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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 Father, who extends daily to our lawmakers' compassionate love, we praise Your Holy Name. In a fragile world where we often find ourselves waiting to exhale, You remain our shelter for every storm.

Lord, relieve the shadows of gloom as we face a world endangered by selfishness and sin. Bring our Senators from the fatigue of despair to the buoyancy of hope. Make their lives unflickering lights that scatter the darkness in our Nation and world. Give them an unflinching certainty that You are sovereign.

We pray in Your great 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 (Mrs. HYDE-SMITH). The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask unanimous consent to address the Senate for 1 minute as in morning business.

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

IRAN

Mr. GRASSLEY. Madam President, over the past year, the Iranian regime has been increasingly aggressive, attacking oil tankers in the Persian Gulf, shooting down a U.S. drone, seizing a British tanker, attacking a Saudi oil facility, attacking U.S. military bases

in Iraq, and storming the U.S. Embassy in Baghdad.

The U.S. response to Iran's increasing provocations had been too measured, to the point that we risked Iran's leaders mistaking restraint on the part of America for weakness and encouraging further escalation.

Another attack that risked many American lives was in the works when President Trump ordered U.S. forces to take out the terrorist mastermind of the Iranian regime.

Now, think about it. Sometimes you have to stand up to a bully to get him to back off or else we might be inviting further aggression.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

IMPEACHMENT

Mr. MCCONNELL. Madam President, first, this morning I want to associate myself with a statement made yesterday by one of our distinguished colleagues about the House Democrats treating impeachment like a political toy. Here is what the Senator said: "If it's serious and urgent, send them over. If it isn't, don't." That was our Democratic colleague, the senior Senator from California, the ranking member of the Judiciary Committee. She wasn't alone.

"It's time to get on with it." That is our Democratic colleague the junior Senator from Delaware.

"At some point, it's appropriate to send them and pass the baton to Senators." That is our Democratic colleague, the senior Senator from Connecticut.

"I think the time has past. She should send the articles." That is our Democratic colleague the junior Senator from Connecticut.

Now, this is a challenging time to create bipartisan agreement in the Senate on any subject, but the Speaker of the House has managed to do the impossible. She has created this growing bipartisan unity here in the Senate in opposition to her own reckless behavior.

The Senators may not agree on much, but it appears most of us still recognize the threat to our institution when we see one. Article I, section 3, says: "The Senate shall have the sole power to try all impeachments"—period.

The House can begin the process, and Speaker PELOSI's majority has certainly done that, but the Senate alone can resolve it. Yet, for weeks now, the House majority has blocked the Senate from fulfilling our constitutional duty. In a precedent-breaking display of partisanship, the Speaker has refused to let her own allegations proceed normally to trial unless she gets to hand-design various elements of our Senate process. In other words, the House Democrats already spent 12 weeks undermining the institution of the Presidency with a historically unfair and subjective impeachment, and now, for a sequel, they have come after the institution of the Senate as well. That is where we are.

The dwindling number of our Senate Democratic colleagues who remain complicit in this must realize what they are doing. Should future House majorities feel empowered to waste our time with junior varsity political hostage situations? Should future Speakers be permitted to conjure up this sword of Damocles at will and leave it hanging over the Senate unless we do what they say? Of course not.

This week, a majority of the Senate stepped forward to make it perfectly clear that this conversation is over. A majority of this body has said definitively that we are not ceding our constitutional authority to the partisan designs of the Speaker. We will not let

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



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the House extend its precedent-breaking spree over here to our Chamber.

There will be no unfair new rule book written solely for President Trump. The basic organization of the first phase of this trial will track the phase one of the Clinton trial, which all 100 Senators voted for in 1999. I have said for months that this is our preferred route.

By the way, that is exactly what the American people want. Seventy-seven percent told a Harvard-Harris survey that the basic outline of a Clinton trial, reserving the witness question until later in the proceedings, ought to be good enough for this President as well. Fair is fair. In the same survey, 58 percent of Americans said they want Speaker PELOSI to do her job and send the articles to the Senate rather than continue delaying.

It makes sense that American families have lost patience with this act just like we Senators have lost patience with it because this is not just some intramural tiff between the two Houses in our bicameral legislature. This recklessness affects our entire country.

When you take a step back, what has really happened over the last 3 weeks? What has happened? When you take a step back from the political noise and the pundits discussing “leverage”—by the way, that never existed—what have House Democrats actually done?

