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Senate

The Senate met at 3 p.m. and was called to order by the Honorable JOSH HAWLEY, a Senator from the State of Missouri.

PRAYER

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

Let us pray.

Everlasting God, keep our lawmakers in Your holy hands. Empower them to heed Your instructions as they remember that Your admonition provides light for their journey.

Let Your gentleness motivate our Senators to respect one another and to guard their lips. Lord, give them the gift of Your peace that provides joy even during life's storms. Use them as instruments for righteousness in a sinful world.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. GRASSLEY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 13, 2020.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOSH HAWLEY, a Senator from the State of Missouri, to perform the duties of the Chair.

CHUCK GRASSLEY,
President pro tempore.

Mr. HAWLEY thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE CALENDAR

EXECUTIVE SESSION

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Peter Gaynor, of Rhode Island, to be Administrator of the Federal Emergency Management Agency, Department of Homeland Security.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

IRAN

Mr. MCCONNELL. Mr. President, it has been 10 days since the United States removed Iran's chief terrorist, Qasem Soleimani, from the battlefield. It has been 5 days since the brutal violence, recklessness, and failed governance that defines the Iranian's regime was put on full display with their shoot-down of a Ukrainian civilian airline and the death of all 167 souls on board.

After a brief stab at a failed coverup, the Iranian Government had to come clean and explain that its own recklessness had killed more than 80 Ira-

nians, 63 Canadians, and the other victims. Despite the claims of supposed experts on Iran that Iranians would rally behind their oppressive regime, the truth is quite different. Instead, thousands of Iranians have taken to the streets to celebrate Soleimani's death, condemn the regime's domestic repression, call for regime change in Tehran, and denounce their government's feeble efforts to lay its own violence at the feet of the United States.

According to journalists, here is one chant that has been ringing out on the streets of Iran: "Soleimani is a murderer, his leader a traitor." Here is another: "They are lying that our enemy is America, our enemy is right here." The irony is rich.

As Iran's master terrorist, Soleimani himself led efforts to brutalize Iranian protesters who dared to challenge the regime. Just a few months ago, he boasted to Iraqi leaders: "We in Iran know how to deal with protests." That violent approach is exactly why Iraqis and Iranians alike are now celebrating his death and denouncing the regime he helped lead. I am sure the mullahs regret that Soleimani himself is no longer around to help intimidate and murder their own citizens into silence.

These protests aren't limited to Iran either. Protestors are back in Iraq as well—not phony, Iran-staged demonstrations but real citizen-led protests across Iraq. Iraqis are demanding a government whose top priority is Iraqi's own interests rather than facilitating Iranian interference.

Given the death and terror that Iran has wrought in the Middle East for decades, this kind of reaction shouldn't be a surprise, but strangely—strangely—it seems it has surprised many of our fellow Americans.

Here at home, many on the left and in the media had rushed to reflexively blame President Trump, and not the Iranian regime, for the recent violence.

After only the earliest initial reports, the Speaker of the House rushed

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



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to blame our administration for “needless provocations,” she said, and following Iran’s shoot-down of the airliner, one prominent House Democrat characterized the regime’s violence as “collateral damage,” resulting from America’s actions—exactly how the Iranians themselves were trying to spin it.

One Democrat running for President tried a similar, embarrassing equivocation. He said the civilians Iran had blown up were “caught in the middle of an unnecessary and unwarranted military tit-for-tat.”

For several days, you could not open a newspaper or turn on the television without prominent Democrats and so-called foreign policy experts setting aside decades of Iranian aggression to imply—or even say outright—that America, not Iran, was responsible for the cycle of violence and that President Donald Trump was the real villain.

So we are faced with a remarkable spectacle. Even under threat of tear gas or even gunfire, the brave people of Iran are themselves displaying more willingness to criticize their own brutal rulers than we saw in the initial responses from some Democrats and so-called experts right here at home. It is a remarkable spectacle but a pretty sad one. I hope this can be a lesson to anyone who has let their domestic political grievances pollute their judgment of world affairs.

It shouldn’t take the brave Iranian people themselves to remind American leaders that Tehran has long been the force for bad in this situation, and the United States is a force for good.

As I have said, the President’s bold action has attracted significant criticism for Democrats here in Congress. It is the Senate’s prerogative to weigh in on foreign policy, and I fully expect we will debate a War Powers Resolution from some of our colleagues very soon.

I look forward to discussing the last administration’s failed strategy that got us here. The Obama administration responded to Iran’s violence and aggression with appeasement and retrenchment rather than pushback.

I look forward to discussing the fact that senior military commanders did not just recommend the President take immediate action to disrupt Iranian plots against our personnel, they believed the United States would be “culpably negligent” if it didn’t act to stop the plotting.

