

an oath, and they are going to abide by the oath that they will take.

I was a judge of a small claims justice court. I will tell you that I marveled at how people, after taking the oath as jurors, would rise above the many things that would ordinarily influence them and see to it that justice was done. It is a wonderful thing to see how people take an oath and take that oath seriously.

I believe that a majority of the Senators will take the oath seriously, and I believe that there will be witnesses, or at least one, called to testify.

I believe that this will happen because I think that the Senators who will do this will understand that justice is in their hands and that this justice has much to do with what the witness will say, but it also has much to do with the balance of power that they are there to protect.

The Senators are there to protect the balance of power as it relates to the cause that has been presented to them. The Senators will have to decide whether or not the House of Representatives is going to become less than a coequal branch of government because one of the articles deals with the fact that the President has blocked the appearance of witnesses in the House and has blocked the presentation of certain evidence, documents, if you will, in the House.

Now it is left up to the Senate to determine whether or not they are going to allow a President to block the presentation of evidence and walk away without some consequence.

Blocking evidence without consequence, that is going to be one of the considerations before the Senate. Will you protect the balance of power? Will you assure this country that no one is above the law?

Madam Speaker, I assure you that if the Senators do not take this cause seriously and simply dismiss it out of hand, they are simply saying that the President is above the law.

The President deserves a trial. The country deserves a trial. We ought to have witnesses presented.

There ought to be some degree of deliberation. The Senate acts as the trial jury, the petit jury, if you will, similar to a petit jury, a trial jury, but not the same. It is not the same because they can make decisions about whether evidence will be presented.

I had a constituent ask me whether or not the Chief Justice could decide to receive the evidence, and I had to tell the truth. The response is that the ultimate judge of whether evidence will be received will be 51 Senators. The Chief Justice can make rulings, but the Senators can overrule the Chief Justice with a vote.

The world is watching, and the House of Representatives hangs in the balance, as it relates to the balance of power.

If this Senate simply dismisses out of hand, we will have a President with no guardrails. There will be no guardrails.

It doesn't matter how you feel about the President. The question is: How do you feel about the country that we love? How do you feel about the notion that no one is above the law, a very bedrock principle in this country? How do you feel about this?

What happens once can happen twice, and what happens twice can happen multiple times.

We should not allow this to take place. My clarion call to my brethren, my friends, the ladies and gentlemen of the Senate, is: Do more than have a briefing. Do more than simply dismiss the cause out of hand.

There will have to be 51 who will conclude that there will be more than a briefing, that there will be a trial.

I assure you that there are many of us who are waiting to see what will happen. Some of us will traverse great distances across the country to be in Washington, D.C., to make it clear that they want to be a part of this history for various and sundry reasons.

The world is watching. We have a duty, a responsibility, and an obligation to the country to have a fair trial, a trial where witnesses are called and witnesses are examined.

This is not unusual. This is what every person in this country anticipates if he or she is charged with an offense. Why would we have the President be above this basic premise of calling witnesses to have a fair trial? Why would we have one person in the country who is above this, above the law? Every person is subjected to the law in this country.

Madam Speaker, I will close with these words: It is not enough for things to be right. They must also look right.

If the Senate does this simply because it has the power, meaning if the Senate simply dismisses because it has the power and doesn't call witnesses, that won't look right, and in my opinion, it won't be right.

The Senate has a responsibility to have a trial, and witnesses must be called. I do believe that witnesses will be called.

Madam Speaker, I yield back the balance of my time.

IMPEACHMENT TIMELINE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the Chair recognizes the gentleman from Arizona (Mr. BIGGS) for 30 minutes.

Mr. BIGGS. Madam Speaker, my eloquent friend so ably made his case, and I would suggest that it is undercut in some respects when one introduces and discusses impeachment the day after the election in 2016, before President Trump even came to office.

That isn't protecting the country, is it? What that is suggesting is that one knows more than the voters of this country.

I am also always intrigued when the complaint comes up about the majority

in the Senate, when the majority in the Senate is going to determine the rules for the trial in the Senate because the Constitution says that the Senate holds the trial.

