



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, SECOND SESSION

Vol. 166

WASHINGTON, WEDNESDAY, JANUARY 15, 2020

No. 9

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 God, we whisper our prayer boldly before Your throne of grace. You have invited us to come to You with all our needs. We thank You for our requests that You have already answered. We have sought and found. We have knocked and walked through open doors.

Lord, with Your grace and mercy, strengthen our lawmakers for their journey. Prepare them for the ravages of the valley and the chill of the mountain summits. Guide them, great Redeemer. They are pilgrims on this Earth. They are weak, but You are mighty. Inspire them to keep their eyes on You and not the problems that seem too difficult to solve.

We pray in Your Holy 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 for 1 minute in morning business.

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

IRAN

Mr. GRASSLEY. Mr. President, when President Obama signed the Iran deal, we were led to believe that this rapprochement with the Iranian regime would induce Iran to moderate its ag-

gressive foreign policy and that Iran would likely spend the money made available through that deal on economic development for the good of its people. Instead, under the direction of General Soleimani, Iran accelerated its effort at regional domination, funding terrorist organizations like Hamas and Hezbollah in the Palestinian territories and Lebanon, pro-Iranian militias in Iraq, the Assad regime in Syria, and the Houthi rebels fomenting civil war in Yemen. Iran did all of that with money from the Iran agreement.

Meanwhile, the suffering Iranian people staged widespread demonstrations against their government, which were met with a violent crackdown that killed hundreds. Years of appeasement didn't work, but it looks like President Trump's deterrence is having positive effect.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

IMPEACHMENT

Mr. MCCONNELL. Mr. President, today it appears that the House Democrat majority will finally stand behind its decision to impeach the President of the United States. Last year, the House of Representatives rushed through the least thorough and most unclear impeachment inquiry in American history. They took just 12 weeks—12 weeks.

There was more than a year of hearings before the impeachment of President Nixon. There were multiple years of investigation for President Clinton. When people are serious about compiling evidence and proving a case, these things take time.

That is not what happened this time. House Democrats performed a pale imitation of a real inquiry. They did not

pursue their own subpoenas through the courts. They declined to litigate potential questions of privilege. They pulled the plug as soon as Speaker PELOSI realized she had enough Democrat votes to achieve a political outcome.

This isn't really about Ukraine policy or military assistance money. It can't be because, for one thing, prominent Democrats were promising to impeach President Trump years—years—before those events even happened.

The day this President was inaugurated, the Washington Post said: "The campaign to impeach President Trump has begun." That was the day he was inaugurated, stated in the Washington Post.

More than 2 years ago, Congressman JERRY NADLER was campaigning to be the top Democrat on the House Judiciary Committee, specifically because he was an impeachment expert.

Just a few weeks ago, when a reporter asked Speaker PELOSI why the Democrats were in such a hurry, here is her response:

Speed? It's been going on for 22 months. Two and a half years, actually.

That is really interesting—really, really interesting. The events over which the Democrats want to impeach happened just 6 months ago—just 6 months ago—not 2½ years ago.

So how has impeachment been underway for 2½ years? The Speaker tried to say she was referring to the Mueller investigation, except the House couldn't impeach on the Mueller investigation because the facts let them down; remember?

The House impeached over events in Ukraine, events that happened only 6 months ago, but they still admit this was years in the making. It was not some earnest factfinding mission that brought us to where we are. This is not about the nuances of foreign assistance to Eastern Europe. This has been naked partisanship all along—naked partisanship all along.

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



Printed on recycled paper.

S201

If that weren't already obvious, our colleague the Senate Democratic leader helpfully removed any shred of doubt just this past weekend. Here is what he said: He told reporters that as long as he can try to use the trial to hurt some Republican Senators' reelection chances, then whatever happens, "it's a win-win." That is what the Democratic leader said. This is a stunning statement.

Presidential impeachment may be the gravest process our Constitution contemplates. It undoes the people's decision in a national election. Going about it in this subjective, unfair, and rushed way is corrosive to our institutions. It hurts national unity, and it virtually guarantees—guarantees—that future Houses of either party will feel free—free—to impeach any future President because they don't like him. If you don't like him, impeach him. That is the message coming out of this.

