

If you believe that Congress was right to conclude that President Nixon's abuse of power merited expulsion from office, you have no choice but to conclude that President Trump's corrupt conspiracy merits his expulsion from office.

President Trump should be removed from office this very day by action in this very Chamber, but he will not be removed because this Senate has failed to conduct a full and fair trial to reveal the extensive dimensions of his conspiracy and because the siren call to party loyalty over country has infected this Chamber.

Every American understands what constitutes a full and fair trial. A full and fair trial has witnesses. A full and fair trial has documents. A full and fair trial does not begin with the jury foreman declaring that he is working hand-in-glove with the defendant. When discussing why the Senate tries impeachments, Alexander Hamilton stated: "Where else than in the Senate could have been found a tribunal sufficiently dignified, or sufficiently independent" for that daunting responsibility?

Every American should feel the sadness, the darkness, the tragedy of this moment in which this Senate is neither sufficiently dignified nor sufficiently independent for that responsibility.

The Senate trial became a coverup when the majority voted on January 22 and again on January 31 to block all access to witnesses and documents. If this coverup goes forward, it will be the latest in a set of corrupt firsts this Senate has achieved under Republican leadership.

It has been the first Senate to ignore our constitutional responsibilities to debate and vote on a Supreme Court nominee in 2016. It became the first Senate to complete the theft of a Supreme Court seat from one administration giving it to another in 2017.

And now, it becomes the first Senate in American history to replace an impeachment trial with a coverup. President Trump might want to consider this: With a coverup in lieu of a trial, there is no "exoneration," no matter how badly President Trump might want it. No matter how boldly he might claim it, there is no "exoneration" from a coverup.

If this Senate fails to convict President Trump when we vote later today, we destroy our constitutional responsibility to serve as a check against the abuses of a runaway President. It is a devastating blow to the checks and balances which have stood at the heart of our Constitution.

Our tripartite system is like a three-legged stool, where each leg works in balance with the others. If one leg is cracked or weakened, well, that stool topples over. If the Senate's responsibility is gutted and the limits on Presidential power are undermined, then, there is lasting damage to the checks and balances our Founders so carefully crafted.

Let's also be clear. The situation that we find ourselves in today didn't

spring out of nowhere. With respect to the Chief Justice, the road to this moment has been paved by decisions made in the Supreme Court undermining the "We the People" Republic, while Justice Roberts has led the Court—decisions like *Citizens United* in 2010, which corrupted our political campaigns with a flood of dark money, the equivalent of a stadium sound system drowning out the voice of the people; decisions like *Shelby County* in 2013, which gutted the Voting Rights Act, opening the door to voter suppression and voter intimidation—if you believe in our Republic, you believe in voter empowerment, not voter suppression—decisions like *Rucho v. Common Cause* in 2019, giving the green light to extreme partisan gerrymandering, in which politicians choose their voters rather than voters choosing their politicians. It is one blow after another giving more power to the powerful and undermining the vision of government of, by, and for the people—blow after blow making officials more responsive to the rich and wealthy donors than the people they are elected to represent.

These Supreme Court decisions have elevated government by and for the powerful, and trampled government by and for the people, paving the path for this dark moment in which the U.S. Senate chooses to defend a corrupt President by converting a trial into a coverup. A trial without access to witnesses and documents is what one expects of a corrupted court in Russia or China, not the United States of America.

We know what democracy looks like, and it is not just about having the Constitution or holding elections. Our democracy is not set in stone. It is not guaranteed by anything other than the good will and good faith of the people of this country. Keeping a democracy takes courage and commitment. As the saying goes, "freedom isn't free." It is an inheritance bequeathed to us by those who have fought and bled and died to ensure that government "of the people, by the people, for the people shall not perish from the Earth."

Fighting for that inheritance doesn't only happen on the battlefield. It happens when Americans everywhere go to the polls to cast a ballot. It happens when ordinary citizens, distraught at what they are seeing, speak up, join a march, or run for office to make a difference. And it happens here in this Chamber—in this Senate Chamber—when Senators put addressing the challenges of our country over the pressures from their party.

