

original version of this proposal, it was stunning to see how weak it was in terms of trade enforcement. When you write a proposal with weak trade enforcement, particularly on labor and environmental issues, you sell out American workers and you launch a corporate race to the bottom of cheap wages and the treatment of labor.

Senator BROWN and I decided that was unacceptable, and we were going to create a trade enforcement regime with real teeth. We worked with Senators here; we worked with Senators on the other side of the aisle and in the other body. To give you an example of what this means with respect to enforcing trade law, we sped up the timeline by more than 300 percent.

The second point—just very quickly—what this proposal does is bring technology and trade policy into the 21st century. When the last North American Free Trade Agreement was considered, nobody had a smartphone. So what we did is protect intellectual property; we prohibited shakedowns of data belonging to innovative companies; and on something I care deeply about, we drew on established U.S. law to defend small tech entrepreneurs working to build successful companies in a field dominated by Goliaths.

I urge my colleagues to support this proposal and once again thank Bob Lighthizer, the hardest working man in the trade agreement business.

I urge a “yes” vote.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. WICKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 89, nays 10, as follows:

[Rollcall Vote No. 14 Leg.]

YEAS—89

Alexander	Crapo	Klobuchar
Baldwin	Cruz	Lankford
Barrasso	Daines	Leahy
Bennet	Duckworth	Lee
Blackburn	Durbin	Loeffler
Blumenthal	Enzi	Manchin
Blunt	Ernst	McConnell
Boozman	Feinstein	McSally
Braun	Fischer	Menendez
Brown	Gardner	Merkley
Burr	Graham	Moran
Cantwell	Grassley	Murkowski
Capito	Hassan	Murphy
Cardin	Hawley	Murray
Carper	Heinrich	Paul
Casey	Hirono	Perdue
Cassidy	Hoeven	Peters
Collins	Hyde-Smith	Portman
Coons	Johnson	Risch
Cornyn	Jones	Roberts
Cortez Masto	Kaine	Romney
Cotton	Kennedy	Rosen
Cramer	King	Rounds

Rubio	Smith	Van Hollen
Sasse	Stabenow	Warner
Scott (FL)	Sullivan	Warren
Scott (SC)	Tester	Wicker
Shaheen	Thune	Wyden
Shelby	Tillis	Young
Sinema	Udall	

NAYS—10

Booker	Reed	Toomey
Gillibrand	Sanders	Whitehouse
Harris	Schatz	
Markey	Schumer	

NOT VOTING—1

Inhofe

The bill (H.R. 5430) was passed.

The PRESIDENT pro tempore. The majority leader.

PROGRAM

Mr. McCONNELL. Mr. President, for the information of Senators, under the previous order, at 12 noon the Senate will receive the managers of the House of Representatives to exhibit the Articles of Impeachment against Donald John Trump, President of the United States.

The PRESIDENT pro tempore. The hour of 12 noon having arrived and a quorum being present, the Sergeant at Arms will present the managers on the part of the House of Representatives.

EXHIBITION OF ARTICLES OF IMPEACHMENT AGAINST DONALD JOHN TRUMP, PRESIDENT OF THE UNITED STATES

At noon, the managers on the part of the House of Representatives of the impeachment of Donald John Trump appeared below the bar of the Senate, and the Sergeant at Arms, Michael C. Stenger, announced their presence, as follows:

Mr. President and Members of the Senate, I announce the presence of the managers on the part of the House of Representatives to conduct the proceedings on behalf of the House concerning the impeachment of Donald John Trump, President of the United States.

The PRESIDENT pro tempore. The managers on the part of the House will be received and escorted to the well of the Senate.

The managers were thereupon escorted by the Sergeant at Arms of the Senate, Michael C. Stenger, to the well of the Senate.

The PRESIDENT pro tempore. The Sergeant at Arms will make the proclamation.

The Sergeant at Arms, Michael C. Stenger, made the proclamation, as follows:

Hear ye! Hear ye! Hear ye! All persons are commanded to keep silent, on pain of imprisonment, while the Senate of the United States is sitting for the trial of the articles of impeachment exhibited by the House of Representatives against Donald John Trump, President of the United States.

The PRESIDENT pro tempore. The managers on the part of the House will now proceed.

Mr. Manager SCHIFF. Mr. President, the managers on the part of the House

of Representatives are present and ready to present the Articles of Impeachment which have been preferred by the House of Representatives against Donald John Trump, President of the United States.

The House adopted the following resolution, which with permission of the Senate I will read.

