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Senate

The Senate met at 11:05 a.m. and was called to order by the Chief Justice of the United States.

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

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

The Chaplain will lead us in prayer.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Arise, O Lord, as we enter the final arguments phase of this impeachment trial. Mighty God, we continue to keep our eyes on You, on whom our faith depends from start to finish. May our Senators embrace Your promise to do for them immeasurably, abundantly, above all that they can ask or imagine.

Lord, help our lawmakers to store Your promises in their hearts and permit You to keep them from stumbling. Grant that they will leave a legacy of honor as they seek Your will in all they do.

We pray in Your amazing Name. Amen.

PLEDGE OF ALLEGIANCE

The Chief Justice 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 JOURNAL

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

The Deputy Sergeant at Arms will make the proclamation.

The Deputy Sergeant at Arms, Jennifer Hemingway, made proclamation as follows:

Hear ye! Hear ye! Hear ye! All persons are commanded to keep silent, on pain of imprisonment, while the Senate of the United States is sitting for the trial of the articles of impeachment exhibited by the House of Representatives against Donald John Trump, President of the United States.

The CHIEF JUSTICE. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. Chief Justice, colleagues.

Today the Senate will hear up to 4 hours of closing statements by the two sides. We will take a 30-minute lunch break after the House has made its initial presentation. Then we will come back and finish this afternoon.

The CHIEF JUSTICE. Pursuant to the provisions of S. Res. 488, the Senate has provided up to 4 hours of closing arguments, equally divided between the managers on the part of the House of Representatives and the counsel for the President. Pursuant to rule XXII of the rules of procedure and practice of the Senate when sitting on impeachment trials, the arguments shall be opened and closed on the part of the House of Representatives.

The Presiding Officer recognizes Mr. Manager SCHIFF to begin the presentation on the part of the House of Representatives.

Mr. Manager CROW. Mr. Chief Justice, Members of the U.S. Senate, counsel for the President.

Almost 170 years ago, Senator Daniel Webster of Massachusetts took to the well of the Old Senate Chamber, not far from where I am standing. He delivered what would become perhaps his most famous address, the ''Seventh of March'' speech. Webster sought to rally his colleagues to adopt the Compromise of 1850, a package of legislation that he and others hoped would forestall a civil war brewing over the question of slavery.

He said:

It is fortunate that there is a Senate of the United States; a body not yet moved from its propriety, not lost to a just sense of its own dignity, and its own high responsibilities, and a body to which the country looks with confidence, for wise, moderate, patriotic, and healing counsels. It is not to be denied that we live in the midst of strong agitations and are surrounded by very considerable dangers to our institutions and our government. The imprisoned winds are let loose . . . but I have a duty to perform, and I mean to perform it with fidelity—not without a sense of surrounding dangers, but not without hope.

Webster was wrong to believe that the Compromise of 1850 could prevent secession of the South, but I hope he was not wrong to put his faith in the Senate because the design of the Constitution and the intention of the Framers was that the Senate would be a Chamber removed from the sway of temporary political winds.

In Federalist 65, Hamilton wrote:

Where else than in the Senate could have been found a tribal sufficiently dignified, or sufficiently independent? What other body would be likely to feel confidence enough in its own situation, to preserve, unawed and uninfluenced, the necessary impartiality between an individual accused, and the representatives of the people, his accusers?

In the same essay, Hamilton explained this about impeachment:

The subjects of its jurisdiction are those offenses which proceed from the misconduct of public men, or, in other words, from the abuse or violation of some public trust. They are of a nature which may with peculiar propriety be denominated political, as they relate chiefly to injuries done immediately to the society itself.

The prosecution of them, for this reason, will seldom fail to agitate the passions of the whole community, and to divide it into parties more or less friendly or inimical to the accused . . . in such cases there will always be the greatest danger that the decision will be regulated more by the comparative strength of parties, than by the real demonstrations of innocence or guilt.

Daniel Webster and Alexander Hamilton placed their hopes in you, the Senate, to be the court of greatest impartiality, to be a neutral representative of the people in determining—uninfluenced by party or preexisting faction—the innocence or guilt of the President of the United States.

Today you have a duty to perform, with fidelity, not without a sense of surrounding dangers, but also not without hope.

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

I submit to you, on behalf of the House of Representatives, that your duty demands that you convict President Trump. Now, I don't pretend that this is an easy process. It is not designed to be easy. It shouldn't be easy to impeach or convict a President. Impeachment is an extraordinary remedy, a tool only to be used in rare instances of grave misconduct, but it is in the Constitution for a reason. In America, no one is above the law, even those elected President of the United States. I would say especially those elected President of the United States.

You have heard arguments from the President's counsel that impeachment would overturn the results of the 2016 election. You have heard that, in seeking the removal and disqualification of the President, the House is seeking to interfere in the next elections. Senators, neither is true, and these arguments demonstrate a deeply misguided or, I think, intentional effort to mislead about the role that impeachment plays in our democracy.

If you believe—as we do and as we have proven—that the President's efforts to use his official powers to cheat in the 2020 election jeopardized our national security and are antithetical to our democratic tradition, then you must come to no other conclusion but that the President threatens the fairness of the next election and risks putting foreign interference between the voters and their ballots.

Professor Dershowitz and the other counselors to the President have argued that if the President thinks that something is in his interest, then it is, by definition, in the interest of the American people. We have said throughout this process that we cannot and should not leave our common sense at the door. The logical conclusion to this argument is that the President is the State; that his interests are the Nation's interests; that his will is necessarily ours. You and I and the American people know otherwise; that we do not have to be constitutional scholars to understand that this is a position deeply at odds with our Constitution and our democracy; that believing in this argument or allowing the President to get away with misconduct based on this extreme view would render him above the law.

But we know that this cannot be true. What you decide on these articles will have lasting implications for the future of the Presidency, not only for this President but for all future Presidents. Whether or not the office of the Presidency of the United States of America is above the law, that is the question.

As Alexis de Tocqueville wrote in his 1855 work, ''Democracy in America,'' ''The greatness of America lies not in being made more enlightened than any other nation, but rather in her ability to repair her faults.''

In May of 1974, Barry Goldwater and other Republican congressional leaders went to the White House to tell President Nixon that it was time for him to resign and that they could no longer hold back the tide of impeachment over Watergate.

Now, contrary to popular belief, the Republican Party did not abandon Nixon as the Watergate scandal came to light. It took years of disclosures and crises and court battles. The party stood with Nixon through Watergate because he was a popular, conservative President, and his base was with him, so they were, too. But, ultimately, as Goldwater would tell Nixon, ''There are only so many lies you can take, and now there has been one too many.''

The President would have us believe that he did not withhold aid to coerce these sham investigations; that his July 25 call with the Ukrainian President was ''perfect''; that his meeting with President Zelensky on the sidelines of the U.N. was no different than a head-of-state meeting in the Oval Office; that his only interest in having Ukraine announce investigations into the Bidens was an altruistic concern against corruption; that the Ukrainians interfered in our 2016 election, not Russia; that Putin knows better than our own intelligence agencies. How many falsehoods can we take? When will it be one too many?

Let us take a few minutes to remind you one last time of the facts of the President's misconduct as you consider how you will vote on this important matter for our Nation. Those facts compel the President's conviction on the two Articles of Impeachment.

Mrs. Manager DEMINGS. Mr. Chief Justice and Senators, over the past 2 weeks, the House has presented to you overwhelming and uncontroverted evidence that President Trump has committed grave abuses of power that harm our national security and were intended to defraud our elections.

President Trump abused the extraordinary powers he alone holds as President of the United States to coerce an ally to interfere in our upcoming Presidential election for the benefit of his own reelection. He then used those unique powers to wage an unprecedented campaign to obstruct Congress and cover up his wrongdoing.

As the President's scheme to corrupt our election progressed over several months, it became, as one witness described, more ''insidious.'' The President and his agents wielded the powers of the Presidency and the full weight of the U.S. Government to increase pressure on Ukraine's new President to coerce him to announce two sham investigations that would smear his potential election opponent and raise his political standing.

By early September of last year, the President's pressure campaign appeared on the verge of succeeding—until, that is, the President got caught, and the scheme was exposed. In response, President Trump ordered a massive coverup—unprecedented in American history. He tried to conceal the facts from Congress, using every tool and legal window dressing he could to block evidence and muzzle witnesses. He tried to prevent the public from learning how he placed himself above country.

Yet, even as President Trump has orchestrated this coverup and obstructed Congress's impeachment inquiry, he remains unapologetic, unrestrained, and intent on continuing his sham to defraud our elections. As I stand here today delivering the House's closing argument, President Trump's constitutional crimes—his crimes against the American people and the Nation—remain in progress.

As you make your final determination on the President's guilt, it is therefore worth revisiting the totality of the President's misconduct. Doing so lays bare the ongoing threat President Trump poses to our democratic system of government, both to our upcoming election that some suggest should be the arbiter of the President's misconduct and to the Constitution itself that we all swore to support and defend.

Donald Trump was the central player in this corrupt scheme, assisted principally by his private attorney, Rudy Giuliani.

Early in 2019, Giuliani conspired with two corrupt former Ukrainian prosecutors to fabricate and promote phony investigations of wrongdoing by former Vice President Joe Biden as well as the Russian propaganda that it was Ukraine, not Russia, that hacked the DNC in 2016.

In the course of their presentation to you, the President's counsel have made several remarkable admissions that affirm core elements of this scheme, including specifically about Giuliani's role and representation of the President.

The President's counsel have conceded that Giuliani sought to convince Ukraine to investigate the Bidens and have alleged Ukraine election interference on behalf of his client, the President, and that the President's focus on these sham investigations was significantly informed by Giuliani, whose views the President adopted.

Compounding this damning admission, the President's counsel have also conceded that Giuliani was not conducting foreign policy on behalf of the President. They have confirmed that, in pursuing these two investigations, Giuliani was working solely in the President's private, personal interest, and the President's personal interest is now clear—to cheat in the next election.

As Giuliani would later admit, for the President's scheme to succeed, he first needed to remove the American Ambassador to Ukraine, Marie Yovanovitch—an anti-corruption champion Giuliani viewed as an obstacle who ''was going to make the investigations difficult for everybody.'' In working with now-indicted associates Lev Parnas and Igor Fruman, Giuliani orchestrated a bogus, monthslong

smear campaign against the Ambassador that culminated in her removal in April.

The President's sudden order to remove our Ambassador came just 3 days after Ukraine's Presidential elections in late April, which saw a reformer, Volodymyr Zelensky, sweep into office on an anti-corruption platform. President Trump called to congratulate Zelensky right after his victory. He invited President Zelensky to the White House, and he agreed to send Vice President PENCE to his inauguration. But 3 weeks later, after Rudy Giuliani was denied a meeting with President Zelensky, President Trump abruptly ordered Vice President PENCE to cancel his trip. Instead, a lower level delegation, led by three of President Trump's political appointees—Secretary of Energy Rick Perry, Ambassador to the European Union Gordon Sondland, and Special Representative for Ukraine Negotiations Kurt Volker—attended Zelensky's inauguration the following week.

These three returned from Ukraine and were impressed with President Zelensky. In a meeting shortly thereafter with President Trump in the Oval Office, they relayed their positive impression of the new Ukrainian President and encouraged President Trump to schedule the White House meeting he promised in his first call, but President Trump reacted negatively. He railed that Ukraine ''tried to take me down'' in 2016, and in order to schedule a White House visit for President Zelensky, President Trump told the delegation that it would have to ''talk to Rudy.''

It is worth pausing here to consider the importance of this meeting in late May. This is the moment when President Trump successfully hijacked the tools of our government to serve his corrupt personal interests—when the President's ''domestic political errand,'' as one witness famously described it, began to overtake and subordinate U.S. foreign policy and national security interests.

By this point in the scheme, Rudy Giuliani was advocating very publicly for Ukraine to pursue the two sham investigations, but his request to meet with President Zelensky was rebuffed by the new Ukrainian President. According to reports about Ambassador Bolton's account—soon to be available if not to this body then to bookstores near you—the President also unsuccessfully tried to get Bolton to call the new Ukrainian President to ensure he would meet with Giuliani.

The desire for Ukraine to announce these phony investigations was for a clear and corrupt reason—because President Trump wanted the political benefit of a foreign country's announcing that it would investigate his rival. That is how we know without a doubt that the object of the President's scheme was to benefit his reelection campaign—in other words, to cheat in the next election.

Ukraine resisted announcing the investigations throughout June, so the President and his agent, Rudy Giuliani, turned up the pressure—this time, by wielding the power of the U.S. Government.

In mid-June, the Department of Defense publicly announced that it would be releasing $250 million of military assistance to Ukraine. Almost immediately after seeing this, the President quietly ordered a freeze on the assistance to Ukraine. None of the 17 witnesses in our investigation were provided with a credible reason for the hold when it was implemented, and all relevant agencies opposed the freeze.

In July, Giuliani and the President's appointees made it clear to Ukraine that a meeting at the White House would only be scheduled if Ukraine announced the sham investigations. According to a July 19 email the White House has tried to suppress, this ''drug deal,'' as Ambassador Bolton called it, was well known among the President's most senior officials, including his Chief of Staff, Mick Mulvaney, and Secretary of State Mike Pompeo, and it was relayed directly to senior Ukrainian officials by Gordon Sondland on July 10 at the White House. ''Everyone was in the loop.''

Although President Zelensky explained that he did not want to be a ''pawn'' in Washington politics, President Trump did not care. In fact, on July 25, before President Trump spoke to President Zelensky, President Trump personally conveyed the terms of this quid pro quo to Gordon Sondland, who then relayed the message to Ukraine's President.

Later that morning, during the now-infamous phone call, President Trump explicitly requested that Ukraine investigate the Bidens and the 2016 election. Zelensky responded as President Trump instructed: He assured President Trump that he would undertake these investigations. After hearing this commitment, President Trump then reiterated his invitation to the White House at the end of the call.

No later than a few days after the call, the highest levels of the Ukrainian Government learned about the hold on military assistance. Senior Ukrainian officials decided to keep quiet, recognizing the harm it would cause to Ukraine's defense, to the new government's standing at home, and to its negotiating posture with Russia. Officials in Ukraine and the United States hoped the hold would be reversed before it became public. As we now know, that was not to be.

As we have explained during the trial, the President's scheme did not begin with the July 25 call, and it did not end there either. As instructed, a top aide to President Zelensky met with Giuliani in early August, and they began working on a press statement for Zelensky to issue that would announce the two sham investigations and lead to a White House meeting.

Let's be very clear here. The documentary evidence alone—the text messages and the emails that we have shown you—confirms definitively the President's corrupt quid pro quo for the White House meeting. Subsequent testimony further affirms that the President withheld this official act—this highly coveted Oval Office meeting—to apply pressure on Ukraine to do his personal bidding.

The evidence is unequivocal.

Despite this pressure, by mid-August President Zelensky resisted such an explicit announcement of the two politically motivated investigations desired by President Trump. As a result, the White House meeting remained unscheduled, just as it remains unscheduled to this day.

During this same timeframe in August, the President persisted in maintaining the hold on the aid, despite warnings that he was breaking the law by doing so, as an independent watchdog recently confirmed that he did.

According to the evidence presented to you, the President's entire Cabinet believed he should release the aid because it was in the national security interest of our country. During the entire month of August, there was no internal review of the aid. Congress was not notified, nor was there any credible reason provided within the executive branch.

With no explanation offered and with the explicit, clear, yet unsuccessful quid pro quo for the White House meeting in the front of his mind, Ambassador Sondland testified that the only logical conclusion was that the President was also withholding military assistance to increase the pressure on Ukraine to announce the investigations. As Sondland and another witness testified, this conclusion was as simple as two plus two equals four. If the White House meeting wasn't sufficient leverage to extract the announcement he wanted, Trump would use the frozen aid as his hammer.

Secretary Pompeo confirmed Sondland's conclusion in an August 22 email. It is also clear that Vice President PENCE was aware of the quid pro quo over the aid and was directly informed of such in Warsaw on September 1, after the freeze had become public and Ukraine became desperate. Sondland pulled aside a top aide in Warsaw and told him that everything—both the White House meeting and also the security assistance—were conditioned on the announcement of the investigations that Sondland, Giuliani, and others had been negotiating with the same aide earlier in August.

This is an important point. The President claims that Ukraine did not know of the freeze in aid, though we know this to be false. As the former Deputy Foreign Minister has admitted publicly, they found out about it within days of the July 25 call and kept it quite. But no one can dispute that even after the hold became public on August 28, President Trump's representatives continued their efforts to secure

Ukraine's announcement of the investigations. This is enough to prove extortion in court, and it is certainly enough to prove it here.

If that wasn't enough, however, on September 7, more than a week after the aid freeze became public, President Trump confirmed directly to Sondland that he wanted President Zelensky in a ''public box'' and that his release of the aid was conditioned on the announcement of the two sham investigations. Having received direct confirmation from President Trump, Sondland relayed the President's message to President Zelensky himself.

President Zelensky could resist no longer. America's military assistance makes up 10 percent of his country's defense budget, and President Trump's visible lack of support for Ukraine harmed his leverage in negotiations with Russia. President Zelensky affirmed to Sondland on that same telephone call that he would announce the investigations in an interview on CNN. President Trump's pressure campaign appeared to have succeeded.

Two days after President Zelensky confirmed his intention to meet President Trump's demands, the House of Representatives announced its investigation into these very issues. Shortly thereafter, the inspector general of the intelligence community notified the communities that the whistleblower complaint was being improperly handled—or was improperly withheld from Congress with the White House's knowledge.

In other words, the President got caught, and 2 days later, on September 11, the President released the aid. To this day, however, Ukraine still has not received all of the money Congress has appropriated and the White House meeting has yet to be scheduled.

The identity of the whistleblower, moreover, is irrelevant. The House did not rely on the whistleblower's complaint, even as it turned out to be remarkably accurate. It does not matter who initially sounded the alarm when they saw smoke. What matters is that the firefighters—Congress—were summoned and found the blaze, and we know that we did.

The facts about the President's misconduct are not seriously in dispute. As several Republican Senators have acknowledged publicly, we have proof that the President abused his power in precisely the manner charged in article I. President Trump withheld the White House meeting and essential, congressionally appropriated military assistance from Ukraine in order to pressure Ukraine to interfere in the upcoming Presidential election on his behalf.

The sham investigations President Trump wanted announced had no legitimate purpose and were not in the national interest, despite the President's counsel's troubling reliance on conspiracy theories to claim the President acted in the public interest.

The President was not focused on fighting corruption. In fact, he was trying to pressure Ukraine's President to act corruptly by announcing these baseless investigations. And the evidence makes clear that the President's decision to withhold Ukraine's military aid is not connected in any way to purported concerns about corruption or burden-sharing.

Rather, the evidence that was presented to you is damning, chilling, disturbing, and disgraceful. President Trump weaponized our government and the vast powers entrusted to him by the American people and the Constitution to target his political rival and corrupt our precious elections, subverting our national security and our democracy in the process. He put his personal interests over those of the country, and he violated his oath of office in the process.

But the President's grave abuse of power did not end there. In conduct unparalleled in American history, once he got caught, President Trump engaged in categorical and indiscriminate obstruction of any investigation into his wrongdoing. He ordered every government agency and every official to defy the House's impeachment inquiry, and he did so for a simple reason: to conceal evidence of his wrongdoing from Congress and the American people.

The President's obstruction was unlawful and unprecedented, but it also confirmed his guilt. Innocent people don't try to hide every document and witness, especially those that would clear them. That is what guilty people do. That is what guilty people do. Innocent people do everything they can to clear their name and provide evidence that shows that they are innocent.

But it would be a mistake to view the President's obstruction narrowly, as the President's counsel have tried to portray it. The President did not defy the House's impeachment inquiry as part of a routine interbranch dispute or because he wanted to protect the constitutional rights and privileges of his Presidency. He did it consistent with his vow to ''fight all subpoenas.''

The second article of impeachment goes to the heart of our Constitution and our democratic system of government. The Framers of the Constitution purposefully entrusted the power of impeachment in the legislative branch so that it may protect the American people from a corrupt President.

The President was able to undertake such comprehensive obstruction only because of the exceptional powers entrusted to him by the American people, and he wielded that power to make sure Congress would not receive a single record or a single document related to his conduct and to bar his closest aides from testifying about his scheme. Throughout the House's inquiry, just as they did during the trial, the President's counsel offered bad-faith and meritless legal arguments as transparent window dressing intended to legitimize and justify the President's efforts to hide evidence of his misconduct.

We have explained why all of these legal excuses hold no merit, why the House's subpoenas were valid, how the House appropriately exercised its impeachment authority, how the President's strategy was to stall and obstruct. We have explained how the President's after-the-fact reliance on unfounded and, in some cases, brand-new legal privileges are shockingly transparent cover for a President's dictate of blanket obstruction. We have underscored how the President's defiance of Congress is unprecedented in the history of our Republic, and we all know that an innocent person would eagerly provide testimony and documents to clear his name, as the President apparently thought he was doing, mistakenly, when he released the call records of his two telephone calls with President Zelensky.

And even as the President has claimed to be protecting the Presidency, remember that the President never actually invoked executive privilege throughout this entire inquiry, a revealing fact, given the law's prohibition on invoking executive privilege to shield wrongdoing.

And yet, according to the President's counsel, the President is justified in resisting the House's impeachment inquiry. They assert that the House should have taken the President to court to defy the obstruction. The President's argument is as shameless as it is hypocritical. The President's counsel is arguing in this trial that the House should have gone to court to enforce its subpoenas, while at the same time, the President's own Department of Justice is arguing in court that the House cannot enforce the subpoenas through the courts. And you know what remedy they say in court is available to the House? Impeachment for obstruction of Congress.

This is not the first time this argument has been made. President Nixon made it too, but it was roundly rejected by the House Judiciary Committee 45 years ago, when the committee passed an article for obstruction of Congress for a far less serious objection than we have here. The committee concluded that it was inappropriate to enforce its subpoenas in court and, as the slide shows:

> The Committee concluded that it would be inappropriate to seek the aid of the courts to enforce its subpoenas against the President. This conclusion is based on the constitutional provision vesting the power of impeachment solely in the House of Representatives and the express denial by the Framers of the Constitution of any role for the courts in the impeachment process.

Again, the committee report on Nixon's Articles of Impeachment.

Mr. Manager JEFFRIES. Once we strip the President's obstruction of this legal window dressing, the consequences are as clear as they are dire for our democracy. To condone the President's obstruction would strike a deathblow to the impeachment clause in the Constitution. And if the Congress cannot enforce this sole power

vested in both Chambers alone, the Constitution's final line of defense against a corrupt Presidency will be eviscerated.

A President who can obstruct and thwart the impeachment power becomes unaccountable. He or she is effectively above the law. And such a President is more likely to engage in corruption with impunity. This will become the new normal with this President and for future generations.

So where does this leave us? As many of you in this Chamber have publicly acknowledged in the past few days, the facts are not seriously in dispute. We have proved that the President committed grave offenses against the Constitution. The question that remains is whether that conduct warrants conviction and removal from office.

Should the Senate simply accept or even condone such corrupt conduct by a President? Absent conviction and removal, how can we be assured that this President will not do it again? If we are to rely on the next election to judge the President's efforts to cheat in that election, how can we know that the election will be free and fair? How can we know that every vote will be free from foreign interference solicited by the President himself?

With President Trump, the past is prologue. This is neither the first time that the President solicited foreign interference in his own election, nor is it the first time that the President tried to obstruct an investigation into his misconduct. But you will determine—you will determine—you will determine whether it will be his last.

As we speak, the President continues his wrongdoing unchecked and unashamed. Donald Trump hasn't stopped trying to pressure Ukraine to smear his opponent, nor has he stopped obstructing Congress. His political agent, Rudolph Giuliani, recently returned to the scene of the crime in Ukraine to manufacture more dirt for his client, the President of the United States.

President Trump remains a clear and present danger to our national security and to our credibility around the world. He is decimating our global standing as a beacon of democracy while corrupting our free and fair elections here at home.

What is a greater protection to our country than ensuring that we, the American people, alone, not some foreign power, choose our Commander in Chief? The American people alone should decide who represents us in any office without foreign interference—particularly the highest office in the land. And what could undermine our national security more than to withhold from a foreign ally fighting a hot war against our adversary hundreds of millions of dollars of military aid to buy sniper rifles, rocket-propelled grenade launchers, radar and night vision goggles, so that they may fight the war over there, keeping us safe here?

If we allow the President's misconduct to stand, what message do we send? What message do we send to Russia, our adversary intent on fracturing democracy around the world?

What will we say to our European allies, already concerned with this President, about whether the United States will continue to support our NATO commitments that have been a pillar of our foreign policy since World War II? What message do we send to our allies in the free world?

If we allow this President's conduct to stand, what will we say to the 68,000 men and women in uniform in Europe right now who courageously and admirably wake up every day ready and willing to fight for America's security and prosperity, for democracy in Europe and around the world? What message do we send them when we say America's national security is for sale?

That cannot be the message we want to send to our Ukrainian friends or our European allies or to our children and our grandchildren who will inherit this precious Republic, and I am sure it is not the message that you wish to send to our adversaries.

The late Senator John McCain was an astounding man—a man of great principle, a great patriot. He fought admirably in Vietnam and was imprisoned as a POW for over 5 years, refusing an offer by the North Vietnamese to be released early because his father was a prominent admiral. As you all are aware, Senator McCain was a great supporter of Ukraine, a great supporter of Europe, a great supporter of our troops. Senator McCain understood the importance of this body—this distinguished body—and serving the public, once saying: ''Glory belongs to the act of being constant to something greater than yourself, to a cause, to your principles, to the people on whom you rely and who rely on you.''

The Ukrainians and the Europeans and the Americans around the world and here at home are watching what we do. They are watching to see what the Senate will do, and they are relying on this distinguished body to be constant to the principles America was founded on and which we tried to uphold for more than 240 years.

Doing the right thing and being constant to our principles requires a level of moral courage that is difficult but by no means impossible. It is that moral courage shown by public servants throughout this country and throughout the impeachment inquiry in the House.

People like Ambassador Marie Yovanovitch—her decades of nonpartisan service were turned against her in a vicious smear campaign that reached all the way to the President. Despite this effort, she decided to honor a duly authorized congressional subpoena and to speak the truth to the American people. For this, she was the subject of yet more smears against her career and her character even as she testified in a public hearing before Congress. Her courage mattered.

People like Ambassador Bill Taylor, a West Point graduate who wears a Bronze Star and an Air Medal for valor and, his proudest honor, the Combat Infantryman Badge. When his country called on him, he answered again and again and again, in battle and foreign affairs and in the face of a corrupt effort by the President to extort a foreign country into helping his reelection campaign—an effort that Ambassador Taylor rightly believed was ''crazy.'' His courage mattered.

People like LTC Alexander Vindman, who came to this country as a young child fleeing authoritarianism in Eastern Europe—he could have done anything with his life, but he, too, chose public service, putting on a uniform and receiving a Purple Heart after being wounded in battle fighting courageously in Iraq. When he heard that fateful July 25 call, in which the President sold out our country for his own personal gain, Lieutenant Colonel Vindman reported it and later came before Congress to speak the truth about what happened. Lieutenant Colonel Vindman's courage mattered.

To the other public servants who came forward and told the truth in the face of vicious smears, intimidation, and White House efforts to silence you, your courage mattered. You did the right thing. You did your duty. No matter what happens today or from this day forward, that courage mattered.

Whatever the outcome in this trial, we will remain vigilant in the House. I know there are dedicated public servants who know the difference between right and wrong. But make no mistake, these are perilous times if we determine that the remedy for a President who cheats in an election is to pronounce him vindicated and attack those who expose his misconduct.

Mr. Manager SCHIFF. Senators, before we break, I want to take a moment to say something about the staff who have worked tirelessly on the impeachment inquiry and this trial for months now. There is a small army of public servants down the hall from this Chamber, in offices throughout the House, and, yes, in that windowless bunker in the Capitol, who have committed their lives to this effort because they, like the managers and the American people, believe that a President free of accountability is a danger to the beating heart of our democracy.

I am grateful to all of them, but let me mention a few: Daniel Goldman, Maher Bitar, Rheanne Wirkkala, Patrick Boland, William Evans, Patrick Fallon, Sean Misko, Nicolas Mitchell, Daniel Noble, Diana Pilipenko, Emilie Simons, Susanne Grooms, Krista Boyd, Norm Eisen, Barry Berke, Joshua Matz, Doug Letter, Sarah Istel, Ashley Etienne, Terri McCullough, Dick Meltzer, and Wyndee Parker. Some of those staff, including some singled out in this Chamber, have been made to endure the most vicious false attacks to the point where they feel their lives have been put at risk.

The attacks on them degrade our institution and all who serve in it. You

have asked me why I hired certain of my staff, and I will tell you—because they are brilliant, hard-working, patriotic, and the best people for the job, and they deserve better than the attacks they have been forced to suffer.

Members of the Senate, Mr. Chief Justice, I want to close this portion of our statement by reading you the words of our dear friend and former colleague in the House, the late Elijah Cummings, who said this on the day the Speaker announced the beginning of the impeachment inquiry:

As elected Representatives, [he said], of the American people, we speak not only for those who are here with us now, but for generations yet unborn. Our voices today are messages to a future we may never see. When the history books are written about this tumultuous era, I want them to show that I was among those in the House of Representatives who stood up to lawlessness and tyranny.

