

Van Hollen      Warnock      Whitehouse  
Warner          Warren          Wyden

## NAYS—45

Barrasso      Fischer      Moran  
Blackburn      Graham      Paul  
Blunt          Grassley      Portman  
Boozman      Hagerty      Risch  
Braun          Hawley      Rounds  
Burr          Hoeven      Rubio  
Capito          Hyde-Smith      Scott (FL)  
Cassidy      Inhofe      Scott (SC)  
Cornyn      Johnson      Shelby  
Cotton      Kennedy      Sullivan  
Cramer      Lankford      Thune  
Crapo          Lee          Tillis  
Cruz          Lummis      Tuberville  
Daines      Marshall      Wicker  
Ernst          McConnell      Young

The PRESIDENT pro tempore. On this vote, the yeas are 55, the nays are 45.

The motion to table is agreed to; the point of order is not sustained.

The majority leader.

PROVIDING FOR RELATED PROCEDURES CONCERNING THE ARTICLE OF IMPEACHMENT AGAINST DONALD JOHN TRUMP, PRESIDENT OF THE UNITED STATES

Mr. SCHUMER. Mr. President, I have a resolution to organize the pretrial proceedings at the desk.

The PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 16) to provide for related procedures concerning the article of impeachment against Donald John Trump, President of the United States.

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 83, nays 17, as follows:

[Rollcall Vote No. 9]

## YEAS—83

Baldwin      Graham      Peters  
Barrasso      Grassley      Portman  
Bennet      Hassan      Reed  
Blumenthal      Heinrich      Romney  
Blunt          Hickenlooper      Rosen  
Booker          Hirono      Rounds  
Boozman      Hoeven      Sanders  
Braun          Inhofe      Sasse  
Brown          Kaine      Schatz  
Burr          Kelly      Schumer  
Cantwell      Kennedy      Shaheen  
Capito          King      Sinema  
Cardin          Klobuchar      Smith  
Carper          Lankford      Stabenow  
Casey          Leahy      Sullivan  
Cassidy          Lujan      Tester  
Collins          Lummis      Thune  
Coons          Manchin      Tillis  
Cornyn          Markey      Toomey  
Cortez Masto      McConnell      Van Hollen  
Cramer          Menendez      Warner  
Crapo          Merkley      Warnock  
Duckworth      Moran      Warren  
Durbin          Murkowski      Whitehouse  
Ernst          Murphy      Wicker  
Feinstein      Murray      Wyden  
Fischer          Ossoff      Young  
Gillibrand      Padilla

## NAYS—17

Blackburn      Hyde-Smith      Rubio  
Cotton          Johnson      Scott (FL)  
Cruz          Lee          Scott (SC)  
Daines          Marshall      Shelby  
Hagerty          Paul          Tuberville  
Hawley          Risch

The PRESIDENT pro tempore. On this vote, the yeas are 83, the nays are 17.

The resolution (S. Res. 16) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

The PRESIDENT pro tempore. The majority leader.

## MOTION TO ADJOURN

Mr. SCHUMER. Mr. President, I move the Senate, sitting as a Court of Impeachment, adjourn until Tuesday, February 9, 2021, under the provisions of S. Res. 16.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

Thereupon, at 3:26 p.m., the Senate, sitting as a Court of Impeachment, adjourned until Tuesday, February 9, 2021.

The PRESIDENT pro tempore. The majority leader.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

(Ms. SINEMA assumed the Chair.)

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

The PRESIDING OFFICER (Mr. MURPHY). Without objection, it is so ordered.

## MORNING BUSINESS—Continued

## BIDEN ADMINISTRATION

Mr. CORNYN. Mr. President, throughout the Presidential campaign, President Biden spoke often about the need to unify the country. He talked about the need for people across our great Nation to come together to empathize with one another and to mend the divisions that exist in our society. He echoed that same theme in his inaugural address, saying:

Without unity, there is no peace, only bitterness and fury. No progress, only exhausting outrage. No nation, only a state of chaos.

I agree with President Biden that there is an imperative to restore unity and civility throughout our country, but for all of the talk of uniting, compromising, and working together, the early pages of this new chapter read quite differently.

For starters, there are the actions of our Democratic colleagues who are trying to eliminate the legislative filibuster. They have echoed and praised the President's call for unity and bipartisanship while threatening to tear down the very rules that force us to work together in a bipartisan way. We know that the filibuster, or the cloture requirement that requires 60 votes to close off debate, is designed to encourage a fulsome debate of the issues that

confront 330 million Americans. It is what distinguishes the Senate from other legislative bodies. Unlike in the House of Representatives, where you need a simple majority in order to work your will, the Senate requires 60 votes to be in agreement in order to close off debate before a bill can be passed with 51 votes or more. It really forces us to do what sometimes we resist, which is to work together in a bipartisan way. The American people may believe that it is in our best interest for us to pass things on a partisan basis, but it is certainly not in their best interest. So the cloture requirement, or the filibuster rule, is designed to prevent either party from steamrolling the other, and that is a good thing.

