

Once the process was handed over to the House Judiciary Committee, House Democrats had a single hearing with law professors on December 4 before announcing on December 5 that they were committed to drafting Articles of Impeachment. The committee approved the articles on December 13. To put this in perspective, this meant that the relevant committee spent 1 week drafting the articles before Speaker PELOSI spent 4 weeks sitting on the articles. And on the Senate side, I am likewise concerned that ADAM SCHIFF, House Democrats, and CHUCK SCHUMER demanded that the Senate do the House's job and clean up the House's shoddy work. Democrats have insisted that the Senate subpoena witnesses that the House refused to call and that the Senate shut itself down for weeks or months to allow for an investigation that the House should have conducted before proceeding to a final impeachment vote. The House Democrats showed testimony of 13 witnesses during the trial and submitted 28,000 pages of documents. Having repeatedly stated that their evidence was overwhelming, they then claimed that they needed more witnesses and documents to make their case. You can't have it both ways.

I am particularly troubled that in the Senate, the House managers sought to have the Senate address issues of executive privilege in a way that it has never done before. Executive privilege is a right—asserted by all Presidents of different parties for decades—to prevent close advisers from divulging confidential communications. But now, for the first time in our Nation's history, the Democrats sought to have the Senate displace the judiciary and resolve, by majority vote, highly complicated questions on executive privilege—a task that would raise substantial constitutional and institutional questions.

Even more disturbing was the House and Senate Democrats' casual attempt to drag the Chief Justice of the Supreme Court into this process. With a straight face, ADAM SCHIFF repeatedly called for the Chief Justice to be the decisionmaker on serious and complex issues, as if attempting to remove a President and adjust the relationship between the House and the Senate forever weren't enough. On top of this, Democrats tried to bring the third branch of government into this partisan political exercise with no concern for the seismic implications for our Republic.

Although my vote against convicting President Trump lies with the failure of House Democrats to prove impeachable conduct, I would be remiss if I did not emphasize one crucial fact: The historical record is clear that President Obama was weak on Russia and trivialized the geopolitical threat posed by Putin. In 2009, Obama's Secretary of State presented the Russian Foreign Minister with a "reset" button, grinning alongside him in a photo opportunity. That year, President Obama, at Russia's request, cancelled

plans to build a missile defense system in Eastern Europe. In 2011, an open microphone caught Obama telling Russian President Medvedev that he would "have more flexibility" with easing pressure on Russia—"particularly with missile defense"—after the Presidential election. During the 2012 election, President Obama mocked his opponent for expressing geopolitical concern about Russia. "The 1980s are now calling to ask for their foreign policy back," Obama said. Two years later, Russia annexed Crimea and then invaded eastern Ukraine. Obama refused to provide lethal aid to Ukraine to defend itself and his policies toward Russia were a national security disaster.

In contrast, President Trump has placed unprecedented sanctions on Russia and provided lethal weapons like the Javelin anti-tank missile to Ukraine to defend itself. Several of the House managers who attempted to remove President Trump for a minor delay in security-assistance funding, which was separate from the Javelin missile purchases, voted against providing lethal aid to Ukraine in multiple defense authorization and funding bills. Should we have impeached Obama for not providing lethal aid to Ukraine? No. It was bad policy and weak compared to what Trump has done but not impeachable.

This Presidential impeachment is historic for dangerous reasons. It is the first partisan House impeachment with bipartisan opposition. It is the first to deny procedural fairness protections to the President during the House inquiry. It is disturbing because this entire matter should have been handled via the normal oversight processes available to Congress with subpoena disputes resolved in the courts.

With all the above in mind, I conclude that the President did not engage in conduct rising to the level of treason, bribery, or other high crimes and misdemeanors. Democrats have been trying to impeach President Trump repeatedly since he was elected. They filed eight impeachment resolutions for everything from undermining the freedom of the press to using insulting language.

Our country has a Presidential election in 9 months, with the first votes in Iowa already completed. The American people deserve to be represented by the President they elected. They also deserve to choose who is the President for the next 4 years. While I have concerns about the upcoming 9 months, I am likewise concerned about the next 90 years. Looking at the process that unfolded in the House and the constitutional contortionism that the Democrats displayed in the Senate, it would be a dangerous precedent to normalize how House Democrats have carried out this process. If rewarded, this precedent would trivialize impeachment, distort the relationship between the two Chambers, and forever alter the relationship among the three branches. In the future, any House controlled by

the opposite party of the President could trample on due process, ram through an unfair impeachment for vague accusations, and demand that the Senate shut down its legislative work to investigate on behalf of the House. No future House of Representatives run by Democrats or Republicans should take this path.

