

Murphy: Senate Republicans Are Abandoning Their Constitutional Responsibilities To Help Trump Break The Law

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WASHINGTON—**U.S. Senator Chris Murphy (D-Conn)** on Wednesday spoke on the U.S. Senate floor to condemn the nominations process rule change being pushed by Senate Republicans, allowing the Senate to batch an unlimited number of nominees into a single vote. Murphy warned the rule change abandons the chamber's constitutional oversight responsibility, emboldening Trump to appoint corrupt loyalists, and slammed Senate Republicans' repeated willingness to surrender their constitutional powers to enable President Trump's lawless agenda.

Murphy argued that Senate Republicans' subservience to President Trump is facilitating the erosion of American democracy: "In a disappearing democracy, the legislature effectively operates as an arm of the regime - simply taking orders, including orders to wind down the independent power of the legislature... Senate Republicans increasingly view themselves as mere employees of their party's leader - Donald Trump. They will look the other way when he violates the law, and when he asks to consolidate power, his employees grant his request without thinking twice."

He stressed the nominations process rule change forfeits one of the Senate's most essential oversight responsibilities and invites presidential abuse: "One of the most important checks on executive power, given to the Senate in the Constitution, is the power of consent for nominees to high executive office. It prevents a president from installing in power unqualified or corrupt people. It allows the legislature to make sure the executive branch is staying in its lane, and *executing* the law, not making the law. Yesterday, we effectively gave that power up, in an extraordinary way."

Murphy outlined the numerous powers Republicans have given up in service of Trump's lawlessness: "This wasn't the first time congressional Republicans gladly gave up their power to make Trump's lawlessness easier. Trump has effectively seized the spending power from Congress... Senate Republicans have done virtually nothing... Another power the Constitution gives Congress is power to declare war. The President cannot take military action overseas without Congress and that's a very good thing. But Republicans have now totally outsourced war making power to the President."

He concluded: "We are watching a slow motion, daily assault on democracy take place. Institutions are shuttering venues of dissent. The judiciary is being turned into a mechanism to harass and imprison the President's political opponents. Our media are cutting deals with the President to silence loud critics of the Administration. And now, this body will no longer get to vote on individual nominees to the Administration who are likely going to carry out this campaign to undermine and eventually, potentially destroy the rule of law. None of this is normal. None of this, including what is happening this week in the United States Senate, has any historical precedent before in this country. All of it is wildly dangerous and perhaps fatal, if we continue to refuse to join together as Republicans and Democrats to rise to the challenge to protect our democracy."

A full transcript of Murphy's speech is available below.

Mr. President, I'd first note that we are all horrified watching images and following news out of Utah, we are sending all of our thoughts to Mr. Kirk, to his family, to survivors there.

Mr. President, colleagues. There are a host of ways that democracies die. Institutions - like universities and the legal profession - they capitulate to the leader, to the regime. They stop being forums for free speech and dissent. The legal system becomes perverted into a vehicle to punish opponents of the regime and to immunize loyalists. The press, threatened with sanction or retribution for telling the truth, they fold and they just silence criticism. Business leaders are offered lucrative deals for making loyalty agreements with the government, using their economic power then to back the regime.

I wish this weren't true, but all of those things are happening in America today. It is why many of us come down to this floor fairly often to talk about our belief that we are sleepwalking into some version of, at best, deeply illiberal democracy, where rights and dissent are functionally irrelevant, or, at worst, authoritarianism, where political opposition just vanishes.

But today, I want to talk about another common part of the story about how democracies evaporate. And that's the subjugation of the legislative branch to a corrupt executive branch. To put it another way, in healthy democracies, the legislature or the parliament sees itself as a check on runaway executive power. It stands up regularly for its powers, its prerogatives, no matter who the president or the Prime Minister is. In a disappearing democracy, the legislature effectively operates as an arm of the executive, simply taking orders, including orders to wind down the independent power of the legislature.

That is what is happening here, right now, in the United States Senate. One of the most important checks on executive power, given to the Senate by the Constitution, is the power of consent for nominees to high executive office. It prevents a President from installing in power unqualified or corrupt people. It allows the legislature, and through the legislature, the people, to make sure that the executive branch stays in its lane, executing the law, not making the law.

Yesterday, we effectively gave that power up in an extraordinary way. Senate Republicans went nuclear - that means they used their majority power to change the rules of the Senate, unilaterally, without any Democratic support - so that now, in one single vote, the Senate can confirm 50 or 100 or 1,000 Trump nominees all at once. From the founding of our republic until yesterday, without unanimous consent the Senate voted on one nominee at a time. Now, the Senate can batch together dozens or hundreds of nominees in one vote, essentially obliterating our power of advice and consent.

