

to the Senate the Article of Impeachment and will read the article here in the well of this Chamber.

Tomorrow, Senators will be sworn in as judges and jurors in the impending trial, and the Senate will issue a summons to former President Trump. After that, both the House managers and the former President's counsel will have a period of time to draft their legal briefs, just as they did in previous trials. Once the briefs are drafted, presentations by the parties will commence the week of February 8.

I want to thank the Republican leader for working with us to reach this agreement, which we believe is fair to both sides and will enable the Senate to conduct a timely and fair trial on the Article of Impeachment. The schedule will also allow us to continue the important work of the people, including confirming more members of President Biden's Cabinet.

I want to be very clear about that last point. The Senate will conduct a timely and fair trial.

I want to be very clear about that because some of my Republican colleagues have latched on to a fringe legal theory that the Senate does not have the constitutional power to hold the trial because Donald Trump is no longer in office. This argument has been roundly debunked by constitutional scholars from the left, right, and center. It defies precedent, historic practice, and basic common sense. It makes no sense whatsoever that a President—or any official—could commit a heinous crime against our country and then defeat Congress's impeachment powers by simply resigning so as to avoid accountability and a vote to disqualify them from future office.

This is not merely a hypothetical situation. In 1876, President Grant's Secretary of War, William Belknap, implicated in a corruption scheme, literally raced to the White House to tender his resignation mere minutes before the House was set to vote on his impeachment. Then, as a matter of historical record, he burst into tears. Not only did the House move forward with the five impeachment articles against him, but a trial was then convened in the Senate.

Of course, the question came up as to whether the Senate could try former officials, and guess what. The Senate voted as a Chamber that Mr. Belknap could be tried "for acts done as Secretary of War, notwithstanding his resignation of said office."

Those are the words of the Senate vote in 1876.

Mr. Belknap was ultimately acquitted, but the record is clear. The Senate has the power to try former officials, and the reasons are obvious. A President or any official, for example, could wait until their final 2 weeks in office to betray their country, knowing they could escape accountability or merely resign moments before the Senate decides to convict and disqualify them

from future office. The theory that the Senate cannot try former officials would amount to a constitutional get-out-of-jail-free card for any President who commits an impeachable offense.

Now, it is certainly appropriate for the Senate to take the resignation of an official into account. After all, the House decided not to impeach Richard Nixon because, in that sense, Nixon took some responsibility for his actions. But to state the obvious, President Trump did not resign. He has not demonstrated remorse. He has not even acknowledged his role in the events of January 6, and he has never disavowed the lies that were fed to the American people by him about who actually won the election.

Just to put a final nail into the coffin of this ridiculous theory, I remind my colleagues, if a President is convicted on an Article of Impeachment, the Senate holds a separate vote on whether to bar them from future office. Once a President is convicted of an impeachment charge, they are removed from office. In other words, they become a former official. If we are to believe that the Senate can't hold former officials to account, then the Senate could never proceed to that second vote of disqualification, which is provided for in the Constitution, even for a sitting President.

In saying this, I am expressing the view of legal scholars across the political spectrum. Stephen Vladeck, a prominent constitutional expert at the University of Texas, wrote in the New York Times that Donald Trump is the "poster child" for why the conviction of an ex-President is not just constitutionally permissible but necessary. More than 150 legal scholars signed a letter last week forcefully stating that an impeachment trial of a former President is constitutional. Among the signatories, one of the cofounders of the Federalist Society, as well as one of President Reagan's Solicitors General, among other prominent conservatives.

It is so obviously wrong to suggest that impeaching the President is unconstitutional—that impeaching a former President is unconstitutional. So why are some suggesting it?

Well, there seems to be a desire on the political right to avoid passing judgment, one way or the other, on former President Trump and his role in fomenting the despicable attack on the Capitol on January 6. There seems to be some hope that Republicans could oppose the former President's impeachment on process grounds, rather than grappling with his actual awful conduct.

Let me be very clear. This is not going to fly. The trial is going to happen. It is certainly and clearly constitutional, and if the former President is convicted, there will be a vote to disqualify him from future office.

There is only one question at stake—only one question that Senators of both parties will have to answer before

God and their own conscience: Is former President Trump guilty of inciting an insurrection against the United States?

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. Madam President, 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 PRESIDING OFFICER. The Republican leader is recognized.

CORONAVIRUS

Mr. McCONNELL. Madam President, our Nation has spent nearly a year locked in this terrible battle with COVID-19. This virus that spread from China around the world has taken more than 400,000 American lives. It has effectively cost many children an entire school year. It made us slam the brakes on one of the best job markets in modern history and threw millions of families into financial chaos.

But thanks to a lot of hard work in 2020, the dawn of 2021 has brought a turning point. The genius of science and the support of Operation Warp Speed produced vaccines in record time. And in December, after months of delay, Democrats finally let Congress move ahead with another major rescue package. The light at the end of the tunnel is getting closer, and both Republicans and Democrats are going to continue working together to accelerate victory.

Curiously, the President's candidate to run the Department of Health and Human Services is the famously partisan attorney general of California. His recent experience in health policies seems largely limited to promoting abortion-on-demand and suing groups like the Little Sisters of the Poor, which dare to live out their religious convictions.

In an interview just yesterday, Mr. Becerra compared the current state of vaccinations inherited by the Biden administration to an airplane in a nose-dive—a disaster. He contrasted the status quo with the new administration's stated goal of 1 million vaccinations per day, which he called "ambitious."

There is a problem here. Even the press has repeatedly pointed it out, which said our Nation is already meeting that very pace—already meeting that very pace. That is not a big new goal. It is exactly what they inherited from the Trump administration in Operation Warp Speed.