We just heard that there have to be 51 votes over in the Senate. Oddly enough, I didn't hear complaints when the majority in the House controlled the inquiry. In fact, the term "cover-up" was used preemptively regarding the Senate, but what I saw in the House was a coverup.

We didn't get to introduce all of our witnesses. I sit on the Judiciary Committee. Who did we get as witnesses? We got three or four law professors who came in. That is who got to come in to testify before the Judiciary Committee.

We didn't have the witnesses who had factual evidence come in. We requested. We gave lists. We were told we couldn't have them. That is part of the problem.

Adding to this hypocrisy, we heard over and over again that we must impeach the President of the United States because it is an imminent danger for him to continue in his office. But once that vote was taken, the Speaker held the Articles of Impeachment and would not transmit them. Here we sit, 27 days following that vote, with no transmittal.

We hear that there is going to be a transmittal tomorrow. I am interested to see if that really takes place.

Madam Speaker, I am joined today by a number of my colleagues, and I am grateful to have them here.

I yield to the gentleman from Ohio (Mr. DAVIDSON).

Mr. DAVIDSON of Ohio. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise today one last time to ask the House to drop these charges against our duly elected President, if, for no other reason, because the process that they have used has been the exact partisan process that was just condemned on the floor by people who were the first to call for impeaching the President, the Speaker of this body.

This is a 2.5-year endeavor, in spite of it being only a few months after the call to Ukraine that is supposedly the abuse of power that the President engaged in.

As for the other charge, they say that it was obstruction of justice, but the House didn't even bother to enforce its own subpoenas.

The impeachment process boldly broke with that of Presidents Nixon and Clinton. The urgency was so great that the House declined to enforce its subpoenas and relied on shaky evidence, trying to move swiftly so they didn't lose the momentum.

□ 1515

Now, when they realize they haven't made the case—not just that it will be needed in the Senate, but for the American people, first and foremost—they

want to strong-arm the Senate into adopting the same unfair partisan course charted here in the House.

Fortunately, it doesn't work like that. Voters deserve better from our House of Representatives, but it is not the House's prerogative to dictate the rules of the Senate.

This partisan impeachment should be dropped today. This political charade is a waste of taxpayer dollars. It is unfair to the President of the United States or anyone else to be treated beneath the law. Certainly no one is above the law, but the President of the United States is certainly not beneath the law.

Rather than give in to our worst partisan inclinations, Congress should strive to work together on real policies that will benefit all of the American people.

Mr. BIGGS. Madam Speaker, I yield to the gentleman from Texas (Mr. ROY).

Mr. ROY. Madam Speaker, I point out that, in Article I, Section 2, Clause 5, it says: "The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment."

I would note, also, that in Section 3, when we talk about the Senate: "Judgment in cases of impeachment shall not extend further than to removal from office," et cetera.

Clause 6: "The Senate shall have the sole power to try all impeachments."

This is what the Constitution says. This is not unclear. The United States Senate has the power to try impeachments, yet the Speaker of this body has tried to impose her will on the United States Senate.

If the Speaker is so interested in what is going on in the Senate, maybe the Speaker should run for the Senate.

But what we have today is a body, the House, that acted; and the leader of this body, the Speaker, is refusing to do her duty to transmit the articles to the Senate and has done so despite a lot of rhetoric over the course of the year about the urgency of running impeachment through this body, which now, I think, the vast majority of the American people have seen it for what it was: a political action, a political stunt, to target the President of the United States, to demean the office of the President of the United States, to target him very specifically for political purposes rather than the solemn duty that impeachment is supposed to be reserved for.

So we should now be getting this to the Senate so that the President can have his day to defend himself, his day in court, as it were. He should have his day in the United States Senate. He should be able to defend himself and have lawyers defend against what is being charged against him from this wrongful impeachment out of this House.

So I am hopeful that we will finally get that movement this week and that the President will have the time due

him in the United States Senate and that the United States Senate can get through this in an expedited way so that we can get back to the business the American people sent us here for: dealing with debt, dealing with spending, dealing with open borders, and dealing with men and women in uniform and what they need.

I appreciate the gentleman from Arizona for arranging this.

Mr. BIGGS. Madam Speaker, I yield to the gentleman from Arizona, (Mr. GOSAR).