I have heard it said repeatedly throughout this trial that Benjamin Franklin left Americans "a Republic—if you can keep it." I vote to keep it.

#### TRIBUTE TO JACQUELINE WICECARVER

Mr. BOOZMAN. Mr. President, it is my honor to pay tribute to an exceptional leader and member of the Senior Executive Service of the Department of Defense Office of Inspector General, Ms. Jacqueline Wicecarver.

A native of Rector, AR, Jackie joined the Department of Defense in 1978 as a member of the U.S. Army Materiel Command in Rock Island, IL. Within the next 10 years, Jackie and her family moved five times. During this time, Jackie held a variety of positions within the Department of Defense and received high praise in each position for her exceptional level of professionalism, dedication to duty, and outstanding contributions to the mission.

In 1990, Jackie joined the Department of Defense Office of Inspector General as a staff auditor and rose through the ranks, joining the Senior Executive Service as the Assistant Inspector General for Acquisition and Contract Management in 2011. In January 2017, she was selected to lead nearly 600 auditors and support personnel as the Deputy Inspector General for Audit.

In her role as the Deputy Inspector General for Audit, Jackie has provided guidance, counsel, and mentorship to many auditors as they worked to complete more than 320 audit reports that identified over \$7 billion in potential savings to the Department of Defense. Most significantly, under Jackie's direction, the Office of Inspector General completed two full financial statement audits of the Department of Defense. These financial statement audits have been described as the largest in history.

Jackie has been honored with the Department of Defense Inspector General Medal for Distinguished Civilian Service Award, the Meritorious Civilian Service Award, and the President's Council on Integrity and Efficiency Award.

Jackie has served her country for more than 40 years as a Department of Defense civilian. On behalf of the Senate, I thank Jackie and her family—her husband James of 50 years, their children Christopher and Jennifer and four grandchildren, Caitlyn, Wade, Tate and Quinn—for their continued commitment and sacrifice in service to our Nation. I wish her future success as she transitions into retirement.

TRIBUTE TO DR. WALLY  
COVINGTON

Ms. MCSALLY. Mr. President, I rise today to recognize one of the most influential and well-known forest ecologists in the Nation, Dr. Wally Covington of Flagstaff, AZ.

Last month, Dr. Covington retired from his current position as regents' professor at the School of Forestry and the executive director of the Ecological Restoration Institute at Northern Arizona University.

When we talk about the wildfire crisis afflicting the West, we frequently reference the need to thin our forests of the enormous number of small, dead, and dying trees that have fueled some of the largest, deadliest, and most destructive mega fires ever seen in the United States.

In my home State of Arizona, about one-quarter of our pine forests have been impacted by fire over the past two decades. In 2011, the largest wildfire in State history, the Wallow Fire, incinerated over a half million acres in a matter of weeks before finally burning out. And a nation mourned the loss of 19 brave wildland firefighters from Prescott, AZ, who gave their lives battling the Yarnell Hill Fire in 2013.

These fires burn so hot and fast that they barrel through rural communities, insatiably consuming property in its path and, sometimes, human life too.

We recognize that the fuel load is too high in many forests and that prescribed fires and fuel breaks alone are not enough to prevent mega-fires that crown atop forest canopies.

Today, it is common sense that our fire-prone public lands need to be restored to their natural, fire-adapted state. It is difficult to imagine how this conventional wisdom shared across both sides of the aisle, and among the timber industry and environmental groups alike, was foreign, controversial, and, frankly, heretical only two decades ago. It was Dr. Covington's applied research in forest ecology and his tireless advocacy that showed us how reducing tree density through timber harvesting is not only beneficial, but also necessary if we want to reduce the threat of catastrophic wildfires.

So when we talk about forest thinning, the country should know just how influential Dr. Wally Covington's contributions were to the practice of forest ecosystem restoration.

Let me share a little bit of Dr. Covington's story with you. From a young age, Wally was exposed to the wonders of the great outdoors by his parents who first met and fell in love in Flagstaff. They instilled in him a profound appreciation for nature and a humbling perspective on humanity's impact on the land. At his father's urging, Wally studied the works of conservationist Aldo Leopold, who is regarded as the founder of the wilderness preservation movement and the philosophy of "land ethics," which espouses the belief that man is not a conqueror of his environment, but a unique component of it.

