IMPEACHMENT OF PRESIDENT
DONALD JOHN TRUMP

THE EVIDENTIARY RECORD
PURSUANT TO H. RES. 798

VOLUME XIII

H. Res. 767, Providing for Consideration of H. Res. 755, Impeaching Donald John Trump, President of the United States, for High Crimes and Misdemeanors (116th Congress)

Printed at the direction of Cheryl L. Johnson, Clerk of the House of Representatives, pursuant to H. Res. 798, 116th Cong., 2nd Sess. (2020)

JANUARY 23, 2020.—Ordered to be printed

U.S. GOVERNMENT PUBLISHING OFFICE

WASHINGTON : 2020
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H. Res. 767

In the House of Representatives, U. S.,
December 18, 2019.

Resolved, That immediately upon adoption of this resolution, without intervention of any point of order, the House shall proceed to the consideration in the House of the resolution (H. Res. 755) impeaching Donald John Trump, President of the United States, for high crimes and misdemeanors. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the resolution shall be considered as adopted. The previous question shall be considered as ordered on the resolution, as amended, to adoption without intervening motion or demand for division of the question except as follows:

(a) The resolution, as amended, shall be debatable for six hours equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees.

(b) The question of adoption of the resolution, as amended, shall be divided between the two articles.

(26683)
SEC. 2. During consideration of House Resolution 755, only the following persons shall be admitted to the Hall of the House or rooms leading thereto:

(a) Members of Congress.

(b) The Delegates and the Resident Commissioner.

(c) The President and Vice President of the United States.

(d) Other persons as designated by the Speaker.

SEC. 3. After adoption of House Resolution 755, it shall be in order without intervention of any point of order to consider in the House a resolution appointing and authorizing managers for the impeachment trial of Donald John Trump, President of the United States, if offered by the chair of the Committee on the Judiciary or his designee. The previous question shall be considered as ordered on the resolution to adoption without intervening motion or demand for division of the question except 10 minutes of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. No other resolution incidental to impeachment relating to House Resolution 755 shall be privileged during the remainder of the One Hundred Sixteenth Congress.

SEC. 4. The chair of the Committee on the Judiciary may insert in the Congressional Record such material as he may deem explanatory of—
(a) House Resolution 755, not later than the date that is 5 legislative days after adoption thereof; and

(b) the resolution specified in section 3 of this resolution, not later than the date that is 5 legislative days after adoption thereof.

Attest:

Clerk.
Mr. HOYER moves to lay the resolution on the table.

The question is on the motion to table.

The Clerk reads as follows:

The question was taken; and the ayes appeared to have it.

Mr. MCCARTHY. Madam Speaker, I demand a recorded vote.

The vote was taken by electronic device, and there were—ayes 265, noes 191, not voting 13, as follows: (Roll No. 92)

AYES—265

Mr. GONZALEZ of Ohio changed his vote from "no" to "aye.

So the motion to table was agreed to.

The result of the vote was announced as aye 265, no 191, not voting 13.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H. RES. 705, IMPEACHING DONALD JOHN TRUMP, PRESIDENT OF THE UNITED STATES, FOR HIGH CRIMES AND MISDEMEANORS

Mr. MOGOGREN. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 705 and ask for its immediate consideration.

The Clerk reads the resolution, as follows:

H. RES. 705

Resolved, That immediately upon adoption of this resolution, the Speaker shall, at any point of order, refer all matter arising in the Committee on the Judiciary in relation to any point of order, the House shall proceed to the consideration in the House of the resolution (H. Res. 705) impeaching Donald John Trump, President of the United States, for high crimes and misdemeanors, subject to any amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the resolution shall be considered as adopted. The previous question shall be considered as ordered on the resolution, as amended, to adoption without intervening motion or demand for division of the question except as follows:

(a) The resolution, as amended, shall be debateable for six hours equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designates.

(b) The question of adoption of the resolution, as amended, shall be divided between the two articles.

SEC. 2. During consideration of House Resolution 705, only the following persons shall be admitted to the Hall of the House or roofs where the debate is taking place:

(a) Members of Congress.

(b) The Delegates and the Resident Commissioner.

(c) The President and Vice President of the United States.

(d) Other persons as designated by the Speaker.

SEC. 3. After adoption of House Resolution 705, it shall be in order without intervention at any point of order to consider in the House a resolution appointing and authorizing managers for the impeachment trial of Donald John Trump, President of the United States, if offered by the chair of the Committee on the Judiciary or his designee. The previous question shall be considered as ordered on the resolution to adoption without intervening motion or demand for division of the question except as follows:

(i) The resolution, as amended, shall be debateable for six hours equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. No other resolution incidental to impeachment relating to House Resolution 705 shall be privileged during the remainder of the One Hundred Sixteenth Congress.