We, the managers, are not here representing ourselves alone or even just the House, just as you are not here making a determination as to the President's guilt or innocence for yourselves alone. No, you and we represent the American people, the ones at home and at work who are hoping that their country will remain what they have always believed it to be: a beacon of hope, of democracy, and of inspiration to those striving around the world to create their own more perfect unions—for those who were standing up to lawlessness and to tyranny.

Donald Trump has betrayed his oath to protect and defend the Constitution, but it is not too late for us to honor ours and to wield our power to defend our democracy. As President Abraham Lincoln said at the close of his Cooper Union Address on February 27, 1860, ''[n]either let us be slandered from our duty by false accusations against us, nor frightened from it by menaces of destruction to the Government nor of dungeons to ourselves. Let us have faith that right makes might, and in that faith, let us, to the end, dare to do our duty as we understand it.''

Today, we urge you—in the face of overwhelming evidence of the President's guilt and knowing that, if left in office, he will continue to seek foreign interference in the next election—to vote to convict on both Articles of Impeachment and to remove from office, Donald J. Trump, the 45th President of the United States.

Mr. Chief Justice, we reserve the balance of our time.

The CHIEF JUSTICE. The majority leader is recognized.

RECESS

Mr. MCCONNELL. Mr. Chief Justice, colleagues, we will take a 30-minute break for lunch.

There being no objection, at 12:02 p.m., the Senate, sitting as a Court of Impeachment, recessed until 12:51 p.m.; whereupon the Senate reassembled when called to order by the CHIEF JUSTICE.

The CHIEF JUSTICE. The Senate will come to order.

Mr. Counsel CIPOLLONE. Thank you, Mr. Chief Justice, Majority Leader MCCONNELL, Democratic Leader SCHUMER, Senators. Thank you very much, on behalf of all of us, for your continued attention. Today we are going to complete our argument and finish our closing argument. We will complete that in a very efficient period of time.

You understand the arguments that we have been making, and at the end of the day, the key conclusion—we believe, the only conclusion—based on the evidence and based on the Articles of Impeachment themselves and the Constitution is that you must vote to acquit the President. At the end of the day, this is an effort to overturn the results of one election and to try to interfere in the coming election that begins today in Iowa. And we believe that the only proper result, if we are applying the golden rule of impeachment, if we are applying the rules of impeachment that were so eloquently stated by Members of the Democratic Party the last time we were here—the only appropriate result here is to acquit the President and to leave it to the voters to choose their President.

With that, I will turn it over to Judge Ken Starr, and we will move through a series of short presentations.

Thank you.

Mr. Counsel STARR. Mr. Chief Justice, Members of the Senate, Majority Leader MCCONNELL, Democratic Leader SCHUMER, House impeachment managers and their very able staff, as World War I, the war to end all wars, was drawing to a close, an American soldier sat down at a piano and composed a song. It was designed to be part of a musical review for his Army camp out on Long Island, Suffolk County.

The song was ''God Bless America.'' The composer, of course, was Irving Berlin, who came here at the age of 5, the son of immigrants who came to this country for freedom.

As composers are wont to do, Berlin worked very carefully with the lyrics. The song needed to be pure. It needed to be above politics, above partisanship. He intended it to be a song for all America, but he intended it to be more than just a song. It was to be a prayer for the country.

As your very distinguished Chaplain, RADM Barry Black, has done in his prayers on these long days that you have spent as judges in the High Court of Impeachment, we have been reminded of what our country is all about and that it stands for one nation under God. Nation is about freedom.

And we hear the voice of Martin Luther King, Jr., and his dream-filled speech about freedom echoing the great passages inscribed on America's temple of justice, the Lincoln Memorial, which stood behind Dr. King as he spoke on that historic day. Dr. King is gone, felled by an assassin's bullet, but his words remain with us. And during his magnificent life, Dr. King spoke not only about freedom, freedom standing alone; he spoke frequently about freedom and justice. And in his speeches he summoned up regularly the words of a Unitarian abolitionist from the prior century, Theodore Parker, who referred to the moral arc of the universe—the long moral arc of the universe points toward justice—freedom and justice—freedom, whose contours have been shaped over the centuries in the English-speaking world by what Justice Benjamin Cardozo called the authentic forms of justice through which the community expresses itself in law. Authentic. Authenticity.

And at the foundation of those authentic forms of justice is fundamental fairness. It is playing by the rules. It is why we don't allow deflated footballs or stealing signs from the field. Rules are rules. They are to be followed.

And so I submit that a key question to be asked as you begin your deliberations: Were the rules here faithfully followed? If not, if that is your judgment, then, with all due respect, the prosecutors should not be rewarded, just as Federal prosecutors are not rewarded. You didn't follow the rules. You should have.

As a young lawyer, I was blessed to work with one of the great trial lawyers of his time, and I asked him: Dick, what's your secret?

He had just defended, successfully, a former United States Senator who was charged with a serious offense—perjury before a Federal grand jury. His response was simple and forthright. His words could have come from prairie lawyer Abe Lincoln: I let the judge and the jury know that they can believe and trust every word that comes out of my mouth. I will not be proven wrong.

So here is a question, as you begin your deliberations: Have the facts as presented to you as a court, as the High Court of Impeachment, proven trustworthy? Has there been full and fair disclosure in the course of these proceedings? Fundamental fairness?

I recall these words from the podium last week. A point would be made by one of the President's lawyers, and then this would follow: The House managers didn't tell you that. Why not? And again: The House managers didn't tell you that. Why not?

At the Justice Department, on the fifth floor of the Robert F. Kennedy Building, is this simple inscription: ''The United States wins its point whenever justice is done its citizens in the courts.'' Not did we win, not did we convict; rather, the moral question: Was justice done?

Of course, as has been said frequently, the House of Representatives does, under our Constitution, enjoy the sole power of impeachment. No one has disputed that fact. They have got the power, but that doesn't mean that anything goes. It doesn't mean that the House cannot be called to account in the High Court of Impeachment for its actions in exercising that power.

A question to be asked: Are we to countenance violations of the rules and

traditional procedures that have been followed scrupulously in prior impeachment proceedings? And the Judiciary Committee, the venerable Judiciary Committee of the House of Representatives—compare and contrast the thoroughness of that committee in the age of Nixon, its thoroughness in the age of Clinton with all of its divisiveness within the committee in this proceeding.

A question to be asked: Did the House Judiciary Committee rush to judgment in fashioning the Articles of Impeachment? Did it carefully gather the facts, assess the facts before it concluded? We need nothing more than the panel of very distinguished professors and the splendid presentations by both the majority counsel and the minority counsel.

We asked some questions. The Republicans asked some questions. We heard their answers. We are ready to vote. We are ready to try this case in the High Court of Impeachment.

What was being said in the sounds of silence was this: We don't have time to follow the rules. We won't even allow the House Judiciary minority members, who have been beseeching us time and again, to have their day—just one day—to call their witnesses. Oh yes, that is expressly provided for in the rules, but we will break those rules.

That is not liberty and justice for all.

The great political scientist of yesteryear, Richard Neustadt of Columbia, observed that the power of the President is ultimately the power to persuade—oh yes, the Commander in Chief, and, yes, charged with the conduct and authority to guide the Nation's foreign relations, but ultimately it is the power to persuade.

I suggest to you that so, too, the House's sole power to impeach is likewise ultimately a power to persuade over in the House.

A question to be asked: In the fast-track impeachment process in the House of Representatives, did the House majority persuade the American people—not just partisans; rather, did the House's case win over the overwhelming majority of consensus of the American people?

The question fairly to be asked: Will I cast my vote to convict and remove the President of the United States when not a single member of the President's party—the party of Lincoln—was persuaded at any time in the process?

In contrast, and when I was here last week, I noted for the record of these proceedings that in the Nixon impeachment, the House vote to authorize the impeachment inquiry was 410 to 4. In the Clinton impeachment—divisive, controversial—31 Democrats voted in favor of the impeachment inquiry. Here, of course, and in sharp contrast, the answer is, none.

It is said that we live in highly and perhaps hopelessly partisan times. It is said that no one is open to persuasion anymore. They are getting their news entirely from their favorite media platform, and that platform of choice is fatally deterministic.

Well, at least the decision of decision makers under oath, who are bound by sacred duty, by oath, or affirmation to do impartial justice, leaves the platforms out. Those modern-day intermediaries and shapers of thought, of expression, of opinion, are outside these walls where you serve.

Finally, does what is before this court—very energetically described by the able House managers but fairly viewed—rise to the level of a high crime or misdemeanor, one so grave and so serious to bring about the profound disruption of the article II branch, the disruption of the government, and to tell the American people—and, yes, I will say this is the way it would be read—''Your vote in the last election is hereby declared null and void. And by the way, we are not going to allow you, the American people, to sit in judgment on this President and his record in November''? That is neither freedom, nor is it justice. It is certainly not consistent with the most basic freedom of ''we the people,'' the freedom to vote.

I thank the court.

I yield to my colleague, Mr. Purpura.

Mr. Counsel PURPURA. Mr. Chief Justice, Members of the Senate, good afternoon. I will be relatively brief today and will not repeat the arguments that we have made throughout, but I want to highlight a few things.

There are a number of reasons why the Articles of Impeachment are deficient and must fail. My colleagues have spent the past week describing those reasons. In my time today, I would like to review just a few core facts, which, again, remember, are all drawn from the record on which the President was impeached in the House and that the House managers brought to this body in support of the President's removal.

First, the President did not condition security assistance or a meeting on anything during the July 25 call. In fact, both Ambassador Yovanovitch and Mr. Tim Morrison confirmed that the Javelin missiles and the security assistance were completely unrelated.

The concerns that Lieutenant Colonel Vindman expressed on the call were, by his own words and admission, based on deep policy concerns.

And remember, as we said before and everyone in this room knows, the President sets the foreign policy; the unelected staff implements the foreign policy.

Others on the call, including Lieutenant Colonel Vindman's boss, Mr. Morrison, as well as LTG Keith Kellogg, had no such concerns and have stated that they heard nothing improper, unlawful, or otherwise troubling on the July 25 call.

Second, President Zelensky and his top advisers agreed that there was nothing wrong with the July 25 call and that they felt no pressure from President Trump. President Zelensky said that the call was ''good,'' ''normal,'' and ''no [one] pushed me.''

President Zelensky's top adviser, Andriy Yermak, was asked if he had ever felt there was a connection between the U.S. military aid and the request for investigations. He was adamant that ''we never had that feeling. . . . We did not have the feeling that this aid was connected to any one specific issue.'' Several other top Ukrainian officials have said the same both publicly and in readouts of the July 25 call to Ambassador Taylor, Ambassador Volker, and others.

Third, President Zelensky and the highest levels of the Ukrainian Government did not learn of the pause until August 28, 2019—more than a month after the July 25 call between President Trump and President Zelensky.

President Zelensky himself said:

> I had no idea the military aid was held up. When I did find out, I raised it with Pence at a meeting in Warsaw.

Referring to the Vice President.

The meeting in Warsaw took place 3 days after the POLITICO article was published, on September 1, 2019.

Mr. Yermak likewise said that President Zelensky and his key advisers learned of the pause only from the August 28 POLITICO article.

Just last week, while we were in this trial, Oleksandr Danylyuk, former chairman of Ukraine's National Security and Defense Council, said he first found out that the United States was withholding aid to Ukraine by reading POLITICO's article published August 28. Mr. Danylyuk also said there was panic within the Zelensky administration when they found out about the hold from the POLITICO article, indicating that the highest levels of the administration were unaware of the pause until the article was published.

If that is not enough, Ambassador Volker, Ambassador Taylor, Deputy Assistant Secretary of State George Kent, and Mr. Morrison also testified that the Ukrainians did not know about the security hold until the POLITICO article on August 28. We showed you the text message from Mr. Yermak to Ambassador Volker just hours after the POLITICO article was published. You also remember all of the high-level, bilateral meetings at which the Ukrainians did not bring up the pause in the security assistance because they did not know about it. When they did find out on August 28, they raised the issue at the very next meeting in Warsaw on September 1.

This is a really important point. As Ambassador Volker testified, if the Ukrainians didn't know about the pause, then there was no leverage implied. That is why the House managers have kept claiming and continued to claim throughout the trial that the high-level Ukrainians somehow knew about the pause before late August. That is inaccurate.

We pointed out that Laura Cooper, on whom they rely, testified she didn't really know what the emails she saw

relating to security assistance were about.

We told you that Catherine Croft, who worked for Ambassador Volker, couldn't remember the specifics of when she believed the Ukrainian Embassy learned of the pause and that she didn't remember when news of the pause became public.

The House managers also mentioned Lieutenant Colonel Vindman, who claimed to have vague recollections of fielding unspecified queries about aid from Ukrainians in the mid-August timeframe. But Lieutenant Colonel Vindman ultimately agreed that the Ukrainians first learned about the hold on security assistance probably around when the first stories emerged in the open source.

Former Deputy Foreign Minister Olena Zerkal's claim that she knew about the pause in July is inconsistent with statements by her boss, the then-Foreign Minister of Ukraine, who said that he learned of the pause from a news article, of which the August 28 POLITICO article was the first, as well as those of all of the other top-level Ukrainian officials I have mentioned, the testimony of the top U.S. diplomats responsible for Ukraine, and the many intervening meetings at which the pause was not mentioned.

Fourth, none of the House witnesses testified that President Trump ever said there was any linkage between security assistance and investigations. When Ambassador Sondland asked the President on approximately September 9, the President told him:

I want nothing. I want nothing. I want no quid pro quo.

Before he asked the President, Ambassador Sondland presumed and told Ambassador Taylor and Mr. Morrison that there was a connection between the security assistance and the investigations. That was before he asked the President directly.

Even earlier, on August 31, Senator RON JOHNSON asked the President if there was any connection between security assistance and investigations. The President answered:

No way. I would never do that. Who told you that?

Under Secretary of State David Hale, Mr. Kent, and Ambassador Volker all testified that they were not aware of any connection whatsoever between security assistance and investigations.

The House managers repeatedly point to a statement by Acting Chief of Staff Mick Mulvaney during an October press conference. When it became clear that the media was misinterpreting his comments or that he had simply misspoken, Mr. Mulvaney promptly, on the very day of the press conference, issued a written statement making clear that there was no quid pro quo. Here is his statement:

Let me be clear, there was absolutely no quid pro quo between Ukrainian military aid and any investigation into the 2016 election. The president never told me to withhold any money until the Ukrainians did anything related to the server.

The only reasons we were holding the money was because of concern about lack of support from other nations and concerns over corruption. Accordingly, Mr. Mulvaney in no way confirmed the link between the paused security assistance and investigations. A garbled or misinterpreted statement or a mistaken statement that is promptly clarified on the same day as the original statement is not the kind of reliable evidence that would lead to the removal of the President of the United States from office. In any event, Mr. Mulvaney also stated during the press conference itself that the money held up had absolutely nothing to do with Biden.

Now, why does this all matter? I think Senator ROMNEY really got to the heart of this issue on Thursday evening when he asked both parties whether there is any evidence that President Trump directed anyone who tell the Ukrainians that security assistance was being held up on the condition of an investigation into the Bidens. That was the question. There is no such evidence.

Fifth, the security assistance was released when the President's concerns with burden-sharing and corruption were addressed by a number of people, including some in this Chamber today, without Ukraine ever announcing or undertaking any investigations. You have heard repeatedly that no one in the administration knew why the security assistance was paused. That is not true. Two of the House managers' own witnesses testified regarding the reason for the pause. As Mr. Morrison testified at a July meeting attended by officials throughout the executive branch agencies, the reason provided for the pause by a representative from the Office of Management and Budget was that the President was concerned about corruption in Ukraine and he wanted to make sure Ukraine was doing enough to manage that corruption. Further, according to Mark Sandy, Deputy Associate Director for National Security, Office for Management and Budget, we had received requests for additional information on what other countries were contributing to Ukraine.

We told you about the work that was being done to monitor and collect information about anti-corruption reforms in Ukraine and burden-sharing during the summer pause. We told you about how, when President Zelensky asked Vice President PENCE in Poland about the pause, Vice President PENCE asked, according to Jennifer Williams, what the status of his reform efforts were that he could then convey back to the President and also wanting to hear if there was more that European countries could do to support Ukraine. Mr. Morrison, who was actually at the Warsaw meeting, testified similarly that Vice President PENCE delivered a message about anti-corruption and burden-sharing.

We told you about the September 11 call with President Trump, Senator PORTMAN, and Vice President PENCE. Mr. Morrison testified that the entire process culminating in the September 11 call gave the President the confidence he needed to approve the release of the security sector assistance, all without any investigations being announced.

Now, I focused so far on the House managers' allegation that there was a quid pro quo for the security assistance. Let me turn very briefly to the claim that a Presidential meeting was also conditioned on investigations. Remember, by the end of the July 25 call, President Trump had personally invited President Zelensky to meet three times—twice by phone, once in a letter, without any preconditions. You heard the White House was working behind the scenes to schedule the meeting and how difficult scheduling those meetings can be. The two Presidents planned to meet in Warsaw, just as President Zelensky requested on the July 25 call. President Trump had to cancel at the last minute due to Hurricane Dorian. President Trump and President Zelensky then met 3 weeks later in New York without Ukraine announcing any investigations.

Finally, one thing that the House managers' witnesses agreed upon was that President Trump has strengthened the relationship between the U.S. and Ukraine and has been a better friend to Ukraine and a stronger opponent of Russian aggression than President Obama. Most notably, Ambassador Taylor, Ambassador Volker, and Ambassador Yovanovitch all testified that President Trump's reversal of his predecessor's refusal to send the Ukrainians lethal aid was a meaningful and significant policy development and improvement for which President Trump deserves credit.

Just last week, Ambassador Volker, who knows more about U.S.-Ukraine relationships than nearly, if not, everyone, published a piece in Foreign Policy magazine. I would like to read you an excerpt:

Beginning in mid-2017, and continuing until the impeachment investigation began in September 2019, U.S. policy toward Ukraine was strong, consistent, and enjoyed support across the administration, bipartisan support in Congress, and support upon U.S. allies and in Ukraine itself.

The Trump administration also coordinated Ukraine policy closely with allies in Europe and Canada—maintaining a united front against Russian aggression and in favor of Ukraine's democracy, reform, sovereignty, and territorial integrity. Ukraine policy is one of the few areas where U.S. and European policies have been in lockstep. The administration lifted the Obama-era ban on the sale of lethal arms to Ukraine, delivering, among other things, Javelin anti-tank missiles, coast guard cutters, and anti-sniper systems. Despite the recent furor over the pause in U.S. security assistance this past summer, the circumstances of which are the topic of impeachment hearings, U.S. defensive support for Ukraine has been and remains robust.

And more, according to Ambassador Volker:

It is therefore a tragedy for both the United States and Ukraine that U.S. partisan politics, which have culminated in the

ongoing impeachment process, have left Ukraine and its new reform-minded president, Volodymyr Zelensky, exposed and relatively isolated. The only one who benefits from this is Russian President Vladimir Putin.

Those are the words of Ambassador Volker. He was one of the House managers' key witnesses. He was the very first witness to testify in the House proceedings on October 3. So I think it is fitting that he may be the last witness we hear from. In his parting words, Ambassador Volker admonishes that it is U.S. partisan politics which have culminated in this impeachment process that have imperiled Ukraine.

In sum, the House managers' case is not overwhelming, and it is not undisputed. The House managers bear the very heavy burden of proof. They did not meet it. It is not because they didn't get the additional witnesses or documents that they failed to pursue. It is because their witnesses have already offered substantial evidence undermining their case, and, important, as you have heard from Professor Dershowitz and from Mr. Philbin, the first article does not support or allege an impeachable offense regardless of any additional witnesses or documents.

Members of the Senate, it has been an incredible honor and privilege to speak to you in this Chamber. I hope that what I have shown has been helpful to your understanding of the facts, and I respectfully ask you to vote to acquit the President of the wrongful charges against him.

I yield to Mr. Philbin.

Mr. Counsel PHILBIN. Mr. Chief Justice, Members of the Senate, we have heard repeatedly throughout the past week and a half or so that the President is not above the law, and I would like to focus in my last remarks here on an equally important principle—that the House of Representatives also is not above the law in the way they conduct the impeachment proceedings and bring a matter here before the Senate, because in very significant and important respects, they didn't follow the law.

From the outset, they began an impeachment inquiry here without a vote from the House and, therefore, without lawful authority delegated to any committees to begin an impeachment inquiry against the President of the United States. That was unprecedented in our history. The Speaker of the House does not have authority, by holding a press conference, to delegate the sole power of impeachment from the House to a committee, and the result was 23 totally unauthorized and invalid subpoenas were issued at the beginning of this impeachment hearing.

After that, the House violated every principle of due process and fundamental fairness in the way the hearings were conducted, and we have been through that. I am not going to go through the details again, but it is significant because denying the President the ability to be present through counsel to cross-examine witnesses and present evidence fundamentally skewed the proceedings in the House of Representatives. It left the President without the ability to have a fair proceeding, and it meant it reflected the fact that those proceedings were not truly designed as a search for truth. We have procedural protections. We have the right of cross-examination as a mechanism for getting to the facts, and that was not present in the House of Representatives.

Lastly, Manager SCHIFF, as an interested witness who had been involved in—or at least his staff—discussions with the whistleblower, then guided factual inquiry in the House.

So why does all of this matter? It matters because the lack of a vote meant that there was no democratic accountability and no lawful authorization from the beginning of the process. It meant that there were procedural defects that produced a record that this Chamber can't rely on for any conclusion other than to reject the Articles of Impeachment and to acquit the President. And it matters because the President, in response to these violations of the President's rights—the failure to follow proper procedure, failure to follow the law—has rights of his own, rights of the executive branch to be asserted. And that is the President's response to the invalid subpoenas—that they are invalid, and we are not going to comply with them.

And the President asserted other rights of the executive branch. When there were subpoenas for his senior advisers to come and testify, along with virtually every President since Nixon, he asserted the principle of immunity of the senior advisers, that they could not be called to testify. And the President asserted the defects in the subpoenas that called for executive branch officials to testify without the presence of agency counsel—all established principles that have been asserted before.

What do the House managers say in response? They accuse the President in their second article of impeachment of trying to assert obstruction—that this was an unprecedented response and unprecedented refusal to cooperate. It was unprecedented the 23 subpoenas were issued in a Presidential impeachment inquiry without valid authorization from the House. The President's response was to a totally unprecedented attempt by the House to do that which it had no authority to do. They have asserted today and on other occasions that the President's legal argument in response to these subpoenas—they have said that it is indiscriminate. There was just a blanket defiance. I think I have shown that wasn't true. There were three very specific legal rationales provided by the executive branch as to different defects and different subpoenas, and there were letters explaining those defects. But there was no attempt by the House to attempt an accommodations process, even though the White House offered to engage in an accommodations process. There was no attempt by the House to use other mechanisms to resolve the differences with the executive branch. It was just straight to impeachment.

Now, they asserted today and on other occasions that the President's counsel—that I and my colleagues—have made bad-faith legal arguments. They were just window dressings.

In an ordinary court of law, one doesn't accuse opposing counsel of making bad-faith arguments like that, and if you make that accusation, it has to be backed up with analysis, but there hasn't been analysis here. There has just been accusation.

When the President asserts the immunity of his senior advisers, that is a principle that has been asserted by virtually every President since Nixon. Let me read you what Attorney General Janet Reno, during the Clinton administration, said about this exact immunity. She said that immediate advisers to the President are immune from being compelled to testify before Congress. ''The immunity such advisers enjoy from testimonial compulsion by a congressional committee is absolute and may not be overborne by competing congressional interests.''

And she went onto say: ''Compelling one of the President's immediate advisers to testify on a matter of executive decision-making would also raise serious constitutional problems, no matter the assertion of congressional need.''

Was that bad faith? Was Attorney General Reno asserting that principle in bad faith, and President Clinton?

President Obama asserted the same principle for his senior political advisers. Was that bad faith?

Of course not.

These are principles defending the separation of powers that Presidents have asserted for decades. President Trump was defending the institutional interests of the Office of the Presidency and is asserting the same principles here. That is vital for the continued operation of the separation of powers.

The House managers have also said that, once the President asserted these defects in their subpoenas and resisted them, they had no time to do anything else. They had to go straight to impeachment. They could not accommodate. They could not go through a contempt process. They could not litigate.

The idea that there is no time for dealing with that friction with the executive branch is really antithetical to the proper functioning of the separation of powers. It goes against part of the way the separation of powers is supposed to work. That interbranch friction is meant to take time to resolve. It is meant to slow things down and to be somewhat difficult to work through and to force the branches to work together to accommodate the interests of each branch, not just to jump to the conclusion of, well, we have no

time for that. We have to assert absolute authority on one side of the equation.

This is something that Justice Brandeis pointed out in a famous dissent in Myers v. United States, but it has since been cited many times by the Court majority.

He said: ''The doctrine of the separation of powers was adopted by the Convention of 1787, not to promote efficiency''—so he is saying not to make government move quickly—''but to preclude the exercise of arbitrary power. The purpose was not to avoid friction but, by means of the inevitable friction incident to the distribution of the governmental powers among the three departments, to save the people from autocracy.''

That is a vitally important principle. The friction between the branches, even if it means taking longer, even if it means not jumping straight to impeachment, is part of the constitutional design, and it is required to force the branches to determine incrementally where their interests lie, to resolve disputes incrementally, and not to jump straight to the ultimate nuclear weapon of the Constitution.

We have also heard from the House managers that everything the President did here in asserting the prerogatives of his office—in asserting the principles of immunity—must be wrong, must be rejected because only the guilty will assert a privilege; only the guilty will not allow evidence.

That is definitely not a principle of American jurisprudence. It is antithetical to the fundamental principles of our system of laws. As we have pointed out in our trial memorandum in Bordenkircher v. Hayes and in other decisions, the Supreme Court has made clear that the very idea of punishing someone for asserting rights or privileges or suggesting that asserting the right or privilege is evidence of guilt is contrary to basic principles of due process.

It takes on an even more malignant tenor to it when that principle is asserted in the context of a dispute between the branches relating to the boundaries of their relative powers, because what the House is essentially asserting in this case is that any assertion of the prerogatives of the Office of the President—any attempt to maintain the principles of separation of powers of executive confidentiality that have been asserted by past Presidents—can be treated by the House as evidence of guilt. And here, their entire second Article of Impeachment is structured on the assumption that the House can treat the assertion of principles grounded in the separation of powers as an impeachable offense.

Boiled down to its essence, it is an assertion that defending the separation of powers—if the President does it in a way that they don't like and in a time that they don't like—can be treated as an impeachable offense. That is an incredibly dangerous assertion because, if it were accepted, it would fundamentally alter the balance between the different branches of our government.

It would suggest—and Professor Turley explained this, and Professor Dershowitz explained it here—that, if Congress makes a demand on the executive and the executive resists based on separation of powers principles that past Presidents have asserted, Congress can nonetheless say: We have decided to proceed by impeachment.

This is the principle they assert in the House Judiciary Committee's report: We have the sole power of impeachment. That means we are the sole judge of our own actions. There is no need for accommodation, and there is no need for the courts. We will determine that any resistance you provide is itself impeachable.

That would fundamentally transform our government by essentially giving the House the same sort of power as a parliamentary system—to use impeachment as an effective vote of ''no confidence'' against a Prime Minister. This is not the way the Framers set up our three-branch system of government with a powerful Executive who would be independent from the legislature. That is why Professor Turley explained that the second Article of Impeachment here would be an abuse of power by Congress. It would make the Executive dependent on Congress in a manner antithetical to the system that the Framers had envisioned.

So why is it that there are all of these defects in the House managers' case for impeachment? Why are they asserting principles like ''only the guilty would assert privileges''? That is not a part of our system of law. Why are they asserting that, if the Executive resists, the House has the sole power to determine the boundaries of its own power in relation to the Executive? That is also not something that is in our system of jurisprudence. And why the lack of due process in the proceedings below?

I think, as we have explained, it is because this was a purely partisan impeachment from the start. It was purely partisan and purely political, and that is something that the Framers foresaw.

I will point to one passage from Federalist No. 65. There are a number of different passages from that which have been cited over the course of the past week, but I don't think this one has. It is just after Hamilton points out—he warns—that an impeachment in the House could be the result of the ''persecution of an intemperate or designing majority in the House of Representatives.''

Then he goes on: ''Though this latter supposition may seem harsh, and might not be likely often to be verified, yet it ought not to be forgotten that the demon of faction will, at certain seasons, extend his sceptre over all numerous bodies of men.''

Now, that is very 18th century language. We don't talk about demons extending their scepters over men, but it is prescient nonetheless. We might not be comfortable with the terms, but it is accurate for what can happen, and that is what has happened in this impeachment.

This was a purely partisan, political process. It was opposed bipartisanly in the House. It was done by a process that was not designed to persuade anyone or to get to the truth or to provide process and abide by past precedents. It was done to get it finished by Christmas, on a political timetable, and it is not something that this Chamber should condone. That in itself provides a sufficient and substantial reason for rejecting the Articles of Impeachment.

Members of the Senate, it has been an honor to be able to address you over the past week and a half or 2 weeks, and I thank you for your attention.

I yield to Mr. Sekulow.

Mr. Counsel SEKULOW. Mr. Chief Justice, Majority Leader MCCONNELL, Democratic Leader SCHUMER, House managers, I want to join my colleagues in thanking you for your patience over these 2 weeks.

I want to focus on one last point. We believe that we have established overwhelmingly that both Articles of Impeachment have failed to allege impeachable offenses and that, therefore, both articles—I and II—must fail.