Before casting their votes today, I urge each and every one of my colleagues to ask themselves: Will you defend the integrity of our elections? Will you deliver impartial justice? Will you protect the separation of powers—the heart of our Constitution? Will you uphold the rule of law and the inspiring words carved above the doors of our Supreme Court, "Equal Justice Under Law"?

I stand here today in support of our Constitution, which has made our Nation that shining city on a hill. I stand here today for equal justice under law. I stand here today for a full and fair trial as our Constitution demands. I stand here today to say that a President who has abused this office by soliciting a foreign country to intervene in the election of 2020 and bias the outcome—betraying the trust of the American people and undermining the strength of our Constitution—must be removed from office.

I yield the floor.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### STATE OF THE UNION ADDRESS

Mr. SCHUMER. Madam President, I will speak later this afternoon, at about 3:30—prior to the vote on the Articles of Impeachment—about impeachment, but this morning, I would like to briefly respond to President Trump's third State of the Union Address. It was a sad moment for democracy.

The President's speech last night was much more like a Trump rally than a speech a true leader would give. It was demagogic, undignified, highly partisan, and, in too many places, just untruthful. Instead of a dignified President, we had some combination of a pep rally leader, a reality show host, and a carnival barker. That is not what Presidents are.

President Trump took credit for inheriting an economy that has been growing at about the same pace over the last 10 years. The bottom line is, during the last 3 years of the Obama administration, more jobs were created than under these 3 years of the Trump administration. Yet he can't resist digging at the past President even though the past President's economic number was better than his.

He boasted about how many manufacturing jobs he has created. Manufacturing jobs have gone down, in part, because of the President's trade policies for 5 months late last year. There was a 5-month-long recession last year. Farmers are struggling mightily. Farm income is way down. Bankruptcies are the highest they have been in 8 years. Crop prices are dwindling, and markets may never recover from the damage of the President's trade war as so many contracts for soybeans and other goods have gone to Argentina and Brazil. These are not 1-year contracts; these are long-term contracts.

The President talked at length about healthcare and claimed—amazingly at one point—he will fight to protect patients with preexisting conditions. This President just lies—just lies. He is in court right now, trying to undo the protections for preexisting conditions. At the same time, he says he wants to do it, and all the Republicans get up

and cheer. His administration is working as hard as it can to take down the law that guarantees protections for preexisting conditions. The claim is not partly true; it is not half true; it is not misleading. It is flatly, objectively, unequivocally false. It reads on my notes "false." Let's call it for what it is—it is a lie.

In 3 years, President Trump has done everything imaginable to undermine Americans' healthcare. He is even hoping to drag out the resolution of the lawsuit past the next election. If President Trump were truly interested in shoring up protections for people with preexisting conditions, he would drop this lawsuit now. Then he would be doing something, not just talking and having his actions totally contradict his words. Until the President drops his lawsuit, when he says he cares about Americans' healthcare, he is talking out of both sides of his mouth.

When he talks about being the blue-collar President, he doesn't understand blue-collar families. It is true that wages went up 3 percent. If you are making \$50,000 a year, that is a good salary. By my calculation, that is about \$30 a week. When you get a medical bill of \$4,000 and your deductible is \$5,000, when your car has an accident and it is going to cost you \$3,000 or \$4,000 to fix it and you don't have that money, the \$30 a week doesn't mean much.

When asked, "Is it easier for you to pay your bills today or the day Trump became President?" they say it is harder to pay their bills today. That is what working families care about, getting their costs down—their college costs, their education costs, their healthcare costs, their automobile and infrastructure costs—not these vaunted Wall Street statistics that the financial leaders look at and think: Oh, we are great.

They are great. Their 3-percent increase in income—and it has been greater—puts a lot of money in their pockets. Working people don't feel any better—they feel worse—because Donald Trump always sides with the special interests when it comes to things that affect working families, like health care, like drug costs, like college.

In so many other areas, the President's claims were just not true. He claimed he has gotten tough on China. He sold out to China a month ago. Everyone knows that. Because he has hurt the farmers so badly, the bulk of what happened in the Chinese agreement was for them to purchase some soybeans. We don't even know if that will happen, but it didn't get at the real ways China hurts us.