SEC. 4. The chair of the Committee on the Judiciary may issue in the Congressional Record such material as he may deem explanatory of—

(a) House Resolution 705, not later than the date that is 5 legislative days after adoption thereof.

(b) The resolution specified in section 5 of this resolution, not later than the date that is 5 legislative days after adoption thereof.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The Speaker pro tempore (during the vote). There are 2 minutes remaining.

Mr. GARAMENDI changed his vote from "aye" to "no."
Mr. SCALISE. Madam Speaker, I raise a point of order.

Mr. COLE. Mr. Speaker, my good friend, pending objection to the request of the gentleman that he is not stating a matter in the legislative history accompanying the resolution fails to accompany the resolution violates clause 2(j)(1) of rule XI, which entitles the majority of the committee to have the ability to call witnesses to testify during at least one day of hearing on any specified waivers in the legislative history.

This was not afforded to the Committee on the Judiciary minority members. Therefore, I raise a point of order against consideration of the rule and the underlying resolution for the violation of minority rights and the denial of this evidence to be put into the Record and for this hearing, which the House rules require, which was not complied with and denied.

Madam Speaker, I urge the enforcement of this rule.

Mr. COLE. Mr. Speaker, the gentleman from Louisiana seeks to raise a point of order against House Resolution 576, providing for consideration of H. R. 756, impeaching Donald John Trump, President of the United States.

The SPEAKER pro tempore. The gentleman is stating a matter in the legislative history. Time.

Mr. SCALISE. Madam Speaker, 232 years ago, as he walked out of the Constitutional Convention in Philadelphia, Benjamin Franklin stated that the Founders had just created a republic, if you can keep it. He understood that nothing was preordained, that our Nation would continue to be shaped decision-by-decision, vote-by-vote, not by some other leaders in some other time but by us and decisions made through the regular work of government and during historic moments like the one we face today.

Our Founders crafted the fundamental laws of government to guide us, passages like Article I, Section 2 of the Constitution, giving this Chamber the sole power of impeachment. But nowhere does it list exactly what constitutes a high crime or misdemeanor. In their wisdom, the Founders understood they could not anticipate what the future would bring. They gave subsequent generations the chance to decide precisely what our government would become, to decide with each passing day what a nation defined by the Constitution was like, what America would continue to be.

That is what brings us here today, to decide nearly two and a half centuries later whether the United States is still a nation where no one is above the law or whether America becomes a land run by those who act more like kings or queens, as if the law doesn't apply to them.

Madam Speaker, this reality is serious.

Over the past several months, the House of Representatives has been conducting an impeachment inquiry into the 45th President of the United States, Donald John Trump.

Our inquiry is simply to answer the following question: Did President Trump and his top advisers corruptly withhold official government actions in order to obtain an improper advantage in the next election?

We now know, through the hard work of our investigative committees, and because of the President's own admission, that the answer to that question is yes. The President withheld congressionally approved military aid to Ukraine, a country under siege, not to fight corruption but to extract a personal political favor. President Trump refused to meet with Ukraine's President in the White House until he completed this scheme.

All the while, leaders in Russia, the very nation that interfered with our elections, had an unmediated meeting in the Oval Office just last week.

The President of the United States represents a country that has committed a high crime or misdemeanor, and the President, a successor to the same office as George Washington and Abraham Lincoln, betrayed his oath to preserve, protect, and defend the Constitution of the United States.

These aren't opinions. These are uncontested facts.

Now, I have heard the details of the July 25 phone call with President Zelensky, where President Trump said: I would like you to do us a favor, though. I have heard some on the other side say that we had a call concerning the military aid to Ukraine. I have seen the televised press conference where his Chief of Staff openly admitted to this deal and told the Nation to just get over it.

Hours and hours of depositions by the Committee on Intelligence, Committee on Foreign Affairs, and the Committee on Foreign Affairs have been conducted where witnesses outlined the President's direct involvement in this scheme.

The evidence is as clear as it is overwhelming. If a President undermining our national security and using the Federal Government for his own selfish personal gain is not impeachable conduct, then, Madam Speaker, I don't know what is.

I have heard some on the other side suggest this process is about overturning an election. That is absurd. What is at issue is about protecting our democracy.

These facts are beyond dispute. The impeachment inquiry is about one question: Are we willing to tolerate such conduct, not just today by President Trump but, furthermore, by any President of either party. To not act would set a dangerous precedent, not just for this President, but for every future President.
December 18, 2019

and obstruction of Congress with the cash of offices that we took.

