House of Representatives

The House met at 1:30 p.m. and was called to order by the Speaker pro tempore (Ms. Matsui).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:


I hereby appoint the Honorable Doris O. Matsui to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day.

We thank You once again that we, Your creatures, can come before You and ask guidance for the men and women of this assembly. Send Your spirit of peace, honesty, and fairness during this long weekend of constituent visits. May their ears and hearts be open to listen to the hopes and needs of those whom they represent.

Bless the people of this great Nation with wisdom, knowledge, and understanding, that they might responsibly participate in our American democracy during this primary season.

Please keep all who work for the people’s House in good health, that they might faithfully fulfill the great responsibility given them in their service to the work of the Capitol.

Bless us this day and every day. And may all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day’s proceedings and announces to the House her approval thereof. Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance. The SPEAKER pro tempore led the Pledge of Allegiance as follows:

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:


I hereby appoint the Honorable Cheryl L. Johnson, Clerk of the House, to act as Clerk pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

COMMUNICATION FROM THE REPUBLICAN LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable Kevin McCarthy, Republican Leader:


DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 3, 2020, at 10:29 a.m.:

That the Senate agreed to S. Res. 488. With best wishes, I am

Sincerely,

KEVIN MCCARTHY,
Republican Leader.

COMMUNICATION FROM THE REPUBLICAN LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable Kevin McCarthy, Republican Leader:


DEAR MADAM SPEAKER: Pursuant to 44 USC §2072 I am pleased to appoint the following member to the Advisory Committee on the Records of Congress:

Mr. Günter Waibel, Oakland, California

Thank you for your attention to this matter.

Sincerely,

KEVIN MCCARTHY,
Republican Leader.

COMMUNICATION FROM THE REPUBLICAN LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable Kevin McCarthy, Republican Leader:


DEAR MADAM SPEAKER: Pursuant to 22 USC §1407 is 2:07 p.m. I am pleased to appoint the following member to the Advisory Committee on the Records of Congress:

Mr. Günter Waibel, Oakland, California

Thank you for your attention to this matter.

Sincerely,

KEVIN MCCARTHY,
Republican Leader.
member to the United States-China Economic and Security Review Commission; Mr. Robert Borochoff, Houston, Texas. Thank you for your attention to this matter.

Sincerely, KEVIN MCCARTHY, Republican Leader.

APPOINTMENT OF INDIVIDUAL TO COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The SPEAKER pro tempore. The Chair introduces the Speaker's appointment, pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431) and the order of the House of January 3, 2019, of the following individual on the part of the House to the Commission on International Religious Freedom for a term ending May 14, 2020, to fill the existing vacancy thereon: Dr. James W. Carr, Searcy, Arkansas, to succeed Ms. Kristina Arriaga, Alexandria, Virginia.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon tomorrow for morning-hour debate.

There was no objection. Thereupon (at 1 o'clock and 35 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, February 4, 2020, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

H.R. 5741. A bill to amend title XI of the Social Security Act to clarify parameters for model testing and add accountability to model expansion under the Center for Medicare and Medicaid Innovation; and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CASTEN of Illinois (for himself, Mr. LEVIN of California, Mr. HUFFMAN, and Mr. KENNEDY):
H.R. 5742. A bill to direct the Federal Energy Regulatory Commission to find that certain rates for electricity are inherently unjust and unreasonable, and for other purposes; to the Committee on Energy and Commerce.

By Ms. FINKEN AUER:
H.R. 5743. A bill to repeal the funding authorization sunset and the total funding cap for America's Agricultural Heritage Partnership, and for other purposes; to the Committee on Agriculture.

By Mr. LA MALFA:
H.R. 5744. A bill to establish a categorical exclusion for electric utility rights-of-way, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SEAN PATRICK MALONEY of New York (for himself, Mr. GRAVES of Louisiana, Mr. BLUMENAUER, and Mr. LA HOOT):
H.R. 5745. A bill to amend title 23, United States Code, to establish a competitive grant program to repair, improve, rehabilitate, or replace bridges to improve the safety, efficiency, and reliability of the movement of people and freight over bridge crossings, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. MOORE (for herself and Mr. SMITH of Nebraska):
H.R. 5746. A bill to amend the Internal Revenue Code of 1986 to provide special rules for purposes of determining if financial guaranty insurance companies are qualifying insurance corporations under the passive foreign investment income rules; to the Committee on Ways and Means.

By Ms. PLASKETT (for herself, Miss GONZÁLEZ-COLON of Puerto Rico, Mrs. RADewAGEN, and Mr. SÁN NICOLÁS):
H.R. 5747. A bill to establish the St. Croix National Heritage Area, and for other purposes; to the Committee on Natural Resources.

By Mr. DAVID SCOTT of Georgia (for himself, Ms. FUDER, and Mr. CLEAVER):
H.R. 5748. A bill to rebuild the Nation's crumbling infrastructure, transportation systems, technology and computer networks, and energy distribution systems, and urgently encouraging the immediate re-employment, recruitment, employment, and on-the-job "earn as you learn" training of young African Americans who throughout history experience higher unemployment rates than any other race, which is a national crisis; to the Committee on Education and Labor.

By Mr. CASTEN of Illinois (for himself, Mr. SRINIVASAN, Mr. SARASIN, and Mr. PAYNE):
H. Res. 826. A resolution expressing disapproval of the Trump administration's harmful actions towards Medicaid; to the Committee on Energy and Commerce.

By Mr. McCaul (for himself, Ms. CHENey, Mr. TURNER, Mr. GALLAGHER, and Mr. TUCKER):
H. Res. 827. A resolution affirming that all Chinese companies, private and state-owned, are under the effective control of the Chinese Communist Party; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. SEWELL of Alabama:
H.R. 5741. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8

By Mr. CASTEN of Illinois:
H.R. 5742. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the U.S. Constitution.

By Ms. FINKEN AUER:
H.R. 5743. Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. LA MALFA:
H.R. 5744. Congress has the power to enact this legislation pursuant to the following:
Article Four, section 3, clause 2 of the United States Constitution.

By Mr. SEAN PATRICK MALONEY of New York:
H.R. 5745. Congress has the power to enact this legislation pursuant to the following:
Article I, Sec. 8

By Ms. MOORE:
H.R. 5746. Congress has the power to enact this legislation pursuant to the following:
The Congress enacts this bill pursuant to Sections 7 & 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Ms. PLASKETT:
H.R. 5747. Congress has the power to enact this legislation pursuant to the following:
Article IV, section 3, clause 2 of the United States Constitution.

By Mr. DAVID SCOTT of Georgia:
H.R. 5748. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 94: Mrs. HAYES.
H.R. 619: Mr. PANETTA and Mr. BLUMENAUER.
H.R. 649: Mr. THOMPSON of California.
H.R. 767: Mr. WITTMAN, Mr. RIGGLEMAN, Mr. BREYER, Ms. WENTXTON, Mr. McCaIN, and Mr. SCOTT of Virginia.
H.R. 848: Mr. ROY.
H.R. 983: Mr. PINGREE.
H.R. 1032: Mr. CONNOLLY.
H.R. 1139: Mr. GOLDEN.
H.R. 1164: Mr. GRASSley.
H.R. 1243: Mrs. HAYES.
H.R. 1376: Mrs. HAYES.
H.R. 1276: Ms. HAYES.

February 3, 2020
Mr. Raskin, Mrs. Axne, and Ms. Haaland.

Mr. Raskin.

Mrs. Axne, and Mrs. Torres of California.
The Senate met at 11:05 a.m. and was called to order by the Chief Justice of the United States.

TRIAL OF DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES

The CHIEF JUSTICE. The Senate will convene as a Court of Impeachment.

The Chaplain will lead us in prayer.

PRAYER

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

Let us pray.

Arise, O Lord, as we enter the final arguments phase of this impeachment trial. Mighty God, we continue to keep our eyes on You, on whom our faith depends from start to finish. May our Senators embrace Your promise to do for them immeasurably, abundantly, above all that they can ask or imagine.

Lord, help our lawmakers to store Your promises in their hearts and permit You to keep them from stumbling. Grant that they will leave a legacy of honor as they seek Your will in all they do.

We pray in Your amazing Name. Amen.

PLEDGE OF ALLEGIANCE

The Chief Justice led the Pledge of Allegiance, as follows:

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

THE JOURNAL

The CHIEF JUSTICE. If there is no objection, the Journal of proceedings of the trial are approved to date.

The Deputy Sergeant at Arms will call to order by the Chief Justice of the United States.

The Deputy Sergeant at Arms, Jennifer Hemingway, made proclamation as follows:

Hear ye! Hear ye! Hear ye! All persons are commanded to keep silent, on pain of imprisonment, while the Senate of the United States is sitting for the trial of the articles of impeachment exhibited by the House of Representatives against Donald John Trump, President of the United States.

The CHIEF JUSTICE. The majority leader is recognized.

Mr. McCONNELL. Mr. Chief Justice, colleagues.

Today the Senate will hear up to 4 hours of closing statements by the two sides. We will take a 30-minute lunch break after the House has made its initial presentation. Then we will come back and finish this afternoon.

The CHIEF JUSTICE. Pursuant to the provisions of S. Res. 488, the Senate has provided for up to 4 hours of closing arguments, equally divided between the managers on the part of the House of Representatives and the counsel for the President. Pursuant to rule XXII of the rules of procedure and practice of the Senate when sitting on impeachment trials, the arguments shall be opened and closed on the part of the House of Representatives.

The Presiding Officer recognizes Mr. Manager SCHIFF to begin the presentation on the part of the House of Representatives.

Mr. Manager CROW. Mr. Chief Justice, Members of the U.S. Senate, counsel for the President.

Almost 170 years ago, Senator Daniel Webster of Massachusetts took to the well of the Old Senate Chamber, not far from where I am standing. He delivered what would become perhaps his most famous address, the “Seventh of March” speech. Webster sought to rally the troops on the eve of the fight over what would come to be known as the Compromise of 1850, a package of legislation that would have put an end to the debate over the question of slavery.

He said:

It is fortunate that there is a Senate of the United States; a body not yet moved from its propriety, not lost to a just sense of its own dignity, and its own high responsibilities, and a body to which the country looks with confidence, for wise, moderate, patriotic, and healing counsels. It is not to be denied that we live in the midst of strong agitations and are surrounded by very considerable dangers to our institutions and our government. The imprisoned winds are let loose... but I have a duty to perform, and I mean to perform it with fidelity—not without a sense of surrounding dangers, but not without hope.

Webster was wrong to believe that the Compromise of 1850 could prevent secession of the South, but I hope he was not wrong to put his faith in the Senate because the design of the Constitution and the intention of the Framers was that the Senate would be a Chamber removed from the sway of temporary political winds.

In Federalist 65, Hamilton wrote:

Where else than in the Senate could have been found a tribunal sufficiently dignified, or sufficiently independent? What other body would be likely to feel confidence enough in its own situation, to preserve, unwayed and uninfluenced, the necessary impartiality between an individual accused, and the representatives of the people, his accusers?

In the same essay, Hamilton explained this about impeachment:

The subjects of its jurisdiction are those offenses which proceed from the misconduct of public men, or, in other words, from the abuse or violation of some public trust. They are of a nature which may with peculiar propriety be denominated political, as they relate chiefly to injuries done immediately to the society itself.

The prosecution of them, for this reason, will seldom fail to agitate the passions of the whole community, and to divide it into parties more or less friendly or hostile to the accused... in such cases there will always be the greatest danger that the decision will be regulated more by the comparative strength of parties, than by the real demonstrations of innocence or guilt.

Daniel Webster and Alexander Hamilton placed their hopes in you, the Senate, to be the court of greatest impartiality, to be a neutral representative of the people in determining—uninfluenced by party or preexisting faction—the innocence or guilt of the President of the United States.

Today you have a duty to perform, with fidelity, not without a sense of surrounding dangers, but also not without hope.
I submit to you, on behalf of the House of Representatives, that your duty demands that you convict President Trump. Now, I don’t pretend that this is an easy process. It is not designed to be easy. It shouldn’t be easy to impeach or convict a President. Impeachment is extraordinary, a tool only to be used in rare instances of grave misconduct, but it is in the Constitution for a reason. In America, no one is above the law, even those elected President of the United States. I would say especially those elected President of the United States.

You have heard arguments from the President’s counsel that impeachment would overturn the results of the 2016 election. You have heard that, in seeking the removal and disqualification of the President, the House is seeking to interfere in the next elections. Senators, neither is true, and these arguments demonstrate a deeply misguided or, I think, intentional effort to mislead and prevent this extraordinary remedy from playing in our democracy.

If you believe—as we do and as we have proven—that the President’s efforts to use his official powers to cheat in the 2020 election jeopardized our national security and are antithetical to our democratic tradition, then you must come to no other conclusion but that the President threatens the fairness of the next election and risks putting foreign interference between the voters and their ballots.

Professor Dershowitz and the other counselors to the President have argued that if the President thinks that something is in his interest, then it is, by definition, in the interest of the American people. We have said throughout this process that we cannot and should not leave our common sense at the door. The logical conclusion to this argument is that the President is the State; that his interests are the Nation’s interests; that his will is necessarily ours. You and I and the American people know otherwise; that we do not have to be constitutional scholars to understand that this is a position deeply at odds with our Constitution and our democracy; that believing in this argument or allowing the President to get away with misconduct based on this extreme view would render him above the law.

But we know that this cannot be true. What you decide on this article will have lasting implications for the future of the Presidency, not only for this President but for all future Presidents. Whether or not the office of the Presidency of the United States of America is above the law, that is the question.

As Alexis de Tocqueville wrote in his 1855 work, “Democracy in America,” “The greatness of America lies not in being made more enlightened than any other nation, but rather in her ability to repair her faults.”

In May of 1794, Barry Goldwater and other Republican congressional leaders went to the White House to tell President Nixon that it was time for him to resign and that they could no longer hold back the tide of impeachment over Watergate.

Now, contrary to popular belief, the Republican Party did not abandon Nixon. On the contrary, Nixon came to light. It took years of disclosures and crises and court battles. The party stood with Nixon through Watergate because he was a popular, conservative President, and his base was with him, so they were, too. But, ultimately, as the events unfolded, there were only so many lies you can take, and now there has been one too many.” The President would have us believe that he did not withhold aid to coerce these sham investigations; that his July 25 call with the Ukrainian President was “perfect”; that his meeting with President Zelensky on the sidelines of the U.N. was no different than a head-of-state meeting in the Oval Office; that his only interest in having Ukraine investigations into the Bidens was an altruistic concern against corruption; that the Ukrainians interfered in our 2016 election, not Russia; that Putin knows better than our own intelligence agencies. How many more lies are there to take? When will it be one too many?

Let us take a few minutes to remind you one last time of the facts of the President’s misconduct as you consider how you will vote on this important question. The facts are compelling. The President’s convictions on the two Articles of Impeachment.

Mrs. Manager DEMINGS, Mr. Chief Justice and Senators, over the past 2 weeks, the House has presented to you overwhelming and uncontroversial evidence that President Trump has committed grave abuses of power that harm our national security and were intended to defraud our elections.

President Trump abused the extraordinary powers of the President and the full weight of the U.S. Government to increase pressure on Ukraine’s new President to coerce him to announce two sham investigations that would smear his potential election opponent and raise his political profile and representation of the President.

As the President’s scheme to corrupt our election progressed over several months, it became, as one witness described, “more insidious.” The President’s counsel have obscured the President’s role and the President’s personal interest, who his views the President adopted.

Compounding this damning admission, the President’s counsel have also conceded that Giuliani sought to convince Ukraine to investigate the Bidens and have alleged Ukraine election interference on behalf of his client, the President, and that the President’s focus on these sham investigations was significantly informed by Giuliani, whose views the President adopted.

As President Trump, we would also admit, for the President’s scheme to succeed, he first needed to remove the American Ambassador to Ukraine, Marie Yovanovitch—an anti-corruption champion Giuliani viewed as an obstable. Yovanovitch was going to make the investigations difficult for everybody.” In working with now-indicted associates Lev Parnas and Igor Fruman, Giuliani orchestrated a bogus, monthlong

February 3, 2020
Ukraine resisted announcing the investigations throughout June, so the President and his agent, Rudy Giuliani, turned up the pressure—this time, by wielding the power of the U.S. Government.

In mid-June, the Department of Defense publicly announced that it would be releasing $250 million of military assistance to Ukraine. Almost immediately after seeing this, the President quietly ordered a freeze on the assistance—something that the 17 witnesses in our investigation were provided with a credible reason for the hold when it was implemented, and all relevant agencies opposed the freeze.

In July, Giuliani—who while the President’s appointee made it clear to Ukraine that a meeting at the White House would only be scheduled if Ukraine announced the sham investigations. According to a July 19 email the White House shared with Giuliani, this “electoral deal” as Ambassador Bolton called it, was well known among the President’s most senior officials, including his Chief of Staff, Mick Mulvaney, and Secretary of State Mike Pompeo, and it was relayed directly to senior Ukrainian officials by Gordon Sondland on July 10 at the White House. “Everyone was in the loop.”

Although President Zelensky explained that he did not want to be a “pawn” in Washington politics, President Trump did not care. In fact, on July 25, before President Trump spoke to President Zelensky, President Trump personally conveyed the terms of this quid pro quo to Gordon Sondland, who then relayed the message to Ukraine’s President.

Later that morning, during the now-infamous phone call, President Trump explicitly requested that Ukraine investigate the Bidens and the 2016 election. Zelensky responded as President Trump instructed: He assured President Trump that he would undertake these investigations. After hearing this commitment, President Trump then reiterated his invitation to the White House at the end of the call.

No later than a few days after the call, the highest levels of the Ukrainian Government learned about the hold on military assistance. Senior Ukrainians officials decided to keep quiet, recognizing the harm it would cause to Ukraine’s defense, to the new government’s standing at home, and to its negotiating posture with Russia. Officials in Ukraine and the United States hoped the hold would be reversed before it became public. As we now know, that was not to be.

As we have explained during the trial, the President’s scheme did not begin in Washington politics, but it did not end there either. As instructed, a top aide to President Zelensky met with Giuliani in early August, and they began working on a press statement for Zelensky to issue that would announce the two sham investigations and lead to a White House meeting.

Let’s be very clear here. The documentary evidence alone—the text messages and the emails that we have shown you—confirms definitively the President’s corrupt quid pro quo for the White House meeting. Subsequent testimony further affirms that the President withheld this official act—this highly coveted Oval Office meeting—to apply pressure on Ukraine to do his personal bidding.

The evidence is unequivocal.

Despite this pressure, by mid-August President Zelensky resisted such an explicit announcement of the two politically motivated investigations desired by President Trump personally. By then, the White House meeting remained unscheduled, just as it remains unscheduled to this day.

During this same timeframe in August, the President persisted in maintaining the hold on the aid, despite warnings that he was breaking the law by doing so, as an independent watchdog recently confirmed that he did.

According to the evidence presented to you, the President’s entire Cabinet believed he should release the aid because it was in the national security interest of our country. During the entire month of August, there was no internal review of the aid. Congress was not notified, nor was there any credible reason provided within the executive branch.

With no explanation offered and with the explicit, clear, yet unsuccessful quid pro quo for the White House meeting in the front of his mind, Ambassador Sondland testified that the only logical conclusion was that the President was also withholding military assistance to increase the pressure on Ukraine to announce the investigations. As Sondland and another witness testified, this conclusion was as simple as two plus two equals four. If the White House meeting wasn’t sufficient leverage to extract the announcement he wanted, Trump would use the frozen aid as his hammer.

Secretary Pompeo confirmed Sondland’s conclusion in an August 22 email. It is also clear that Vice President Pence was aware of the quid pro quo over the aid and was directly informed of such in Warsaw on September 1, after the freeze had become public and Ukraine became desperate. Sondland pulled aside a top aide in Warsaw and told him that everything—both the White House meeting and also the security assistance—were conditioned on the announcement of the investigations that Sondland, Giuliani, and others had been negotiating with the same aide earlier in August.

This is an important point. The President claims that Ukraine did not know of the freeze in aid, though we know this to be false. As the former Deputy Foreign Minister has admitted publicly, they found out about it within days of the July 25 call and kept it as a key part of their strategy even after the hold became public on August 28, President Trump’s representatives continued their efforts to secure
Ukraine’s announcement of the investigations. This is enough to prove extortion in court, and it is certainly enough to prove it here.

If that wasn’t enough, however, on September 7, more than a week after the ascent public, President Trump confirmed directly to Sondland that he wanted President Zelensky in a “public box” and that his release of the aid was conditioned on the announcement of the two sham investigations. Having received direct confirmation from the President, Sondland relayed the President’s message to President Zelensky himself.

President Zelensky could resist no longer. America’s military assistance makes up 10 percent of his country’s defense budget, and President Trump’s visible lack of support for Ukraine harmed his leverage in negotiations with Russia. President Zelensky affirmed to Sondland on that same telephone call that he would announce the investigation into Biden’s corruption as a quid pro quo for the military aid.

Two days after President Zelensky confirmed his intention to meet President Trump’s demands, the House of Representatives announced its investigation into these very issues. Shortly thereafter, the inspector general of the intelligence community notified the communities that the whistleblower complaint was being improperly handled—improperly withheld from Congress with the White House’s knowledge.

In other words, the President got caught, and 2 days later, on September 11, the President released the aid. To this day, however, Ukraine still has not received all of the money Congress has appropriated and the White House meeting has yet to be scheduled.

The identity of the whistleblower, moreover, is irrelevant. The House did not release the whistleblower’s complaint, even as it turned out to be remarkably accurate. It does not matter who initially sounded the alarm when they saw smoke. What matters is that the firefighters—Congress—were summoned and found the blaze, and we know that we did.

The facts about the President’s misconduct are not seriously in dispute. As several Republican Senators have acknowledged publicly, we have proof that the President abused his power in precisely the way charged by Article I. President Trump withheld the White House meeting and essential, congressionally appropriated military assistance from Ukraine in order to pressure Ukraine to interfere in the upcoming President election on his behalf.

The sham investigations President Trump wanted announced had no legitimate purpose and were not in the national interest, despite the President’s counsel’s troubling reliance on conspiracy theories to claim that the President acted in the public interest.

The President was not focused on fighting corruption. In fact, he was trying to pressure Ukraine’s President to act corruptly by announcing these baseless investigations. And the evidence makes clear that the President’s decision to withhold Ukraine’s military aid is not connected in any way to purported concerns about corruption or burden-sharing.

Rather, the evidence that was presented to you is damning, chilling, disturbing, and disgraceful. President Trump weaponized our government and the buying power that he held over the American people and the Constitution to target his political rival and corrupt our precious elections, subverting our national security and our democracy in the process. He put his personal interests over those of the country, and he violated his oath of office in the process.

But the President’s grave abuse of power did not end there. In conduct unparalleled in American history, once he got caught, President Trump engaged in comprehensive obstruction of any investigation into his wrongdoing. He ordered every government agency and every official to defy the House’s impeachment inquiry, and he did so for a simple reason: to conceal evidence of his wrongdoing from Congress and the American people.

The President’s obstruction was unlawful and unprecedented, but it also confirmed his guilt. Innocent people don’t try to hide every document and witness, especially those that would clear them. That is what guilty people do. That is what guilty people do. Innocent people do everything they can to clear their name and provide evidence that shows that they are innocent. But it would be a mistake to view the President’s obstruction narrowly, as the President’s counsel have tried to portray it. The President did not defy the House’s impeachment inquiry as part of a routine interbranch dispute or because he doubted the constitutionality of or his privileges of his Presidency. He did it consistent with his vow to “fight all subpoenas.”

The second article of impeachment goes to the heart of our Constitution and our democratic system of government. The Framers of the Constitution purposefully entrusted the power of impeachment in the legislative branch so that it may protect the American people from a corrupt President.

The President’s obstruction is not the first time this argument has been made. President Nixon made it too, but it was roundly rejected by the House Judiciary Committee 45 years ago, when the committee passed an article for obstruction of Congress. The President’s argument is as shameful as it is hypocritical. The President’s counsel is arguing in this trial that the House should have gone to court to enforce its subpoenas, while at the same time, the President’s own Department of Justice is arguing in court that the House cannot enforce the subpoenas through the courts. And you know what remedy they say in court is available to the House? Impeachment for obstruction of Congress.

This is not the first time this argument has been made. President Nixon made it too, but it was roundly rejected by the House Judiciary Committee 45 years ago, when the committee passed an article for obstruction of Congress for a far more serious objection than we have here. The committee concluded that it was inappropriate to enforce its subpoenas in court and, as the slide shows:

- The Committee concluded that it would be inappropriate to seek the aid of the courts to enforce its subpoenas against the President. This conclusion is based on the constitutional provision vesting the power of impeachment solely in the Representatives and the express denial by the Framers of the Constitution of any role for the courts in the impeachment process.
- Again, the Committee Report on Nixon’s article of Impeachment.
- Mr. Manager JEFFRIES. Once we strip the President’s obstruction of this legal window dressing, the consequences are as clear as they are dire for our democracy. To allow President’s obstruction would strike a deathblow to the impeachment clause in the Constitution. And if the Congress cannot enforce this sole power
vested in both Chambers alone, the Constitution’s final line of defense against a corrupt Presidency will be eviscerated.

A President who can obstruct and thwart the impeachment power becomes unaccountable. He or she is effectively above the law. And such a President is more likely to engage in corruption with impunity. This will become the new normal with this President and for future generations.

So, what do we leave us? As many of you in this Chamber have publicly acknowledged in the past few days, the facts are not seriously in dispute. We have proved that the President committed grave offenses against the Constitution. The question that remains is whether that conduct warrants conviction and removal from office.

Should the Senate simply accept or even condone such corrupt conduct by a President? Should the Senate choose our Commander in Chief to stand, what message do we send to our European allies fighting a hot war against our adversary hundreds of millions of dollars of military aid to buy sniper rifles, rocket-propelled grenade launchers, radar and night vision goggles, so that they may fight the war over there, keeping us safe here?

If we allow the President’s misconduct to stand, what message do we send? What message do we send to Russia, our adversary intent on fracturing democracy around the world?

What will we say to our European allies, already concerned with this President, about whether the United States will continue to support our NATO commitments that have been a pillar of our foreign policy since World War II? What message do we send to our allies in the free world?

What could undermine our credibility around the world?

If we allow the President’s conduct to stand, what will we say to the 68,000 men and women in uniform in Europe right now who courageously and admirably wake up every day ready and willing to fight for America’s security and prosperity for democracy and freedom in Europe and around the world? What message do we send them when we say America’s national security is for sale?

That cannot be the message we want to send to our Ukrainian friends or our European allies, or to our children and our grandchildren who will inherit this precious Republic, and I am sure it is not the message that you wish to send to our adversaries.

The late Senator John McCain was an astounding man—a man of great principle, a great patriot. He fought admirably in Vietnam and was imprisoned as a POW for over 5 years, refusing an offer by the North Vietnamese to be released early because his father was a prominent admiral. As you all are aware, Senator McCain was a great supporter of Ukraine, a great supporter of Europe, a great supporter of our troops. Senator McCain understood the importance of democracy and prosperity. For democracy and prosperity to flourish, the public needs to be protected. The public needs to have confidence in its institutions.

The Ukrainians and the Europeans and the Americans around the world and here at home are watching what we do. They are watching to see what this President will do, and they are relying on you, Senator McCaskill, to uphold the principles on which this country was founded and which we trusted you to uphold for more than 240 years.

With President Trump, the past is prologue. This is neither the first time that the President solicited foreign interference in his own election, nor is it the first time that the President tried to obstruct an investigation into his misconduct. But you will determine—what you do will determine whether it will be his last.

As we speak, the President continues his wrongdoing unchecked and unashamed. Donald Trump hasn’t stopped trying to pressure Ukraine to smear his political rivals and obstructing Congress. His political agent, Rudolph Giuliani, recently returned to the scene of the crime in Ukraine to manufacture more dirt for his client, the President of the United States.

President Trump remains a clear and present danger to our national security and to our credibility around the world. He is decimating our global standing as a beacon of democracy while corrupting our free and fair elections here at home.

What is a greater protection to our country than ensuring that we, the American people, alone, not some foreign government, choose our Commander in Chief? The American people alone should decide who represents us in any office without foreign interference—particularly the highest office in the land. And what could undermine our national security more than the hold of a foreign ally fighting a hot war against our adversary hundreds of millions of dollars of military aid to buy sniper rifles, rocket-propelled grenade launchers, radar and night vision goggles, so that they may fight the war over there, keeping us safe here?

If we allow the President’s misconduct to stand, what message do we send? What message do we send to Russia, our adversary intent on fracturing democracy around the world?

What will we say to our European allies, already concerned with this President, about whether the United States will continue to support our NATO commitments that have been a pillar of our foreign policy since World War II? What message do we send to our allies in the free world?

The attacks on them degrade our institution and all who serve in it. You
have asked me why I hired certain of my staff, and I will tell you—because they are brilliant, hard-working, patriotic, and the best people for the job, and they deserve better than the attacks they have been forced to suffer.

Mr. Chief Justice, I want to close this portion of our statement by reading you the words of our dear friend and former colleague in the House, the late Elijah Cummings, who said this on the day he was called to order by the Speaker—this portion of the impeachment inquiry:

As elected Representatives, [he said], of the American people, we speak not only for those who are here with us now, but for generations yet unborn. Our voices today are messages to a future we may never see. When the history books are written about this tumultuous era, I want them to show that I was among those in the House of Representatives who stood up to lawlessness and tyranny.

We, the managers, are not here representing ourselves alone or even just the House, just as you are not here making a determination as to the President’s guilt or innocence for yourselves alone. No, you and we represent the American people, the ones at home and at work who are hoping that their country will remain what they have always believed it to be: a beacon of hope, of democracy, and of inspiration to those striving around the world to create their own more perfect unions—for those who were standing up to lawlessness and to tyranny.

