investigation they wanted to run. If they wanted witnesses who would trigger legal battles over Presidential privilege, they could have had those fights. However, the chairman of the House Intelligence Committee and the chairman of the House Judiciary Committee decided not to. They decided their inquiry was finished and moved right ahead. The House chose not to pursue the same witnesses they apparently would now like—would now like—the Senate to precommit to pursuing ourselves.

As I have been saying for weeks, nobody—nobody—will dictate Senate procedure to U.S. Senators. A majority of us are committed to upholding the unanimous, bipartisan Clinton precedent against outside influences with respect to the proper timing of these midtrial questions. So if any amendments are brought forward to force premature decisions on midtrial questions, I will move to table such amendments and protect our bipartisan precedent. If a Senator moves to amend the resolution or to subpoena specific witnesses or documents, I will move to table such motions because the Senate will decide those questions later in the trial, just like we did back in 1999.

Now, today may present a curious situation. We may hear House managers themselves agitate for such amendments. We may hear a team of managers led by the House Intelligence and Judiciary Committees chairmen argue that the Senate must precommit ourselves to reopen the very investigation they themselves oversaw and voluntarily shut down. It would be curious to hear these two House chairmen argue that the Senate must precommit ourselves to supplementing their own evidentiary record, to enforcing subpoenas they refused to enforce, to supplementing a case they themselves have recently described as ''overwhelming''—''overwhelming''—and ''beyond any reasonable doubt.''

These midtrial questions could potentially take us even deeper into even more complex constitutional waters. For example, many Senators, including me, have serious concerns about blurring—blurring—the traditional role between the House and the Senate within the impeachment process. The Constitution divides the power to impeach from the power to try. The first belongs solely to the House, and with the power to impeach comes the responsibility to investigate.

The Senate agreeing to pick up and carry on the House's inadequate investigation would set a new precedent that could incentivize frequent and hasty impeachments from future House majorities. It could dramatically change the separation of powers between the House and the Senate if the Senate agrees we will conduct both the investigation and the trial of an impeachment.

What is more, some of the proposed new witnesses include executive branch officials whose communications with the President and with other executive branch officials lie at the very core of the President's constitutional privilege. Pursuing those witnesses could indefinitely delay the Senate trial and draw our body into a protracted and complex legal fight over Presidential privilege. Such litigation could potentially have permanent repercussions for the separation of powers and the institution of the Presidency that Senators would need to consider very, very carefully.

So the Senate is not about to rush into these weighty questions without discussion and without deliberation—without even hearing opening arguments first. There were good reasons why 100 out of 100 Senators agreed two decades ago to cross these bridges when we came to them. That is what we will do this time as well. Fair is fair. The process was good enough for President Clinton, and basic fairness dictates it ought to be good enough for this President as well.

The eyes are on the Senate. The country is watching to see if we can rise to the occasion. Twenty-one years ago, 100 Senators, including a number of us who sit in the Chamber today, did just that. The body approved a fair, commonsense process to guide the beginning of a Presidential impeachment trial. Today, two decades later, this Senate will retake that entrance exam. The basic structure we are proposing is just as eminently fair and evenhanded as it was back then. The question is whether the Senators are themselves ready to be as fair and as evenhanded.

The Senate made a statement 21 years ago. We said that Presidents of either party deserve basic justice and a fair process. A challenging political moment like today does not make such statements less necessary but all the more necessary, in fact.

So I would say to my colleagues across the aisle: There is no reason why the vote on this resolution ought to be remotely partisan. There is no reason other than base partisanship to say this particular President deserves a radically different rule book than what was good enough for a past President of your own party. I urge every single Senator to support our fair resolution. I urge everyone to vote to uphold the Senate's unanimous bipartisan precedent of a fair process.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

IMPEACHMENT

Mr. SCHUMER. Mr. President, before I begin, there has been well-founded concern that the additional security measures required for access to the Galleries during the trial could cause reporters to miss some of the events on the Senate floor. I want to assure everyone in the press that I will vociferously oppose any attempt to begin the trial unless the reporters trying to enter the Galleries are seated.