Madam Speaker, we are being tested on something greater than our ability to see a party line, something more than our ability to score the next great television sound bite. This is a democracy-defining moment.

History will judge us by whether we keep intact that fragile republic hand­eled down to us by our forebears more than 200 years ago or whether we allow it to be changed forever. For the sake of our country’s future, I hope, and I pray, that my colleagues will make the right decision.

Madam Speaker, I reserve the bal­ance of my time.

Mr. COLE. Madam Speaker, I thank the gentleman from Massachusetts (Mr. McGovern), my good friend, for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Madam Speaker, today is a very sad day in the history of our country, in the history of the United States of America, and the reason we have to have this vote is not the result of a bipartisan process nor an open or fair process. I think it is going to be changed forever. For the sake of the institution of government and for the American people to allow a single thing in the report or to provide factual information supporting the many assertions it contains.

Madam Speaker, this is no way to go about impeaching the President of the United States. It was a rush to judgment, a quick rush to judgment forced through the majority. I don’t believe the allegations, which are subject to interpretation, actually rise to the level of an impeachable of­fense.

To make matters worse, when Repub­licans gathered to talk about one of their rights under House rules, they were shut down by Chairman Nadler. Under clause 2(1)(i) of rule XI, the minor­ity is allowed to participate in a minority hearing day. On December 4, the Repub­licans on the Judiciary Committee properly appealed that right and transmitted a demand to Chairman Nadler for a hearing day at which the minority could call their own wit­nesses.

To be clear, Madam Speaker, a min­ority hearing day is the subject to the chair’s discretion. It is a right, and Repub­licans on the Judiciary Committee properly exercised that right; yet, Chairman Nadler declined to allow a minority hearing day to be held after the voting of these articles. I think we can all agree that it would have been better for the institution and for the American people to allow all voices to be heard and all witnesses to be questioned before proceeding to a final vote and open and impartial process.

I think it is also disappointing that Members are not being given more time to debate this issue on the floor.

Last night at the Rules Committee, I offered an amendment to double the amount of floor time debate from 6 to 12 hours. This would have allowed for
ROUGHLY THE SAME AMOUNT OF DEBATE TIME WAS IMPOSED ON THEM, AND IT WOULD HAVE BEEN ENSURED THAT ALL MEMBERS COULD HAVE THE OPPORTUNITY TO SPEAK ON THE FLOOR. UNFORTUNATELY, THAT AMENDMENT WAS NOT ACCEPTED.

WHILE I KNOW MY FRIEND, CHAIRMAN MCGOVERN, DID THE BEST HE COULD, I DO THINK IT IS IRRATIONAL THAT, WHEN ALL IS SAID AND DONE, THE 13 MEMBERS OF THE RULES COMMITTEE SPENT MORE TIME DISCUSSING H.R. 755 IN COMMITTEE YESTERDAY THAN WE WILL SPEAK DEBATING IT ON THE HOUSE FLOOR FOR EVERY MEMBER TODAY. I THINK THAT IS A DISERVICE TO THE MEMBERS OF THIS BODY AND TO THE AMERICAN PEOPLE.

MADAM SPEAKER, WE DESERVE BETTER THAN THE FLAWED PROCESS THAT LED TO THIS FLAWED CATCH. THE HOUSE OF REPRESENTATIVES DESERVES BETTER THAN THAT. THE PRESIDENT CERTAINLY DESERVES BETTER THAN THAT. MORE IMPORTANTLY, THE AMERICAN PEOPLE DESERVE BETTER THAN WHAT WE ARE DOING HERE TODAY.

I AGREE WITH CHAIRMAN McGOVERN: I OPPOSE THE RULE; I OPPOSE THIS LIMITED AND UNFAIR PROCESS; AND I CERTAINLY OPPOSE IMPEACHING THE PRESIDENT OF THE UNITED STATES. I UPRROSE OPPOSITION, AND I RESERVE THE BALANCE OF MY TIME.

MADAM SPEAKER, I INCLUDE IN THE RECORD A LETTER THAT I SENT WITH REGARD TO THE MEMBERS OF THIS BODY.

HON. TOM COLS
Ranking Republican
House Judiciary Committee
Washington, DC
December 15, 2019

HON. JAMES P. McGOVERN, Chairman, House Rules Committee

Dear Chairman McGeown,

I wish to applaud the conduct of your Committee during this past week. The impeachment process is one of the most solemn and critical matters for this House to consider. I believe that the procedures that have been followed have been fair, transparent, and respectful of the Constitution and the rule of law.