Donald Trump has betrayed his oath to protect and defend the Constitution, but it is not too late for us to honor ours and to wield our power to defend our democracy. As President Abraham Lincoln said at the close of his Cooper Union Address on February 27, 1860, “[n]either let us be slandered from our duty by false accusations against us, nor frightened from it by menaces of destruction to the Government nor of dungeons to ourselves. Let us have faith that right makes might, and in that faith, let every fair man and true who comes to this country for freedom protect that right. As composers are wont to do, Berlin worked very carefully with the lyrics. The song needed to be pure. It needed to be above politics, above partisan-ship. He intended it to be a song for all America, but he intended it to be more than just a song. It was to be a prayer for the country.

As your very distinguished Chaplain, RADM Barry Black, has done in his Fifth floor of the Robert F. Kennedy Memorial Chapel, he intended it to be a song for all the voters to choose their President. It was designed to be part of a musical review for his Army camp out on Long Island, Suffolk County. The song was “God Bless America.” The composer, of course, was Irving Berlin, who came here at the age of 5, the son of a Jewish immigrant who came to this country for freedom.

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And we hear the voice of Martin Luther King, Jr., and his dream-filled speech about freedom echoing the great passages inscribed on America’s temple of justice, the Lincoln Memorial, which stood behind Dr. King as he spoke on that historic day. Dr. King is gone, but his words remain with us. And during his magnificent life, Dr. King spoke not only about freedom, freedom standing alone; he spoke frequently about freedom and justice. And in his speeches he summoned up regularly the words of a Unitarian abolitionist from the prior century, Theodore Parker, who referred to the moral arc of the universe: “the long Arch of the Universe points toward justice—freedom and justice—freedom, whose contours have been shaped over the centuries in the English-speaking world by what Justice Benjamin Cardozo called the authentic forms of justice through which we engage with the world. Authentic, Authenticity.

And at the foundation of those authentic forms of justice is fundamental fairness. It is playing by the rules. It is why we don’t allow deflated footballs or stealing signs from the field. Rules are rules. They are to be followed.

And so I submit that a key question to be asked as you begin your deliberations: Were the rules here faithfully followed? If not, if that is your judgment, then, with all respect, the prosecutors should not be rewarded, just as Federal prosecutors are not rewarded. You didn’t follow the rules. You should have.

As a young lawyer, I was blessed to work with one of the great trial lawyers of his time, and I asked him: Dick, what’s your secret? He had just defended, successfully, a former United States Senator who was charged with a serious offense—perjury before a Federal grand jury. His response was simple and forthright. His words could have come from a 19th century, Theodore Parker, who reminded us: ‘Each generation must take up the unfinished work of its time, and every generation must ask: What is it to which we are to lend our strength and our skill and our faith?’

And so here is a question, as you begin your deliberations: Have the facts as presented to you as a court, as the High Court of Impeachment, proven trustworthy? Have the words could have come from prairie lawyer Abe Lincoln: I let the judge and the jury know that they can believe and trust every word that comes out of my mouth. I will not be proven wrong.

And so, as President Abraham Lincoln said at the close of his Cooper Union Address on February 27, 1860, “[n]either let us be slandered from our duty by false accusations against us, nor frightened from it by menaces of destruction to the Government nor of dungeons to ourselves. Let us have faith that right makes might, and in that faith, let every fair man and true who comes to this country for freedom protect that right. As composers are wont to do, Berlin worked very carefully with the lyrics. The song needed to be pure. It needed to be above politics, above partisan-ship. He intended it to be a song for all America, but he intended it to be more than just a song. It was to be a prayer for the country.

As your very distinguished Chaplain, RADM Barry Black, has done in his opening address to the Senate on Tuesday, the United States Senate, this body, and its rules, have never been held to a higher standard. Our voices today are messages to a future we may never see. When the history books are written about this tumultuous era, I want them to show that I was among those in the House of Representatives who stood up to lawlessness and tyranny.

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traditional procedures that have been followed scrupulously in prior impeachment proceedings? And the Judiciary Committee, the venerable Judiciary Committee of the House of Representatives—compare and contrast the thoroughness of that committee in the age of Clinton with all of its divisiveness within the committee in this proceeding.

A question to be asked: Did the House Judiciary Committee rush to judgment regarding the Articles of Impeachment? Did it carefully gather the facts, assess the facts before it concluded? We need nothing more than the panel of very distinguished professors and the splendid presentations by both the majority counsel and the minority counsel.

We asked some questions. The Republicans asked some questions. We heard their answers. We are ready to vote. We are ready to try this case in the High Court of impeachment.

What was being said in the sounds of silence was this: We don’t have time to follow the rules. We won’t even allow the House Judiciary minority members, who have been beseaching us time and again to store their day—just one day—to call their witnesses. Oh yes, that is expressly provided for in the rules, but we will break those rules.

That is not liberty and justice for all. The great political scientist of yesteryear, Richard Hofstadter, has observed that the power of the President is ultimately the power to persuade—oh yes, the Commander in Chief, and, yes, charged with the conduct and authority to guide the Nation’s foreign relations, but ultimately it is the power to persuade.

I suggest to you that so, too, the House’s sole power to impeach is likewise ultimately a power to persuade over in the House.

A question to be asked: In the fast-track impeachment process in the House of Representatives, did the House majority persuade the American people—not just partisans; rather, did the House’s case win over the overwhelming majority of consensus of the American people?

The question fairly to be asked: Will I cast my vote to convict and remove the President of the United States when not a single member of the President’s party or party of Lincoln was persuaded at any time in the process?

In contrast, and when I was here last week, I noted for the record of these proceedings that in the Nixon impeachment, the House voted to authorize the impeachment inquiry was 40 to 1, in the Clinton impeachment—divisive, controversial—31 Democrats voted in favor of the impeachment inquiry. Here, of course, and in sharp contrast, the answer is, no matter, and in sharp contrast, the answer is, no persuading.

It is said that we live in highly and perhaps hopelessly partisan times. It is said that no one is open to persuasion anymore. They are getting their news entirely from their favorite media platform, and that platform of choice is fatally deterministic.

Well, at least the decision of decision makers under oath, who are bound by sacred duty, by oath, or affirmation, to do impartial justice, leaves the platform of intermediaries and shapers of thought, of expression, of opinion, are outside these walls where you serve.

Finally, does what is before this court—a very serious issue described by the able House managers but fairly viewed—rise to the level of a high crime or misdemeanor, one so grave and so serious to bring about the profound disruption of the article II branch, the disruption of the government, and to tell the American people—and, yes, I will say this is the way it would be read—“Your vote in the last election is hereby declared null and void. And by the way, we are not going to allow you, the American people, to sit in judgment on this President and his record in November”? That is neither freedom, nor is it justice. It is certainly not consistent with the most basic freedom of ‘we the people,’ the freedom to vote.

I yield to my colleague, Mr. Purpura. Mr. Counsel PURPURA. Mr. Chief Justice, Members of the Senate, good afternoon. I will be relatively brief today and will not repeat the arguments that we have made throughout. But I want to highlight a few things.

There are a number of reasons why the Articles of Impeachment are deficient and must fail. My colleagues have spent the past week describing those reasons. In my time today, I would like to review just a few core facts, which, again, remember, are all drawn from the record on which the President was impeached in the House and that the House managers brought to this body in support of their case.

First, the President did not condition security assistance or a meeting on anything during the July 25 call. In fact, both Ambassador Yovanovitch and Mr. Tim Morrison confirmed that the Javelin missiles and the security assistance were completely unrelated.

The concerns that Lieutenant Colonel Vindman expressed on the call were, by his own words and admission, based on deep policy concerns.

And Mr. Morrison also testified that the Ukrainians did not bring up the issue of the hold from the POLITICO article, published on August 28. Mr. Danylyuk also said there was panic within the Zelensky administration when they found out about the hold from the POLITICO article, indicating that the highest levels of the administration were unaware of the pause until the article was published.

Just last week, while we were in this trial, Oleksandr Danylyuk, former chairman of Ukraine’s National Security and Defense Council, said he first found out about the hold was withholding aid to Ukraine by reading POLITICO’s article published August 28.

Mr. Yermas likewise said that President Zelensky and his key advisers learned of the hold from the August 28 POLITICO article.

We showed you the text message from Mr. Yermas to Ambassador Volker just hours after the POLITICO article was published. You also remember all of the high-level, bilateral meetings at which the Ukrainians did not bring up the pause in the security assistance because they did not know it. When they did find out on August 28, they raised the issue at the very next meeting in Warsaw on September 1.

This is a really important point. As Ambassador Volker testified, if the Ukrainians didn’t know about the pause, there was no leverage implied. That is why the House managers have kept claiming and continued to claim throughout the trial that the high-level Ukrainians somehow knew about the pause before late August. That is inaccurate.

We pointed out that Laura Cooper, on whom they rely, testified she didn’t really know what the emails she saw
relating to security assistance were about.

We told you that Catherine Croft, who worked for Ambassador Volker, couldn’t remember the specifics of when she believed the Ukrainian Embassy pause and that she didn’t remember when news of the pause became public.

The House managers also mentioned Lieutenant Colonel Vindman, who claimed to have accurate recollections of fielding unspecified queries about aid from Ukrainians in the mid-August timeframe. But Lieutenant Colonel Vindman ultimately agreed that the Ukrainians first learned about the hold on security assistance probably around when the first stories emerged in the open source.

Former Deputy Foreign Minister Olena Zerkali’s claim that she knew about the pause in July is inconsistent with statements by her boss, the then-Foreign Minister of Ukraine, who said that he learned of the pause from a news article, of which the August 28 POLITICO article was the first, as well as those of all of the other top-level Ukrainians I have mentioned, the testimony of the top U.S. diplomats responsible for Ukraine, and the many intervening meetings at which the pause was not mentioned.

Fourth, none of the House witnesses testified that President Trump ever said there was any linkage between security assistance and investigations. When Ambassador Sondland asked the President on approximately September 9, the President sent him:

I want nothing. I want nothing. I want no quid pro quo. Before he asked the President, Ambassador Sondland presumed and told Ambassador Taylor and Mr. Morrison that there was a connection between the security assistance and the investigations. That was before he asked the President directly.

Even earlier, on August 31, Senator Ron Johnson asked the President if there was any connection between security assistance and investigations. The President answered:

No way. I would never do that. Who told you that?

Under Secretary of State David Hale, Mr. Kent, and Ambassador Volker all testified that they were not aware of any connection whatsoever between security assistance and investigations.

The House managers repeatedly point to a statement by Acting Chief of Staff Mick Mulvaney during an October press conference. When it became clear that the media was misinterpreting his comments or that he had simply misspoken, Mr. Mulvaney promptly, on the very day of the press conference, issued a written statement making clear that there was no quid pro quo. Here is his statement:

Let me be clear, there was absolutely no quid pro quo between Ukrainian military aid and any investigation into the 2016 election. The President told me to withhold aid money until the Ukrainians did anything related to the server.

The only reasons we were holding the money was because of concern about lack of support from other nations and concerns over corruption. Accordingly, Mr. Mulvaney in no way was concerned about the link between the paused security assistance and investigations. A garbled or misinterpreted statement or a mistaken statement that is promptly clarified or the original statement is not the kind of reliable evidence that would lead to the removal of the President of the United States from office. In any event, Mr. Mulvaney also stated during the press conference itself that the money held up had absolutely nothing to do with Biden.

Now, why does this all matter? I think Senator ROMNEY really got to the heart of this issue on Thursday evening when he asked both parties whether there is any evidence that President Trump directed anyone who tell the Ukrainians that security assistance was being held up on the condition of an investigation into the Bidens. That was the question. There is no such evidence.

Fifth, the security assistance was released because the President’s concerns with burden-sharing and corruption were addressed by a number of people, including some in this Chamber today, without Ukraine ever announcing or undertaking any investigations. You have heard the stated reason on the administration knew why the security assistance was paused. That is not true. Two of the House managers’ own witnesses testified regarding the reason for the pause. As Mr. Morrison testified, it was tied by officials throughout the executive branch agencies, the reason provided for the pause by a representative from the Office of Management and Budget was that the President was concerned about corruption—corruption in Ukraine and he wanted to make sure Ukraine was doing enough to manage that corruption. Further, according to Mark Sandy, Deputy Associate Director for National Security, Office for Management and Budget, has received requests for additional information on what other countries were contributing to Ukraine.

We told you about the work that was being done to monitor and collect information about anti-corruption reforms in Ukraine and burden-sharing during the summer pause. We told you about how, when President Zelensky asked Vice President Pence in Poland about the President’s phone call, the President, according to Jennifer Williams, what the status of his reform efforts were that he could then convey back to the President and also wanting to hear if there was more that European countries could do to support Ukraine. Mr. Morrison, who was actually at the Warsaw meeting, testified similarly that Vice President Pence delivered a message about anti-corruption and burden-sharing.

We told you about the September 11 call with President Trump, Senator Portman, and Vice President Pence. Mr. Morrison testified that the entire process culminating in the September 11 call gave the President the confidence he needed to approve the release of the security sector assistance, all without any investigations being announced.

Now, I focused so far on the House managers’ allegation that there was a quid pro quo for security assistance. Let me turn very briefly to the claim that a Presidential meeting was also conditioned on investigations. Remember, by the end of the July 25 call, President Trump had personally invited President Zelensky to meet him three times—twice by phone, once in a letter, without any preconditions. You heard the White House was working behind the scenes to schedule the meeting and how difficult scheduling those meetings can be. The two Presidents planned to meet in Warsaw, just as President Zelensky requested on the July 25 call. President Trump had to cancel at the last minute due to Hurricane Dorian. President Trump and President Zelensky then met 3 weeks later in New York without Ukraine announcing any investigations.

Finally, one thing that the House managers’ witnesses agreed upon was that President Trump has strengthened the relationship between the U.S. and Ukraine and has become a friend to Ukraine, a stronger opponent of Russian aggression than President Obama. Most notably, Ambassador Taylor, Ambassador Volker, and Ambassador Yovanovitch all testified that President Trump’s predecessor’s refusal to send the Ukrainians lethal aid was a meaningful and significant policy development and improvement for which President Trump deserves credit.

Just last week, Ambassador Volker, who knows more about U.S.-Ukraine relationships than nearly, if not, everyone, published a piece in Foreign Policy magazine. I would like to read you an excerpt:

Beginning in mid-2017, and continuing until its impeachment inquiry began in September 2019, U.S. policy toward Ukraine was strong, consistent, and enjoyed support across the administration, bipartisan support in Congress, and support upon U.S. allies and in Ukraine itself.

The Trump administration also coordinated Ukraine policy closely with allies in Europe and Canada—maintaining a united front against Russian aggression and in favor of Ukraine’s democracy, reform, sovereignty, and territorial integrity. Ukraine policy was one of the few areas in which European policies have been in lockstep. The administration lifted the Obama-era ban on the sale of lethal arms to Ukraine, delivering what other countries were contributing to Ukraine.

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ongoing impeachment process, have left Ukraine and its new reform-minded president, Volodymyr Zelensky, exposed and relatively isolated. The only one who benefits from this is Russian President Vladimir Putin.

Those are the words of Ambassador Volker. He was one of the House managers’ key witnesses. He was the very first witness to testify in the House proceedings on October 3. So I think it is fitting that he may be the last witness we hear from. In his parting words, Ambassador Volker admonishes that it is U.S. partisan politics which have imperiled Ukraine.

In sum, the House managers’ case is not overwhelming, and it is undisputed. The House managers bear the heavy burden of proof. They did not meet it. It is not because they didn’t get the additional witnesses or documents that they failed to pursue. It is because their witnesses have already offered substantial evidence undermining their case, and, important, as you have heard from Professor Dershowitz and from Mr. Philbin, the first article does not support or allege the unlawful authority delegated to any committee to begin an impeachment investigation from the House and, therefore, without the ability to have a fair proceeding, and it meant it reflected the fact that those proceedings were not truly designed as a search for truth. We have procedural protections. We have the right of cross-examination as a mechanism for getting to the facts, and that was not present in the House of Representatives.

Lastly, Manager Schiff, as an interested witness who had been involved in—or at least his staff—discussions with the whistleblower, then guided factual inquiry in the House. So why does all of this matter? It matters because the lack of a vote meant that there was no democratic accountability and no lawful authorization from the beginning of the process. It meant that there were procedural defects that produced a result that this Chamber can’t rely on for any conclusion other than to reject the Articles of Impeachment and to acquit the President. And it matters because the President asserted these violations of the President’s rights—the failure to follow proper procedure, failure to follow the law—has rights of his own, rights of the executive branch to be asserted. And that is the President’s responsibility—those invalid subpoenas that they are invalid, we are not going to comply with them.

And the President asserted other rights of the executive branch. When there were subpoenas for his senior advisers to come and testify, along with virtually every President since Nixon, he asserted the principle of immunity of the senior advisers, that they could not be called to testify. And the President asserted the defects in the subpoenas that called for executive branch officials to be present in the presence of agency counsel—all established principles that have been asserted before.

What do the House managers say in response? They accuse the President in their second article of impeachment of trying to assert obstruction—that this was an unprecedented response and unprecedented refusal to cooperate. It was unprecedented the 23 subpoenas were issued in a Presidential impeachment inquiry without valid authorization. The President’s response was to a totally unprecedented attempt by the House to do that which it had no authority to do. They have asserted today and on other occasions that the President’s legal argument in response to these subpoenas—they have said that it is indiscriminate. There was just a blanket defiance. I think I have shown that wasn’t true. There were three very specific legal rationales provided by the Executive branch as to different defects and differences to the invalid subpoenas explaining those defects. But there was no attempt by the House to attempt an accommodations process, even though the White House offered to engage in an accommodations process. There was no attempt by the House to use other mechanisms to resolve the differences with the executive branch. It was just straight to impeachment.

Now, they asserted today and on other occasions that it was the President’s counsel—that I and my colleagues have made bad-faith legal arguments. They were just window dressings. In an ordinary court of law, one doesn’t accuse opposing counsel of making bad-faith arguments like that, and you make them and then have to be backed up with analysis, but there hasn’t been analysis here. There has just been accusation.

When the President asserts the immunity of his senior advisers, that is a principle that has been asserted by virtually every President since Nixon. Let me read you what Attorney General Janet Reno, during the Clinton administration, said about this exact immunity. She said that immediate advisers to the President—such as you have heard from Attorney General Reno asserting that principle that has been asserted by virtually every President since Nixon, and may not be overborne by competing congressional interests.

And she went onto say: “Compelling one of the President’s immediate advisers to testify on a matter of executive decision-making would also raise serious constitutional problems, no matter the assertion of congressional need.”

Was that bad faith? Was Attorney General Reno asserting that principle in bad faith, and President Clinton?

President Obama asserted the same principle for his senior political advisers. Was that bad faith?

Of course not. These are principles defending the separation of powers that Presidents have asserted for decades. President Trump was defending the institutional interests of the Office of the Presidency and is asserting the same principles here. That is vital for the continued operation of the separation of powers.

The House managers have also said that, once the President asserted these defects in their subpoenas and resisted them, they had no time to do anything else. They had to go straight to impeachment. They could not accommodate. They could not go through a contempt process. They could not litigate.

The idea that there is no time for dealing with that friction with the executive branch is really antithetical to the proper functioning of the separation of powers. It goes against part of the way the separation of powers is supposed to work. That interbranch friction is meant to take time to resolve. It is meant to slow things down and to be somewhat difficult to work through. They could not accommodate to work together to accommodate the interests of each branch, not just to jump to the conclusion of, well, we have no
time for that. We have to assert absolute authority on one side of the equation.

This is something that Justice Brandeis pointed out in a famous dissent in Myers v. United States, but it has since been echoed many times by the Court majority.

He said: “The doctrine of the separation of powers was adopted by the Convention of 1787, not to promote efficiency”—so he is saying not to make government move quickly—“but to preclude the exercise of arbitrary power. The purpose was not to avoid friction but, by means of the inevitable friction incident to the distribution of the governmental powers among the three departments, to save the people from autocracy.”

That is a vitally important principle. The friction between the branches, even if it means taking longer, even if it means not jumping straight to impeachment, is part of the constitutional system and it is required to force the branches to determine incrementally where their interests lie, to resolve disputes incrementally, and not to jump straight to the ultimate nuclear weapon of the Constitution.

We have heard from the House managers that everything the President did here in asserting the prerogatives of his office—in asserting the principles of immunity—must be wrong, must be rejected because only the guilty will assert a privilege; only the guilty will not allow evidence.

That is definitely not a principle of American jurisprudence. It is antithetical to the fundamental principles of our system of laws. As we have pointed out in our trial memorandum in Bordenkircher v. Hayes and in other decisions, the Supreme Court has made clear that the very idea of punishing someone for asserting rights or privileges or suggesting that asserting the right or privilege is evidence of guilt is contrary to basic principles of due process.

It takes on an even more malignant tenor to it when that principle is asserted in the context of a dispute between the branches relating to the boundaries of their relative powers, because what the House is essentially asserting in this case is that any assertion of the prerogatives of the Office of the President—any attempt to maintain the principles of separation of powers of executive confidentiality that have been asserted by past Presidents—can be treated by the House as evidence of guilt. And here, their entire second Article of Impeachment is structured on the assumption that the House can treat the assertion of principles grounded in the separation of powers as an impeachable offense.

Boiled down to its essence, it is an assertion that defending the separation of powers—if the President does it in a way that they don’t like—and in a time that they don’t like—can be treated as an impeachable offense. That is an incredibly dangerous assertion because, if it were accepted, it would fundamentally alter the balance between the different branches of our government.

It would suggest—and Professor Turley explained this, and Professor Dershowitz explained it here—that, if Congress can assert on Congress, on the executive and the executive resists based on separation of powers principles that past Presidents have asserted, Congress can nonetheless say: We have decided to proceed by impeachment.

That is what the principle they assert in the House Judiciary Committee’s report: We have the sole power of impeachment. That means we are the sole judge of our own actions. There is no need for accommodation, and there is no need for the courts. We will determine that any resistance you provide is itself impeachable.

That would fundamentally transform our government by essentially giving the House the same sort of power as a parliamentary system—to use impeachment as a way of setting policy. What is more, it would fundamentally transform the principles of separation of powers. It would make the Executive dependent on Congress in a manner antithetical to the system that the Framers envisioned.

So why is it that there are all of these defects in the House managers’ case for impeachment? Why are they asserting principles like “only the guilty would assert privileges”? That is not a part of our system of law. Why are they asserting that, if the Executive resists, the House has the sole power to determine the boundaries of its own power in relation to the Executive? That is also not something that is in our system of jurisprudence. And why the lack of due process in the proceedings below?

I think, as we have explained, it is because this was a purely partisan impeachment from the start. It was purely partisan and purely political, and that is something that the Framers foresaw.

I will point to one passage from Federalist No. 65. There are a number of different passages from that which have been cited over the course of the past week, but I don’t think this one has. It is just after Hamilton points out—he warns—that an impeachment in the House could be the result of the “persecution of an intertemporal or designating majority in the House of Representatives.”

Then he goes on: “Though this latter supposition may seem harsh, and might not be likely often to be verified, yet it ought not to be forgotten that the demon of faction will, at certain seasons, extend his sceptre over all numerous bodies of men.”

Now, that is very 18th century language. We don’t talk about demons extending their scepters over men, but it is prescient nonetheless. We might not be comfortable with the terms, but it is accurate for what can happen, and that is what has happened in this impeachment.

This was a purely partisan, political process. It was opposed bipartisanly in the House. It was done by a process that was not designed to persuade anyone or to get to the truth or to provide process and abide by past precedents. It was done to get it finished by Christmas and a political timetable, and it is not something that this Chamber should condone. That in itself provides a sufficient and substantial reason for rejecting the Articles of Impeachment.

Members of the Senate, it has been an honor to be able to address you over the past week and a half or 2 weeks, and I thank you for your attention.

I yield to Mr. Sekulow.

Mr. Counsel SEKULOW, Mr. Chief Justices, the Majority Whip, Mr. McConnell, the Democratic Leader Schumer, House managers, I want to join my colleagues in thanking you for your patience over these 2 weeks.

I want to focus on one last point. We believe that we have provided the evidence overwhelmingly that both Articles of Impeachment have failed to allege impeachable offenses and that, therefore, both articles—I and II—must fail.

This entire campaign of impeachment—this that started from the very first day the President was inaugurated—is a partisan one, and it should never happen again. For 3 years, this push for impeachment came straight from the President’s opponents, and when it finally reached a crescendo, it put this body—the U.S. Senate—into a horrible position.

I want to start by taking a look back.

On the screen is a graphic of a Washington Post headline from January 20, 2017: “The Campaign to impeach President Trump has begun.” This was posted 19 minutes after he was sworn in.

I also want to play a video in which Members, as early as January 15, 2017—before the President was sworn into office—were calling for his impeachment. (Text of Videotape presentation:)

Mr. RASKIN. Let me say this for Donald Trump, whom I may well be voting to impeach.

Mr. ELLISON. I think that Donald Trump has already done a number of things which have legitimately raised a question of impeachment.

Ms. WATERS. And I will fight every day until he is impeached.

Mr. GREEN of Texas. I rise today, Mr. Speaker, to call for the impeachment of the President of the United States of America.

Mr. COHEN. The main reason I’m interested in not getting to the Senate, which is a byproduct, but it’s because I think he has committed impeachable offenses.

Mr. CASTRO of Texas. But if we get to this point, then, yes, I think that’s grounds to start impeachment.

Mr. COHEN. So we’re calling upon the House to begin impeachment hearings immediately.

Question. Why do you think specifically he should be impeached?
Mr. ESPAILLAT. Well, there are five reasons why we think he should be impeached.

Question. On the impeachment of Donald Trump, how would you vote?

Mr. PHILIPP. I would vote yes.

Ms. OCASIO-CORTEZ. I would vote to impeach.

Mr. TLAIB. Because we’re going to impeach the (bleep).

Mr. SHERMAN. I introduced the Articles of Impeachment in July of 2017. All I did yesterday was make sure that those articles did not expire.

Mr. GREEN of Texas. I am concerned that, if we don’t impeach this President, he will get reelected.

Ms. WARREN. It is time to bring impeachment charges against him.

Mr. NADLER. My personal view is that he richly deserves impeachment.

Mr. Counsel SEKULOW. One of the Members of the House of Representatives said that we are bringing these Articles of Impeachment so he doesn’t get elected again.

Here we are, 10 months before an election, doing exactly what they predicted. The whistleblower’s lawyer, Mr. Zaid, sent out a tweet on January 30, 2017.

Let me put that up on the screen:

The #coup has started. First of many steps.

#rebellion. #impeachment will follow ultimately.

And here we are.

What this body, what this Nation, and what this President have just endured—what the House managers have forced this body—is unprecedented and unacceptable. This is exactly and precisely what the Founders feared. This was the first totally partisan Presidential impeachment in our Nation’s history, and it should be our last.

What the House Democrats have done to this Nation, to the Constitution, to the Office of the President, to the President himself, and to this body is outrageous. They have cheapened the awesome power of impeachment, and, unfortunately, of course, the country is not better for that.

We urge this body to dispense with these partisan Articles of Impeachment for the sake of the Nation, for the sake of the Constitution.

As we have demonstrably proved, the articles are flawed on their face. They were the product of a reckless impeachment inquiry that violated all notions of due process and fundamental fairness. Then incredibly—incredibly—and how much more so when you are talking about the President of the United States—

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And here we are.
Let’s not forget that the House barred the attendance of executive branch counsel at witness proceedings when executive branch members were being examined.

Notwithstanding these substantial abuses of process, the executive branch responded to each and every subpoena and identified the specific deficiencies found in each. You cannot just remove constitutional violations by saying you didn’t comply.

You have heard that one recipient of a subpoena, and this is—in fact, we have talked about it a number of times, but I think as we wrap up, I think it is worth saying again.

One subpoena recipient—the week a declaratory judgment as to the validity of the subpoena that he had received. It was set up to go to court. A judge was going to make a decision. The House withdrew the subpoena and mooted the recipient’s case before the court could rule.

Now, was that because they didn’t like the judge that was selected? Was it because they didn’t like the way the ruling was going to go? Was it they didn’t want to have that witness in the first place?

Whatever the reason, there is one undisputed fact: As the case was in court, they mooted it out by removing the subpoena.

The assertion of valid constitutional privileges cannot be an impeachable offense, and that is what article II is based on, the obstruction of Congress.

For the sake of the Constitution, for the sake of the Republic, this body must stand as a steady bulwark against this reckless and dangerous proposition. It doesn’t just affect this President; it affects every American.

So as we said with the first Article of Impeachment, we believe the second Article of Impeachment is invalid and should also be rejected.

In the first Article of Impeachment, the House attempted to usurp the President’s constitutional power to determine policy, especially foreign policy.

In passing the second Article of Impeachment, the House attempted to control the constitutional privileges and immunities of the executive branch—all of this while simultaneously disrespecting the Framers’ system of checks and balances, which designates this branch as the arbiter of interbranch disputes.

By approving both articles, the House of Representatives violated our constitutional order, illegally abused our power of impeachment in order to obstruct the President’s ability to faithfully execute the duties of his office.

These articles fall on their face as they do not meet the constitutional standard for impeachable offenses. No amount of testimony could change that fact.

We have already discussed some of the specifics. I think Alexander Hamilton has been quoted a lot, and there is a reason. What has occurred over the past 2 weeks—really, the past 3 months—is exactly what Alexander Hamilton and other Founders of our great country feared.

I believe that Hamilton was prophetic in Federalist 65 when he warned how impeachment had the ability to “agitate”—his words—“the passions of the whole community, and . . . divide it into parties more or less friendly or injurious to the first.”

He warned that impeachment would “connect itself with the pre-existing factions, and will enlist all their animosities, partialities, influence, and interest on one side or on the other.”

He continued:

The convention, it appears, thought the Senate—

This body—

[the] most fit depository of this important trust, Those who can best discern the intrinsic difficulty of the thing, will be least hasty in condemning that opinion, and will be most inclined to allow due weight to the arguments which may be supposed to have produced it.

In the same Federalist 65, Hamilton regarded the Members of this Senate not only as the inquisitors for the Nation but as the representatives of the Nation as a whole.

He said these words:

Where else than in the Senate could have been found a tribunal sufficiently dignified or significantly independent? What other body would be likely to feel confident enough to preserve, and guard, unawed and uninfluenced, the necessary impartiality between an individual accused, and the representatives of the people, his accusers.