This entire campaign of impeachment—that started from the very first day the President was inaugurated—is a partisan one, and it should never happen again. For 3 years, this push for impeachment came straight from the President's opponents, and when it finally reached a crescendo, it put this body—the U.S. Senate—into a horrible position.

I want to start by taking a look back.

On the screen is a graphic of a Washington Post headline on January 20, 2017: ''The Campaign to impeach President Trump has begun.'' This was posted 19 minutes after he was sworn in.

I also want to play a video in which Members, as early as January 15, 2017—before the President was sworn into office—were calling for his impeachment.

(Text of Videotape presentation:)

Mr. RASKIN. Let me say this for Donald Trump, whom I may well be voting to impeach.

Mr. ELLISON. I think that Donald Trump has already done a number of things which have legitimately raised a question of impeachment.

Ms. WATERS. And I will fight every day until he is impeached.

Mr. GREEN of Texas. I rise today, Mr. Speaker, to call for the impeachment of the President of the United States of America.

Mr. COHEN. The main reason I'm interested is not so much to win the Senate, which is a byproduct, but it's because I think he has committed impeachable offenses.

Mr. CASTRO of Texas. But if we get to that point, then, yes, I think that's grounds to start impeachment.

Mr. COHEN. So we're calling upon the House to begin impeachment hearings immediately.

Question. Why do you think specifically he should be impeached?

Mr. ESPAILLAT. Well, there are five reasons why we think he should be impeached.

Question. On the impeachment of Donald Trump, how would you vote?

Ms. OMAR. I would vote yes.

Ms. OCASIO-CORTEZ. I would vote to impeach.

Ms. TLAIB. Because we're going to impeach the [bleep].

Mr. SHERMAN. I introduced the Articles of Impeachment in July of 2017. All I did yesterday was make sure that those articles did not expire.

Mr. GREEN of Texas. I am concerned that, if we don't impeach this President, he will get reelected.

Ms. WARREN. It is time to bring impeachment charges against him.

Mr. NADLER. My personal view is that he richly deserves impeachment.

Mr. Counsel SEKULOW. One of the Members of the House of Representatives said that we are bringing these Articles of Impeachment so he doesn't get elected again.

Here we are, 10 months before an election, doing exactly what they predicted. The whistleblower's lawyer, Mr. Zaid, sent out a tweet on January 30, 2017.

Let me put that up on the screen:

The #coup has started. First of many steps. #rebellion. #impeachment will follow ultimately.

And here we are.

What this body, what this Nation, and what this President have just endured—what the House managers have forced upon this great body—is unprecedented and unacceptable. This is exactly and precisely what the Founders feared. This was the first totally partisan Presidential impeachment in our Nation's history, and it should be our last.

What the House Democrats have done to this Nation, to the Constitution, to the Office of the President, to the President himself, and to this body is outrageous. They have cheapened the awesome power of impeachment, and, unfortunately, of course, the country is not better for that.

We urge this body to dispense with these partisan Articles of Impeachment for the sake of the Nation, for the sake of the Constitution.

As we have demonstrably proved, the articles are flawed on their face. They were the product of a reckless impeachment inquiry that violated all notions of due process and fundamental fairness. Then incredibly—incredibly—when these articles were finally brought to this Chamber without a single Republican vote, the managers then claimed that now—now—they needed more process; that now they needed more witnesses; that all of the witnesses that they compiled and all of the testimony that you heard was not enough; that your job was to do their job—the one, frankly, they failed to do.

We have already said, many times, the charges themselves do not allege a crime or a misdemeanor, let alone a high crime or a misdemeanor. There is nothing in the charges that could permit the removal of a duly elected President or warrant the negation of an election and the subversion of the American people's will. That should be whatever party you are affiliated with. You are being asked to do this when, tonight, the citizens of Iowa are going to be caucusing for the first caucus of the Presidential election season for the Democratic Party—tonight.

I think there is one thing that is clear. The President has had a concern about other countries' carrying their fair share of burden of financial aid. No one can doubt—and I think we have clearly set forth—the issue of corruption in Ukraine.

The President's and the administration's policy on evaluating foreign aid and the conditions upon which it is given have been clear. Mr. Purpura laid that out in great detail.

The bottom line is that the President's opponents don't like the President, and they really don't like his policies. They objected to the fact that the President chose not to rely each and every time on the advice of some of his subordinates, even though he, not those unelected bureaucrats who work for him, were elected to office.

The President, under our constitutional structure, is the one who decides our Nation's foreign policy. Here is a perfect example—the House managers brought this up frequently: Lieutenant Colonel Vindman. He admitted on page 155 of his transcript testimony that he ''did not know if there was a crime or anything of that nature''—that is his quote—but that he ''had deep policy concerns.'' So there you have it. The real issue is policy disputes.

Elections have consequences. We all know that. And if you do not like the policies of a particular administration or a particular candidate, you are free and welcome to vote for another candidate. But the answer is elections, not impeachment.

To be clear, in our country, in the United States, the President, elected by the American people, is, in the words of the Supreme Court, ''the sole organ of the federal government in the field of international relations'' and foreign policy for our government—no unelected bureaucrats, not unhappy Members of the House of Representatives. And however you were to define ''high crimes and misdemeanors,'' there is no definition that includes disagreeing with a policy decision as an acceptable ground for removal of a President of the United States. None.

The first Article of Impeachment is, therefore, constitutionally invalid and should be immediately rejected by the Senate.

Now, as to the second Article of Impeachment, President Trump in no way obstructed Congress. The President acted with extraordinary transparency by declassifying and releasing the transcript for the July 25 call and the earlier call. It is that July 25 call which is purportedly at the heart of the Articles of Impeachment. He did so soon after the inquiry was announced.

And despite the fact that privileges apply that could have been asserted, he released them anyway in order to facilitate the House's inquiry and cut through all of it—all of the hearsay, all of the histrionics—to get the transcript out.

Now, I want to take a moment because my colleague Deputy White House Counsel Pat Philbin addressed this idea of privilege. I have heard over and over again—and you have, too—phrases like: coverup; that the assertion of a privilege is a coverup.

Here is what the Supreme Court of the United States has said about privileges in a variety of contexts:

To punish a person because he has done what the law allows him to do is a due process violation of the [basic order]—the . . . basic sort, and for an agent of the state to pursue a course of action whose objective is to penalize a person's reliance on his constitutional rights is patently unconstitutional.

And how much more so when you are talking about the President of the United States.

How about this? And this goes to the context of assertions of privilege and other constitutional privileges. The allegation has been that if you assert a privilege, you are assumed to be guilty. That has been the assertion.

Why would you do that? We have explained at great length—and I do not want to go over that again—the importance of the executive privilege and what it means to separation of powers and the functioning of our government, but I will say this: As the Supreme Court has recognized in other contexts with other privileges, the privilege serves to protect the innocent who otherwise might be ensnared by ambiguous circumstances.

In another Supreme Court case, Quinn v. The United States: ''The privilege, this Court has stated, was generally regarded then, as now, as a privilege of great value, a protection to the innocent . . . '' The opinion goes on to say that ''safeguard against heedless, unfounded or tyrannical prosecutions.''

I traced for you, and I am not going to do it again, how all of this started all those years ago, 3 years ago—how all of this began. There is no point to go over that because that evidence is undisputed, and the FISA Court's most recent orders put that into fair play.

We have talked about the fact that the House violated its own fundamental rules in a series of unlawful subpoenas. I won't go over that again. Mr. Philbin laid that out in great detail.

But I do think it is important to note that, when seeking the advice of the President's closest advisers, despite the well-known, bipartisan guidance from the Department of Justice regarding immunity, the House managers act as if it does not exist. They sought testimony on matters from the executive branch's confidential, internal decision-making process on matters of foreign relations and national security, and that is when protections are at their highest level.

Let's not forget that the House barred the attendance of executive branch counsel at witness proceedings when executive branch members were being examined.

Notwithstanding these substantial abuses of process, the executive branch responded to each and every subpoena and identified the specific deficiencies found in each. You cannot just remove constitutional violations by saying you didn't comply.

You have heard that one recipient of a subpoena, and this is—in fact, we have talked about it a number of times, but I think as we wrap up, I think it is worth saying again.

One subpoena recipient did seek a declaratory judgment as to the validity of the subpoena that he had received. It was set up to go to court. A judge was going to make a decision. The House withdrew the subpoena and mooted the recipient's case before the court could rule.

Now, was that because they didn't like the judge that was selected? Was it because they didn't like the way the ruling was going to go? Was it they didn't mean to have that witness in the first place?

Whatever the reason, there is one undisputed fact: As the case was in court, they mooted it out by removing the subpoena.

The assertion of valid constitutional privileges cannot be an impeachable offense, and that is what article II is based on, the obstruction of Congress.

For the sake of the Constitution, for the sake of the Office of the President, this body must stand as a steady bulwark against this reckless and dangerous proposition. It doesn't just affect this President; it affects every man or woman who occupies that high office.

So as we said with the first Article of Impeachment, we believe the second Article of Impeachment is invalid and should also be rejected.

In passing the first Article of Impeachment, the House attempted to usurp the President's constitutional power to determine policy, especially foreign policy.

In passing the second Article of Impeachment, the House attempted to control the constitutional privileges and immunities of the executive branch—all of this while simultaneously disrespecting the Framers' system of checks and balances, which designate the judicial branch as the arbiter of interbranch disputes.

By approving both articles, the House of Representatives violated our constitutional order, illegally abused our power of impeachment in order to obstruct the President's ability to faithfully execute the duties of his office.

These articles fail on their face as they do not meet the constitutional standard for impeachable offenses. No amount of testimony could change that fact.

We have already discussed some of the specifics. I think Alexander Hamilton has been quoted a lot, and there is a reason. What has occurred over the past 2 weeks—really, the past 3 months—is exactly what Alexander Hamilton and other Founders of our great country feared.

I believe that Hamilton was prophetic in Federalist 65 when he warned how impeachment had the ability to ''agitate''—his words—''the passions of the whole community, and . . . divide it into parties more or less friendly or inimical to the accused.

He warned that impeachment would ''connect itself with the pre-existing factions, and will enlist all their animosities, partialities, influence, and interest on one side or on the other.''

He continued:

The convention, it appears, thought the Senate—

This body—

[the] most fit depositary of this important trust. Those who can best discern the intrinsic difficulty of the thing, will be least hasty in condemning that opinion, and will be most inclined to allow due weight to the arguments which may be supposed to have produced it.

In the same Federalist 65, Hamilton regarded the Members of this Senate not only as the inquisitors for the Nation but as the representatives of the Nation as a whole.

He said these words:

Where else than in the Senate could have been found a tribunal sufficiently dignified or significantly independent? What other body would be likely to feel confident enough in its own situation to preserve, unawed and uninfluenced, the necessary impartiality between an individual accused, and the representatives of the people, his accusers.

You took an oath. They questioned the oath. You are sitting here as the trier of fact. They said the Senate is on trial.

Based on all of the presentations that we made in our trial brief, in the arguments that we have put forward today, again, we believe both articles should be immediately rejected.

Now, our Nation's representatives holding office in this great body must unite today to protect our Constitution and the separation of powers. And, you know, there was a time, not that long ago, even within this administration, where bipartisan agreements could be reached to serve the interests of the American people.

Take a listen to this.

(Text of Videotape presentation:)

Senator MARKEY. Today we had a beautiful, bipartisan moment where Democrats and Republicans, working together, to keep that fentanyl out of our country, to use these devices to accomplish that goal. It is not perfect. We need to do a lot more, but today was a very good start, and I want to praise all of the people—Democrats and Republicans and the President—for working together on this bill.

Senator SHAHEEN. As has been said, and we can see by the people assembled here, if we work together in a bipartisan way, we can get things done. This is a place where we can all agree that we've got to do more and where we can work together. So I applaud everyone's efforts.

President TRUMP. We are proudly joined today by so many Members of Congress—Republicans, Democrats—who worked very, very hard on this bill. This was really an effort of everybody. It was a bipartisan success—something you don't hear too much about, but I think you will be. I actually believe we may be—will be over the coming period of time. I hope so. I think so. It is so good for the country.

President TRUMP. Thank you, everybody. This was an incredible bipartisan support. We passed this in the Senate 87 to 12. That's unheard of. And then in the House we passed it 358 to 36.

Senator COONS. . . . be here to help celebrate your signing of this next step in the critical Women's Global and Prosperity Development Initiative. It dovetails nicely with the bill—the bipartisan bill you signed into law with the WEEE Act, which recognizes this as a critical strategy. So I think this is a tremendous initiative. Thank you, Mr. Trump.

President TRUMP. Thank you very much. I appreciate it.

Mr. Counsel SEKULOW. This is what the American people expect.

I simply ask this body to stand firm today to protect the integrity of the U.S. Senate, stand firm today to protect the Office of the President, stand firm today to protect the Constitution, stand firm today to protect the will of the American people and their vote, stand firm today to protect our Nation.

And I ask that this partisan impeachment come to an end to restore our constitutional balance, for that is, in my view and in our view, what justice demands and the Constitution requires.

With that, Mr. Chief Justice, I yield my time to the White House Counsel, Mr. Pat Cipollone.

Mr. Counsel CIPOLLONE. Thank you, Mr. Chief Justice. Thank you, Members of the Senate.

I will leave you with just a few brief points:

First, I want to express on behalf of our entire team our gratitude—our gratitude to you, Mr. Chief Justice, for presiding over this trial; our gratitude to you, Leader MCCONNELL; our gratitude to you, Democratic Leader SCHUMER; and all of you on both sides of the aisle for your time and attention.

I also want to express my gratitude to our team. It is large, and with the large number of people who have helped in this effort—I won't name them all—but I want to thank them for their effort and their hard work in the defense of the Constitution, in defense of the President, in defense of the American people's right to vote. I want to thank, as Members of that team, the Republican Members of the House of Representatives who have also been engaged in that effort throughout this entire period of time and the Democrats in the House who voted against this partisan impeachment. I also want to thank the President of the United States for his confidence in us to send us here to represent him to all of you in this great body and for all he has done on behalf of the American people.

I would make just a couple of additional points. No. 1, as we have said repeatedly, we have never been in a situation like this in our history. We have

an impeachment that is purely partisan and political. It is opposed by bipartisan Members of the House. It does not even allege a violation of law. It is passed in an election year, and we are sitting here on the day that election season begins in Iowa. It is wrong. There is only one answer to that, and the answer is to reject those Articles of Impeachment, to have confidence in the American people, to have confidence in the result of the upcoming election, to have confidence and respect for the last election and not throw it out and to leave the choice of the President to the American people and to leave to them also the accountability to the Members of the House of Representatives who did that. That is what the Constitution requires, and I think that should be done on a bipartisan basis, and that is what I ask you to do.

Point No. 2: I believe the American people are tired of the endless investigations and false investigations that have been coming out of the House from the beginning, as my colleague Mr. Sekulow pointed out. It is a waste of tax dollars. It is a waste of the American people's time and, I would argue, more importantly—most importantly—the opportunity cost of that—the opportunity cost of that—what you could be doing, what the House could be doing. Working with the President to achieve those things on behalf of the American people is far more important than the endless investigations, the endless false attacks, the besmirching of the names of good people. This is something we should reject together, and we should move forward in a bipartisan fashion and in a way that this President has done successfully.

He has achieved successful results in the economy and across so many other areas, working with you on both sides of the aisle, and he wants to continue to do that. That is what I believe the American people want those of you elected to come here to Washington to focus on, to spend your time on—to unify us, as opposed to the bitter division that is caused by these types of proceedings.

So at the end of the day, we put our faith in the Senate. We put our faith in the Senate because we know you will put your faith in the American people. You will leave this choice to them, where it belongs. We believe that they should choose the President. We believe that this President, day after day, has put their interests first, has achieved successful results, has fulfilled the promises he made to them, and he is eager to go before the American people in this upcoming election.

At the end of the day, that is the only result; it is a result, I believe, guided by your wise words from the past that we can, together, end the era of impeachment; that we can, together, put faith in the American people, put faith in their wisdom, put faith in their judgment. That is where our Founders put the power. That is where it belongs.

I urge you, on behalf of those Americans—of every American—on behalf of all of your constituents, to reject these Articles of Impeachment. It is the right thing for our country. The President has done nothing wrong, and these types of impeachments must end.

You will vindicate the right to vote, you will vindicate the Constitution, you will vindicate the rule of law by rejecting these articles. I ask you to do that on a bipartisan basis this week and end the era of impeachment once and for all.

I thank you from the bottom of my heart for listening to us, for your attention, and for considering our case on behalf of the President.

I come here today to ask you to reject these Articles of Impeachment. Reject these Articles of Impeachment.

Thank you for granting us the permission to appear here at the Senate on behalf of this President, and I ask you on his behalf, on behalf of the American people to reject these articles.

Thank you.

Ms. Manager LOFGREN. Mr. Chief Justice and Senators, it is a problem that here at the end of the trial the President's lawyers still dispute the meaning of high crimes and misdemeanors. Some say it requires an ordinary crime or that if the President misbehaves when he thinks it is good for the country, it is OK. Neither is correct. We need to clear this up by looking at what the Founders said.

When the Founders created the Presidency, they gave the President great power. They had just been through a war to get rid of a King with too much power, and they needed a check on the great power given to the President. It was late in the Constitutional Convention that they turned to the impeachment clause. Madison argued in favor of impeachment. He said it was indispensable.

Mason asked:

> Shall any man be above Justice? Above all shall that man be above it, who can commit the most extensive injustice?

Randolph defended ''the propriety of impeachments,'' saying: ''The Executive will have great opportunitys of abusing his power.''

The initial draft of the Constitution provided for impeachment only for treason or bribery. Mason asked:

> Why is the provision restrained to Treason & bribery only? Treason as defined in the Constitution will not reach many great and dangerous offences.

And he added:

> Hastings is not guilty of Treason. Attempts to subvert the Constitution may not be Treason as . . . defined.

Now Hastings' impeachment in Britain at this time was well known, and it wasn't limited to a crime.

They considered adding the word ''maladministration'' to capture abuse of Presidential power, but Madison objected. He said: ''So a vague a term would be equivalent to a tenure during pleasure of the Senate.'' So maladministration was withdrawn and replaced with the more certain term ''high Crimes and Misdemeanors'' because the Founders knew the law.

Blackstone's Commentary, which Madison said was ''a book in every man's hand,'' described high crimes and misdemeanors as offenses against King and government.

Hamilton called high crimes and misdemeanors ''those offenses which proceed from the misconduct of public men, or, in other words, from the abuse or violation of some public trust.''

During ratification, Randolph in Virginia cited the President's receipt of presents or emoluments from a foreign power as an example. And Mason's example was a President who may ''pardon crimes which were advised by himself,'' or before indictment or conviction to ''stop inquiry and prevent detection.'' It is clear. They knew what they wrote.

The President's lawyers tried to create a muddle to confuse you. Don't let them. High crimes and misdemeanors mean abuse of power against the constitutional order, conduct that is corrupt, whether or not a crime.

Now some say: No impeachment when there is an election coming. But without term limits when they wrote the Constitution, there was always an election coming. If impeachment in election years was not to be, our Founders would have said so.

So here we are: Congress passed a law to fund Ukraine to fight the Russians who invaded their country. President Trump illegally held that funding up to coerce Ukraine to announce an investigation to hurt his strongest election opponent. He abused his power corruptly to benefit himself personally, and then he tried to cover it up. That is impeachable.

The facts are clear, and so is the Constitution. The only question is what you, the Senate, will do.

Our Founders created a government where the tension between the three branches would prevent authoritarianism; no one of the branches would be allowed to grab all the power. Impeachment was to make sure that the President, who has the greatest opportunity to grab power, would be held in check. It is a blunt instrument, but it is what our Founders gave us.

Some of the Founders thought the mere existence of an impeachment clause would prevent misconduct by Presidents, but, sadly, they were wrong because twice in the last half century a President tried to corruptly use his power to cheat in an election—first, Nixon with Watergate, and now another President corruptly abuses his power to cheat in an election.

The Founders worried about factions—what we call political parties. They built a system where each branch of government would jealously guard their power, not one where guarding a faction was more important than guarding the government.

Opposing a President of your own party isn't easy. It wasn't easy when Republican Caldwell Butler voted to impeach Nixon in the Judiciary Committee. It wasn't easy for Senator Barry Goldwater to tell Nixon to resign. But your oath is not to do the easy thing; it is to do impartial justice. It requires conviction and removal of President Trump.

Ms. Manager GARCIA of Texas. Mr. Chief Justice, counsel for the President, Senators, since I was a little girl and started going to church, I have been inspired by the words of scripture: ''[W]hatever you did for one of the least of my brothers . . . you did for me.''

We are called to always look out for the most vulnerable. Sometimes fighting for the most vulnerable means holding the most powerful accountable, and that is what we are here to do today.

The American people will have to live with the decisions made in this Chamber. In fact, Senators, I believe that the decision in this case will affect the strength of democracies around the world.

Democracy is a gift that each generation gives to the next one. If we say that this President can put his own interests above all else, even when lives are at stake, then we give our Nation's children a weaker democracy than we inherited from those that came before us. The next generation deserves better. They are counting on us.

I am a Catholic, and my faith teaches me that we all need forgiveness. I have given this President the benefit of the doubt from the beginning. Despite my strong opposition to so many of his policies, I know that the success of our Nation depends on the success of our leader. But he has let us down.

Senators, we know what the President did and why he did it. This fact is seriously not in doubt. Senators on both sides of the aisle have said as much. The question for you now is, does it warrant removal from office? We say yes.

We cannot simply hope that this President will realize that he has done wrong or was inappropriate and hope that he does better. We have done that so many other times. We know that he has not apologized. He has not offered to change. We all know that he will do it again.

What President Trump did this time pierces the heart of who we are as a country. We must stop him from further harming our democracy. We must stop him from further betraying his oath. We must stop him from tearing up our Constitution.

The Founders knew that in order for our Republic to survive, we would need to be able to remove some of our leaders from office when they put their interests above the country's interests. Senators, we have proven that. This President committed what is called the ABC's of impeachable behavior—abusing his power, betraying the Nation, and corrupting our elections. He deserves to be removed for taking the very actions that the Framers feared would undermine our country. The Framers designed impeachment for this very case.

Senators, when I was growing up poor in South Texas, picking cotton, I confess I didn't spend any time thinking about the Framers. Like me, little girls and boys across America aren't asking at home what the Framers meant by high crimes and misdemeanors, but, someday, they will ask why we didn't do anything to stop this President, who put his own interest above what was good for all of us. They will ask. They will want to understand.

Senators, we inherited a democracy. Now we must protect it and pass it on to the next generation. We simply can't give our children a democracy if a President is above the law, because in this country no one is above the law—not me, not any of you, not even this President.

(English translation of statement made in Spanish is as follows:)

Nobody is above the law—nobody.

This President must be removed. With that, I yield to my colleague Mr. CROW.

Mr. Manager CROW. Mr. Chief Justice, Members of the Senate, 2 weeks ago we started this trial promising to show you that the President withheld $391 million of foreign military aid to force an ally at war to help him win the 2020 election. And by many of your own admissions, we succeeded in showing you that, because the facts still matter.

We also promised you that, eventually, all of the facts would come out, and that continues to be true. But we didn't just show you that the President abused his power and obstructed Congress. We painted a broader picture of President Trump—a picture of a man who thinks that the Constitution doesn't serve as a check on his power, but, rather, gives it to him in an unlimited way; a man who believes that his personal ambitions are synonymous with the good of the country; a man who, in his own words, thinks that if you are a star, they will let you do anything. In short, it is a picture of a man who will always put his own personal interests above the interests of the country that he has sworn to protect.

But what is in an oath, anyway? Are they relics of the past? Do we simply recite them out of custom? To me, an oath represents a firm commitment to a life of service, a commitment to set aside your personal interest, your comfort, and your ambition to serve the greater good, and a commitment to sacrifice.

I explained to you last week that I believe America is great not because of the ambition of any one man, not simply because we say it is true but because of our almost 250-year history. Millions of Americans have taken the oath, and they meant it. Many of them followed through on that oath by giving everything to keep it.

But there is more to it than simply keeping your word, because an oath is also a bond between people who have made a common promise. Perhaps the strongest example is the promise between the Commander in Chief and our men and women in uniform. Those men and women took their oath with the understanding that the Commander in Chief, our President, will always put the interests of the country and their interests above his own, and understanding that his orders will be in the best interest of the country, and that their sacrifice in fulfilling those orders will always serve the common good.

But what we have clearly shown in the last few weeks and what President Trump has shown us the past few years is that this promise flows only one way. As Maya Angelou said, ''When someone shows you who they are, believe them the first time.''

Many of us in this room are parents. We all try to teach our kids the important lessons of life. One of those lessons is that you won't always be the strongest, you won't always be the fastest, and you won't always win. There are a lot of things outside our control, but my wife and I have tried to teach our kids that what we can always control are our choices.

It is in that spirit that hanging in my son's room is a quote from Harry Potter. The quote is from Professor Dumbledore, who said: ''It is our choices . . . that show what we truly are, far more than our abilities.''

This trial will soon be over, but there will be many choices for all of us in the days ahead, the most pressing of which is how each of us will decide to fulfill our oath. More than our words, our choices will show the world who we really are, what type of leaders we will be, and what type of Nation we will be.

So let me finish where I began, with an explanation of why I am here standing before you. I have been carrying my kids' Constitutions these last few weeks, and this morning I wrote a note to them to explain why I am here:

Our Founders recognized the failings of all people. So they designed a system to ensure that the ideas and principles contained in this document would always be greater than any one person. It is the idea that no one is above the law. But our system only works if people stand up and fight for it, and fighting for something important always comes with a cost.

Some day you may be called upon to defend the principles and ideas embodied in our Constitution. May the memory and spirit of those who sacrificed for them in the past guide you and give you strength as you fight for them in the future.

Thank you for your time.

Mrs. Manager DEMINGS. Mr. Chief Justice, Senators, and counsel for the President, this is a defining moment in our history and a challenging time for our Nation. A thousand things have gone through my mind since this body voted to not call witnesses in this trial. The vote was unprecedented. The

President's former National Security Advisor indicated that he was willing to testify under oath before the Senate. Yet this body did not want to hear what he had to say.

The President's lawyers have asked you to not believe your lying eyes and ears, to reinterpret the Constitution, and to believe that if the President thinks his reelection is in our national interest, then he can do whatever he wants—anything—to make it happen. And that is exactly what he was attempting to do—anything—when he illegally held much needed military aid while pressuring Ukraine's President to announce bogus investigations into his most feared political rival.

This trial is about abuse of power, obstruction, breaking the law, and our system of checks and balances, and since we are talking about the President of the United States, this trial is also most certainly about character.

I am reminded today, Senators, of my own father. He worked more than one job. He didn't have a famous last name. His name appeared on no building, but my father was rich in something no money and, apparently, no powerful position can buy. You see, my father was a man who was decent, honest, a man of integrity, and he was a man of good, moral character. The President's lawyer never spoke about the President's character during this trial, and I find that quite telling.

I joined the police department because I wanted to make a difference, and I believe I did. As a police chief, I was always concerned about the message we were sending inside the agency, especially to young recruits, especially to newly hired dedicated police officers. We had to be careful about just how we were defining what was acceptable and unacceptable behavior inside the department and out in the community. Yes, people make mistakes. Yes, individuals make mistakes. But we had to be clear about the culture inside the organization, and we had to send a strong message that the police department was not a place where corruption could reside, where corruption was normalized, and where corruption was covered up.

Today, unfortunately, I believe we are holding young police recruits to a higher standard than we are the leader of the free world. If this body fails to hold this President accountable, you must ask yourselves: What kind of Republic will we ultimately have with a President who thinks that he can really truly do whatever he wants? You will send a terrible message to the Nation that one can get away with abuse of power, obstruction, cheating, and spreading false narratives if you simply know the right people.

Well, today, Senators, I reject that because we are a nation of laws. Abraham Lincoln, the 16th President of the United States said this: ''America will never be destroyed from outside. If we falter and lose our freedoms, it will be because we chose to destroy ourselves.''

I urge you, Senators, to vote to convict and remove this President. Thank you so much for your time.

Mr. Manager JEFFRIES. Mr. Chief Justice, distinguished Members of the Senate, President's counsel, I mentioned on the floor last week that Alexander Hamilton has played a starring role during this impeachment trial. But Ben Franklin has only made a cameo appearance, but that cameo appearance was an important one, when he made the observation, in the aftermath of that convention in 1787, that the Framers of the Constitution had created ''a Republic, if you can keep it.''

Why would Dr. Franklin express ambiguity about the future of America during such a triumphant moment? Perhaps it was because the system of government that was created at that convention—checks and balances, separate and coequal branches of government, the independent judiciary, the free and fair press, the preeminence of the rule of law—all of those values, all of those ideas, all of those institutions have never before been put together in one form of government. So perhaps it was uncertain as to whether America could sustain them.

But part of the brilliance of our great country is that year after year, decade after decade, century after century, we have held this democracy thing together. But now all of those ideas, all of those values, all of those institutions are under assault, not from without but from within. We created ''a Republic, if you can keep it.''

House managers have proven our case against President Trump with a mountain of evidence. President Trump tried to cheat, he got caught, and then he worked hard to cover it up.

President Trump corruptly abused his power. President Trump obstructed a congressionally and constitutionally required impeachment inquiry with blanket defiance. President Trump solicited foreign interference in an American election and shredded the very fabric of our democracy. House managers have proven our case against President Trump with a mountain of evidence.