The decision to initiate impeachment proceedings is a serious one, and the evidence presented thus far has not been sufficient to warrant such action. I respectfully disagree with the conclusions reached by the House, and I urge my colleagues to consider the implications of their decision carefully.

Please continue to engage in open and honest dialogue to ensure that the will of the American people is respected. As we move forward, I hope that we can work together to find common ground and to make decisions that reflect the best interests of our country.

Sincerely,

Tom Cole
Ranking Republican

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Does the gentleman from Massachusetts yield for this unanimous consent request?

Mr. McGOVERN. Madam Speaker, I do not.

The SPEAKER pro tempore. Therefore, this unanimous consent request cannot be entertained.

Mr. COLE. Madam Speaker, I yield 4 minutes to the gentleman from Texas (Mr. BURGESS), my good friend, a distinguished member of both the Energy and Commerce Committee and the House Rules Committee.

Mr. BURGESS. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, yesterday the Rules Committee spent 8 hours considering whether to bring H. Res. 755, the Articles of Impeachment, to the House from the fourth floor of the Capitol. Democrats to Republicans on the committee, it is no surprise that we are now considering the articles before us.

Despite robust debate on the so-called facts derived from the impeachment investigation and the process by which they were obtained, Democrats and Republicans remain in opposition to each other on our conclusions.

As outlined yesterday by Ranking Member COLLINS and several members of the Rules Committee through direct quotes, some Democrats have been accused of providing access to committee records. These are records of the Members of the House of Representatives, and are not allowed to access these records obtained down in secret under armed guard in the Intelligence Committee, but it is required under section 8(e) of rule XI, and they have denied members the ability to do their job.

The Judiciary Committee did not hear testimony from even one fact witness, not even one, after they received a deluge of materials from the Intelligence Committee. This reversal of responsibility is indeed unprecedented.

But turning to the case upon which the argument is based, we had a whistleblower, not a fact witness, a whistleblower complaint concerning a congratulatory phone call.

A request for investigations as to how American foreign aid will be spent does not equal soliciting election interference. The evidence brought before us does not amount to a high crime, indeed, it does not amount to any crime.

Democrats claim that we must protect the integrity of our election. If you really cared, then I have to ask, what are we missing while we have been focused on this call. Madam Speaker, I yield up the Intelligence Committee. We tied up the Judiciary Committee. And, oh, the Ways and Means Committee had to give up their room. They couldn't even meet while you were here.

This impeachment investigation is being painted as a protection against future interference, when in reality President Trump's request looks back at the 2016 election. Russia is the winner in this exchange because they have disrupted the process.

Mr. McGOVERN. Madam Speaker, the gentleman has the floor.

As outlined by Ranking Member COLLINS and several members of the Rules Committee through direct quotes, some Democrats have been accused of providing access to committee records. These are records of the Members of the House of Representatives, and are not allowed to access these records obtained down in secret under armed guard in the Intelligence Committee, but it is required under section 8(e) of rule XI, and they have denied members the ability to do their job.

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Mr. McGOVERN. Madam Speaker, the gentleman has the floor.
We also know that the President has actively blocked congressional attempts to determine the extent of his misconduct by ordering executive branch officials to defy subpoenas and withhold information. Despite the unprecedented obstruction from the President, the evidence in this case is powerful enough to delay this vote any further would risk interfering with the 2020 election and the permanent erosion of our system of checks and balances. Madam Speaker, this is not a matter of politics. This is a matter of protecting the integrity of our democracy for the next generation.

As we labor to pass on to future generations many of the great hallmarks of our Republic, we must also work with active stewardship and vigilance to pass on a vibrant and functional democracy.

If we don't do our duty to protect the Constitution, the republic that we hand to our children will be less vibrant. If we do not do our duty to protect the Constitution, the republic that we hand to our children will be less resilient and less effective than the system that we were so fortunate to inherit.

Democracy is fragile. Its survival depends on the strength and courage we display in maintaining it.

But this fragility is also a strength. It requires our public servants to put our nation's interests ahead of their own and to hold each other accountable to the high standards democracy demands.

That's why we take an oath to defend the Constitution, and we must obey the Constitution. The Constitution was trivial, we wouldn't have to take an oath.

For over 200 years, honesty and vigilance have been an hallmark of public servants who have adhered to their oaths of office and met the standards of service that our democracy demands.

We cannot let this legacy die on our watch. Mr. COLE, Madam Speaker, I yield 4 minutes to the gentlewoman from Arizona (Mrs. LESKOE), my very good friend and fellow member of the Rules Committee, and member of the Judiciary Committee.