I expect that some of the Democrats who have rhetorically embraced the intelligence community when it suited their political interests may now rush to criticize the career professionals. I look forward to hearing our colleagues who want to quibble over the word “imminent” explain just how close we should let the terrorists come to killing more Americans before we defend ourselves—just how close should we let terrorists come to killing more Americans before we defend ourselves.

I assure you, if the President had not acted to disrupt a deadly attack, I am

confident these same critics would have blasted him for failing—failing—to protect American lives.

Just a few days before the strike, the junior Senator from Connecticut was blasting—blasting—the administration for “render[ing] America impotent in the Middle East.” He complained that “no one fears us, no one listens to us.” Naturally, after President Trump did take bold action, the same colleague has become a fierce critic of President Trump for supposedly being too harsh—too harsh. That is not exactly a model of consistency.

Our Democratic colleagues were very happy to give President Obama wide latitude to engage in strikes where American lives and American interests were far less directly at stake than with Mr. Soleimani.

Now the same Democrats who embraced the Obama intervention in Libya, for example, say it is a bridge too far for President Trump to respond with limited force to Iranian-directed strikes against American interests and personnel that have been escalating for months. OK in Libya, not OK here—the double standards are literally head-spinning.

So I expect the Senate will soon debate Senator Kaine’s War Powers Resolution. For a year now, I have wanted the Senate to go on record about our military presence and strategy in Syria and Iraq. I am glad my Democratic colleagues may finally be interested in having that discussion rather than ducking it.

I don’t believe the blunt instrument of the War Powers Resolution is an acceptable substitute for the studied oversight the Senate can exercise through hearings, resolutions, and more tailored legislation. So I will strongly oppose the resolution, and I would urge all our colleagues to consider what message the Senate should send to Iran and the world at the very moment that America’s actions are challenging the calculus in Tehran for the better. We appear to have restored a measure of deterrence in the Middle East, so let’s not screw it up.

IMPEACHMENT

Mr. President, on Friday Speaker Pelosi signaled that she may finally wind down her one-woman blockade of a fair and timely impeachment trial. It has certainly been revealing to see House Democrats first claim that impeachment was so urgent—so urgent—that they could not even wait to fill out the factual record and then, subsequently, delay it for weeks. I am glad the Speaker finally realized she never had any leverage in the first place to dictate Senate procedure to Senators and is giving in to bipartisan pressure to move forward.

In terms of influencing Senate proceedings, this strange gambit has achieved absolutely nothing, but it has produced one unintended side effect: The Speaker’s efforts to precommit the Senate to carry on an investigation with which her own House lost pa-

tience concedes that the House case is rushed, weak, and incomplete.

Let me say that again. By trying and failing to get the Senate to precommit to redoing the House’s investigation, House Democrats admitted that even they did not believe their own case is persuasive.

Think about the message it sends when the prosecutors are this desperate to get the judge and jury to redo their homework for them, and think about the separation of powers. The House, knowingly—knowingly—declined to spend time on legal battles and due process that it would have needed to pursue the certain avenues. Now, after declining to fight their own fight, they want the Senate to precommit ourselves to wage these potentially protracted legal battles on their behalf. They wanted Senators to precommit ourselves to not only judge the case that House Democrats are actually going to send over but, also, to reopen the investigatory stage and maybe supplement Chairman Schiff’s slapdash work. In other words, the President’s opponents are afraid of having the Senate judge the case they actually are going to send us. They are afraid of having the Senate judge the case they themselves voted on. That alone speaks volumes.

A few weeks ago, in real time, many Senators and legal experts tried to warn House Democrats that they were nowhere near a finished product—nowhere near—and that the Articles of Impeachment they had drafted were more like a censure resolution based on partisan anger than an actual impeachment based on careful investigation.

The House ignored us at the time. They rushed ahead to meet a political timetable. Now they have spent almost a month conceding that their own case does not stand on its own and searching for ways to supplement it from the outside. This is exactly the kind of toxic new precedent that many of us warned about back in December—that Speaker Pelosi’s House was not sending the Senate a thorough investigation. They were just tossing up a jump ball and hoping that the political winds might blow things their way.

So here we are. The Senate was never going to precommit ourselves to redoing the prosecutors’ homework for them, and we were never going to allow the Speaker of the House to dictate Senate proceedings to Senators.

House Democrats have already done enough damage to the precedent, to national unity, and to our institutions of government. The Senate will not be sucked into this precedent-breaking path. We will fulfill our constitutional duty. We will honor the reason for which the Founders created this body: to ensure our institutions and our Republic can rise above short-term, factional fever.

The House has done enough damage. The Senate is ready to fulfill our duty.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.