This is what they have done. They have initiated one of the most grave and most unsettling processes in our Constitution and then refused to allow a resolution of it. The Speaker began something that she herself predicted would be “so divisive to the country,” and now she is unilaterally saying it cannot move forward to resolution.

It is bad enough that House Democrats gave in to the temptation of subjective impeachment that every previous House for 230 years has managed to resist. However unwise, that is their constitutional prerogative. They get to start it, if they choose, but they do not get to declare that it can never be finished. They do not get to trap our entire country into an unending “Groundhog Day” of impeachment without resolution.

Alexander Hamilton specifically warned against a procrastinated resolution of impeachments. In part, that is because our duly-elected President deserves a verdict, just like every American who is accused by their government deserves a speedy trial.

This goes deeper than fairness to one individual. This is about what is fair to the entire country. There is a reason why the Framers did not contemplate a permanently unsettled Presidency. That is true under any circumstances, but consider especially the circumstances of recent days. Even as the Democrats have prolonged this game, we have seen Iran escalate tensions with our Nation. We live in a dangerous world.

So, yes, the House majority can create this temporary cloud over a Com-

mander in Chief if they choose—if they choose—but they do not get to keep the cloud in place forever. Look, there is real business for the American people that the Senate needs to complete. If the Speaker continues to refuse to take her own accusations to trial, the Senate will move forward next week with the business of our people. We will operate on the assumption that House Democrats are too embarrassed—too embarrassed—to ever move forward, and we will get back to the people’s business.

For example, the Senate continues to process President Trump’s landmark trade deal, the USMCA, through our committees of jurisdiction. It passed the Senate Finance Committee this week by a landslide vote of 25 to 3, a major victory for the President and for working families. Now our other committees will continue their consideration.

And there is more. The epidemic of opioids, fentanyl, and other substance abuse continues to plague our Nation. Some colleagues have signaled they may raise privileged resolutions on war powers. The Senate has plenty of serious work to do for our country. So while the Speaker continues her irresponsible games, we will continue doing the people’s business.

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.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. 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 Paul J. Ray, of Tennessee, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

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. SCHUMER. I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

IRAN

Mr. SCHUMER. Madam President, yesterday the Senate received a classi-

fied briefing for all Senators from the Trump administration on the recent military operation that killed Iranian General Soleimani. Nearly the entire Senate attended, but only 15 Senators were able to ask questions before the administration decided they had to go. As many as 82 Senators were left hanging in the balance without a chance to answer their questions. It was a sight like none I have ever seen in my time in the Senate.

This is a crucial issue: war and peace. These were five of the leading people involved in the decision making, past, present and future. If they couldn’t stay to answer questions in a classified briefing, that is the ultimate disrespect to the Senate.

I have to tell you, it was not just Democrats who were upset and not just on the Republican side. Senator PAUL and Senator LEE were upset. Four or five Senators came over to me, in that room, when I made the request that they come back, and said: Please count me in on that.

As Secretary Pompeo was practically running out the door, I asked the White House representative if they would come back and finish the briefing. Pompeo said no, on his behalf, but the White House representative assured me the group would be back in short order.

I said: Within a week.

In the room, in the SCIF, he said they will definitely come back.

This morning, the White House told me they would explore coming back. They are already backing off, as usual. This is imperative. We are asking, in as polite a way as we can right now, Democrats and Republicans, that these five leaders—the head of DNI, the head of the CIA, the head of the Joint Chiefs, Secretary of Defense, and the Secretary of State—come before us within a week and answer the questions of the 82 Senators who were on the list and wanted to ask questions but couldn’t.

The scene at yesterday’s briefing was unacceptable, as Members of both sides of the aisle have attested. Eighty-two Senators—chairs, ranking members, appropriators, authorized—were snubbed by this administration on a matter of war and peace. They must return.

Again, this administration’s thwarting of the exquisite balance the Founding Fathers put in place between the Congress and Presidency is something that would make the Founding Fathers turn over in their graves and strikes at the core of what America is all about.

Why is it important we have this briefing? Because the danger of war is still very real. There seems to be a sense that Iran’s missile strikes on U.S. installations in Iraq, which resulted in no U.S. or coalition casualties, was a signal that our hostilities between our two countries are deescalating. If that is true, it would certainly be a good thing, but we all know Iran has many different ways of causing trouble in the Middle East. Over