

# United States Senate

February 9, 2021

Dear Colleague:

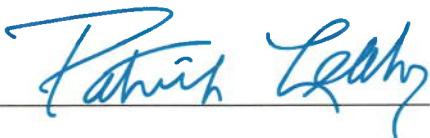
Later today the Senate will convene not as a civil or criminal court, but as a separate constitutional court of impeachment. All 100 senators will sit, in the words of Chief Justice Rehnquist, not simply as a jury, but as a court in this case.

As many of you know, I did not ask or seek to preside over this trial. Yet while I occupy the constitutional office of the President pro tempore, it is incumbent upon me to do so. After reviewing the Constitution, Senate rules and precedent, and after consulting with the Parliamentarian, I would like to inform all Senators and parties how I intend to conduct these proceedings.

My intention and solemn obligation is to conduct this trial with fairness to all. I will adhere, as have my predecessors in the Senate who have presided over impeachment trials, to the Constitution and to applicable Senate rules, precedent, and governing resolutions. Should a motion, objection, request, or application related to the procedure of the Senate or to the trial be put before me, I will consult with the Parliamentarian and be guided by Senate precedent. Any decision I make from the chair will be subject to the review of the full Senate. I also intend to put a matter before the entire Senate in the first instance where appropriate in light of the precedents and practices of the Senate, giving all senators an equal say in resolving the issue at the outset. Consistent with Senate precedent, should a constitutional question be put before me, I will also immediately submit it to the entire Senate, as I already have during this trial.

As have past presiding officers, I will enforce the Senate rules and precedents governing decorum and do what I can to ensure this trial reflects the best traditions of the Senate, consistent with the oath each senator took to do impartial justice according to the Constitution and laws.

Sincerely,



PATRICK LEAHY  
United States Senator  
President Pro Tempore