



**Senator Peter Welch
Remarks as Delivered
on Voting Against Kash Patel
February 13, 2025**

I believe that this country and this Congress is in the midst of what has been a slow-moving but rapidly accelerating constitutional crisis. It began most visibly on January 6th of 2021: when the two norms of this republic—the peaceful transfer of power and the renunciation of violence—were breached, and where many members of the House and Senate voted against certifying the election of the person chosen by the American people.

President Trump then, and President Trump today, continues to assert that the 2020 election was stolen: “stop the steal.” He won the 2024 election. His election was certified. He's entitled, as president, to vigorously use the powers of the presidency to implement the policies that he advocates. He's not entitled to violate the Constitution in his effort to do so.

Mr. Chairman, in my view, the beginning of the Trump Administration is showing a contempt for the Constitution and lawlessness that is dangerous to the future of our republic. Freezing federal spending—clearly unconstitutional. Shutting down agencies created by Congress with no authority to do so. Removing leaders of agencies, including Inspector Generals, against the clear requirements of law. Firing government employees who have civil service protections. Threatening to deport people based on their political views. Revoking—by Executive Authority—birthright citizenship.

These are just some of the actions that the president has taken where he has no authority to do so. On Monday, a federal judge said the White House defied his order to release billions of dollars in federal grants, marking the first time a judge has expressly declared that the Trump Administration is disobeying a judicial mandate.

This country is headed into a situation where in addition to acting without authority, the president is indicating he will defy rulings from the third branch of our government, the judiciary. Vice President Vance has made very clear his point of view on this: judges aren't allowed to control the executive's “legitimate powers.” Of course, under our Constitution since *Marbury versus Madison*, the court is the final arbiter of what is constitutional or what is not.

My colleagues, my view of this is that the administration is showing maximum contempt for core constitutional values including, most importantly, the separation of powers.

We have a dilemma here. There are many in this committee that are fully in support of the policies that President Trump is pursuing. That's of course, your right, and his right. But the

unique responsibility each of us as a United States Senator has is to guarantee that in pursuit of those policies, it is done within the constitutional boundaries.

This is not just to talk about civic aspiration. It's a recognition that the separation of powers, that the system of checks and balances—that the concept that ambition and the executives should be matched with the ambition and the legislature—has held this country together for 250 years.

We have fierce debates about important public policy matters. But what allows us to resolve those, despite disagreements—intense disagreements—is the pushing and the shoving, the engagement, the winning and moving forward, losing a fight and falling back, but all within the norms of the Constitution. That's being threatened, and I don't say that lightly.

But what has happened on January 6th is continuing. And where we saw the “stop the steal,” the renunciation of the decision that the American people made in 2020 in that election and the candidates—many of them who came before us, including Mr. Patel—unable to simply say who won the 2020 election, continuing the “stop the steal” narrative. And then with President Trump in his first weeks in office, acting in ways that challenge the constitutional order.

I'm voting against Mr. Patel because he is clearly an instrument in that effort to continue eroding the precepts of the Constitution on the separation of powers.

My colleagues, this is a very difficult time, particularly for my colleagues on the Republican side. You support many of President Trump's policies, and as I say, that is your right. But it is so essential to each of us as a U.S. Senator to make our own judgments about whether the manner in which power is being used on the executive branch is a threat to the power of the legislative branch—the Article I branch. We, each of us, must be custodians of that constitutional order in our role as the legislature in it.

Tough judgments that have to be made...My judgment is that the president is showing absolute contempt for the United States Congress. And the next step is contempt for the United States Judiciary. I cannot vote for a person who signed on to that agenda.

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