

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.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CORNYN. Mr. President, it has now been 26 days since House Democrats voted to impeach the President of the United States. This is a predictable ending to an increasingly embarrassing impeachment inquiry. Apparently, Speaker PELOSI, Chairman SCHIFF, Chairman NADLER, and others were in such a big hurry to get this done before the end of the year, they have obviously gotten cold feet because they have refused to present the Articles of Impeachment to the Senate so that we can have the trial.

As the Presiding Officer knows, ordinarily, if you are presented with a situation in which the prosecution refuses to proceed to put on the evidence in the case, they are dismissed as a routine matter—dismissal for want of prosecution—or if, in fact, they do intend to present the Articles of Impeachment, there is a fundamental notion of basic fairness included in the guarantee of a speedy trial that is obviously being neglected, avoided, and abused by the Speaker and her leaders in the House.

Our Democratic colleagues in the House rushed through their investigation in only 12 weeks, and it ended up passing Articles of Impeachment on a partisan basis. After repeatedly saying that this is a grave and urgent matter, it seems that Speaker PELOSI has experienced some buyer's remorse and has questioned just how grave and urgent it really is.

Here we are, as I said, 26 days later, and she still has not sent the Articles of Impeachment to the Senate. As we know, even though some have suggested the Senate could somehow proceed to trial absent the delivery of those articles here, we can't try the case until the charges are delivered.

Finally, last Friday, the Speaker indicated that she will transmit the articles this week. They will also have to name impeachment managers, Representatives from the House who will come over and actually present the charges to the Senate and attempt to produce evidence in support of those charges.

It remains to be seen whether the Speaker will deliver the articles this week. She has been withholding them, as I said, for nearly 4 weeks now, claiming that it is part of her strategy to get leverage over the Senate, a strategy that has yielded no positive results.

In fact, what we have seen is, the Speaker has zero leverage in the Senate. She runs the House; there is no doubt about that. But the Senate is a separate body. We don't take our instructions from the House, just as the House does not take their direction from the Senate.

Before the House even voted on the articles, Leader McCONNELL said that the Senate should follow the same bipartisan framework used to guide the Clinton impeachment trial. I say "bipartisan" because, at that time, 100 Senators agreed to this path forward.

The logic goes this way: If it was good enough for President Clinton, then it should be good enough for President Trump. Suffice it to say, the Speaker disagrees. Instead of sending the Articles of Impeachment over and letting 100 Members of the Senate decide how best to proceed, she chose to take matters into her own hands.

Apparently, "the sole Power of Impeachment," as the Constitution describes the House's role, isn't good enough for Speaker PELOSI. She is now trying to assume what the Constitution says is the Senate's "sole Power to try all Impeachments."

We shouldn't be fooled. Despite her claims, this is not an effort to create a fair process. A fair process would be like the Bill Clinton impeachment trial, which was agreed to by 100 Senators on a bipartisan basis. Our Democratic colleagues in the House threw fairness out the window months ago. This is Speaker PELOSI singlehandedly ignoring the express commands of the Constitution for her own perceived political benefit.

Republicans aren't the only ones who think the Speaker has gone too far. There is bipartisan agreement that Speaker PELOSI should send the Articles of Impeachment over here forthwith.

A number of our Senate Democrats have expressed their desire to get started with the impeachment trial. I think the senior Senator from California—our friend Mrs. FEINSTEIN, same State as the Speaker of the House—summed it up best when she said:

The longer it goes on, the less urgent it becomes. . . . So if it's serious and urgent, send them over. If it isn't, don't send it over.

Irrefutable logic.

We are hearing from a growing number of House Democrats who have split from Speaker PELOSI and say that it is time to send the articles. For example, the Chairman of the House Armed Services Committee said that "we control it in the House, MITCH McCONNELL controls it in the Senate." Senator McCONNELL might disagree with that, but that is what the Chairman of the Armed Services Committee said. He conceded: "I think it is time to send the impeachment to the Senate."

With Speaker PELOSI facing increasing backlash from Members of her own party, including her rank-and-file Democrats, you can't help but wonder who is winning this game that she is playing. It is clearly a game. It is laughable to say that she is doing this for the sake of the American people or the Constitution.