You took an oath. They questioned the oath. You are sitting here as the trier of fact. They said the Senate is on trial.

Based on all of the presentations that we made in the trial and in the arguments that we have put forward today, again, we believe both articles should be immediately rejected.

Now, our Nation’s representatives holding office in this great body must unite today to protect our Constitution and the separation of powers. And, you know, there was a time, not that long ago, even within this administration, where bipartisan agreements could be reached to serve the interests of the American people.

Take a listen to this.

(Text of videotape presentation:)

Senator MARKEY. Today we had a beautiful bipartisan moment where Democrats and Republicans, working together, to keep that fentanyl out of our country, to use these devices to accomplish that goal. It is not perfect. We need to do a lot more, but today was a very good start, and I want to praise all of the people—Democrats and Republicans and the President—for working together on this bill.

Senator SHAHEEN. As has been said, and we can see by the people assembled here, if we work together in a bipartisan way, we can get things done. This is a place where we can all agree that we do more and where we can work together. So I applaud everyone’s efforts.

President TRUMP. We are proudly joined today by so many Members of Congress—Republicans, Democrats—who worked very, very hard on this bill. This was really an effort for everybody. It was an incredible success—something you don’t hear too much about, but I think you will be. I actually believe it will be over the course of time. I hope so. I think so. It is so good for the country.

President TRUMP. Thank you, everybody. This was an incredible bipartisan support. We passed this in the Senate 87 to 12. That’s unheard of. And then in the House we passed it 358 to 39.

Senator COONS. . . . be here to help celebrate your signing of this next step in the critical Women’s Global and Prosperity Development Initiative. It was done with such nice bipartisan support.

Mr. Counsel CIPOLOLLE. Thank you, Mr. Chief Justice. Thank you very much. I appreciate it.

Mr. Counsel CIPOLOLLE. Thank you, Mr. Chief Justice. Thank you, Members of the Senate.

I will leave you with just a few brief points.

First, I want to express on behalf of our entire team our gratitude—our gratitude to you, Mr. Chief Justice, for presiding over this trial; our gratitude to you, Leader MCCONNELL; our gratitude to you, Members of the House, Leader SCURO-

Mr. Counsel CIPOLOLLE. Thank you, Mr. Chief Justice. Thank you, Members of the Senate.

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an impeachment that is purely partisan and political. It is opposed by bipartisan Members of the House. It does not even allege a violation of law. It is passed in an election year, and we are sitting here on the day that election season begins in Iowa. It is wrong. There is only one answer to that, and the answer is to reject those Articles of Impeachment, to have confidence in the American people, to have confidence in the result of the upcoming election, to have confidence and respect for the last election and not throw it out and to leave the choice of the President to the American people and to leave to them also the accountability of the Members of the House who did that. That is what the Constitution requires, and I think that should be done on a bipartisan basis, and that is what I ask you to do.

Point No. 2: I believe the American people are tired of the endless investigations and false investigations that have been coming out of the House from the beginning, as my colleague Mr. Scalise pointed out. It is a waste of tax dollars. It is a waste of the American people’s time and, I would argue, more importantly—most importantly—the opportunity cost of that—the opportunity cost of that—what you could have been doing as the House could be doing. Working with the President to achieve those things on behalf of the American people is far more important than the endless investigations, the endless false attacks, the besmirching of the good people. This is something we should reject together, and we should move forward in a bipartisan fashion and in a way that this President has done successfully.

He has achieved successful results in the economy and across so many other areas, working with you on both sides of the aisle, and he wants to continue to do that. That is what I believe the American people want those of you elected to come here to Washington to focus on—your time together to unify us, as opposed to the bitter division that is caused by these types of proceedings.

So at the end of the day, we put our faith in the Senate. We put our faith in the Senate because we know you will put your faith in the American people. You will leave this choice to them, where it belongs. We believe that they should choose the President. We believe that this President, day after day, has put their interests first, has achieved successful results, has fulfilled the promises he made to them, and he is eager to go before the American people in this upcoming election.

At the end of the day, that is the only result; it is a result, I believe, guided by your wise words from the past that we can, together, end the era of impeachment; that we can, together, put faith in the American people, put faith in their wisdom, put faith in their judgment. That is where our Founders put the power. That is where it belongs.

I urge you, on behalf of those Americans—of every American—on behalf of all of your constituents, to reject these Articles of Impeachment. It is the right thing for our country. The President has done nothing wrong, and these types of impeachments must end.

You will have to vote, you will vindicate the Constitution, you will vindicate the rule of law by rejecting these articles. I ask you to do that on a bipartisan basis this week and end the era of impeachment once and for all.

I thank you from the bottom of my heart for listening to us, for your attention, and for considering our case on behalf of the President.

I come here today to ask you to reject these Articles of Impeachment. Reject these Articles of Impeachment.

Thank you for granting us the permission to appear here at the Senate on behalf of this President, and I ask you on his behalf, on behalf of the American people to reject these articles.

Thank you.

Ms. Manager LOFGREN. Mr. Chief Justice and Senators, it is a problem that here at the end of the trial the President still disputes the meaning of high crimes and misdemeanors. Some say it requires an ordinary crime or that if the President misbehaves when he thinks it is good for the country, it is OK. Neither is correct. We need to clear this up by looking at what the Founders said.

When the Founders created the Presidency, they gave the President great power. They had just been through a war to get rid of a King with too much power, and they needed a check on the great power given to the President. It was late in the Constitutional Convention that they turned to the impeachment clause. Madison argued in favor of impeachment. He said it was indispensable.

Mason asked: Shall any man be above Justice? Above all shall that man be above it, who can commit the most extensive injustice?

Randolph defended “the propriety of impeachments,” saying: “The Executive will have great opportunities of abusing his power.”

The initial draft of the Constitution provided for impeachment only for treason & bribery. Mason asked: Why is this needed to Treason & bribery only? Treason as defined in the Constitution will not reach many great and dangerous offenses.

And he added: Hastings is not guilty of Treason. Attempts to subvert the Constitution may not be Treason as . . . defined.

Now Hastings’ impeachment in Britain at this time was well known, and it wasn’t limited to a crime.

They considered adding the word “maladministration” to capture abuses of power, but Madison objected. He said: “So a vague a term would be equivalent to a tenure during pleasure of the Senate.” So maladministration was withdrawn and replaced with the more certain term “high Crimes and Misdemeanors” because the Founders knew the law.

Blackstone’s Commentary, which Madison said was “a book in every man’s hand,” described high crimes and misdemeanors as offenses against King and government.

Hamilton called high crimes and misdemeanors “those offenses which proceed from the misconduct of public men, or, in other words, from the abuse or violation of some public trust.”

During ratification, Randolph in Virginia cited the President’s receipt of presents or emoluments from a foreign power as an example. And Mason’s example was a President who may “par-don crimes which were advised by himself,” or before indictment or conviction to “stop inquiry and prevent detection.” It is clear. They knew what they wrote.

The President’s lawyers tried to create a muddle to confuse you. Don’t let them. High crimes and misdemeanors mean abuse of power against the constitutional order, conduct that is corrupt, whether or not a crime.

Now some say: No impeachment was needed here in an election coming. But without term limits when they wrote the Constitution, there was always an election coming. If impeachment in election years was not to be, our Founders would have said so.

So here we are. Congress passed a law to fund Ukraine to fight the Russians who invaded their country. President Trump illegally held that funding up to coerce Ukraine to announce an investigation to hurt his strongest election opponent. He abused his power corruptly to benefit himself personally, and then he tried to cover it up. That is impeachable.

The facts are clear, and so is the Constitution. The only question is what you, the Senate, will do.

Our Founders created a government where the tension between the three branches would prevent authoritarianism; no one of the branches would be allowed to grab all the power. Impeachment was to make sure that the President, who has the greatest opportunity to grab power, would be held in check. It is a blunt instrument, but it is what our Founders gave us.

So here we are. Our Founders thought the mere existence of an impeachment clause would prevent misconduct by Presidents, but, sadly, they were wrong because twice in the last half century a President tried to corruptly use his power to cheat in an election. First, Nixon with Watergate, and now another President corruptly abuses his power to cheat in an election.

The Founders worried about factions—what we call political parties. They built a system where each branch of government would guard their power, not one where guarding a faction was more important than guarding the government.
Opposing a President of your own party isn’t easy. It wasn’t easy when Republican Caldwell Butler voted to impeach Nixon in the Judiciary Committee. It wasn’t easy for Senator Barry Goldwater to tell Nixon to resign. But you don’t do it because it’s easy; it is to do impartial justice. It requires conviction and removal of President Trump.

Ms. Manager GARCIA of Texas. Mr. Chief Justice, counsel for the President, Senators, since I was a little girl and started going to church, I have been inspired by the words of scripture: “[W]hatever you did for one of my brothers . . . you did for me.”

We are called to always look out for the most vulnerable. Sometimes fighting for the most vulnerable means holding the most powerful accountable, and that is what we are here to do today.

The American people will have to live with the decisions made in this Chamber. In fact, Senators, I believe that the decision in this case will affect the strength of democracies around the world.

Democracy is a gift that each generation gives to the next one. If we say that this President can put his own interests above all else, even when lives are at stake, then we give our Nation’s children a weaker democracy than we inherited from those that came before us. The next generation deserves better. They are counting on us.

I am a Catholic, and my faith teaches me that we all need forgiveness. I have given this President the benefit of the doubt from the beginning. Despite my strong opposition to so many of his policies, I know that the success of our Nation depends on the success of our leader. But he has let us down.

Senators, we know what the President did and why he did it. This fact is seriously not in doubt. Senators on both sides of the aisle have said as much. The question for you now is, does it warrant removal from office? We say yes.

We cannot simply hope that this President will realize that he has done wrong or was inappropriate and hope that he does better. We have done that so many other times. We know that he has not apologized. He has not offered anything to change. We all know that he will do it again.

What President Trump did this time pierces the heart of who we are as a country. We must stop him from further harming our democracy. We must stop him from further betraying his oath. We must stop him from tearing up our Constitution.

The Founders knew that in order for our Republic to survive, we would need to be able to remove some of our leaders from office when they put their interests above the country’s interests. Senators, we have proven that. This President committed what is called the ABC’s of impeccable behavior—abusing his power, betraying the Nation, and corrupting our elections. He deserves to be removed for taking the very actions that the Framers feared would undermine our country. The Framers designed impeachment for this very case.

Senator when I was growing up poor in South Texas, picking cotton, I confess I didn’t spend any time thinking about the Framers. Like me, little girls and boys across America aren’t asking at home where the Framers meant by high crimes and misgovernment. We are asking why we didn’t do anything to stop this President, who put his own interest above what was good for all of us. They will ask. They will want to understand.

Senators, we inherited a democracy. Now we must protect it and pass it on to the next generation. We simply can’t give our children a democracy if a President is above the law, because in this country no one is above the law—not me, not any of you, not even this President.

(English translation of statement made in Spanish is as follows:) Nobody is above the law—nobody. This President must be removed. With that, I yield to my colleague Mr. Crow.

Mr. Manager CROW. Mr. Chief Justice, Members of the Senate, 2 weeks ago we started this trial promising to show you that the President withheld $391 million of foreign military aid to force an ally to help him win the 2020 election. And by many of your own admissions, we succeeded in showing you that, because the facts still matter.

We also promised you that, eventually, all of the facts would come out, and that continues to be true. But we didn’t just show you that the President abused his power and obstructed Congress. We painted a broader picture of President Trump—a picture of a man who will always put his personal interests above the interests of the country that he has sworn to protect.

But what is in an oath, anyway? Are they relics of the past? Do we simply recite them out of custom? To me, an oath represents a firm commitment to a life of service, a commitment to set aside your personal interest, your comfort, and your ambition to serve the greater good, and a commitment to sacrifice.

I explained to you last week that I believe America is great not because of the ambition of any one man, not simply because we say it is true but because of our almost 250-year history. Millions of Americans have taken the oath, and they meant it. Many of them followed through on that oath by giving everything to keep it.

But there is more to it than simply keeping your word, because an oath is also a bond between people who have made a common promise. Perhaps the strongest example is that bond between the Commander in Chief and our men and women in uniform. Those men and women took their oath with the understanding that the Commander in Chief, our President, will always put the interests of the country and their interests above his own. That’s the understanding that his orders will be in the best interest of the country, and that their sacrifice in fulfilling those orders will always serve the common good.

But what we have clearly shown in the last few weeks is that President Trump has shown us the past few years is that this promise flows only one way. As Maya Angelou said, “When someone shows you who they are, believe them the first time.”

Every one of us in this room are parents. We all try to teach our kids the important lessons of life. One of those lessons is that you won’t always be the strongest, you won’t always be the fastest, and you won’t always win. We try to teach our kids that what we can always control are our choices.

It is in that spirit that hanging in my son’s room is a quote from Harry Potter: “The Quidditch cup quote is from Professor Dumbledore, who said: ‘I’m not our choices . . . that show what we truly are, far more than our abilities.’”

This trial will soon be over, but there will be many choices for all of us in the days ahead, the most pressing of which is how each of us will decide to fulfill our oath. More than our words, our choices will show the world who we really are, what type of leaders we will be, and what type of Nation we will be.

So let me finish where I began, with a quote from a woman who has endured standing before you. I have been carrying my kids’ Constitutions these last few weeks, and this morning I wrote a note to them to explain why I am here:

Our Founders recognized the failings of all people. So they designed a system to ensure that the ideas and principles contained in this document would always be greater than any one person. It is the idea that no one is above the law. But our system only works if people stand up and fight for it, and fighting for something important always comes with a cost.

Some day you may be called upon to defend the principles and ideas embodied in our Constitution. May the memory and spirit of those who sacrificed for them in the past guide you and give you strength as you fight for them in the future.

Thank you for your time.

Mrs. Manager DEMINGS. Mr. Chief Justice, Senators, and counsel for the President, this is a defining moment in our history and a challenging time for all of us. It has gone through my mind since this body voted to not call witnesses in this trial. The vote was unprecedented. The
I urge you, Senators, to vote to convict and remove this President. Thank you so much for your time.

Mr. Manager JEFFRIES. Mr. Chief Justice, distinguished Members of the Senate, President’s counsel, I mention that I have been told by Alexander Hamilton has played a starring role during this impeachment trial. But Ben Franklin has only made a cameo appearance, but that cameo appearance was an important one, when he made the observation, in the afterthought of the Framers of the Constitution had created “a Republic, if you can keep it.”

Why would Dr. Franklin express ambiguity about the future of America during such a triumphal moment? Perhaps it was because the system of government that was created at that convention—checks and balances, separate and coequal branches of government, the independent judiciary, the free and fair press, the preeminence of the rule of law—all of those values, all of those ideas, all of those institutions have never before been put together in one form of government. So perhaps it was uncertain as to whether America could sustain them.

But part of the brilliance of our great country is that year after year, decade after decade, century after century, we have held this democracy thing together. But now all of those ideas, all of those values, all of those institutions are under assault, not from without but from within. We created “a Republic, if you can keep it.”

House managers have proven our case against President Trump with a mountain of evidence. President Trump tried to cheat, he got caught, and then he worked hard to cover it up.

President Trump corruptly abused his power. President Trump obstructed a Congressionally and constitutionally required investigation, with an all-blanket defiance. President Trump solicited foreign interference in an American election and shredded the very fabric of our democracy. House managers have proven our case against President Trump with a mountain of evidence.

If the Senate chooses to acquit under these circumstances, then America is in the wilderness. If the Senate chooses to normalize lawlessness, if the Senate chooses to normalize corruption, if the Senate chooses to normalize Presidential abuse of power, then America is in the wilderness.

If the Senate chooses to acquit President Trump without issuing a single subpoena, without interviewing a single witness, without reviewing a single new document, then America is truly in the wilderness.

But all is not lost. Even at this late hour, the Senate still has the right thing. America is watching. The eyes of history are watching. The Senate can still do the right thing.
they were at it again, telling the court in a midnight filing that they would not turn over relevant documents even as they argued here that they were not covering up the President's misdeeds.

Midnight in Washington. All too tragic a metaphor for where the country finds itself at the conclusion of only the third impeachment in history and the first impeachment trial without witnesses or documents, the first such trial—or nontrial—in impeachment history.

How did we get here? In the beginning of this proceeding, you did not know whether we could prove our case. Many Senators, like many Americans, did not have the opportunity to watch much, let alone all, of the opening hearings in the House during our investigation, and none of us could anticipate what defenses the President might offer.

Now you have seen what we promised: overwhelming evidence of the President's guilt. Donald John Trump withheld hundreds of millions of dollars from an ally at war and a coveted White House meeting with their President to coerce or extort that nation's help to cheat in our elections. And when he was caught, he engaged in the most comprehensive effort to cover up his misconduct in the history of Presidential impeachment: fighting all subpoenas for documents and witnesses and using his own obstruction as a sword and a shield; arguing here that the House did not fight hard enough to overcome their noninvocation of privilege in court, and in court that the House must not be heard to enforce their subpoenas but that impeachment is a proper remedy.

Having failed to persuade the Senate or the public that there was no quid pro quo, having offered no evidence to contradict the record, the President's team opted, in a kind of desperation, to spare the country the trial—or nontrial—in impeachment history.

The undeniable facts require the President to retreat to his final defense. He is guilty as sin, but can we just let the voters decide? He is guilty as sin, but why not let the voters clean up this mess? And here, to answer that question, we must look at the history of this Presidency and to the character of this President—or lack of character. We must be confident that he will not continue to try to cheat in that very election. Can we be confident that Americans and not foreign powers will get to decide and that the President will shun any further foreign interference in our democratic affairs? And the short, plain, sad, uncontestable answer is, no, you can't. You can't trust this President to do the right thing, not for one minute, not for one election, not for the sake of our country. You just can't. He will not change, and you know it.

In 2016, he invited foreign interference in our election. Hey, Russia, if you are listening, hack Hillary's emails, he said, and they did, immediately. And when the Russians started dumping them before the election, he made use of them in every conceivable way, touting the filthy lucre at campaign stops more than 100 times.

He was unapologetic, unrepentant, and without self-awareness or hesitation. A man without character or ethical compass will never find his way.

Even as the most recent and most egregious misconduct was discovered, he was unapologetic, unperturbed, and more dangerous, undeterred. He continued pressing Ukraine to smear his rivals even as the investigation was under way.

He invited new countries to get involved in the act, calling on China to do the same. His personal emissary, Rudy Giuliani, dispatched himself to Ukraine, trying to get further foreign interference in our election. The plot goes on; the scheming persists; and the President will never act differently than he has acted before. He will do it again. What are the odds, if left in office, that he will continue trying to cheat? I will tell you: 100 percent. Not 5, not 10 or even 50, but 100 percent.

If you have found him guilty and you do not remove him from office, he will continue trying to cheat in the election until he succeeds. Then what shall
you say? What shall you say if Russia again interferes in our election and Donald Trump does nothing but cele-
brate their efforts? What shall you say if Ukraine capitulates and announces investigations into the President’s ri-
vals?

What shall you say in the future, when candidates compete for the alle-
giance of foreign powers in their elec-
tions, when they draft their platforms so to encourage foreign intervention in their campaign? Foreign nations, as the millions of super-PACs of them all, if not legal, somehow permissible because Donald Trump has made it so and we refused to do anything about it but wring our hands.

They will hack your opponents’ emails; they will mount a social media campaign to support you; they will an-
nounce investigations of your opponent to help you—and all for the asking. Leave Donald Trump in office after you have found him guilty, and this is the future that you will invite.

Now, we have known since the day we brought these charges that the bar to conviction, requiring fully two-thirds of the Senate, may be prohibitively high. And yet, the alternative is a run-
away. A national referendum on the issue. And the election method in the Senate is open to the highest bid-
der.

So you might ask how—given the gravity of the President’s misconduct, given the abundance of evidence of his gui-
lty, the split in the country—is it even possible that any Senators in both parties of that guilt—have we arrived here with so little common ground? Why was the Nixon impeachment bipartisan? Why was the Clinton impeachment much less so? And why is the gulf between the par-
ties even greater today?

It is not for the reason that the President’s lawyers would have you be-
lieve. Although they have claimed many times, in many ways, that the proce-
sure in the House was flawed be-
cause we did not allow the President to control it, it was, in reality, little dif-
ferent than the process in prior im-
peachments. The circumstances, of course, were different. The Water-
gate investigation began in the Senate and had progressed before it got moving in the House. And there, of course, much of the investigative work had been done by the special prosecutor, Leon Jaworski. In Clinton, there was like-
wise an independent counsel and a de-
ducted, multiyear investigation that started with a real estate deal in Ar-
kansas and ended with a blue dress.

Nixon and Clinton, of course, played no role in those investigations before they met with the House Judicial Committee. But to the degree you can compare the process when it got to the Judiciary Committee in either prior and recent impeachments, it was large-
ly the same as we have here. The Presi-
dent had the right to call witnesses, to
choose not to.

The House majorities in Nixon and Clinton did not cede their subpoena power to their minorities, and neither
did we here, although then, as now, we gave the minority the right to request subsidews and to compel a vote, and they did.

So the due process the House pro-
vided here was essentially the same and, in some ways, even greater. Never-
theless, President Nixon hoped that, through sheer repetition, they can convert nontruth into truth. Do not let them.

Every single court to hear Mr. Philbin’s arguments has rejected them: The subpoenas are invalid—rejected by the McGahn court.

They have absolute immunity—re-
jected by the McGahn court.

Privilege may conceal crime or fraud—rejected by the court in Nixon. But if the process here was substan-
tially the same, the facts of the Presi-
dent’s misconduct were very different from one impeachment to the next. The Republican Party of Nixon’s time broke into the President’s re-
corded it up. Nixon, too, abused the power of his office to gain an unfair ad-
Vantage over his opponent, but in Wa-
tergate he never sought to coerce a for-
gn power to aid his re-election, nor did he sacrifice our national security in a way as witholding aid from an ally at war. And he certainly did not engage in the wholesale obstruction of Congress or justice that we have seen this Presi-
dent commit.

The facts of President Clinton’s mis-
conduct pale in comparison to Nixon and do not hold a candle to Donald Trump. Lying about an affair is mor-
ally wrong, and when under oath it is a crime, but it had nothing to do with his duties in office.

The process being the same, the facts of President Trump’s misconduct being far more destructive than either past President, what then accounts for the disparate result in bipartisan support for his removal? What has changed is his character.

The short answer is, we have changed. The Members of Congress have changed. For reasons as varied as the stars, the Members of this body and ours in the House are now far more ac-
ccepting of the most serious misconduct of a President as long as it is a Presi-
dent of one’s own party. And that is a trend most dangerous for our country.

Fifty years ago, no lawyer re-
presenting the President would have used an argument that if the President believes his cor-
ruption will serve to get him reelected, whether it is by coercing an ally to help him cheat or in any other form, that he may not be impeached, that this is somehow a permissible use of his power.

But here we are. The argument has been made, and some appear ready to accept it. And that is dangerous, for there is no limiting principle to that position.

It must have come as a shock—a pleasant shock—to this President that our norms and institutions would prove to be so weak. The independence of the
Justice Department and its formerly proud Office of Legal Counsel now are mere legal tools at the President’s dis-
posal to investigate enemies or churn out helpful opinions not worth the paper they are written on. The FBI painted by a President as corrupt and disloyal to the Constitution is not to be trusted against the good counsel of Vladimir Putin. The press portrayed as enemies of the people. The daily attacks on the guardrails of our democracy, so relentlessly assailed, made us numb and blind to the consequences.

Does none of that matter anymore if he is the President of our party?

I hope and pray that we never have a President like Donald Trump in the Democratic Party, one who be-
tray the national interest and the country’s security to help with his re-
election. And I would hope to God that, if we did, we would impeach him, and Democrats would lead the way.

We will not let him go to Donald Trump—I think we all know that—not because it will be written by Never Trumpers but because whenever we have departed from the values of our Nation, we have come to regret it, and the turn of the page is when all over the pages of our history.

If you find that the House has proved its case and still vote to acquit, your name will be tied to his with a chord of steel and for all of history; but if you find the courage to stand up to him, to speak the awful truth to his rank false-
hood, your place will be among the Da-
vids who took on Goliath. If only you will say “enough.”

We revere the wisdom of our Found-
er’s and the insights they had into self-
governance. We scour their words for hidden meaning and try to place our-
selves in their shoes. But we have one advantage that the Founders did not. For all their genius, they could not see but opaquely into the future. We, on the other hand, have the advantage of time, of seeing how their great experi-
ment in self-governance has pro-
gressed.

When we look at the sweep of his-
orie times are times when our Nation and the rest of the world have moved with a seemingly irresistible force in the direction of greater freedom: more freedom to speak and to assemble, to practice our faith and tolerate the faith of others, to love whom we would and choose love over hate—more free societies, walls tumbling down, nations reborn.

But then, like a pendulum approach-
ing the end of its arc, the outward movement begins to arrest. The golden globe of freedom reaches its zenith and starts to retreat. The pendulum swings back past the center and recedes into a dark unknown. How much farther will
They gave you a remedy, and they meant for you to use it. They gave you an oath, and they meant for you to observe it. We have proven Donald Trump guilty. Now do impartial justice and convict him.

I yield the floor.

THE CHIEF JUSTICE. The majority leader is recognized.

ADJOURNMENT OF THE COURT OF IMPEACHMENT

Mr. MCCONNELL. Mr. Chief Justice, I ask unanimous consent that the Senate, sitting as a Court of Impeachment, stand adjourned under the previous order.

There being no objection, at 2:59 p.m., the Senate, sitting as a Court of Impeachment, adjourned.

Mr. MCCONNELL. I suggest the absence of a quorum.

THE CHIEF JUSTICE. 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.

Mr. THUNE. Mr. President, I ask unanimous consent that the Journal of proceedings be approved to date.

The PRESIDENT pro tempore. The legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the Journal of proceedings be approved to date. The PRESIDENT pro tempore. Without objection, it is so ordered.

The Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

Mr. THUNE. Mr. President, 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. HEINRICH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded and to speak as in morning business.

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

IMPEACHMENT

Mr. HEINRICH. Mr. President, and all of my colleagues in the Senate, throughout this impeachment trial, I thought a lot about what this country stands for. For me, as the son of an immigrant whose family came to the United States from Germany in the 1930s, America stands as a beacon of liberty, equal justice, and democracy.

We are a nation forged by a revolution against a monarchy and its abolute power. We are a nation founded by the ratification of the most radically democratic document in history, the Constitution of the United States of America.

Under the Constitution, we are governed not by monarchs—we are governed with impunity and without accountability—but by elected officers who answer to, and work for, “We the People.”

Generations of Americans have struggled and sacrificed their lives to defend that audacious vision. The Senate has a duty and a moral responsibility to uphold that vision.

Over the last 2 weeks, I fear that the Senate has failed in that duty. I am deeply disappointed that nearly all of my Republican colleagues refused to allow for the kind of witness testimony and documentary evidence that any legitimate trial would include. You cannot conduct a fair trial without witnesses.

In my view, you also can’t have a legitimate acquittal without a fair trial; that the Senate refused to shed more light on the facts is truly astonishing. Despite this, the facts as we know them are clear and plain. President Trump pressured the Government of Ukraine, an American ally, not for our national security interests but for his own selfish and corrupt political interests. When he was caught, he sought to cover it up by suppressing documents and preventing witnesses from testifying before Congress and the American people.

The President’s defense team had every opportunity to present us with evidence that would explain his actions or give us reason to doubt this clear pattern of fact. Instead, they shifted their defense away from the damning facts and embraced an extreme legal philosophy that would allow any President to abuse their power and ignore the law.

This dangerous argument is not new. It was used by President Richard Nixon when he said: “Well, when the president does it, that means it is not illegal.”

President Nixon also strayed far from his duties to our Nation for his own personal and political gain. It was only after courageous Members of the U.S. Senate, in his own political party, put their country first and stood up to him that President Nixon finally resigned.

We are now in yet another time when our Chief Executive has failed us, and our Nation requires more leadership and conscience from the U.S. Senate. Unfortunately, my Republican colleagues are unwilling to deliver that kind of moral leadership.

President Donald Trump has proven to be unfit for the office he occupies. He abused his powers and continues to engage in a coverup. He presents a clear and present danger to our national security and, more fundamentally, to our democratic institutions.

That is why my conscience and my duty to defend our Constitution compel me to vote to convict Donald Trump.

Mr. President, I ask unanimous consent that the order for adjournment be rescinded and the Senate proceed to the consideration of the impeachment of the President of the United States.
hope the rest of you will join in this vote, but I am not naive. I understand how President Trump operates. I know how ugly it can become if you dare to challenge him. But your fear of this bully cannot outweigh your duty to the American people. Your fear will blind you to how you will be viewed by history. What you should really fear is what will happen when there are no limits on any President, even when he is risking our national security and our foreign alliances to illegitimately maintain his power.

What we should all fear is what President Trump will do next if the Senate does not hold him accountable for the clear abuses of power he has already committed. This is the same President who praises dictators and despots and jeopardizes our international alliances. This is the same President who stole billions of dollars from military construction funds to pay for his monument to division and racism. This is the same President who is more focused on lobbing insults and spreading Russian conspiracy theories on Twitter than he is on his own intelligence briefings.

Let me just say that I pay close attention to the intelligence that I am allowed to see, and from my seat on both the Armed Services and Intelligence Committees, I am acutely aware of the threats that our Nation faces. They include an emboldened North Korea, the Iranian regime, and terrorist organizations across several continents.

Russia and China are acting aggressively to assert their authoritarian influence and provoke American interests and our allies, including the Ukraine. Finally, with the 2020 Presidential election mere months away, Russia is once again targeting our election systems and manipulating our democratic discourse.

Right now, patriotic Americans working in the State Department, for our intelligence agencies, and serving in the military are defending us from those very threats. These Americans pledge to obey the orders of their Commander in Chief. They trust that their Commander in Chief’s loyalty and sole focus is squarely on the best interests of the United States of America. I don’t say this lightly: President Trump has betrayed that trust. He promised us that America would put America first. Instead, he put himself first.