If the Senate chooses to acquit under these circumstances, then America is in the wilderness.

If the Senate chooses to normalize lawlessness, if the Senate chooses to normalize corruption, if the Senate chooses to normalize Presidential abuse of power, then America is in the wilderness.

If the Senate chooses to acquit President Trump without issuing a single subpoena, without interviewing a single witness, without reviewing a single new document, then America is truly in the wilderness.

But all is not lost. Even at this late hour, the Senate can still do the right thing. America is watching. The world is watching. The eyes of history are watching. The Senate can still do the right thing.

Scripture says—Second Corinthians, the fifth chapter and the seventh verse, encourages us to walk by faith, not by sight. Faith is the substance of things hoped for, the evidence of things not seen. We have come this far by faith.

And so I say to all of you, my fellow Americans, walk by faith. Democrats and Republicans, progressives and conservatives, the left and the right, all points in between, walk by faith. There are patriots all throughout the Chamber, patriots who can be found all throughout the land—in urban America, rural America, suburban America, smalltown America. Walk by faith. Through the ups and the downs, the highs and the lows, the peaks and the valleys, the trials and the tribulations of this turbulent moment, walk by faith—faith in the Constitution; faith in our democracy; faith in the rule of law; faith in government of the people, by the people, and for the people; faith in almighty God. Walk by faith.

The Senate can still do the right thing. And if we come together as Americans, then together we can eradicate the cancer that threatens our democracy and continue our long, necessary, and majestic march toward a more perfect union.

Mr. Manager SCHIFF. Mr. Chief Justice, I want to begin by thanking you for the distinguished way you have presided over these proceedings.

Senators, we are not enemies but friends. We must not be enemies. If Lincoln could speak these words during the Civil War, surely we can live them now and overcome our divisions and our animosities.

It is midnight in Washington. The lights are finally going out in the Capitol after a long day in the impeachment trial of Donald J. Trump. The Senate heard arguments only hours earlier on whether to call witnesses and require the administration to release documents it has withheld. Counsel for the President still maintains the President's innocence, while opposing any additional evidence that would prove otherwise.

It is midnight in Washington, but on this night, not all the lights have been extinguished. Somewhere in the bowels of the Justice Department—Donald Trump's Justice Department—a light remains on. Someone has waited until the country is asleep to hit ''Send,'' to inform the court in a filing due that day that the Justice Department—the Department that would represent justice—is refusing to produce documents directly bearing on the President's decision to withhold military aid from Ukraine. The Trump administration has them, it is not turning them over, and it does not want the Senate to know until it is too late. Send.

That is what happened last Friday night. When you left home for the weekend, in a replay of the duplicity we saw during the trial when the President's lawyers argued here that the House must go to court and argued in court that the House must come here,

they were at it again, telling the court in a midnight filing that they would not turn over relevant documents even as they argued here that they were not covering up the President's misdeeds.

Midnight in Washington. All too tragic. A metaphor for where the country finds itself at the conclusion of only the third impeachment in history and the first impeachment trial without witnesses or documents, the first such trial—or nontrial—in impeachment history.

How did we get here? In the beginning of this proceeding, you did not know whether we could prove our case. Many Senators, like many Americans, did not have the opportunity to watch much, let alone all, of the opening hearings in the House during our investigation, and none of us could anticipate what defenses the President might offer.

Now you have seen what we promised: overwhelming evidence of the President's guilt. Donald John Trump withheld hundreds of millions of dollars from an ally at war and a coveted White House meeting with their President to coerce or extort that nation's help to cheat in our elections. And when he was found out, he engaged in the most comprehensive effort to cover up his misconduct in the history of Presidential impeachment: fighting all subpoenas for documents and witnesses and using his own obstruction as a sword and a shield; arguing here that the House did not fight hard enough to overcome their noninvocation of privilege in court, and in court that the House must not be heard to enforce their subpoenas but that impeachment is a proper remedy.

Having failed to persuade the Senate or the public that there was no quid pro quo, having offered no evidence to contradict the record, the President's team opted, in a kind of desperation, for a different kind of defense: first, prevent the Senate and the public from hearing from witnesses with the most damning accounts of the President's misconduct, and second, fall back on a theory of Presidential power so broad and unaccountable that it would allow any occupant of 1600 Pennsylvania to be as corrupt as he chooses, while the Congress is powerless to do anything about it. That defense collapsed of its own dead weight.

Presidents may abuse their power with impunity, they argued. Abuse of power is not a constitutional crime, they claimed. Only statutory crime is a constitutional crime, even though there were no statutory crimes when the Constitution was adopted. The President had to look far and wide to find a defense lawyer to make such an argument, unsupported by history, the Founders, or common sense. The Republican expert witness in the House would not make it. Serious constitutional scholars would not make it. Even Alan Dershowitz would not make it—at least he wouldn't in 1998. But this has become the President's defense. Yet this defense proved indefensible.

If abuse of power is not impeachable—even though it is clear the Founders considered it the highest of all high crimes and misdemeanors—but if it is not impeachable, then a whole range of utterly unacceptable conduct of the President's would now be beyond reach. Trump could offer Alaska to the Russians in exchange for support in the next election or decide to move to Mar-a-Lago permanently and let Jared Kushner run the country, delegating to him the decision whether to go to war. Because those things are not necessarily criminal, this argument would allow that he could not be impeached for such abuses of power.

Of course, this would be absurd—more than absurd, it would be dangerous. So Mr. Dershowitz tried to embellish his legal creation and distinguish among those abuses of power which would be impeachable from those which wouldn't. Abuses of power that would help the President get elected were permissible and therefore unimpeachable, and only those for pecuniary gain were beyond the pale. Under this theory, as long as the President believed his reelection was in the public interest, he could do anything, and no quid pro quo was too corrupt, no damage to our national security too great. This was such an extreme view that even the President's other lawyers had to run away from it.

So what are we left with? The House has proven the President's guilt. He tried to coerce an ally into helping him cheat by smearing his opponent. He betrayed our national security in order to do it when he withheld military aid to our ally and violated the law to do so. He covered it up, and he covers it up still. His continuing obstruction is a threat to the oversight and investigatory powers of the House and Senate and, if left unaddressed, would permanently and dangerously alter the balance of power.

These undeniable facts require the President to retreat to his final defense. He is guilty as sin, but can't we just let the voters decide? He is guilty as sin, but why not let the voters clean up this mess? And here, to answer that question, we must look at the history of this Presidency and to the character of this President—or lack of character—and ask, can we be confident that he will not continue to try to cheat in that very election? Can we be confident that Americans and not foreign powers will get to decide and that the President will shun any further foreign interference in our democratic affairs? And the short, plain, sad, incontestable answer is, no, you can't. You can't trust this President to do the right thing, not for one minute, not for one election, not for the sake of our country. You just can't. He will not change, and you know it.

In 2016, he invited foreign interference in our election. Hey, Russia, if you are listening, hack Hillary's emails, he said, and they did, immediately. And when the Russians starting dumping them before the election, he made use of them in every conceivable way, touting the filthy lucre at campaign stops more than 100 times.

When he was investigated, he did everything he could to obstruct justice, going so far as to fire the FBI Director and try to fire the special counsel and ask the White House Counsel to lie on his behalf.

During the same campaign, while telling the country he had no business dealings with Russia, he was continuing to actively pursue the most lucrative deal of his life—a Trump Tower in the heart of Moscow. Six close associates of the President's would be indicted or go to jail in connection with the President's campaign, Russia, and the effort to cover it up.

On the day after that tragic chapter appeared to come to an end with Bob Mueller's testimony, Donald Trump was back on the phone, this time with another foreign power—Ukraine—and once again seeking foreign help with his election, only this time, he had the full powers of the Presidency at his disposal. This time, he could use coercion. This time, he could withhold aid from a nation whose soldiers were dying every week. This time, he believed he could do whatever he wanted under article II. And this time, when he was caught, he could make sure that the Justice Department would never investigate the matter, and they didn't.

Donald Trump had no more Jeff Sessions; he had just the man he wanted in Bill Barr, a man whose view of the imperial Presidency—a Presidency in which the Department of Justice is little more than an extension of the White House Counsel—is to do the President's bidding. So Congress had to do the investigation itself, and just as before, he obstructed that investigation in every way.

He has not changed. He will not change. He has made that clear himself without self-awareness or hesitation. A man without character or ethical compass will never find his way.

Even as the most recent and most egregious misconduct was discovered, he was unapologetic, unrepentant, and more dangerous, undeterred. He continued pressing Ukraine to smear his rivals even as the investigation was underway.

He invited new countries to get involved in the act, calling on China to do the same. His personal emissary, Rudy Giuliani, dispatched himself to Ukraine, trying to get further foreign interference in our election. The plot goes on; the scheming persists; and the danger will never recede. He has done it before. He will do it again. What are the odds, if left in office, that he will continue trying to cheat? I will tell you: 100 percent. Not 5, not 10 or even 50, but 100 percent.

If you have found him guilty and you do not remove him from office, he will continue trying to cheat in the election until he succeeds. Then what shall

you say? What shall you say if Russia again interferes in our election and Donald Trump does nothing but celebrates their efforts? What shall you say if Ukraine capitulates and announces investigations into the President's rivals?

What shall you say in the future, when candidates compete for the allegiance of foreign powers in their elections, when they draft their platforms so to encourage foreign intervention in their campaign? Foreign nations, as the most super of super-PACs of them all, if not legal, somehow permissible because Donald Trump has made it so and we refused to do anything about it but wring our hands.

They will hack your opponents' emails; they will mount a social media campaign to support you; they will announce investigations of your opponent to help you—and all for the asking. Leave Donald Trump in office after you have found him guilty, and this is the future that you will invite.

Now, we have known since the day we brought these charges that the bar to conviction, requiring fully two-thirds of the Senate, may be prohibitively high. And yet, the alternative is a runaway Presidency and a nation whose elections are open to the highest bidder.

So you might ask how—given the gravity of the President's misconduct, given the abundance of evidence of his guilt, given the acknowledgement by Senators in both parties of that guilt—how have we arrived here with so little common ground? Why was the Nixon impeachment bipartisan? Why was the Clinton impeachment much less so? And why is the gulf between the parties even greater today?

It is not for the reason that the President's lawyers would have you believe. Although they have claimed many times, in many ways, that the process in the House was flawed because we did not allow the President to control it, it was, in reality, little different than the process in prior impeachments. The circumstances, of course, were different. The Watergate investigation began in the Senate and had progressed before it got moving in the House. And there, of course, much of the investigative work had been done by the special prosecutor, Leon Jaworski. In Clinton, there was likewise an independent counsel who conducted a multiyear investigation that started with a real estate deal in Arkansas and ended with a blue dress.

Nixon and Clinton, of course, played no role in those investigations before they moved to the House Judiciary Committee. But to the degree you can compare the process when it got to the Judiciary Committee in either prior and recent impeachments, it was largely the same as we have here. The President had the right to call witnesses, to ask questions, and chose not to.

The House majorities in Nixon and Clinton did not cede their subpoena power to their minorities, and neither did we here, although then, as now, we gave the minority the right to request subpoenas and to compel a vote, and they did.

So the due process the House provided here was essentially the same and, in some ways, even greater. Nevertheless, the President's counsel hopes that, through sheer repetition, they can convert nontruth into truth. Do not let them.

Every single court to hear Mr. Philbin's arguments has rejected them:

The subpoenas are invalid—rejected by the McGahn court.

They have absolute immunity—rejected by the McGahn court.

Privilege may conceal crime or fraud—rejected by the court in Nixon.

But if the process here was substantially the same, the facts of the President's misconduct were very different from one impeachment to the next. The Republican Party of Nixon's time broke into the DNC, and the President covered it up. Nixon, too, abused the power of his office to gain an unfair advantage over his opponent, but in Watergate he never sought to coerce a foreign power to aid his reelection, nor did he sacrifice our national security in such a palpable and destructive way as withholding aid from an ally at war. And he certainly did not engage in the wholesale obstruction of Congress or justice that we have seen this President commit.

The facts of President Clinton's misconduct pale in comparison to Nixon and do not hold a candle to Donald Trump. Lying about an affair is morally wrong, and when under oath it is a crime, but it had nothing to do with his duties in office.

The process being the same, the facts of President Trump's misconduct being far more destructive than either past President, what then accounts for the disparate result in bipartisan support for his removal? What has changed?

The short answer is, we have changed. The Members of Congress have changed. For reasons as varied as the stars, the Members of this body and ours in the House are now far more accepting of the most serious misconduct of a President as long as it is a President of one's own party. And that is a trend most dangerous for our country.

Fifty years ago, no lawyer representing the President would have ever made the outlandish argument that if the President believes his corruption will serve to get him reelected, whether it is by coercing an ally to help him cheat or in any other form, that he may not be impeached, that this is somehow a permissible use of his power.

But here we are. The argument has been made, and some appear ready to accept it. And that is dangerous, for there is no limiting principle to that position.

It must have come as a shock—a pleasant shock—to this President that our norms and institutions would prove to be so weak. The independence of the Justice Department and its formerly proud Office of Legal Counsel now are mere legal tools at the President's disposal to investigate enemies or churn out helpful opinions not worth the paper they are written on. The FBI painted by a President as corrupt and disloyal. The intelligence community not to be trusted against the good counsel of Vladimir Putin. The press portrayed as enemies of the people. The daily attacks on the guardrails of our democracy, so relentlessly assailed, have made us numb and blind to the consequences.

Does none of that matter anymore if he is the President of our party?

I hope and pray that we never have a President like Donald Trump in the Democratic Party, one who would betray the national interest and the country's security to help with his reelection. And I would hope to God that, if we did, we would impeach him, and Democrats would lead the way.

But I suppose you never know just how difficult that is until you are confronted with it. But you, my friends, are confronted with it. You are confronted with that difficulty now, and you must not shrink from it.

History will not be kind to Donald Trump—I think we all know that—not because it will be written by Never Trumpers but because whenever we have departed from the values of our Nation, we have come to regret it, and that regret is written all over the pages of our history.

If you find that the House has proved its case and still vote to acquit, your name will be tied to his with a chord of steel and for all of history; but if you find the courage to stand up to him, to speak the awful truth to his rank falsehood, your place will be among the Davids who took on Goliath. If only you will say ''enough.''

We revere the wisdom of our Founders and the insights they had into self-governance. We scour their words for hidden meaning and try to place ourselves in their shoes. But we have one advantage that the Founders did not. For all their genius, they could not see but opaquely into the future. We, on the other hand, have the advantage of time, of seeing how their great experiment in self-governance has progressed.

When we look at the sweep of history, there are times when our Nation and the rest of the world have moved with a seemingly irresistible force in the direction of greater freedom: more freedom to speak and to assemble, to practice our faith and tolerate the faith of others, to love whom we would and choose love over hate—more free societies, walls tumbling down, nations reborn.

But then, like a pendulum approaching the end of its arc, the outward movement begins to arrest. The golden globe of freedom reaches its zenith and starts to retreat. The pendulum swings back past the center and recedes into a dark unknown. How much farther will

it travel in its illiberal direction, how many more freedoms will be extinguished before it turns back we cannot say. But what we do here, in this moment, will affect its course and its correction.

Every single vote, even a single vote by a single Member, can change the course of history. It is said that a single man or a woman of courage makes a majority. Is there one among you who will say ''enough''?

America believes in a thing called truth. She does not believe we are entitled to our own alternate facts. She recoils at those who spread pernicious falsehoods. To her, truth matters. There is nothing more corrosive to a democracy than the idea that there is no truth.

America also believes there is a difference between right and wrong, and right matters here. But there is more. Truth matters. Right matters. But so does decency. Decency matters.

When the President smears a patriotic public servant like Marie Yovanovitch in pursuit of a corrupt aim, we recoil. When the President mocks the disabled, a war hero who was a prisoner of war, or a Gold Star father, we are appalled because decency matters here. And when the President tries to coerce an ally to help him cheat in our elections and then covers it up, we must say ''enough.'' Enough.

He has betrayed our national security, and he will do so again. He has compromised our elections, and he will do so again. You will not change him. You cannot constrain him. He is who he is. Truth matters little to him. What is right matters even less. And decency matters not at all.

I do not ask you to convict him because truth or right or decency matters nothing to him but because we have proven our case and it matters to you. Truth matters to you. Right matters to you. You are decent. He is not who you are.

In Federalist 55, James Madison wrote that there were certain qualities in human nature—qualities I believe, like honesty, right, and decency—which should justify our confidence in self-government. He believed that we possessed sufficient virtue that the chains of despotism were not necessary to restrain ourselves ''from destroying and devouring one another.''

It may be midnight in Washington, but the sun will rise again. I put my faith in the optimism of the Founders. You should too. They gave us the tools to do the job, a remedy as powerful as the evil it was meant to constrain: impeachment. They meant it to be used rarely, but they put it in the Constitution for a reason—for a man who would sell out his country for a political favor, for a man who would threaten the integrity of our elections, for a man who would invite foreign interference in our affairs, for a man who would undermine our national security and that of our allies—for a man like Donald J. Trump.

They gave you a remedy, and they meant for you to use it. They gave you an oath, and they meant for you to observe it. We have proven Donald Trump guilty. Now do impartial justice and convict him.

I yield back.

The CHIEF JUSTICE. The majority leader is recognized.

ADJOURNMENT OF THE COURT OF IMPEACHMENT

Mr. MCCONNELL. Mr. Chief Justice, I ask unanimous consent that the Senate, sitting as a Court of Impeachment, stand adjourned under the previous order.

There being no objection, at 2:59 p.m., the Senate, sitting as a Court of Impeachment, adjourned.

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

The CHIEF JUSTICE. The clerk will call the role.

The legislative clerk proceeded to call the roll.

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

LEGISLATIVE SESSION

The PRESIDENT pro tempore. Without objection, it is so ordered.

The Senate will now resume legislative session.

THE JOURNAL

Mr. THUNE. Mr. President, I ask unanimous consent that the Journal of proceedings be approved to date.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MORNING BUSINESS

The PRESIDING OFFICER (Mr. HAWLEY). Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

Mr. THUNE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HEINRICH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded and to speak as in morning business.

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

IMPEACHMENT

Mr. HEINRICH. Mr. President, and all of my colleagues in the Senate, throughout this impeachment trial, I thought a lot about what this country stands for. For me, as the son of an immigrant whose family came to the United States from Germany in the 1930s, America stands as a beacon of liberty, equal justice, and democracy.

We are a nation forged by a revolution against a monarchy and its absolute power. We are a nation founded by the ratification of the most radically democratic document in history, the Constitution of the United States of America.

Under the Constitution, we are governed not by monarchs—who act with impunity and without accountability—but by elected officers who answer to, and work for, ''We the People.''

Generations of Americans have struggled and sacrificed their lives to defend that audacious vision. The Senate has a duty and a moral responsibility to uphold that vision.

Over the last 2 weeks, I fear that the Senate has failed in that duty. I am deeply disappointed that nearly all of my Republican colleagues refused to allow for the kind of witness testimony and documentary evidence that any legitimate trial would include. You cannot conduct a fair trial without witnesses.

In my view, you also can't have a legitimate acquittal without a fair trial; that the Senate refused to shed more light on the facts is truly astonishing. Despite this, the facts as we know them are clear and plain. President Trump pressured the Government of Ukraine, an American ally, not for our national security interests but for his own selfish and corrupt political interests. When he was caught, he sought to cover it up by suppressing documents and preventing witnesses from testifying before Congress and the American people.

The President's defense team had every opportunity to present us with evidence that would explain his actions or give us reason to doubt this clear pattern of fact. Instead, they shifted their defense away from the damning facts and embraced an extreme legal philosophy that would allow any President to abuse their power and ignore the law.

This dangerous argument is not new. It was used by President Richard Nixon when he said: ''Well, when the president does it, that means it is not illegal.''

President Nixon also strayed far from his duties to our Nation for his own personal and political gain. It was only after courageous Members of the U.S. Senate, in his own political party, put their country first and stood up to him that President Nixon finally resigned.

We are now in yet another time when our Chief Executive has failed us, and our Nation requires more leadership and conscience from the U.S. Senate. Unfortunately, my Republican colleagues are unwilling to deliver that kind of moral leadership.

President Donald Trump has proven to be unfit for the office he occupies. He abused his powers and continues to engage in a coverup. He presents a clear and present danger to our national security and, more fundamentally, to our democracy itself.

That is why my conscience and my duty to defend our Constitution compel me to vote to convict Donald Trump. I

hope the rest of you will join in this vote, but I am not naive. I understand how President Trump operates. I know how ugly it can become if you dare to challenge him. But your fear of this bully cannot outweigh your duty to the American people. Your fear cannot blind you to how you will be viewed by history. What you should really fear is what will happen when there are no limits on any President, even when he is risking our national security and our foreign alliances to illegitimately maintain his grip on power.

What we should all fear is what President Trump will do next if the Senate does not hold him accountable for the clear abuses of power he has already committed. This is the same President who praises dictators and despots and jeopardizes our international alliances. This is the same President who stole billions of dollars from military construction funds to pay for his monument to division and racism. This is the same President who is more focused on lobbing insults and spreading Russian conspiracy theories on Twitter than he is on his own intelligence briefings.

Let me just say that I pay close attention to the intelligence that I am allowed to see, and from my seat on both the Armed Services and Intelligence Committees, I am acutely aware of the threats that our Nation faces. They include an emboldened North Korea, the Iranian regime, and terrorist organizations across several continents.

Russia and China are acting aggressively to assert their authoritarian influence and provoke American interests and our allies, including the Ukraine. Finally, with the 2020 Presidential election mere months away, Russia is once again targeting our election systems and manipulating our democratic discourse.

Right now, patriotic Americans working in the State Department, for our intelligence agencies, and serving in the military are defending us from those very threats. These Americans pledge to obey the orders of their Commander in Chief. They trust that their Commander in Chief's loyalty and sole focus is squarely on the best interests of the United States of America. I don't say this lightly: President Trump has betrayed that trust. He promised us that he would put America first. Instead, he put himself first.

Throughout our history, the defense of our Nation has depended on the leadership of men whose names we now remember when we visit their memorials, names like Lincoln and Washington and Roosevelt. These men all swore the same oath that President Trump did when they assumed our Nation's most powerful office. Our Presidents swear to ''faithfully execute the Office of President of the United States'' and to ''preserve, protect, and defend the Constitution of the United States.'' President Trump has violated that oath.

So I will ask us once again, what does America stand for? In considering that question, I think of Dr. Martin Luther King, Jr.—the only man who did not serve as President whom we recognize with a memorial on our National Mall. More than 50 years after his assassination, Dr. King's life's work to make our Nation more fully live up to our founding principles still resonates. These are the same principles that compelled my father's family to come to this country: liberty, equal justice, democracy.

While fighting for those principles, Dr. King wrote in his letter from a Birmingham jail: ''The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands in times of challenge and controversy.'' My colleagues, this is one of those times.

Two years after writing the Birmingham Jail letter, Dr. King led thousands on a 5-day, 54-mile march from Selma to Montgomery for our fundamental American right: the right to vote in free and fair elections. Remember, that right is what President Trump has threatened by inviting foreign interference in our elections. Upon reaching the steps of the Alabama State Capitol, Dr. King proclaimed: ''We must come to see that the end we seek is a society at peace with itself, a society that can live with its conscience.'' I sincerely hope that those of us in this body can keep seeking that society, that America.

Before I finish, I also want to address Americans who have watched this trial unfold and are rightly disappointed by the coverup that it has become. I would urge you to remember what Dr. King said about accepting finite disappointment but never losing infinite hope. Despite what the Senate is about to do and the danger I fear it will bring about, I will never lose hope in what America stands for because we the people—not any King or dictator—still hold immense power in this Nation, and it is up to all of us now to wield that power.

I yield back.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, as Senators, we cast many votes during our time here. I have cast over 13,200. Each one of those votes is important, but a vote to convict or acquit the President on charges of impeachment is perhaps the most important vote a Senator could ever cast. Until now, it has happened only twice in our Nation's history, and it is something that should never be taken lightly.

President Trump has been charged of committing, according to the Constitution and in these articles, ''high Crimes and Misdemeanors'' for requesting that a foreign leader investigate his potential political opponent and, No. 2, obstructing Congress's inquiry into those actions. For this, we are asked to permanently remove him from office.

As a judge and juror, as we all are, I first ask whether the charges rise to an offense that unquestionably demands removal from office. If so, I then ask whether the House proved beyond a reasonable doubt that it actually occurred.

The House's case fails on the first of those questions. The President's request is not impeachable conduct under our Constitution. A President isn't prohibited by law from engaging the assistance of a foreign ally in an anti-corruption investigation.

The House tries to make up for this hurdle by suggesting that subjective motive—in other words, political advantage—can turn an otherwise unimpeachable act into an act that demands removal from office. I won't support such an irreversible break from the Constitution standard for impeaching a President.

The Senate is an institution of precedent. We are informed and guided by history and the actions of our predecessors, but our choices also actually make history. These days, that can be difficult to keep in mind. A rush to convict or acquit can lead to cut corners and overheated rhetoric.

We are each bound by our oath to ''do impartial justice.'' As President pro tempore of this institution, I recognize that we must also do justice to the Senate and to the Republic that this Senate serves.

This trial began with a full and fair debate on the rules to guide our process. We considered and voted on 11 amendments over nearly 13 hours. Consistent with precedent, the Senate adopted rules allowing the same length of time for arguments and questions as was agreed to unanimously in the 1999 Clinton impeachment. Consistent with precedent, we engaged in a robust debate on calling witnesses and pursuing additional evidence. We sat as a Court of Impeachment for over 70 hours. The final vote will be the product of a fair and judicial process consistent with precedent of the Senate.

I cannot say the same of the Articles of Impeachment that we are considering today from the House of Representatives, which has the sole power of impeachment. After 9 days of presentation and questions and after fully considering the record, I am convinced that what the House is asking the Senate to do is constitutionally flawed and dangerously unprecedented.

The House's abuse of power article rests on objectively legal conduct. Until Congress legislates otherwise, a President is within his authority to request that a foreign leader assist with anti-corruption efforts. To make up for this, the House of Representatives' abuse of power theory rests entirely on the President's subjective motive. This very vague standard cannot be sustained.

The House offers no limiting principle of what motives are allowed. Under such a flexible standard, future House of Representatives could impeach Presidents for taking lawful action for what a majority thinks are the wrong reasons.

The House also gives no guidance whatsoever on whether conviction rests on proving a single, corrupt motive or whether mixed motives suffice under their theory. In its trial brief, the House of Representatives argues that there is ''no credible alternative explanation''—those are their words—for the President's alleged conduct, but once the Senate heard from the President's counsel in defense, then all of a sudden, the House changed its tune. Now, even a credible alternative explanation shouldn't stop the Senate from removing the President.

Reshaping their own standard midtrial only serves to undercut their initial arguments. And simply asserting—at least 63 times that I counted—that their evidence was ''overwhelming'' doesn't make the House of Representatives' allegations accurate or prove an impeachable offense. Even after arguments had concluded, the House managers started repeating the terms ''bribery'' and ''extortion'' on the floor of the Senate, while neither term appears anywhere in their Articles of Impeachment.

So you get down to this point. It is not the Senate's job to read into House articles what the House failed or didn't see fit to incorporate itself. Articles of Impeachment shouldn't be moving targets like moving a goalpost. The ambiguity surrounding the House's abuse of power theory gives this Senator reason enough to vote not guilty. If we are to lower the bar of impeachment—and that is what the House of Representatives is trying to do—we better be clear on where the bar is being set.

The House's second article impeaching the President for what they call obstruction of Congress is equally unprecedented and equally patently frivolous. This Senator takes great pride in knowing a thing or two about obstruction by the executive branch from both Republican Presidents and Democratic Presidents in the 40 years that I have been doing oversight. Congressional oversight—like rooting out waste, fraud, and abuse—is central to my role as a Senator representing Iowa taxpayers. In the face of obstruction, I use the tools the Constitution provides to this institution. Now, that is the very core of the checks and balances of our governmental system.

For example, I fought the Obama administration to obtain documents related to Operation Fast and Furious. Under the House's obstruction standard, should President Obama have been impeached for his failure to waive privileges during the course of that investigation? We fought President Obama on this for 3 years in the courts, and we still didn't end up with all that we asked for. We never heard a peep from the Democrats when Obama pulled that trick.

The hypocrisy here by the House Democrats has been on full display for the last 2 weeks. In the case before us, the House issued a series of requests and subpoenas to the executive branch, but the House failed to enforce those requests. When challenged to stand up for its subpoenas in court, the investigating committee simply retreated.

The House may cower at defending its own authority, but the Senate shouldn't have to clean up the mess of the House's own making. For the many ways in which the House failed in the fundamentals of oversight and for the terrible new precedent this obstruction article would set, I will vote not guilty.

Another point: There has been debate about the whistleblower, whose complaint motivated the House's impeachment inquiry. I have worked for and with whistleblowers for more than 30 years. I have sponsored numerous laws to strengthen whistleblower protections. Attempts by anyone to ''out'' a whistleblower just to sell an article or to score a political point are not helpful at all. It is not the treatment any whistleblower deserves. However, it is important for investigators to talk to whistleblowers and to evaluate their claims and credibility because those claims form the basis of an inquiry under checks and balances of government.

My office does this all the time. When whistleblowers bring significant cases of bipartisan interest, we frequently work closely with the Democrats to look into those claims. I know the House committees have followed that course in the past. Both parties understand how to talk to whistleblowers and respect confidentiality.