Mr. GOSAR. Madam Speaker, Speaker PELOSI and the House Democrats rushed through the weakest impeachment in American history. Devoid of any evidence of wrongdoing by President Trump, Speaker PELOSI and her Caucus allowed their hatred of President Trump to triumph at all costs.

Now House Democrats are demanding the Senate hold a trial dictated by their terms, including witness testimony they failed to obtain themselves.

Since House Democrats want more witnesses, I will gladly offer some names for the Senate to consider.

How about Joe and Hunter Biden? Together, they peddled the influence of the Vice President's office for Hunter Biden's personal financial gain. It is plainly on video.

How about ADAM SCHIFF? He spent 2 years severely misleading the American people about Russian collusion, held secret hearings at the Capitol basement, and was caught redhanded coordinating with the alleged whistleblower.

Ah, yes, why don't we hear from the alleged whistleblower? Reports indicate he worked for Joe Biden, coordinated with ADAM SCHIFF, and has deep anti-Trump views. President Trump deserves to face his secret Democratic accuser.

How did we end up in this impeachment mess? The simple truth is the abuse of the FISA court to spy on the Trump campaign.

Yes, you heard it: the weaponization of the Federal Government against the people. This is the insidious inbreeding of the swamp, corruption, plain and simple. The President and others are victims of a crime.

It is said that those who don't learn from history are doomed to repeat it, and look what is happening with the FISA court now. Just this week, the Foreign Intelligence Surveillance Court appointed David Kris, an Obama-era DOJ lawyer, to review the abuse of the FISA court, a person who is already engaged in FISA denialism.

Yes, let me be clear, perfectly clear: A FISA abuse denier is now in charge of tackling the FISA abuse. I guess, America, only in the Washington, D.C., swamp.

Mr. BIGGS. Madam Speaker, I yield to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Madam Speaker, this is an important time. We have got people who are demanding that the Senate

do what they hypocritically refused to do here in the House, and that is to have a fair investigation and have fair hearings.

And, in fact, we know the majority is the majority; they can change the rules anytime they want to. But they didn't even bother to change the rules. They just said: Do you know what? Even though the rules say that the minority can have a minority witness day, we are going to just ignore that and move on, because time is of the essence.

So we didn't need any evidence to show that our friends were not being completely genuine with their comments, no, because we heard: Clear and present danger; urgent; urgency; got to happen now; we can't wait; we can't follow the rules; we can't hear witnesses here in the House; we have got to have this impeachment done.

And then they sit on it for over a month. Seriously, that says what anybody needs to say.

This was never serious to begin with in the respect that there was a serious charge. There was no serious charge. It is supposed to be about treason, bribery, high crimes, misdemeanors. All of those are crimes, including misdemeanors.

Look at the charges: abuse of power, obstruction of Congress. Those are the two charges that those pushing impeachment are guilty of, not this President.

Madam Speaker, this is a scam. It is a shame.

The Senate should just go in and have a trial, follow the Clinton rules, and that is it. Let's get this done. Let's get it over with. A proper verdict is not guilty, not removed.

Mr. BIGGS. Madam Speaker, I yield to the gentleman from Texas (Mr. CLOUD).

Mr. CLOUD. Madam Speaker, as I sat in the basement of this Capitol listening to deposition after deposition, it was very clear that this impeachment shenanigan was never about a real search for truth.

House leadership wanted us to believe, the American people to believe, that this impeachment process began as a result of a July phone call when, in reality, Speaker PELOSI said that this began 2½ years ago. They wanted us to believe that the evidence was irrefutable, when the truth is they polled to figure out, to see what to charge the President with.

The way this is supposed to work in an investigation is that there is a crime that produces evidence that leads to a verdict. When this started with the verdict, it was a search for evidence that was never found, and yet we are sending impeachment articles to the Senate.

This is crazy.

And, of course, it has taken over 4 weeks to get what was urgent—the Speaker said this was urgent. She said this is urgent, so we will be bringing the articles. It has been 4 weeks to get

the articles from here across to the Senate.

This is a straight line. You go straight through this door, walk about 90 seconds and you will be in the Senate; yet, it has taken 4 weeks.