Throughout our history, the defense of our Nation has depended on the leadership of men whose names we now remember when we visit their memorials, names like Lincoln and Washington and Roosevelt. These men all swore the same oath that President Trump did when they assumed our Nation’s most powerful office. Our Presidents swear to “faithfully execute the Office of President of the United States” and to “preserve, protect, and defend the Constitution of the United States.” President Trump has violated that oath.

So I will ask you once again, what does America stand for? In considering that question, I think of Dr. Martin Luther King, Jr.—the only man who did not serve as President whom we recognize with a memorial on our Nation’s greater and he lived with his assassination. Dr. King’s life’s work was to make our Nation more fully live up to our founding principles still resonate. These are the same principles that compelled my father’s family to come to this country: liberty, equal justice, democracy.

While fighting for those principles, Dr. King wrote in his letter from a Birmingham jail: “The ultimate measure of a man is not where he stands in moments of challenge and controversy.” My colleagues, this is one of those times.

Two years after writing the Birmingham Jail letter, Dr. King led thousands of African Americans from Selma to Montgomery for our fundamental American right: the right to vote in free and fair elections. Remember, that right is what President Trump has been attempting to foreign interference in our elections. Upon reaching the steps of the Alabama State Capitol, Dr. King proclaimed: “We must come to see that the end we seek is a society at peace with itself, a society that can live with its conscience.” I sincerely hope that those of us in this body can keep seeking that society, that America.

Before I finish, I also want to address Americans who have watched this trial with a trial and are rightly disappointed by the coverup that it has become. I would urge you to remember what Dr. King said about accepting finite disappointment but never losing infinite hope. Despite what the Senate is about to do, that the damage that will bring about, I will never lose hope in what America stands for because we the people—not any King or dictator—still hold immense power in this Nation, and it is up to all of us now to wield that power.

I yield back.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, as Senators, we cast many votes during our time here. I have cast over 13,200. Each one of those votes is important, but a vote to convict or acquit the President on charges of impeachment may perhaps have a Senator could ever cast. Until now, it has happened only twice in our Nation’s history, and it is something that should never be taken lightly.

President Trump has been charged of committing “High Crimes and Misdemeanors” for requesting that a foreign leader investigate his potential political opponent and, No. 2, obstructing Congress’s inquiry into those actions. For this, we are asked to permanently remove him from office.

As a judge and juror, as we all are, I first ask whether the charges rise to an offense that unquestionably demands removal from office. If so, I then ask whether the House proved beyond a reasonable doubt that it actually occurred.

The House’s case falls on the first of those two questions. The President’s request is not impeachable conduct under our Constitution. A President is prohibited by law from engaging the assistance of a foreign ally in an anti-corruption investigation.

The House tries to make up for this hurdle by suggesting that subjective motive—in other words, political advantage—can turn an otherwise unimpeachable act into an act that demands removal from office. I would support such an irreversible break from the Constitution standard for impeaching a President.

The Senate is an institution of precedent. We are informed and guided by prior and analogous evidence. We are not precursors, but our choices also actually make history. These days, that can be difficult to keep in mind. A rush to convict or acquit can lead to cut corners and overheated rhetoric.

We are each bound by our oath to “do impartial justice.” As President pro tem of this institution, I recognize that we must also do justice to the Senate and to the Republic that this Senate serves.

This trial began with a full and fair debate on the rules to guide our process. We considered and voted on 11 amendments over nearly 13 hours. Consistent with precedent, the Senate adopted rules allowing the length of time for arguments and questions as was agreed to unanimously in the 1999 Clinton impeachment. Consistent with precedent, we engaged in a robust debate on calling witnesses and pursuing additional evidence. The Senate adopted rules for a Court of Impeachment for over 70 hours. The final vote will be the product of a fair and judicial process consistent with precedent of the Senate.

We cannot say the same of the Articles of Impeachment that we are considering today from the House of Representatives, which has the sole power of impeachment. After 9 days of presentation and questions and after fully considering the record, I am convinced that what the House is asking the Senate to do is constitutionally flawed and dangerously unprecedented.

The House’s abuse of power article rests on objectively legal conduct. Under the Congress’s rules, a President is within his authority to request that a foreign leader assist with anti-corruption efforts. To make up for this, the House of Representatives’ abuse of power theory rests entirely on the President’s subjective motive. This very vague standard cannot be sustained.

The House offers no limiting principle of what motives are allowed. Under such a flexible standard, future House of Representatives could impeach Presidents for taking lawful actions for what a majority thinks are the wrong reasons.
The House also gives no guidance whatsoever on whether conviction rests on proving a single, corrupt motive or whether mixed motives suffice under their theory. In its trial brief, the House of Representatives argues that there is "no credible alternative explanation”—the House itself is the only one to argue that the President's alleged conduct, but once the Senate heard from the President's counsel in defense, then all of a sudden, the House changed its tune. Now, even a credible alternative explanation would stop the Senate from removing the President.

Reshaping their own standard midtrial only serves to undercut their initial arguments. And simply asserting—at least 63 times that I counted—that their evidence was "overwhelming" doesn't make the House of Representatives' allegations accurate or prove an impeachable offense. Even after arguments had concluded, the House managers started repeating the term "overwhelming" at the very end of the floor of the Senate, while neither term appears anywhere in their Articles of Impeachment.

So you get down to this point. It is not the Senate's job to read into House articles " bribery" and "extortion" or see fit to incorporate itself. Articles of Impeachment shouldn't be moving targets like moving a goalpost. The ambiguity surrounding the House's abuse of power theory gives this Senator reason enough not to vote guilty. If we raise the bar of impeachment—and that is what the House of Representatives is trying to do—we better be clear on where the bar is being set. The House's second article impeaching the President for what they call obstruction of Congress is equally unprecedented and equally patently frivolous. This Senator takes great pride in knowing a thing or two about obstruction by the executive branch from both Republican and Democratic Presidents in the 40 years that I have been doing oversight. Congressional oversight—like rooting out waste, fraud, and abuse—is central to my role as a Senator representing Iowa taxpayers. In the face of obstruction, I use the tools the Constitution provides to this institution. Now, that is the very core of the checks and balances of our governmental system.

For example, I fought the Obama administration’s "birther" and "extortion" of the House committees have followed that course in the past. Both parties understand how to talk to whistleblowers and to evaluate their claims and credibility because those claims form the basis of an inquiry under checks and balances of government.

My office does this all the time. When whistleblowers bring significant cases of bipartisan interest, we frequently work closely with the Democrats to look into those claims. I know the House committees have followed that course in the past. Both parties understand how to talk to whistleblowers and to evaluate their claims and credibility because those claims form the basis of an inquiry under checks and balances of government.

Why no efforts were taken in this case to take these very basic, bipartisan steps is very baffling to me. I fear that, to achieve its desired goal, the House majority weaponized and politicized whistleblowers for purely partisan purposes. I hope that the damage done will be short-lived. Otherwise, the separation of powers under our Constitution will be weakened.

Mr. President, by Washington.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I have been in the Senate a new for two Presidential impeachment trials, and I can tell you that this is never a situation I want to find our country in—not back then and certainly not today—when the odds of bipartisan cooperation, even on responsibilities as solemn as these, are brutally low.

In spite of this, I called for impeachment proceedings to begin in the House in July of this past year, and I did so because of the gravity of the threats to our democracy that were outlined in Mueller's report. At the time, I felt, if we did not fully explore those threats, we would fall short of our constitutional duty and set a precedent of congressional indifference to potentially flagrant violations of our Constitution ones that could jeopardize our core democratic institutions.

After hearing both sides' presentations and after reviewing every available source of information and testimony, I believe it is painfully clear that the President of the United States has abused his power and obstructed Congress and that he should be removed from office.

I want to talk about how I reached this conclusion, which I did not do lightly, and take a few minutes to reflect on the consequence of the decision each of us is individually about to make.

Throughout the trial, the contrast between the presentations by the House managers and the President's defense team could not have been starker or more damning for the President.

The House managers built an ironclad case that shows the President abused his power and obstructed Congress in ways that present grave, urgent threats to our national security and to the rule of law. Over the course of their arguments, it became undeniably clear: The corruption we have learned so much about in recent months starts at the very top—with the President of the United States.

President Trump demanded a foreign government to intervene in our elections for his own political gain, and he did so by withholding American taxpayer dollars and by ignoring congressional authority. The President's associates acted with his full knowledge and consent, and he himself pressured Ukraine's leader, knowing how much Ukraine depended on United States assistance. These actions have already made us less secure as a nation. By delaying vital military aid to Ukraine—a key partner—President Trump has
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emboldened Russia, one of our chief adversaries, and he has undermined our credibility with other allies worldwide.

Critically, the President has also given every indication he will continue to put his own interests ahead of American ideals, including in our upcoming elections. As he has time and again, refused to recognize Congress’s constitutional authority to oversee the executive branch. In addition, information continues to come out that further implicates the President and demon- strates his intent to abuse the power of our highest office but his direct personal engagement and efforts to do so.

To summarize, the House’s arguments made it impossible to ignore a reality our Founders deeply feared—a President who betrays our national security for his own personal benefit and disregards the system of checks and balances on which our democratic in- stitutions depend, who believes he is above the law—contrary to the most fundamental American principles.

The President’s defense did not di- rectly refute those charges against the President or the thorough case that the House presented. In fact, the Presi- dent’s arguments only served to illustrate how indefensible the President’s actions were. We heard complaints from the President’s defense about the House’s process, which the President refused to engage in.

We heard a debunked conspiracy the- ory about Ukrainian election interfer- ence even though the President’s own advisers repeatedly explained to him that Russia, not Ukraine, interfered in our 2016 election.

We heard the denial of a quid pro quo that, as the House managers laid out in excruciating detail, was borne out not only on the President’s July 25 call with President Zelensky but in hun- dreds of documents from before and after that call.

We did not, however, hear any sub- stantive defense of the President’s ac- tions. Tellingly, the President’s de- fense vehemently opposed common- sense requests for the President’s own key aides to testify and for the consider- ation of his aides’ documents as part of this trial.

If the President were as innocent as he claims, surely, his aides and his ad- ministration’s materials would bear those claims out, and he would want them considered. He and his team did not.

In 1999, I said that, if we were to re- move a sitting President, none of us should have any doubts. Based on the facts we have heard today and the dis- traction and obfuscation that has been offered in response, none of us should have any doubts that the President committed the impeachable offenses of which he is accused.

What we now know is the President of the United States demanded that a foreign government interfere in our elections to help him win his upcoming campaign. That truth is indisputable.

The question is, What does each of us do as an individual with that information?

In sitting here, I have been reminded that this trial is so much larger than any one of us—larger than any political party and much larger than Presi- dent Trump. It is fundamentally about whether we will stand up for the institu- tions that secure our autonomy as a people—institutions we hope to leave stronger for our children and grand- children.

To go a step further, really, this trial is about freedom in our country be- cause, if the President feels he owes his office to a foreign government, not to Americans, then whom does the Presi- dent truly serve? How can he be trust- ed? If foreign governments can skew our elections in their favor, if they interfere with Americans at the ballot box this November, then are Americans truly represented in the White House? Is there any American who is really free? Or is his election to an entity outside and aside from the American people and if foreign govern- ments can help to decide who is in our highest office?

These questions and their chilling answers led me to my final deci- sion, and I hope others consider them carefully as they make their own.

I also want to speak for a minute about fear. There are really two dif- ferent kinds at work in this moment. One is the fear of political con- sequences. I remember how many Members of Congress felt compelled to vote for the war in Iraq. The political pressure was palpable. That kind of po- litical fear is palpable again today, but fear of political consequences must never supersede concern for our coun- try, and we should be fearful for our country today.

We should be fearful for our future, for our safety, and the rule of law if the President is allowed to per- suade this body to act on the painful truth before us. Our President has be- trayed the public trust, flagrantly vi- olated our laws, and proved himself a threat to our national security. So I ask my colleagues how they want to feel not in this moment here today but in the years ahead and as part of our Nation’s history as more information continues to come out about this ad- ministration—and it will—as we get closer to an election we still have a unique opportunity to help protect, and as we explain this difficult but piv- otal time to our grandchildren. Look- ing back, whom or what will you want to have stood for—this President or our country?

I believe, as Representative SCHIFF said so simply and powerfully, that in America, “right matters.”

But I also note right matters only be- cause so many people have, throughout our history, stood up for what is right, even when—it may be difficult.

Today each U.S. Senator is called to do the same.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Sen- ator from Michigan.

Ms. STABENOW. Mr. President, I rise today to speak during a sad and perilous moment in our Nation’s his- tory.

Our Nation was founded on impor- tant, basic principles that “all men” and women “are created equal” and “that they are endowed by their Cre- ator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”

With rights, of course, always come responsibilities. Among them are the protection of our elections, and no person, not even the President of the United States, is above these laws. No person, not even the President of the United States, is above these laws. That has been true since our Nation was founded, and it is still true today.

Unfortunately, President Donald Trump has abused his power and acted as if he is above the law. He did this by hold- ing up critical military aid to press- sure a new foreign leader to investigate a political rival for his own political benefit. Then he did everything he could to try and cover it up after he got caught.

As U.S. Senators, it is our constitu- tional duty to fairly and thoughtfully consider Articles of Impeachment, listen to the evidence, and make a deci- sion that honors our Nation’s values and our fundamental belief that no one is above the law.

That is exactly what I did, and it is why I will vote to convict President Trump and remove him from office.

The facts show the President did ev- erything he could to cover up the truth, put our Nation’s future at risk, and undermine our democracy.

Let’s be clear. We are here because of one person. We are here because of one person—President Donald J. Trump. The President was provided multiple opportunities to prove his innocence, as he should be. The House made countless requests for documents dur- ing the impeachment inquiry. The White House ignored them.

The House issued 42 subpoenas. The White House refused to comply and even went so far as to threaten and in- timidate those people who chose to ap- pear.

Yet, even with this unprecedented level of obstruction, the House made a strong case for impeachment.

Once impeachment moved to the Senate, the President again had nu- merous opportunities to defend him- self. The American people and the peo- ple of Michigan strongly supported having additional documents and rele- vant witnesses—firsthand witnesses who could speak to the Articles of Im- peachment. That is why a trial is sup- posed to be about.

Yet the Senate did not hear from people who clearly have key, relevant
information, including the former National Security Advisor, John Bolton, who is willing to testify, and, in fact, it is just a matter of time when we will hear publicly, all of us, what he would have said to the Senate; Acting White House Chief of Staff and Director of the Office of Management and Budget Mick Mulvaney; OMB Associate Director of National Security Programs Michael Duffy; and White House National Security Aid Robert Blair.

Common sense—common sense—says that it was the very job that Trump’s top staff have evidence of his innocence, he would have insisted that we hear from them, as we should. They would have rushed into this Chamber.

Unfortunately, the exact opposite happened, lending strong support for the evidence presented by the House of Representatives.

Instead, the President’s defense team argued that abuse of power is not a crime and, therefore, not an impeachable offense. They became clear that they believe, as the President himself has said on many occasions, that he has power to do anything he wants under article II of the Constitution.

They also argued that if the President’s instruction is in the public interest, and if he does anything to benefit his reelection, including getting help from a foreign country, then that too is in the public interest and not an abuse of power.

Common sense would tell us otherwise.

Keep in mind that these are far from mainstream legal arguments, even in conservative legal circles.

These arguments have been made up to protect President Trump and cover up his wrongdoing. These arguments are nothing short of appalling, and I am alarmed at what they suggest President Trump could do next week, next month, in November, or what any President could do.

Is it now OK for the President of the United States to ask a foreign leader to investigate a Member of Congress or any citizen if it helps him get reelected and, thus, in his mind, benefits the country? Is it now OK for the President of the United States to tell a Governor that they are not getting any critical disaster relief until they endorse him in the next election? Is it now OK for the President of the United States to ask a future President with whom he is not in favor for some clarification, and what he would prevent the Chinese Government from doing?

If there were clear evidence of any foreign coconspirators to rig an election, wouldn’t everyone get their way and allow what they wanted? What’s the difference?

What did the Ukraine aid funding delay do? How does it help to fight corruption in Ukraine, but they have produced zero hard evidence to support that claim.

Never in the history of our government has the President pursued a policy end without generating what usually is mountains of paper, and yet here there are no memos, no meeting records, no communiques on anticorruption—nothing. This defense is fiction.

It is fiction because the President was not fighting corruption in Ukraine. He was causing it.

We also know the President was telling the people around him to do what he wanted with respect to the Ukraine. He was telling them to talk to his personal lawyer and talk to Rudy. Because the President had forgotten what is good for the American people, he ignored the needs of our allies and forgiven the attacks on American democracy.

What the American Government under this President was after—the only thing it was after—was a corrupt favor for the personal benefit of Donald Trump. This favor was to get a foreign government to target an American citizen when our own intelligence services were legally prohibited from doing so—an action that even Trump’s own Secretary of State, Mike Pompeo, once admitted is illegal. Mike Pompeo said: “We used an intelligence source that which we cannot do.” Yet that is what the President was seeking.

And that was not the only illegal action. The GAO has said that holding up the Ukraine aid was a violation of the Accountability Act. When the aid eventually went through in September of last year, it wasn’t because they suddenly had a whole lot of new respect for the constitutional powers of the Congress; it was because they got caught.

When this abuse came to light, Donald Trump’s response was: I pretty much can do what I want. I am above the law.

And that, I would submit, is what this trial is all about, whether the Senate and the country have to simply get over it. I know some Senators are apparently prepared to do exactly that, but let’s consider the precedent that just “getting over it” sends.

If this ends in an acquittal, it will signal that politicians can get away with selling out American interests to foreign coconspirators to rig an election. What is to stop the Russians from approaching a future President with their own proposition: Dial back your sanctions against Iran, and we’ll take down your opponent. What is to stop the Russians from approaching a future President with their own proposition: Dial back your support for the Baltic States, and we will take down your opponent. What would prevent the Chinese Government from approaching a Senator and offering fabricated dirt on Senators of the other party in order to smooth the way for a sweetheart trade deal? What if the President hands the Saudis an enemies list of political opponents to head off exchange for military tech and a few regiments of American soldiers in Yemen?

Ending in acquittal without hearing from any witnesses or getting any new evidence will say that the President can rig impeachment trials as well. Every impeachment trial—every one—included witness testimony. That is just good government 101. It is what Americans expect. It is what I heard in open-to-all-townhall meetings in Oregon from counties Hillary Clinton won. The Republican Senate majority is apparently ready to acquit the Republican President without even going
through the motions, ignoring what the American people expect.

How will we sustain a functioning democracy when our leaders are allowed to rig an election and there are no consequences? The Congress is going to struggle to do that precedent. It could outline all of us.

After these long days of arguments and questioning, in my view, this comes down to two simple questions.

First, the President swears an oath, just like we do, to protect and defend our revered Constitution. Does the President’s oath of office mean anything? When a President puts his own interests first, when he extorts fabricated dirt from a foreign government for his political gain, he is obviously in violation of his oath. He is not protecting the constitutional right of Americans to choose their own leaders in free and fair elections. What he is doing is protecting himself and his own power.

What does the President’s oath of office mean if violating it carries no consequences? If his oath means nothing and he cannot be charged with a crime, then he is bound by nothing. And if we will not hold him to his oath, are we not thereby lending our support to the lawlessness of his friends and colleagues on both sides of the aisle, but it is one that has weighed heavily on me. Voting whether or not to remove a sitting President is no easy decision, and it shouldn’t be, as the consequences are numerous.

As a moderate, centrist Democrat from West Virginia with one of the most bipartisan voting records in the Senate, I have approached every vote I have cast in this body with an open mind and a determination to work across the aisle to bring my Republican and Democratic friends together to do what is best for our country.

Where I come from, party politics is more often overruled by just plain old common sense, and I have never, in over 35 years of public service, approached an issue with premeditated thoughts that my Republican friends are always wrong and my Democratic friends are always right. Since the people of West Virginia sent me here in 2010, I have never forgotten the oath I took to defend the Constitution and faithfully discharge the duties of the office of which I am honored to hold. It is by the Constitution that we sit here today as a court for the trial of impeachments. It is the Constitution that gives us what Hamilton called the “awful discretion” to remove the President from office.

At the start of this trial, my colleagues and I took an oath swearing—swearing—to do impartial justice. I have taken this oath very seriously throughout this process, and I would like to think my colleagues have done the same, because, as the House managers and our former colleague Republican Senator John Warner from Virginia said: It is not just the President who is on trial here but the Senate itself.

The Framers of the Constitution chose the Senate for this grave task because, according to Hamilton, they expected Senators to be able to “preserve, unawed and uninfluenced, the necessary impartiality” to discharge this awesome responsibility fairly, without flinching.

The Framers knew this would not be easy, but that is why they gave the job to us, the Senators. They believed the Senate was more likely to be impartial and more likely to be uninfluenced by political passion, less likely to betray our oaths, and more certain to vote on facts and evidence.

This process should be based simply on our love and commitment to our country, not the relationship any of us might have with this President. I have always wanted this President and every President to succeed, no matter what their party affiliation, but I deeply love our country and must do what is best for the Nation.

The Constitution refers to impeachment “trials” and says the Senate must “try” impeachments. The Framers chose their words carefully. They knew that a trial was what it meant to try a case. By using the term “standards of judicial fact finding,” it calls on us to do what courts do every day and receive relevant evidence and examine witnesses.

Sadly, the Senate has failed to meet its constitutional obligation, set forth by the Framers, to hold a fair trial and do impartial justice, and we have done so in the worse way, by letting tribal politics rule the day.

I supported President Trump’s calls for a fair trial in the Senate, which he suggested himself would include witnesses. But instead this body was shortchanged, with a majority of my Republican colleagues, led by the majority leader, voting to move forward without relevant witnesses and evidence necessary for a fair trial, as our Framers intended.

History will judge the Senate harshly for failing in its constitutional duty to try the case with justice, to try impartial justice, to defend the Constitution, and to protect our democracy. Sadly, this is the legacy we leave to our children and grandchildren.

Removing a President from the office to which the people have elected him is a grave step to take, but the Framers gave the Senate this solemn responsibility to protect the Constitution and the people of this Nation.

Over the duration of this trial, I have listened carefully as both the House managers and the White House Counsel make their case for and against the Articles of Impeachment. I commend both sides for their great and grueling work in defending their respective positions.

The House managers have presented a strong case, with an overwhelming display of evidence that shows what the President did was wrong. The President asked a foreign government to intervene in our upcoming election and to harm a domestic political rival. He delayed much needed security aid to Ukraine to pressure newly elected President Zelensky to do him a favor, and he defied lawful subpoenas from the House of Representatives. His counsel, too, defended their actions by laying out their case of the President’s actions. They pointed to the unclassified transcript of President Trump’s July 25 call with newly elected Ukrainian President Zelensky to make the argument that Trump discussed burden-sharing with other European countries and a mutual interest in rooting out
corruption. They presented their views that the President was not given due process in the House of Representatives and highlighted the expedited nature of the House’s proceedings. Finally, they argued: If a President does something which the public will help him get elected and reelected in the future, that cannot be the kind of quid pro quo that results in impeachment.

Over the long days and nights of this trial, I have listened to both sides present their case and answer each others’ I remain undecided on how I will vote, but these points I believe to be true. First, it was not a “perfect” call. A newly elected President Zelensky, with no experience in international politics, gets a call from the leader of the free world asking for a favor related to U.S. domestic political affairs.

No one—no one—regardless of political party, should think what he did was right. It was just simply wrong. Pressuring a NATO ally who is actively fighting Russian aggression in our country is wrong. President Zelensky, or anyone else, should never feel beholden to the superpower of the world for a “favor” before they can receive military aid. It is not who we are as a country and should not be tolerated by us with our allies and never, ever condition our support of democracy for a political favor.

Of all of the arguments we have heard from the House managers and White House Counsel during the long days and nights we have sat here, the most dangerous and the most troubling to me is the false claim that the President can do no wrong, that he is above the law, and if it is good for the reelection of the President, then, it is good for our country. That is simply preposterous. That is not who we are as Americans.

That is not how I was raised in the small coal mining town of Farmington, WV. Where I was raised, no one believed they were better than anyone else and could act with total disregard for the well-being of their neighbor if it was for their best interest. That is not why, over 230 years ago, the founding generation rebelled against a King and refused to crown a new one in this Republic. So let me be clear. No one, not even the President, is above the law.

Finally, the purpose of impeachment is not to punish the President but to protect the Republic. The ultimate question is not whether the President’s conduct warrants his removal from office but whether our Nation is better served by his removal by the Senate now with impeachment or by the decision the voters will make in November.

Re看了 our deeply divided Nation but also further poison our already toxic political atmosphere.

In weighing these thoughts, and of all of the arguments brought forward in the case, I must be realistic. I see no path to the 67 votes required to impeach President Trump, and I have not seen this trial and, moreover, I do believe a bipartisan majority of this body would vote to censure President Trump for his actions in this manner. Censure would allow this body to unite across party lines and as an equal branch of government formally denounce the President’s actions and hold him accountable. His behavior cannot go unchecked by the Senate, and censure would allow a bipartisan statement condemning his unacceptable behavior in the strongest terms.

History will judge the Senate for how we have handled this solemn constitutional duty, and without bipartisan action, the fears of the great Senator Byrd will come true. As he said during the impeachment of President Clinton: "The Senate will 'sink further into the mire' because of this partisanship. "There will be no winners on this vote," Byrd said. "Each Senator has not only taken a solemn oath to support and defend the Constitution but also do impartial justice, ' to help the Nation, 'so help me God . . . . That oath does not say anything about political party; politics should have nothing to do with it.

I am truly struggling with this decision. I am being asked to vote reluctantly, as voting whether or not to remove a sitting President is the most consequential decision that I or any U.S. Senator will ever face.

But regardless of my decision, and in the absence of 67 votes, I am reminded again of the words of Senator Byrd: The House and Senate—Republicans and Democrats—and the President “must come together to heal the open wounds, bind up the damaged trust, and, by our example, again unite our people.”

“For the common good, we must now put aside the bitterness that has infected our Nation . . . . We [must] begin by putting behind us the distrust and bitterness caused by this sorry episode instead of shoring up the divisions that have eroded decency and good will and dimmed our collective vision.”

It is not the legacy of the individual Senators who should be concerned with the outcome of this trial. It is in the interest of this great institution, the U.S. Senate, that we leave for generations to come.

I thank you, and I ask the good Lord to continue to bless this great country of ours during this trying time.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Madam President, before I begin, I really want to take a moment to thank our friend and Majority Leader McConnell, for the manner in which he has worked to make this trial run so smoothly. I also thank our colleagues for their perseverance and, of course, the staff that has worked so diligently and has been so patient as we have worked through this process.

The impeachment trial of President Donald J. Trump was a moment in history that should have been shrouded in the opacity of its potential consequences. Instead, day by day, we endured hyperbole in its most unseemly form.

It is easy to forget that America’s appetite for scandal fades quickly once you exit the beltway around Washington, DC, but I encourage my colleagues to recognize that the enthusiasm with which the House managers have sought President Trump’s removal is completely and inarguably divorced from reality in the heartland.

As it appeared to my fellow Tennesseans, the intentional mishandling of the House of Representatives’ constitutional duty was nothing more than an attempt to prestigate the 2020 election. They just needed to find a path that was going to get them there. So they had their outcome. They needed a path.

We saw House Democrats freeze out the President’s counsel, refusing them an opportunity to participate in the House Intelligence Committee’s investigation.

House Manager Schiff created the supposed conversations he falsely attributed to the President and waited to see if his assertions would be questioned or if they were going to be accepted as fact.

Let me tell you something. I am a mom and I am a grandmother, I will tell you this. I don’t think there is anyone on Earth who would do it if her child did such a thing to a coach or a teacher or a Scout leader or a minister. They would not stand for it, and yet the Senate was expected to indulge this unseemly behavior. This is something that is appropriate that we question.

The House managers relied heavily on the assertions of a whistleblower but refused to reveal anything about the circumstances that led to the whistleblower’s report. So here we are at the end of the trial. Do we know if the whistleblower is a person or if it is a group of people? Does the report represent a consensus of ideas or just biased opinion? Was it prepared by an individual or prepared by a committee? One can answer that question except House Manager Schiff and his staff from the House Intelligence Committee, but that is not something they wanted to come down and talk about.

When it became clear that the White House would push back on witness subpoenas seeking testimony protected by executive privilege, House Democrats chose to move on rather than fight as
hard as they could for their case. They looked at those subpoenas, thought about the evidence that might come from them, and decided: not worth the trouble. Instead, they tried to rely on the pandemonium created by a historic moment to blame their colleagues and the American people that justice demanded a do-over—a do-over for the House impeachment.

When that strategy failed, they blamed the Members of the U.S. Senate for our unwillingness to go in and clean up the mess they left behind. We were not a pressure tactic; it was a manipulation tactic aimed right at the hearts of the American people.

Unfortunately for the House managers, the people see with dazzling clarity what has transpired within the four walls of this Chamber. The House managers have asked us to go on the record and rubberstamp history’s first—history’s first—impeachment inquiry to be filed solely on the basis of partisan politics. They have asked us to ignore how quickly they moved to impeach President Trump and to not compare their timeline to the timelines from the Nixon or the Clinton impeachment.

Colleagues, I did my constitutional due diligence. I have read the House managers’ brief and those reports prepared by the House Republicans and the President’s counsel. I saw it all in black and white, and it was my due diligence that has led me to support acquittal.

Now, when I was serving in the House, there were times when I became frustrated with President Bush or, then, with President Obama. And when we, as Members of the House, at that point in time were faced with President Obama’s apology tour, his senseless pursuit of government-run healthcare, and his involvement in the Fast and Furious scandal or the DACA executive memo, my colleagues and I discussed the possibility of impeachment: What are we going to do about this? We looked at all the facts, and ultimately we chose a different path, a different path that respected the American people. We litigated our policy differences in the courts, where those battles belong.

So, Madam President, I ask my colleagues that, when the time comes, they exercise the same restraint. I implore every Member of this body to recognize the supremacy of the Constitution over partisan spin. Vote to acquit. Vote to reject the two Articles of Impeachment.