Mrs. LESKOE. Madam Speaker, I thank the gentleman for yielding, and I completely disagree with her, which is a statement on the environment we find ourselves in, and I, unfortunately, agree with some of her comments, but I believe the Democrats are really undermining their own position and are really doing everything they can to tear apart our democracy. This is not a hypothetical. President Trump violated the law and solicited foreign interference in our election.

Our vote today and the Senate's actions on impeachment have very real long-term consequences for our democracy. Where do we go from here on impeachment?

The previous speaker is part of that Rules Committee, and I would just say that the passion that she demonstrated in her comments, I can't say how much I completely disagree with her, which is a statement on the environment we find ourselves in, and I, unfortunately, agree with some of her comments, but I believe the Democrats are really undermining their own position and are really doing everything they can to tear apart our democracy. This is not a hypothetical. President Trump violated the law and solicited foreign interference in our election.

Our vote today and the Senate's actions on impeachment have very real long-term consequences for our democracy. Where do we go from here on impeachment?
December 18, 2019

We are not here today, days before Christmas, because the majority has assembled a case against President Trump. No. We are here today because the Democratic majority believes getting impeachment done now will provide our vulnerable Members time to distance themselves from their vote.

But I assure you, Madam Speaker, the American people are watching.

Many of my colleagues have, from day one, rejected the people’s choice of President Trump, but another President will come along more to the majority’s liking. Our actions here today will be remembered and will set the standard.

The second Article of Impeachment seeks to remove President Trump for failure to produce certain requested witnesses and documents, but as the majority knows, every President in history has asserted executive privilege. The House has a legal avenue to challenge the President in court. But the majority has skipped this step, showing that this is about impeachment as fast as possible, however possible.

Most of my friends on the other side of the aisle had no problem backing President Obama when the scoreboard said, the House for years to block our quest to find out the truth in the Fast and Furious investigation. That is why I filed an amendment to the resolution, rejected by the Rules Committee, saying, but the House failed to do so.

I wish my colleagues would think about the standard being set. I predict they just needed time to figure out how to get there. Once they crafted their perfect narrative, they moved on to public hearings.

They hoped the American people wouldn’t notice that they failed to uncover one piece of evidence to justify impeachment.

They failed to make the case for this desperate action, and yet here we are. For the first time in history, a President is on the brink of being impeached with the votes of one single party.

But let’s be clear about one thing: This impeachment obsession is not about the American people. It is not about justice. It is not even about the Constitution.

It is about partisan politics at its worst, and you are watching it right here.

The American people see right through this today. They have seen theörd process; they have seen the lack of transparency and the complete absence of any supporting evidence.

They know that Washington is broken. That is why they sent us here to fix it.

But instead, House Democrats are dividing the country and further shaking the people’s trust in this Congress. It is a sham impeachment. It has been carried out at the expense of hard-working Americans who just want us to move forward.

Madam Speaker, this charade should go no further. We should stop wasting time and focus on what keeps our Nation moving forward: helping workers and families thrive, protecting the sanctity and security of our country.

Madam Speaker, I urge my colleagues to vote against the rule so we can get back to work for the American people.

Mr. MCGOVERN. Madam Speaker, I yield 1 minute to the gentleman from New Mexico (Mr. Luján), the Assistant Speaker.

Mr. Luján. Madam Speaker, no one came to Congress to impeach a President.

We came here to solve the mighty issues that impact the lives of the constituents we pledged to serve. I am here because too many families in my district still rely on water trucked in from dozens of miles away.

I am here because too many New Mexico children still go to school hungry.

But this moment has found us. We have reached a point in time where our love of country compels action, where our duty to this republic mandates that we do what is right.

The President’s behavior is so blatantly wrong that ignoring his abuses of power would be abdicating the oath we made to protect this country and uphold our Constitution.

Mr. COLE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, if we defeat the previously agreed upon rule and move to consideration of the unanimous consent request of the Rules Committee, say that Chairman SCHiff appear before the Judiciary Committee to testify to the report that he authored. No underlying unclassified evidence has been made available to the public minori­ty Members of the Judiciary Com­mittee to have received their right to a minority hearing day; minority wit­nesses requested by Ranking Member NUNES in the Intelligence Committee are denied.

Madam Speaker, I ask: unanimous consent that the House shall not proceed to consider the unanimous consent request of the Rules Committee, say that Chairman SCHiff appear before the Judiciary Committee to testify to the report that he authored. No underlying unclassified evidence has been made available to the public minori­ty Members of the Judiciary Com­mittee to have received their right to a minority hearing day; minority wit­nesses requested by Ranking Member NUNES in the Intelligence Committee are denied.

Perhaps most crucially, it will allow all Members to fully consider the infor­mation available to the committee that actually conducted the impeach­ment investigation, the Permanent Se­lect Committee on Intelligence.