Inauguration Day, Thursday, and Friday, each topped 1 million vaccinations. As of today, we are averaging 1.16 million shots per day over the last

week. They are claiming the exact same number can either be a total catastrophe or a smashing success. I guess it depends on whether Democrats are in power. So much for science without politics.

Here is how the Washington Post put it:

The accelerating speed of the [vaccine] program undercuts assertions by some Biden advisers that they were left no plan by the Trump administration, and suggests they need only to keep their feet on the pedal to clear the bar they set for themselves.

Yesterday, Mr. Becerra was asked about increasing vaccinations in the months ahead. Here is what he said: "I first have to be sworn in to give you a timeline." Perhaps that is like the time the Speaker of the House famously said she had to pass a bill before the public could learn what was in it.

The new administration campaigned heavily on having a new master plan to fight the pandemic. Well, now they are in office, President Biden has said: "[T]here's nothing we can do to change the trajectory of the pandemic in the next several months," and his administration is apparently content to maintain the same vaccine pace they actually inherited.

Let's talk about Congress's role in the pandemic relief. Our Democratic colleagues spent last summer and fall using the legislative filibuster to delay the next rescue package until after the election. Now, that would be the same tool that some Senate Democrats now suddenly say they oppose, as if they hadn't leaned on it liberally over the last 6 years.

But, finally, last month, they let us act. We passed another package totaling nearly \$900 billion in urgent relief. We provided more than \$80 billion to help K-12 schools, \$280 billion for the Paycheck Protection Program, billions more for Federal unemployment insurance supplements, nutrition and rental assistance, and direct cash aid and massive new investments in purchasing and distributing vaccines. Some of that money has already gone out the door. Other portions are still unspent—a massive, historic, almost trillion-dollar package that was passed into law just 5 weeks ago.

Since last March, Washington, DC, has spent a historic amount of money standing up one of the most enormous policy responses by any government to any emergency that the world has ever seen. Nobody thinks the support has been perfect—far from it—but it has been historic and strong.

For example, a nonpartisan study in November showed that because of the historic emergency legislation passed through Congress, American personal income was actually—listen to this—higher in September than it had been before the pandemic.

Last month, Larry Summers, President Clinton's Treasury Secretary and President Obama's NEC Director, confirmed that relative to our underlying

economy, our multiple rescue packages have brought American household income all the way back to a level that equals or even exceeds what he would expect if we weren't in a crisis.

So, to be clear, nobody thinks our bipartisan work fighting this pandemic is completely finished. Nobody is arguing that. And we all understand that overall national statistics do not explain away the terrible struggles facing many families. But experts and economists from the left to the right agree: Any further action should be smart and targeted, not just an imprecise deluge of borrowed money that would direct huge sums toward those who don't need it.

That is why the new administration's first draft of their sprawling proposal misses the mark, and press reports make clear this is not just a Republican view. Multiple Democratic Senators agree that it is not the right path forward.

So as the \$900 billion package from 5 weeks ago continues to come online and as the remaining needs continue to come into focus, Republicans will be ready and eager to continue bipartisan discussions about smart steps forward for the American people. Bipartisan action helped our Nation endure the last year. Bipartisan action helped us turn the corner, and it will be smart, bipartisan actions that help us finish the fight.

NOMINATION OF JANET LOUISE YELLEN

Mr. McCONNELL. Madam President, now on a related matter, this afternoon, the Senate will confirm Dr. Janet Yellen, the former Chair of the Federal Reserve, to serve as President Biden's Secretary of the Treasury. Her speedy confirmation will contrast sharply with the way the Senate Democratic minority handled many of the last President's key Cabinet nominations 4 years ago.

Secretary Mnuchin had to sit through a stunt where Senate Democrats literally boycotted his committee hearing. He was not confirmed until mid-February.

Dr. Yellen came out of committee on a unanimous vote and will begin to work 5 days after the inauguration. That is even faster than Secretary Geithner's nomination in 2009 in the teeth of a financial crisis.

This certainly isn't because Dr. Yellen's or President Biden's economic policy views have unanimous support here in the Senate. I expect we will have no shortage of spirited policy discussions with Dr. Yellen in the months ahead, especially if some Democrats keep trying to use this historic emergency as a pretext—a pretext to push through permanent far-left policy changes.

The 50 Senators on our side have great confidence in our pro-job, pro-worker vision that helped build the greatest job market in living memory.

But the simple fact is that, when the American people elect a President and when the President selects qualified and mainstream people for key posts, the whole Nation deserves for them to be able to assemble their team.

I will be voting to confirm Dr. Yellen today. I look forward to working together on pro-growth policies that will help rebuild the thriving economy for American workers that was in place just 1 year ago.

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 bill clerk read the nomination of Janet Louise Yellen, of California, to be Secretary of the Treasury.

The PRESIDING OFFICER. Under the previous order, the time until 5:30 will be equally divided between the two leaders or their designees.

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

TRIBUTE TO CAPITOL CUSTODIAL STAFF

Mr. BROWN. Madam President, it is good to see the Senator from Hawaii as the Presiding Officer.

Madam President, I rise today to honor workers in this building—something that Senator HIRONO does every day of her life in this job—workers in this building who are too often overlooked but whose work is essential to the functioning of our government: our Capitol custodial staff.

In the days after the January 6 insurrection, when domestic terrorists stormed this building, we rightly honored Capitol Police Officer Eugene Goodman and many other Capitol police officers who put their lives on the line to protect all of us, to protect our democratic process, and, essentially, to protect our democracy.

Last week, I joined a bipartisan group of colleagues in introducing legislation to award Officer Goodman the