

fully, consistent with the Impoundment Control Act.’’

Here, we have Defense Department officials directly raising concerns about the hold breaking the law, despite what OMB said to GAO. Here is what we saw earlier. This is one of the redacted emails. This is the draft letter I just referred to that had been prepared for the signature of the Deputy Secretary of Defense. It is addressed to Mr. Vought, the Acting Director over at OMB. When the administration first released the emails in response to a Freedom of Information request—something the administration didn’t want to do but was required by law—they decided to black out this entire email, to redact it.

What we learned yesterday was that this blackout contained the sentences that I just read about the Department of Defense being very, very worried that continued withholding violated the law, violated the Impoundment Control Act. I can’t imagine how, in good faith, the Justice Department or whoever it was in the administration just blacked this out. I am told it was the Attorney General. That is abuse of power to deny that information to the American people and to the Congress, and this appears to be just the tip of the iceberg.

Ultimately, we know that the President’s hold on the Ukraine funds continued until September 12, and the Defense Department was unable to deliver \$35 million of that vitally needed aid to Ukraine before the funds expired at the end of the fiscal year. It was only because Congress later acted by a vote of both Houses of Congress to extend that funding that the Defense Department can now deliver this assistance.

This is why it is all the more important for the Senate to hear testimony from the witnesses under oath, under penalty of perjury, and to review the relevant documents for ourselves. Mr. Mulvaney, Mr. Blair, and Mr. Duffey were all directly involved in carrying out President Trump’s order to withhold Ukraine assistance. Mr. Bolton, according to testimony of Dr. Fiona Hill, raised significant concerns about the hold.

So far as we just heard, the majority leader, Senator McCONNELL, has rejected these reasonable requests for witnesses and documents, despite the fact that they are clearly directly relevant to the impeachment trial. I think people have a very simple question: Why is the President and why is the majority leader so desperate, so scared to provide these documents and prevent these individuals from testifying under penalty of perjury?

It has been deeply disappointing to hear the majority leader say that he is “not an impartial juror” and that he will work in lockstep with the President’s lawyers. He is asking the Senate to allow the defendant in this case, the President of the United States, to set the terms of his own trial. This is not just an affront to our constitutional

duty, it defies justice and common sense.

Make no mistake that those who vote to block the Senate from considering additional evidence from witnesses and documents are going to be complicit in rigging a trial and in a coverup. I would challenge my colleagues to tell me one case where, after you have a grand jury proceeding, the prosecution is not allowed to call witnesses at trial. That would be nuts. For the Senate to deliberately choose to close its eyes and shut its ears to evidence would be a miscarriage of justice and a violation of our constitutional obligations.

I heard the majority leader talk about how the Speaker of the House is holding up sending the Articles of Impeachment. Well, if the majority leader were to just agree to do what we allow in every other trial in the country, which is call relevant witnesses and get relevant documents, we could start this trial tomorrow. It is the refusal of the majority leader to agree to what an overwhelming majority of Americans consider common sense and plain justice that we are experiencing whatever delay we end up experiencing in this case.

The House has presented overwhelming evidence to support its two Articles of Impeachment: abuse of power and obstruction of Congress. The Senate trial is about hearing the case on both sides, including hearing from those who are directly involved before rendering a final verdict. President Trump has said many times he wants to call witnesses. He wants to have a full trial. If he has evidence to rebut the facts established by the House, the Senate needs to hear it, and we should render a final verdict after all the evidence is in and not before.

Some may have heard our Republican colleagues argue that we need to rush to trial to get back to legislative business. First, let’s remember that impeachment is our constitutional responsibility, and we can have a trial that is both speedy and fair.

Second, as we have seen in the House of Representatives, it is possible to conduct robust oversight and legislate at the same time. In fact, the week before the House of Representatives voted on impeachment, they passed a very important bill to reduce the costs of prescription drugs. In fact, the House has passed over 300 bills that Senator McCONNELL has refused to bring up for a vote here in the Senate, including hundreds with bipartisan support.

The House has acted to expand background checks for gun purchases to reduce gun violence, passed legislation to get Big Money out of politics, to strengthen voting rights, to raise the minimum wage for the first time in more than a decade, to protect employee pensions, and to reauthorize the Violence Against Women Act. Senator McCONNELL has not only blocked consideration of these critical measures,

he has boasted about his obstruction, calling himself the “grim reaper.” So let’s not fall for the claim that the majority leader suddenly wants to get to work on these initiatives that are important to the American people. To date, he has made no commitment to take up any of those bills, whether or not there is an impeachment trial.

As the Senate discharges its constitutional duties, whether by conducting an impeachment trial or passing legislation, it should never be an instrument of a President, regardless of party. We should not be a rubberstamp. We should never outsource our judgment or our votes to any White House. We serve the American people and must render justice fairly and honorably at this critical time in our history.

#### IRAN

Mr. VAN HOLLEN. Speaking of critical moments, I do want to say a word about the rapidly escalating conflict with Iran.

General Soleimani was a violent man who died a violent death, but the question facing us is not whether the target of the attack was a good or bad man. The question is what will be the consequence of this action taken by the United States, and more broadly, what is President Trump’s strategy for moving forward to advance U.S. national interests in the region and in the safety of Americans?

President Trump came into office saying he wanted to end America’s wars in the Middle East, but today, we are closer to war with Iran than ever before. The administration’s reckless policy over the last 3 years has brought us to this brink. Make no mistake, from day one, President Trump and ideologues within his administration have escalated tensions with Iran without a strategy. They launched their deliberate, “maximum pressure campaign” without any realistic goals. Can anyone tell us today what President Trump’s endgame is with respect to Iran?