The new majority leader, the Senator from New York, has threatened to blow up the filibuster and clear a path for a sweeping, radical agenda—this despite the fact that our Democratic friends have themselves relied on the filibuster over the last 6 years as the minority party and that President Biden himself, based on his 36 years of experience in the U.S. Senate, has affirmed the importance of this 60-vote requirement. I am glad that two of our colleagues on the other side of the aisle—one from West Virginia and one from Arizona—have offered their assurances that they will not vote to end the legislative filibuster, but I am disappointed that only two of our Democratic colleagues have done that. This should not be controversial or newsworthy to begin with. So far, the majority of Senate Democrats has made no legitimate effort to pursue President Biden's call for unity or bipartisanship.

Unfortunately, it is not just the actions of our Democratic colleagues which have caused concern. President Biden himself has acted unilaterally, time and again, by issuing a lengthy list of Executive orders within hours of his inauguration. The policies that President Biden is addressing in his Executive orders should be addressed here in Congress with bipartisan legislation. One of those was a 100-day moratorium on enforcing bipartisan immigration laws, which was enjoined by a Federal judge in my State earlier today.

It would be better for the country if our Democratic colleagues tried to legislate instead of litigate these Executive orders in court. I think the experience with DACA, or the experience with the Deferred Action for Childhood Arrivals, is instructive. President Obama, back in 2012, decided to take it upon himself to enact this new policy. It has been tied up in the courts for the ensuing 8, now going on 9 years. I support providing a permanent solution for DACA recipients, but it has to be done here on a bipartisan basis, not just ordered unilaterally from the Oval Office, or else we are going to see these bogged down in lawsuit, after lawsuit, after lawsuit, which, I think, will be satisfying to virtually no one.

On top of the DACA Program, President Biden has now been piling on additional immigration-related actions, and he is expected to issue more in the coming days, but some of the most aggressive and controversial moves we have seen so far have related to energy policy. Within hours of the inauguration, President Biden canceled the permit for the Keystone XL Pipeline.

There is no question that one of the biggest losers from that decision is the energy worker who stood to benefit from the jobs being created by the pipeline construction, and lest anybody think this is going to stop the flow of oil from Canada to the United States, what is going to happen—and what previously happened—is that oil will be loaded into railroad car tankers and trucks and shipped to their destinations. So it is not really stopping the oil from flowing where it is needed for low-cost and reasonably cost energy. It is just providing a more expensive and, indeed, a more dangerous alternative. At a time when our energy industry is already suffering as a result of the pandemic, this project would have led to a positive, cascading economic impact. Good-paying jobs, tax revenues, and economic benefits to local communities will evaporate because of this move.

I would note that, in the Rio Grande Valley, right along the U.S. Texas border with Mexico, that President Trump performed surprisingly well among Hispanic voters. People wrongly assume that Hispanic voters only care about immigration laws. The truth is they care about jobs and their families and their ability to pursue the American dream, which is why they overperformed what they typically would and why President Biden underperformed what he typically would in a largely Democratic stronghold there in the Rio Grande Valley, but the buck doesn't stop there.

The same day, the Biden administration halted all new leasing permits on Federal lands and waters. Rather than harvest our natural resources, which is one of the greatest benefits that nature has conferred on our country, it appears the Biden administration is carrying out its campaign to transition from oil and gas. I am all for transitioning to cleaner forms of energy, but we have to deal with the reality—for example, the fact that there are 280 million cars with internal combustion engines on our roads. How are families going to get to work, take their kids to school or live their lives if, all of a sudden, the very natural resources they depend on for their cars is no longer available?

This industry, according to one study, directly or indirectly supports one in six jobs in my State and is a pillar of our State's economy. Through higher tax revenue, high-paying jobs, and downstream economic gains, communities across my State reap the benefits of our thriving oil and gas industry every day. It is also what happens

to finance higher education in Texas from a dedicated, permanent university fund. If, in fact, our ability to produce this oil and gas from the ground is going to be curtailed, that is going to have dramatic, unintended consequences, too.

This also makes sure that folks across the country who don't produce this energy can get access to affordable and reliable energy. In November of 2019, for the first time on record, the United States exported more crude oil and fuel than we imported; that is, rather than being dependent on other countries, we exported more than we imported.

Beyond the obvious economic benefits, this provides a serious boost to our national security and that of our allies. There is a reason we have been engaged in the Middle East for a long time. Ever since Winston Churchill, as the Lord of the Navy in Britain, decided to move from coal to oil to power the British Navy, we have been dependent on sources of oil and gas primarily from the Middle East. So this has not only economic consequences; it also has national security consequences.

