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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

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

Let us pray. Eternal master, You sit on the throne of the Universe. We offer You today a sacrifice of Thanksgiving, for we borrow our heartbeats from You.

Inspire our lawmakers to love discipline and to cherish Your word, seeking always to glorify You. May they trust Your power and wisdom to supply what is needed to keep our Nation strong.

Have Your way, sovereign God. You are the potter; we are the clay. Mold and make us after Your will, while we are waiting yielded and still.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President 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.

The PRESIDING OFFICER (Mr. CRAMER). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to address the Senate as in morning business for 1 minute.

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

WOMEN'S SMALL BUSINESS MONTH

Mr. GRASSLEY. Mr. President, before I read, I want to apologize to the Small Business Women of America because October is National Women's Small Business Month, and my apologies because this speech should have been given on October 1 rather than at the end of the month.

October is National Women's Small Business Month, and I want to recognize the many women-owned businesses. They really help make our economy stronger. In Iowa, we work hard to inspire women to start businesses and support them in their entrepreneurial journeys.

According to American Express, Iowa ranks eighth out of 50 States for growth in the number of women-owned businesses, as well as in their own growth in employment and revenues.

The network growth for women entrepreneurs and access to resources have helped make the difference in these women's lives and our communities. I hope that this growth will continue and that we will continue to have a massive increase in the number of women's small businesses in America.

Mr. President, I ask unanimous consent to speak for 1 further minute as in morning business.

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

IMPEACHMENT

Mr. GRASSLEY. Mr. President, I know you aren't going to believe this—what happened in addition to President Trump being sworn in—but on January 20, 2017, President Trump was sworn into office and became our Nation's 45th President. Most Presidents enjoy what political scientists refer to as a "honeymoon" period. During that honeymoon period, these new Presidents are given a chance to push their agenda, and partisan politics usually takes a back seat—but not for this President.

On his Inauguration Day, January 20, 2017, a Washington Post headline read—so it had to be coming out even before he was sworn in—"The campaign to impeach President Trump has begun." That campaign has been in full swing ever since. Let's make no mistake: This process about concerns over alleged high crimes and misdemeanors, as the Constitution speaks about the

reasons for impeachment, doesn't really mean much compared to an effort to impeach this President that started before he ever was sworn in. No, instead, this is about the Democratic Party, still bitter years later, trying to undo the 2016 election.

Mr. President, I ask unanimous consent to have printed in the RECORD that article in the Washington Post, dated January 20, 2017.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 20, 2017]

THE CAMPAIGN TO IMPEACH PRESIDENT TRUMP HAS BEGUN

(By Matea Gold)

The effort to impeach President Donald John Trump is already underway.

At the moment the new commander in chief was sworn in, a campaign to build public support for his impeachment went live at ImpeachDonaldTrumpNow.org, spearheaded by two liberal advocacy groups aiming to lay the groundwork for his eventual ejection from the White House.

The organizers behind the campaign, Free Speech for People and RootsAction, are hinging their case on Trump's insistence on maintaining ownership of his luxury hotel and golf course business while in office. Ethics experts have warned that his financial holdings could potentially lead to constitutional violations and undermine public faith in his decision-making.

Their effort is early, strategists admit. But they insist it is not premature—even if it triggers an angry backlash from those who will argue that they are not giving the new president a chance.

"If we were to wait for all the ill effects that could come from this, too much damage to our democracy would occur," said Ron Fein, legal director at Free Speech for People. "It will undermine faith in basic institutions. If nothing else, it's important for Americans to trust that the president is doing what he thinks is the right thing . . . not that it would help jump-start a stalled casino project in another country."

The impeachment drive comes as Democrats and liberal activists are mounting broad opposition to stymie Trump's agenda. Among the groups organizing challenges to the Trump administration is the American

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Civil Liberties Union, which plans to wield public-records requests and lawsuits as part of an aggressive action plan aimed at protecting immigrants and pushing for government transparency, among other issues.

"We think that President Trump will be in violation of the Constitution and federal statutes on day one, and we plan a vigorous offense to ensure the worst of the constitutional violations do not occur," said Anthony D. Romero, the ACLU's executive director.

"We may have a new president, but we have the same old system of checks and balances," he added.

Strategists behind the campaign for impeachment said they are confident that other groups will soon join their cause. They argue that Trump will immediately be in violation of the U.S. Constitution's Foreign Emoluments Clause, which prohibits a president from accepting a gift or benefit from a foreign leader or government.

Fein cited several examples, including rent paid by the Industrial & Commercial Bank of China for its space in Trump Tower in New York and potential ongoing spending by foreign diplomats at the Trump International Hotel in Washington and other Trump properties. In addition, he said, royalties collected by the Trump organization from the president's business partner in the Philippines, who was recently named special envoy to the United States, could violate the clause.

Trump said this month that he would donate "profits" from foreign business clients to the U.S. Treasury. However, neither Trump nor representatives of the Trump Organization have provided details on how such payments would be tracked, collected and disbursed.

The foreign emoluments clause has never been tested in the courts, and some scholars argue that violating it would not qualify as "treason, bribery or other high crimes and misdemeanors," the grounds for impeachment of a federal official.