HOUSE RESOLUTION 798

APPOINTING AND AUTHORIZING MANAGERS FOR THE IMPEACHMENT TRIAL OF DONALD JOHN TRUMP, PRESIDENT OF THE UNITED STATES

Resolved, That Mr. SCHIFF, Mr. NADLER, Ms. LOFGREN, Mr. JEFFRIES, Mrs. DEMINGS, Mr. CROW, and Ms. GARCIA of Texas are appointed managers to conduct the impeachment trial against Donald John Trump, President of the United States, that a message be sent to the Senate to inform the Senate of these appointments, and that the managers so appointed may, in connection with the preparation and the conduct of the trial, exhibit the articles of impeachment to the Senate and take all other actions necessary, which may include the following:

(1) Employing legal, clerical, and other necessary assistants and incurring such other expenses as may be necessary, to be paid from amounts available to the Committee on the Judiciary under applicable expense resolutions or from the applicable accounts of the House of Representatives.

(2) Sending for persons and papers, and filing with the Secretary of the Senate, on the part of the House of Representatives, any pleadings, in conjunction with or subsequent to, the exhibition of the articles of impeachment that the managers consider necessary.

NANCY PELOSI,

Speaker of the House of Representatives.

Attest:

CHERYL L. JOHNSON,
Clerk.

[Seal Affixed]

With the permission of the Senate, I will now read the Articles of Impeachment, House Resolution 755.

HOUSE RESOLUTION 755

IMPEACHING DONALD JOHN TRUMP, PRESIDENT OF THE UNITED STATES, FOR HIGH CRIMES AND MISDEMEANORS

Resolved, That Donald John Trump, President of the United States, is impeached for high crimes and misdemeanors and that the following articles of impeachment be exhibited to the United States Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of the people of the United States of America, against Donald John Trump, President of the United States of America, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

ARTICLE I: ABUSE OF POWER

The Constitution provides that the House of Representatives “shall have the sole Power of Impeachment” and that the President “shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors”. In his conduct of the office of President of the United States—and in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—Donald J. Trump has abused the powers of the Presidency, in that:

Using the powers of his high office, President Trump solicited the interference of a foreign government, Ukraine, in the 2020 United States Presidential election. He did so through a scheme or course of conduct that included soliciting the Government of Ukraine to publicly announce investigations that would benefit his reelection, harm the election prospects of a political opponent, and influence the 2020 United States Presidential election to his advantage. President Trump also sought to pressure the Government of Ukraine to take these steps by conditioning official United States Government acts of significant value to Ukraine on its public announcement of the investigations. President Trump engaged in this scheme or course of conduct for corrupt purposes in pursuit of personal political benefit. In so doing, President Trump used the powers of the Presidency in a manner that compromised the national security of the United States and undermined the integrity of the United States democratic process. He thus ignored and injured the interests of the Nation.

President Trump engaged in this scheme or course of conduct through the following means:

(1) President Trump—acting both directly and through his agents within and outside the United States Government—corruptly solicited the Government of Ukraine to publicly announce investigations into—

(A) a political opponent, former Vice President Joseph R. Biden, Jr.; and

(B) a discredited theory promoted by Russia alleging that Ukraine—rather than Russia—interfered in the 2016 United States Presidential election.

(2) With the same corrupt motives, President Trump—acting both directly and through his agents within and outside the United States Government—conditioned two official acts on the public announcements that he had requested—

(A) the release of \$391 million of United States taxpayer funds that Congress had appropriated on a bipartisan basis for the purpose of providing vital military and security assistance to Ukraine to oppose Russian aggression and which President Trump had ordered suspended; and

(B) a head of state meeting at the White House, which the President of Ukraine sought to demonstrate continued United States support for the Government of Ukraine in the face of Russian aggression.

(3) Faced with the public revelation of his actions, President Trump ultimately released the military and security assistance to the Government of Ukraine, but has persisted in openly and corruptly urging and soliciting Ukraine to undertake investigations for his personal political benefit.

These actions were consistent with President Trump's previous invitations of foreign interference in United States elections.

In all of this, President Trump abused the powers of the Presidency by ignoring and injuring national security and other vital national interests to obtain an improper personal political benefit. He has also betrayed the Nation by abusing his high office to enlist a foreign power in corrupting democratic elections.

Wherefore President Trump, by such conduct, has demonstrated that he will remain a threat to national security and the Constitution if allowed to remain in office, and has acted in a manner grossly incompatible with self-governance and the rule of law. President Trump thus warrants impeachment and trial, removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States.