But as long as our colleague the Democratic leader can weaponize this process in the next election, he thinks "it's a win-win." That really says it all; doesn't it? That really sums it up.

This partisanship led House Democrats to cross a rubicon that every other House of Representatives had avoided for 230 years. They passed the first Presidential impeachment that does not even allege an actual crime under our laws. We had a 230-year tradition of rejecting purely political impeachments, and it died last month in this House of Representatives.

So Speaker PELOSI and the House have taken our Nation down a dangerous road. If the Senate blesses this unprecedented and dangerous House process by agreeing that an incomplete case and a subjective basis are enough to impeach a President, we will almost guarantee the impeachment of every future President of either party when the House doesn't like that President.

This grave process of last constitutional resort will be watered down into the kind of anti-democratic recall measure that the Founding Fathers explicitly—explicitly—did not want.

The Senate was designed to stabilize our institutions, to break partisan fevers, and to stop short-term passions from destroying our long-term future. House Democrats may have descended into pure factionalism, but the U.S. Senate must not.

This is the only body that can consider all factors presented by the House, decide what has or has not been proven, and choose what outcome best serves the Nation. This is what we must do.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, for the information of all Senators, with the House signaling that they will move forward later today, Members can expect to receive further guidance about the logistics and practicalities of the next several session days in short order.

UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Mr. MCCONNELL. Mr. President, on an entirely different matter, before the Senate shifts into the trial, we hope to complete an enormous accomplishment for this administration and, most importantly, for American families. It has now been more than 1 year—1 year—since President Trump hammered out the USMCA with the Governments of Mexico and Canada.

These two neighbors buy more than \$5 billion of American goods and services every single year. They buy nearly 30 percent of all the food and agricultural products we export to the entire world, and for 90 percent of our manufacturing sectors, Mexico or Canada rank as the No. 1 or No. 2 export destination.

Over the past quarter of a century, 12 million U.S. jobs have come to depend on U.S. trade with Mexico and Canada. That includes many livelihoods in my home State of Kentucky, from agriculture to manufacturing, to aerospace and motor vehicles, to our signature industries, like distilled spirits.

That is why workers, families, and small businesses in Kentucky and around the Nation have been clamoring to get this deal done for a year now. In addition to all the American livelihoods that this commerce already supports, experts predict the USMCA will create 176,000 new jobs as well.

On behalf of all of these Americans, we were troubled to see Speaker PELOSI slow walk this agreement for the better part of a year. But, finally, late last year, the overwhelming bipartisan pressure to move forward made an impact on the House. So we are finally on the threshold of approving this agreement and sending it to President Trump's desk to become law.

Our colleagues on the Finance Committee have already approved it by an overwhelming margin. Other committees of jurisdiction are wrapping up their consideration as we speak. Very soon, we hope the Senate will be able to vote on the floor and put this landmark accomplishment right on the President's desk.

It will be a major win for Kentucky and for all 50 States, a major win for our country, a major win for the Trump administration, and a major win for those of us who are already ready to move past this season of toxic political noise and get back to doing even more of the American people's business.

MEASURE PLACED ON THE CALENDAR—S. 3193

Mr. MCCONNELL. Mr. President, I understand that there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 3193) to amend the Controlled Substances Act to list fentanyl-related substances as schedule I controlled substances, and for other purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

IMPEACHMENT

Mr. DURBIN. Mr. President, before I make remarks on a different issue, I would like to address comments made this morning by the majority leader, the Senator from Kentucky. The first related, as most of his comments recently, to the pending impeachment trial in the U.S. Senate.

I listened carefully to his arguments that the House and the Senate have moved too quickly on this matter. It is true that they moved with dispatch, and I think it reflects the fact that the charges that have been made were timely, important, and relevant to the election campaign cycle which we now face.

The charges in the Articles of Impeachment suggest the President, in conversation with the President of Ukraine, asked for help in the campaign that is about to ensue, asking specifically for investigative material on the son of former Vice President Joseph Biden. At the same time, the President was withholding military assistance voted by the Appropriations Committee in Congress to Ukraine as they continue to battle with Russia. These are serious charges, and they were based on a telephone conversation last July.

It is true that the effort by the House of Representatives has been timely and, by measurement of previous impeachment investigations, much faster, but I believe that the timeliness is one of the important elements here because we are facing this campaign.