This is crazy and should not happen.

Senator FEINSTEIN said the longer it goes on, the less urgent it becomes. So, if it is serious and urgent, send them over; if it isn't, don't send them over.

I will be voting appropriately on this and the fact that it is not urgent and we haven't sent them over.

Let's get back to the work we were elected to do: keeping this Republic and ensuring the blessings of liberty for future generations.

Mr. BIGGS. Madam Speaker, I yield to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Madam Speaker, we have watched our colleagues on the other side of the aisle since, literally, the week the President was inaugurated say it is time to start the impeachment. They have made that a policy consideration, a policy goal for the whole rest of their time since that time in Congress, working diligently day by day, no matter what the President did, no matter what he said. Whether it was comments about other Members of Congress, whether it is comments in foreign policy, you name it, it was worthy of impeachment.

Madam Speaker, they have cheapened impeachment.

We were told—rightly so—how solemn it is, the most important thing, other than declaring war, that Members of Congress would ever embark on. Yet, during the vote on the floor of the House, when the numbers came through that they had indeed passed impeachment and Members on the other side began to cheer, the Speaker gave them a look and admonished them because, of course, they said it was the most solemn thing that they would do. Yet, we all know, in their hearts, it was what they had desired all along.

I understand disagreements with the President of the other party—I have had my own—but this is about doing the business of the work of the people and the work of this country.

If you disagree, there is a process for that in this country, and that is the election process, where all Americans get to decide whether whatever the President says is too much, whether whatever the President does is too little or too much.

But this is seeking to remove a President from office early because of a disagreement over policy, a disagreement about how one comports himself or not, a disagreement with the President that is personal.

This is beneath the decorum of this establishment and the business that we should be doing. It is disappointing. It is disrupting. It should be voted “no,” accordingly, because it is a fool's errand based on no facts, not based on the Constitution and not based on our best will and best judgment.

Madam Speaker, I urge a “no” vote for the Articles of Impeachment to be transmitted.

Mr. BIGGS. Madam Speaker, I yield to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. Madam Speaker, let's take a look at the chronological timeline since Donald Trump won the primary. I mean, this movement started immediately after that.

You can go to Mark Zaid, the attorney for the whistleblower. You can go on and hear the Members of this body saying: We are going to impeach him.

The vile words that came out of one of the Members from Michigan, saying: We are going to impeach this m-effer.

Those people shouldn't even be allowed to serve in here with that kind of an attitude and hatred. They set a goal to impeach this President. They didn't have a reason, but they set a goal, and then they searched for that goal.

It was the Steele dossier that was completely fabricated, paid for by the Clinton campaign and DCCC, completely dispelled as false, but yet they went down this. They dispelled the Mueller report. They kept going to find something.

And then ADAM SCHIFF said: We have irrefutable evidence that this President colluded with the Russians. That turned out to be false. The whistleblower, and the second whistleblower, and I could go on, but you guys have heard enough of that stuff.

I want to come back to what our Founding Fathers said. This is Washington's warning to this Republic 223 years ago.

The Constitution rightly sets a high bar for impeachment, but the integrity of the process also depends on the ability of legislators to vote their minds independent of party politics. Removing a President is too important, and lawmakers are given too much latitude to define high crimes and misdemeanors for it to be any other way; otherwise, excessively partisan politicians could overturn an election simply because the President is a member of the opposing party.

It is in regards to this impeachment process that George Washington forewarned us of this moment in history when political parties “may now and then answer popular ends,” but “they are likely, in the course of time and things, to become potent engines by which cunning, ambitious, and unprincipled men” and women “will be enabled to subvert the power of the people and to usurp for themselves the reins of government. . . .”

That is what we have here.

□ 1530

Mr. BIGGS. Madam Speaker, I yield to the gentleman from Ohio (Mr. JORDAN).

Mr. JORDAN. Madam Speaker, impeachment didn't start with Ukraine. It started before he was elected. It started on July 31, 2016, when the FBI opened an investigation and spied on

four American citizens associated with the President's campaign. That is when it started. It continued after he was elected before inauguration when they go up to Trump Tower and they brief the President on the dossier. The dossier that they already knew was false, the dossier that Michael Horowitz said when they took it to the FISA court they lied to the court 17 times. It continued after inauguration with the Mueller investigation and those 2 years that we went through.