I yield the floor.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. CANTWELL. Madam President, I come to the floor to join my colleagues speaking about what has transpired over the last several weeks and also to say that I think it may be not as obvious as what people realize, and that is that election interference is the issue of our day. It is not because we just spent 11 days talking about it, and what might have happened in the 2000 Bush/Gore Election and the upcoming 2020 election. It is the issue of our day because we live in an information age, and weaponizing misinformation has become a lethal campaign tool. That is to say that, if you tarnish your opponent enough with misinformation, accuse them of corruption, then you can either score by winding them fatally—that is, by getting people not to vote for them or by disinviting people to vote at all.

Claiming corruption seems to be a pretty good tool to wound anybody, to wound institutions, the free press, legitimate government oversight, but most seriously, it wounds our democracy by sowing doubt into free and fair elections. Once voters believe the election results are corrupt, it is hard for them to have faith in the results, and it is hard to make tough decisions that we need to make as a society to move forward. Voting, in and of itself, does give us confidence as a nation, unless we are free and fair elections, we know the public has spoken and the results are legitimate.

I am personally grateful to my predecessor, Senator Slade Gorton, for how he handled the 2000 election. After a 3-week recount and a margin of less than one half of 1 percent, with control of the Senate, a 50–50 split to be decided, he conceded. Since then—and even at that time—some States tried to suppress provisional ballots. But Senator Gorton not only believed the provisional ballots were legitimate, but he believed that the election was correctly decided. That must have been a tough moment for him as he saw a shift in public sentiment in the State of Washington, as we have moved more toward a different direction.

But today we live in a world of disinformation, where distrust can be served up like your own personal cocktail. After consuming and analyzing disinformation, few people ask themselves: How did the data about you, someone knows exactly what disinformation tactic will work best with you. It is almost like disinformation on steroids.

Our adversaries, the Russians, are especially sowing these seeds of distrust into our democracy trying to dissuade people from even voting and more seriously trying to divide us as a Nation and tarnish our democracy. I don’t know if this is some payback from President Putin, or because he believes that the United States helped in the demise of the Soviet Union, or if Russia is just trying to undermine American and European trust and free and open democratic systems; or if Russia is trying to divide Europe so it can dominate European energy supplies and exert its influence over European policies. I just know this: We are not the first act of this play.

This has been going on for many years and in many places. They have interfered in European elections. A 2018 report shows, “the Europeans launched several multilateral and regional initiatives to improve Europe’s resilience to building collective defenses against disinformation and cyber-attacks, improving cross-border cooperation . . . and applying sanctions against malicious actors.”

The Russians interfered in our 2016 election, our own intelligence agencies agreed.

The Special Counsel’s investigation “established Russia interfered in the 2016 election primarily through two operations. First, a Russian entity carried out a social media campaign that favored Presidential candidate Donald J. Trump and disparaged Presidential candidate Hillary Clinton, and second, a Russian intelligence-conducted computer intrusions and operations against entities, employees, and volunteers working for the Hillary Clinton campaign and released stolen documents.”

We must fight back against Russia or anyone who interferes in our elections. Protecting our elections should be a bipartisan effort. We should listen to what the intelligence community says, because they are warning us now that Russia will interfere again in the 2020 elections.

That is why I take so seriously the House charges that President Trump was involved in a scheme, over a long period of time, involving many people, to ask the Ukrainians to interfere in our election.

As Federal Election Commissioner Ellen Weintraub said, “let me make something clear to the American people and anyone running for office. It is illegal for anyone to solicit, accept, or receive anything of value from a foreign national in connection with a U.S. election. This is not a novel concept.”

So why has President Trump continued to sow distrust in our elections? He thought it was okay to ask the Russians to interfere in 2016, and he seems to be inviting Ukrainian interference in 2020.

As one of my former campaign staffers asked last weekend, “are campaigns now going to be communications directors, fundraising directors, and foreign operations directors? You are going to circulate data and seek influence, perhaps dark money or endorsements from foreign governments? Will this become some sort of norm because we’re not acting?”

We already know what the dark, murky world of Paul Manafort looks like. That is why it is so important for us to be clear here. Seeking, requesting, and accepting interference in a
U.S. election campaign is wrong. It is not just inappropriate, it is not just improper, it is illegal. By calling it improper or turning a blind eye in this case, is enabling more election interference.

What is not clear is who are all the President's men in this administration who are helping him abuse his power. He is using his office for political gain. How are they accomplishing this task for him?

It is so disappointing to see that this might be happening in our Nation. Where will the abuse stop? I know this. As a young girl, I remember the Saturday Night Massacre, the time when Bill Ruckelshaus and Elliot Richardson stood up to illegal behavior. My father, at the time was definitely a Democrat, but he wanted me to understand this lesson. People of the other party might not share the same philosophy, but they did share the same Constitution, and the scales of justice are balanced.

Yesterday, it is probably no harder task than to stand up to the President of your own party, but that is what Bill Ruckelshaus and Elliot Richardson did. I remember that lesson and called Bill Ruckelshaus after Jeff Sessions recused himself and was fired. Bill’s advice was prophetic. He said, “You should use this opportunity now to make sure the next Attorney General will be an independent and help rein in this president’s abuse of power.” Well, we obviously did not get that done, and we all know what that outcome has been.

It occurred to me last weekend that maybe the Saturday Night Massacre in this case has happened. Maybe John Bolton and Fiona Hill will turn out to be those people who stood up to the abuse of power. I know this: It is important to have listened to them.

Twice in this gallery over the last several weeks I heard a young baby cry. It is not that unusual that somebody would bring a child to an event like this. Probably their parents wanted to be part of history. And then I thought about what that child would say, probably over the rest of their life: that they had been at this impeachment trial.

But what I want to know is about the reflections 30 or 40 years from now. Will we be remembered for rooting out illegal activity, stopping interference in our elections or not, or will this moment have been forgotten?

I know my constituents have been clear about this—and I don’t mean my constituents that support the President or my constituents that don’t support the President. I mean my constituents who want to know that we are going to enforce the law. They don’t care about what the outcome is in the next election or how it might benefit either party. And it is clear that either party could overstep in this situation. What we want to know is we are going to uphold the oath of office and hold people accountable for wrongdoings that they pursue.

I hope that we have taken this election interference issue seriously. I plan to work with my colleagues, on a bipartisan basis, to get more laws passed on election security and to stop interference. I have been a loud and consistent spokesperson for better cybersecurity. I am not going to let our democracy be eroded by foreign interests that want to harm what is so precious in our Nation. I will be voting for both articles, and for impeachment.

I yield the floor.

The PRESIDING OFFICER (Mr. BOOZMAN). The Senator from Hawaii is recognized.

Mr. SCHATZ. Mr. President, the American experiment was a radical one. It imagined equal justice under the law. It imagined equal protection under the law. It imagined a cumbersome system in which tyranny could be avoided by the constant struggle between elected and appointed leaders, the people’s government, and the people who governed it. It imagined the prospect of speed, efficiency, and convenience to avoid the abuse of power. And so it is with unending regret that I see what is happening.

I gripe for the Senate, an institution both blemished and flawed, an elite place in the worst sense of the word, and yet still the main place where American problems are to be solved. To paraphrase Winston Churchill, the Senate is the worst legislative body, except for all of the others.

There are millions of Americans who have formed a basic expectation about how a trial is to function based on hundreds of years of law and based on their common sense. Make no mistake—what the Senate did was an affront to the basic idea of a trial. And for all of the crocodile tears of my colleagues, all of the fake outrage at the accusation, we must call this what it was—it is a coverup.

I don’t know what Mulvaney or Bolton or Pompeo would say. I don’t know what the documents would illustrate. And I believe it is normally very dangerous to ascribe motives to fellow Senators when criticizing their vote. But it is impossible for me to escape the conclusion that they don’t want to know; that they wanted to get this over with before the Super Bowl, of all things. They are afraid of this house of cards falling all the way down.

As far as the Republican side of the Chamber, I know this moment in history has made their particular jobs extraordinarily difficult, requiring uncommon courage. They have to risk the scorn of their voters, their social circle, their colleagues, and their President in order to do the right thing.

On one level, I knew the likely outcome, but the bitter taste of injustice lingers in my mouth. On behalf of everyone who couldn’t get away with an unpaid traffic fine, is in jail for stealing groceries so they could eat that night, who can’t get a job because of medical debt, I say shame on anyone who places this President or any President above the law. The President is not above the law. No one is above the law. The President is guilty on both counts.

The Constitution gives extraordinary powers to the President under article II, and that makes him without a powerful magistrate, the government can’t function. But in granting these powers, the Framers thought carefully about how to constrain them, and they decided that a President could be controlled to greater or lesser degrees by the legislature, by the judiciary, and by the voters. But the Framers couldn’t contemplate this level of polarization where, even in the face of the overwhelming evidence of high crimes, one party would not just exonerate him for it but, in fact, ratify these crimes. They didn’t imagine that one party would be so uniformly loyal to its President that it could maintain a hammerlock on the Senate, preventing the prospect of 67 votes from ever being available for removal.

I don’t think we are in danger of the impeachment process becoming routine; I think we are in much greater danger of making the impeachment process moot. And if so, God help us all.

But all is not lost. We remain a government of, by, and for the people. If people across the country find this as odious to our basic values as we do, in 8 months the American public can revisit their own verdict on the Senate.

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.
we are under right now. Putting the morality question from President Clinton aside, this supposed debate highlights the central point of the differences in the impeachment process and why President Trump should not be impeached.

Before Clinton was even impeached, he admitted to the crime of perjury. This is a big difference because we have a President right now who has not admitted to perjury in fact, there have not really been accusations of a crime. Our debate then was about whether perjury was a high crime or misdemeanor. I believe it was. As I said then, the President should be held to the highest standard.

But that was substantially different than the question before us today. The question put to us by the House managers is an evidentiary one. It is one that asks the question if, according to the evidence presented, there was a determination that President Trump is guilty of a crime, and the answer is no. Presidents should be held to the highest standard, but that standard can’t be a disfavored standard that isn’t based on evidence or is established by a court of public opinion.

Here is why I will vote to acquit the President. The whole impeachment inquiry was initiated on the basis that President Trump orchestrated the quid pro quo with Ukrainian’s President during a phone call on July 25 of 2019. It is kind of confusing.

A lot of people don’t really understand what it is all about, but Ukraine has had serious problems. You know what is happening. The Russians have been there mass murdering the Ukrainians for a long period of time. We have watched that happen. So they kind of put this thing together saying: Well, there was a deal by President Trump that they would withhold military aid to Ukraine unless there was a deal they could make and have something investigated by the President.

Now, the House managers spent 75 percent of their time on this point and driving home the importance of our partnership with Ukraine and talking about the Russian aggression. The facts weren’t there, but, worse, it is hypocritical. There was nothing wrong with President Trump’s phone call with President Zelensky.

You might wonder how I can be so sure. It is simple. The House Democrats were secondhand, and that means they were hearsay. There was not one direct witness. In fact, they had 17 witnesses in the House of Representatives and not one of them were firsthand. The transcript speaks for itself. There is no evidence in a quid pro quo or of any wrongdoing, whatsoever, just of a President who understands both the importance of Ukraine as an ally and the importance of rooting out corruption. President Zelensky said publicly that he felt no pressure. He testified about this and Trump asking to investigate anything in exchange for foreign aid.

You have to keep in mind we have a very conservative President. He doesn’t just dish out foreign aid to everybody who needs it. In this case, there was a necessity to have military aid. We couldn’t get any lethal military aid to Ukraine, but what he wanted to send was blankets and K-ration. They don’t have K-ration anymore; they call it something else, MREs. But, nonetheless, there was not going to be any military aid sent to them. The House managers placed a brief, temporary hold on the aid to Ukraine to ensure that the American taxpayers were not going to be abused. This is very significant. He did this to Ukraine to make sure that the amount of money that was sent in there was going to be used properly and the amount of military aid that was going to be used.

But at the same time, you have to keep in mind he was doing that with everybody else too. He is just not a fast-spending President. He is going to make sure things have to be made in accordance with their needs. In fact, at other times, he withheld the same type financial aid to Afghanistan, South Korea, El Salvador, Honduras, Guatemala. So the fact that he didn’t have a good fact that he did it with Ukraine was consistent with his other policies. This is what he does and what he has always done.

I am confident about this because I talked to President Trump directly about it. I am the chair of the Senate Armed Services Committee, the committee is responsible for authorizing lethal aid to Ukraine. I have been working on securing that lethal aid for a long period of time, dating back to 2014. In 2014, we had a different President. It was President Obama. And then the President Poroshenko—I can remember being in Ukraine with Poroshenko, and I talked to him about this. At the same time Russia was in Ukraine and was mass killing the Ukrainians. We went to President Obama to get help, and he wouldn’t do it. He didn’t want to send anything lethal aid. And he said over and over again—we talked about blankets and K-ration. When Presi- dient Trump came into office, he changed it. He is the first President to provide lethal aid to Ukraine. He has been a committed partner in the region helping them withstand Russian aggression.

I bring this up because during the first 3 days of the House managers’ presentation, about 75 percent of that time was spent on this issue talking about his lack of support for Ukraine, when in reality, this President has been supporting Ukraine. The House managers who were serving in the House at that time—this is significant. Of the House managers—however many were sitting over here for the last week of the trial about 75 percent of that time was spent on this issue.

The first vote that was taken originally was a non-impeachment vote. I think one of the stars of the testimony that went on was Alan Dershowitz. He is someone who is held in the highest regard. He is a law professor at Harvard University, and he is a strong Democrat. He is not a Republican. First thing he did was admit he voted for Hillary Clinton in 2016, so that qualifies him in a different way than most of the people who were here as witnesses. He was direct in his presentation and shredded the Democrats’ case. He made it clear that abuse of power is not a crime and it is not suited for a campaign, not impeachment, as abuse of power is not a crime or impeachable conduct.
Dershowitz also explained that virtually every President since President Washington could have been accused of impeachment if they used the criteria that the House managers—the ones who were sitting over here—were using. That was a level that could not be used against any other President if it had been used at that time.

He also had an important comment on whether or not we needed to hear sworn testimony from John Bolton. This is a case. This is a case according to Dershowitz. He said: “Nothing in the Bolton revelations, even if true, would rise to the level of an abuse of power or an impeachable offense.” That is Alan Dershowitz.

It is clear that President Trump must be acquitted of the charge of abuse of power on its merits. A vote to convict in this case would be a dangerous precedent.

I would say, time and time again, that during the trial, the House managers have preached at us that the truth matters, that facts matter; that we must convict the President and remove him from office. In fact, the House managers’ closing arguments—I tried to count the number of times they made the accusations using the words “cheat,” “obstruction,” “crimes,” and it was so many times, I lost track—but truth matters. Just because you say the President has committed a crime doesn’t make it true.

Here is what is true. This has been a partisan process from start to finish. Compare that to the past. The impeachment inquiry against President Nixon was authorized by a vote of 410 to 4 in the Congress, an overwhelming bipartisan vote. The same thing was true with Clinton. They had 31 Democrats who voted to impeach the President. Yet in the vote of this impeachment inquiry, the final vote to impeach President Trump was strictly partisan. Not a single House Republican voted to impeach the President. On the contrary, nearly every House Democrat did. The only bipartisan vote was against impeachment.

I listened to the facts and I have listened to the evidence and I am convinced President Trump has not committed a crime. All the legal minds who gave testimony pretty much agreed with that, including Dershowitz.

I think, though, it has to be said there is a hatred for Trump. We have to admit there is something about him that a lot of people don’t like, whether it is his demeanor or it is his style. I understand that. But when you listen to the substance, look at what he has done right now rebuilding the military, including killing the top terrorists. I am particularly sensitive to this because this is my committee. We have watched what he has done to the military.

Back during the Obama administration, using constant dollars during the last 5 years of his 8-year tenure, he actually reduced the spending in military by 25 percent. I don’t think that has ever been done in the history of this country, except maybe immediately following World War II. Yet there he is, rebuilding the military, and we are now back to where we are competitive. I have not seen this before. During those last 5 years of Obama, we really hurt ourselves in terms of our relationships in terms of China and Russia taking the leadership positions they have taken. He has been rebuilding the military and our ability to cross-examine. This is a case where it is his demeanor or it is his style. I don’t think a lot of people don’t like, whether it is his demeanor or it is his style. I think it has to be said that, and I refer to that in my attached statement, so I will not spend the time here to go through that.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I ask unanimous consent that my full statement be included in the Record.

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

Mr. CARDIN. Mr. President, constitutional experts will be debating President Trump’s misconduct for general misconduct. We have already reached consensus as to the misconduct of the Senate in the Trump impeachment. This is the first time in the history of impeachment that no witnesses and documents were allowed to be called by the U.S. Senate. It violates the Constitution in the impeachment trial of Donald Trump by its failure to hold a constitutionally fair trial.

At one time, I had the opportunity to present as a House manager an impeachment of a U.S. Senate that they had been cross-examined. The tragedy here is, if you need to cross-examine witnesses in order to get to the truth. We had no witnesses under oath and no witnesses cross-examined. The tragedy here is, if the President is acquitted, there will always be a question as to whether this was a legitimate trial here in the U.S. Senate.

Let me just spend a moment comparing the impeachment proceedings of President Clinton’s versus those of President Trump’s.

President Clinton, there was a trial in the Senate. It was acknowledged to be fair. Witnesses were called. President Clinton and his administration officials had testified under oath and had been subject to cross-examination. President Clinton apologized for his misconduct, and President Clinton’s misconduct was personal in nature.

Compare that to President Trump. He blocked all witnesses and documents and then, he prevented the Senate trial from calling any witnesses or producing any documents. He has never shown any remorse. Even though most Senators here know that what he did was wrong, he has shown no remorse whatsoever, and his misconduct was that of abusing his office for personal gain—getting a foreign power to help in his election campaign.

Let me briefly go through article I. Article I states that he solicited a foreign government, Ukraine, to interfere in the 2020 elections by its publicly announcing investigations that would benefit his reelection, conditioned on official U.S. Government acts of significant value to Ukraine. The House managers have submitted a voluminous amount of information that supports that, and I refer to that in my attached statement, so I will not spend the time here to go through that.

And there is enough in the full record to establish the charges, there are other issues that add to the President’s committing these acts.

First, as I mentioned before, the President issued a blanket obstruction for any witness with firsthand knowledge of the President’s conduct to provide testimony on these articles here in the U.S. Senate. Yes, we can infer that, if the President had exculpatory witnesses, he would have produced those exculpatory witnesses.

Second, the President’s impeachment attorney, Mr. Sekulow, said that you cannot view this case in a vacuum.

I agree. The President has consistently
misrepresented the facts and defamed anyone who challenges him.

Let me just give you one concrete example: the Mueller investigation, which has been cited in this impeachment trial. The President denies Russia’s initial involvement in our elections. He resisted efforts to hold Russia accountable. He defamed the reputation of the special counsel. He willfully impeded the investigation. He attacked the integrity of our intelligence and law enforcement agencies. He also warned that the investigation exonerated him. He has done that over and over again. The findings in the report speak to a contrary conclusion. It says Russia interfered in our 2016 elections in a sweeping and systematic fashion. It reads: ‘‘If we had confidence that the president clearly did not commit a crime, we would have said so.’’

There are numerous instances in which the President may have obstructed justice. The President has told the House to pursue the case in the Senate, to pursue the case to Congress or to a prosecutor after he leaves office.

Since he has taken office, the President’s pattern has been to mislead and misstate facts and to act as a bully against those who have had anything to say against him that he has not liked. It makes it easier for us to understand how the illegal scheme in article I unfolded.

I have one additional fact of why this point is so important. The President has consistently shown no remorse. He continuously tells us that the summary of the July 25 call shows a perfect call. We know how controversial that call was. It was far from perfect.

The next hurdle was, is this an impeachable offense? I concluded that it was. It is an abuse of power, which is an abuse of trust, which is clearly what our Founders intended as being a high crime and misdemeanor while in office.

The President’s own analysis of this leads to the only conclusion, that being that abuse of power must be an impeachable offense. I say that because we had the President’s counsel—once again, Professor Dershowitz—who told us that it was not an abuse of power and that it was not an impeachable offense. Professor Dershowitz said that if your election is in the public interest—that it cannot be the kind of quid pro quo that results in impeachment.

Well, that is an absurd situation if you adopt the logic of the President’s counsel that abuse of power is not an impeachable offense. It is clearly an impeachable offense. The President’s conduct has jeopardized America’s global leadership in promoting our values. Our values are our strength.

Article II is a lot easier—obstruction of Congress because the facts clearly establish that the President’s blanket obstruction, which he orchestrated, denied any access to individuals or to documents in order to facilitate a coverup of what was uncovered under article I of the Articles of Impeachment.

It is essential for Congress to carry out our responsibilities and to be able to get that type of information from the President. It is exactly what the Framers of the Constitution intended when they developed the checks and balances in our system—that there would be no branch that would have absolute power. We do not have a Monarch.

President Trump has crossed the line with his personal interests over the country’s interests. He used the power of his office for his own personal benefit. No one is above the law. We must act to protect the Constitution and our democratic system of government. It is with a heavy heart that I will support both Articles of Impeachment.

Senators have a grave responsibility when it comes to the power of impeachment, particularly when it involves the President of the United States. This is a very profound responsibility in which Senators have to do what is right for our country. Our decision here will affect not only this President but the future of the Presidency itself.

The Constitution leaves to the Senate ‘‘the trial of all impeachments.’’ The Constitution clearly requires the Senate to conduct a trial. The Supreme Court, the ultimate interpreter of the Constitution, has given the Senate some guidance in carrying out its responsibility to conduct impeachment trials. Supreme Court Justice Byron White, in a concurrence opinion in Nixon v. United States, 506 U.S. 224 (1993), found that the Framers of the U.S. Constitution clearly intended ‘‘the phrase “the trial of all impeachments”’’ to mean that the Senate conducts the trial in a manner that includes a full and fair examination of the evidence. The Senate conducted the trial in this manner.

The Senate has the sole power to ‘‘try’’ impeachments. Yet how can the Senate hold an actual ‘‘trial’’ without hearing direct evidence from witnesses? The Senate chose not to hear additional relevant evidence and key witnesses with firsthand knowledge of the President’s conduct. However, the Senate is not bound solely to the House record when conducting an impeachment trial. The Senate should have heard new and relevant evidence that bore directly on the Articles of Impeachment, including testimony from former White House National Security Advisor John Bolton. Acting White House Chief of Staff and Acting OMB Director Mick Mulvaney, as well as various other OMB and DOD officials. The Senate should have demanded additional documents from the White House, State Department, OMB, and DOD that bore directly on the Articles of Impeachment. The Senate should have been able to receive further evidence before concluding its trial in this case. But what evidence we did receive was incriminating or exculpatory. As one of President Trump’s counsel Mr. Philbin said during the trial, ‘‘the best way to find out the truth is for witnesses to be subject to cross-examination.’’ The Senate therefore failed in its responsibility when it did not conduct a constitutionally fair trial. I suspect that Justice White in the Nixon case would have concluded that no ‘‘reasonable judge’’ would conclude these proceedings constitute such a trial.

The evident deficiencies of the Senate trial has made it more difficult for me to carry out my responsibility, and if the Senate fails to convict, that acquittal will always be questioned because of the absence of a fair trial. This process is not fair to the House, Senator, American people, or the President. Now, in regards to the specific Articles of Impeachment, article I alleges ‘‘abuse of power’’ by the President, stating: ‘‘Using the powers of his high office, President Trump solicited the interference of a foreign government, the Government of Ukraine, in the 2020 United States Presidential election. He did so through a scheme or course of conduct that included soliciting the Government of Ukraine to publicly announce investigations that would benefit his reelection, harm the election prospects of a political opponent, and influence the 2020 United States Presidential election to his advantage. President Trump also sought to pressure the Government of Ukraine to take these steps by conditioning United States assistance to the Government of Ukraine to publicly announce investigations that would benefit his reelection, harm the election prospects of a political opponent, and influence the 2020 United States Presidential election to his advantage. President Trump engaged in this scheme or course of conduct for corrupt purposes in pursuit of his personal political benefit and in doing so violated the Constitution of the United States.’’

I reluctantly conclude that the President has indeed engaged in the conduct...
alleged. I come to this conclusion based first on the record during this impeachment trial.

In weighing the facts and evidence in this case, I have listened carefully to all of the trial proceedings and taken extensive notes, including during the managers' presentations and questioning period. Let me highlight a few key facts and pieces of evidence that were determinative for my thinking, with the understanding that this is not an exhaustive list of them.

First, the House managers and the President indicated their strong interest in having Ukrainian President Volodymyr Zelensky open a political investigation into the Bidens, in a July 26, 2019, phone call between the President and U.S. Ambassador to the European Union Gordon Sondland.

Second, Acting Chief of Staff and Office of Management and Budget Director Mick Mulvaney admitted that a quid pro quo existed in terms of tying the release of U.S. funding to Ukraine to political investigations desired by the President.

Third, there are numerous examples in the record of direct pressure on the Ukrainian Government to open political investigations for the personal benefit of the President. In an open letter, on September 1, 2019, Warsaw meeting between Ambassador Sondland and Andriy Yermak, a top adviser to the Ukrainian President, which directly tied U.S. military assistance to Ukraine to the opening of political investigations to hurt President Trump's political rivals. These accounts were later confirmed in testimony by other U.S. diplomats, and on September 7, Ambassador Sondland reiterated these themes following discussions with President Trump.

Fourth, before the July 25 phone call between Presidents Trump and Zelensky, former U.S. Special Envoy to Ukraine Kurt Volker communicates with the President's managers regarding a potential White House visit to the launching of a political investigation against the President's rivals in Ukraine.

Fifth, on July 10, 2019, the White House held a series of meetings with high-level Ukrainian defense officials, which conditioned a White House visit from the Ukrainian President with the opening of political investigations in Ukraine sought by President Trump. Notably, former National Security Advisor John Bolton refused to be part of any “drug deal” and asked his staff to report these meetings to National Security Council lawyers. It was explained by National Security Council Member Fiona Hill that, by “drug deal,” Ambassador Bolton was referring to conditioning a White House meeting for the President of Ukraine with the Ukrainians starting the political investigations desired by the President.

Mr. Bolton should have testified before the Senate, and we should not have to wait for his book release, after this Senate trial concludes, to get a full accounting of firsthand conversa-

The record shows that Ambassador Volker tried to discourage Mr. Yermak and the Ukrainian Government from trying to prosecute the country's previous President. Ambassador Volker says he warned it would sow deep societal divisions. Ambassador Volker says that Mr. Yermak quipped in response, “You mean like asking us to investigate Clinton and Biden?”

In addition to the record, I am supported in my conclusions by three other considerations. First, why hasn’t the President told us what he was told in the impeachment trial the testimony of the witnesses that have direct knowledge concerning the factual allegations in the Articles of Impeachment? I draw from the absence of such testimony that it would only corroborate the record presented by the House Managers. Secondly, counsel to President Mr. Sekulow acknowledged “you cannot view this case in a vacuum.” I agree. President Trump, during his Presidency, has consistently misrepresented the meaning of anyone who has challenged him.

One clear and relevant example of this is how he tried to obstruct the Mueller investigation and how, to this date, he mischaracterizes its conclusion. The President was not exonerated by the Mueller report, which found that Russia interfered in our 2016 Presidential election in a “sweeping and systematic fashion.” President Trump repeatedly took steps to deny Russia’s involvement in tampering in our elections, resisted efforts to hold Russia accountable, besmirched the reputation of the special counsel while trying to dismiss him or willfully impeding his investigations, and attacked the integrity of our intelligence and law enforcement agencies.

Indeed, the Mueller report stated: “If we had confidence after a thorough investigation of the facts that the President clearly did not commit obstruction of justice, we would so state. Based on the facts and applicable legal standards, however, we are unable to reach that judgment.” At a press conference, Special Counsel Mueller reiterated: “we had had confidence that the president clearly did not commit a crime, we would have said so.” The report detailed numerous instances in which the President may have obstructed justice, but left further pursuit of the matter to Congress or future prosecutors once the President leaves office.

With such a track record, it is easier to understand how the facts presented by the House managers tie together political investigations expected by the President, to get Ukraine involved in our 2020 elections to help Mr. Trump’s re-election.

Third, the President has consistently failed to show any remorse for his conduct, leading to the conclusion that he will continue to violate the sacred trust of the office.

Having been satisfied that the President did commit the offenses in the first Article of Impeachment, the next Articles deal with whether to impeach. The evidence shows the President obstructed justice, but left further pursuit of the matter to Congress or future prosecutors once the President leaves office.

Based on the facts and applicable legal standards, we are unable to reach that judgment.” At a press conference, Special Counsel Mueller reiterated: “we had had confidence that the president clearly did not commit a crime, we would have said so.” The report detailed numerous instances in which the President may have obstructed justice, but left further pursuit of the matter to Congress or future prosecutors once the President leaves office.

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The President's counsel notes that abuse of power could become too subjective a standard for Presidential impeachments. But as Representative William Cohen remarked in President Nixon's case, "It has also been said to me that even if Mr. Nixon did commit these offenses, the President . . . has engaged in some of the same conduct, at least to some degree, but the answer I think is that democracy, that solid rock of our system, may be eroded away by degree and its survival will be threatened by the degree to which we will tolerate those silent and subtle subversions that absorb it slowly into the rule of a few."

The premise that abuse of power being a too subjective standard belies common sense and could lead to the absurd conclusion given by Professor Dershowitz—one of President Trump’s impeachment counsel—during the trial. He stated: "Your election is in the public interest. And if a president does something which he believes will help him get elected in the public interest, that cannot be the kind of quid pro quo that results in impeachment.”

Abuse of power, as used by President Trump, to further a scheme to get Ukraine to look into investigating his political rivals. If President Trump’s campaign must be an impeachable offense if we believe our Constitution guarantees that no one, including the President of the United States, is above the law.

The President’s counsel also observes that, when initiating Articles of Impeachment, the House should only proceed if there is bipartisan support, but that decision is left solely to the House. Once the House has acted, the Senate shall proceed to trial and must render a decision based upon the case presented.

There are clear distinctions between the Clinton and Trump impeachments. In Clinton, the trial was acknowledged to be a constitutional trial before the Senate; President Clinton and members of his administration testified under oath; and documents were produced for review by the President. President Clinton showed remorse for his conduct and apologized. His misconduct was personal in nature.