The press is here to inform the American public about these pivotal events in our Nation's history. We must make sure they are able to. Some may not want what happens here to be public; we do.

Mr. President, after the conclusion of my remarks, the Senate will proceed to the impeachment trial of President Donald John Trump for committing high crimes and misdemeanors. President Trump is accused of coercing a foreign leader into interfering in our elections to benefit himself and then doing everything in his power to cover it up. If proved, the President's actions are crimes against democracy itself.

It is hard to imagine a greater subversion of our democracy than for powers outside our borders to determine the elections there within. For a foreign country to attempt such a thing on its own is bad enough. For an American President to deliberately solicit such a thing—to blackmail a foreign country with military assistance to help him win an election—is unimaginably worse. I can't imagine any other President doing this.

Beyond that, for then the President to deny the right of Congress to conduct oversight, deny the right to investigate any of his activities, to say article II of the Constitution gives him the right to ''do whatever [he] wants''—we are staring down an erosion of the sacred democratic principles for which our Founders fought a bloody war of independence. Such is the gravity of this historic moment.

Once Senator INHOFE is sworn in at 1 p.m., the ceremonial functions at the beginning of a Presidential trial will be complete. The Senate then must determine the rules of the trial. The Republican leader will offer an organizing resolution that outlines his plan—his plan—for the rules of the trial. It is completely partisan. It was kept secret until the very eve of the trial. Now that it is public, it is very easy to see why.

The McConnell rules seem to be designed by President Trump for President Trump. It asks the Senate to rush through as fast as possible and makes getting evidence as hard as possible. It could force presentations to take place at 2 o'clock or 3 o'clock in the morning so the American people will not see them.

In short, the McConnell resolution will result in a rushed trial, with little evidence, in the dark of the night—literally the dark of night. If the President is so confident in his case, if Leader MCCONNELL is so confident the President did nothing wrong, why don't they want the case to be presented in broad daylight?

On something as important as impeachment, the McConnell resolution is nothing short of a national disgrace. This will go down—this resolution—as

one of the darker moments in the Senate history, perhaps one of even the darkest.

Leader MCCONNELL has just said he wants to go by the Clinton rules. Then why did he change them, in four important ways at minimum, to all make the trial less transparent, less clear, and with less evidence? He said he wanted to get started in exactly the same way. It turns out, contrary to what the leader said—I am amazed he could say it with a straight face—that the rules are the same as the Clinton rules. The rules are not even close to the Clinton rules.

Unlike the Clinton rules, the McConnell resolution does not admit the record of the House impeachment proceedings into evidence. Leader MCCONNELL wants a trial with no existing evidence and no new evidence. A trial without evidence is not a trial; it is a coverup.

Second, unlike the Clinton rules, the McConnell resolution limits presentation by the parties to 24 hours per side over only 2 days. We start at 1, 12 hours a day, we are at 1 a.m., and that is without breaks. It will be later. Leader MCCONNELL wants to force the managers to make important parts of their case in the dark of night.

No. 3, unlike the Clinton rules, the McConnell resolution places an additional hurdle to get witnesses and documents by requiring a vote on whether such motions are even in order. If that vote fails, then no motions to subpoena witnesses and documents will be in order.

I don't want anyone on the other side to say: I am going to vote no first on witnesses, but then later I will determine—if they vote for McConnell's resolution, they are making it far more difficult to vote in the future, later on in the trial.

And finally, unlike the Clinton rules, the McConnell resolution allows a motion to dismiss at any time—any time—in the trial.

In short, contrary to what the leader has said, the McConnell rules are not at all like the Clinton rules. The Republican leader's resolution is based neither in precedent nor in principle. It is driven by partisanship and the politics of the moment.

Today I will be offering amendments to fix the many flaws in Leader MCCONNELL's deeply unfair resolution and seek the witnesses and documents we have requested, beginning with an amendment to have the Senate subpoena White House documents.