But Fein noted that former Virginia governor Edmund Jennings Randolph, a delegate to the Constitutional Convention and later the first U.S. attorney general, argued during Virginia's debate over ratifying the constitution that a president who was found to have taken a foreign emolument "may be impeached."

His group has mapped out a long-shot political strategy to build support for a vote in the House on articles of impeachment.

The first step is fairly simple: getting a resolution introduced that calls for the House Judiciary Committee to investigate whether there are grounds to impeach Trump—a move that Fein said a number of members of Congress are interested in taking. "Getting it introduced is not going to be a problem," he said.

Still, the idea that a majority of the GOP-controlled House members would ultimately vote to launch an investigation of the new president seems highly improbable. Fein said he is confident the political climate will change and lawmakers will eventually support the effort.

"I think that at a certain point, the combination of new revelations coming out and, importantly, calls and pressure from constituents in their own districts will be a deciding factor," he said. "And at some point, they will decide it is in their own interests to support this."

While half a dozen federal judges in American history have been impeached by the House and successfully convicted in the Senate, no U.S. president has ever been removed from office through such a process. The closest was Andrew Johnson, who narrowly avoided conviction in the Senate in 1868 after

the House charged him with removing the secretary of war in violation of the Tenure of Office Act.

In 1974, the House Judiciary Committee approved articles of impeachment against then-President Richard Nixon, but he resigned before they could be voted on by the full House. President Bill Clinton was impeached by the House on charges of perjury and obstruction of justice, but the articles of impeachment were defeated in the Senate in 1999.

Mr. GRASSLEY. I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

APPROPRIATIONS

Mr. MCCONNELL. Mr. President, tomorrow the Senate will vote on funding for the national defense. It will offer a test for our Democratic colleagues: Will their party's impeachment obsession crowd out even the most basic governing responsibilities?

Unfortunately, it seems we may already have our answer. The Democratic leader said at a press conference yesterday that his party intends to filibuster funding for our Armed Forces. Democrats have plenty of time and energy for their 3-year-old journey to impeach the President, but they can't get to yes on funding our servicemembers. That is about as clear a statement of priorities as you could get around here.

Just a few days ago, U.S. Special Forces executed a daring mission and took out the founder of ISIS. It was the clearest possible reminder that the national security of the United States and the missions of our servicemembers do not pause for partisan politics. But less than a week later, for political purposes, Senate Democrats say that they will refuse to secure funding for those very same missions.

Washington Democrats have talked up a storm in recent days, criticizing the administration's approach to Syria and the Middle East. Lots of talk—but, apparently, they are not concerned enough about the Middle East and fighting ISIS to actually vote for the funding that keeps the missions going.

Consider this. If Democrats filibuster this defense funding, as they threatened to, they will literally be filibustering the exact kind of military assistance for Ukraine over which they are trying to impeach the President.

Let me say that again. This legislation is what appropriates the money for the Ukraine Security Assistance Initiative, which is precisely the program that Democrats are trying to impeach President Trump for supposedly slow-walking. Yet, tomorrow, right here in the Senate, they say that they are going to filibuster funding for the exact same program.

Only in Washington—only in Washington will you see a show like that.

They want to impeach the President for delaying assistance to Ukraine

while they block funding for the program themselves. I would say it is unbelievable, except that is exactly what is happening.

Look, I think it is pretty clear that our Democratic colleagues do not have a great affinity for President Trump. But the country cannot afford for Democrats in Congress to take a 1-year vacation from any productive legislation just because they would rather obsess over impeachment.

ISIS and other radical terrorists are not going to hit the pause button because Democrats will not fund the U.S. military. Strategic competitors like Russia and China are not going to hit pause because Democrats would rather hurt the White House than fund our military commanders.

Look, Congress needs to do its work. We need to fund our Armed Forces. Tomorrow's vote will tell us which Senators are actually ready to do it.

IMPEACHMENT

Mr. MCCONNELL. Mr. President, speaking of impeachment, yesterday, House Democrats released their much-hyped resolution, which was advertised as bringing fairness and due process into Speaker PELOSI's and Chairman SCHIFF's closed-door, partisan inquiry. Unfortunately, the draft resolution that has been released does nothing of the sort. It falls way short—way short.

As I have said repeatedly, an impeachment inquiry is about the most solemn and serious process the House of Representatives can embark upon. It seeks to effectively nullify Democratic elections and cancel out the American people's choice of a Commander in Chief.

For that reason, any such inquiry must be conducted by the highest standards of fairness and due process. But thus far, this time around, instead of setting a high bar, House Democrats seem determined to set a new low.

Speaker PELOSI has initiated a bizarre process, starting with the fact that she began it with a press conference instead of a proper vote of the House. The process seems to be treating Chairman SCHIFF as though he were a de facto special prosecutor, notwithstanding the fact that he is a partisan Member of Congress whose strange behavior has already included fabricating a lengthy quotation and attributing it to President Trump during an official hearing, which he was chairing.

House Democrats' inquiry thus far has been conducted behind closed doors. They have denied their Republican counterparts privileges that Democrats received during the Clinton impeachment when they were in the minority. Unlike during the inquiries around both President Clinton and President Nixon, they have denied President Trump basic due process rights and are cutting his counsel out of the process in an unprecedented way.

House Democrats' new resolution does not change any of that. It does not