, and subsequently attended by Vice President Pence; and

(VI) a meeting at the White House on or around September 11, 2019, involving President Trump, Vice President Pence, and Mr. Mulvaney concerning the lifting of the hold on security assistance for Ukraine;

(v) all communications, including but not limited to WhatsApp or text messages on private devices, between current or former State Department officials or employees, including but not limited to Secretary Michael R. Pompeo, Ambassador Volker, Ambassador Sondland, Ambassador Taylor, and Deputy Assistant Secretary Kent, and the following: President Zelensky, Andriy Yermak, or individuals or entities associated with or acting in any capacity as a representative, agent, or proxy for President Zelensky before and after his election;

(vi) all records specifically identified by witnesses in the House of Representatives' impeachment inquiry that memorialize key events or concerns, and any records reflecting an official response thereto, including but not limited to—

(I) an August 29, 2019 cable sent by Ambassador Taylor to Secretary Pompeo;

(II) an August 16, 2019 memorandum to file written by Deputy Assistant Secretary Kent; and

(III) a September 15, 2019 memorandum to file written by Deputy Assistant Secretary Kent;

(vii) all meetings or calls, including but not limited to all requests for or records of meetings or telephone calls, scheduling items, calendar entries, State Department visitor records, and email or text messages using personal or work-related devices, between or among—

(I) current or former State Department officials or employees, including but not limited to Secretary Michael R. Pompeo, Ambassador Volker, and Ambassador Sondland; and

(II) Rudolph W. Giuliani, Victoria Toensing, or Joseph diGenova; and

(viii) the curtailment or recall of former United States Ambassador to Ukraine Marie "Masha" Yovanovitch from the United States Embassy in Kiev, including credible threat reports against her and any protective security measures taken in response; and

(E) to the Secretary of Defense commanding him to produce, for the time period from January 1, 2019, to the present, all documents, communications, and other records within the possession, custody, or control of the Department of Defense, referring or relating to—

(i) the actual or potential suspension, withholding, delaying, freezing, or releasing of United States foreign assistance, military assistance, or security assistance of any kind to Ukraine, including but not limited to the Ukraine Security Assistance Initiative (USAI) and Foreign Military Financing (FMF), including but not limited to—

(I) communications among or between officials at the Department of Defense, White House, Office of Management and Budget, Department of State, or Office of the Vice President;

(II) documents, communications, notes, or other records created, sent, or received by Secretary Mark Esper, Deputy Secretary David Norquist, Undersecretary of Defense Elaine McCusker, and Deputy Assistant Secretary of Defense Laura Cooper, or Mr. Eric Chewning;

(III) draft or final letters from Deputy Secretary David Norquist to the Office of Management and Budget; and

(IV) unredacted copies of all documents released in response to the September 25, 2019, Freedom of Information Act request by the Center for Public Integrity (tracking number 19-F-1934);

(ii) the Ukrainian government's knowledge prior to August 28, 2019, of any actual or potential suspension, withholding, delaying, freezing, or releasing of United States foreign assistance, military assistance, or security assistance to Ukraine, including but not limited to all meetings, calls, or other engagements with Ukrainian officials regarding potential or actual suspensions, holds, or delays in United States assistance to Ukraine, including but not limited to—

(I) communications received from the Department of State concerning the Ukrainian Embassy's inquiries about United States foreign assistance, military assistance, and security assistance to Ukraine; and

(II) communications received directly from the Ukrainian Embassy about United States foreign assistance, military assistance, and security assistance to Ukraine;

(iii) communications, opinions, advice, counsel, approvals, or concurrences provided by the Department of Defense, Office of Management and Budget, or the White House, on the legality of any suspension, withholding, delaying, freezing, or releasing of United States foreign assistance, military assistance, and security assistance to Ukraine;

(iv) planned or actual meetings with President Trump related to United States foreign assistance, military assistance, or security assistance to Ukraine, including but not limited to any talking points and notes for Secretary Mark Esper's planned or actual meetings with President Trump on August 16, August 19, or August 30, 2019;

(v) the decision announced on or about September 11, 2019, to release appropriated foreign assistance, military assistance, and security assistance to Ukraine, including but not limited to any notes, memoranda, documentation or correspondence related to the decision; and

(vi) all meetings and calls between President Trump and the President of Ukraine, including but not limited to documents, communications, and other records related to the scheduling of, preparation for, and follow-up from the President's April 21 and July 25, 2019 telephone calls, as well as the President's September 25, 2019 meeting with the President of Ukraine in New York; and

(2) the Sergeant at Arms is authorized to utilize the services of the Deputy Sergeant at Arms or any other employee of the Senate in serving the subpoena authorized to be issued by this section.

SA 1296. Mr. SCHUMER proposed an amendment to the resolution S. Res. 488, to provide for related procedures concerning the articles of impeachment against Donald John Trump, President of the United States; as follows:

At the appropriate place in the resolving clause, insert the following:

SEC. _____. Notwithstanding any other provision of this resolution, pursuant to rules V and VI of the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials, the Chief Justice of the United States, through the Secretary of the Senate, shall issue a subpoena for the taking of testimony of John Robert Bolton, and the Sergeant at Arms is authorized to utilize the services of the Deputy Sergeant at Arms or any other employee of the Senate in serving the subpoena authorized to be issued by this section.