Later, Wally graduated from the University of North Texas with a degree in biology, and he planned to become a physician in pediatric oncology. However, the emotional toll of working with children with cancer left Wally disheartened. He departed medical school never to return. Still, that heart-wrenching experience taught Wally that he was a healer.

Shaped by the burgeoning environmental movement of the 1970s, Wally answered another calling. He decided to pursue a master's in ecology from the University of New Mexico. It wasn't long before Wally's academic achievements led him to Yale University where he earned a doctorate in forestry in 1976.

Dr. Covington was already an accomplished forest ecologist by the time he joined NAU. At Yale, he developed an innovative theory for predicting the carbon budgets of unharvested forests, a calculation known as "Covington's curve" that is still widely used in modern forestry.

His next achievement, however, would transform how we view and manage our forestlands. For some time, Wally had been studying ponderosa pine trees, a type of evergreen species that dominates the landscape in the West. These iconic conifers span more than 27 million acres in the United States. Wally observed that our Nation's pine forests were out of balance, unhealthy, and highly susceptible to drought, insect infestation, and disease. A majority of the mega-fires or "conflagrations" impacting northern California, Montana, Arizona, and elsewhere were occurring in ponderosa pine forests.

As a forest ecologist, Wally understood that fire plays a natural role in our forests. Historically, in North America, low intensity ground fire led to large, mature pine trees and forests that are naturally adapted to withstand fire. But modern wildfires in the West were now burning with such ferocious intensity that even the sturdiest of pine trees would literally boil to the point of exploding. Postfire conditions were no longer the regenerative force that ecologists had once studied. Soils were damaged, taking years to replenish their nutrients, and watersheds were more likely to experience long-term flooding and erosion.

Wally once poignantly described the situation in an article he authored in the journal *Nature* in 2002: "The dry forest ecosystems of the American West, especially those once dominated by open ponderosa pine forests, are in widespread collapse. We are now witnessing sudden leaps in aberrant ecosystem behavior long predicted by ecologists and conservation professionals. Trends over the past half-century show that the frequency, intensity and size of wildfires will increase—by orders of magnitude—the loss of biological diversity, property and human lives for many generations to come."

Like any good healer, Dr. Covington worked tirelessly to diagnose the ill-

ness and devise a cure. As part of his research, Wally pored through historical records, old photographs, and land surveys dating back to the turn of the century. He listened to Native American Tribal members, the first inhabitants of our forests, who shared stories told and retold through the generations about elk and deer hunts in open canopied forests teeming with bountiful grasslands. Wally discovered that, in a very short time, about 50 years, the forest landscape of the West had substantially changed.

He hypothesized, correctly, that man's presence had transformed our once fire-adapted, low-density forests into overstocked tinderboxes. Before there was a Forest Service, before westward expansion brought pioneers and homesteaders, the land, he estimated, supported around 50 to 100 pine trees per acre. In contrast, today's modern forests host roughly 300 percent more trees—sometimes as much as 1,000 trees per acre—a number far greater than the natural ecosystem can support. This meant that the West was overloaded with a dangerous amount of kindling fuel.

To prove his theory, Wally ran experiments. Beginning in 1992, on a modest 10-acre parcel of Forest Service land in the Gus Pearson Natural Area, Wally established three test plots. The first plot was used as the control, its post-settlement state preserved as-is. The second plot was thinned of excess pine trees. On the third plot, the trees were thinned to simulate pre-settlement conditions and then subjected to prescribed fire, the kind of controlled burns routinely used by the Forest Service to clear our low-lying fuels from the forest floor.

His test showed that fire behavior dramatically decreased on the plot that was thinned. Trees didn't suffer the same trauma found on the other two plots and in fact responded positively by producing increased resin, which meant increased resistance to bark beetle infestation. Also, the number of species and amount of native grasses and plants increased improving both forage and habitat quality. Wally had successfully conducted the first science-based forest restoration project in history.

Dr. Covington took his findings to Congress, the Department of the Interior, the Forest Service, and the National Academy of Sciences. He met with Interior Secretary Bruce Babbitt under the Clinton administration and, later, Secretary Gale Norton under the George W. Bush administration, to convince them to implement forest restoration treatments. In many of his meetings, he would echo the old adage, "an ounce of prevention is worth a pound of cure."

They listened, and Congress listened, as did my Arizona predecessors in the Senate. In 2003, he worked with Senator Jon Kyl to enact legislation like the Health Forests Restoration Act and also established the congressionally chartered Southwest Ecological