A new poll released by The Hill and Harris last week showed that 58 percent of voters nationwide think it is

high time for the House to send the Articles of Impeachment to the Senate—58 percent.

This delay isn't putting President Trump in a bad position. In fact, it is further proving the partisan motivations that have been driving the House impeachment inquiry from the very beginning.

Speaker PELOSI obviously isn't doing this for the good of House Democrats. Their role in the impeachment inquiry is finished. As I mentioned, a number of her own Members think she is making a big mistake by holding up the articles.

This clearly isn't giving our Senate Democratic colleagues a leg up. Several of our colleagues in the Senate have voiced their desire to get this thing going, as one has said. In fact, I think it is actually harming our Senate Democratic colleagues who are on the Presidential campaign trail.

Can you think what Senator WARREN, Senator SANDERS, Senator KLOBUCHAR, Senator BENNET, and Senator BOOKER—who, until this morning, were all vying for the chance to be President—are thinking about the desirability of sitting here in the Senate Chamber 6 days a week while the Iowa caucuses are coming up on February 3, the New Hampshire primary, South Carolina, Nevada, among others? The Iowa caucuses are happening just 3 weeks from today. New Hampshire's primary is the week after that. These Senators on the Democratic side who are running for the Democratic nominations have campaigns that are in high gear. I imagine the last place they want to be is in Washington, DC, sitting in this Chamber during an impeachment trial.

During the trial, every Member of the Senate will be sitting at our desks, 6 days a week, until we are finished. And no, we will not have our electronic devices. I just saw a piece of cabinetry in the cloakroom where we will be required to turn over our iPads and our iPhones. This will just be us, not speaking—we don't have a speaking role; we have a listening role—sitting for hours each afternoon, 6 days a week, until we finish this process. That doesn't leave a lot of time for our Senate colleagues who are running for the Democratic nomination to talk to voters in Iowa or New Hampshire.

The longer Speaker PELOSI holds on to the Articles of Impeachment, the closer a trial gets to overlapping with those key dates. You have to imagine that our friends on the other side who are running for President are getting a little nervous. CORY BOOKER, who left the campaign trail this morning, recently said this trial could be a "big, big blow" to his campaign. Even a short, 2-week trial could mean "literally dozens of events we won't be able to do." While that is no longer true for Senator BOOKER, it is for the remaining candidates.

Senator WARREN shared this same sentiment, and she thinks being in Washington would prevent her from

being able to build critical, personal connections on the campaign trail. Had Speaker PELOSI immediately transmitted the Articles of Impeachment at the end of last year, it would have been the first item on the Senate's agenda when we reconvened in January. We could have used the Clinton model to guide the process, the same process the leader has promised since before the articles even passed.

I can't help but imagine that the Senate and the American people would be close to putting this entire saga behind us, but, instead, the Speaker sat on the articles. She stood in the way of the Senate's duty to try the impeachment trial, and she stood in the way of President Trump's due process rights.

The only people who seem to gain anything from this are the Democrats who are running for President but who are not U.S. Senators and, thus, aren't going to be tied up during the impeachment trial. Oddly enough, one of these candidates and his son are looming figures in the impeachment inquiry. If you are Joe Biden, Pete Buttigieg, or any other candidate who isn't a Member of the Senate, you have to be glad that the Speaker sat on these articles for nearly 4 weeks. Having your competitors stuck in Washington, literally in their seats, while you are hitting the campaign trail there—well, that seems like a pretty good advantage to me.

The timeline the Speaker created is all but sure to interfere with the Iowa caucuses. It is remarkable that Democrats' effort to impeach a President of the opposing party could end up having a negative impact on the Presidential candidates of their own. All of this is to say, it is time to bring this embarrassing chapter to an end.

Republicans and Democrats and the American people all agree that it is time to get the Articles of Impeachment to the Senate so that we can try the case according to our duties under the Constitution and the American people and the Congress can move on.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. BLACKBURN). Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

IMPEACHMENT

Mr. SCHUMER. Madam President, the President of the United States is charged with committing a grave injury to our democracy: trying to shake down a foreign leader to get him to interfere in our elections, using the powers of his public office to benefit himself and jaundice our elections. These are the kinds of actions the Framers of our Constitution most

feared when they forged the impeachment powers of the Congress.