SA 1297. Mr. SCHUMER proposed an amendment to the resolution S. Res. 488, to provide for related procedures concerning the articles of impeachment against Donald John Trump, President of the United States; as follows:

At the appropriate place in the matter following the resolving clause, insert the following:

Notwithstanding any other provision of this resolution, pursuant to rules V and VI of the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials, the Chief Justice of the United States, through the Secretary of the Senate, shall issue a subpoena for the taking of testimony on oral deposition and subsequent testimony before the Senate of John Robert Bolton, and the Sergeant at Arms is authorized to utilize the services of the Deputy Sergeant at Arms or any other employee of the Senate in serving the subpoena authorized to be issued by this paragraph.

The deposition authorized by this resolution shall be taken before, and presided over by, the Chief Justice of the United States, who shall administer to the witness the oath prescribed by rule XXV of the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials. The Chief Justice shall have authority to rule, as an initial matter, upon any question arising out of

the deposition. All objections to a question shall be noted by the Chief Justice upon the record of the deposition but the examination shall proceed, and the witness shall answer such question. The witness may refuse to answer a question only when necessary to preserve a legally recognized privilege, or constitutional right, and must identify such privilege cited if refusing to answer a question.

Examination of the witness at a deposition shall be conducted by the Managers on the part of the House of Representatives or their counsel, and by counsel for the President. The witness shall be examined by not more than 2 persons each on behalf of the Managers and counsel for the President. The witness may be accompanied by counsel. The scope of the examination by the Managers and counsel for both parties shall be limited to subject matters reflected in the Senate record. The party taking a deposition shall present to the other party, not less than 18 hours in advance of the deposition, copies of all exhibits which the deposing party intends to enter into the deposition. No exhibits outside of the Senate record shall be employed, except for articles and materials in the press, including electronic media. Any party may interrogate the witness as if the witness were declared adverse.

The deposition shall be videotaped and a transcript of the proceeding shall be made. The deposition shall be conducted in private. No person shall be admitted to the deposition except for the following: The witness, counsel for the witness, the Managers on the part of the House of Representatives, counsel for the Managers, counsel for the President, and the Chief Justice; further, such persons whose presence is required to make and preserve a record of the proceeding in videotaped and transcript forms, and staff members to the Chief Justice whose presence is required to assist the Chief Justice in presiding over the deposition, or for other purposes, as determined by the Chief Justice. All persons present must maintain the confidentiality of the proceeding.

The Chief Justice at the deposition shall file the videotaped and transcribed records of

the deposition with the Secretary of the Senate, who shall maintain them as confidential proceedings of the Senate. The Sergeant at Arms is authorized to make available for review at secure locations, any of the videotapes or transcribed deposition records to Members of the Senate, one designated staff member per Senator, and the Chief Justice. The Senate may direct the Secretary of the Senate to distribute such materials, and to use whichever means of dissemination, including printing as Senate documents, printing in the Congressional Record, photo- and video- duplication, and electronic dissemination, he determines to be appropriate to accomplish any distribution of the videotaped or transcribed deposition records that he is directed to make pursuant to this paragraph.

The deposition authorized by this resolution shall be deemed to be proceedings before the Senate for purposes of rule XXIX of the Standing Rules of the Senate, sections 101, 102, and 104 of the Revised Statutes (2 U.S.C. 191, 192, and 194), sections 703, 705, and 707 of the Ethics in Government Act of 1978 (2 U.S.C. 288b, 288d, and 288f), sections 6002 and 6005 of title 18, United States Code, and section 1365 of title 28, United States Code. The Secretary of the Senate shall arrange for stenographic assistance, including videotaping, to record the depositions as provided in section 205. Such expenses as may be necessary shall be paid from the "Appropriation Account—Miscellaneous Items" in the contingent fund of the Senate upon vouchers approved by the Secretary.

The deposition authorized by this resolution may be conducted for a period of time not to exceed 1 day. The period of time for the subsequent testimony before the Senate authorized by this resolution shall not exceed 1 day. The deposition and the subsequent testimony before the Senate shall both be completed not later than 5 days after the date on which this resolution is adopted.

SA 1298. Mr. VAN HOLLEN proposed an amendment to the resolution S. Res. 488, to provide for related procedures concerning the articles of im-

peachment against Donald John Trump, President of the United States; as follows:

At the appropriate place in the matter following the resolving clause, insert the following:

Notwithstanding any other provision of this resolution, the Presiding Officer shall issue a subpoena for any witness or any document that a Senator or a party moves to subpoena if the Presiding Officer determines that the witness or document is likely to have probative evidence relevant to either article of impeachment before the Senate, and, consistent with the authority of the Presiding Officer to rule on all questions of evidence, shall rule on any assertion of privilege.

ORDERS FOR MONDAY, FEBRUARY 3, 2020; TUESDAY, FEBRUARY 4, 2020; AND WEDNESDAY, FEBRUARY 5, 2020

Mr. McCONNELL. Mr. Chief Justice, I further ask unanimous consent that when the Senate resumes legislative session on Monday, February 3; Tuesday, February 4; and Wednesday, February 5; the Senate be in a period of morning business with Senators permitted to speak for up to 10 minutes each for debate only.

The CHIEF JUSTICE. Without objection, so ordered.

ADJOURNMENT UNTIL MONDAY,
FEBRUARY 3, 2020, AT 11 A.M.

Mr. McCONNELL. Mr. Chief Justice, finally, I ask unanimous consent that the trial adjourn until 11 a.m., February 3, and that this order also constitute the adjournment of the Senate.

There being no objection, at 7:58 p.m., the Senate, sitting as a Court of Impeachment, adjourned until Monday, February 3, 2020, at 11 a.m.