The process the House has followed has been abysmal. It was a closed, unfair process that did not respect major­ity rights and did not give the Presi­dent due process. But we can change that today. If we defeat the previous question, the House will only move for­ward with a real, thorough, and ulti­mately fair process that all Members can be proud of.

I urge a "no" vote on the previous question.

Madam Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material immediately prior to the vote on the previous ques­tion.

The SPEAKER pro tempore. Is there objection to the request of the gentle­man from Oklahoma?

There was no objection.
Mr. COLE. Madam Speaker, I yield 1 minute to the gentleman from Georgia (Mr. HICE), my good friend.

Mr. HICE of Georgia. Madam Speaker, I thank the gentleman for yielding.

The majority has thrown almost every allegation imaginable against this President, and yet these Articles of Impeachment that have been submitted cannot name a single actual crime.

After all the drama, the majority has not found a single shred of evidence, only second-, third-, fourth-hand information, but the facts have remained the same. The transcript speaks for itself.

There was no quid pro quo. The Ukrainian Government said multiple times they felt no pressure whatsoever. The aid ultimately came. And even Speaker Pelosi said that this whole thing would have compelling, overwhelming, bipartisan support.

None of those things exist.

Mr. COLE. Madam Speaker, I yield 1 minute to the distinguished lady from Massachusetts (Ms. CLARK). Ms. CLARK of Massachusetts. Madam Speaker, to paraphrase one of our founding mothers, Abigail Adams: "Our founding mothers, Abigail Adams:

Madam Speaker. to paraphrase one of our founding mothers, Abigail Adams: "..."There was no quid pro quo. The Ukrainian Government said multiple times they felt no pressure whatsoever. The aid ultimately came. And even Speaker Pelosi said that this whole thing would have compelling, overwhelming, bipartisan support.

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Mr. McGOVERN. Madam Speaker, I continue to reserve the balance of my time.

Mr. COLE. Madam Speaker, I reserve the balance of my time.

Mr. McGOVERN. Madam Speaker, I include in the RECORD an October 23, 2019, New York Times article entitled "Ukraine Knows of Aid Freeze, Says Top Officials Were Told in Early August About the Delay of $310 Million in Security Assistance, Underscoring a Sharp Argument President Trump Has Used to Deny Any Quid Pro Quo." (By Andrew E. Kramer and Kenneth P. Vogel)

KIEV, UKRAINE–Democratic senators who say that President Trump’s decision to freeze $310 million in military aid was intended to bully Ukraine into carrying out investigations for Mr. Trump’s political benefit, the president and his allies have had a simple response: There was no quid pro quo because the Ukrainians did not know assistance had been blocked.

But then on Tuesday, William R. Taylor Jr., the top United States diplomat in Kiev, told House impeachment investigators that the freeze was directly linked to Mr. Trump’s demands. That did not鼹 the president, who on Wednesday approvingly tweeted a cheering Democratic congressional Republican saying neither Mr. Taylor nor any other witness had “provided testimony that the Ukrainians did not have an understanding that there would be any quid pro quo.”

In fact, word of the aid freeze had gotten to high-level Ukrainian officials by the first week in August, according to interviews and documents obtained by The New York Times.

The problem was not bureaucratic, the Ukrainians were told. To address it, they were advised, they should reach out to Masha Matuszewska, the acting White House chief of staff, according to the interviews and records.

The timing of the communications, which have not previously been reported, shows that Ukraine was aware the White House was holding up the funds weeks earlier than officials acknowledged in public testimony.

It also means that the Ukrainian government was aware of the freeze during the period in August when Mr. Trump’s personal lawyer Rudolph W. Giuliani and two American diplomatic envoys were conducting President Volodymyr Zelensky of Ukraine to make a public commitment to the investigations.

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The communications did not explicitly link the negative actions of Mr. Trump and Mr. Giuliani for the investigation to the demand for the investigation. In the hearing, the same organizations, officials from the United States and Ukraine discuss the need to bring in the same senior aide to Mr. Zelensky who had been dealing with Mr. Trump. Mr. Zelensky about Mr. Trump's demands for the investigations, signaling a possible limit between the matters.

Word of the aid freeze got to the Ukrainians at a moment when Mr. Zelensky, who had taken office a little more than two months earlier, was a partner in a campaign in which he was willing to resort to corruption and stand up to the West's off balance and uncertain how to stabilize his country's relationship with the United States.