Why no efforts were taken in this case to take these very basic, bipartisan steps is very baffling to me. I fear that, to achieve its desired goal, the House majority weaponized and politicized whistleblowers for purely partisan purposes. I hope that the damage done will be short-lived. Otherwise, the separation of powers under our Constitution will be weakened.

Finally, I have always made it a priority to hold judicial nominees to a standard of restraint and fidelity to the law, and as judges in this case, which every Senator is, we should consider those factors which counsel restraint.

These articles came to the Senate as a product of a flawed, unprecedented, and partisan process. When the articles were voted on by the full House, the only bipartisanship was of those in opposition. Moreover, tonight, the Iowa caucuses will be finished. The 2020 Presidential election is underway. Yet we are all asked to remove the incumbent from the ballot based on an impeachment that is supported by only one party of the Congress.

The Senate should take no part in endorsing the very dangerous new precedent that this would set for future impeachments. We need no new normal when it comes to impeaching a President. We have precedents of the past that should be followed, and they have not been followed. We have had more than 28,000 pages of evidence. We have had 17 witnesses and over 70 hours of open, transparent consideration by the Senate. The American people are more than adequately prepared to decide for themselves the fate of the President in November. This decision belongs to the voters. It is time to get the Senate back to work for the American people on issues of substance.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I have been in the Senate now for two Presidential impeachment trials, and I can tell you that this is never a situation I want to find our country in—not back then and certainly not today—when the odds of bipartisan cooperation, even on responsibilities as solemn as these, are brutally low.

In spite of this, I called for impeachment proceedings to begin in the House in July of this past year, and I did so because of the gravity of the threats to our democracy that has been outlined in Mueller's report. At the time, I felt, if we did not fully explore those threats, we would fall short of our constitutional duty and set a precedent of congressional indifference to potentially flagrant violations of our Constitution—ones that could jeopardize our core democratic institutions.

After hearing both sides' presentations and after reviewing every available source of information and testimony, I believe it is painfully clear that the President of the United States has abused his power and obstructed Congress and that he should be removed from office.

I want to talk about how I reached this conclusion, which I did not do lightly, and take a few minutes to reflect on the consequence of the decision each of us is individually about to make.

Throughout the trial, the contrast between the presentations by the House managers and the President's defense team could not have been starker or more damning for the President.

The House managers built an ironclad case that shows the President abused his power and obstructed Congress in ways that present grave, urgent threats to our national security and to the rule of law. Over the course of their arguments, it became undeniably clear: The corruption we have learned so much about in recent months starts at the very top—with the President of the United States.

President Trump demanded a foreign government to intervene in our elections for his own political gain, and he did so by withholding American taxpayer dollars and by ignoring congressional authority. The President's associates acted with his full knowledge and consent, and he himself pressured Ukraine's leader, knowing how much Ukraine depended on United States support. These actions have already made us less secure as a nation. By delaying vital military aid to Ukraine—a key partner—President Trump has

emboldened Russia, one of our chief adversaries, and he has undermined our credibility with other allies worldwide.

Critically, the President has also given every indication he will continue to put his own interests ahead of American interests, including in our upcoming elections, and he has, time and again, refused to recognize Congress's constitutional authority to oversee the executive branch. In addition, information continues to come out that further implicates the President and demonstrates not only his intent to abuse the power of our highest office but his direct personal engagement and efforts to do so.

To summarize, the House's arguments made it impossible to ignore a reality our Founders deeply feared—a President who betrays our national security for his own personal benefit and disregards the system of checks and balances on which our democratic institutions depend, who believes he is above the law—contrary to the most fundamental American principles.

The President's defense did not directly refute those charges against the President or the thorough case that the House presented. In fact, the President's defense only served to illustrate how indefensible the President's actions were. We heard complaints from the President's defense about the House's process, which the President refused to engage in.

We heard a debunked conspiracy theory about Ukrainian election interference even though the President's own advisers repeatedly explained to him that Russia, not Ukraine, interfered in our 2016 election.

We heard the denial of a quid pro quo that, as the House managers laid out in excruciating detail, was borne out not only on the President's July 25 call with President Zelensky but in hundreds of documents from before and after that call.

We did not, however, hear any substantive defense of the President's actions. Tellingly, the President's defense vehemently opposed commonsense requests for the President's own key aides to testify and for the consideration of his aides' documents as part of this trial.

If the President were as innocent as he claims, surely, his aides and his administration's materials would bear those claims out, and he would want them considered. He and his team do not.

In 1999, I said that, if we were to remove a sitting President, none of us should have any doubts. Based on the facts we have heard today and the distraction and obfuscation that has been offered in response, none of us should have any doubts that the President committed the impeachable offenses of which he is accused.

What we now know is the President of the United States demanded that a foreign government interfere in our elections to help him win his upcoming campaign. That truth is indisputable. The question is, What does each of us as an individual do with that information?

In sitting here, I have been reminded that this trial is so much larger than any one of us—larger than any political party and much larger than President Trump. It is fundamentally about whether we will stand up for the institutions that secure our autonomy as a people—institutions we hope to leave stronger for our children and grandchildren.

To go a step further, really, this trial is about freedom in our country because, if the President feels he owes his office to a foreign government, not to Americans, then whom does the President truly serve? How can he be trusted? If foreign governments can skew our elections in their favor, if they interfere with Americans at the ballot box this November, then are Americans truly represented in the White House? Is there any American who is really free if a President can owe his election to an entity outside and aside from the American people and if foreign governments can help to decide who is in our highest office?

These questions and their chilling answers have led me to my final decision, and I hope others consider them carefully as they make their own.

I also want to speak for a minute about fear. There are really two different kinds at work in this moment. One is the fear of political consequences. I remember how many Members of Congress felt compelled to vote for the war in Iraq. The political pressure was palpable. That kind of political fear is palpable again today, but fear of political consequences must never supersede concern for our country, and we should be fearful for our country today.

We should be fearful for our future, for our safety, and the rule of law if the evidence we have heard cannot persuade this body to act on the painful truth before us. Our President has betrayed the public trust, flagrantly violated our laws, and proved himself a threat to our national security. So I ask my colleagues how they want to feel not in this moment here today but in the years ahead and as part of our Nation's history as more information continues to come out about this administration—and it will—as we get closer to an election we still have a unique opportunity to help protect, and as we explain this difficult but pivotal time to our grandchildren. Looking back, whom or what will you want to have stood for—this President or our country?

I believe, as Representative SCHIFF said so simply and powerfully, that in America, ''right matters.''

But I also note right matters only because so many people have, throughout our history, stood up for what is right, even when—especially when—it may be difficult.

Today each U.S. Senator is called to do the same.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise today to speak during a sad and perilous moment in our Nation's history.

Our Nation was founded on important, basic principles that ''all men'' and women ''are created equal'' and ''that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.''

With rights, of course, always come responsibilities. America is a nation of laws, and no person, not even the President of the United States, is above these laws. No person, not even the President of the United States, is above these laws. That has been true since our Nation was founded, and it is still true today.

Unfortunately, President Donald Trump has abused his power and acted as if he is above the law. He did this by holding up critical military aid to pressure a new foreign leader to investigate a political rival for his own political benefit. Then he did everything he could to try and cover it up after he got caught.

As U.S. Senators, it is our constitutional duty to fairly and thoughtfully consider Articles of Impeachment, listen to the evidence, and make a decision that honors our Nation's values and our fundamental belief that no one is above the law.

That is exactly what I did, and it is why I will vote to convict President Trump and remove him from office.

The facts show the President did everything he could to cover up the truth, put our elections under even greater risk of foreign interference, and damaged the constitutional checks and balances essential to our democracy.

Let's be clear. We are here because of one person. We are here because of one person—President Donald J. Trump. The President was provided multiple opportunities to prove his innocence, as he should be. The House made countless requests for documents during the impeachment inquiry. The White House ignored them.

The House issued 42 subpoenas. The White House refused to comply and even went so far as to threaten and intimidate those people who chose to appear.

Yet, even with this unprecedented level of obstruction, the House made a strong case for impeachment.

Once impeachment moved to the Senate, the President again had numerous opportunities to defend himself. The American people and the people of Michigan strongly supported having additional documents and relevant witnesses—firsthand witnesses who could speak to the Articles of Impeachment. That is what a trial is supposed to be about.

Yet the Senate did not hear from people who clearly have key, relevant

information, including the former National Security Advisor, John Bolton, who is willing to testify, and, in fact, it is just a matter of time when we will hear publicly, all of us, what he would have said to the Senate; Acting White House Chief of Staff and Director of the Office of Management and Budget Mick Mulvaney; OMB Associate Director of National Security Programs Michael Duffy; and White House National Security Aid Robert Blair.

Common sense—common sense—says that if President Trump's top staff have evidence of his innocence, he would have insisted that we hear from them, as we should. They would have rushed into this Chamber.

Unfortunately, the exact opposite happened, lending strong support for the evidence presented by the House of Representatives.

Instead, the President's defense team argued that abuse of power is not a crime and, therefore, not an impeachable offense, and it became clear that they believe, as the President himself has said on many occasions, that he has power to do anything he wants under article II of the Constitution.

They also argued that if the President thinks his reelection is in the public interest, and if he does anything to benefit his reelection, including getting help from a foreign country, then that too is in the public interest and not an abuse of power.

Common sense would tell us otherwise.

Keep in mind that these are far from mainstream legal arguments, even in conservative legal circles.

These arguments have been made up to protect President Trump and cover up his wrongdoing. These arguments are nothing short of appalling, and I am alarmed at what they suggest President Trump could do next week, next month, in November, or what any President in the future could do.

Is it now OK for the President of the United States to ask a foreign leader to investigate a Member of Congress or any citizen if it helps him get reelected and, thus, in his mind, benefits the country? Is it now OK for the President of the United States to tell a Governor that they are not getting any critical disaster relief until they endorse him in the next election? Is it now OK for the President of the United States to ask foreign leaders to give campaign contributions or other political help in exchange for official visits?

I don't think any of this is OK. The people of Michigan don't think any of this is OK, and I intend to do everything I can to ensure that it doesn't become our new normal.

The Founders were smart. They had lived under a King, and they had no intention of doing so ever again. I have to wonder why so many of my Republican colleagues seem so, so eager to give it a try. This is the United States of America. In our country, no President is above the law, and it is illegal for a candidate or any elected official to receive political help from a foreign government. Americans must decide American elections. This is fundamental to our democracy and worth continuing to fight for, which I intend to do.

Having said that, I am also deeply concerned about the divisions in our country, in our families, in our communities. It is critical that we find ways to listen to each other, respect differences, and find common ground so that we can address the important issues affecting our families and our country. These are indeed serious and perilous times. It is up to all of us to stand up for what we believe is right and to work to strengthen our democracy by coming together as Americans, by finding ways to work together to solve problems. Our children and our grandchildren are counting on us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. For the past 2 weeks, the President's defense team has spun bizarre legal arguments, conspiracy theories, and flatout lies that are unbecoming of the Office of the President of the United States.

The country knows the facts. The President pursued his personal and political interests in a way that harmed the national security of America. He smeared our own Ambassador to the Ukraine. He promoted Kremlin propaganda on 2016 election interference. He sent his personal lawyer and willing members of his administration to trade official acts in exchange for fabricated dirt on a political rival. He stopped $391 million dollars in aid from going to the Ukraine, and when the Ukrainians made clear they were desperate for that aid to come through, he made his demands—come up with dirt on the Bidens, find or invent the server.

Donald Trump's defense team has claimed the President wanted to fight corruption in Ukraine, but they have produced zero hard evidence to support that claim.

Never in the history of our government has the President pursued a policy end without generating what usually is mountains of paper, and yet here there are no memos, no meeting records, no communiques on anticorruption—nothing. This defense is fiction.

It is fiction because the President was not fighting corruption in Ukraine. He was causing it.

We also know the President was telling the people around him to do what he wanted with respect to the Ukraine. He was telling them to talk to his personal lawyer—talk to Rudy. Because the President had forgotten what is good for the American people, he ignored the needs of our allies and forgiven the attacks on American democracy.

What the American Government under this President was after—the only thing it was after—was a corrupt favor for the personal benefit of Donald Trump. This favor was to get a foreign government to target an American citizen when our own intelligence services were legally prohibited from doing so—an action that even Trump's own Secretary of State, Mike Pompeo, once admitted is illegal. Mike Pompeo said: ''It is not lawful to outsource that which we cannot do.'' Yet that is what the President was seeking.

And that was not the only illegal action. The GAO has said that holding up the Ukraine aid was a violation of the Impoundment Control Act. And when the aid eventually went through in September of last year, it wasn't because they suddenly had a whole lot of new respect for the constitutional powers of the Congress; it was because they got caught.

When this abuse came to light, Donald Trump's response was: I pretty much can do what I want. I am above the law.

On the south lawn of the White House, he confirmed that he wanted Ukraine to smear the Bidens, smear them by announcing investigations. He said he wanted the same thing from China.

In a White House press briefing, Mick Mulvaney, the Chief of Staff, confirmed that the scheme had been politically motivated. A reporter who was clearly stunned at the Mulvaney admission asked for some clarification, and Mulvaney said: ''I have news for everybody: Get over it.''

And that, I would submit, is what this trial is all about, whether the Senate and the country have to simply get over it. I know some Senators are apparently prepared to do exactly that, but let's consider the precedent that just ''getting over it'' sends.

If this ends in an acquittal, it will signal that politicians can get away with selling out American interests to foreign coconspirators to rig an election. What is to stop the Russians from approaching a future President with their own proposition: Dial back your support for the Baltic States, and we will take down your opponent. What would prevent the Chinese Government from approaching a Senator and offering fabricated dirt on Senators of the other party in order to smooth the way for a sweetheart trade deal? What if the President hands the Saudis an enemies list of political opponents to hack in exchange for military tech and a few regiments of American soldiers in Yemen?

Ending in acquittal without hearing from any witnesses or getting any new evidence will say that the President can rig impeachment trials as well. Every impeachment trial—every one—included witness testimony. That is just good government 101. It is what Americans expect. It is what I heard in open-to-all townhall meetings in Oregon from counties Donald Trump won and from counties Hillary Clinton won. The Republican Senate majority is apparently ready to acquit the Republican President without even going

through the motions, ignoring what the American people expect.

How will we sustain a functioning democracy when our leaders are allowed to rig an election and there are no consequences? The Congress is going to struggle to unwind that precedent. It could outlive all of us.

After these long days of arguments and questioning, in my view, this comes down to two simple questions.

First, the President swears an oath, just like we do, to protect and defend our revered Constitution. Does the President's oath of office mean anything? When a President puts his own interests first, when he extorts fabricated dirt from a foreign government for his political gain, he is obviously in violation of his oath. He is not protecting the constitutional right of Americans to choose their own leaders in free and fair elections. What he is doing is protecting himself and his own power.

What does the President's oath of office mean if violating it carries no consequences? If his oath means nothing and he cannot be charged with a crime, then he is bound by nothing. And if we will not hold him to his oath, are we not surrendering our own oath—our own oath to protect and defend the Constitution?

The second question is, Do we believe that this is a government of the people, by the people, and for the people? Because the President's lawyers stood on the floor right over there and said, in short, it is not.

Alan Dershowitz argued that nothing the President does to get reelected can be impeachable as long as he believes his reelection is in the public interest. The President's counsel continued to build on that argument even after they claimed it was misunderstood—this from the same administration that holds that the President cannot be charged with a crime, that he exists on a plane—literally a plane above the law, as it applies to everyone else.

If the President may commit crimes in office and cheat in an election to stay in power, then it is no longer a government of, by, and for the people. This is a government of, by, and for Donald Trump. The proposition of free and fair elections in America is gone, replaced by elections that happen on terms set by Donald Trump or on terms set by a future President with the same sort of boost from a foreign power.

Putting aside whatever political fallout there may be in the days and weeks ahead, we have to ask, how can the Senate accept this degradation of the sanctity and security of free elections? Isn't this institution supposed to protect our elections and defend our Constitution?

The President's attempt to cheat in the election and the extreme lengths he has gone to cover it up are obviously dangerously wrong. What he did is a violation of his oath. It is a betrayal of the system of democratic government left for us by the Founders. And we have no choice. He is guilty. He must be convicted.

I yield the floor.

The PRESIDING OFFICER (Ms. ERNST). The Senator from West Virginia.

Mr. MANCHIN. Madam President, I ask unanimous consent to make remarks today, if I may, until I conclude.

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

Mr. MANCHIN. Madam President, I rise today to speak on the impeachment trial of President Donald John Trump. I know this was not a difficult decision for many of my friends and colleagues on both sides of the aisle, but it is one that has weighed heavily on me. Voting whether or not to remove a sitting President is no easy decision, and it shouldn't be, as the consequences for our Nation are severe.

As a moderate, centrist Democrat from West Virginia with one of the most bipartisan voting records in the Senate, I have approached every vote I have cast in this body with an open mind and pride myself in working across the aisle to bring my Republican and Democratic friends together to do what is best for our country.

Where I come from, party politics is more often overruled by just plain old common sense, and I have never, in over 35 years of public service, approached an issue with premeditated thoughts that my Republican friends are always wrong and my Democratic friends are always right. Since the people of West Virginia sent me here in 2010, I have never forgotten the oath I took to defend the Constitution and faithfully discharge the duties of the office of which I am honored to hold.

It is by the Constitution that we sit here today as a court for the trial of impeachments. It is the Constitution that gives us what Hamilton called the ''awful discretion'' to remove the President from office.

At the start of this trial, my colleagues and I took an oath swearing—swearing—to do impartial justice.

I have taken this oath very seriously throughout this process, and I would like to think my colleagues have done the same, because, as the House managers and our former colleague Republican Senator John Warner from Virginia said: It is not just the President who is on trial here but the Senate itself.

The Framers of the Constitution chose the Senate for this grave task because, according to Hamilton, they expected Senators to be able to ''preserve, unawed and uninfluenced, the necessary impartiality'' to discharge this awesome responsibility fairly, without flinching.

The Framers knew this would not be easy, but that is why they gave the job to us, the Senators. They believed the Senate was more likely to be impartial and independent, less influenced by political passion, less likely to betray our oaths, and more certain to vote on facts and evidence.

This process should be based simply on our love and commitment to our country, not the relationship any of us might have with this President. I have always wanted this President and every President to succeed, no matter what their party affiliation, but I deeply love our country and must do what is best for the Nation.

The Constitution refers to impeachment ''trials'' and says the Senate must ''try'' impeachments. The Framers chose their words carefully. They knew what a trial was and what it meant to try a case. By using the term ''standards of judicial fact finding,'' it calls on us to do what courts do every day and receive relevant evidence and examine witnesses.

Sadly, the Senate has failed to meet its constitutional obligation, set forth by the Framers, to hold a fair trial and do impartial justice, and we have done so in the worse way, by letting tribal politics rule the day.

I supported President Trump's calls for a fair trial in the Senate, which he suggested himself would include witnesses. But instead this body was shortchanged, with a majority of my Republican colleagues, led by the majority leader, voting to move forward without relevant witnesses and evidence necessary for a fair trial, as our Framers intended.

History will judge the Senate harshly for failing in its constitutional duty to ''try'' this case and do impartial justice, to defend the Constitution, and to protect our democracy. Sadly, this is the legacy we leave to our children and grandchildren.

Removing a President from the office to which the people have elected him is a grave step to take, but the Framers gave the Senate this solemn responsibility to protect the Constitution and the people of this Nation.

Over the duration of this trial, I have listened carefully as both the House managers and the White House Counsel make their case for and against the Articles of Impeachment. I commend both sides for their great and grueling work in defending their respective positions.

The House managers have presented a strong case, with an overwhelming display of evidence that shows what the President did was wrong. The President asked a foreign government to intervene in our upcoming election and to harm a domestic political rival. He delayed much needed security aid to Ukraine to pressure newly elected President Zelensky to do him a favor, and he defied lawful subpoenas from the House of Representatives.

However, the President's counsel, too, defended their actions by laying out their case of the President's actions. They pointed to the unclassified transcript of President Trump's July 25 call with newly elected Ukrainian President Zelensky to make the argument that Trump discussed burden-sharing with other European countries and a mutual interest in rooting out

corruption. They presented their views that the President was not given due process in the House of Representatives and highlighted the expedited nature of the House's proceedings. Finally, they argued: If a President does something which he believes will help him get elected and reelected in the public interest, that cannot be the kind of quid pro quo that results in impeachment.

Over the long days and nights of this trial, I have listened to both sides present their case and answer our questions. I remain undecided on how I will vote, but these points I believe to be true. First, it was not a ''perfect'' call. A newly elected President Zelensky, with no experience in international politics, gets a call from the leader of the free world asking for a favor related to U.S. domestic political affairs.

No one—no one—regardless of political party, should think what he did was right. It was just simply wrong. Pressuring a NATO ally who is actively fighting off Russian aggression in his country is wrong. President Zelensky, or anyone else, should never feel beholden to the superpower of the world for a ''favor'' before they can receive military aid. It is not who we are as a country. We stand shoulder to shoulder with our allies and never, ever condition our support of democracy for a political favor.

Of all of the arguments we have heard from the House managers and White House Counsel during the long days and nights we have sat here, the most dangerous and the most troubling to me is the false claim that the President can do no wrong, that he is above the law, and if it is good for the reelection of the President, then, it is good for our country. That is simply preposterous. That is not who we are as Americans.

That is not how I was raised in the small coal mining town of Farmington, WV. Where I was raised, no one believed they were better than anyone else and could act with total disregard for the well-being of their neighbor if it was for their best interest. That is not why, over 230 years ago, the founding generation rebelled against a King and refused to crown a new one in this Republic. So let me be clear. No one, not even the President, is above the law.

Finally, the purpose of impeachment is not to punish the President but to protect the public. The ultimate question is not whether the President's conduct warrants his removal from office but whether our Nation is better served by his removal by the Senate now with impeachment or by the decision the voters will make in November.

As Hamilton warned us, impeachments ''seldom fail to agitate the passions of the whole community.'' They divide us on party lines and inflame our animosities. Never before in the history of our Republic has there been a purely partisan impeachment vote of a President. Removing this President at this time would not only further divide our deeply divided Nation but also further poison our already toxic political atmosphere.

In weighing these thoughts, and of all of the arguments brought forward in the case, I must be realistic. I see no path to the 67 votes required to impeach President Trump and haven't since this trial started. However, I do believe a bipartisan majority of this body would vote to censure President Trump for his actions in this manner. Censure would allow this body to unite across party lines and as an equal branch of government to formally denounce the President's actions and hold him accountable. His behavior cannot go unchecked by the Senate, and censure would allow a bipartisan statement condemning his unacceptable behavior in the strongest terms.

History will judge the Senate for how we have handled this solemn constitutional duty, and without bipartisan action, the fears of the great Senator Byrd will come true. As he said during the Clinton impeachment, the Senate will ''sink further into the mire'' because of this partisanship. ''There will be no winners on this vote,'' Byrd said. ''Each Senator has not only taken a solemn oath to support and defend the Constitution, but also do 'impartial justice,'' to help the Nation, ''so help me God . . . . . That oath does not say anything about political party; politics should have nothing to do with it.''

I am truly struggling with this decision and will come to a conclusion reluctantly, as voting whether or not to remove a sitting President is the most consequential decision that I or any U.S. Senator will ever face.

But regardless of my decision, and in the absence of 67 votes, I am reminded again of the words of Senator Byrd: The House and Senate—Republicans and Democrats—and the President ''must come together to heal the open wounds, bind up the damaged trust, and, by our example, again unite our people.''

''For the common good, we must now put aside the bitterness that has infected our Nation . . . . We [must] begin by putting behind us the distrust and bitterness caused by this sorry episode, and search for common ground instead of shoring up the divisions that have eroded decency and good will and dimmed our collected vision.''

It is not the legacy of the individual Senators we should be concerned about, but it is the legacy of this great institution, the U.S. Senate, that we leave for generations to come.

I thank you, and I ask the good Lord to continue to bless this great country of ours during this trying time.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Madam President, before I begin, I really want to take a moment to thank our friend and Majority Leader MCCONNELL for the manner in which he has worked to make this trial run so smoothly. I also thank our colleagues for their perseverance and, of course, the staff that has worked so diligently and has been so patient as we have worked through this process.

The impeachment trial of President Donald J. Trump was a moment in history that should have been shrouded in the gravity of its potential consequences. Instead, day by day, we endured hyperbole in its most unserious form.

It is easy to forget that America's appetite for scandal fades quickly once you exit the beltway around Washington, DC, but I encourage my colleagues to recognize that the enthusiasm with which the House managers have sought President Trump's removal is completely and inarguably divorced from reality in the heartland.

As it appeared to my fellow Tennesseans, the intentional mishandling of the House of Representatives' constitutional duty was nothing more than an attempt to prelitigate the 2020 election. That is correct—to prelitigate the 2020 election and to remove President Trump from office and thereby remove him from the ballot.

Our partisan friends had decided on the outcome that was necessary for them. They just needed to find a path that was going to get them there. So they had their outcome. They needed a path.

We saw House Democrats freeze out the President's counsel, refusing them an opportunity to fairly participate in the House Intelligence Committee's investigation.

House Manager SCHIFF created the supposed conversations he falsely attributed to the President and waited to see if his assertions would be questioned or if they were going to be accepted as fact.

Let me tell you something. I am a mom and I am a grandmother. I will tell you this. I don't think there is any mother on Earth who would stand for it if her child did such a thing to a coach or a teacher or a Scout leader or a minister. They would not stand for it, and yet the Senate was expected to indulge this unseemly behavior. This is something that is appropriate that we question.

The House managers relied heavily on the assertions of a whistleblower but refused to reveal anything about the circumstances that led to the whistleblower's report. So here we are at the end of the trial. Do we know if the whistleblower is a person or if it is a group of people? Does the report represent a consensus of ideas or just biased opinion? Was it prepared by an individual or prepared by a committee?

No one can answer that question except House Manager SCHIFF and his staff from the House Intel Committee, but that is not something they wanted to come down and talk about.

When it became clear that the White House would push back on witness subpoenas seeking testimony protected by executive privilege, House Democrats chose to move on rather than fight as

hard as they could for their case. They looked at those subpoenas, thought about the evidence that might come from them, and decided: not worth the trouble. Instead, they tried to rely on the pandemonium created by a historic moment to convince their colleagues and the American people that justice demanded a do-over—a do-over for the House impeachment.

When that strategy failed, they blamed the Members of the U.S. Senate for our unwillingness to go in and clean up their mess. This wasn't a pressure tactic; it was a manipulation tactic aimed right at the hearts of the American people.

Unfortunately for the House managers, the people see with dazzling clarity what has transpired within the four walls of this Chamber. The House managers have asked us to go on the record and rubberstamp history's first—history's first—impeachment inquiry to be filed solely on the basis of partisan politics—first one. They have asked us to ignore how quickly they moved to impeach President Trump and to not compare their timeline to the timelines from the Nixon or the Clinton impeachment.

Colleagues, I did my constitutional due diligence. I have read the House managers' brief and those reports prepared by the House Republicans and the President's counsel. I saw it all in black and white, and it was my due diligence that has led me to support acquittal.

Now, when I was serving in the House, there were times when I became frustrated with President Bush or, then, with President Obama. And when we, as Members of the House, at that point in time were faced with President Obama's apology tour, his senseless pursuit of government-run healthcare, and his involvement in the Fast and Furious scandal or the DACA executive memo, my colleagues and I discussed the possibilities of impeachment: What are we going to do about this? We looked at all the facts, and ultimately we chose a different path, a different path that respected the American people. We litigated our policy differences in the courts, where those battles belong.

So, Madam President, I ask my colleagues that, when the time comes, they exercise the same restraint. I implore every Member of this body to recognize the supremacy of the Constitution over partisan spin. Vote to acquit. Vote to reject the two Articles of Impeachment.

I yield the floor.

Madam President, 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.

The PRESIDING OFFICER. The Senator from Washington.

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

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

Ms. CANTWELL. Madam President, I come to the floor to join my colleagues speaking about what has transpired over the last several weeks and also to say something that I think is maybe not as obvious as what people realize, and that is that election interference is the issue of our day. It is not because we just spent 11 days talking about it, and what might have happened in the Oval Office about interference in the upcoming 2020 election. It is the issue of our day because we live in an information age, and weaponizing misinformation has become a lethal campaign tool. That is to say that, if you tarnish your opponent enough with misinformation, accuse them of corruption, then you can either score by wounding them fatally—that is, by getting people not to vote for them or by disincentivizing people to vote at all.

Claiming corruption seems to be a pretty good tool these days to wound anybody, to wound institutions, the free press, legitimate government oversight, but most seriously, it wounds our democracy by sowing doubt into free and fair elections. Once voters believe the election results are corrupt, it is hard for them to have faith in the results, and it is hard to make tough decisions that we need to make as a society to move forward. Voting, in and of itself, does give us confidence as a nation, unless we know there are free and fair elections, we know the public has spoken and the results are legitimate.

I am personally grateful to my predecessor, Senator Slade Gorton, for how he handled the 2000 election. After a 3-week recount and a margin of less than one half of 1 percent, with control of the Senate, a 50–50 split to be decided, he conceded. Since then—and even at that time—some States tried to suppress provisional ballots. But Senator Gorton not only believed that provisional ballots were legitimate, but he believed that the election was correctly decided. That must have been a tough moment for him as he saw a shift in public sentiment in the State of Washington, as we have moved more toward a different direction.

But today we live in a world of disinformation, where distrust can be served up like your own personal cocktail. After consuming and analyzing endless amounts of personal data about you, someone knows exactly what disinformation tactic will work best with you. It is almost like disinformation on steroids.