In contrast, President Trump blocked all witnesses and documents, and the Senate called no witnesses to testify under oath. President Trump has shown no remorse, continuing to say that the controversial call with President Zelensky was "perfect.” Unlike President Clinton’s misconduct, President Trump has abused the power of his office for personal gain.

"Futon" was a top advisory to the second Article of Impeachment, Obstruction of Congress, the House alleges, that, in response to their impeachment inquiry, President Trump “directed the unprecedented, categorical, and indiscriminate defiance of subpoenas issued by the House of Representatives, and, without lawful cause or excuse, President Trump directed Executive branch agencies, offices, and officials not to comply with those subpoenas." President Trump thus interposed the powers of the Presidency against the lawful subpoenas of the House of Representatives, and assumed to himself functions and judgments necessary to exercise of the ‘sole power of impeachment’ vested by the Constitution in the House of Representatives.”

In particular, the second article alleges that the President: No. 1, directed the White House to defy a lawful subpoena by withholding the production of documents, including OMB and the Departments of State, Defense, and Energy; and No. 3, directed current and former executive branch officials not to cooperate with the investigating committees, including Mick Mulvaney and numerous other officials.

After reviewing the evidence, I believe that the Senate record supports a conviction under article II as an impeachable offense.

President Trump carried out an extraordinary and unprecedented campaign of obstruction of Congress. Note that President Clinton provided evidence that was requested by the House and Senate during impeachment proceedings, and allowed multiple White House aides to testify in the underlying investigation. President Nixon cooperated to an extent in his investigation, and White House officials to testify and providing substantial evidence to Congress in its inquiry. By contrast, President Trump issued an edict directing his administration to refuse to “participate” in all aspects of the House’s impeachment inquiry. In particular, the October 8, 2019, letter from the White House Counsel did not even attempt to assert any specific privileges.

This trial has been very difficult for the Senate and the Nation, but each Senator must in his or her own judgment carry out the oaths we have taken as Senators to support the Constitution as well as our special oath to do “impartial justice” as participants in this Senate impeachment trial, with Chief Justice Roberts presiding over the Senate.

Weighing the credibility of President Trump, I find a clear pattern of misconduct in office. President Trump’s obstruction of Congress shows a deep and alarming disrespect for Congress and lack of appreciation for the separation of powers and system of checks and balances in our government.

As the President and Commander in Chief, President Trump used his power to compromise and corrupt America’s values. Our values are our strength. In particular, President Trump has undermined the rule of law, weakened our efforts to fight corruption both at home and abroad, damaged our national security, and helped our adversary, Russia.

President Trump’s conduct clearly crossed the line when he put his own personal interests over the country’s interests, using the power of his office for his own personal benefit.

No one is above the law. We must act to protect the Constitution and our democratic system of government. It is with a heavy heart that I support both Articles of Impeachment, requiring the removal of the President from office as well as the disqualification to hold and enjoy any office of honor, trust, or profit under the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mrs. Loeffler. Mr. President, I am honored and humbled to stand before you today as Georgia’s and our country’s newest U.S. Senator.

As the 100th Senator, I have spent the least time in Washington, but as the least senior Senator, I am also the most recently attached to the private sector, where the vast majority of Americans live and work. I am intensely aware of the needs and the expectations that Americans hold for us. Two months ago, I left nearly a three-decade business career to serve the great people of Georgia and our Nation, but being here in this respected, historic Chamber is a very long way from where I started.

I was born and raised as the fourth generation of corn and soybean farmers, and I grew up working in our fields and with our cattle on the feedlot. I waitressed and sold watches and shoes and taught school. Then I moved around the country to pursue my dream of a business career. I have been a job seeker and a job creator. I haven’t spent my life trying to get to Washington, but I worked hard to stand where I am today.

I have lived the American dream, and each day, I remember where I came from, and I am proud of my beginnings. While I am an outsider to politics, I am not new to getting results. I came here to get things done for the people of Georgia.

So why does all of this matter today, in this historic moment right now, just 2 months from my very first vote of President Trump? Because for months and, sadly, years for many, Members of Congress who have meant to serve the American people have been tied up in a political game.

There is much to regret here—the House’s false urgency to push through deficient articles, only to ask for more time, more evidence, more testimony; the deception of the House managers, who are more focused on political power than they are on pursuing the facts; the media who ran with the narrative the Democrats planted, with select, unlawful leaks.

For the last 132 days, Congress has been neglecting the American people. I came here to get things done for Georgians, but for the last 2 weeks, we have been stuck in the Senate Chamber, working on something that most Americans have little interest in.

As my notebooks filled up, I thought to myself, how did this case even make it to the Senate?
When I am around the State, it is very clear that this is not what people at home care about. Georgians aren’t losing sleep over a call the President made or questioning his constitutional right to conduct foreign policy. They are concerned with taking care of their families and the way they can achieve the American dream and live the lives they imagined. I think of young kids, whether in the inner city or on a farm or in the suburbs. What example are we setting in Washington? Why do they feel that Washington cares about job creation when there is a neglect of the engine that makes America strong?

Why are we here? We are public servants, charged with protecting the Constitution and our country and I hope, in the process, bettering the lives of all Americans.

Despite this monumental distraction, this administration has worked tirelessly to move our country forward.

Last week, the President signed into law the United States-Mexico-Canada Agreement. Sadly, this sat on Speaker Pelosi’s desk for 1 year, denying American farmers and workers untold economic opportunity.

Lamentably, the administration completed a phase one deal with China, now holding China accountable for unfair trade practices and adding to our thriving economy.

For 3 years, as the Democrats have focused on taking down a duly elected President, President Trump’s pro-growth policies have given us a booming economy. These policies have resulted in record employment, 7 million new jobs, and a blue-collar boom that is lifting up hard-working Americans.

This administration charges on, but it needs Congress’s support if America is to move on with the American dream for all.

With that in mind, I say: Enough. Let’s start living in the America we can be. They are the ones who should make a judgment about the President, and they will do that in 9 months. Let’s not be so arrogant as to take that decision away from the American people. Instead, let’s focus all of our energies on improving their lives. Impeachment does not do that. It is time to move on.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. ALAMO. Mr. President, I come before this body with a deep sadness that this institution has failed the Constitution and failed the American people.

We have reached a low point in our history. We have failed to hold a fair and honest impeachment trial, and we are nearing a vote wherein we will fail to hold the President accountable for his abuse of power and a coverup.

Thanks to the Senate’s Republican majority, this body is complicit in that coverup in its refusing to call witnesses and instead to turn a blind eye. How can we turn a blind eye to the truth as we cast one of the most important votes we will ever take?

Yes, we are approaching a sad day for this body and for this country, but to those across the country who feel profoundly angry and saddened by this miscarriage of justice, my message is this: Do not give up. Do not stop fighting to save democracy because America is worth the fight. America is worth the fight.

Make no mistake—try as they might to cover it up, the full truth will come out. And the facts that have already been revealed are staggering.

The President’s handpicked Ambassador, Gordon Sondland, testified, “Everyone was in the loop.” The more we find out, the more revealing his testimony becomes.

Not only is the President implicated, so is the Vice President and the Secretary of State and the Attorney General and the President’s acting Chief of Staff and his former Energy Secretary—all key players in the coverup in its refusing to call witnesses and instead to turn a blind eye.

Last month, the administration concluded a scorched-earth mission of the investigations.

The President threatened our national security, the security of an ally, and the integrity of our next Presidential election. How much more could he do next once the Senate Republicans fail to hold him accountable?

I yield the floor.

The President first withheld a coveted meeting until the Ukrainian President would announce investigations into the Bidens and the debunked conspiracy theory that Ukraine, not Russia, interfered in our 2016 election. The President’s misdeeds and his wide circle of accomplices will now become one of the ugliest episodes in American history.

Even now, the evidence gathered by the House—that the President abused his office and taxpayer funds for personal gain—is staggering. Ambassador Sondland didn’t sugarcoat the truth. “Was there a quid pro quo? The answer is yes.” That was his quote. Using official power for personal gain—that is the very essence of abuse of power, and that is precisely what this President did. That is hardly even in dispute. The evidence is overwhelming.

The independent Government Accountability Office confirmed that the President acted illegally.

The President threatened our national security, the security of an ally, and the integrity of our next Presidential election. How much more could be at stake?

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his word for it. He said, “Article II allows me to do whatever I want.” Pulitzer Prize-winning Presidential historian Jon Meacham said the President is now, and this is his quote, “functionally a monarch.” That is stunning.

Again, these are sad days for our Nation, and at the outset, we cannot and will not concede the values and principles that make this Nation strong. We must restore the balance of power in our government and restore accountability. Most importantly, we must start doing the work the American people sent us here to do. Our institutions are not representing what the American people want. Senate Republicans’ refusal to hold a fair impeachment trial, which is what 75 percent of the American people wanted, is just the latest example.

While the Senate and the Constitution took a terrible battering the last 2 weeks, I am even more committed to breaking through our shattered principles of representative government. I am going to continue the fight to take obscene amounts of secret money out of our elections, to make it easier to vote, and to bring power back to the American people and not hand it over to an imperial Presidency.

The Senate will have future opportunities to restore our constitutional system. The only question is whether Senators will rise to the occasion. I suspect the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. GILLIBRAND. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. GILLIBRAND. Colleagues, over the past few weeks, we have conducted the trial of a serial con man in our entirety Nation’s history for a President.

Let’s be perfectly clear about something: Democrats did not want to impeach President Trump. From the start, efforts to begin an impeachment inquiry in the House were met with resistance until the President’s reckless behavior and unprecedented actions forced the Speaker’s hand. The Speaker could not sit idly by after the President withheld congressionally approved military aid to a United States ally in order to orchestrate foreign interference in our upcoming election.

We have worked hard to find common ground with this President, and at times, Democrats have worked together to get good, bipartisan legislation accomplished. But President Trump’s brazen misconduct forced this issue. His misdeeds posed a moral challenge to every single Member of Congress. How much corruption should we stomach? How much of our integrity should we sacrifice? How much malfeasance should we tolerate? Will we look the other way as the President flaunts our laws and ignores the Constitution?

Sometimes it can seem far easier to just stay silent. All of us know that it can be easier to avoid angry phone calls. But think about how much harder it would be to explain this moment in history to our children and our grandchildren. Think about how painful it would be to explain if you knew what President Trump did was wrong and you did nothing; if you knew what President Trump did was wrong under the Constitution that you swore to uphold; that you knew it was wrong, but you didn’t do anything anyway because of your ambition, because of your political party.

Lest you think you can convince them otherwise, let me dispel this fiction. History’s record of this time will be very clear. The American people can see through these lies. They recognize the inconsistencies and the double-speak. The American people are not naive. They are not stupid. They are not ignorant. They are not immoral. They are not naive or ignorant or immoral either. They are good men and women. They love their children, their neighbors, and our country. I consider many of them my friends. When we have dinner together, we go to visit the troops overseas. We don’t do it as Democrats and Republicans. We do it as colleagues, friends, and as peers in this body. We do so as elected Members of Congress, as Senators representing our States and our country.

It should be the very same when we judge President Trump. In I John 2:21, John writes to a group of believers who are in turmoil. He wrote: “I do not write to you because you do not know the truth, but because you do know it and because no lie comes from the truth.”

This trial had the goal of accomplishing one thing—to discover the truth, to know what happened, to hold President Trump accountable. We pledged to listen to receive that evidence fairly and to judge honestly. We swore to defend the Constitution, not to defend a man or a political party, and we should all remember this when we cast our votes, because President Trump is not like you. He is not honest, kind, or compassionate. He doesn’t have integrity or moral conviction. He is neither fair nor decent.

We, as Senators who swore to uphold the Constitution, based on the facts laid before us, vote to convict. Hold President Trump accountable for what he has done. We have to show the American people, ourselves, that President Trump does not represent our values, that we still believe that we must fight for what is right, for truth, for justice, for honesty, for integrity, and that laws mean something, and we don’t put ourselves before the law.

For those who lack courage in this moment, those who are unwilling to do what they know in their hearts, in their conscience and in their deepest thoughts to be right, if they do not do what they know they should, they will be remembered as complicit. They will be remembered as not telling the truth. They will not be remembered well.

I urge you to vote your conscience.

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

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

AUTHORIZING APPOINTMENT OF ESCORT COMMITTEE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Presiding Officer of the Senate be authorized to appoint a committee on the part of the Senate to join with the like committee on the part of the House of Representatives to escort the President of the United States into the House Chamber for the joint session to be held at 9 p.m. on Tuesday, February 4, 2020.

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

UNANIMOUS CONSENT AGREEMENT—PRINTING OF STATEMENTS IN THE RECORD AND PRINTING OF SENATE DOCUMENTS IN THE RECORD AND PROCEEDINGS—MODIFIED

Mr. Mcconnell. Mr. President, I ask unanimous consent to modify the order of February 31 to allow the Senator from Minnesota to have until Wednesday, February 26, 2020—would be the Wednesday after we come back—to have printed statements and opinions in the CONGRESSIONAL RECORD, if they choose, explaining their votes and include those in the documentation of the impeachment proceedings; finally, I ask that the two-page rule be waived.

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

ORDERS FOR TUESDAY, FEBRUARY 4, 2020

Mr. Mcconnell. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Tuesday, February 4; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following leader remarks, the Senate be in a period of morning business under the previous order.

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

ORDER FOR ADJOURNMENT

Mr. Mcconnell. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the
The PRESIDING OFFICER. Without objection, it is so ordered.
Mr. McCONNELL. I suggest the absence of the quorum.
The PRESIDING OFFICER. The clerk will call the roll.
The senior assistant legislative clerk proceeded to call the roll.
Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.
The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.
Ms. MURKOWSKI. Mr. President, I rise this evening to address the trial of Donald John Trump. The Founders gave this body the sole power to try all impeachments, and exercising that power—we all know—is a weighty, weighty responsibility. This was only the third time in our country that the Senate convened to handle a Presidential impeachment and only the second in the past 150 years.
I was part of a small group that worked hard to secure a fair, an honest, and a transparent structure for the trial, and we based it on how this Chamber handled the trial of President Clinton some 20 years ago. So there were 24 hours of arguments for each side, 16 hours of questions from Members, with the final House record admitted as evidence.
That should have been more than enough to answer the questions: Do we need to hear more? Should there be additional process? Mr. President, the structure we built should have been sufficient, but the foundation upon which it rested was rotten. The House rushed through what should have been one of the most serious, consequential undertakings of the legislative branch, simply to meet an artificial, self-imposed deadline.
Prior Presidential impeachments resulted from years of investigation, where subpoenas were issued and they were litigated, where there were massive amounts of documents that were produced and witnesses deposed, where resistance from the Executive was overcome through court proceedings and through accommodations.
The House failed in its responsibilities. The Senate should be ashamed by the rank partisanship that has been on display here. We cannot be the greatest deliberative body when we kick things off by issuing letters to the media instead of coming together to set the parameters of the trial and negotiate in good faith on how we should proceed.
For all the talk of impartiality, it is clear to me that few in this Chamber approached this with a genuinely open mind. Some have been calling for the President to be impeached for years. Indeed, we saw just today clips that indicate headlines 19 minutes after the President was sworn into office calling for his impeachment. Others in this Chamber saw little need to even consider the arguments from the House before stating their intentions to acquit. Over the course of the past few weeks we have seen from the videos from 20 years ago where Members who were present during the Clinton trial took the exact opposite stance than they take today. That level of hypocrisy is astounding, even for a place like Washington, DC.
The President’s behavior was shameful and wrong. His personal interests do not take precedence over those of this great Nation. The President has the responsibility to uphold the integrity and the honor of the office, not just for himself but for all future Presidents. Degrading the office by actions or even name-calling weakens it for future Presidents, and it weakens our country.
All of this rooted foundation of the process—all of this—led to the conclusion that I reached several days ago that there would be no fair trial. While this trial was held here in this Senate, it was really litigated in the court of public opinion. For half the country, they thought there had been far too much process; they considered the entire impeachment inquiry to be baseless, and they thought that the Senate should have just dismissed the case as soon as it reached us.
The Chamber itself, no matter how many witnesses were summoned or deposed, no matter how many documents were produced, the only way—the only way—the trial could have been considered fair was if it resulted in the President’s removal from office. During the month that the House declined to transmit the articles to the Senate, the demon of faction extended down along with us. The House, the Senate, the demon of faction extended into our courts, and when it became clear that a tie vote here in the Senate would simply be used to burn down our third branch of government for partisan political purposes, I said “enough.”
The response to the President’s behavior is not to disenfranchise nearly 63 million Americans and remove him from the ballot. The House could have pursued censure and not immediately jumped to the remedy of last resort. I cannot vote to convict. The Constitution provides for impeachment but does not demand it in all instances. An incremental first step: to remind the President that, as Montesquieu said, “Political virtue is a renunciation of oneself,” and this requires “a continuous preference of the public interest over one’s own.”
No matter the office and being barred from ever holding another office of honor, trust, or profit under the United States is the political death penalty. The President’s name is on ballots that have already been cast. The voters will pronounce a verdict in 9 months, and we must trust their judgment.
This process has been the apotheosis of the problem of congressional abdication. Through the refusal to exercise war powers or relinquishing the power of the purse, selective oversight, and an unwillingness to check emergency declarations designed to skirt Congress, we have failed. We have failed time and again. We, as a legislative branch, cannot continue to cede authority to the Executive.
The question that we must answer, given the intense polarization in our country, is, Where do we go from here? Where do we go from here? I wish that I had that magic wand. Sadly, I have no definitive answers, but I do have hope because we must have hope.
As I tried to build consensus over the past few weeks, I had many private conversations with colleagues, and so many—so many—in this Chamber share my sadness for the present state of the institutions. And for what? Because it may help win an election? At some point, Mr. President—at some point—for our country, winning has to be about more than just winning, or we will all lose.
Mr. President, I yield the floor.
Mr. YOUNG. Mr. President, as a U.S. Senator, I invoke the floor.
Mr. President, as a U.S. Senator, I invoke the floor.
that a political fever permeated this process from the beginning, dating back not just to the start of the House of Representatives’ impeachment efforts, but all the way back to November 2016. As a result, the House improperly impeached. Now, the Senate should exercise restraint. Here’s why.

First and foremost, a fair legal process is fundamental to our democracy. The House managers have repeatedly emphasized that no Americans are above the law. I could not agree more: No private citizen, President, or assembled Congress can take the rights guaranteed to other Americans under the Constitution. Accordingly, the President is entitled to basic due process rights, and the House failed to afford him these rights. Due process includes the right to legal counsel, the right to review evidence, and the ability to confront your accusers—rights denied by the House majority. House Managers breathlessly insist that “overwhelming” evidence already in the record proves “beyond any doubt” the President’s continued service constitutes an imminent threat to the American people. The House’s flawed and rushed process led to unfair proceedings and resulted in superficial, unspecific charges supported by a one-sided, improperly curated factual foundation.

Second, Separation of Powers is a cornerstone of our constitutional republic, and its preservation is essential to prevent abuse of power by one branch over another. A majority of the House should exercise extreme caution when it bases impeachment upon the President’s exercise of his foreign relations prerogatives, which are expressly provided for under the Constitution in order to clarify an issue of unsettled law pertaining to Executive Privilege. Instead, the House simply arrogated to itself a novel and dangerous new legal authority: to define Executive Privilege, even when the President is exercising his foreign relations powers granted by the Constitution.

As with prior impeachment inquiries, following a formal request by the House, the Federal courts could have completed the executive branch to provide sensitive documents and witnesses. The House chose to ignore this longstanding precedent because it conflicted with its political timeline. Astonishingly, Speaker PELOSI rushed the disorganized and biased process forward only to delay it, again for political purposes, before finally sending the Articles of Impeachment to the Senate. Now the House, having failed to fully develop its evidentiary record, invites the Senate to act as an accomplice to its ramrod process by creating a dangerous new 51-vote Senate threshold to override executive branch claims of Executive Privilege.

To accept this invitation would be a violation of a long-established separation of powers. Senators might be tempted by a burning curiosity or crass political calculation to further develop the House’s vague and tainted articles. The constitutional separation of powers dictates that our legal charge must be more narrowly confined. To act otherwise would violate our oaths and dangerously incentivize calculating and intemperate House majorities to precipitously impeach rival Presidents. We must set aside our personal preference because, under the Constitution, we are duty-bound by the “sole power to try” the inform articles before us.

Lastly, Americans should stand against any Senate action which abets the creation of a constitutional crisis through the politicization of impeachment. The House majority’s misguided process created a precedent to weaponize impeachment, a new precedent that will imperil impeachments in a polarized America. If the House majority had its way and the Senate accepted its invitation to fix their broken articles, either political party would be tempted to impeach and potentially remove their political opponents from office by initiating slapdash impeachment investigations. This new precedent would reduce impeachment to a mere vote of no confidence, similar to that in the U.K. Parliament during Nixon’s impeachment, then Democratic Chairman Peter Rodino of the House Judiciary Committee urged that, for the American people to accept an impeachment, it must be powerfully bipartisan. This has been dubbed the Rodino rule, and I embrace the standard.

A decent respect for the law and the opinions of fellow citizens and a concern for future precedent requires that I pointedly emphasize what I am not arguing: that we can lawfully do “whatever he wants,” that inviting foreign election interference is appropriate, that absolute immunity attaches to Executive Privilege, or that a statutory offense must be committed to impeach. In summation, I have ineluctably arrived at a conclusion after impartially applying the law to all facts presented: House managers delivered tainted articles and failed to present requisite evidence that impair their exceedingly high burden of proof. Therefore, I am duty bound to join my colleagues who would have the Senate resume the ordinary business of the American people.

The Founding Fathers, who warned of the perils of an impeachment, also provided us a means to address dissatisfaction with our Presidents: frequent elections. This week, Americans began the Presidential election process. For the sake of our Constitution and our Nation, the Court of the People must consider its verdict through an election to address its support of or opposition to the current administration.
mathematics, and geometry. After World War II, as the United States was becoming the global leader in technological innovation, S&T stepped up to do its part by adding graduate-level training and research. The school was home to Missouri’s first operational nuclear reactor. Across the years, S&T has established itself as one of the premier technical institutions in the Nation, excelling at teaching and research.

For 150 years, Missouri S&T has been providing the sons and daughters of Missouri a close-to-home option for world-class technical education. Congratulations on 150 years and here is to the next 150.

RECOGNIZING MOSS GREENHOUSES
• Mr. RISCH. Mr. President, as a member and former chairman of the Senate Committee on Small Business and Entrepreneurship, each month I recognize and celebrate the American entrepreneurial spirit by highlighting the success of a small business in my home State of Idaho. Today, I am pleased to honor Moss Greenhouses located in Jerome as the Idaho Small Business of the Month for February 2020.

Moss Greenhouses is the largest wholesale plant producer and distributor in Idaho. Founded in 1952 by Ed and Ruth Adams, their hobby of growing orchids in their small greenhouse quickly became a budding business as they provided flowers, orchids, and flowering crops to their local grocery stores and flower shops. The family-run business quickly developed a reputation for its outstanding service and quality products.

Today, Moss Greenhouses is owned and operated by the family’s third generation, Kevin and his wife Dana. Their 300,000 square feet of covered greenhouse and three acres of growing space allow them to serve customers from throughout the Mountain West. Their success has created dozens of jobs for the Jerome community. As the company continues to serve the Jerome area, they hope to eventually welcome the family’s fourth generation into the business.

Congratulations to Kevin, Dana, and all of the employees at Moss Greenhouses for being selected as the Idaho Small Business of the Month for February 2020. You make our great State proud, and I look forward to your continued growth and success.

MESSAGE FROM THE HOUSE
ENROLLED BILLS SIGNED
At 3:47 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker pro tempore, Mr. GRASSLEY, has signed the following enrolled bills:
S. 153. An act to promote veteran involvement in STEM education, computer science, and scientific research, and for other purposes.
S. 3201. An act to extend the temporary scheduling order for fentanyl-related substances, and for other purposes.

ENROLLED BILLS PRESENTED
The Secretary of the Senate reported that on February 3, 2020, she had presented to the President of the United States the following enrolled bills:
S. 153. An act to promote veteran involvement in STEM education, computer science, and scientific research, and for other purposes.
S. 3201. An act to extend the temporary scheduling order for fentanyl-related substances, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS
The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:
EC–3837. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Approval of Laboratories to Conduct Official Testing; Consolidation of Regulations” (FR No. 57–90–AB46) (Docket No. APHIS–2016–0054) received in the Office of the President of the Senate on January 28, 2020; to the Committee on Agriculture, Nutrition, and Forestry.
EC–3838. A communication from the Senior Counsel, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled “Statement of Policy Regarding Prohibition on Absuse Acts or Practices” (12 CFR Chapter 10) received during adjournment of the Senate in the Office of the President of the Senate on January 24, 2020; to the Committee on Banking, Housing, and Urban Affairs.
EC–3839. A communication from the Senior Legal Advisor for Regulatory Affairs, Office of Investment Security, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Incorporation by Reference of Certain Regulations in the United States by Foreign Persons” (FR No. 1505–0064) (31 CFR Parts 800 and 801) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2020; to the Committee on Banking, Housing, and Urban Affairs.

MESSAGE FROM THE HOUSE
ENROLLED BILLS SIGNED
At 3:47 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker pro tempore, Mr. GRASSLEY, has signed the following enrolled bills:

EC–3842. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Alabama; South Carolina; Infrastructure Requirements for the 2015 Ozone National Air Quality Standard” (FR No. 10004–68–Region 4) received during adjournment of the Senate in the Office of the President of the Senate on January 27, 2020; to the Committee on Environment and Public Works.
EC–3843. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Kentucky; Cross State Air Pollution Rule” (FR No. 10004–69–Region 4) received during adjournment of the Senate in the Office of the President of the Senate on January 27, 2020; to the Committee on Environment and Public Works.
EC–3844. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Massachusetts; Transport State Implementation Plan for the 2015 Ozone Standard” (FR No. 10004–34–Region 1) received during adjournment of the Senate in the Office of the President of the Senate on January 27, 2020; to the Committee on Environment and Public Works.
EC–3845. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Missouri; Restriction of Emissions from Batch-type Charcoal Kilns” (FR No. 10004–63–Region 7) received during adjournment of the Senate in the Office of the President of the Senate on January 27, 2020; to the Committee on Environment and Public Works.
EC–3846. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Delegation of New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants for the State of Arizona” (FR No. 10004–33–Region 9) received during adjournment of the Senate in the Office of the President of the Senate on January 27, 2020; to the Committee on Environment and Public Works.
EC–3847. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Incorporation by Reference of Approved State Hazardous Waste Management Program” (FR No. 10004–54–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on January 27, 2020; to the Committee on Environment and Public Works.
EC–3848. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “National Emission Standards for Hazardous Air Pollutants: Petroleum Refineries” (FR No. 10004–63–Region 10) received during adjournment of the Senate in the Office of the President of the Senate on January 27, 2020; to the Committee on Environment and Public Works.
EC–3849. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Revisions to the Petitions Provisions
of the Title V Permitting Program” (FRL No. 10004–56-OAR) received during adjournment of the Senate in the Office of the President of the Senate on January 27, 2020; to the Committee on Environment and Public Works.

EC–3850. A communication from the Director of the Regulatory Management Division, Environment and Public Works, transmitting, pursuant to law, the report of a rule entitled “Withdrawal of Finding of Substantial Inadequacy of Implementation Plan and of Cuts for Transmission Implementation Plan Revision—Affirmative Defense Provisions” (FRL No. 10004–01–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on January 30, 2020; to the Committee on Environment and Public Works.

EC–3851. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Relief for Reporting Required Minimum Distributions for IRAs for 2020” (Notice 2020–6) received in the Office of the President of the Senate on January 24, 2020; to the Committee on Finance.

EC–3852. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled “Chemical Weapons Convention and the Australia Group”, to the Committee on Foreign Relations.

EC–3853. A communication from the Assistant Secretary for Legislation, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment of 33 CFR parts 124 and 126. (RIN 1405–AB14) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC–3854. A communication from the Associate Legal Counsel, Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of a rule entitled “2019 Adjustment of the Penalty for Violation of Notice of Post-Employment Requirements; Cross-Border Employment” (RIN 0046–AB13) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC–3855. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “Fiscal Year 2016 Report to Congress on Community Services Block Grant Discretionary Activities—Community Economic Development and Community Development Block Grants”; to the Committee on Health, Education, Labor, and Pensions.

EC–3856. A communication from the Director, Office of Compensation Programs, Department of Labor, transmitting, pursuant to law, Secretary of Labor’s response to the Ombudsman’s 2018 Annual Report; to the Committee on Health, Education, Labor, and Pensions.

EC–3857. A communication from the Acting Chief Privacy Officer, Department of Homeland Security, transmitting, pursuant to law, a report entitled “Privacy Office Fiscal Year 2019 Semiannual Report to Congress”; to the Committee on Homeland Security and Governmental Affairs; the Judiciary; and Select Committee on Intelligence.

EC–3858. A communication from the Acting Executive Officer, Department of Homeland Security, transmitting, pursuant to law, amendments to the Jury Plan of the Superior Court of the District of Columbia; to the Committee on Homeland Security and Governmental Affairs.


EC–3863. A communication from the Chairwoman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23–194, “Electronic Medical Order Secure Transmittal and all Command Launch Units variance pursuant to the Light Weight Command Launch Unit in the amount of $100,000,000 or more; (Transmittal No. DDFC 19–672); to the Committee on Foreign Relations.

EC–3864. A communication from the Associate Director, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled “2019 Adjustment of the Penalty for Violation of Notice of Post-Employment Requirements; Cross-Border Employment” (RIN 1405–AB14) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Homeland Security, transmitting, pursuant to law, a report entitled “Auditor Certifies Revenues For Issuance of Income Tax Secured Revenue Bonds”; to the Committee on Homeland Security and Governmental Affairs.


EC–3869. A communication from the Assistant Secretary for Fish and Wildlife and Wildlife Resource Commission, Department of Interior, transmitting, pursuant to law, the report of a rule entitled “Civil Penalties Final Rule” (RIN 1225–AB60) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2020; to the Committee on Indian Affairs.