Everything we have seen over the last 3 years has demonstrated that this President is not capable of thinking beyond the first move in a chess game and has been surrounded by ideological sycophants, not regional or national security experts. They are people who are here to please his whims and have no capacity for the sophisticated conflict escalation management that will now be required more than ever to avoid an all-out war with Iran. It is a war that would harm our country in ways we cannot imagine strategically, economically, and in loss of life.

The stated goal of the action taken was to “protect American lives,” but Americans throughout the region are at greater risk today than they were yesterday. That is why our embassy in Iraq advised Americans to leave quickly. Our embassies and personnel across the region are now in even more danger, not just in Baghdad, but elsewhere

in the area and, in fact, around the world. American troops have become even bigger targets. What about the American humanitarian organizations and their personnel abroad, American students, and American tourists? They are all at greater risk as a result of the action taken.

Secretary Pompeo's call today for de-escalation after the assassination is a pipe dream. What we do know—and no one should be surprised—is that Iran has stated that the assassination of the general is tantamount to a declaration of war and they will strike back at a place and time of their choosing. We know with certainty that a response will come and that Iran and its allies have the ability to act against Americans and American interests across the region.

Moreover, the assassination will likely lead to a decline in American influence in Iraq and, as a result, even greater Iranian power and influence in that country. Our ally, the Iraqi Government, has already stated that the attack on its soil violated its sovereignty. Prime Minister Mahdi called for an extraordinary session of the Iraqi Parliament to safeguard Iraq's sovereignty, calling the strike "a dangerous escalation that will light the fuse of a destructive war in Iraq, the region, and the world."

Iraq's President, Barham Salih, also condemned the strikes. Here is the Reuters' piece: "Iraq president condemns U.S. strike, urges restraint."

These are our allies in the Iraqi Government who are condemning these actions and saying that they will lead to a spiral toward war, and these statements came just days after the Iraqi Prime Minister and the President had made similar warnings about prior American actions in Iraq. This is already intensifying calls within Iraq to expel U.S. forces. Who do we think is going to fill the vacuum there? Iran. It already has enormous influence in Iraq, and now we are going to be giving it even more.

This administration, like the Bush administration, has never understood basic political geography. Iran is a large Shia country that borders Iraq. Iraq is also a majority Shia country. Ever since the United States invaded Iraq in 2003 and removed Saddam Hussein, Iran's influence in Iraq has steadily grown. The assassination may appear gratifying in the short term, for, as I said, he was a bad person who had a lot of blood on his hands, but it has likely ushered in the most volatile moment in the Middle East in a very, very long time.

The same group of warmongering, political ideologues who told Americans that the Iraq war would lead to democracy's breaking out in the Middle East is telling us today that the Iranians will be celebrating in the streets. The truth is that this action will likely usher in the most militant Parliament in Iran that we will have seen in decades. The door will be closed com-

pletely on the hard-won moment for trying to derail Iranian nuclear ambitions through negotiations.

In closing, this is a pivotal and dangerous moment for America as the result of reckless policies over the last 3 years. The President's action may become the spark that could trigger another war in the Middle East. Let us here in Congress make very clear that President Trump has no authority to take America to war against Iran. Our Constitution requires that Congress authorize any decision to go to war, and Congress has not given that authorization.

In the days and weeks ahead, I hope all of us will do our duty as Senators to look at the situation we find ourselves in at this moment, and I hope we will resolve to do what President Trump said he wanted to do while he was campaigning for President, which is to not plunge us into more wars in the Middle East but to find a way to use our influence and our power responsibly to stabilize the situation there.

I yield the floor.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on the Judiciary.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE

At 12:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5377. An act to amend the Internal Revenue Code of 1986 to modify the limitation on deduction of State and local taxes, and for other purposes.

H.R. 5430. An act to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement.

The message further announced that pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), as amended, and the order of the House of January 3, 2019, the Speaker reappoints effective January 1, 2020, the following individual on the part of the House of Representatives to the United States-China Economic and Security Review Commission for a term expiring on December 31, 2021: Ms.

Carolyn Bartholomew of Washington, DC.

The message also announced that pursuant to 22 U.S.C. 7002, the Minority Leader appoints the following member to the United States-China Economic and Security Review Commission: Mr. Michael Wessel of Falls Church, Virginia, as previously agreed, because of the change in Congress and the presumed statutory intent of the Commission, the Minority Leader appoints Mr. Wessel on behalf of the Speaker.

#### ENROLLED BILLS SIGNED

At 12:12 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker pro tempore (Mr. RASKIN) has signed the following enrolled bills:

H.R. 1424. An act to amend title 38, United States Code, to ensure the Secretary of Veterans Affairs permits the display of Fallen Soldier Displays in national cemeteries.

H.R. 2385. An act to permit the Secretary of Veterans Affairs to establish a grant program to conduct cemetery research and produce educational materials for the Veterans Legacy Program.

The enrolled bills were subsequently signed by the Acting President pro tempore (Mr. ROBERTS).

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5377. An act to amend the Internal Revenue Code of 1986 to modify the limitation on deduction of State and local taxes, and for other purposes; to the Committee on Finance.

H.R. 5430. An act to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement; referred jointly to the Committee on Finance; Health, Education, Labor, and Pensions; Environment and Public Works; Appropriations; Foreign Relations; Commerce, Science, and Transportation; the Budget pursuant to section 151(e)(2) of the Trade Act of 1974.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3148. A bill to amend the Controlled Substances Act to list fentanyl-related substances as schedule I controlled substances.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on December 20, 2019, she had presented to the President of the United States the following enrolled bill:

S. 151. An act to deter criminal robocall violations and improve enforcement of section 227(b) of the Communications Act of 1934, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first