

nuclear arrangement that sent billions of dollars to fuel Iran's further violence.

Even my friend the current Democratic leader knew it at the time. Before he himself voted for a resolution of disapproval on President Obama's deal, Senator SCHUMER said: "After 10 years, if Iran is the same nation as it is today, we will be worse off with this agreement than without it." That was the Democratic leader, who opposed President Obama's Iran nuclear deal, and the Democratic leader was prescient, for that is exactly what happened.

The previous administration failed to confront Iran when necessary. So the mullahs used their windfall from the disastrous nuclear deal to double down on hegemonic aspirations all across the Middle East. A Democratic administration just had 8 years to deal with the growing threat posed by Iran, and it failed demonstrably. Iran was stronger and more lethal at the end of the Obama Presidency than at the beginning.

So I would ask my Democratic colleagues today not to rush to lash out at President Trump when he actually demonstrates that he means what he says—when he enforces his redlines, when he takes real action to counter lethal threats against Americans.

Wishing away tensions with Iran is really not an option. The Iranians have spent decades making that perfectly clear to all of us. The question is whether we as a body would prefer the administration to stand by as Iran kills Americans or whether we are prepared to work with the President to stand up to Tehran's terrorism and shadow wars.

IMPEACHMENT

Mr. MCCONNELL. Madam President, on another matter, every day that the House Democrats refuse to stand behind their historically partisan impeachment, it deepens the embarrassment for the leaders who chose to take our Nation down this road. You can't say we didn't warn them. You can't even say they didn't warn themselves.

It was less than 1 year ago that Speaker PELOSI said: "Impeachment is so divisive . . . unless there's something so compelling and overwhelming and bipartisan, I don't think we should go down that path." That was the Speaker a year ago.

Back during the Clinton impeachment, it was Congressman JERRY NADLER who said: "An impeachment substantially supported by one of our major political parties and largely opposed by the other . . . will lack legitimacy." Chairman NADLER was right 20 years ago.

At this point, they may wish they had taken their own advice.

Instead, what the country got was the most rushed, least thorough, and most unfair Presidential impeachment in American history, and now the pros-

ecution seems to have gotten cold feet. Nearly 3 weeks after the rushed vote they claim was so urgent, they are still debating whether or not they even want to see the trial proceed. They voted for it 3 weeks ago.

The House Democrats say they are waiting for some mythical leverage. I have had difficulty figuring out where the leverage is. Apparently, this is their proposition: If the Senate does not agree to break with our own unanimous, bipartisan precedent from 1999 and agree to let Speaker PELOSI hand-design a different procedure for this Senate trial, then, they might not ever dump this mess in our lap.

It is one cynical political game right on top of another. It was not enough for the House to blow through its own norms and precedents and succumb to the partisan temptation of a subjective impeachment that every other House had resisted for 230 years. Now it needs to erode our constitutional order even further. Those in the House want to invent a new, sort of pretrial hostage negotiation wherein the House gets to run the show over here in the Senate.

Meanwhile, they are creating exactly the kind of unfair and dangerous delay in impeachment that Alexander Hamilton specifically warned against in the Federalist Papers. This is already the longest delay in American history between the impeachment vote and the delivery of the House's impeachment message. It is almost as though this House Democrat majority systematically took all of the Framers' warnings about partisan abuses of the impeachment power—took everything the Founders said not to do—and thought: Now, there is an idea. Why don't we try that?

Impeaching a President is just about the most serious action that any House of Representatives can ever take. How inappropriate and how embarrassing to rush forward on a partisan basis and then treat what you have done like a political toy. How contemptuous of the American people to tell them, for weeks, that you feel this extraordinary step is so urgent and then delay it indefinitely for political purposes. How embarrassing, but also how revealing.

Speaker PELOSI's actions over the past 3 weeks have confirmed what many Americans have suspected about this impeachment process all along—that the House Democrats have only ever wanted to abuse this grave constitutional process for partisan ends right from the beginning.