EC–3870. A communication from the Director of Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Report on Fiscal Year 2019 Competitive Sourcing Efforts as required by the Consolidated Appropriations Act of Fiscal Year 2019 to the Committee on Rules and Administration.

EC–3871. A communication from the Assistant Secretary General, Legislative Affairs, Department of Justice, transmitting, pursuant to law, the annual report from the Attorney General to Congress relative to the Uniformed and Overseas Citizens Absentee Voting Act; to the Committees on Rules and Administration; Armed Services; and Appropriations.

EC–3872. A communication from the Chief Human Capital Officer, Small Business Administration, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator, Small Business Administration, received in the Office of the President of the Senate on January 30, 2020; to the Committee on Small Business and Entrepreneurship.

EC–3873. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled “Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress Fiscal Year 2020”; to the Committee on Veterans’ Affairs.

EC–3874. A communication from the Associate Director of International Economics, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “International Services Exports: BE–10, Benchmark Survey of U.S. Direct Investment Abroad” (RIN 0694–AA69) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Commerce, Science, and Transportation.

EC–3875. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Lower Mississippi River; Mile Markers 229.5 to 230.5 Baton Rouge, LA” ((RIN 1625–AA40) (Docket No. USCG–2019–0837)) received during adjournment of the Senate in the Office of the President of the Senate on January 24, 2020; to the Committee on Commerce, Science, and Transportation.

EC–3876. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Surface Zone; Super Bowl 2020, Bayfront Park, Miami, FL” ((RIN 1625–AA87) (Docket No. USCG–2019–0830)) received during adjournment of the Senate in the Office of the President of the Senate on January 24, 2020; to the Committee on Commerce, Science, and Transportation.

EC–3877. A communication from the Deputy Chief, Office of Economics and Analytics, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Mandatory Payment of FM Broadcast Construction Permits Scheduled for April 28, 2020; Notice and Filing Requirements, Minimum Opening Bids, Upfront Horizontal Payment, and Other Procedures for Auction 106” (AU Docket No. 19–290) (DA 19–1256) received during adjournment of the Senate in the Office of the President of the Senate on January 27, 2020; to the Committee on Commerce, Science, and Transportation.

EC–3878. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Federal Business Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company
Airplanes’ ((RIN2120-AA64) (Docket No. FAA–2019–0851)) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Commerce, Science, and Transportation.

EC-3879. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes” ((RIN2120-AA64) (Docket No. FAA–2019–0723)) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Commerce, Science, and Transportation.

EC-3880. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA–2019–0711)) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Commerce, Science, and Transportation.

EC-3881. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA–2019–0691)) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Commerce, Science, and Transportation.

EC-3882. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA–2019–0507)) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Commerce, Science, and Transportation.

EC-3883. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA–2019–0108)) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Commerce, Science, and Transportation.

EC-3884. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA–2019–0105)) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Commerce, Science, and Transportation.

EC-3885. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA–2019–0106)) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Commerce, Science, and Transportation.

EC-3886. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Dassault Aviation Airplanes” ((RIN2120-AA64) (Docket No. FAA–2019–0857)) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Commerce, Science, and Transportation.

REPRESENTATIONS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:
S. 2353. A bill to direct the Administrator of the Federal Emergency Management Agency to develop guidance for first responders and other emergency response personnel on best practices to protect them from exposure to PFAS and to limit and prohibit the release of PFAS into the environment, and for other purposes (Rept. No. 116–211).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MORAN (for himself and Mr. BLUMENTHAL):
S. 3248. A bill to reauthorize the United States Anti-Doping Agency, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. JOHNSON (for himself and Mr. PETERS):
S. 3249. A bill to amend the FAST Act to modify a provision relating to the Motorcyclist Advisory Council; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. HAWLEY:
S. Res. 489. A resolution congratulating the Kansas City Chiefs on their victory in Super Bowl LIV, to the Committee on Commerce, Science, and Transportation.

By Mr. BLUNT (for himself, Mr. ROBERTS, and Mr. MORAN):
S. Res. 490. A resolution congratulating the Kansas City Chiefs on their victory in Super Bowl LIV, to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 182. At the request of Mr. KENNEDY, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 182, a bill to prohibit discrimination against the unborn on the basis of sex, and for other purposes.

S. 215. At the request of Mr. THUNE, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 215, a bill to amend the Internal Revenue Code of 1898 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 513. At the request of Ms. HARRIS, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 513, a bill to amend title 18, United States Code, with respect to civil forfeitures relating to certain seized animals, and for other purposes.

S. 569. At the request of Mr. YOUNG, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 569, a bill to direct the Secretary of Transportation to issue regulations relating to commercial motor vehicle drivers under the age of 21, and for other purposes.

S. 1070. At the request of Ms. HARRIS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1067, a bill to provide for research to better understand the causes and consequences of sexual harassment affecting individuals in the scientific, technical, engineering, and mathematics workforce and to examine policies to reduce the prevalence and negative impact of such harassment, and for other purposes.

S. 1151. At the request of Mr. Kaine, the name of the Senator from Virginia (Mrs. CAPITO) was added as a cosponsor of S. 1070, a bill to require the Secretary of Health and Human Services to fund demonstration projects to improve recruitment and retention of child welfare workers.

S. 1153. At the request of Mr. SCOTT of Florida, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1151, a bill to prohibit contracting with persons that have business operations with the Maduro regime, and for other purposes.

S. 1609. At the request of Mr. VAN HOLLEN, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1609, a bill to amend the Securities Act of 1934 to require country-by-country reporting.

S. 1753. At the request of Ms. HARRIS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1750, a bill to establish the Clean School Bus Grant Program, and for other purposes.

S. 1757. At the request of Ms. ERNST, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1757, a bill to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

S. 2300. At the request of Mr. WHITEHOUSE, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 2300, a bill to amend the Energy Independence and Security Act of 2007 to establish a program to incentivize innovation and to enhance
the industrial competitiveness of the United States by developing technologies to reduce emissions of nonpower industrial sectors, and for other purposes.

S. 2321

At the request of Mr. BLUNT, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 2321, a bill to require the Secretary of the Treasury to mint a coin in commemoration of the 100th anniversary of the establishment of Negro Leagues baseball.

At the request of Mr. DAINES, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 2407, a bill to amend title XVIII of the United States Code, to provide criminal penalties for individuals acting as agents or attorneys for the preparation, presentation, or prosecution of a claim under a law administered by the Secretary of Veterans Affairs without being recognized by the Secretary for such purposes, and for other purposes.

S. 2661

At the request of Ms. BALDWIN, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Connecticut (Mr. MURPHY), the Senator from Maryland (Mr. CARDIN) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 2661, a bill to amend the Communications Act of 1934 to designate 9-8-8 as the universal telephone number for the purpose of the national suicide prevention and mental health crisis hotline system operating through the National Suicide Prevention Lifeline and through the Veterans Crisis Line, and for other purposes.

S. 2658

At the request of Mr. MORAN, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 2658, a bill to require the Administrator of the Federal Motor Carrier Safety Administration to establish an advisory board focused on creating opportunities for women in the trucking industry, and for other purposes.

S. 3067

At the request of Mr. CAPITO, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 3067, a bill to amend title XVIII of the Social Security Act to combat the opioid crisis by promoting access to non-opioid treatments in the hospital outpatient setting.

At the request of Mr. BOOKER, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 3107, a bill to prohibit discrimination based on an individual's texture or style of hair.

At the request of Mr. KENNEDY, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 3226, a bill to amend title 18, United States Code, to prohibit certain abortion procedures, and for other purposes.

S. CON. RES. 9

At the request of Mr. ROBERTS, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. Con. Res. 9, a concurrent resolution on the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. 3097

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 489—CONGRATULATING THE KANSAS CITY CHIEFS ON THEIR VICTORY IN SUPER BOWL LIV AND THE NATIONAL FOOTBALL LEAGUE ON ITS 100TH SEASON

Mr. HAWLEY submitted the following resolution, which was referred to the Committee on Commerce, Science, and Transportation:

S. Res. 489

Whereas, on Sunday, February 2, 2020, the Kansas City Chiefs (referred to in this preamble as the 'Chiefs') won Super Bowl LIV by a score of 31 to 20, defeating the San Francisco 49ers in Miami, Florida;
Whereas Super Bowl LIV culminated the 100th season of the National Football League, a season in which the league, a cultural icon of the United States—
(1) promoted stars both past and present;
(2) served the community; and
(3) looked towards the next 100 years of football;
Whereas the victory in Super Bowl LIV earned the Chiefs their second Super Bowl championship and their first Super Bowl championship since 1970;
Whereas head coach Andy Reid earned his 22nd career win and his first Super Bowl championship;
Whereas quarterback Patrick Mahomes completed 26 of 42 passes for 286 yards and 2 touchdowns, was credited to the Super Bowl victory, including
(1) promoted stars both past and present;
(2) served the community; and
(3) looked towards the next 100 years of football;
Whereas individuals all over the world are asking, ‘How come those Chiefs?’;
Resolved, That the Senate—
(1) congratulates—
(A) the Kansas City Chiefs and their loyal fans for their victory in Super Bowl LIV;
(B) the National Football League on a successful 100th season;
(2) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—
(A) the chairman and chief executive officer of the Kansas City Chiefs, Clark Hunt;
(B) the commissioner of the National Football League, Roger Goodell; and
(C) the head coach of the Kansas City Chiefs, Andy Reid.

SENATE RESOLUTION 490—CONGRATULATING THE KANSAS CITY CHIEFS ON THEIR VICTORY IN SUPER BOWL LIV

Mr. BLUNT (for himself, Mr. HAWLEY, Mr. ROBERTS, and Mr. MORAN) added the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:
Whereas on Sunday, February 2, 2020, the Kansas City Chiefs (in this preamble referred to as the “Chiefs”) defeated the San Francisco 49ers by a score of 31 to 20 to win Super Bowl LIV in Miami, Florida;

Whereas the Chiefs, established on August 14, 1960, playing in their 60th season in the National Football League (referred to in this preamble as the “NFL”), made their third Super Bowl appearance and their first Super Bowl appearance since Super Bowl IV;

Whereas the Chiefs overcame a 10-point deficit in the fourth quarter and scored 21 straight points in the final 6 minutes and 13 seconds of gameplay to earn the victory;

Whereas the victory in Super Bowl LIV earned the Chiefs their second Super Bowl victory, ending their 50-year Super Bowl drought that had lasted since the team last won Super Bowl IV on January 11, 1970;

Whereas the Chiefs were participants in the first ever Super Bowl and are now champions of the centennial season of the NFL;

Whereas the Chiefs began their championship season in another great Missouri city, St. Joseph, holding training camp on the campus of Missouri Western State University for the tenth straight year;

Whereas head coach Andy Reid earned his 222nd career win, placing him sixth on the all-time wins list of the NFL and earning his first Super Bowl title in his 21-year tenure as a head coach in the NFL;

Whereas Andy Reid is the 24th head coach of the NFL to appear in more than 1 Super Bowl;

Whereas in the 2019 NFL season, the Chiefs earned a playoff bid for the sixth time in 7 seasons under Andy Reid;

Whereas quarterback Patrick Mahomes completed 26 of 42 pass attempts for 286 yards and 2 touchdowns, rushed 8 times for 29 yards and 1 touchdown, and was named Most Valuable Player of Super Bowl LIV;

Whereas Patrick Mahomes became the youngest player in NFL history to earn both the NFL Most Valuable Player award and a Super Bowl title, while setting a playoff record for most touchdowns thrown before the first interception to start a player’s playoff career;

Whereas in the American Football Conference Championship, Patrick Mahomes completed an iconic 27-yard scramble down the sideline for a touchdown to take the lead against the Tennessee Titans;

Whereas Patrick Mahomes became the first NFL quarterback with 2 double-digit comebacks in a single postseason;

Whereas Damien Williams rushed for 104 yards and scored 2 touchdowns, increasing his career playoff touchdown total to 11, tying Hall of Famer Terrell Davis for the most touchdowns in an individual’s first 6 playoff games;

Whereas Travis Kelce had 6 receptions for 43 yards and 1 touchdown;

Whereas Tyreek Hill had 9 receptions for 105 yards, including a crucial 44-yard reception on third-and-fifteen with only 7 minutes remaining in the fourth quarter;

Whereas Sammy Watkins had 5 receptions for 98 yards;

Whereas Bashaud Breeland led the team with 7 tackles and 1 interception;

Whereas Chris Jones was a disruptive force with 3 passes defended;

Whereas Frank Clark sacked the quarterback of the 49ers, Jimmy Garoppolo, on fourth-and-ten with fewer than 2 minutes remaining to seal the victory;

Whereas Harrison Butker was 1-for-1 in field goal attempts and 4-for-4 in point-after attempts;

Whereas Dustin Colquitt, the longest-tenured Chief, earned his first Super Bowl victory in his 15th season;

Whereas kick returner Mecole Hardman, safety Tyreek Hill, and right tackle Mitchell Schwartz were named to the Associated Press All-Pro team for the 2019 season;

Whereas the Chiefs should be recognized for their tremendous resiliency in the face of adversity when trailing 24-0 against the Houston Texans in the American Football Conference Divisional Round, down by 10 against the Tennessee Titans in the American Football Conference Championship Round, and trailing 20-10 against the San Francisco 49ers in Super Bowl LIV;

Whereas the entire Chiefs roster contributed to the Super Bowl victory, including Nick Allegretti, Jackson Barton, Blake Bell, Bashaud Breeland, Alex Brown, Harrison Butker, Morris Claiborne, Frank Clark, Dustin Colquitt, Laurent Duvernay-Tardif, Cam Erving, Rashad Fenton, Eric Fisher, Kendall Fuller, Mecole Hardman, Demone Harris, Chad Henne, Tyreek Hill, Anthony Hitchens, Ryan Hunter, Chris Jones, Travis Kelce, Tanoh Kpassagnon, Darron Lee, Jordan Lucas, Patrick Mahomes, Tyrann Mathieu, LeSean McCoy, Matt Moore, Ben Niemann, Derrick Nnadi, Dorian O’Daniel, Mike Pennel, Byron Pringle, Reggie Ragland, Austin Reiter, Demarcus Robinson, Khalen Saunders, Mitchell Schwartz, Anthony Sherman, Daniel Sorensen, Terrell Suggs, Darwin Thompson, Charvarius Ward, Sammy Watkins, Armani Watts, Damien Williams, Xavier Williams, Damien Wilson, James Winchester, Stefans Wisniewski, Andrew Wylie, and Deon Yelder;

Whereas the victory of the Kansas City Chiefs in Super Bowl LIV instills an extraordinary sense of pride for fans in the States of Missouri and Kansas and across the Midwest; and

Whereas people all over the world are asking, “How ‘bout those Chiefs?”: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Kansas City Chiefs and their entire staff, Mayor of Kansas City Quinton Lucas, Governor of Missouri Mike Parson, and loyal fans of the Kansas City Chiefs for their victory in Super Bowl LIV;

and

(2) respectfully directs the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the chairman and Chief Executive Officer of the Kansas City Chiefs, Clark Hunt;

(B) the president of the Kansas City Chiefs, Mark Donovan; and

(C) the head coach of the Kansas City Chiefs, Andy Reid.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 6:55 p.m., adjourned until Tuesday, February 4, 2020, at 9:30 a.m.
HONORING SPECIALIST ANTONIO MOORE

HON. DAVID ROUZER OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 2020

Mr. ROUZER. Madam Speaker, I rise today to honor the life and sacrifice of the late Specialist Antonio Isaac Devante Moore, of Wilmington, N.C.

Just 22 years old, Specialist Moore tragically passed in the service of his country on January 24, 2020 in Green Village, Syria in support of Operation Inherent Resolve. He was a member of the 346th Engineer Company, part of the 411th Engineer Brigade stationed in Knightdale, N.C. Though only his first deployment, he had already won the respect of his superiors and his fellow soldiers. His awards and decorations include the National Defense Service Medal and the Army Service Ribbon.

A 2016 graduate of John T. Hoggard High School, Specialist Moore played football there all four years. He worked part time at Katy’s Grill and Bar in Wilmington where he was fondly remembered. “If everyone else was having a bad day, all you had to do was look at Tony,” said a former co-worker.

Specialist Moore is survived by his parents in Wilmington, as well as four siblings. On behalf of North Carolina’s 7th District and the entire U.S. Congress, I extend our deepest sympathy to his loved ones and friends. They are in our prayers. We will always be grateful for his service, sacrifice and commitment to his country. He was a patriot and a devoted American soldier whose memory will always be cherished.

HONORING DALE KLINE

HON. JARED HUFFMAN OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 2020

Mr. HUFFMAN. Madam Speaker, I rise today in recognition of Dale Kline who is being honored as the Citizen of the Year by the City of Novato for his exemplary public service.

Born in 1961 in Winslow, Arizona, Mr. Kline and his family lived in many places while his stepfather was in the Navy. They moved to Exmouth Western Australia when Mr. Kline was 14 where he learned to fly gliders and excel in many sports. After his stepfather was tragically killed in a car accident, Mr. Kline started volunteering for the American Red Cross when he was just 17 years old.

He met his wife in 1979 during a summer college course for high school students, and they married in 1984. When they moved to Novato in 1998, Mr. Kline immediately became involved in the community as a Little League volunteer and coach for his sons’ teams. Later, in 2000, Mr. Kline expanded his volunteer roles by joining the Novato Youth Soccer Association. In addition to taking on coaching roles, he joined its board of directors as an Age Group Coordinator, and later served as its Vice President. In addition to taking courses to become a coach, he became a certified soccer referee and worked tirelessly to mentor youth referees. He was honored with the Boys’ Coach of the Year award for his positive attitude and encouraging coaching style.

When his sons started high school, Mr. Kline began volunteering with the Novato High School Athletic Boosters program, which was struggling financially. He took on leadership roles and led fundraising activities, collecting over half a million dollars in donations. In 2009, Mr. Kline received a certificate of special recognition for his volunteer efforts from the Novato Unified School District and an honorary service award from the Novato High School Parent Student Association. Even after his youngest graduated from Novato High School, Mr. Kline continued to volunteer and support the academic boosters. In 2011, after many years of service, he was awarded the Golden Oak Service Award from the California State Parent Teacher Association.

In 2010, Mr. Kline joined the board of directors of School Fuel, the Novato Foundation for Public Education, where he still volunteers today nearly a decade later. He has also been the executive director of Tour of Novato and Fun Fair for the past ten years, where he continues to provide stellar community service to the City of Novato. He works closely with the Novato Parks and Recreation, and the Novato Police Department to coordinate an annual event enjoyed by many near and far. Mr. Kline has also served on the Novato Unified School District Bond Oversight Committee, and since 2018 has been a board member on the Novato Chamber of Commerce.

Beyond the positive and indelible impact Mr. Kline has had on our community through numerous roles of the course of many years, his most important roles are that of husband and father. Madam Speaker, please join me in expressing deep appreciation for Mr. Kline’s commitment to bettering his community and in wishing him the best of luck in all his future endeavors.

IN RECOGNITION OF PILGRIM’S PROGRESS

HON. WILLIAM R. KEATING OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 2020

Mr. KEATING. Madam Speaker, I rise today in recognition of Pilgrim’s Progress Clothing, a family run business in Plymouth, Massachusetts as they close their doors after 42 years.

Founded by Laura Brigida and her children in 1977, the story of Pilgrim’s Progress is the story of determination and family. The tragic passing of Laura’s husband, Peter, in 1962 placed the family in precarious situation. Laura went to work for the postal service and was forced to raise their children on her own. Years later, a family meeting was called, and it was decided that together the family would purchase a local clothing store that was for sale in downtown Plymouth. Laura took out a second mortgage on her home and launched a new business.

Over the decades the family run business would evolve and expand to include men’s clothing, women’s shoes and accessories. Weathering economic turns and an ever-shifting retail landscape, Pilgrim’s Progress continued to thrive. Customers came to know their store not only for the fashionable clothing they offer but also for the one-on-one service and advice they received once there.

In 2018, the Brigida family’s beloved matriarch, Laura, passed away at the age of 94. Upon her passing, her five children, Jayne, Marie, Joyce, Carol and Peter, took it upon themselves to continue the store that they had created with their mother. The five siblings have continued to strengthen their incredible bond by working together in their family business for so many years. Recently, however, it was decided that it was time to close the family-owned store and enjoy a much-deserved retirement.

Madam Speaker, I am proud to recognize Pilgrim’s Progress Clothing and the dedication of the entire Brigida family as a Plymouth landmark closes.

RECOGNIZING THE LIFE OF COACH BUDDY NOBLES

HON. AUSTIN SCOTT OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 2020

Mr. SCOTT. Madam Speaker, I rise today to recognize the life of Coach Buddy Nobles of Ocilla, GA who passed away on Thursday, January 23, 2020 after a hard-fought battle with stomach cancer.

Coach Nobles served as the Head Coach of the Irwin County High School football team for the past six seasons, taking his team to the state playoffs during five of those seasons. Despite his battle with cancer, Coach Nobles led the Indians to finish their 2019 season undefeated and win the Class A State Championship, earning him the honor of being named AJC’s Class A public-school coach of the year.

Before coming to Irwin County in 2014, Coach Nobles was a high school football coach at various schools in Georgia and Florida for twenty-six seasons, during which he was part of six Florida state-championship teams. His impressive career was marked by his dedication and love for all his players, and he will be missed by all. Coach Nobles’ leadership and fighting spirit served as an inspiration to those who knew him, and his legacy is sure to live on at Irwin County High School.
I would like to offer my deepest sympathy to the Nobles family and the entire Irwin County community. May you find strength and comfort in remembering the joy Buddy brought to the lives of everyone who knew him.

SGT. PHOEBE R. ORTIZ WINS 2019 USO MARINE OF THE YEAR

HON. PAUL COOK
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 3, 2020

Mr. COOK. Madam Speaker, I rise today to recognize and congratulate the 2019 United Service Organization Marine of the Year, Sergeant Phoebe Ortiz.

Sergeant Ortiz was recognized as the United Service Organization Marine of the Year in December 2019. She joined the Marine Corps in September 2015. In 2016, she completed Recruit Training at Marine Corps Recruit Depot Parris Island, South Carolina, and Marine Combat Training at Camp Lejeune, North Carolina. In October 2016, Sergeant Ortiz was one of the first female graduates of the elite Marine Corps Mountain Leaders Course, this course takes place at the Mountain Warfare Training Center within the 8th district. The completion of the course qualified her as an instructor for future participants within the program. She regularly organizes events for the single Marines of her command and volunteers in many community outreach initiatives.

In addition, Sergeant Ortiz conducts herself in a manner that reflects the exemplary work of our service members. She is not only an outstanding Marine, but a leader within her community and among her peers. I thank Sergeant Ortiz for her service, dedication, work ethic, professionalism, and commitment to ensuring the safety and security of all Americans. Semper Fi.

IN RECOGNITION OF CAPTAIN WILLIAM SPRAGUE

HON. WILLIAM R. KEATING
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, February 3, 2020

Mr. KEATING. Madam Speaker, I rise today in recognition of the retirement of Captain William Sprague, Fire Captain of the Eastham Fire Department.

Captain Sprague began his career with the Eastham Fire Department in September of 1979 as a call firefighter. In a few short years, he would be appointed an EMT and later a full-time firefighter. Always putting the needs of the community before his own, Captain Sprague played an incredibly crucial role in keeping the citizens of Eastham safe during Hurricane Bob in 1991.

He received his degree in fire science in 1997, and by 2001, after spending 20 years with the department, he was officially promoted to Fire Captain.

Continuing to put his expertise to practice, Captain Sprague joined the Barnstable County Technical Rescue Team in 2004, where he joined regional partners to ensure the larger community was prepared during emergencies.

Captain Sprague brought considerable positive change and advanced the importance of teamwork both within his department and throughout Cape Cod.

Madam Speaker, I am proud to honor Captain William Sprague and his commitment to ensuring the safety of our community. I ask that my colleagues join me in recognizing his hard work and dedication as he celebrates his retirement.

HONORING SHERIFF THOMAS (TOM) ALLMAN

HON. JARED HUFFMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 3, 2020

Mr. HUFFMAN. Madam Speaker, I rise with my colleague Representative MIKE THOMPSON to recognize Mendocino County Sheriff Tom Allman on the occasion of his retirement from a long and distinguished career in law enforcement. Thirty-four years of Sheriff Allman’s career were spent with Mendocino County Sheriff’s Department, where he provided the County with steadfast and effective leadership through major disasters and emergencies, while simultaneously working tirelessly to make Mendocino County a leader in mental health reform.

Born in Sylva, North Carolina, Sheriff Allman grew up between Northern California and North Carolina. After graduating from high school in 1979, he pursued a career in firefighting with the California Department of Forestry and Fire Protection in San Bernardino County. He returned to Northern California and attended California State University, Chico and the Fire Academy at Butte College. He soon transitioned into a law enforcement career with the Fairfield Police Department in 1982, and joined the Mendocino County Sheriff’s Department three years later in 1985.

After his promotion to Lieutenant in 1988, Sheriff Allman made the difficult decision to temporarily volunteer with the United States Department of State as a civilian peacekeeper following the Kosovo War. He served for 12 months as a police presence in 1999, an experience which he has credited with influencing much of his later career, and which began a long history of volunteerism that continued throughout his professional life. He volunteered to support law enforcement efforts following Hurricane Katrina in 2005, and traveled with his local Rotary Club to Southern India in the wake of the 2004 tsunami to build an orphanage.

Sheriff Allman was first elected to the office of Mendocino County Sheriff in 2006, and he served continuously until his retirement in December 2019. Sheriff Allman’s 13 years of service in that role have provided continuity and stability for the County through major disasters including the catastrophic wildfires in 2017 and 2018 as well as numerous other challenges faced by the County of Mendocino. He has been a tireless advocate for making broad structural improvements to mental health resources, while prioritizing the difficult work of investigating serious crimes.

Sheriff Allman’s legacy and achievements will continue to be felt in Mendocino County through numerous anti-recidivism programs he spearheaded at the County Jail, including a baking program, resume writing course, and a robust General Education Diploma (GED) program. One of his most significant achievements was the passage of a funding measure for the Mental Health Treatment Act, which has raised roughly $10 million to date. Sheriff Allman will continue to serve on the Measure B Committee as the Sheriff’s Designee.

Madam Speaker, Sheriff Tom Allman has shown throughout his long and distinguished career his dedication to public service and the people of Mendocino County. He has drawn from his personal and professional experiences to apply empathy and problem solving for the benefit of the many individuals and groups he has served over the course of his professional and volunteer life. His commitment to the issues that matter most to his community, and his ability to deliver results, are testaments to his skill and his dedication to law enforcement and public service. I hope you will join us and the community, his family, and many friends in celebrating Sheriff Allman’s many accomplishments and in wishing him success and good fortune in his future endeavors.

CLARIFICATION OF CO-SPONSORSHIP OF H.R. 550

HON. DON YOUNG
OF ALASKA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 3, 2020

Mr. YOUNG. Madam Speaker, on January 30, 2020, the House voted on H.R. 550, the Merchant Mariners of World War II Act of 2019. This bill originally provided for a Congressional Gold Medal to be awarded to the U.S. Merchant Mariners of World War II in recognition of their service. When this bill was drafted, I was an Original Cosponsor, and proudly supported its passage in the House. Regrettably, I was forced to vote against the bill when it returned to the House. Upon its return, the bill was amended to include language I do not support that would re-approve the 2002 congressional authorization for the use of military force (AUMF) in Iraq and a prohibition against the use of military force against Iran.

I am, however, proud to have cosponsored and voted for H.R. 5671, which contained the original language for the Merchant Mariners of World War II Congressional Gold Medal Act of 2020.

PERSONAL EXPLANATION

HON. TRENT KELLY
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Monday, February 3, 2020

Mr. KELLY of Mississippi. Madam Speaker, I was unable to vote January 30 due to National Guard obligations. Had I been present, I would have voted “NAY” on Roll Call No. 33, and “NAY” on Roll Call No. 34.
Mr. KEATING. Madam Speaker, I rise today in recognition of the life of Conrad “Connie” Bletzer, who served as the Chief Justice of the Newton District Court in Commonwealth of Massachusetts.

Born and raised in Brighton, Mr. Bletzer attended Saint Columbkille’s high school and later enrolled at Boston College. During the outbreak of the Korean War, he left his studies to serve his country and enlisted in the United States Army. Upon returning, Connie utilized the GI Bill to continue his studies at Boston College Law School. Graduating at the top of his class, he went on to establish his own law firm, Bletzer & Bletzer, in 1959. In the 1980’s two of his sons joined his law firm and it was there that he would develop a reputation for being a hardworking, fair, and honorable man. In 1990, he moved out of his private practice, and was appointed by then Governor Michael S. Dukakis, to serve as the Presiding Justice of the Newton District Court.

While becoming an extremely successful lawyer, Mr. Bletzer not only excelled in his work but also in his personal relationships with family and friends. A true family man, he was constantly playing hockey or baseball with his children and later his grandchildren. He greatly believed in the positive impact of competitive sports in his community, and served as president of the Brighton Central Little League and even founded the Brighton youth hockey association.

Those who knew Connie knew him as a good man, full of kindness and the desire to help others through the legal system. Mr. Bletzer passed away on the 29th of December, in the comfort of his family and friends, yet his legacy in the Newton community lives on. He is survived by his loving wife, Paula, six children, fifteen grandchildren, and five great-grandchildren.

I ask that my colleagues join me in recognizing his commitment to his local community and the people of Massachusetts.

HONORING N. ERIC WEISS, PH.D.
IN CELEBRATION OF HIS RETIREMENT

HON. DONALD S. BEYER, JR.
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 3, 2020

Mr. BEYER. Madam Speaker, N. Eric Weiss, Ph.D., a specialist in financial economics, retired from Government and Finance Division of the Congressional Research Service (CRS) at the Library of Congress on January 3, 2020. In addition to his 15 years at CRS, Dr. Weiss also worked as an economist and econometrician at the Department of Housing and Urban Development’s Office of Policy Development and Research for 12 years and the Bureau of Economic Analysis for 3 years, for a total of 30 years’ service to the American people. CRS and the Congress have lost an exceptionally able and dedicated public servant with his departure.