ARTICLE II: OBSTRUCTION OF CONGRESS

The Constitution provides that the House of Representatives “shall have the sole

Power of Impeachment” and that the President “shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors”. In his conduct of the office of President of the United States—and in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—Donald J. Trump has directed the unprecedented, categorical, and indiscriminate defiance of subpoenas issued by the House of Representatives pursuant to its “sole Power of Impeachment”. President Trump has abused the powers of the Presidency in a manner offensive to, and subversive of, the Constitution, in that:

The House of Representatives has engaged in an impeachment inquiry focused on President Trump's corrupt solicitation of the Government of Ukraine to interfere in the 2020 United States Presidential election. As part of this impeachment inquiry, the Committees undertaking the investigation served subpoenas seeking documents and testimony deemed vital to the inquiry from various Executive Branch agencies and offices, and current and former officials.

In response, without lawful cause or excuse, President Trump directed Executive Branch agencies, offices, and officials not to comply with those subpoenas. President Trump thus interposed the powers of the Presidency against the lawful subpoenas of the House of Representatives, and assumed to himself functions and judgments necessary to the exercise of the “sole Power of Impeachment” vested by the Constitution in the House of Representatives.

President Trump abused the powers of his high office through the following means:

(1) Directing the White House to defy a lawful subpoena by withholding the production of documents sought therein by the Committees.

(2) Directing other Executive Branch agencies and offices to defy lawful subpoenas and withhold the production of documents and records from the Committees—in response to which the Department of State, Office of Management and Budget, Department of Energy, and Department of Defense refused to produce a single document or record.

(3) Directing current and former Executive Branch officials not to cooperate with the Committees—in response to which nine Administration officials defied subpoenas for testimony, namely John Michael “Mick” Mulvaney, Robert B. Blair, John A. Eisenberg, Michael Ellis, Preston Wells Griffith, Russell T. Vought, Michael Duffey, Brian McCormack, and T. Ulrich Brechbuhl.

These actions were consistent with President Trump's previous efforts to undermine United States Government investigations into foreign interference in United States elections.

Through these actions, President Trump sought to arrogate to himself the right to determine the propriety, scope, and nature of an impeachment inquiry into his own conduct, as well as the unilateral prerogative to deny any and all information to the House of Representatives in the exercise of its “sole Power of Impeachment”. In the history of the Republic, no President has ever ordered the complete defiance of an impeachment inquiry or sought to obstruct and impede so comprehensively the ability of the House of Representatives to investigate “high Crimes and Misdemeanors”. This abuse of office served to cover up the President's own repeated misconduct and to seize and control the power of impeachment and thus to nullify

a vital constitutional safeguard vested solely in the House of Representatives.

In all of this, President Trump has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice, and to the manifest injury of the people of the United States.

Wherefore, President Trump, by such conduct, has demonstrated that he will remain a threat to the Constitution if allowed to remain in office, and has acted in a manner grossly incompatible with self-governance and the rule of law. President Trump thus warrants impeachment and trial, removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States.

NANCY PELOSI,
Speaker of the House of Representatives.

Attest:

CHERYL L. JOHNSON,
Clerk.

[Seal Affixed]

Mr. President, that completes the exhibition of the Articles of Impeachment against Donald John Trump, President of the United States.

The managers request that the Senate take order for the trial, and the managers now request leave to withdraw.

The PRESIDENT pro tempore. Thank you, Mr. SCHIFF.

The Senate will duly notify the House of Representatives when it is ready to proceed to trial.

The majority leader.

PROGRAM

Mr. McCONNELL. Mr. President, for the information of Senators, pursuant to yesterday's order, at 2 o'clock today, the Senate will proceed to the consideration of the Articles of Impeachment. The Chief Justice of the United States will preside over the trial, as required in article I, section 3, clause 6, of the United States Constitution.

APPOINTMENT OF ESCORT COMMITTEE

Mr. McCONNELL. Mr. President, also, under the previous order, the Presiding Officer has been authorized to appoint a committee of four Senators, two upon the recommendation of the majority leader and two upon the recommendation of the Democratic leader, to escort the Chief Justice into the Senate Chamber. I ask that the Presiding Officer do so now.

The PRESIDENT pro tempore. The Chair, pursuant to order of January 15, 2020, on behalf of the majority leader and the Democratic leader, appoints Mr. BLUNT of Missouri, Mr. LEAHY of Vermont, Mr. GRAHAM of South Carolina, and Mrs. FEINSTEIN of California to escort the Chief Justice of the United States into the Senate Chamber.

PROGRAM

Mr. McCONNELL. Mr. President, for the information of Senators, there will