Why are the Democrats so focused on getting to the President?

Why are they so focused about going after the President?

Because they don't like what this guy is getting done. They don't like the fact that he is shaking up this town. They don't like the fact that he is doing what he said he would do. They don't like the fact that he is draining the swamp, and when you drain the swamp, the swamp fights back. And that is exactly what we are seeing from the Democrats in this entire impeachment escapade we have lived through now for 4 months that has needlessly divided our country.

Here is the good news: the American people get it. They understand it. They know the four key facts. They have got the call transcript, there was no quid pro quo. The two individuals on the call, President Trump and President Zelensky have repeatedly said: There was no pushing, no pressure, and no linkage of an investigation to any type of security assistance money. We know the Ukrainians knew at the time of the call that aid wasn't even on hold at the time of the call. Most importantly, they took no action to get the money released.

The American people get the facts. They know the facts are on the President's side, and that is why this whole thing is wrong. They get the facts, and they understand.

Mr. BIGGS. Madam Speaker, I appreciate the gentleman from Ohio's comments.

I want to add one comment. When you consider the aid that was the subject of this issue where people said that he withheld aid as a quid pro quo, the one thing that America has not heard enough of is this: the aid was released in perfect compliance with the law. It was released in the time constraints required by the law. In fact, it was released 3 weeks prior to its being required to have been released. That has not been said enough, nor has it been understood enough. So that charge has always been bogus.

Madam Speaker, I yield to the gentleman from Virginia (Mr. GRIFFITH).

Mr. GRIFFITH. Madam Speaker, we have heard today several times that we were told this was urgent and that things must move quickly. And yet it has been 26 days since it was passed on the calendar, 15 working days, and 10 legislative days have gone by, and yet the Senate has not yet been informed of the Articles of Impeachment.

Now, Madam Speaker, let me get boring. Most politicians won't admit that, but that is what I am going to do because it is important that we understand the process.

So what happens is the Articles of Impeachment were passed by the House. We were told later this week that we are going to vote on managers who will then present the Articles of Impeachment at the bar of the Senate. That is their job. That means to prosecute the case. But the annotations to Jefferson's Manual—that is Jefferson's Manual of Parliamentary Practice and Procedure, for all of you policy-and-procedure wonks back home—we are told in there that the managers who are elected by the House or are appointed by the Speaker in obedience to a resolution of the House take this to the bar of the Senate, the House having previously informed the Senate.

Now, the problem is the House has not previously informed the Senate. And what we are going to do now is we are going to say: well, that is okay, but my summary look at the past indicates that the times that these have been separated, the notice to the Senate that impeachment resolutions were coming and the actual sending over of the managers to present the articles at the bar, the longest previously has been 4 days. Here it has been 26 calendar days, 15 working days, and 10 legislative days, and the Speaker of the House indicates to us that this is all fine and normal.

Madam Speaker, we should all be concerned, not just because we have what appears to be a trumped up—pun not intended—impeachment policy by my colleagues on the other side of the aisle, but because if the Speaker can hold up H. Res. 755, the Articles of Impeachment, from being sent over to the Senate thus notifying them that managers will be coming to prosecute or present these impeachment articles at the bar of the Senate, then the Speaker can hold up anything the Speaker doesn't want the Senate having.

There are 435 Members of the United States House. While I do not agree with the impeachment articles, the House voted on them, and the Senate should have had those promptly. It takes a couple of days to get it through the process where all the i's are dotted and t's are crossed. This Speaker did not do that. It is a dangerous precedent because if H. Res. 755 can be held up, then I submit to you, Madam Speaker, anything can be held up. And if a Speaker suddenly decides that he or she does not agree with the will of this House, can they really stick it in their back pocket?

Can they really do a pocket Speaker veto of actions of this House?

Nothing of this nature has ever been contemplated, but that is what the actions of Speaker PELOSI tell us she is trying to do or at least tried to do if she didn't get her way in the Senate. It is unconscionable and against the principles of a democratic republic.