He spoke about the desire for a bipartisan infrastructure bill. We Senate Democrats put together a \$1 trillion bill 3 years ago, and the President hasn't shown any interest in discussing it. In fact, when Speaker PELOSI and I went to visit him about infrastructure, he walked out.

This is typical of Donald Trump. In his speech, he bragged about all of these things he wants to do or is doing, but his actions belie his words. Maybe the best metaphor was his claim to bring democracy to Venezuela. There was a big policy there. It flopped. If the policy were working, Juan Guaido wouldn't have been in the balcony here. He would have been in Venezuela. He would have been sitting in the President's palace or at least have been waging a fight to win. He was here—and the President brags about his Venezuela policy? Give us a break.

He hasn't brought an end to the Maduro regime. The Maduro regime is more powerful today and more entrenched today than it was when the President began his anti-Maduro fight—the same thing with North Korea, the same thing with China, the same thing with Russia, the same thing with Syria.

The fact is, when President Trump gets over an hour to speak, the number of mistruths, mischaracterizations, exaggerations, and contradictions is breathtaking. No other President comes close. The old expression says: "Watch what I do, not what I say."

What the President does will be revealed on Monday in his budget. That is what he wants to do. If past is prologue, almost everything in that budget will contradict what he will have said in his speech. In the past, he has cut money for healthcare, cut money for medical research, cut money for infrastructure, cut money for education, cut money to help kids with college—every one of those things.

Ladies and gentlemen, I have faith in the American people. They will not be fooled. They are used to it. They can tell a little show here—a nonreality show—when they see one. They know it is a show. It is done for their amusement, for their titillation, but it doesn't improve America. Working people are not happy. The middle class is struggling to stay in the middle class, and those struggling to get to the middle class find it harder to get there. Their path is steeper.

Far more than the President's speech, the President's budget is what truly reveals his priorities. The budget will be the truth serum, and in a few days, the American people will see how many of the President's words here are reality. I expect very few will be.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CORNYN. Madam President, I ask unanimous consent that following my oral remarks that my more extensive, written remarks that I have prepared be printed in the RECORD.

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

#### IMPEACHMENT

Mr. CORNYN. Madam President, over the last months, our country has been consumed by a single word, one that we don't use often in our ordinary parlance. That word, of course, is "impeachment." It has filled our news channels, our Twitter feeds, and dinner conversations. It has led to a wide-ranging debate on everything from the constitutional doctrines of the separation of powers to the due process of law—two concepts which are the most fundamental building blocks of who we are as a nation. It has even prompted those who typically have no interest in politics to tune into C-SPAN or into their favorite cable news channels.

The impeachment of a President of the United States is simply the gravest undertaking we can pursue in this country. It is the nuclear option in our Constitution—the choice of last resort—when a President has committed a crime so serious that Congress must act rather than leave the choice to the voters in the election.

The Framers of the Constitution granted this awesome power to the U.S. Congress and placed their confidence in the Senate to use only when absolutely necessary, when there is no other choice.

This is a rare, historic moment for the Members of this Chamber. This has been faced by the Senate only on two previous occasions during our Constitution's 232-year history—only two times previously. We should be extraordinarily vigilant in ensuring that the impeachment power does not become a regular feature of our differences and, in the process, cheapen the vote of the American people. Soon, Members of the Senate will determine whether, for the first time in our history, a President will be removed from office, and then we will decide whether he will be barred from the ballot in 2020.

The question all Senators have to answer is, Did the President commit, in the words of the Constitution, a high crime and misdemeanor that warrants his removal from office or should he be acquitted of the charges made by the House?

I did my best to listen intently to both sides as they presented their cases during the trial, and I am confident in saying that President Trump should be acquitted and not removed from office.

First, the Constitution gives the Congress the power to impeach and remove a President from office only for treason, bribery, and other high crimes and misdemeanors, but the two Articles of Impeachment passed by the House of Representatives fail to meet that standard.

The first charge, as we know, is abuse of power. House Democrats alleged that the President withheld military aid from Ukraine in exchange for investigations of Joe and Hunter