Well, here is where we are. The Senate is not about to let the Speaker corrode our own Senate process and precedents in the same way. The first organizing registration resolution for the 1999 Clinton trial was approved unanimously, 100 to nothing. It left midtrial questions to the middle of the trial where they belong.

If that unanimous bipartisan precedent was good enough for President Clinton, it should be our template for President Trump. Fair is fair. The

Speaker of the House is not going to handwrite new rules for the Senate. It is not going to happen.

Look, these are serious matters. At some point in time, the Democrats' rage at this particular President will begin to fade, but the sad precedent they are setting will live on. The American people deserve a lot better than this.

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 SESSION

EXECUTIVE CALENDAR

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 senior assistant legislative clerk read the nomination of Jovita Carranza, of Illinois, to be Administrator of the Small Business Administration.

RECOGNITION OF THE MINORITY LEADER

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

IRAN

Mr. SCHUMER. Madam President, now, in the aftermath of the U.S. military operation that took out Iranian General Soleimani, we need to be asking the right questions and remain clear-eyed about what might happen next.

I have grown increasingly concerned about the strike against Soleimani and what it might mean for the safety of American troops in the region and the future of America's involvement in the Middle East. The President has promised that he would not drag the American people into another endless war in the Middle East. The President's actions, however, have seemingly increased the risk that we could be dragged into exactly such a war.

Unfortunately, this contradiction is far too typical of how the President has conducted foreign policy over the last 3 years. The President's decision making has been erratic, and it has been impulsive, without regard to the long-term consequences of America's actions abroad. He prefers reality show diplomacy and photo ops with foreign leaders to substantive progress. As a result, the President's foreign policy has been dangerously incompetent.

When you look at nearly every hotspot around the globe, he has made

the situation worse, not better. North Korea—3 years after failed “negotiations,” North Korea remains belligerent, defiant, and intent on developing ICBMs. Syria—after years of sacrifice and struggle against ISIS, one impulsive decision to withdraw our troops risks undoing all our progress. Russia—every meeting the President holds with Putin always seems to result in Putin’s coming out ahead. We are now at risk of the situation with Iran heading for a similar deterioration.

The President’s foreign policy actions so far in North Korea, in Syria, in Russia, and just about everywhere else can be described in two words: “erratic” and “impulsive.” I am worried that a few months from now his Iran policy will be described in exactly the same way.

As the President’s circle of advisers has gotten smaller and more insular and as nearly all of the dissident voices have been forced out of the administration, there seems to be no one left to tell the President no. At times like this, skeptical voices need to ask the right questions, and Congress—Congress must provide a check on the President and assert our constitutional role in matters of war and peace.

In my view, President Trump does not—does not—have authority for a war with Iran. There are several important pieces of legislation by both Senators Kaine and Sanders to limit further escalation with Iran and assert Congress’s prerogative on these matters. Both should receive votes in the Senate.

I plan to ask pointed questions of this administration at a briefing for the Gang of 8 later this afternoon. We need answers to some crucial questions, and there are many. Here are the two that are most on Americans’ minds: What are Iran’s most probable responses to the strike on Soleimani? Are we prepared for each of these responses, and how effective will our counterresponses be?

There was some alarming confusion yesterday about the military’s position on the future of U.S. troops in Iraq. What, in truth, does the Soleimani strike mean for the long-term stability of Iraq and our presence there? How does the administration plan to prevent an escalation of hostilities and the potential for large-scale confrontation with Iran in the Middle East? These are just some of the questions the administration has to answer. The safety and security of our American troops and of the American people are at stake.

IMPEACHMENT

Madam President, on impeachment, this morning, I return to the most pressing question facing my colleagues at this moment: Will the Senate conduct a fair impeachment trial of the President of the United States of America?

The Framers suspected that any impeachment would ignite the passions of the public and naturally would create

partisans who are either sympathetic or inimical to the President’s interests. That is why the Framers gave the Senate the responsibility to try impeachment cases. When it came to a matter as serious as the potential removal of a President, they believed the Senate was the only body of government with enough independence to rise above partisan considerations and act with the necessary impartiality. Will we live up to that vision?