The House of Representatives decided the President's conduct warranted his impeachment. The Senate's constitutional duty now is to try that case to the best of our ability with honesty, with integrity, with impartiality, and with fairness.

A fair trial is one that considers all the facts and gives the Senators all the information they need to make an informed decision. That means relevant witnesses. That means relevant documents. That means the truth. Without these things, a Senate trial would become a farce, a nationally televised meeting of the mock trial club.

There is a reason that, with one exception, every impeachment trial of any official in the history of the United States has featured witnesses. That one exception was the trial of a fellow Senator in the 18th century, and the question of his impeachment was dismissed on jurisdictional grounds before the issue of witnesses could ever come up. Every other trial has had witnesses. So when Leader MCCONNELL talks precedent, he is talking about witnesses, plain and simple.

The Democratic request for four fact witnesses and three specific sets of relevant documents is very much in line with our history. We don't know what those witnesses will say. We don't know what those documents will reveal. They could help the President's case, or they could hurt it. Regardless of the consequences for the President, Democrats are on a quest for the truth.

At the moment, Leader MCCONNELL and Senate Republicans are opposing witnesses and documents, but they can't seem to muster a real reason why. Instead, Leader MCCONNELL and the Republican leadership have labeled a Democratic request for witnesses and documents as "political." If seeking the truth is political, if doing our constitutional duty is political in the minds of our Republican colleagues, then the Republican Party is in trouble. History is not kind to political parties that fight to hide the truth. History is not kind to parties that participate in coverups.

If anything, these absurd accusations by Republicans demonstrate just how unable Republicans have been to make an affirmative case about why the Senate shouldn't ask for evidence. The Republican argument against calling witnesses is basically nonexistent. The most commonly repeated talking point from the other side is that we should follow the example of the 1999 Clinton trial by deciding on witnesses after both sides complete their presentations.

Republicans are so unwilling to argue against witnesses, they can only support delaying the decision, like a broken Magic 8 Ball that keeps saying "Ask again later." Leader MCCONNELL has represented his position as being fair and open-minded. He has said he is not foreclosing the possibility of wit-

nesses—the Senate should just discuss them later. As I have made clear, this makes no sense from a trial perspective. Why should both sides make their entire presentations before even considering requesting evidence? Leader MCCONNELL's proposal is completely backward and through the looking glass.

Let's consider what, practically speaking, Leader MCCONNELL is suggesting when he claims to be open to witnesses at a later date. What does he really mean when he says that?

In the 1999 Clinton trial, the Senate waited 3 weeks into the trial to confront the issue of witnesses. Once they decided on three witnesses, with the support of several Senate Republicans here today, including Leader MCCONNELL, it took time for the witnesses to be deposed and for the Senate to consider what they had submitted. Ultimately, the Clinton trial ran for 2 more weeks.

I want my fellow Republican Senators to ask themselves: After the Senate concludes the part of the trial that Leader MCCONNELL wants to get through, do you think he really wants to extend the trial by several weeks? Leader MCCONNELL has gone on record and said that he wants the trial to span 2 weeks total. Leader MCCONNELL has gone on record and said: "After we've heard the arguments, we ought to vote and move on."

Are we to believe that Leader MCCONNELL, after 2 weeks is up, will really have an open mind about extending the trial several more weeks, or does he want to delay the question of witnesses and documents until later and then, when the time comes, exert enormous pressure on Republicans to reject them to avoid prolonging the trial? He will say: We can't go on any further; let's just end it. Every Republican—every Republican—should ask themselves that question.

Democrats are not advocating a lengthy and drawn-out trial. That is why we proposed handling this issue up front, so evidence can be part of the presentations and so we don't have to extend the trial unnecessarily. We have proposed a schedule that would save the Senate a whole lot of time.

Before voting on a resolution that would punt the question of witnesses until after all the presentations are complete, Senate Republicans must ask themselves: What are Leader MCCONNELL's true intentions?

IRAN

Over the past 3 years, the President's impulsive and erratic approach to foreign policy has made America less safe and less respected. Whether it is Syria or North Korea or Russia, the President's actions have failed to advance our national security—in some cases, failed miserably.

Now, after the aftermath of the U.S. strike on General Soleimani, the President and his foreign policy team have insisted that "the world is a much safer place today." That is what Secretary Pompeo said. In recent weeks,