Let me be clear. These amendments are not dilatory. They only seek one thing: the truth. That means relevant documents. That means relevant witnesses. That is the only way to get a fair trial, and everyone in this body knows it.

Each Senate impeachment trial in our history, all 15 that were brought to completion, feature witnesses—every single one.

The witnesses we request are not Democrats. They are the President's own men. The documents are not Democratic documents. They are documents, period. We don't know if the evidence of the witnesses or the documents will be exculpatory to the President or incriminating, but we have an obligation—a solemn obligation, particularly now during this most deep and solemn part of our Constitution—to seek the truth and then let the chips fall where they may.

My Republican colleagues have offered several explanations for opposing witnesses and documents at the start of the trial. None of them has much merit. Republicans have said we should deal with the question of witnesses later in the trial. Of course, it makes no sense to hear both sides present their case first and then afterward decide if the Senate should hear evidence. The evidence is supposed to inform arguments, not come after they are completed.

Some Republicans have said the Senate should not go beyond the House record by calling any witnesses, but the Constitution gives the Senate the sole power to try impeachments—not the sole power to review, not the sole power to rehash but to try.

Republicans have called our request for witnesses and documents political. If seeking the truth is political, then the Republican Party is in serious trouble.

The White House has said that the Articles of Impeachment are brazen and wrong. Well, if the President believes his impeachment is so brazen and wrong, why won't he show us why? Why is the President so insistent that no one come forward, that no documents be released? If the President's case is so weak, that none of the President's men can defend him under oath, shame on him and those who allow it to happen. What is the President hiding? What are our Republican colleagues hiding? If they weren't afraid of the truth, they would say: Go right ahead, get at the truth, get witnesses, get documents.

In fact, at no point over the last few months have I heard a single, solitary argument on the merits of why witnesses and documents should not be part of the trial. No Republicans explained why less evidence is better than more evidence.

Nevertheless, Leader MCCONNELL is poised to ask the Senate to begin the first impeachment trial of a President in history without witnesses; that rushes through the arguments as quickly as possible; that, in ways both shameless and subtle, will conceal the truth—the truth—from the American people.

Leader MCCONNELL claimed that the House ''ran the most rushed, least thorough, and most unfair impeachment inquiry in modern history.'' The truth is, Leader MCCONNELL is plotting the most rushed, least thorough, and most unfair impeachment trial in modern history, and it begins today.

The Senate has before it a very straightforward question. The President is accused of coercing a foreign power to interfere in our elections to help himself. It is the job of the Senate to determine if these very serious charges are true. The very least we can do is examine the facts, review the documents, hear the witnesses, try the case, not run from it, not hide from it—try it.

If the President commits high crimes and misdemeanors and Congress refuses to act, refuses even to conduct a fair trial of his conduct, then Presidents—this President and future Presidents—can commit impeachable crimes with impunity, and the order and rigor of our democracy will dramatically decline.

The fail-safe—the final fail-safe of our democracy will be rendered mute. The most powerful check on the Executive—the one designed to protect the people from tyranny—will be erased.

In a short time, my colleagues, each of us, will face a choice about whether to begin this trial in search of the truth or in service of the President's desire to cover it up, whether the Senate will conduct a fair trial and a full airing of the facts or rush to a predetermined political outcome.

My colleagues, the eyes of the Nation, the eyes of history, the eyes of the Founding Fathers are upon us. History will be our final judge. Will Senators rise to the occasion?

I yield the floor.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess, subject to the call of the Chair.

Thereupon, the Senate, at 12:58 p.m., recessed subject to the call of the Chair and reassembled at 1:18 p.m., when called to order by the CHIEF JUSTICE.

TRIAL OF DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES

The CHIEF JUSTICE. The Senate will convene as a Court of Impeachment.

THE JOURNAL

The CHIEF JUSTICE. If there is no objection, the Journal of proceedings of the trial are approved to date.

The CHIEF JUSTICE. I am aware of one Senator present who was unable to take the impeachment oath last Thursday.