Now, Republicans say, "Well, this was originally a Democratic proposal." But that's not true. Yes, a few Democrats, years ago, floated a proposal to Republicans to work together in a bipartisan way to batch together 10 nominees at a time, and only lower level nominees. But this Republican rule: A. Involved no consultation with Democrats. B. Has no limit, either with respect to how many nominees are considered and seemingly what level of nominee. It would effectively allow, under the actual letter of the rule, for there to be one single vote on an entire slate of cabinet nominees.

Now, I understand that the Republican leader will say that is not the intent of the rule, but read the rule! And there will be pressure - increasing pressure - now that the rules are changed from the president of the United States to continue to open the aperture of what this rule allows.

Now, I will concede that our nomination process is broken. And I'm totally open to reasonable proposals for reform. But this is not reasonable. What do I do as a Senator if a batch of nominees arrives for a vote, and I support 58 of them, but I don't support 2 of them? If I vote no, then I've voted against 58 qualified people. If I vote yes, then I've given my consent, possibly, for deeply dangerous people to staff key federal agencies. It makes no logical sense to do this, at the very least in this open-ended way.

But it does make sense if you put yesterday's decision in context. Because Senate Republicans increasingly view themselves as mere employees of their party's leader - Donald Trump. They will look the other way when he violates the law, and when he asks to consolidate power, his employees grant his request without thinking twice.

Because this wasn't the first time congressional Republicans gladly gave up their power to make Trump's lawlessness easier. Trump has effectively seized the spending power from Congress. This is unforgivable because our founding fathers vested the spending power in Congress because they knew that a President with the unrestrained power of the purse could easily use that authority to seize full power of the government and wrest away from the people control of their government.

Trump has frozen or cancelled more than \$400 billion in congressionally appropriated funding. Senate Republicans have done virtually nothing to counteract that extraordinary, unprecedented seizure of spending power. In fact, they've helped him take control of spending, by supporting, for the first time in our nation's history, a partisan rescissions bill that cancelled billions of dollars of spending that had been appropriated through a bipartisan vote.

Congressional Republicans have also just, frankly, closed down any meaningful oversight of the corruption that's happening in the executive branch. Republicans enthusiastically rooted through every corner of the Biden Administration to find every morsel of alleged corruption that they could find, including harassing virtually every member of the Biden family to find facts to corroborate this bogus Fox News driven "Biden Crime Family" narrative.

Meanwhile, Donald Trump and his family have made \$3.4 billion off of his Presidency. The President is using White House resources to promote his family's interests, to market a Trump family coin. He bullied a foreign government into

resources - taxpayer-funded White House resources - to market a Trump crypto coin. He bullied a foreign government into giving him a private jet. His family is setting up companies, as we speak, to profit off government contracts. It's a massive, growing corruption racket, but now, all of a sudden, Republicans have no interest in oversight.

One more example. Another power the Constitution explicitly reserves for Congress is the power to declare war. The President cannot take military action overseas without Congress and that's a really good thing. But Republicans have now totally outsourced to Donald Trump the decision as to whether we take military action overseas. Now, I'm not saying that Democrats were perfect in constraining the executive's war powers, but at least we tried. Trump just carried out an airstrike on a boat off the coast of Venezuela - a blatantly illegal act - and there was one single Republican Senator who raised a concern.

History is full of examples of legislatures who are under pressure from an elected executive who wants to convert a country from democracy to something else, like autocracy. They effectively just closed up shop, they decided to just take orders from the leader, and thus they consent to this transition.

Turkey is no longer a healthy democracy today because the Parliament supported consolidating massive new powers into the presidency. In Sri Lanka, their democracy is in peril in part because their legislature gave up key appointment powers to the executive. Part of the collapse long ago of Russia's short-lived democracy was the Duma's decision to simply view itself as a political arm of the presidency.

Now, I know that some people are going to suggest that this is hyperbole. I don't think it is. We are watching a slow motion, daily assault on democracy take place. Institutions are shuttering venues of dissent. The judiciary is being turned into just a mechanism to harass and imprison the President's political opponents. Our media are cutting deals with the President to silence loud critics of the Administration. And now, this body will no longer get to vote on individual nominees to the Administration who are likely going to carry out this campaign to undermine and eventually, potentially destroy the rule of law.

None of this is normal. None of this, including what is happening this week in the United States Senate, has any historical precedent before in this country. All of it is wildly dangerous, and perhaps fatal, if we continue to refuse to join together as Republicans and Democrats to rise to the challenge and protect our democracy.

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