

that a political fever permeated this process from the beginning, dating back not just to the start of the House of Representatives' impeachment efforts, but all the way back to November 2016. As a result, the House improperly impeached. Now, the Senate should exercise restraint. Here is why.

First and foremost, a fair legal process is fundamental to our democracy. The House managers have repeatedly emphasized that no Americans are above the law. I could not agree more: No private citizen, President, or assembled majority of Congress can violate the rights guaranteed to other Americans under the Constitution. Accordingly, the President is entitled to basic due process rights, and the House failed to afford him these rights. Due process includes the right to legal counsel, the right to review evidence, and the ability to confront your accusers—rights denied by the House majority. House Managers breathlessly insist that “overwhelming” evidence already in the record proves “beyond any doubt” the President’s continued service constitutes an imminent threat to the American people. The House’s flawed and rushed process led to unfair proceedings and resulted in superficial, unspecific charges supported by a one-sided, improperly curated factual foundation.

Second, Separation of Powers is a cornerstone of our constitutional republic, and its preservation is essential to prevent abuse of power by one branch over another. A majority of the House should exercise extreme caution when it bases impeachment upon the President’s exercise of his foreign relations prerogatives, which are expressly granted to him by the Constitution. Additionally, in developing its Articles of Impeachment, the House majority chose to circumvent the judicial branch of government in order to clarify an issue of unsettled law pertaining to Executive Privilege. Instead, the House simply arrogated to itself a novel and dangerous new legal authority: absolute power to define Executive Privilege, even when the President is exercising his foreign relations powers granted by the Constitution.

As with prior impeachment inquiries, following a formal request by the House, the Federal courts could have compelled the executive branch to provide sensitive documents and witnesses. The House chose to ignore this longstanding precedent because it conflicted with its political timeline. Astonishingly, Speaker PELOSI rushed the mismanaged process forward only to delay it, again for political purposes, before finally sending the Articles of Impeachment to the Senate. Now the House, having failed to fully develop its evidentiary record, invites the Senate to act as an accomplice to its ramrod impeachment and create a dangerous new 51-vote Senate threshold to override executive branch claims of Executive Privilege.

To accept this invitation would be a violation of a long-established separation of powers.

Senators might be tempted by a burning curiosity or crass political calculation to further develop the House’s vague and tainted articles, but the constitutional separation of powers dictates that our legal charge must be more narrowly confined. To act otherwise would violate our oaths and dangerously incentivize calculating and intemperate House majorities to promiscuously impeach rival Presidents. We must set aside our personal preference because, under the Constitution, we are duty-bound by the “sole power to try” the infirm articles before us.

Lastly, Americans should stand against any Senate action which abets the creation of a constitutional crisis through the politicization of impeachment. The House majority’s misguided process created a precedent to weaponize impeachment, a new precedent that will lead to serial impeachments in a polarized America. If the House majority had its way and the Senate accepted its invitation to fix their broken articles, either political party would be tempted to impeach and potentially remove their political opponents from office by initiating slapdash impeachment investigations. This new precedent would reduce impeachment to a mere vote of no confidence, similar to that in the U.K. Parliament. During President Nixon’s impeachment, then Democratic Chairman Peter Rodino of the House Judiciary Committee urged that, for the American people to accept an impeachment, it must be powerfully bipartisan. This has been dubbed the Rodino rule, and I embrace the standard.

A decent respect for the law and the opinions of fellow citizens and a concern for future precedent requires that I pointedly emphasize what I am not arguing, that a President can lawfully do “whatever he wants,” that inviting foreign election interference is appropriate, that absolute immunity attaches to Executive Privilege, or that a statutory offense must be committed to impeach.

In summation, I have ineluctably arrived at a conclusion after impartially applying the law to all facts presented: House managers delivered tainted articles and failed to present requisite evidence to support their exceedingly high burden of proof. Therefore, I am duty bound to join my colleagues who would have the Senate resume the ordinary business of the American people.

The Founding Fathers, who warned of the political nature of impeachment, also provided us a means to address dissatisfaction with our Presidents: frequent elections. This week, Americans began the Presidential election process. For the sake of our Constitution and our Nation, the Court of the American People should render its verdict through an election to address its support of or opposition to the current administration.

ADDITIONAL STATEMENTS

TRIBUTE TO JASON OLSON

● Mr. CRAMER. Mr. President, after 32 years of serving his community in the Minot Police Department, including 8 of those years leading it, Chief of Police Jason Olson began a well-deserved retirement on January 31.

He became a police officer in 1988 at the age of 21, as he was completing his criminal justice degree at Minot State University. Starting as a patrol officer, he went on to spend 18 years on the SWAT team.

Officer Olson became chief of police at a time of significant change for the city of Minot and western North Dakota. The challenges this growth and development brought to the fourth largest city in North Dakota demanded a leader who would advocate for his staff and be open to change. The city had the right person in Chief Olson.

Serving on the frontlines during some of the greatest challenges to the city of Minot, Chief Olson was there for the tragic train derailment that spread anhydrous ammonia across the city in 2002 and for the historic flooding of the Souris River in 2011. Through the best and very worst of times, Chief Olson exhibited his trademark calm and collected demeanor.

Chief Olson credits his success to the experience he gained as a young officer from the veteran officers who had served for decades. Likewise, many of the 80-plus employees today praise him for the lessons he taught them as the head of the department. This includes the new Police Chief John Klug, a 25-year officer who took over on February 1, after being chosen in a national search. He speaks highly of Chief Olson and the example he set as a mentor and leader.

We cannot thank our law enforcement officers enough for their sacrifices keeping our communities safe and for the bravery they exhibit every day on the job. I join the residents of Minot and all North Dakotans thanking Chief Olson for his many years of dedicated professional service. I wish him a well-deserved and rewarding retirement.●

RECOGNIZING THE MISSOURI UNIVERSITY OF SCIENCE AND TECHNOLOGY

● Mr. HAWLEY. Mr. President, it is my privilege to honor the sesquicentennial of Missouri University of Science and Technology, as Missourians know it, S&T.

Founded in 1870, Missouri S&T was the first technological institution west of the Mississippi. Originally named the Missouri School of Mines and Metallurgy, the school was primarily focused on educating and training those who would mine the mineral rich area on the eastern side of the State.

By the 1920s, S&T had expanded into chemical, electrical, and civil engineering, as well as physics, chemistry,