Our adversaries, the Russians, are especially sowing these seeds of distrust into our democracy trying to dissuade people from even voting and more seriously trying to divide us as a Nation and tarnish our democracy. I don't know if this is some payback from President Putin, who believes that the United States helped in the demise of the Soviet Union, or if Russia is just trying to undermine American and European trust and free and open democratic systems; or if Russia is trying to divide Europe so it can dominate European energy supplies and exert its influence over European policies. I just know this: We are not the first act of this play.

This has been going on for many years and in many places. They have interfered in European elections. A 2018 report shows, ''the Europeans launched several multilateral and regional initiatives to improve Europe's reliance to improve Europe's resilience to building collective defenses against disinformation and cyber-attacks, improving cross-border cooperation . . . and applying sanctions against malicious actors.''

The Russians interfered in our 2016 election, our own intelligence agencies agreed.

The Special Counsel's investigation ''established Russia interfered in the 2016 election principally through two operations. First, a Russian entity carried out a social media campaign that favored Presidential candidate Donald J. Trump and disparaged Presidential candidate Hillary Clinton, and second, a Russian intelligence service conducted computer intrusions and operations against entities, employees, and volunteers working for the Hillary Clinton campaign and released stolen documents.''

We must fight back against Russia or anyone who interferes in our elections. Protecting our elections should be a bipartisan effort. We should listen to what the intelligence community says, because they are warning us now that Russia will interfere again in the 2020 elections.

That is why I take so seriously the House charges that President Trump was involved in a scheme, over a long period of time, involving many people, to ask the Ukrainians to interfere in our election.

As Federal Election Commissioner Ellen Weintraub said, ''let me make something 100% clear to the American people and anyone running for office. It is illegal for any person to solicit, accept, or receive anything of value from a foreign national in connection with a U.S. election. This is not a novel concept.''

So why has President Trump continued to sow distrust in our elections? He thought it was okay to ask the Russians to interfere in 2016, and he seems to be inviting Ukrainian interference in 2020.

As one of my former campaign staffers asked last weekend, ''are campaigns now going to be communications directors, fundraising directors, and foreign operations directors? You know, those people who go around and seek influence, perhaps dark money or endorsements from foreign governments? Will this become some sort of norm because we're not acting?''

We already know what the dark, murky world of Paul Manafort looks like. That is why it is so important for us to be clear here. Seeking, requesting, and accepting interference in a

U.S. election campaign is wrong. It is not just inappropriate, it is not just improper, it is illegal. By calling it improper or turning a blind eye in this case, is enabling more election interference.

What is not clear is who are all the President's men in this administration who are helping him abuse his power. He is using his office for political gain. How are they accomplishing this task for him?

It is so disappointing to see that this might be happening in our Nation. Where will the abuse stop? I know this. As a young girl, I remember the Saturday Night Massacre, the time when Bill Ruckelshaus and Elliot Richardson stood up to illegal behavior. My father, at the time was definitely a Democrat, but he wanted me to understand this lesson. People of the other party might not share the same philosophy, but they did share the same Constitution, and the scales of justice are balanced.

Yes, there is probably no harder task than to stand up to the President of your own party, but that is what Bill Ruckelshaus and Elliot Richardson did.

I remember that lesson and called Bill Ruckelshaus after Jeff Sessions recused himself and was fired. Bill's advice was prophetic. He said, ''You should use this opportunity now to make sure the next Attorney General will be an independent and help rein in this president's abuse of power.'' Well, we obviously did not get that done, and we all know what that outcome has been.

It occurred to me last weekend that maybe the Saturday Night Massacre in this case has happened. Maybe John Bolton and Fiona Hill will turn out to be those people who stood up to the abuse of power. I know this: It is important to have listened to them.

Twice in this gallery over the last several weeks I heard a young baby cry. I thought how unusual that somebody would bring a child to an event like this. Probably their parents wanted to be part of history. And then I thought about what that child would say, probably over the rest of their life: that they had been at this impeachment trial.

But what I want to know is about the reflections 30 or 40 years from now. Will we be remembered for rooting out illegal activity, stopping interference in our elections or not, or will this moment have been forgotten?

I know my constituents have been clear about this—and I don't mean my constituents that support the President or my constituents that don't support the President. I mean my constituents who want to know that we are going to enforce the law. They don't care about what the outcome is in the next election or how it might benefit either party. And it is clear that either party could overstep in this situation. They want to know if we are going to uphold the oath of office and hold people accountable for wrongdoings that they pursue.

I hope that we have taken this election interference issue seriously. I plan to work with my colleagues, on a bipartisan basis, to get more laws passed on election security and to stop interference. I have been a loud and consistent spokesperson for better cybersecurity in our Nation. I am not going to let our democracy be eroded by foreign interests that want to harm what is so precious in our Nation. I will be voting for both articles, and for impeachment.

I yield the floor.

The PRESIDING OFFICER (Mr. BOOZMAN). The Senator from Hawaii is recognized.

Mr. SCHATZ. Mr. President, the American experiment was a radical one. It imagined equal justice under the law. It imagined equal protection under the law. It imagined a cumbersome system in which tyranny could be avoided by the constant struggle between elected and appointed leaders, and it intentionally sacrificed speed, efficiency, and convenience to avoid the abuse of power. And so it is with unending regret that I see what is happening.

I grieve for the Senate, an institution both hallowed and flawed, an elite place in the worst sense of the word, and yet still the main place where American problems are to be solved. To paraphrase Winston Churchill, the Senate is the worst legislative body, except for all of the others.

There are millions of Americans who have formed a basic expectation about how a trial is to function based on hundreds of years of law and based on their common sense. Make no mistake—what the Senate did was an affront to the basic idea of a trial. And for all of the crocodile tears of my colleagues, all of the fake outrage at the accusation, we must call this what it was—it is a coverup.

I don't know what Mulvaney or Bolton or Pompeo would say. I don't know what the documents would illuminate. And I believe it is normally very dangerous to ascribe motives to fellow Senators when criticizing their vote. But it is impossible for me to escape the conclusion that they don't want to know; that they wanted to get this over with before the Super Bowl, of all things. They are afraid of this house of cards falling all the way down.

As I look at the Republican side of the Chamber, I know this moment in history has made their particular jobs extraordinarily difficult, requiring uncommon courage. They have to risk the scorn of their voters, their social circle, their colleagues, and their President in order to do the right thing.

On one level, I knew the likely outcome, but the bitter taste of injustice lingers in my mouth.

On behalf of everyone who couldn't get away with an unpaid traffic fine, is in jail for stealing groceries so they could eat that night, who can't get a job because of medical debt, I say shame on anyone who places this President or any President above the law. The President is not above the law. No one is above the law. The President is guilty on both counts.

The Constitution gives extraordinary powers to the President under article II, and that makes sense because without a powerful magistrate, the government can't function. But in granting these powers, the Framers thought carefully about how to constrain them, and they decided that a President could be controlled to greater or lesser degrees by the legislature, by the judiciary, and by the voters. But the Framers couldn't contemplate this level of polarization where, even in the face of the overwhelming evidence of high crimes, one party would not just exonerate him for it but, in fact, ratify these crimes. They didn't imagine that one party would be so uniformly loyal to its President that it could maintain a hammerlock on the Senate, preventing the prospect of 67 votes from ever being available for removal.

I don't think we are in danger of the impeachment process becoming routine; I think we are in much greater danger of making the impeachment process moot. And if so, God help us all.

But all is not lost. We remain a government of, by, and for the people. If people across the country find this as odious to our basic values as we do, in 8 months the American public can render their own verdict on the Senate.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Oklahoma is recognized.

Mr. INHOFE. I ask unanimous consent to be allowed to speak as in morning business for whatever time I shall consume.

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

Mr. INHOFE. Mr. President, nearly 20 years ago, I was here in this exact spot—I remember it so well—deliberating the guilt or innocence of a President. It happens that at that time, it was President Clinton from your State of Arkansas. At that time, I said that I thought it would probably be the most important vote I would cast as a Senator. I was wrong. I think my vote on Wednesday—the day after tomorrow—to acquit President Trump will be the most important vote of my career. I really believe that.

Over the past few weeks, as we have considered impeachment, there has been a lot made of the fact that I was willing to vote to convict President Clinton 20 years ago and yet to vote the other way in the current process

we are under right now. Putting the morality question from President Clinton aside, this supposed debate highlights the central point of the differences in the impeachment process and why President Trump should not be impeached.

Before Clinton was even impeached, he admitted to the crime of perjury. This is a big difference because we have a President right now who has not admitted that. In fact, there have not really been accusations of a crime. Our debate then was about whether perjury was a high crime or misdemeanor. I believe it was. As I said then, the President should be held to the highest standard.

But that was substantially different than the question before us today. The question put to us by the House managers is an evidentiary one. It is one that asks the question if, according to the evidence presented, there is a determination that President Trump is guilty of a crime, and the answer is no. Presidents should be held to the highest standard, but that standard can't be a false, moving standard that isn't based on evidence or is established by a court of public opinion.

Here is why I will vote to acquit the President. The whole impeachment inquiry was initiated on the basis that President Trump orchestrated the quid pro quo with Ukrainian's President during a phone call on July 25 of 2019. It is kind of confusing.

A lot of people don't really understand what it is all about, but Ukraine has had serious problems. You know what is happening. The Russians have been there mass murdering the Ukrainians for a long period of time. We have watched that happen. So they kind of put this thing together saying: Well, there was an arrangement made by President Trump that they would withhold military aid to Ukraine unless there was a deal they could make and have something investigated by the President of Ukraine. Now, the House managers spent 75 percent of their time on this point and driving home the importance of our partnership with Ukraine and talking about the Russian aggression. The facts weren't there, but, worse, it is hypocritical. There was nothing wrong with President Trump's phone call with President Zelensky.

You might wonder how I can be so sure. It is simple. The House Democrats' allegations were secondhand, and that means they were hearsay. There was not one direct witness. In fact, they had 17 witnesses in the House of Representatives and not one of them were firsthand. The transcript speaks for itself. There was no evidence of a quid pro quo or of any wrongdoing, whatsoever, just of a President who understands both the importance of Ukraine as an ally and the importance of rooting out corruption. President Zelensky said publicly that he felt no pressure. He testified about this and Trump asking to investigate anything in exchange for foreign aid.

You have to keep in mind we have a very conservative President. He doesn't just dish out foreign aid to everybody who needs it. In this case, there was a necessity to have military aid. We couldn't get any lethal military aid from President Obama. All he wanted to send was blankets and K-rations. They don't have K-rations anymore; they call it something else. MREs. But, nonetheless, there was not going to be any military aid sent to them.

The Trump administration placed a brief, temporary hold on the aid to Ukraine to ensure that the American taxpayers were not going to be abused. This is very significant. He did this to Ukraine to make sure that the amount of money that was sent in there was going to be used properly and the amount of military aid that was going to be used.

But at the same time, you have to keep in mind he was doing that with everybody else too. He is just not a fast-spending President. He is going to make sure things have to be made in accordance with their needs. In fact, at other times, he withheld the same type financial aid to Afghanistan, South Korea, El Salvador, Honduras, Guatemala, Lebanon, and Pakistan. So the fact that he did it with Ukraine was consistent with his other policies. This is what he does and what he has always done.

I am confident about this because I talked to President Trump directly about it. I am the chair of the Senate Armed Services Committee, the committee is responsible for authorizing lethal aid to Ukraine. I have been working on securing that lethal aid for a long period of time, dating back to 2014. In 2014, we had a different President. It was President Obama. And then the Ukraine President Poroshenko—I can remember being in Ukraine with Poroshenko, and I talked to him about this. This was the same time Russia was in Ukraine and was mass killing the Ukrainians. We went to President Obama to get help, and he wouldn't do it. He didn't want to send any lethal military aid. And he said over and over again—we talked about blankets and K-rations. When President Trump came into office, he changed it. He is the first President to provide lethal aid to Ukraine. He has been a committed partner in the region helping them withstand Russian aggression.

I bring this up because during the first 3 days of the House managers' presentation, about 75 percent of that time was spent on this issue talking about his lack of support for Ukraine, when in reality, this President has been supporting Ukraine. The House managers who were serving in the House at that time—this is significant. Of the House managers—however many were sitting over here for the last week—they are all talking about things they want to do for Ukraine. Yet the first vote that was taken originated in the Armed Services Committee for FY 2016, and it happened to be that the Democrats—the very three Democrats who were serving at that time—voted against it. They didn't vote for it. This is the type of thing you get when this hate-motivated stuff was going on for such a long period of time.

The House didn't prove that Trump committed a crime. I am the first to admit I am not a lawyer. Sometimes I think that plays to my advantage. I look at things in a different way. I try to just inject a little bit of common sense. I listened to the lawyers and, frankly, I didn't even understand what some of them were saying, but I do know pretty much what is going on around here.

In this case, the reasons behind why the President should not be impeached are common sense. He didn't commit a crime. That didn't come just from me. You would expect me to say that. That came from others who were the well-respected attorneys who were involved in each side of this case. Each of the past impeachment cases in the House of Representatives accused Presidents Johnson, Nixon, and Clinton of committing a crime. This President didn't commit a crime. But Clinton did, and he admitted that he did. It was perjury at that time. That is a crime. It was the same thing with Nixon and the same thing with Johnson. So all those things that have happened in recent history have been crimes but not with this President.

The Democrats wanted to impeach President Trump since he took office. I think there was a witness we had today—I believe it was today—they had a visual up here that showed all the people who have been trying to impeach President Trump ever since he took office. I am talking about the first week he was in office. It was all documented up there. They are still at it. I have no doubt they will continue to do that, but it is not going to work. It didn't work in this case.

Democrats have wanted to impeach him since he took office. The Washington Post reported the concerted effort by the leftwing advocacy groups to move toward impeachment of the President only minutes after his inauguration. So they have been looking for a reason to impeach President Trump.

I think one of the stars of the testimony that went on was Alan Dershowitz. He is someone who is held in the highest regard. He is a law professor at Harvard University, and he is a strong Democrat. He is not a Republican. First thing he did was admit he voted for Hillary Clinton in 2016, so that qualifies him in a different way than most of the people who were here as witnesses. He was direct in his presentation and shredded the Democrats' case. He made it clear that abuse of power should be a political weapon suited for a campaign, not impeachment, as abuse of power is not a crime or impeachable conduct.

Dershowitz also explained that virtually every President since President Washington could have been accused of impeachment if they used the criteria that the House managers—the ones who were sitting over here—were using. That was a level that could not be used or it would have affected every other President if it had been used at that time.

He also had an important comment on whether or not we needed to hear sworn testimony from John Bolton. This is what he said. This is a quote by Dershowitz. He said: ''Nothing in the Bolton revelations, even if true, would rise to the level of an abuse of power or an impeachable offense.'' That is Alan Dershowitz.

It is clear that President Trump must be acquitted of the charge of abuse of power on its merits. A vote to convict in this case would be a dangerous precedent.

I would say, time and time again, that during the trial, the House managers have preached at us that the truth matters, that facts matter; that we must convict the President and remove him from office. In fact, the House managers' closing arguments—I tried to keep count of every time they made the accusations using the words ''cheat,'' ''obstruction,'' ''crimes,'' and it was so many times, I lost track—but truth matters. Just because you say the President has committed a crime doesn't make it true.

Here is what is true. This has been a partisan process from start to finish. Compare that to the past. The impeachment inquiry against President Nixon was authorized by a vote of 410 to 4 in the Congress, an overwhelming bipartisan vote. The same thing was true with Clinton. They had 31 Democrats who voted to impeach the President. Yet in the vote of this impeachment inquiry, the final vote to impeach President Trump was strictly partisan. Not a single House Republican voted to impeach the President. On the contrary, nearly every House Democrat did. The only bipartisan vote was against impeachment.

I listened to the facts and I have listened to the evidence and I am convinced President Trump has not committed a crime. All the legal minds who gave testimony pretty much agreed with that, including Dershowitz.

I think, though, it has to be said there is a hatred for Trump. We have to admit there is something about him that a lot of people don't like, whether it is his demeanor or it is his style. I understand that. But when you listen to the substance, look at what he has done right now rebuilding the military, including killing the top terrorists. I am particularly sensitive to this because this is my committee. We have watched what he has done to the military.

Back during the Obama administration, using constant dollars during the last 5 years of his 8-year tenure, he actually reduced the spending in military by 25 percent. I don't think that has ever been done in the history of this country, except maybe immediately following World War II. Yet there he is, rebuilding the military, and we are now back to where we are competitive. I have to admit, though, during those last 5 years of Obama, we really hurt ourselves in terms of our relationships in terms of China and Russia taking the leadership positions they have taken. He has been rebuilding the military. He has been confirming constitutional judges. Confirming 187 judges in the last 3 years is a record that hasn't been done before. Oddly enough, these are judges who have actually read the Constitution. That is a novel idea.

I would say that this is the best economy we have had in decades. Last week we went to 3.5 percent unemployment. We used to consider 4 percent unemployment as being fully employed, and yet I don't even have a memory to when it has been down to 3.5 percent.

The trade deal we did is new. It shows we are getting things done. We have more Americans working today than ever before, and the median household income is the highest it has ever been.

We are going to have a very significant vote on Wednesday. I think you know how I am going to vote. I am going to vote to acquit the President on both Articles of Impeachment. That will be a very significant vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I ask unanimous consent that my full statement be included in the RECORD.

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

Mr. CARDIN. Mr. President, constitutional experts will be debating President Trump's misconduct for generations to come, but I think they will reach consensus as to the misconduct of the Senate in the Trump impeachment. This is the first time in the history of impeachment that no witnesses and documents were allowed to be called by the U.S. Senate. It violates the Constitution in the impeachment trial of Donald Trump by its failure to hold a constitutionally fair trial.

At one time, I had the opportunity to present as a House manager an impeachment case here in the U.S. Senate on a district court judge by the name of Nixon. I remember, when I appeared before the Senate, I was cautioned immediately, even though Judge Nixon had been convicted of a bribery type of an offense in a criminal court, that it was incumbent for us to present the witnesses and documents in the U.S. Senate and that the Senate would conduct its own record in regard to the proceedings. Yet, here, we are not having witnesses in the President's impeachment trial.

We had some help from the Supreme Court on this. In Nixon v. United States, 1993, pertaining to Judge Nixon's trial, Justice Byron White had a concurring opinion. Justice White said that the term ''try,'' as used in article I, section 3, clause 6, meant that the Senate should conduct a proceeding in a manner that a reasonable judge would deem a trial.

We failed to conduct a constitutionally fair trial here in the U.S. Senate, and we can look to the President's own counsel here for help in evaluating our own conduct of this trial. The President's counsel, Philbin, said that you need to cross-examine witnesses in order to get to the truth. We had no witnesses under oath and no witnesses cross-examined. The tragedy here is, if the President is acquitted, there will always be a question as to whether this was a legitimate trial here in the U.S. Senate.

Let me just spend a moment comparing the impeachment proceedings of President Clinton's versus those of President Trump's.

With President Clinton, there was a trial in the Senate. It was acknowledged to be fair. Witnesses were called. President Clinton and his administration officials had testified under oath and had been subject to cross-examination. President Clinton showed remorse for his conduct and apologized for his misconduct, and President Clinton's misconduct was personal in nature.

Compare that to President Trump. He blocked all witnesses and documents and then, through counsel, prevented the Senate trial from calling any witnesses or producing any documents. He has never shown any remorse. Even though most Senators here know that what he did was wrong, he has shown no remorse whatsoever, and his misconduct was that of abusing his office for personal gain—getting a foreign power to help in his election campaign.

Let me briefly go through article I.

Article I states that he solicited a foreign government, Ukraine, to interfere in the 2020 elections by its publicly announcing investigations that would benefit his reelection, conditioned on official U.S. Government acts of significant value to Ukraine. The House managers have submitted a voluminous amount of information that supports that, and I refer to that in my attached statement, so I will not spend the time here to go through that.

Yet, even though there is enough in the full record to establish the charges, there are other issues that add to the President's committing these acts.

First, as I mentioned before, the President issued a blanket obstruction for any witness with firsthand knowledge of the President's conduct to provide testimony on these articles here in the U.S. Senate. Yes, we can infer that, if the President had exculpatory witnesses, he would have produced those exculpatory witnesses.

Secondly, the President's impeachment attorney, Mr. Sekulow, said that you cannot view this case in a vacuum. I agree. The President has consistently

misrepresented the facts and defamed anyone who challenges him.

Let me just give you one concrete example: the Mueller investigation, which has been cited in this impeachment trial. The President denies Russia's initial involvement in our elections. He resisted efforts to hold Russia accountable. He defamed the reputation of the special counsel. He willfully impeded the investigation. He attacked the integrity of our intelligence and law enforcement agencies. He also wrongfully claimed that the investigation exonerated him. He has done that over and over again. The findings in the report speak to a contrary conclusion. It says Russia interfered in our 2016 elections in a sweeping and systematic fashion. It reads: ''If we had confidence that the president clearly did not commit a crime, we would have said so.''

There are numerous instances in which the President may have obstructed justice, but we left the further pursuit of that to Congress or to a prosecutor after he leaves office.

Since he has taken office, the President's pattern has been to mislead and misstate facts and to act as a bully against those who have had anything to say against him that he has not liked. It makes it easier for us to understand how the illegal scheme in article I unfolded.

I have one additional fact of why this points to establishing the facts.

The President has consistently shown no remorse. He continuously tells us that the summary of the July 25 call shows a perfect call. We know how controversial that call was. It was far from perfect.

The next hurdle was, is this an impeachable offense? I concluded that it was. It is an abuse of power, which is an abuse of trust, which is clearly what our Founders intended as being a high crime and misdemeanor while in office.

The President's own analysis of this leads to the only conclusion, that being that abuse of power must be an impeachable offense. I say that because we had the President's counsel—once again, Professor Dershowitz—who told us that it was not an abuse of power and that it was not an impeachable offense. Professor Dershowitz said that if your election is in the public interest—if a President does something which he believes will help him get elected in the public interest—that it cannot be the kind of quid pro quo that results in impeachment.

Well, that is an absurd situation if you adopt the logic of the President's counsel that abuse of power is not an impeachable offense. It is clearly an impeachable offense. The President's conduct has jeopardized America's global leadership in promoting our values. Our values are our strength.

I thought it was very telling, the conversation of Ambassador Volker with Mr. Yermak, who is the principal counsel to President Zelensky of Ukraine.

Ambassador Volker said: Don't start an investigation in Ukraine on your opponent in your election because that will sow division in your community.

Mr. Yermak responded: Do you mean like asking us to investigate Clinton and Biden?

President Trump's conduct has endangered our national security, our global leadership, and American values.

Article II is a lot easier—obstruction of Congress—because the facts clearly establish that the President's blanket obstruction, which he orchestrated, denied any access to individuals or to documents in order to facilitate a coverup of what was uncovered under article I of the Articles of Impeachment.

It is essential for Congress to carry out our responsibilities and to be able to get that type of information from the President. It is exactly what the Framers of our Constitution intended when they developed the checks and balances in our system—that there would be no branch that would have absolute power. We do not have a Monarch.

President Trump has crossed the line with his personal interests over the country's interests. He used the power of his office for his own personal benefit. No one is above the law. We must act to protect the Constitution and our democratic system of government. It is with a heavy heart that I will support both Articles of Impeachment.

Senators have a grave responsibility when it comes to the power of impeachment, particularly when it involves the President of the United States. This is a very profound responsibility in which Senators have to do what is right for our country. Our decision here will affect not only this President but the future of the Presidency itself.

The Constitution leaves to the Senate ''the sole power to try all impeachments.'' The Constitution clearly requires the Senate to conduct a trial. The Supreme Court, the ultimate interpreter of the Constitution, has given the Senate some guidance in carrying out its responsibility to conduct impeachment trials. Supreme Court Justice Byron White, in a concurring opinion in Nixon v. United States, 506 U.S. 224 (1993), found that the Framers of the U.S. Constitution clearly intended ''that the term 'try' as used in article I, section 3, clause 6 meant that the Senate should conduct its proceeding in a manner that a ''reasonable judge'' would deem a trial. Justice White acknowledged that the Senate ''has very wide discretion in specifying impeachment trial procedures,'' but stated that the Senate ''would abuse its discretion'' if it were to ''insist on a procedure that could not be deemed a trial by reasonable judges.'' Justice Blackmun concurred in Justice White's opinion.

The Senate has the sole power to ''try'' impeachments. Yet how can the Senate hold an actual ''trial'' without hearing direct evidence from witnesses? The Senate chose not to hear additional relevant evidence and key witnesses with firsthand knowledge of the President's conduct. However, the Senate is not bound solely to the House record when conducting an impeachment trial. The Senate should have heard new and relevant evidence that bore directly on the Articles of Impeachment, including testimony from former White House National Security Advisor John Bolton, Acting White House Chief of Staff and Acting OMB Director Mick Mulvaney, as well as various other OMB and DOD officials. The Senate should have demanded additional documents from the White House, State Department, OMB, and DOD that bore directly on the Articles of Impeachment. The Senate should have been able to receive further evidence before concluding its trial in this case, whether or not the additional evidence was incriminating or exculpatory. As one of President Trump's counsel Mr. Philbin said during the trial, the best way to find out the truth is for witnesses under oath to be subject to cross-examination. The Senate therefore failed in its responsibility when it did not conduct a constitutionally fair trial. I suspect that Justice White in the Nixon case would have concluded that no ''reasonable judge'' would conclude these proceedings constitute such a trial.

The evident deficiencies of the Senate trial has made it more difficult for me to carry out my responsibility, and if the Senate fails to convict, that acquittal will always be questioned because of the absence of a fair trial. This process is not fair to the House, Senate, American people, or the President.

Now, in regards to the specific Articles of Impeachment, article I alleges ''abuse of power'' by the President, stating: ''Using the powers of his high office, President Trump solicited the interference of a foreign government, Ukraine, in the 2020 United States Presidential election. He did so through a scheme or course of conduct that included soliciting the Government of Ukraine to publicly announce investigations that would benefit his reelection, harm the election prospects of a political opponent, and influence the 2020 United States Presidential election to his advantage. President Trump also sought to pressure the Government of Ukraine to take these steps by conditioning official United States Government acts of significant value to Ukraine on its public announcement of the investigations. President Trump engaged in this scheme or course of conduct for corrupt purposes in pursuit of personal political benefit. In so doing, President Trump used the powers of the Presidency in a manner that compromised the national security of the United States and undermined the integrity of the United States democratic process. He thus ignored and injured the interests of the Nation.''

I reluctantly conclude that the President has indeed engaged in the conduct

alleged. I come to this conclusion based first on the record during this impeachment trial.

In weighing the facts and evidence in this case, I have listened carefully to all of the trial proceedings and taken extensive notes, including during the managers' presentations and Senators' questioning period. Let me highlight a few key facts and pieces of evidence that were determinative for my thinking, with the understanding that this is not an exhaustive list.

First, President Trump indicated his strong interest in having Ukrainian President Volodymyr Zelensky open a political investigation into the Bidens, in a July 26, 2019, phone call between the President and U.S. Ambassador to the European Union Gordon Sondland.

Second, Acting Chief of Staff and Office of Management and Budget Director Mick Mulvaney admitted that a quid pro quo existed in terms of tying the release of U.S. funding to Ukraine to the opening of a political investigation to help President Trump.

Third, there are numerous examples in the record of direct pressure on the Ukrainian Government to open political investigations for the personal benefit of President Trump, including a September 1, 2019, Warsaw meeting between Ambassador Sondland and Andriy Yermak, a top adviser to the Ukrainian President, which directly tied U.S. military assistance to Ukraine to the opening of political investigations to hurt President Trump's political rivals. These accounts were later confirmed in testimony by other U.S. diplomats, and on September 7, Ambassador Sondland reiterated these themes following discussions with President Trump.

Fourth, before the July 25 phone call between Presidents Trump and Zelensky, former U.S. Special Envoy to Ukraine Kurt Volker communicates with Yermak and conditions a White House visit to the launching of a political investigation against the President's rivals in Ukraine.

Fifth, on July 10, 2019, the White House held a series of meetings with high-level Ukrainian defense officials, which conditioned a White House visit from the Ukrainian President with the opening of political investigations in Ukraine sought by President Trump. Notably, former National Security Advisor John Bolton refused to be part of any ''drug deal'' and asked his staff to report these meetings to National Security Council lawyers. It was explained by National Security Council Member Fiona Hill that, by ''drug deal,'' Ambassador Bolton was referring to conditioning a White House meeting for the President of Ukraine with the Ukrainians starting the political investigations desired by the President.

Mr. Bolton should have testified before the Senate, and we should not have to wait for his book release, after this Senate trial concludes, to get a full accounting of firsthand conversations here that bear directly on the impeachment charges against the President. Press reports indicate that, in his upcoming book, Bolton will state that the President explicitly told him that he did not want to release $391 million in aid to Ukraine until it announced investigations into his Democratic rivals, including former Vice President Joe Biden. Also, the President specifically asked Bolton to arrange a meeting for President Trump's personal attorney, Rudy Giuliani, with President Zelensky to further the illegal scheme. Notably, the former White House Chief of Staff at the time, John Kelly, believes Bolton's account.

Sixth, the language used in the July 25, 2019, phone call between Presidents Trump and Zelensky was a direct solicitation of foreign interference (a ''favor'') by using a political investigation to help President Trump's campaign and hurt his Democratic rivals.