Days earlier, he had listened to Mr. Trump implore him on a half-hour call to pursue investigation of the hunter Biden story and provide him with additional details about the company that had employed Mr. Biden about Mr. Trump's campaign and the Biden family's business dealings, including about Ukraine involvement in the 2016 hacking of the Ukrainian National Committee. Mr. Zelensky's efforts to secure a visit to the White House—a symbolic affirmation of support— he considered vital at a time when Russia continued to menace Ukraine's eastern border—seemed to be stalled. American policy toward Ukraine would be guided not by career professionals but by Mr. Giuliani.

Mr. Zelensky was forced to the impeachment investigators that he was told it was only on the phone call that Mr. Trump and Mr. Zelensky and Vice President Mike Pence in Warsaw that the Ukrainians were directly informed by Gordon S. Sondland, the United States ambassador to the European Union, that the White House had decided to hold the military aid to Pakistan, the country owed America to the administration, the President's decision.

Through the next month, Mr. Trump had listened to Mr. Zelensky's younger son, Hunter Biden.

American and Ukrainian officials have asserted that the Ukrainian government had been informed on Sept. 1 in Warsaw informed Mr. Zelensky about the real-world consequences of the military aid being held up, and urged the Ukrainians to reach out to him. The Pentagon official described Mr. Zelensky's multinational in broad terms but made clear that the same Ukrainian official, Yermakov, who had been negotiating with Mr. Zelensky and the White House, who had been talking to the military official who spoke on the condition of anonymity to speak publicly about the issue, said on Monday that Mr. Zelensky had absolutely no communication with the Ukrainians about this.

By early August, the Ukrainians were struggling to get clear answers from their American counterparts about the status of the aid, according to American officials familiar with the situation. In the days and weeks after top Ukrainian officials had received communications for the release of the assistance, and believed everything was on schedule, according to Kyriienko-Tartakovsky, Ukraine's former vice prime minister for European Integration.

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In soliciting foreign interference, President Trump took direct aim at the heart of our democracy. The American people should decide our elections, and no one else. As President, I stand with the American people, and I will always stand with the American people. The American people should decide our elections, and no one else. As President, I stand with the American people, and I will always stand with the American people. The American people should decide our elections, and no one else. As President, I stand with the American people, and I will always stand with the American people. The American people should decide our elections, and no one else. As President, I stand with the American people, and I will always stand with the American people. The American people should decide our elections, and no one else. As President, I stand with the American people, and I will always stand with the American people. The American people should decide our elections, and no one else. As President, I stand with the American people, and I will always stand with the American people. The American people should decide our elections, and no one else.
When the President withheld military aid to Ukraine and pressed for a personal favor to manufacture dirt against a political opponent, he was undermining America’s national security. He sought to sabotage our elections. He elevated the perception of power over the interests of America. Then, he tried to cover up his scandalous behavior, and he obstructed the investigation.

He violated his oath of office, but I intend to uphold mine to protect and defend the Constitution. I have no intentions of allowing the President to impair the balance of my time.

Mr. MCGOVERN. Madam Speaker, I invite 1 minute to the gentleman from Florida (Mr. CASTOR).

Mr. CASTOR of Florida. Madam Speaker, the President abused his power. He violated his oath of office. He sought to elevate himself as a dictator or king. But we are not a monarchy. We are the United States of America. We are a republic, a democracy, where the legislative does have absolute power. America was founded on a system of checks and balances.

Editorial: Boston Globe, December 5, 2019

Impeach the President.

[Editorial: Boston Globe, December 5, 2019]
immaterial: The act of withholding taxpayer money in a personal political vendetta was an impermissible abuse of the pres-

Withholding the money also sabotaged American foreign policy. The United States provided the dollar aid to Ukraine to protect the country from Russian aggression. Ensuring that fragile young democracy does not fall under Moscow’s sway is a key US policy goal, and one that the president put at risk for his personal benefit. He has shown the world that he is willing to corrupt the Amer-

In his thoughtless effort to trade American arms for foreign dirt on former Vice Pres-

To top off his misconduct, after Congress got wind of the scheme, the then-acting Attorney General Bill Barr and the then-special counsel Robert Mueller declined to present evidence in the Smith case, in violation of the根本 of our Constitution. The Democrat-controlled House of Rep-

Clinton was impeached by the House (but not removed by the Senate) after he tried to cover up an affair with a White House intern. Trump used your tax dollars to shake down a vulnerable foreign government to interfere in a U.S. election for his personal benefit. GOP leader on House Judiciary Com-

In his thoughtless effort to trade American arms for foreign dirt on former Vice Pres-

immaterial: The act of withholding taxpayer money is a serious issue for the pres-

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The Constitution entrusts Congress with the impeachment power. It is a power that must be exercised prudently to protect against unjustified accusations. The framers intended the impeachment process to be a serious matter of judicial proceedings, with the ultimate goal of removing a president from office. The Constitution is clear: "The President, Vice President, and all civil officers of the United States shall be removed from office on impeachment for, andConvictions must be based on the evidence presented at trial and the applicable law. If the

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American, every lover of liberty, every well-disposed foreigner, to bear by the blood of the Revolution never to violate in the least particular the laws of the country and never to tolerate their violation by others. . . . Let it be taught in schools, in seminaries, and in colleges; let it be written in primers, spelling books, and in almanacs; let it be preached from the pulpit, proclamations, and ordinances; and, forced by the courts of justice. And, in short, let it become the political religion of the Nation.