It also allows us to provide our friends and allies around the world with a dependable alternative. They no longer have to rely solely on the tender mercies of Vladimir Putin, for example, for their energy supplies, which can, obviously, be used as a weapon in and of itself. All of these gains are possible because of the hard-working men and women who work in the field and in the refineries in energy-producing States like Texas.

While COVID-19 has had an impact on American energy producers because demand has dropped precipitously, we don't expect that downtick to last forever. Indeed, it is coming back already as the economy continues to open up and now that more and more people are being vaccinated for COVID-19. We have hope that, later this year, people will resume their daily commutes to work; that the lights in their office buildings will flicker back on; that nonessential travel will pick back up; and that energy producers will be running at full speed once again.

Rather than laying the foundation for a strong recovery, the Biden administration is issuing Executive orders that will harm American energy and send more business to our international competitors.

And the administration is carrying out these changes without any input from Congress.

I understand the President's desire to bolster renewable energy, and I think he would find that if he explored energy policies with us in Congress, he would meet more friends than foes.

I support the effort to drive down emissions, and, in fact, natural gas that transitions from coal-fired powerplants to natural gas has been a big driver of the progress we have made in doing just that. But we shouldn't stop there. We need to continue to invest in

new clean energy technologies that will reduce emissions while providing low-cost access to electricity that the American people need to live and to work.

The United States' energy-related emissions dropped by almost 3 percent in 2019, largely due to the use of natural gas for power generation.

But I am a strong supporter of renewable energy too. We truly, in my State, believe in an "all of the above" energy policy. We are the No. 1 producer of electricity from wind turbines in the country. We produce one-quarter of all wind energy in the United States, and if Texas were a country, we would be the fifth largest wind energy producer in the world.

But even the strongest supporters of renewable sources of energy can tell you that, right now, renewables alone are not feasible to fuel our economy. After all, there are some times when the Sun doesn't shine and when the wind doesn't blow, so we need a backup or baseload source of energy.

Last year, renewables accounted for less than 18 percent of our total electricity generation, and I am all for having that number grow. For comparison, natural gas, though, currently accounts for double that.

While the development and expansion of renewable sources like wind energy are important, we can't shut out our key sources of energy that we need today. We have been supporters of an "all of the above" energy strategy, like I said. My State, I think, is proof positive that you can support the oil and gas energy that is so important for our economy and for people's livelihoods; you can support renewables; and you can support innovative technologies that lower emissions, all while creating high-paying jobs and providing affordable and reliable energy.

I would like to work with the administration and our Democratic colleagues in the Senate, as I have in the past, to enact lasting policies and deliver reliable energy to the American people and our friends and allies around the world while prioritizing conservation.

This is not the time to implement unilateral, heavyhanded, shortsighted regulations. Our energy industry is still reeling from the effects of the pandemic, and the administration and Congress need to take action to support its recovery, not stand in its way.

I agree with President Biden's call for unity, and I hope that the next 4 years will be filled with more bipartisan cooperation than the first days of this new administration have been.

We have learned, time and time again, that the legislative process, which forces us to work together in a consensus-building exercise is far more durable—far better—than unilateral Executive actions. I admit that both parties, when they are in the White House, have used Executive actions, but, frankly, I would think as an institution, we here in Congress would be

leery of encouraging more Executive action. That means most of the power here in Washington is exercised out of the White House and not done here in the people's House, here in Congress.

I encourage the administration to lead by example and encourage all of us to do the same—to try to work together for our shared priorities and create real and lasting change for our country.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### RECOGNIZING UTAH NATIONAL GUARD

Mr. LEE. Mr. President, some of our Nation's finest answered the call of duty here in our Nation's Capitol over the last 2 weeks to assist with the peaceful transition of power and make sure that it was in fact peaceful. These dedicated men and women in the National Guard have taken an oath to protect that bedrock document, the Constitution of the United States, and, indeed, they have fulfilled that duty.

Some of our very finest in the National Guard came here to serve from my home State of Utah; 321 troops that have discharged their duties with distinction and honor came from the Utah National Guard.

The majority of Task Force Utah consisted of soldiers from the 2nd Battalion, 222nd Field Artillery, 65th Fires Brigade, also known as Triple Deuce. Additional soldiers came from 204th Maneuver Enhancement Brigade and the 19th Special Forces Group (Airborne).

I rise today to honor and thank these really selfless women and men. These past weeks, the Utah guardsmen were stationed at the Madison Building of the Library of Congress, just across the street from the Capitol. For many of these soldiers, it was their first time ever visiting Washington, D.C.