Right now, the Republican leader and I have very different ideas about what it means to conduct a fair trial. Democrats believe a fair trial considers all the relevant facts and allows for witnesses and documents. We don’t know what the evidence will say. It may exculpate the President. It may further incriminate him. We only want a trial that examines all the facts and lets the chips fall where they may.

The Republican leader, in contrast, apparently believes that a trial should feature no witnesses, no relevant documents, and proceed according to the desires of the White House, the defendant. The Republican leader seems more concerned with being able to claim he went through the constitutional motions than actually carrying out our constitutional duty.

Because the Republican leader has been completely unwilling to help get the facts for a Senate trial, the question will have to be decided by the majority of Senators in this Chamber. That means four Republican Senators at any point can compel the Senate to call the fact witnesses and subpoena the relevant documents that we know will shed additional light on the truth.

I have heard several arguments from the other side as to why we shouldn’t vote on witnesses and documents at the outset of the trial. The Republican leader and several Republican Senators have suggested that each side complete their arguments, and then we will decide on witnesses.

This idea is as backward as it sounds. Trials should be informed by witnesses and documents; they are not an afterthought. Their reasoning and McConnell’s reasoning has an “Alice in Wonderland” logic to it: Let’s have each side make their case, he says, and then vote on whether the prosecutors and defense should have all the available evidence to make those cases.

We know what is going on here. Our Republican colleagues, even Leader McConnell, knows that the American people want witnesses and documents. Sixty percent of Republicans do. They are afraid to say no, but they don’t want to vote on them because that might offend the defendant in this trial, President Trump, so they are trying to kick the can down the road.

It is a strange position for Republican colleagues to take. They are willing to kick the can down the road, as I said, on questions of witnesses and documents, but they are not willing to say when or if they will ever support it.

Just yesterday, one of the four witnesses we have requested, former Na-

tional Security Advisor Bolton, said he is ready to testify and has new information to share related to the case at hand. Republicans were dodging and twisting themselves into pretzels trying to explain why someone with direct knowledge of what the President did shouldn’t testify under oath immediately.

I believe that illustrates the fundamental weakness of the Republican position. None of our Republican colleagues can advance an argument about why this evidence shouldn’t be part of a trial from the beginning.

To put it another way, none of our Republicans have advanced an argument about why it would make sense for the Senate to wait until the end of the trial to obtain all the evidence.

Make no mistake, on the question of witnesses and documents, Republicans may run, but they can’t hide. There will be votes at the beginning on whether to call the four witnesses we have proposed and subpoena the documents we have identified. America and the eyes of history will be watching what my Republican colleagues do.

Another argument I have heard from the other side is that it is not the Senate’s job to go outside of the record established by the House impeachment probe. I would reply that it very much is the Senate’s job. The Constitution gives the Senate the sole power to try impeachment cases, not review impeachment cases, not go over impeachment cases but the sole power to try them. It is not the Senate’s job to put the House impeachment proceedings on a weeklong rerun on C-SPAN. Our job is to try the case, to hold a real, fair, and honest trial. That means examining the arguments. That means letting the prosecutors request witnesses and documents to make their case.

This is not just my view. It has been the view of every Senate facing impeachment trial in our history. Every single impeachment trial of a President has featured witnesses. Andrew Johnson’s impeachment trial had 41 witnesses. Several of my Republican colleagues here today voted for witnesses in the Clinton trial. Except for one solitary case, every impeachment trial of any official, in the history of the Senate—and there have been a bunch—had witnesses.

A trial isn’t a trial without evidence. A trial without all the facts is a farce. If the President is ultimately acquitted at the end of a sham trial, his acquittal will be meaningless. That is why the President himself should demand a full and fair trial.

President Trump, if you have nothing to hide, if you think the case is as flimsy as you say, call your Chief of Staff. Tell him to release the documents. Call Leader McConnell and tell him what you already told the country; that you would “love” for your aides to testify in a Senate trial. President Trump, if you believe you have done nothing wrong, you have nothing to be afraid of from witnesses and documents. To the