Seventh, why did the Administration keep secret its hold on assistance to Ukraine in order to allegedly combat corruption? The U.S. has generally notified countries, Congress, and the public when it is withholding foreign aid in order to change the country's behavior and let them know what steps they need to take to resolve the hold.

As the ranking member of the Helsinki Commission and as a senior member of the Senate Foreign Relations Committee, I know the importance of promoting American values in foreign policy. The President's conduct has weakened America's global leadership in fighting corruption, promoting democracy, and strengthening the rule of law.

President Trump's corrupt use of his foreign policy power compromised America's ability to help shape the global community that protects American values.

The record shows that Ambassador Volker tried to discourage Mr. Yermak and the Ukrainian Government from trying to prosecute the country's previous President. Ambassador Volker says he warned it would sow deep societal divisions. Ambassador Volker says that Mr. Yermak quipped in response, ''You mean like asking us to investigate Clinton and Biden?''

In addition to the record, I am supported in my conclusions by three other considerations. First, why hasn't the President presented to the impeachment trial the testimony of the witnesses that have direct knowledge concerning the factual allegations in the Articles of Impeachment? I draw from the absence of such testimony that it would only corroborate the record presented by the House Managers. Secondly, counsel to President Mr. Sekulow acknowledged ''you cannot view this case in a vacuum.'' I agree. President Trump, during his Presidency, has consistently misrepresented the facts and defamed anyone who has challenged him.

One clear and relevant example of this is how he tried to obstruct the Mueller investigation and how, to this date, he mischaracterizes its conclusion. The President was not exonerated by the Mueller report, which found that Russia interfered in our 2016 Presidential election in a ''sweeping and systematic fashion.'' President Trump consistently took steps to deny Russia's involvement in tampering in our elections, resisted efforts to hold Russia accountable, besmirched the reputation of the special counsel while trying to dismiss him or willfully impeded his investigation, and repeatedly attacked the integrity of our intelligence and law enforcement agencies.

Indeed, the Mueller report stated: ''If we had confidence after a thorough investigation of the facts that the President clearly did not commit obstruction of justice, we would so state. Based on the facts and applicable legal standards, however, we are unable to reach that judgment.'' At a press conference, Special Counsel Mueller reiterated: ''If we had had confidence that the president clearly did not commit a crime, we would have said so.'' The report detailed numerous instances in which the President may have obstructed justice, but left further pursuit of the matter to Congress or future prosecutors once the President leaves office.

With such a track record, it is easier to understand how the facts presented by the House managers tie together supporting an illegal scheme, orchestrated by the President, to get Ukraine involved in our 2020 elections to help Mr. Trump's reelection.

Third, the President has consistently failed to show any remorse for his conduct, leading to the conclusion that he will continue to violate the sacred trust of the office.

Having been satisfied that the President did commit the offenses in the first Article of Impeachment, the next hurdle is whether these constitute impeachable offenses. I conclude they do. President Trump is not a King or Monarch. The Founding Fathers wisely created a system of separation of powers and checks and balances so as not to concentrate power in only one office or department of government. The Senate must reject President Trump's statement on July 23, 2019, that his right under article II of the Constitution is ''to do whatever I want as president.''

As noted in the House Judiciary Committee report on constitutional grounds for Presidential impeachment (December, 2019), President Trump's claim here ''is wrong, and profoundly so, because our Constitution rejects pretensions to monarchy and binds Presidents with law. That is true even of powers vested exclusively in the chief executive. If those powers are invoked for corrupt reasons, or wielded in an abusive manner harming the constitutional system, the President is subject to impeachment for 'high crimes and misdemeanors.' This is a core premise of the impeachment power.'' I agree.

The President's counsel notes that abuse of power could become too subjective a standard for Presidential impeachments. But as Representative William Cohen remarked in President Nixon's case, ''It has also been said to me that even if Mr. Nixon did commit these offenses, every other President . . . has engaged in some of the same conduct, at least to some degree, but the answer I think is that democracy, that solid rock of our system, may be eroded away by degree and its survival will be determined by the degree to which we will tolerate those silent and subtle subversions that absorb it slowly into the rule of a few.''

The premise that abuse of power being a too subjective standard belies common sense and could lead to the absurd conclusion given by Professor Dershowitz—one of President Trump's impeachment counsel—during the trial. He stated: ''Your election is in the public interest. And if a president does something which he believes will help him get elected in the public interest, that cannot be the kind of quid pro quo that results in impeachment.'' Abuse of power, as used by President Trump, to further a scheme to get Ukraine to help in President Trump's campaign must be an impeachable offense if we believe our Constitution guarantees that no one, including the President of the United States, is above the law.

The President's counsel also observes that, when initiating Articles of Impeachment, the House should only proceed if there is bipartisan support, but that decision is left solely to the House. Once the House has acted, the Senate shall proceed to trial and must render a decision based upon the case presented.

There are clear distinctions between the Clinton and Trump impeachments. In Clinton, the trial was acknowledged to be fair; witnesses testified before the Senate; President Clinton and members of his administration testified under oath; and documents were produced for review by the President. President Clinton showed remorse for his conduct and apologized. His misconduct was personal in nature.

In contrast, President Trump blocked all witnesses and documents, and the Senate called no witnesses to testify under oath. President Trump has shown no remorse, continuing to say that the controversial call with President Zelensky was ''perfect.'' Unlike President Clinton's misconduct, President Trump has abused the power of his office for personal gain.

Turning to the second Article of Impeachment, Obstruction of Congress, the House alleges, that, in response to their impeachment inquiry, President Trump ''directed the unprecedented, categorical, and indiscriminate defiance of subpoenas issued by the House of Representatives . . . without lawful cause or excuse, President Trump directed Executive branch agencies, offices, and officials not to comply with those subpoenas. President Trump thus interposed the powers of the Presidency against the lawful subpoenas of the House of Representatives, and assumed to himself functions and judgments necessary to exercise of the 'sole power of impeachment' vested by the Constitution in the House of Representatives.''

In particular, the second article alleges that the President: No. 1, directed the White House to defy a lawful subpoena by withholding the production of documents; No. 2, directed other executive branch agencies and offices to defy lawful subpoenas and withhold the production of documents, including OMB and the Departments of State, Defense, and Energy; and No. 3, directed current and former executive branch officials not to cooperate with the investigating committees, including Mick Mulvaney and numerous other officials.

After reviewing the evidence, I believe that the Senate record supports conviction under article II as an impeachable offense.

President Trump carried out an extraordinary and unprecedented campaign of obstruction of Congress. Note that President Clinton provided evidence that was requested by the House and Senate during impeachment proceedings, and allowed multiple White House aides to testify in the underlying investigation. President Nixon cooperated to an extent in his investigation, allowing numerous White House officials to testify and providing substantial evidence to Congress in its inquiry. By contrast, President Trump issued an edict directing his administration to refuse to ''participate'' in all aspects of the House's impeachment inquiry. In particular, the October 8, 2019, letter from the White House Counsel did not even attempt to assert any specific privileges.

This trial has been very difficult for the Senate and our Nation, but each Senator must in his or her own judgment carry out the oaths we have taken as Senators to support the Constitution as well as our special oath to do ''impartial justice'' as participants in this Senate impeachment trial, with Chief Justice Roberts presiding over the Senate.

Weighing the credibility of President Trump, I find a clear pattern of misconduct in office. President Trump's obstruction of Congress shows a deep and abiding disrespect for Congress and lack of appreciation for the separation of powers and system of checks and balances in our government.

As the President and Commander in Chief, President Trump used his power to compromise and corrupt America's values. Our values are our strength. In particular, President Trump has undermined the rule of law, weakened our efforts to fight corruption both at home and abroad, damaged our national security, and helped our adversary, Russia.

President Trump's conduct clearly crossed the line when he put his own personal interests over the country's interests, using the power of his office for his own personal benefit.

No one is above the law. We must act to protect the Constitution and our democratic system of government. It is with a heavy heart that I support both Articles of Impeachment, requiring the removal of the President from office as well as the disqualification to hold and enjoy any office of honor, trust, or profit under the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mrs. LOEFFLER. Mr. President, I am honored and humbled to stand before you today as Georgia's and our country's newest U.S. Senator.

As the 100th Senator, I have spent the least time in Washington, but as the least senior Senator, I am also the most recently attached to the private sector, where the vast majority of Americans live and work. I am intensely aware of the needs and the expectations that Americans hold for us.

Just 2 months ago, I left nearly a three-decade business career to serve the great people of Georgia and our Nation, but being here in this respected, historic Chamber is a very long way from where I started.

I was born and raised as the fourth generation of corn and soybean farmers, and I grew up working in our fields and with our cattle on the feedlot. I waitressed and sold watches and shoes to put myself through school. Then I moved around the country to pursue my dream of a business career. I have been a job seeker and a job creator. I haven't spent my life trying to get to Washington, but I worked hard to stand where I am today.

I have lived the American dream, and each day, I remember where I came from, and I am proud of my beginnings. While I am an outsider to politics, I am not new to getting results. I came here to get things done for the people of Georgia.

So why does all of this matter today, in this historic moment right now, just 2 days from my vote to acquit President Trump? Because for months and, sadly, years for many, Members of Congress who have meant to serve the American people have been tied up in a political game.

There is much to regret here—the House's false urgency to push through deficient articles, only to ask for more time, more evidence, more testimony; the deception of the House managers, who are more focused on political power than they are on pursuing the facts; the media who ran with the narrative the Democrats planted, with selective, unlawful leaks.

For the last 132 days, Congress has been neglecting the American people. I came here to get things done for Georgians, but for the last 2 weeks, we have been stuck in the Senate Chamber, working on something that most Americans have little interest in.

As my notebooks filled up, I thought to myself, how did this case even make it to the Senate?

When I am around the State, it is very clear that this is not what people at home care about. Georgians aren't losing sleep over a call the President made or questioning his constitutional right to conduct foreign policy. They are concerned with taking care of their families, their jobs, and their freedom to achieve the American dream and live the lives they imagined. I think of young kids, whether in the inner city or on a farm or in the suburbs. What example are we setting in Washington? Why should employers feel that Washington cares about job creation when there is a neglect of the engine that makes America strong?

Why are we here? We are public servants, charged with protecting the Constitution and our country and I hope, in the process, bettering the lives of all Americans.

Despite this monumental distraction, this administration has worked tirelessly to move our country forward.

Last week, the President signed into law the United States-Mexico-Canada Agreement. Sadly, this sat on Speaker PELOSI's desk for 1 year, denying American farmers and workers untold economic opportunity.

Last month, the administration completed a phase one deal with China, now holding China accountable for unfair trade practices and adding to our thriving economy.

For 3 years, as the Democrats have focused on taking down a duly elected President, President Trump's pro-growth policies have given us a booming economy. These policies have resulted in record employment, 7 million new jobs, and a blue-collar boom that is lifting up hard-working Americans.

This administration charges on, but it needs Congress's support if America is to move on with the American dream for all.

With that in mind, I say: Enough. Let's put our trust in the American people. They are the ones who should make a judgment about the President, and they will do that in 9 months. Let's not be so arrogant as to take that decision away from the American people. Instead, let's focus all of our energies on improving their lives. Impeachment does not do that. It is time to move on.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, I come before this body ith a deep sadness that this institution has failed the Constitution and failed the American people.

We have reached a low point in our history. We have failed to hold a fair and honest impeachment trial, and we are nearing a vote wherein we will fail to hold the President accountable for his abuse of power and a coverup. Thanks to the Senate's Republican majority, this body is complicit in that coverup in its refusing to call witnesses and obtain documents to get the full truth. How can we turn a blind eye to the truth as we cast one of the most important votes we will ever take?

Yes, we are approaching a sad day for this body and for this country, but to those across the country who feel profoundly angry and saddened by this miscarriage of justice, my message is this: Do not give up. Do not stop fighting to save our democracy because America is worth the fight. America is worth the fight.

Make no mistake—try as they might to cover it up, the full truth will come out. And the facts that have already been revealed are damning.

The President's handpicked Ambassador, Gordon Sondland, testified, ''Everyone was in the loop.'' The more we find out, the more revealing his testimony becomes.

Not only is the President implicated, so is the Vice President and the Secretary of State and the Attorney General and the President's acting Chief of Staff and his former Energy Secretary and even the White House Counsel, the lead lawyer in this very proceeding.

This is a pandora's box the Republican Party is fighting to keep shut, but it will not stay shut. The President's misdeeds and his wide circle of accomplices will go down as one of the ugliest episodes in American history.

Even now, the evidence gathered by the House—that the President abused his office and taxpayer funds for personal gain—is staggering. Ambassador Sondland didn't sugarcoat the truth. ''Was there a quid pro quo? The answer is yes.'' That was his quote. Using official power for personal gain—that is the very essence of abuse of power, and that is precisely what this President did. That is hardly even in dispute. The evidence is overwhelming.

The President first withheld a coveted meeting until the Ukrainian President would announce investigations into the Bidens and the debunked conspiracy theory that Ukraine, not Russia, interfered in our 2016 election. The President next withheld congressionally appropriated military aid illegally to try to force the Ukrainian President into making the announcement of the investigations.

The independent Government Accountability Office confirmed that the President acted illegally.

The President threatened our national security, the security of an ally, and the integrity of our next Presidential election. How much more could be at stake?

Ukrainian officials began asking about the aid only hours after the President's now-infamous July 25 call with President Zelensky. That is according to Laura Cooper, the Deputy Assistant Secretary of Defense for Russia, Ukraine, and Eurasia. A former Deputy Foreign Minister in Ukraine reports Ukraine knew of the freeze in July, and the whole world knew once the story broke the news on August 28.

Fortunately, the President got caught and was forced to release the aid. He got caught red-handed and immediately commenced a scorched-earth blockade in Congress and the courts to cover up his grave misdeeds.

Again, the facts are not in dispute.

So knowing that these are some of the most serious and solemn words I will ever say or utter on this floor, I will vote to convict the President on both Articles of Impeachment. He is guilty by any standard. If he is allowed to act with impunity, he will be a continuing threat to the sanctity of our democracy. He is patently unfit to hold the highest office in our land.

While the Senate may vote to acquit him, he will not be exonerated—not by this sham trial. While the Senate may vote to acquit the President, history will not.

Now, Senators on the other side of the aisle are publicly and not so publicly admitting that they believe the President is guilty, that the House managers proved their case. But these same Senators did not vote to hear witnesses and get documents. They will fail to hold the President accountable for the wrongdoing they now say he is guilty of.

This is one of the worst abuses of Presidential power in our Nation's history. This is as bad as or worse than President Nixon's. Nixon tried to corrupt the 1972 election and cover it up, but he didn't try to extort an ally or invite foreign interference into our election.

At that time, members of his party with courage refused to turn a blind eye. The Republican Party of today bears no resemblance to the party of Howard Baker, who insisted on getting to the truth. Howard asked: What did the President know and when did he know it? It bears no resemblance to the party of Barry Goldwater, John Rhodes, and Hugh Scott, who went to Nixon to tell him the Republican Party could no longer protect him from impeachment and removal.

I am grateful to the honorable officials who had the courage to act this time around, who defied the President's order not to come forward—Ambassador Yovanovitch, Lieutenant Colonel Vindman, Ambassador Taylor, Mr. Kent, and the others. They risked their careers and even their personal safety. We should at least—at least—show the same courage because the consequences of failing to hold this President to account could not be graver.

The guardrails have been taken off. The President invited Russian interference in the 2016 election and invited Chinese interference in the upcoming 2020 election. He said on national television he would probably take foreign interference again. He is unapologetic and unrepentant. What is he going to do next once the Senate Republicans let him get away with this abuse, once we show that we are no longer a co-equal branch?

We have never ceded so much power to the Executive. You can rest assured that this President of all Presidents will use that power and abuse it. Take

his word for it. He said, ''Article II allows me to do whatever I want.'' Pulitzer Prize-winning Presidential historian Jon Meacham said the President is now, and this is his quote, ''functionally a monarch.'' That is stunning.

Again, these are sad days for our Nation, but as I said at the outset, we cannot and will not concede our democracy. We cannot and will not concede the values and principles that make this Nation strong. We must restore the balance of power in our government. We must restore accountability. Most importantly, we must start doing the work the American people sent us here to do. Our institutions are not representing what the American people want. Senate Republicans' refusal to hold a fair impeachment trial, which is what 75 percent of the American people wanted, is just the latest example.

While the Senate and the Constitution took a terrible battering the last 2 weeks, I am even more committed to breathing life into our shared principles of representative government. I am going to continue the fight to take obscene amounts of secret money out of our elections, to make it easier to vote, and to bring power back to the American people and not hand it over to an imperial Presidency.

The Senate will have future opportunities to restore our constitutional system. The only question is whether Senators will rise to the occasion.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mrs. GILLIBRAND. Colleagues, over the past few weeks, we have conducted the third impeachment trial in our entire Nation's history for a President.

Let's be perfectly clear about something: Democrats did not want to impeach President Trump. From the start, efforts to begin an impeachment inquiry in the House were met with resistance until the President's reckless behavior and unprecedented actions forced the Speaker's hand. The Speaker could not sit idly by after the President withheld congressionally approved military aid from a U.S. ally in order to orchestrate foreign interference in our upcoming election.

We have worked hard to find common ground with this President, and at times, Democrats have worked together to get good, bipartisan legislation accomplished. But President Trump's brazen misconduct forced this issue. His misdeeds posed a moral challenge to every single Member of Congress. How much corruption should we stomach? How much of our integrity should we sacrifice? How much malfeasance should we tolerate? Will we look the other way as the President flaunts our laws and ignores the Constitution?

Sometimes it can seem far easier to just stay silent. All of us know that it can be easier to avoid angry phone calls. But think about how much harder it would be to explain this moment in history to our children and our grandchildren. Think about how painful it will be to explain if you knew what President Trump did was wrong and you did nothing; if you knew what President Trump did was wrong under the Constitution that you swore to uphold; that you knew it was wrong, but you voted to acquit anyway because of your ambition, because of your political party.

Lest you think you can convince them otherwise, let me dispel this fiction. History's record of this time will be very clear. The American people can see through these lies. They recognize the inconsistencies and the doublespeak. The American people are not naive. They are not stupid. They are not ignorant. They are not immoral.

My Republican colleagues are not naive or ignorant or immoral either. They are good men and women. They love their children, their neighbors, and our country. I consider many of them my friends. When we have dinner together, when we go to visit the troops overseas. We don't do it as Democrats and Republicans. We do it as colleagues, friends, and as peers in this body. We do so as elected Members of Congress, as Senators representing our States and our country.

It should be the very same when we judge President Trump. In I John 2:21, John writes to a group of believers who are in turmoil. He wrote: ''I do not write to you because you do not know the truth, but because you do know it and because no lie comes from the truth.''

This trial had the goal of accomplishing one thing—to discover the truth, to know what happened, to hold the President accountable. We pledged to listen to receive that evidence fairly and to judge honestly. We swore to defend the Constitution, not to defend a man or a political party, and we should all remember this when we cast our votes, because President Trump is not like you. He is not honest, kind, or compassionate. He doesn't have integrity or moral conviction. He is neither fair nor decent.

We, as Senators who swore to uphold the Constitution, should, based on the facts laid before us, vote to convict. Hold President Trump accountable for what he has done. We have to show the American people, ourselves, that President Trump does not represent our values, that we still believe that we must fight for what is right, for truth, for justice, for honesty, for integrity, and that laws mean something, and we don't put ourselves before the law.

For those who lack courage in this moment, those who are unwilling to do what they know in their heart of hearts, in their conscience and in their deepest thoughts to be right, if they do not do what they know they should, they will be remembered as complicit. They will be remembered as not telling the truth. They will not be remembered well.

I urge you to vote your conscience.

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

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

AUTHORIZING APPOINTMENT OF ESCORT COMMITTEE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Presiding Officer of the Senate be authorized to appoint a committee on the part of the Senate to join with the like committee on the part of the House of Representatives to escort the President of the United States into the House Chamber for the joint session to be held at 9 p.m. on Tuesday, February 4, 2020.

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

UNANIMOUS CONSENT AGREEMENT—PRINTING OF STATEMENTS IN THE RECORD AND PRINTING OF SENATE DOCUMENT OF IMPEACHIMENT PROCEEDINGS—MODIFIED

Mr. MCCONNELL. Mr. President, I ask unanimous consent to modify the order of January 31 to allow the Senators to have until Wednesday, February 26, 2020—that would be the Wednesday after we come back—to have printed statements and opinions in the CONGRESSIONAL RECORD, if they choose, explaining their votes and include those in the documentation of the impeachment proceedings; finally, I ask that the two-page rule be waived.

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

ORDERS FOR TUESDAY, FEBRUARY 4, 2020

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Tuesday, February 4; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following leader remarks, the Senate be in a period of morning business under the previous order.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the

previous order, following the remarks of Senators MURKOWSKI and CORTEZ MASTO.

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

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.

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

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I rise this evening to address the trial of Donald John Trump. The Founders gave this body the sole power to try all impeachments, and exercising that power—we all know—is a weighty, weighty responsibility. This was only the third time in the history of our country that the Senate convened to handle a Presidential impeachment and only the second in the past 150 years.

I was part of a small group that worked to secure a fair, an honest, and a transparent structure for the trial, and we based it on how this Chamber handled the trial of President Clinton some 20 years ago. So there were 24 hours of arguments for each side, 16 hours of questions from Members, with the full House record admitted as evidence.

That should have been more than enough to answer the questions: Do we need to hear more? Should there be additional process? Mr. President, the structure we built should have been sufficient, but the foundation upon which it rested was rotten. The House rushed through what should have been one of the most serious, consequential undertakings of the legislative branch, simply to meet an artificial, self-imposed deadline.

Prior Presidential impeachments resulted from years of investigation, where subpoenas were issued and they were litigated, where there were massive amounts of documents that were produced and witnesses deposed, where resistance from the Executive was overcome through court proceedings and through accommodations.

The House failed in its responsibilities. The House failed in its responsibilities. The Senate should be ashamed by the rank partisanship that has been on display here. We cannot be the greatest deliberative body when we kick things off by issuing letters to the media instead of coming together to set the parameters of the trial and negotiate in good faith on how we should proceed.

For all the talk of impartiality, it is clear to me that few in this Chamber approached this with a genuinely open mind. Some have been calling for the President to be impeached for years. Indeed, we saw just today clips that indicate headlines 19 minutes after the President was sworn into office calling for his impeachment. Others in this Chamber saw little need to even consider the arguments from the House before stating their intentions to acquit.

Over the course of the past few weeks, we have all seen the videos from 20 years ago where Members who were present during the Clinton trial took the exact opposite stance than they take today. That level of hypocrisy is astounding, even for a place like Washington, DC.

The President's behavior was shameful and wrong. His personal interests do not take precedence over those of this great Nation. The President has the responsibility to uphold the integrity and the honor of the office, not just for himself but for all future Presidents. Degrading the office by actions or even name-calling weakens it for future Presidents, and it weakens our country.

All of this rotted foundation of the process—all of this—led to the conclusion that I reached several days ago that there would be no fair trial. While this trial was held here in this Senate, it was really litigated in the court of public opinion. For half the country, they had already decided there had been far too much process; they considered the entire impeachment inquiry to be baseless, and they thought that the Senate should have just dismissed the case as soon as it reached us.

Then, for the other half, no matter how many witnesses were summoned or deposed, no matter how many documents were produced, the only way—the only way—the trial could have been considered fair was if it resulted in the President's removal from office.

During the month that the House declined to transmit the articles to the Senate, the demon of faction extended his scepter, the outcome became clear, and a careless media cheerfully tried to put out the fires with gasoline. We debated witnesses instead of the case before the Senate. Rather than the President's conduct, the focus turned to how a lack of additional witnesses could be used to undermine any final conclusion. What started with political initiatives that degraded the Office of the President and left the Congress wallowing in partisan mud threatened to drag the last remaining branch of government down along with us.

Mr. President, I have taken tough votes before to uphold the integrity of our courts, and when it became clear that a tie vote here in the Senate would simply be used to burn down our third branch of government for partisan political purposes, I said ''enough''—just ''enough.''

The response to the President's behavior is not to disenfranchise nearly 63 million Americans and remove him from the ballot. The House could have pursued censure and not immediately jumped to the remedy of last resort. I cannot vote to convict. The Constitution provides for impeachment but does not demand it in all instances. An incremental first step: to remind the President that, as Montesquieu said, ''Political virtue is a renunciation of oneself,'' and this requires ''a continuous preference of the public interest over one's own.''

Removal from office and being barred from ever holding another office of honor, trust, or profit under the United States is the political death penalty. The President's name is on ballots that have already been cast. The voters will pronounce a verdict in 9 months, and we must trust their judgment.

This process has been the apotheosis of the problem of congressional abdication. Through the refusal to exercise war powers or relinquishing the power of the purse, selective oversight, and an unwillingness to check emergency declarations designed to skirt Congress, we have failed. We have failed time and again. We, as a legislative branch, cannot continue to cede authority to the Executive.

The question that we must answer, given the intense polarization in our country, is, Where do we go from here? Where do we go from here? I wish that I had that magic wand. Sadly, I have no definitive answers, but I do have hope because we must have hope.

As I tried to build consensus over the past few weeks, I had many private conversations with colleagues, and so many—so many—in this Chamber share my sadness for the present state of our institutions. It is my hope that we have finally found bottom here, that both sides can look inward and reflect on the apparent willingness that each has to destroy not just each other but all of the institutions of our government. And for what? Because it may help win an election? At some point, Mr. President—at some point—for our country, winning has to be about more than just winning, or we will all lose.

Mr. President, I yield the floor.

Mr. YOUNG. Mr. President, as a U.S. Senator, I swore an oath to uphold the Constitution, and, while sitting in this High Court of Impeachment, I have fulfilled my duty to serve as an impartial juror.

After hearing all counsel arguments and reviewing all evidence in the voluminous record, including 17 witnesses, 192 witness video clips, and 28,578 pages of evidence, procedural rules, and constitutional concerns, I will vote to acquit the President, preventing his immediate removal from office and disqualification from the ballot.

A fair and accurate reading of this chapter in our Nation's history will conclude that, on the issues of fact and law presented to this High Court of Impeachment, reasonable and public-spirited Senators can disagree. This lends further support to the notion that the American people should be afforded the opportunity to register their opinions by participating in the coming national election.

While the Senate worked to remain impartial and open-minded throughout this trial, it must be acknowledged

that a political fever permeated this process from the beginning, dating back not just to the start of the House of Representatives' impeachment efforts, but all the way back to November 2016. As a result, the House improperly impeached. Now, the Senate should exercise restraint. Here is why.

First and foremost, a fair legal process is fundamental to our democracy. The House managers have repeatedly emphasized that no Americans are above the law. I could not agree more: No private citizen, President, or assembled majority of Congress can violate the rights guaranteed to other Americans under the Constitution. Accordingly, the President is entitled to basic due process rights, and the House failed to afford him these rights. Due process includes the right to legal counsel, the right to review evidence, and the ability to confront your accusers—rights denied by the House majority. House Managers breathlessly insist that ''overwhelming'' evidence already in the record proves ''beyond any doubt'' the President's continued service constitutes an imminent threat to the American people. The House's flawed and rushed process led to unfair proceedings and resulted in superficial, unspecific charges supported by a one-sided, improperly curated factual foundation.

Second, Separation of Powers is a cornerstone of our constitutional republic, and its preservation is essential to prevent abuse of power by one branch over another. A majority of the House should exercise extreme caution when it bases impeachment upon the President's exercise of his foreign relations prerogatives, which are expressly granted to him by the Constitution. Additionally, in developing its Articles of Impeachment, the House majority chose to circumvent the judicial branch of government in order to clarify an issue of unsettled law pertaining to Executive Privilege. Instead, the House simply arrogated to itself a novel and dangerous new legal authority: absolute power to define Executive Privilege, even when the President is exercising his foreign relations powers granted by the Constitution.

As with prior impeachment inquiries, following a formal request by the House, the Federal courts could have compelled the executive branch to provide sensitive documents and witnesses. The House chose to ignore this longstanding precedent because it conflicted with its political timeline. Astonishingly, Speaker PELOSI rushed the mismanaged process forward only to delay it, again for political purposes, before finally sending the Articles of Impeachment to the Senate. Now the House, having failed to fully develop its evidentiary record, invites the Senate to act as an accomplice to its ramrod impeachment and create a dangerous new 51-vote Senate threshold to override executive branch claims of Executive Privilege.

To accept this invitation would be a violation of a long-established separation of powers.

Senators might be tempted by a burning curiosity or crass political calculation to further develop the House's vague and tainted articles, but the constitutional separation of powers dictates that our legal charge must be more narrowly confined. To act otherwise would violate our oaths and dangerously incentivize calculating and intemperate House majorities to promiscuously impeach rival Presidents. We must set aside our personal preference because, under the Constitution, we are duty-bound by the ''sole power to try'' the infirm articles before us.

Lastly, Americans should stand against any Senate action which abets the creation of a constitutional crisis through the politicization of impeachment. The House majority's misguided process created a precedent to weaponize impeachment, a new precedent that will lead to serial impeachments in a polarized America. If the House majority had its way and the Senate accepted its invitation to fix their broken articles, either political party would be tempted to impeach and potentially remove their political opponents from office by initiating slapdash impeachment investigations. This new precedent would reduce impeachment to a mere vote of no confidence, similar to that in the U.K. Parliament. During President Nixon's impeachment, then Democratic Chairman Peter Rodino of the House Judiciary Committee urged that, for the American people to accept an impeachment, it must be powerfully bipartisan. This has been dubbed the Rodino rule, and I embrace the standard.