Be warned, be alert, and pay attention. Let's guard our Republic with every ounce of our energy.

Mr. BIGGS. I would ask the Speaker how much time is remaining.

The SPEAKER pro tempore. The gentleman from Arizona has 5 minutes remaining.

Mr. BIGGS. Madam Speaker, I appreciate those who shared their thoughts on this matter, and I want to just cover a couple of things that I think are absolutely critical to remember. They have been touched on, but not emphasized enough for me, and that is this: when we start looking at how this began and we look at the timeline, you will see that this began before President Trump was elected, it proceeded after he was elected but before he was sworn into office, and then the day he was sworn in, the media said: Let the impeachment begin.

Ten days later the attorney for the whistleblower said:

Let the impeachment begin, let the coup begin, more power to the attorneys.

That is what they were talking about, a search, as one of my colleagues said earlier, for a *modus vivendi* for impeachment. That is really what this was about.

Or you get in a phone conversation, and in that phone conversation there is an amicable discussion of numerous things. That phone conversation has been misquoted, and it has been deliberately fabricated by the person who no doubt will be one of the House managers going over to the Senate. This is the chairman who basically out of whole cloth created a dramatic reading that was not representative in any way of the actual transcript. This is the same individual who promised us we would get to interview and depose the whistleblower because where this engine got started is with the whistleblower. That never happened.

So along the way, as witnesses were subpoenaed to talk and the President exercised his executive privilege, my colleagues on the other side of the aisle said that we do not have time to go to the court and determine whether that executive privilege is being exerted in an overly broad manner, whether we can narrow it, or whether it is completely inappropriate. We just don't have time. Because do you know why? We have got to impeach this President tomorrow because it is as if he is an absolute destructive force and an immediate danger to this Republic.

The reality is they got their vote, and here we sit. Here we sit, a total of 27 days since the day of the vote. That day was there. We were told it was going to go tomorrow. My colleague from Virginia has very ably explained that there is a distinction between informing the Senate procedurally and having the vote on House managers. But the point he was making, and I wish to also join in, is this: you simply have seen a process that has been devoid of the normal rules of precedent in this House.

When we see these amorphous charges, these articles, passed by this body, it tells you two things that make this a supreme danger to the Republic going forward. All I am pointing to is what my colleague from Florida said, is the danger that the impeachment process will be misused for political purposes.

And that is this: Number one, process matters. Process always matters. It is why we have these wonderful folks who sit in front of us to make sure that we are following the rules of the House and to make sure that we are following the rules of precedent. It is not unlike international law, quite frankly, where all you are relying on is precedent, and you just change it very simply. If you don't have those rules and you don't have integrity to the rules, then the minority rights are abused.

When the minority rights are abused in this place, that means the right of representation of tens of millions of Americans is diffused and abused. So you have that problem.

Then you have the fundamental idea of trying to impeach on things like obstruction of Congress. Well, I just told you how Congress was not obstructed. Congress had a remedy. You cannot have obstruction if you have a remedy. The remedy was to go to the other branch and resolve it. They chose not to.

These are the two problems in the most virulent way.

Madam Speaker, I yield back the balance of my time.

PAYING TRIBUTE TO RICHARD BARNETT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the Chair recognizes the gentleman from Illinois (Mr. DANNY K. DAVIS) for 30 minutes.

Mr. DANNY K. DAVIS of Illinois. Madam Speaker, I appreciate the opportunity to come to the floor at this time.

I come to pay tribute to a person who is not easy to describe. As a matter of fact, he has been called many things, has been many things, and will always be many things. As a matter of fact, his name is Richard Barnett. He held no title and he held no office. As a matter of fact, he never ran for public office, to my knowledge. But he probably helped more individuals get elected to judgeships in Cook County than anybody in the history of the county.

As a matter of fact, he also happened to have been the manager of my first campaign for public office which was about 40 years ago. After the campaign was over, he went into the hospital. He had taken ill but would not go into the hospital until after the election was done. He finally did go after we had won, and he looked as though he only weighed about 90 pounds which means that he was just that sick, he was just that ill. But he bounced back and went back to work at his actual job which was that of a postal clerk.