A native of Massachusetts, Dr. Weiss earned a bachelor’s degree from Cornell University in economics and government; he earned a master of arts and doctorate of philosophy, both in economics, from Washington University in St. Louis. Dr. Weiss began his career teaching microeconomics to MBA and undergraduate students at the University of North Carolina at Charlotte, and although he left academia for federal service, he returned occasionally to teach at the Institute of Urban Studies at the University of Maryland at College Park and the Department of Finance and Real Estate at the Kogod College of Business at American University. Prior to joining CRS, Dr. Weiss also worked in the private sector, providing data management and programming services to clients such as Fannie Mae and various federal agencies.

Dr. Weiss joined CRS in September 2005 as a specialist in financial economics, initially with a concentration in small business lending. He retooled his research portfolio as the housing finance crisis of 2008 to 2009 developed, bringing his nationally-recognized expertise to the forefront as CRS supported Congress in responding to a range of housing-related policy issues, including the state of the housing and mortgage markets and the effectiveness of federal policies toward home ownership. During this period, he provided targeted analysis for Members and staff on the activities of Fannie Mae and Freddie Mac, government sponsored enterprises (GSEs) to provide liquidity in the mortgage market and promote homeownership. These efforts were instrumental throughout the GSEs’ power with federal policy makers and its participation in promoting healthy mortgage markets. He retooled his research portfolio as the housing finance crisis of 2008 to 2009 developed, bringing his nationally-recognized expertise to the forefront as CRS supported Congress in responding to a range of housing-related policy issues, including the state of the housing and mortgage markets and the effectiveness of federal policies toward home ownership. During this period, he provided targeted analysis for Members and staff on the activities of Fannie Mae and Freddie Mac, government sponsored enterprises (GSEs) to provide liquidity in the mortgage market and promote homeownership. These efforts were instrumental throughout the GSEs’ power with federal policy makers and its participation in promoting healthy mortgage markets.

Dr. Weiss’s published work for CRS demonstrated a detailed understanding of the complex and significant policy issues surrounding these institutions and their operations, winning him praise and achievement awards from CRS.

In addition to his primary coverage areas at CRS, Dr. Weiss (along with fellow colleague Dr. Edward “Ted” V. Murphy) authored “Congress and Financial Crises;” U.S. Congress, Senate Committee on Rules and Administration, The Evolving Congress, committee print, prepared by Congressional Research Service, 113th Cong., 2nd sess., December 2014, P. 113–30 (Washington: GPO, 2014), pp. 325–352, which provided historical documentation of Congress’ responses to financial crises. Dr. Weiss was also active in professional associations, including the American Economics Association, the American Real Estate and Urban Economics Association, and Women in Housing Finance. He has been a regular participant in, and contributor to, numerous academic conferences in his fields of expertise.

Away from the office, Dr. Weiss and his wife, Sheila, are the proud parents of two adult daughters—Holly and Andrea. In addition to having more time with family during retirement, he plans to pursue his numerous recreational, artistic, and social interests, including photography, scuba diving around the world, running, woodworking, and membership in a CRS staff book club.

Therefore, Madam Speaker, I ask that you rise with me in recognizing Mr. Miller’s service and wish him the best. On behalf of Virginia's First District and myself, we thank Mr. Miller.

CELEBRATING THE 75TH ANNIVERSARY OF RIVIERA PRESBYTERIAN CHURCH

HON. DONNA E. SHALALA
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 3, 2020

Ms. SHALALA. Madam Speaker, I rise in celebration of the 75th anniversary of Riviera Presbyterian Church.

Founded in 1945, Riviera Presbyterian Church provides a religious home for people of faith from the greater Miami area. As a mission-driven church, Riviera Presbyterian Church strives to help improve its community by maintaining an active outreach program. Advocating for undocumented immigrants, the Latin American and environmental protection, Riviera Presbyterian Church is committed to promoting equality for all through social justice.
In 75 years of service, Riviera Presbyterian has shown inspiration and love to whoever walks into the church, regardless of culture and background. Riviera Presbyterian was the first Anglo Presbyterian congregation to welcome a black man into pastoral leadership and ordained the first woman of the Presbyterian Church in South Florida. May the church continue to break barriers while assisting our beautiful community.

I'm deeply grateful to Riviera Presbyterian Church for its hard work and dedication to the Miami community.

PERSONAL EXPLANATION

HON. DAVID P. ROE
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Monday, February 3, 2020

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I missed votes on January 29 and January 30 due to joining U.S. Surgeon General VADM Jerome Adams while touring healthcare facilities across the First District. Had I been present, I would have voted YEA on Roll Call No. 29; YEA on Roll Call No. 30; NAY on Roll Call No. 31; YEA on Roll Call No. 32; NAY on Roll Call No. 33; and NAY on Roll Call No. 34.

HONORING MR. RONALD EDWARDS

HON. ILHAN OMAR
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 3, 2020

Ms. OMAR. Madam Speaker, I rise today to mourn the passing of a prominent Civil Rights activist, leader and advocate Ronald Edwards. He truly loved Minneapolis and is deeply appreciated and treasured by the people of Minneapolis.

Born in Kansas City, Missouri, during the Jim Crow segregation era, Mr. Edwards had early experiences of racial inequality growing up in the south. Mr. Edwards moved to the Twin Cities with his father, who worked on the railroad. Mr. Edwards always fought against racial inequality and injustices not only for the Black community but for everyone. During his lifetime, Mr. Edwards was the longest-serving chair of the Minneapolis Urban League, was prominent leader for the Minneapolis NAACP, led the Minneapolis Civil Rights Commission, and also sat on numerous civic boards and panels. For the past ten years, Mr. Edwards co-hosted a radio program where he used his platform to hold people in power and in the community accountable.

Mr. Edwards was deeply dedicated to his family, friends, and community. He fought passionately for the Minneapolis community and used his tight connections within our neighborhood to help those in need. I ask that we remember the spirit and passion for equality and justice that Ronald Edwards helped shape in the city of Minneapolis.

HONORING THE CAREER OF TOM NASSIF UPON HIS RETIREMENT

HON. JIM COSTA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 3, 2020

Mr. COSTA. Madam Speaker, I rise today to honor the service of Tom Nassif, as his service as President and CEO of Western Growers comes to an end.

The career of Tom Nassif has been defined by strong consistent advocacy for growers of produce in the western United States. The national discourse on immigration, trade, and water policy has been distinctly shaped by his work for more than four decades.

Tom Nassif received a Bachelor of Science degree in Business Administration from California State University, Los Angeles and his Juris Doctorate from California Western University, School of Law in San Diego, California.

Nassif has set himself apart by serving in a multitude of prestigious positions. He was a labor attorney for the agricultural industry, and most notably, one of the first attorneys to try a case before the Agricultural Labor Relations Board. In President Ronald Reagan's administration, he was appointed Deputy and Acting Chief of Protocol for the White House. In 1983, he was promoted to Deputy Assistant Secretary of State for Near East and South Asian affairs. After two years, President Reagan appointed him to be his ambassador to the Kingdom of Morocco. After his term, he moved on to work as chairman of Gulf Interstate Engineering in Houston. Next, he became managing partner of Aequitas International Consulting, an international business and political consulting company.

In February of 2002, Nassif became President and CEO of Western Growers. In 2013, he utilized his legal skills to help produce an immigration bill that passed in the Senate. Not only that, under his leadership, he assisted with the first time specialty crops received recognition in federal policy, with the passage of Specialty Crop Competitiveness Act as part of an agriculture appropriations bill. He also was a huge contributor for the specialty crop provisions in the Farm Bill. Nassif was named the Western Growers’ 2019 Award of Honor in recognition of his unique approach and impact on the produce industry. This is the highest recognition of achievement in the industry.

Tom Nassif has left his mark by advocating for transparency and quality service. Nassif’s affinity for protecting farms has directly resulted in laws and programs that will carry on recognition of achievement in the industry. Now, Nassif serves on the Agricultural Policy Advisory Committee in Washington, D.C. and is one of the three national co-chairs for the Specialty Crop Farm Bill Alliance.

Madam Speaker, I urge my colleagues to join me in recognizing the service of Mr. Tom Nassif and wish him the best in his well-deserved retirement.

PERSONAL EXPLANATION

HON. TRENT KELLY
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Monday, February 3, 2020

Mr. KELLY of Mississippi. Madam Speaker, I was unable to vote January 29 due to National Guard obligations. Had I been present, I would have voted NAY on Roll Call No. 28; YEA on Roll Call No. 29; YEA on Roll Call No. 30; NAY on Roll Call No. 31, and YEA on Roll Call No. 32.

RECOGNIZING NATIONAL SCHOOL COUNSELING WEEK

HON. LINDA T. SÁNCHEZ
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 3, 2020

Ms. SÁNCHEZ. Madam Speaker, I rise today to recognize the tireless work of school counselors across the country and in the 38th district of California that I am honored to represent. These public servants help develop well-rounded students by guiding them through their academic, social-emotional, and career development.

Humberto Solorio, a counselor at California High School in Whittier, California, is exactly the type of champion students need. Humberto has been a counselor at the school for eighteen years and has been instrumental in the lives of the students he works with in the school and its Business Academy.

He is also a Program Lead for the school’s Fresh Air Mentoring program, which is a new creative and strategic intervention program at California High School. The program provides support to at-promise male students. Humberto, along with a team of counselors and teachers, help these students by teaching healthy coping strategies, planning for life after high school, and building authentic and genuine relationships.

Counselors, like Humberto, provide so much for our students. Not only do they help with career and college choices, but they are often the ones who help students cope with serious and common challenges of growing up, including peer pressure, bullying, mental health issues, trauma, disciplinary problems, and more. Unfortunately, the average student-counselor ratio of 442-to-1 nationally which is almost double the American School Counselor Association recommended ratio of 250-to-1. Our students deserve to have the support of school counselors, and school counselors deserve our support.

That is why I am proud to introduce a resolution to designate the week of February 3, 2020, through February 7, 2020, as National School Counseling Week. I ask that all Members join me in recognizing the extraordinary work and dedication our school counselors have done to better the lives of young students.
The life of Reverend Dr. Wallace Hartfield, Sr.

Hon. Emanuel Cleaver
Of Missouri

In the House of Representatives
Monday, February 3, 2020

Mr. CLEAVER. Madam Speaker, it is with a heavy heart that I rise today to honor the life and memory of the late Reverend Dr. Wallace Hartfield, Sr., a prominent religious and civil rights leader who devoted his life to the uplifting of mankind. Rev. Hartfield’s passion for community was only rivaled by the fierce adoration he had for his wife, four children, and many grandchildren. On Thursday, January 23, 2020, Rev. Hartfield passed away after a deep and inspiring ninety years of life.

Born on November 13, 1929 in Atlanta, Georgia, Rev. Hartfield was an only child, raised by his mother in Jacksonville, Florida. Reverend Hartfield proudly served his country, completing a three-year tour of duty with the United States Armed Services in the Philippines before going on to attend Clark College, where he graduated in 1954. Rev. Hartfield later earned his Master of Divinity from Gammon Theological Seminary and went on to serve churches in South Carolina, Georgia, Florida, and Wichita before settling in Kansas City. He served as senior pastor of Metropolitan Missionary Baptist Church, one of Kansas City’s largest African-American churches, from 1962 to 1968 and again from 1972 until his retirement in 2008. Rev. Hartfield’s son, Pastor Wallace S. Hartfield, II succeeded his father’s tenure at Metropolitan Missionary Baptist church and continues the legacy of faith and leadership that his father established.

In connection to his lengthy and dedicated career of spiritual work, Rev. Hartfield played a crucial role in the civil rights movement. Growing up in the segregated south, he was no stranger to the dark and deeply painful realities of our nation’s history. Rev. Hartfield committed himself to the fight for a more just world, using the negative experiences he endured and witnessed as motivation to fight for equality and a better life for African Americans. Marching alongside Dr. Martin Luther King, Jr. and working with Reverend Jesse Jackson on the PUSH campaign to improve economic opportunities for African Americans, Rev. Hartfield embodied true leadership, compassion, and activism.

In all that he approached, Rev. Hartfield did so with a fervent passion and steadfast desire for change. By serving on local, regional, and national boards, including as Chairman of the Congress of National Black Churches and President of the Baptist Ministers Union, creating the Concerned Clergy Coalition in an effort to combat crime, and leading a multi-million dollar campaign for Kansas City health centers, Rev. Hartfield proved time and time again that he was truly a man of unparalleled dedication.

As an unwavering voice for what was morally just, Rev. Hartfield helped to positively shape the future for generations to come. By serving as a beacon of light through dark moments in our history and ushering in hope in times of hopelessness, Rev. Hartfield leaves behind a monumental legacy of service, courage, and perseverance.

Madam Speaker, please join Missouri’s Fifth Congressional District in honoring the life of Reverend Dr. Wallace Hartfield, Sr. Let us carry forth with the same sense of duty and compassion of Rev. Hartfield, always remembering his profound words: “I may not have the power to change things, but I can be a voice for change.”

Personal Explanation

Hon. Markwayne Mullin
Of Oklahoma

In the House of Representatives
Monday, February 3, 2020

Mr. MULLIN. Madam Speaker, I was not present the week of January 27 through 31, 2020 on account of supporting my son’s continuing recovery. Had I been present, I would have voted YEA on Roll Call No. 23; YEA on Roll Call No. 24; NAY on Roll Call No. 25; NAY on Roll Call No. 26; YEA on Roll Call No. 27; NAY on Roll Call No. 28; YEA on Roll Call No. 29; YEA on Roll Call No. 30; NAY on Roll Call No. 31; YEA on Roll Call No. 32; NAY on Roll Call No. 33; and NAY on Roll Call No. 34.

Senate Committee Meetings

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, February 4, 2020 may be found in the Daily Digest of today’s RECORD.

Meetings Scheduled

February 5

9:30 a.m.
Committee on Veterans’ Affairs
To hold hearings to examine the VA MISSION Act, focusing on the implementation of the Community Care Network.

SR–418

Commission on Security and Cooperation in Europe

To hold hearings to examine the power and purpose of parliamentary diplomacy, focusing on inter-parliamentary initiatives and the United States contribution.

CHOB–210

10 a.m.
Committee on Commerce, Science, and Transportation
To hold hearings to examine race and gender

SH–216

Committee on Environment and Public
Works
To hold an oversight hearing to examine the Fish and Wildlife Service.

SH–215

Committee on Finance
To hold hearings to examine the nominations of Kipp Kranbuhl, of Ohio, to be an Assistant Secretary of the Treasury, Sarah C. Arbes, of Virginia, to be an Assistant Secretary of Health and Human Services, and Jason J. Fichtner, of the District of Columbia, to be a Member of the Social Security Advisory Board.

Select Committee on Intelligence
To receive a closed briefing on certain intelligence matters.

SH–219
HIGHLIGHTS
See Résumé of Congressional Activity.

Senate

**Chamber Action**

*Routine Proceedings, pages S773–S812*

Measures Introduced: Two bills and two resolutions were introduced, as follows: S. 3248–3249, and S. Res. 489–490.

Measures Reported:

S. 2353, to direct the Administrator of the Federal Emergency Management Agency to develop guidance for firefighters and other emergency response personnel on best practices to protect them from exposure to PFAS and to limit and prevent the release of PFAS into the environment. (S. Rept. No. 116–211)

Measures Considered:

Impeachment of President Trump: Senate, sitting as a Court of Impeachment, resumed consideration of the articles of impeachment against Donald John Trump, President of the United States.

Pursuant to S. Res. 488, to provide for related procedures concerning the articles of impeachment against Donald John Trump, President of the United States, Senate will resume consideration of the articles of impeachment against President Trump, at 4 p.m., on Wednesday, February 5, 2020.

A unanimous-consent agreement was reached providing that the order of Friday, January 31, 2020, be modified to allow Senators to have until Wednesday, February 26, 2020, to have printed statements and opinions in the *Congressional Record*, if they choose, explaining their votes and include those in the documentation of the impeachment proceedings; and that the two page rule be waived.

Escort Committee—Agreement: A unanimous-consent agreement was reached providing that the Presiding Officer of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort the President of the United States into the House Chamber for the joint session to be held at 9 p.m., on Tuesday, February 4, 2020.

Messages from the House:

Enrolled Bills Presented:

Executive Communications:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Adjournment: Senate convened at 11:05 a.m. and adjourned at 6:55 p.m., until 9:30 a.m. on Tuesday, February 4, 2020. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S812.)

**Committee Meetings**

(Committees not listed did not meet)

No committee meetings were held.
House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 8 public bills, H.R. 5741–5748; and 2 resolutions, H. Res. 826–827, were introduced.

Additional Cosponsors: Pages H752–53

Speaker: Read a letter from the Speaker wherein she appointed Representative Matsui to act as Speaker pro tempore for today.

Advisory Committee on the Records of Congress—Appointment: Read a letter from Representative McCarthy, Minority Leader, in which he appointed the following member to the Advisory Committee on the Records of Congress: Mr. Gunter Waibel of Oakland, California.

United States-China Economic Security and Review Commission—Appointment: Read a letter from Representative McCarthy, Minority Leader, in which he appointed the following member to the United States-China Economic Security and Review Commission: Mr. Robert Borochoff of Houston, Texas.

Commission on International Religious Freedom—Appointment: The Chair announced the Speaker’s appointment of the following individual on the part of the House to the Commission on International Religious Freedom for a term ending May 14, 2020, to fill the existing vacancy thereon: Dr. James W. Carr of Searcy, Arkansas, to succeed Ms. Kristina Arriaga of Alexandria, Virginia.

Senate Messages: Messages received from the Senate by the Clerk and subsequently presented to the House today appear on page H751.

Quorum Calls—Votes: There were no Yea and Nay votes, and there were no Recorded votes. There were no quorum calls.

Adjournment: The House met at 1:30 p.m. and adjourned at 1:35 p.m.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, FEBRUARY 4, 2020
(Committee meetings are open unless otherwise indicated)

Senate

Committee on Commerce, Science, and Transportation: Subcommittee on Transportation and Safety, to hold hearings to examine stakeholder perspectives on trucking in America, 10 a.m., SH–216.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters; to be immediately followed by a closed hearing to examine certain intelligence matters, 9 a.m., SH–219.

House

No hearings are scheduled.

CONGRESSIONAL PROGRAM AHEAD

Week of February 4 through February 7, 2020

Senate Chamber

On Tuesday, Senate will meet in joint session with the House of Representatives to receive the President’s State of the Union message.

On Wednesday, Senate will continue consideration of the articles of impeachment against President Trump.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees
(Committee meetings are open unless otherwise indicated)

Committee on Armed Services: February 6, to hold hearings to examine United States Special Operations Command and United States Cyber Command in review of the Defense Authorization Request for fiscal year 2021 and the Future Years Defense Program, 10 a.m., SD–G50.

Committee on Commerce, Science, and Transportation: February 4, Subcommittee on Transportation and Safety, to hold hearings to examine stakeholder perspectives on trucking in America, 10 a.m., SH–216.

February 5, Full Committee, to hold hearings to examine athlete safety and the integrity of U.S. Sport, 10 a.m., SH–216.

Committee on Environment and Public Works: February 5, to hold an oversight hearing to examine the Fish and Wildlife Service, 10 a.m., SD–406.

Committee on Finance: February 5, to hold hearings to examine the nominations of Kipp Kranbuhl, of Ohio, to be an Assistant Secretary of the Treasury, Sarah C. Arbes, of Virginia, to be an Assistant Secretary of Health and Human Services, and Jason J. Fichtner, of the District of
Columbia, to be a Member of the Social Security Advisory Board, 10 a.m., SD–215.

Committee on Veterans’ Affairs: February 5, to hold hearings to examine the VA MISSION Act, focusing on the implementation of the Community Care Network, 9:30 a.m., SR–418.

Select Committee on Intelligence: February 4, to receive a closed briefing on certain intelligence matters; to be immediately followed by a closed hearing to examine certain intelligence matters, 9 a.m., SH–219.

February 5, Full Committee, to receive a closed briefing on certain intelligence matters, 10 a.m., SH–219.

House Committees


February 5, Subcommittee on Military Personnel, hearing entitled “Exceptional Family Member Program—Are the Military Services Really Taking Care of Family Members?”, 2 p.m., 2118 Rayburn.

February 5, Subcommittee on Seapower and Projection Forces; and Subcommittee on Readiness, joint hearing entitled “Update on Navy and Marine Corps Readiness in the Pacific in the Aftermath of Recent Mishaps”, 2:30 p.m., 2118 Rayburn.

Committee on Appropriations. February 5, Subcommittee on Energy and Water Development, and Related Agencies, hearing entitled “Oversight Hearing on DOE’s Role in Advancing Biomedical Sciences”, 10:30 a.m., 2362–B Rayburn.

February 5, Subcommittee on Interior, Environment, and Related Agencies, hearing entitled “Strengthening Community Recycling Programs: Challenges and Opportunities”, 1 p.m., 2008 Rayburn.

February 6, Subcommittee on Interior, Environment, and Related Agencies, hearing entitled “Non Tribal Public Witness Day”, 9 a.m., 2008 Rayburn.

February 6, Subcommittee on Defense, hearing entitled “U.S. Strategic Command”, 11 a.m., H–140 Capitol. This hearing is closed.

February 6, Subcommittee on Interior, Environment, and Related Agencies, hearing entitled “Non Tribal Public Witness Day”, 1 p.m., 2008 Rayburn.


Committee on Energy and Commerce. February 5, Subcommittee on Energy, hearing entitled “Modernizing the Natural Gas Act to Ensure it Works for Everyone”, 10 a.m., 2322 Rayburn.


February 6, Subcommittee on Environment and Climate Change, hearing entitled “Clearing the Air: Legislation to Promote Carbon Capture, Utilization and Storage”, 10 a.m., 2123 Rayburn.


February 5, Subcommittee on Housing, Community Development, and Insurance, hearing entitled “A Future Without Public Housing? Examining the Trump Administration’s Efforts to Eliminate Public Housing”, 2 p.m., 2128 Rayburn.


February 6, Subcommittee on Oversight and Investigations, hearing entitled “Fake It Till They Make It: How Bad Actors Use Astroturfing to Manipulate Regulators, Disenfranchise Consumers and Subvert the Rulemaking Process”, 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs. February 5, Full Committee, hearing entitled “Unique Challenges Women Face in Global Health”, 10 a.m., 2172 Rayburn.

February 5, Subcommittee on Asia, the Pacific, and Nonproliferation, hearing entitled “The Wuhan Coronavirus: Assessing the Outbreak, the Response, and Regional Implications”, 2 p.m., 2172 Rayburn.


February 6, Full Committee, hearing entitled “About Face: Examining the Department of Homeland Security’s Use of Facial Recognition and Other Biometric Technologies, Part II”, 10 a.m., 310 Cannon.

Committee on House Administration. February 5, Full Committee, hearing entitled “Oversight of the Smithsonian Institution: Opportunities for Growth by Honoring Latino Americans and Asian Pacific Americans”, 10 a.m., 1310 Longworth.

Committee on the Judiciary. February 5, Full Committee, hearing entitled “Oversight of the Federal Bureau of Investigation”, 10 a.m., 2141 Rayburn.

February 6, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, hearing entitled “Citizens United at 10: The Consequences for Democracy and Potential Responses by Congress”, 10 a.m., 2141 Rayburn.

Committee on Natural Resources. February 5, Subcommittee on Energy and Mineral Resources, hearing on H.R. 5598, the “Boundary Waters Wilderness Protection and Pollution Prevention Act”, 10 a.m., 1324 Longworth.

February 5, Subcommittee for Indigenous Peoples of the United States, hearing on H.R. 4059, to take certain lands in California into trust for the benefit of the Agua Caliente Band of Cahuilla Indians, and for other purposes;
H.R. 4495, to authorize the Secretary of Health and Human Services, acting through the Director of the Indian Health Service, to acquire private land to facilitate access to the Desert Sage Youth Wellness Center in Hemet, California, and for other purposes; H.R. 4888, to amend the Grand Ronde Reservation Act, and for other purposes; and H.R. 5153, the "Indian Buffalo Management Act", 2 p.m., 1324 Longworth.

February 6, Full Committee, markup on a committee resolution authorizing issuance of subpoenas related to mismanagement, waste, fraud, abuse, and wrongful conduct in relation to functions within the jurisdiction of the Committee on Natural Resources, 9 a.m., 1324 Longworth.

Committee on Oversight and Reform, February 5, Subcommittee on Government Operations, hearing entitled "A Threat to America's Children: The Trump Administration's Proposed Changes to the Poverty Line Calculation", 10 a.m., 2154 Rayburn.

February 5, Subcommittee on Civil Rights and Civil Liberties, hearing entitled "A Threat to America's Children: The Trump Administration's Proposal to Gut Fair Housing Accountability", 2 p.m., 2154 Rayburn.

February 6, Subcommittee on Economic and Consumer Policy, hearing entitled "A Threat to America's Children: The Trump Administration's Proposed Changes to Broad Based Categorical Eligibility for the Supplemental Nutrition Assistance Program", 10 a.m., 2154 Rayburn.

February 6, Subcommittee on Environment, hearing entitled "A Threat to America's Children: The Trump Administration's Proposal to Undermine Protections from Mercury Air Toxics Standards", 2 p.m., 2154 Rayburn.

Committee on Rules, February 5, Full Committee, hearing on H.R. 2474, the "Protecting the Right to Organize Act of 2019"; H.R. 5687, the "Emergency Supplemental Appropriations for Disaster Relief and Puerto Rico Disaster Tax Relief Act, 2020"; and H. Res. 826, expressing disapproval of the Trump administration's harmful actions towards Medicaid, 3 p.m., H–313 Capitol.

Committee on Science, Space, and Technology, February 5, Subcommittee on Investigations and Oversight; and Subcommittee on Energy, joint hearing entitled "Management and Spending Challenges within the Department of Energy's Office of Energy Efficiency and Renewable Energy", 10 a.m., 2318 Rayburn.

February 5, Subcommittee on Research and Technology, hearing entitled "America's Seed Fund: A Review of SBIR and STTR", 2 p.m., 2318 Rayburn.

Committee on Small Business, February 5, Full Committee, hearing entitled "SBA Management Review: Office of Credit Risk Management", 11:30 a.m., 2360 Rayburn.

February 6, Subcommittee on Rural Development, Agriculture, Trade, and Entrepreneurship, hearing entitled "Taking Care of Business: How Childcare is Important for Regional Economies", 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, February 5, Subcommittee on Railroads, Pipelines, and Hazardous Materials, hearing entitled "Tracking Toward Zero: Improving Grade Crossing Safety and Addressing Community Concerns", 10 a.m., 2167 Rayburn.

February 6, Subcommittee on Highways and Transit, hearing entitled "Assessing the Transportation Needs of Tribes, Federal Land Management Agencies, and U.S. Territories", 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, February 5, Subcommittee on Oversight and Investigations; and Women Veterans Task Force, joint hearing entitled "Examining How the Department of Veterans Affairs Supports Survivors of Military Sexual Trauma", 10 a.m., HVC–210.

February 6, Subcommittee on Economic Opportunity, hearing on pending legislation, 10 a.m., HVC–210.


February 6, Subcommittee on Trade, hearing entitled "Trade Infrastructure for Global Competitiveness", 2 p.m., 1100 Longworth.

Committee on the Climate Crisis, February 5, Full Committee, hearing entitled "Creating a Climate Resilient America: Overcoming the Health Risks of the Climate Crisis", 9 a.m., 1300 Longworth.

Select Committee on the Modernization of Congress, February 5, Full Committee, hearing entitled "Article One: Fostering a More Deliberative Process in Congress", 2 p.m., 210 Cannon.

Joint Meetings

Commission on Security and Cooperation in Europe: February 5, to hold hearings to examine the power and purpose of parliamentary diplomacy, focusing on inter-parliamentary initiatives and the United States contribution, 9:30 a.m., 210, Cannon Building.
Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED SIXTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY
January 3 through January 31, 2020

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<tr>
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<th>Senate</th>
<th>House</th>
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<td>Days in session</td>
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<td>Public bills enacted into law</td>
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<td>Private bills enacted into law</td>
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<tr>
<td>Vetoes overridden</td>
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</table>

*These figures include all measures reported, even if there was no accompanying report. A total of 21 written reports have been filed in the Senate, 19 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS
January 3 through January 31, 2020

Civilian nominees, totaling 129 (including 87 nominees carried over from the First Session), disposed of as follows:

- Confirmed ...................................................... 9
- Unconfirmed .................................................. 120

Other Civilian nominees, totaling 264 (including 1 nominee carried over from the First Session), disposed of as follows:

- Unconfirmed .................................................. 264

Air Force nominees, totaling 117, disposed of as follows:

- Confirmed ...................................................... 8
- Unconfirmed .................................................. 109

Army nominees, totaling 114 (including 3 nominees carried over from the First Session), disposed of as follows:

- Confirmed ...................................................... 110
- Unconfirmed .................................................. 4

Navy nominees, totaling 7 (including 2 nominees carried over from the First Session), disposed of as follows:

- Confirmed ...................................................... 5
- Unconfirmed .................................................. 2

Marine Corps nominees, totaling 68, disposed of as follows:

- Confirmed ...................................................... 34
- Unconfirmed .................................................. 34

Summary

- Total nominees carried over from the First Session ...................... 93
- Total nominees received this Session ........................................ 606
- Total confirmed ......................................................... 166
- Total unconfirmed ......................................................... 533
- Total withdrawn ......................................................... 0
- Total returned to the White House ......................................... 0
Next Meeting of the **SENATE**

9:30 a.m., Tuesday, February 4

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**Senate Chamber**

**Program for Tuesday:** Senate will be in a period of morning business.

*(Senators will gather in the Senate Chamber at 8:20 p.m. and proceed as a body to the Hall of the House of Representatives to receive a State of the Union Address from the President.)*

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Next Meeting of the **HOUSE OF REPRESENTATIVES**

12 noon, Tuesday, February 4

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**House Chamber**

**Program for Tuesday:** Joint Session with the Senate to receive the State of the Union Address from the President of the United States.

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**Extensions of Remarks, as inserted in this issue**

**HOUSE**

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