A decent respect for the law and the opinions of fellow citizens and a concern for future precedent requires that I pointedly emphasize what I am not arguing, that a President can lawfully do ''whatever he wants,'' that inviting foreign election interference is appropriate, that absolute immunity attaches to Executive Privilege, or that a statutory offense must be committed to impeach.

In summation, I have ineluctably arrived at a conclusion after impartially applying the law to all facts presented: House managers delivered tainted articles and failed to present requisite evidence to support their exceedingly high burden of proof. Therefore, I am duty bound to join my colleagues who would have the Senate resume the ordinary business of the American people.

The Founding Fathers, who warned of the political nature of impeachment, also provided us a means to address dissatisfaction with our Presidents: frequent elections. This week, Americans began the Presidential election process. For the sake of our Constitution and our Nation, the Court of the American People should render its verdict through an election to address its support of or opposition to the current administration.

ADDITIONAL STATEMENTS

TRIBUTE TO JASON OLSON

● Mr. CRAMER. Mr. President, after 32 years of serving his community in the Minot Police Department, including 8 of those years leading it, Chief of Police Jason Olson began a well-deserved retirement on January 31.

He became a police officer in 1988 at the age of 21, as he was completing his criminal justice degree at Minot State University. Starting as a patrol officer, he went on to spend 18 years on the SWAT team.

Officer Olson became chief of police at a time of significant change for the city of Minot and western North Dakota. The challenges this growth and development brought to the fourth largest city in North Dakota demanded a leader who would advocate for his staff and be open to change. The city had the right person in Chief Olson.

Serving on the frontlines during some of the greatest challenges to the city of Minot, Chief Olson was there for the tragic train derailment that spread anhydrous ammonia across the city in 2002 and for the historic flooding of the Souris River in 2011. Through the best and very worst of times, Chief Olson exhibited his trademark calm and collected demeanor.

Chief Olson credits his success to the experience he gained as a young officer from the veteran officers who had served for decades. Likewise, many of the 80-plus employees today praise him for the lessons he taught them as the head of the department. This includes the new Police Chief John Klug, a 25-year officer who took over on February 1, after being chosen in a national search. He speaks highly of Chief Olson and the example he set as a mentor and leader.

We cannot thank our law enforcement officers enough for their sacrifices keeping our communities safe and for the bravery they exhibit every day on the job. I join the residents of Minot and all North Dakotans thanking Chief Olson for his many years of dedicated professional service. I wish him a well-deserved and rewarding retirement.●

RECOGNIZING THE MISSOURI UNIVERSITY OF SCIENCE AND TECHNOLOGY

● Mr. HAWLEY. Mr. President, it is my privilege to honor the sesquicentennial of Missouri University of Science and Technology, as Missourians know it, S&T.

Founded in 1870, Missouri S&T was the first technological institution west of the Mississippi. Originally named the Missouri School of Mines and Metallurgy, the school was primary focused on educating and training those who would mine the mineral rich area on the eastern side of the State.

By the 1920s, S&T had expanded into chemical, electrical, and civil engineering, as well as physics, chemistry,

mathematics, and geometry. After World War II, as the United States was becoming the global leader in technological innovation, S&T stepped up to do its part by adding graduate-level training and research. The school was home to Missouri's first operational nuclear reactor. Across the years, S&T has established itself as one of the premier technical institutions in the Nation, excelling at teaching and research.

For 150 years, Missouri S&T has been providing the sons and daughters of Missouri a close-to-home option for world-class technical education. Congratulations on 150 years and here is to the next 150.●

RECOGNIZING MOSS GREENHOUSES

● Mr. RISCH. Mr. President, as a member and former chairman of the Senate Committee on Small Business and Entrepreneurship, each month I recognize and celebrate the American entrepreneurial spirit by highlighting the success of a small business in my home State of Idaho. Today, I am pleased to honor Moss Greenhouses located in Jerome as the Idaho Small Business of the Month for February 2020.

Moss Greenhouses is the largest wholesale plant producer and distributor in Idaho. Founded in 1952 by Ed and Ruth Adams, their hobby of growing orchids in their small greenhouse quickly became a budding business as they provided flowers, orchids, and flowering crops to their local grocery stores and flower shops. The family-run business quickly developed a reputation for its outstanding service and quality products.

Today, Moss Greenhouses is owned and operated by the family's third generation, Kevin and his wife Dana. Their 300,000 square feet of covered greenhouse and three acres of growing space allow them to serve customers from throughout the Mountain West. Their success and growth has created dozens of jobs for the Jerome community. As the company continues to serve the Jerome area, they hope to eventually welcome the family's fourth generation into the business.

Congratulations to Kevin, Dana, and all of the employees at Moss Greenhouses for being selected as the Idaho Small Business of the Month for February 2020. You make our great State proud, and I look forward to your continued growth and success.●

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

At 3:47 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker pro tempore (Ms. MATSUI) has signed the following enrolled bills:

S. 153. An act to promote veteran involvement in STEM education, computer science, and scientific research, and for other purposes.

S. 3201. An act to extend the temporary scheduling order for fentanyl-related substances, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. GRASSLEY).

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, February 3, 2020, she had presented to the President of the United States the following enrolled bills:

S. 153. An act to promote veteran involvement in STEM education, computer science, and scientific research, and for other purposes.

S. 3201. An act to extend the temporary scheduling order for fentanyl-related substances, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3837. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Approval of Laboratories to Conduct Official Testing; Consolidation of Regulations'' ((RIN0579–AE46) (Docket No. APHIS–2016–0054)) received in the Office of the President of the Senate on January 28, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3838. A communication from the Senior Counsel, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Statement of Policy Regarding Prohibition on Abusive Acts or Practices'' (12 CFR Chapter 10) received during adjournment of the Senate in the Office of the President of the Senate on January 24, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC–3839. A communication from the Senior Legal Advisor for Regulatory Affairs, Office of Investment Security, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Provisions Pertaining to Certain Investments in the United States by Foreign Persons'' ((RIN1505–AC64) (31 CFR Parts 800 and 801)) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC–3840. A communication from the Senior Legal Advisor for Regulatory Affairs, Office of Investment Security, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Provisions Pertaining to Certain Transactions by Foreign Persons Involving Real Estate in the United States'' ((RIN1505–AC63) (31 CFR Part 802)) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC–3841. A communication from the Assistant General Counsel for Legislation, Office of Cybersecurity, Energy Security and Emergency Response, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Administrative Updates to Personnel References'' ((RIN1901–AB50) (10 CFR Parts 70, 71, and 72)) received during adjournment of the Senate in the Office of the President of the Senate on January 23, 2020; to the Committee on Energy and Natural Resources.

EC–3842. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Alabama and South Carolina; Infrastructure Requirements for the 2015 Ozone National Ambient Air Quality Standard'' (FRL No. 10004–68–Region 4) received during adjournment of the Senate in the Office of the President of the Senate on January 27, 2020; to the Committee on Environment and Public Works.

EC–3843. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Kentucky; Cross-State Air Pollution Rule'' (FRL No. 10004–69–Region 4) received during adjournment of the Senate in the Office of the President of the Senate on January 27, 2020; to the Committee on Environment and Public Works.

EC–3844. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Massachusetts; Transport State Implementation Plan for the 2015 Ozone Standard'' (FRL No. 10004–34–Region 1) received during adjournment of the Senate in the Office of the President of the Senate on January 27, 2020; to the Committee on Environment and Public Works.

EC–3845. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Missouri; Restriction of Emissions from Batch-type Charcoal Kilns'' (FRL No. 10004–63–Region 7) received during adjournment of the Senate in the Office of the President of the Senate on January 27, 2020; to the Committee on Environment and Public Works.

EC–3846. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Delegation of New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants for the States of Arizona and Nevada'' (FRL No. 10004–33–Region 9) received during adjournment of the Senate in the Office of the President of the Senate on January 27, 2020; to the Committee on Environment and Public Works.

EC–3847. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Incorporation by Reference of Approved State Hazardous Waste Management Program'' (FRL No. 10004–54–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on January 27, 2020; to the Committee on Environment and Public Works.

EC–3848. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutant Emissions: Petroleum Refinery Sector'' (FRL No. 10004–54–OAR) received during adjournment of the Senate in the Office of the President of the Senate on January 27, 2020; to the Committee on Environment and Public Works.

EC–3849. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Petition Provisions

of the Title V Permitting Program'' (FRL No. 10004–56–OAR) received during adjournment of the Senate in the Office of the President of the Senate on January 27, 2020; to the Committee on Environment and Public Works.

EC–3850. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Withdrawal of Finding of Substantial Inadequacy of Implementation Plan and of Call for Texas State Implementation Plan Revision—Affirmative Defense Provisions'' (FRL No. 10004–01–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on January 27, 2020; to the Committee on Environment and Public Works.

EC–3851. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Relief for Reporting Required Minimum Distributions for IRAs for 2020'' (Notice 2020–6) received in the Office of the President of the Senate on January 28, 2020; to the Committee on Finance.

EC–3852. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Chemical Weapons Convention and the Australia Group; to the Committee on Foreign Relations.

EC–3853. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services, to the UK related to the Javelin Anti-Tank Weapon System, including all variants up to the FGM–148 (G–Model) and all Command Launch Unit variants up to the Light Weight Command Launch Unit in the amount of $100,000,000 or more (Transmittal No. DDTC 19–072); to the Committee on Foreign Relations.

EC–3854. A communication from the Associate Legal Counsel, Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of a rule entitled ''2019 Adjustment of the Penalty for Violation of Notice Posting Requirements; Correction'' (RIN3046–AB14) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC–3855. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Fiscal Year 2016 Report to Congress on Community Services Block Grant Discretionary Activities—Community Economic Development and Rural Community Development Programs''; to the Committee on Health, Education, Labor, and Pensions.

EC–3856. A communication from the Director, Office of Workers' Compensation Programs, Department of Labor, transmitting, pursuant to law, Secretary of Labor's response to the Office of the Ombudsman's 2018 Annual Report; to the Committee on Health, Education, Labor, and Pensions.

EC–3857. A communication from the Acting Chief Privacy Officer, Department of Homeland Security, transmitting, pursuant to law, a report entitled ''Privacy Office Fiscal Year 2019 Semiannual Report to Congress''; to the Committees on Homeland Security and Governmental Affairs; the Judiciary; and Select Committee on Intelligence.

EC–3858. A communication from the Acting Executive Officer, Superior Court of the District of Columbia, transmitting, pursuant to law, amendments to the Jury Plan of the Superior Court of the District of Columbia; to the Committee on Homeland Security and Governmental Affairs.

EC–3859. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Auditor Certifies Revenues For Issuance of Income Tax Secured Revenue Bonds''; to the Committee on Homeland Security and Governmental Affairs.

EC–3860. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23–190, ''Anacostia River Toxics Remediation Temporary Amendment Act of 2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–3861. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23–191, ''Access to Body-Worn Camera Footage Temporary Regulation Amendment Act of 2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–3862. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23–192, ''Certificate of Need Fee Reduction Amendment Act of 2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–3863. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23–193, ''Cottage Food Expansion Amendment Act of 2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–3864. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23–194, ''Electronic Medical Order for Scope of Treatment Registry Amendment Act of 2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–3865. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23–195, ''Closing of a Public Alley in Square 1445, S.O. 11–01980, Act of 2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–3866. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23–196, ''Closing of a Public Alley in Square 5017, S.O. 16–24507, Act of 2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–3867. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23–197, ''Closing of a Public Alley in Square 369, S.O. 18003, Act of 2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–3868. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23–202, ''Detained Youth Access to the Juvenile Services Program Amendment Act of 2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–3869. A communication from the Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Civil Penalties Inflation Adjustments'' (RIN1024–AE60) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2020; to the Committee on Indian Affairs.

EC–3870. A communication from the Director of Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Report on Fiscal Year 2019 Competitive Sourcing Efforts as required by the Consolidated Appropriations Act of Fiscal Year 2004; to the Committee on Rules and Administration.

EC–3871. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the annual report from the Attorney General to Congress relative to the Uniformed and Overseas Citizens Absentee Voting Act; to the Committees on Rules and Administration; Armed Services; and Appropriations.

EC–3872. A communication from the Chief Human Capital Officer, Small Business Administration, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, Small Business Administration, received in the Office of the President of the Senate on January 30, 2020; to the Committee on Small Business and Entrepreneurship.

EC–3873. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; First Quarter of Fiscal Year 2020''; to the Committee on Veterans' Affairs.

EC–3874. A communication from the Associate Director of International Economics, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Direct Investment Surveys: BE–10, Benchmark Survey of U.S. Direct Investment Abroad'' (RIN0691–AA89) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Commerce, Science, and Transportation.

EC–3875. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Lower Mississippi River, Mile Markers 229.5 to 230.5 Baton Rouge, LA'' ((RIN1625–AA00) (Docket No. USCG–2019–0837)) received during adjournment of the Senate in the Office of the President of the Senate on January 24, 2020; to the Committee on Commerce, Science, and Transportation.

EC–3876. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Super Bowl 2020, Bayfront Park, Miami, FL'' ((RIN1625–AA87) (Docket No. USCG–2019–0830)) received during adjournment of the Senate in the Office of the President of the Senate on January 24, 2020; to the Committee on Commerce, Science, and Transportation.

EC–3877. A communication from the Deputy Chief, Office of Economics and Analytics, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Auction of FM Broadcast Construction Permits Scheduled for April 28, 2020; Notice and Filing Requirements, Minimum Opening Bids, Upfront Bids, Upfront Payments, and Other Procedures for Auction 106'' ((AU Docket No. 19–290) (DA 19–1256)) received during adjournment of the Senate in the Office of the President of the Senate on January 27, 2020; to the Committee on Commerce, Science, and Transportation.

EC–3878. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company

Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0581)) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Commerce, Science, and Transportation.

EC–3879. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0722)) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Commerce, Science, and Transportation.

EC–3880. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0723)) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Commerce, Science, and Transportation.

EC–3881. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0478)) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Commerce, Science, and Transportation.

EC–3882. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0986)) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Commerce, Science, and Transportation.

EC–3883. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–1080)) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Commerce, Science, and Transportation.

EC–3884. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0525)) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Commerce, Science, and Transportation.

EC–3885. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–1077)) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Commerce, Science, and Transportation.

EC–3886. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0857)) received in the Office of the President of the Senate on January 30, 2020; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 2353. A bill to direct the Administrator of the Federal Emergency Management Agency to develop guidance for firefighters and other emergency response personnel on best practices to protect them from exposure to PFAS and to limit and prevent the release of PFAS into the environment, and for other purposes (Rept. No. 116–211).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MORAN (for himself and Mr. BLUMENTHAL):

S. 3248. A bill to reauthorize the United States Anti-Doping Agency, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. JOHNSON (for himself and Mr. PETERS):

S. 3249. A bill to amend the FAST Act to modify a provision relating to the Motorcyclist Advisory Council; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HAWLEY:

S. Res. 489. A resolution congratulating the Kansas City Chiefs on their victory in Super Bowl LIV and the National Football League on its 100th season; to the Committee on Commerce, Science, and Transportation.

By Mr. BLUNT (for himself, Mr. HAWLEY, Mr. ROBERTS, and Mr. MORAN):

S. Res. 490. A resolution congratulating the Kansas City Chiefs on their victory in Super Bowl LIV; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 182

At the request of Mr. KENNEDY, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 182, a bill to prohibit discrimination against the unborn on the basis of sex, and for other purposes.

S. 215

At the request of Mr. THUNE, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 215, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 513

At the request of Ms. HARRIS, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 513, a bill to amend title 18, United States Code, with respect to civil forfeitures relating to certain seized animals, and for other purposes.

S. 569

At the request of Mr. YOUNG, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 569, a bill to direct the Secretary of Transportation to issue regulations relating to commercial motor vehicle drivers under the age of 21, and for other purposes.

S. 1067

At the request of Ms. HARRIS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1067, a bill to provide for research to better understand the causes and consequences of sexual harassment affecting individuals in the scientific, technical, engineering, and mathematics workforce and to examine policies to reduce the prevalence and negative impact of such harassment, and for other purposes.

S. 1070

At the request of Mr. KAINE, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1070, a bill to require the Secretary of Health and Human Services to fund demonstration projects to improve recruitment and retention of child welfare workers.

S. 1151

At the request of Mr. SCOTT of Florida, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1151, a bill to prohibit contracting with persons that have business operations with the Maduro regime, and for other purposes.

S. 1609

At the request of Mr. VAN HOLLEN, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1609, a bill to amend the Securities Act of 1934 to require country-by-country reporting.

S. 1750

At the request of Ms. HARRIS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1750, a bill to establish the Clean School Bus Grant Program, and for other purposes.

S. 1757

At the request of Ms. ERNST, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1757, a bill to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

S. 2300

At the request of Mr. WHITEHOUSE, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 2300, a bill to amend the Energy Independence and Security Act of 2007 to establish a program to incentivize innovation and to enhance

the industrial competitiveness of the United States by developing technologies to reduce emissions of nonpower industrial sectors, and for other purposes.

S. 2321

At the request of Mr. BLUNT, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 2321, a bill to require the Secretary of the Treasury to mint a coin in commemoration of the 100th anniversary of the establishment of Negro Leagues baseball.

S. 2407

At the request of Mr. DAINES, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 2407, a bill to amend title 38, United States Code, to provide criminal penalties for individuals acting as agents or attorneys for the preparation, presentation, or prosecution of a claim under a law administered by the Secretary of Veterans Affairs without being recognized by the Secretary for such purposes, and for other purposes.

S. 2661

At the request of Ms. BALDWIN, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Connecticut (Mr. MURPHY), the Senator from Maryland (Mr. CARDIN) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 2661, a bill to amend the Communications Act of 1934 to designate 9–8–8 as the universal telephone number for the purpose of the national suicide prevention and mental health crisis hotline system operating through the National Suicide Prevention Lifeline and through the Veterans Crisis Line, and for other purposes.

S. 2858

At the request of Mr. MORAN, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 2858, a bill to require the Administrator of the Federal Motor Carrier Safety Administration to establish an advisory board focused on creating opportunities for women in the trucking industry, and for other purposes.

S. 3067

At the request of Mrs. CAPITO, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 3067, a bill to amend title XVIII of the Social Security Act to combat the opioid crisis by promoting access to non-opioid treatments in the hospital outpatient setting.

S. 3167

At the request of Mr. BOOKER, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 3167, a bill to prohibit discrimination based on an individual's texture or style of hair.

S. 3226

At the request of Mr. KENNEDY, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 3226, a bill to amend title 18, United States Code, to prohibit certain abortion procedures, and for other purposes.

S. CON. RES. 9

At the request of Mr. ROBERTS, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. Con. Res. 9, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 489—CONGRATULATING THE KANSAS CITY CHIEFS ON THEIR VICTORY IN SUPER BOWL LIV AND THE NATIONAL FOOTBALL LEAGUE ON ITS 100TH SEASON

Mr. HAWLEY submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 489

Whereas, on Sunday, February 2, 2020, the Kansas City Chiefs (referred to in this preamble as the ''Chiefs'') won Super Bowl LIV by a score of 31 to 20, defeating the San Francisco 49ers in Miami, Florida;

Whereas Super Bowl LIV culminated the 100th season of the National Football League, a season in which the league, a cultural icon of the United States—

(1) promoted stars both past and present;

(2) served the community; and

(3) looked towards the next 100 years of football;

Whereas the victory in Super Bowl LIV earned the Chiefs their second Super Bowl championship and their first Super Bowl championship since 1970;

Whereas head coach Andy Reid earned his 222nd career win and his first Super Bowl championship;

Whereas quarterback Patrick Mahomes completed 26 of 42 passes for 286 yards and 2 touchdowns, rushed 9 times for 29 yards and 1 touchdown, and was named Most Valuable Player of Super Bowl LIV;

Whereas Patrick Mahomes became the youngest player in the history of the National Football League to earn both the National Football League Most Valuable Player award and a Super Bowl title;

Whereas Patrick Mahomes completed the iconic 27-yard ''scamper down the sideline'' for a touchdown to take the lead against the Tennessee Titans in the American Football Conference championship;

Whereas Damien Williams had 17 carries for 104 yards and 1 touchdown and 4 receptions for 29 yards and 1 touchdown;

Whereas Travis Kelce had 6 receptions for 43 yards and 1 touchdown;

Whereas Tyreek Hill had 9 receptions for 105 yards, including a crucial 44-yard reception on 3rd down with only 7 minutes remaining in the 4th quarter;

Whereas Sammy Watkins had 5 receptions for 98 yards;

Whereas Bashaud Breeland led the Chiefs with 7 tackles and 1 interception;

Whereas Chris Jones was a disruptive force by batting down 3 passes from Jimmy Garoppolo;

Whereas Frank Clark sacked 49ers quarterback Jimmy Garoppolo on 4th and 10 with fewer than 2 minutes remaining to seal the victory;

Whereas Harrison Butker was 1-for-1 in field goal attempts and 4-for-4 in point after attempts;

Whereas Dustin Colquitt, the longest-tenured Chief, earned his first Super Bowl in his 15th season;

Whereas kick returner Mecole Hardman, tight end Travis Kelce, safety Tyrann Mathieu, and right tackle Mitchell Schwartz were named to the Associated Press All-Pro team for the 2019 season;

Whereas the Chiefs came from behind to win after trailing 0-24 against the Houston Texans in the American Football Conference divisional round, being down 7-17 against the Tennessee Titans in the American Football Conference championship, and trailing 10-20 against the San Francisco 49ers in Super Bowl LIV, becoming the first ever team to come back from double digit deficits in all 3 of its playoff games and win the Super Bowl;

Whereas the entire Chiefs roster contributed to the Super Bowl victory, including Nick Allegretti, Jackson Barton, Blake Bell, Bashaud Breeland, Alex Brown, Harrison Butker, Morris Claiborne, Frank Clark, Dustin Colquitt, Laurent Duvernay-Tardif, Cam Erving, Rashad Fenton, Eric Fisher, Kendall Fuller, Mecole Hardman, Demone Harris, Chad Henne, Tyreek Hill, Anthony Hitchens, Ryan Hunter, Chris Jones, Travis Kelce, Tanoh Kpassagnon, Darron Lee, Jordan Lucas, Patrick Mahomes, Tyrann Mathieu, LeSean McCoy, Matt Moore, Ben Niemann, Derrick Nnadi, Dorian O'Daniel, Mike Pennel, Byron Pringle, Reggie Ragland, Austin Reiter, Demarcus Robinson, Khalen Saunders, Mitchell Schwartz, Anthony Sherman, Daniel Sorensen, Terrell Suggs, Darwin Thompson, Charvarius Ward, Sammy Watkins, Armani Watts, Damien Williams, Xavier Williams, Damien Wilson, James Winchester, Stefen Wisniewski, Andrew Wylie, and Deon Yelder;

Whereas Lamar Hunt founded the Chiefs more than 6 decades ago and helped shape the National Football League, including by coining the phrase ''Super Bowl'';

Whereas the Hunt family deserves great credit for its unwavering commitment to, and leadership and support of, Chiefs kingdom; and

Whereas individuals all over the world are asking, ''how 'bout those Chiefs?'': Now, therefore, be it

Resolved, That the Senate—

(1) congratulates—

(A) the Kansas City Chiefs and their loyal fans for their victory in Super Bowl LIV; and

(B) the National Football League on a successful 100th season; and

(2) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the chairman and chief executive officer of the Kansas City Chiefs, Clark Hunt;

(B) the commissioner of the National Football League, Roger Goodell; and

(C) the head coach of the Kansas City Chiefs, Andy Reid.

SENATE RESOLUTION 490—CONGRATULATING THE KANSAS CITY CHIEFS ON THEIR VICTORY IN SUPER BOWL LIV

Mr. BLUNT (for himself, Mr. HAWLEY, Mr. ROBERTS, and Mr. MORAN) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 490

Whereas on Sunday, February 2, 2020, the Kansas City Chiefs (in this preamble referred to as the ''Chiefs'') defeated the San Francisco 49ers by a score of 31 to 20 to win Super Bowl LIV in Miami, Florida;

Whereas the Chiefs, established on August 14, 1959, playing in their 60th season in the National Football League (referred to in this preamble as the ''NFL''), made their third Super Bowl appearance and their first Super Bowl appearance since Super Bowl IV;

Whereas the Chiefs overcame a 10-point deficit in the fourth quarter and scored 21 straight points in the final 6 minutes and 13 seconds of gameplay to earn the victory;

Whereas the victory in Super Bowl LIV earned the Chiefs their second Super Bowl victory, ending their 50-year Super Bowl drought that had lasted since the team last won Super Bowl IV on January 11, 1970;

Whereas the Chiefs were participants in the first ever Super Bowl and are now champions of the centennial season of the NFL;

Whereas the Chiefs began their championship season in another great Missouri city, St. Joseph, holding training camp on the campus of Missouri Western State University for the tenth straight year;

Whereas head coach Andy Reid earned his 222nd career win, placing him sixth on the all-time wins list of the NFL and earning his first Super Bowl title in his 21-year tenure as a head coach in the NFL;

Whereas Andy Reid is the 24th head coach of the NFL to appear in more than 1 Super Bowl;

Whereas in the 2019 NFL season, the Chiefs earned a playoff bid for the sixth time in 7 seasons under Andy Reid;

Whereas quarterback Patrick Mahomes completed 26 of 42 pass attempts for 286 yards and 2 touchdowns, rushed 9 times for 29 yards and 1 touchdown, and was named Most Valuable Player of Super Bowl LIV;

Whereas Patrick Mahomes became the youngest player in NFL history to earn both the NFL Most Valuable Player award and a Super Bowl title, while setting a playoff record for most touchdowns thrown before the first interception to start a player's playoff career;

Whereas in the American Football Conference Championship, Patrick Mahomes completed an iconic 27-yard scramble down the sideline for a touchdown to take the lead against the Tennessee Titans;

Whereas Patrick Mahomes became the first NFL quarterback with 3 double-digit comebacks in a single postseason;

Whereas Damien Williams rushed for 104 yards and scored 2 touchdowns, increasing his career playoff touchdown total to 11, tying Hall of Famer Terrell Davis for the most touchdowns in an individual's first 6 playoff games;

Whereas Travis Kelce had 6 receptions for 43 yards and 1 touchdown;

Whereas Tyreek Hill had 9 receptions for 105 yards, including a crucial 44-yard reception on third-and-fifteen with only 7 minutes remaining in the fourth quarter;

Whereas Sammy Watkins had 5 receptions for 98 yards;

Whereas Bashaud Breeland led the team with 7 tackles and 1 interception;

Whereas Chris Jones was a disruptive force with 3 passes defended;

Whereas Frank Clark sacked the quarterback of the 49ers, Jimmy Garoppolo, on fourth-and-ten with fewer than 2 minutes remaining to seal the victory;

Whereas Harrison Butker was 1-for-1 in field goal attempts and 4-for-4 in point-after attempts;

Whereas Dustin Colquitt, the longest-tenured Chief, earned his first Super Bowl victory in his 15th season;

Whereas kick returner Mecole Hardman, tight end Travis Kelce, safety Tyrann Mathieu, and right tackle Mitchell Schwartz were named to the Associated Press All-Pro team for the 2019 season;

Whereas the Chiefs should be recognized for their tremendous resiliency in the face of adversity when trailing 24–0 against the Houston Texans in the American Football Conference Divisional Round, down by 10 against the Tennessee Titans in the American Football Conference Championship Round, and trailing 20–10 against the San Francisco 49ers in Super Bowl LIV;

Whereas the entire Chiefs roster contributed to the Super Bowl victory, including Nick Allegretti, Jackson Barton, Blake Bell, Bashaud Breeland, Alex Brown, Harrison Butker, Morris Claiborne, Frank Clark, Dustin Colquitt, Laurent Duvernay-Tardif, Cam Erving, Rashad Fenton, Eric Fisher, Kendall Fuller, Mecole Hardman, Demone Harris, Chad Henne, Tyreek Hill, Anthony Hitchens, Ryan Hunter, Chris Jones, Travis Kelce, Tanoh Kpassagnon, Darron Lee, Jordan Lucas, Patrick Mahomes, Tyrann Mathieu, LeSean McCoy, Matt Moore, Ben Niemann, Derrick Nnadi, Dorian O'Daniel, Mike Pennel, Byron Pringle, Reggie Ragland, Austin Reiter, Demarcus Robinson, Khalen Saunders, Mitchell Schwartz, Anthony Sherman, Daniel Sorensen, Terrell Suggs, Darwin Thompson, Charvarius Ward, Sammy Watkins, Armani Watts, Damien Williams, Xavier Williams, Damien Wilson, James Winchester, Stefen Wisniewski, Andrew Wylie, and Deon Yelder;

Whereas the victory of the Kansas City Chiefs in Super Bowl LIV instills an extraordinary sense of pride for fans in the States of Missouri and Kansas and across the Midwest; and

Whereas people all over the world are asking, ''How 'bout those Chiefs?'': Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Kansas City Chiefs and their entire staff, Mayor of Kansas City Quinton Lucas, Governor of Missouri Mike Parson, and loyal fans of the Kansas City Chiefs for their victory in Super Bowl LIV; and

(2) respectfully directs the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the chairman and Chief Executive Officer of the Kansas City Chiefs, Clark Hunt;

(B) the president of the Kansas City Chiefs, Mark Donovan; and

(C) the head coach of the Kansas City Chiefs, Andy Reid.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 6:55 p.m., adjourned until Tuesday, February 4, 2020, at 9:30 a.m.