Major Brent Mangum of the Utah National Guard remarked that as the soldiers were stationed at buildings, they saw these quotes on the walls—quotes from our Founding Fathers—and as they were working in these buildings, you could see them pausing during the day, reading the quotes, and then stopping to reflect on them.

I, myself, had the great privilege, in a couple of different groups, to give some of these men and women a tour of the Capitol Building before they left to go back to Utah. It was a great honor to meet and get to know these dedicated guardsmen and to learn from their stories and to see firsthand their caliber as people and, most importantly perhaps, their visible commitment to the United States of America.

This idea, this principle, in this great land of ours—the greatest civilization human history has ever known—was something that they are independently committed to defending and protecting, even at the sacrifice of their own security and their own ease, which they would have otherwise enjoyed over the last couple of weeks.

One of the most remarkable things about these citizen soldiers is the way in which they tirelessly serve their communities, and I say that meaning both inside and outside of their Guard duty.

My Salt Lake City office was lucky enough to have one of these fine young soldiers, Alfredo Lopez, as an intern a few years ago.

Alfredo immigrated with his family from Peru at the age of 10, and they began to build a life here in the United States. In addition to serving the people of Utah in my State office, he also was on Active Duty with the Marine Corps before he joined the National Guard. Alfredo, in all of his endeavors in our country, has sought only to give back. He is grateful for this country and wants to make sure it is a strong, safe, and secure place in which to live.

Another guardsman who was here, Jay Bartholomew, is a prison guard at the Gunnison prison in Sanpete County, UT. He is the son of my friend Scott Bartholomew, a county commissioner in Sanpete County. Jay has followed in his family's footsteps to serve his local community.

Other guardsmen in Utah are engaged in their communities in all sorts of ways. Some are teachers, some are firefighters, some are policemen, and some are medical professionals. You name it; they have done it.

Many have now answered the call of duty on the frontlines of another crisis as our Nation faces the current pandemic. These guardsmen have played a significant role in providing testing, moving and storing personal protective equipment, and other support missions to assist Utah's Department of Health COVID-19 response.

Now, Utah Governor Spencer Cox has entrusted them with another critical mission. The Guard will be on the frontlines to help ramp up the delivery of vaccines to our State. The Guard has put together teams that can mobilize throughout Utah to deliver vaccinations and antibody infusions within a matter of hours and save a whole lot of lives and prevent a whole lot of suffering in the process.

I have no doubt that they will continue to administer this duty with dedication and with excellence, just as they do with every other assignment with which they are tasked. In everything they do, members of the Utah National Guard seek to serve and strengthen our communities, our country, and our State, and we are all better off for it.

It has been such an honor to have these selfless men and women in our Nation's Capitol. I have enjoyed get-

ting to know them and look forward to visiting again with them soon, and I thank them for their service.

#### ABORTION

Mr. LEE. Now, Mr. President, I would like to discuss another important matter. This past week, we marked the anniversary of a deadly day in American history. It has resulted in the loss of millions of innocent American lives. That is the anniversary of *Roe v. Wade*.

Since January 22, 1973, more than 60 million unborn children have been lost to the scourge of abortion. This week, we honor and remember those lives, as well as those who have been hurt by the pains of abortion.

In a normal year, tens of thousands of Americans would be marching down Constitution Avenue this Friday to do so. This year, as with so many other things, the March for Life will instead be virtual. But, nonetheless, Americans will continue to march, whether virtually or in person where they can.

The theme of this year's march is "Together Strong: Life Unites!"—a fitting theme following a year ripe with division, violence, and loss. Now, more than ever, we must unite as a nation, turning with hope toward the future—hope that our Nation will heal, hope that justice will prevail, and hope that the grievous act of abortion will be forsaken. Given our country's history, in which we have stubbornly made mistakes but, thankfully, have come around in the end, there is much reason for hope. But we cannot heal and we cannot unite if we don't honor and respect all of the American people, born and unborn.

So many of the deepest injustices in our country's history stem from one dark dangerous thing; that is, when we have rejected the dignity of the human person, when we have denied the humanity of our brothers and sisters, when we have discriminated against others based on the way they look, think, love, or worship, and when, because of that, we have looked at them not as people but as things and as mere objects to be acted upon.

As abolitionist William Lord Garrison put it, the worst kind of oppression to be regarded with the greatest degree of indignation and abhorrence is "that which turns a man into a thing."

Now, we have discriminated against a whole class of people not based on the color of their skin but on their age and development.

But it doesn't change the truth. The truth is that a baby inside the womb can respond to human touch by the age of 8 weeks and feel pain by the age of 20 weeks—who can recognize her mother's voice even before she is born; who has a perfect little nose, fingernails, and a beating, fully functioning heart, her own distinct unique DNA, and her own unique unrepeatable soul.

Science and medicine are only confirming what we know deep down, that unborn human beings are in fact little