Mr. COLE. Madam Speaker, I continue to reserve the balance of my time.

Just to advise, through the Chair, my friend. I am waiting for one additional speaker, but I reserve my time at this time.

Mr. MCOVERN. Madam Speaker, I incline to the Riddick December 17 CNN article entitled "Fact check: Trump's wild letter to Pelosi is filled with nothing, I want nothing." I want nothing. I want the President to leave. Mr. COLE. Madam Speaker, I continue to reserve the balance of my time.

Mr. MCOVERN. Madam Speaker, I incline to the Riddick December 17 CNN article entitled "Fact check: Trump's wild letter to Pelosi is filled with nothing, I want nothing. I want the President to leave."

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Madam Speaker, before I begin my formal remarks in closing, I want to say one thing for the record. I have great respect for all of my friends on both sides of the aisle, and I am sure they are voting their convictions; so when I vote mine, I do believe I am doing it for my political party. I am doing it because it is what I believe is right. I do believe I am doing it for our country. for Americans today and tomorrow. I urge all Members to support the efforts of President Trump to continue growing our economy, creating jobs, and improving the lives of all Americans.

Madam Speaker, I cannot oppose this rule strongly enough. The process we are leading up to today was a complete charade. It was a closed process, an unfair process, and a rushed process, and I do believe it had one logical, predetermined ending.

Throughout it all, the majority trampled on minority rights, they refused to call witnesses with relevant, firsthand knowledge; they relied on hearsay news reports to make their case; they refused to hold a minority hearing day; and they refused the President the right to hold a full trial. I believe it was a willful subversion of our Constitution by dangling a quid pro quo that did not exist; aid that was allegedly withheld that, in reality, was never withheld at all; and a narrative of intent based on nothing more than fantasy.

Madam Speaker, we deserve better than this. Impeachment is the most consequential act the House of Representatives can take. It must not and cannot be based on a flawed process. It cannot come at the expense of minority rights or due process to the accused. It cannot be based on a vendetta against the President that the majority has pursued since the day he was elected, and it cannot be based on anything more than spin and hearsay. I oppose this rule, and I oppose this flawed and unfair process.

Madam Speaker, it is a very solemn vote that I am about to cast.

I want to end by, number one, thanking my good friend, the chairman of the Rules Committee, for conducting the kind of hearing he conducted yesterday; but I also want to underscore, again, that we are very likely opposed to the process and very strongly opposed to the rule. We think this is a charade and has been very unfair.

Madam Speaker, I urge my colleagues to vote "no" on the previous question, "no" on the rule, "no" on the
underlying measure, and I yield back the balance of my time.

Madam Speaker, let me thank my friend, Mr. Cole, for his kind words, and I appreciate his leadership on the Rules Committee and the fact that he respects this institution.

But, Madam Speaker, let me say again what happened here. The President withheld congressionally approved military aid to a country under siege to extract a personal, political favor. That is a cold, hard fact.

The question before us comes down to this: Should a President be allowed to ask people to support him, in the case of a political campaign, to undermine our Constitution?

I yield back the balance of my time.

Mr. McGOVERN. Madam Speaker, I yield back the balance of my time.
Mr. BASS changed her vote from "nay" to "yea." So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes had it.

Mr. MCGOVERN. Madam Speaker, I demand a recorded vote.

The Speaker pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayeas 228, noes 197, not voting 5, as follows:

AYES—228

Adams Delgado
Amash Duey
Beatty Ferguson
Boehrer Bishop
Boehlert Brown
Bost Brown (CA)
Bustos Johnson
Butler Garcia
Capito Coleman
Carroll Cicilline
Caruso Costa
Christensen Cps
Cox (CA) Cicilline
Craig Cooper
Crisco Cortez
Criz Culkin
Culhane Crenshaw
Curry Crenshaw
Davila Crenshaw
Davis (CA) Cicilline
DeGette Deutch
Deutch Delgado
DeVITO Delgado
Drew Delgado
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NAYES—197

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